



Colorado Mesa University

Montrose Campus

Annual 2018 Clery Security/Fire Safety Report

Updated September 2018

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INTRODUCTION

It is the policy of Colorado Mesa University (CMU) to provide for the safety and security of all members of its campus community. The University believes that academic freedom can only flourish in an environment that is free of criminal or other disruptive activity and unsafe conditions. Colorado Mesa is committed to maintaining the campus community as a place of study, work, and residence that is free from abuse, intimidation, and harassment where everyone is treated with respect and courtesy. The University will not tolerate criminal activity and will actively pursue internal discipline, criminal prosecution, or both for all offenders.

Colorado Mesa University is a state-supported institution of higher education, whose main campus is located within the City of Grand Junction, Colorado. The Montrose Campus is a satellite campus of CMU and operates within the City of Montrose, Colorado. The University works closely with the Montrose Police Department to coordinate efforts to provide for a safe and secure campus environment.

The Colorado Mesa University Montrose Campus annually serves approximately 250 students, 40 faculty and staff, visiting guests, and members of the public.

REPORTING OF CRIMINAL ACTIVITIES OR EMERGENCIES

The Montrose Police Department, in cooperation with the campus community, is responsible for public safety, security, parking enforcement, after hours emergency maintenance, and response to law enforcement and emergency incidents. Administrative offices are located at 434 South 1st Street. The Department has officers available 24 hours a day and can be reached by calling 911 for emergencies, (970) 252-5200 for non-emergencies or (970) 252-4010 after business hours. The Dispatcher can be reached at (970) 252-4021. The Police Department responds to all campus incidents reported by students, faculty, staff, and members of the general public.

Emergency response for fire, ambulance, or hazardous materials is the joint responsibility of the Montrose Fire Department (970-249-9181, non-emergency) and the Montrose Police Department (970-252-5200, non-emergency). Non-emergent incidents may also be reported on the CMU "[Report a Concern](#)" webpage.

TO REPORT A CRIME OR EMERGENCY

All students, staff, and visitors should promptly report criminal incidents, accidents, and other emergencies to the Montrose Police Department by dialing 911.

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 University and the pursuit of its educational purpose.

Campus Security Authorities

"Campus security authority" is a Clery-specific term defined as a campus police or security official or other official with significant responsibility for campus and student activities. Should an individual choose not to report directly to the Montrose Police Department as noted above, they may report the incident to a campus security authority. Listed below are CMU campus security authorities and the phone numbers of either the campus security authority or an administrative professional who can help in contacting the designated campus security authority.

Montrose Campus:

- The Director of the Colorado Mesa University Montrose Campus - 970-249-7009

Main Campus – Grand Junction:

- Vice President for Student Services - 970-248-1366
- Director of Campus Safety and Student Conduct - 970-248-1336
- Department Heads - 970-248-1881
- Advisors of Student Clubs - 970-248-1402
- Any Residence Life Staff (Director, Assistant Directors, Area/Resident Coordinators, RAs) - 970-248-1536
- Administrative Personnel of Student Service Programs or Departments
- Affirmative Action Officer 970-248-1820
- Title IX Coordinator - 970-248-1366
- Athletic Directors and Coaches - 970-248-1503
- Sexual Assault Response Team - 970-270-5895

Anonymously Reporting Crimes

Individuals may also report crimes anonymously through Crime Stoppers. The Crime Stoppers phone line is not recorded and has no caller ID. Information provided by callers is routed to the law enforcement agency investigating the case. If information leads to an arrest, up to \$1,000 may be rewarded to the caller. Individuals may provide information about a crime or suspect by calling 249-8500.

Individuals may also anonymously report concerns via an online submission form located at the “Report a Concern” link on the University’s [Safety Resources and Services](#) webpage. The information submitted goes directly to the Director of Campus Safety and Student Conduct and Vice President of Student Services. This reporting method should not be used to report emergencies. Individuals may also use this link for the purpose of making reports to be included in annual statistical disclosures.

The University employs no pastoral counselors, but does have a contract with professional counselors for anyone in the University community to visit if psychological assistance is needed. These counselors are not campus security authorities, but the University encourages them to refer persons that they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual crime statistics.

MONTROSE POLICE DEPARTMENT AUTHORITY

The Montrose Police Department has the authority to enforce all federal, state, and local laws, as well as official policies of Colorado Mesa University, as Level I Peace Officers (CRS 18-1-901). The authority of police officers is limited to the boundaries of the City of Montrose or anywhere when in fresh pursuit of an offender, or when called to assist another agency outside the city limits.

The Montrose Police Department maintains close relations with all federal, state, and local law enforcement entities. Criminal cases are filed into the Montrose County Courts or alternatively into the Montrose Municipal Court. Colorado Mesa University amplifies their available resources through this cooperative effort in order to support a safe, secure environment on campus.

TIMELY WARNINGS

A condition or incident that could compromise the safety and well-being of any member of the Colorado Mesa University community will result in an appropriate timely warning being issued. The warning will be communicated to the University community in one or more of the following ways: e-mail, emergency text and voice messaging

system, notices on the college's website (MAVzone portal), and posters/flyers posted around campus. The President's Office or the Vice President for Student Services, or the Director of the CMU Montrose Campus, in collaboration with the Montrose Police Department, will issue the warning.

Any member of the community who is aware of an incident or emergency should notify an employee of the University who will in turn notify either the President, Vice President for Student Services, the Director of the CMU Montrose Campus, or the Montrose Police Department immediately so a timely warning can be issued if need be.

EMERGENCY RESPONSE AND EVACUATION PROCEDURE

Colorado Mesa University has contracted with 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. While the University encourages students, faculty, and staff to participate in the emergency notification system, opting to receive the emergency notifications is completely voluntary and only one of the ways the University will attempt to alert the campus community to an emergency event.

Colorado Mesa University will, without delay—taking into account the safety of the campus community—determine appropriate content of a notification and initiate the notification system unless the notification will, in the professional judgment of authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

The content and initiation of the notification system will be determined by the University President, or his/her designee, in consultation with appropriate campus personnel. For the purposes of this procedure, the University President, in addition to preserving this authority himself, has appointed appropriate campus officials as safety designees. The identity of these officials is kept in the Campus Emergency Operations Plan.

The emergency notification system may be initiated only at the direction of the University President, or his/her designee, unless the Montrose Police Department has determined that an imminent threat requiring immediate action is posed to the campus community.

The contact information provided for the notification system will not be sold or released to any other party. The University intends to only use the provided contact information to alert the campus community of emergency situations or an event that directly poses a life-safety risk to the campus community. In addition, the emergency notification system will be tested once per term, not to exceed three (3) times per calendar year.

Colorado Mesa University does not warrant the successful delivery of each message to each individual recipient. The service depends on the individual cellular and mobile phone carriers to deliver Simple Messaging System or SMS/text messaging to each recipient. There may be a charge by your cell phone provider to receive text messages.

Alert Channels

In the case of an emergency, students, faculty, and staff will be notified through one or more of the following channels:

- Text Message
- Voice Message
- Colorado Mesa University Email
- Official CMU social media accounts
- Colorado Mesa University official website (<http://coloradomesa.edu>)

SECURITY AND ACCESS TO CAMPUS FACILITIES

The Colorado Mesa University Montrose Campus leases its facility from the Montrose Regional Library District. The CMU Montrose Campus is an open campus with facilities available to students and the public. All academic buildings are unlocked during normal academic hours. Admission to any facility after hours is limited to authorized persons with a building key. Buildings are secured by CMU faculty, staff, Montrose Library District staff, and custodial personnel; parking lots and buildings are periodically patrolled by police officers 24 hours a day, seven days a week.

Maintenance Security

The maintenance of the facility is the responsibility of the Montrose Regional Library District. All mechanical problems that could cause physical harm to the public or members of the campus community are given a priority status. Maintenance personnel are provided by the Montrose Library District. Please direct any concerns to the Montrose Campus staff at 970-249-7009; the campus staff will notify maintenance personnel. Maintenance personnel can be contacted directly by calling the Montrose Regional Library District at 970-249-9656.

RESPONSIBILITY FOR PREPARATION OF THIS REPORT

The Montrose Police Department makes a report of all crimes reported to them that occur on and near the campus. Once a year their records division compiles and classifies all of the statistics pertinent to the Campus Security Act for the purpose of making this report. Montrose Police Department Records Division may be reached Monday through Thursday, 7:00 AM to 6:00 PM, at 252-5200.

Information for student discipline statistics is generated from: Director of Campus Safety and Student Conduct records, Residence Life records, and records from the Vice President for Student Services.

The Montrose PD statistics and the student discipline statistics are compiled by the Office of Institutional Research, who updates the report. A draft of the report is sent to appropriate members of the University community to update information from their individual areas. After all updates are made, the report is posted on the University's website and students and staff are made aware of it and its location through e-mail.

Note: The Student Conduct Officer, the Vice President for Student Services and the Campus Security Command Officer receive copies of incident reports of crimes occurring off campus involving enrolled students. These data are not included in the annual statistics.

SEXUAL ASSAULT, SEXUAL HARASSMENT, DOMESTIC VIOLENCE, DATING VIOLENCE & STALKING

Colorado Mesa University is committed to providing a living environment in which students and employees can live, work, and study free from sexual harassment, sexual assault, sexual intimidation, sexual exploitation, domestic violence, dating violence, and stalking.

Sexual Harassment

It is the policy of Colorado Mesa University to maintain a campus environment free from sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature may constitute sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects or interferes with a student's or employee's work or academic performance, or creates an intimidating, hostile or

objectively offensive academic or work environment. To constitute sexual harassment, such conduct must be severe, pervasive and objectively offensive.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

1. The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
2. The harasser can be another student, staff member, faculty member, or a non-employee.
3. The victim does not have to be the person harassed but could be anyone affected by the objectively offensive conduct.
4. Unlawful sexual harassment may occur without economic injury to the victim.
5. The harasser's conduct must be unwelcome.

Reporting sexual harassment may help the reporting student in coping with the situation, as well as assist the student with resources to ensure that the student, and others, can attend the University in a safe environment. If the perpetrator of the harassment is another student, the incident should be reported to the Title IX Coordinator, the Office of Student Services in Lowell Heiny Hall 107, a Residence Life staff member, or the Sexual Assault Response Team at (970) 270-5895. Instances of sexual harassment by a University employee should be reported to the Title IX Coordinator or Human Resources at 970-248-1426.

Sexual Assault

Colorado Mesa University is committed to providing a living environment in which students can live, work, and study free from Non-Consensual Sexual Contact (NCSC) and Non-Consensual Sexual Intercourse (NCSI), collectively referred to hereafter as Sexual Assault.

1. Non-Consensual Sexual Contact (NCSC) is:
 - any intentional sexual touching,
 - however slight,
 - with any object,
 - by a person upon another person,
 - that is without consent and/or by force

Sexual Contact includes:

-intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or
-any other intentional bodily contact in a sexual manner, or for the purpose of sexual gratification or abuse.

2. Non-Consensual Sexual Intercourse (NCSI) is:
 - any sexual intercourse,
 - however slight,
 - with any object,
 - by a person upon another person
 - that is without consent and/or by force

Intercourse includes:

-vaginal or anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

If you are the victim of sexual assault (NCSC or NCSI), you should immediately take action to preserve any possible evidence. Students are encouraged to report sexual assault to the campus Title IX Coordinator, the campus Sexual Assault Response Team (SART), or the Vice President for Student Services. Additionally, the university encourages

students who have experienced sexual assault to contact the Grand Junction Police Department to report the crime. If you need assistance contacting police, the Sexual Assault Response Team (SART), Vice President for Student Services, or Title IX Coordinator can assist you in contacting law enforcement or learning more about law enforcement options. Whether or not you choose to notify and seek assistance from campus authorities and/or law enforcement is your decision. The contact information for the above organizations is as follows:

- Grand Junction Police Department - 911 or (970) 242-6707 (Non-Emergency) **YOU MAY CALL AT ANY TIME OF THE DAY OR NIGHT**
- CMU Sexual Assault Response Team - (970) 270-5895 (Confidential and Anonymous Reporting)
- Vice President for Student Services - Lowell Heiny Hall, 107, Phone: (970) 248-1366
- Title IX Coordinator – Lowell Heiny Hall 107, (970) 248-1366

Preservation of Evidence

The preservation of any evidence may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. Evidence can range from the clothing of the victim to hair samples, bedding, body fluids, bruising, bite marks, electronic communication, and/or photographs. To assist law enforcement in the collection of evidence, the following guidelines are recommended:

- Do not shower
- Do not use the bathroom
- Maintain the clothing worn during the attack separate from other clothing
- Leave bedding material, sheets, blankets, and pillows alone

Sexual Consent

Sexual activity requires consent, which is a voluntary, positive agreement between the participants to engage in specific sexual activity. Any sexual contact without consent (which includes NCSC and NCSI) is prohibited.

“Consent” means cooperation in act or attitude pursuant to be 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 to sexual activity because of fear does not constitute consent. A previous sexual relationship does not indicate consent to future sexual activity.

Sexual activity is a violation of the Student Code of Conduct under the following circumstances:

- When it is forced; or
- When the complainant is incapacitated, and that incapacity is known to or should have been known to the respondent; or
- When it is non-consensual.

Stalking

The term “stalking” is defined as engaging in a course of repetitive conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional stress.

Domestic Violence

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Dating Violence

The term “dating violence” means violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship.
 - The type of relationship.
 - The frequency of interaction between the persons involved in the relationship.

Reporting Sexual Misconduct

Colorado Mesa University faculty and staff are required to report any instances of possible sexual assault to the Title IX Coordinator, Lowell Heiny Hall 107, 970-248-1366.

If you have experienced unwanted sexual contact, stalking, domestic violence, or dating violence, you can take action by notifying the following:

- Montrose Police Department by calling 911 or 970-252-5200
- CMU Sexual Assault Response Team (SART) by calling 970-270-5895
- The Title IX Coordinator, or the Vice President for Student Services in Lowell Heiny Hall 107, by calling 970-248-1366

If you are the victim of sexual assault or another violent crime, a wide array of support services and confidential support services are available to you at no charge. The Title IX Coordinator, Sexual Assault Response Team (SART) and/or the Office of the Vice President for Student Services will provide information on and can assist in obtaining both on-campus and community support services as needed/requested, to include living accommodations, travel assistance, academic accommodations, healthcare and emotional care, and advocacy services.

Requests for Confidentiality

Colorado Mesa University strongly supports a student’s interest in confidentiality in sexual misconduct cases. Requests for confidentiality will be respected to the maximum extent possible. The Title IX Coordinator will normally be responsible for evaluating requests for confidentiality. Complainants should be aware that a request for confidentiality may limit CMU’s ability to respond fully to the incident, including pursuing disciplinary action against the alleged respondent. While all efforts will be made to respect requests for confidentiality, confidentiality cannot be guaranteed when other members of the CMU community may be at risk. In those cases, CMU may be required to investigate or take action on the basis of facts it discovers. In instances where it is determined that a request for confidentiality cannot be honored due to an ongoing threat to the campus community, CMU will notify the complainant prior to disclosing his or her identity to the respondent.

SEXUAL ASSAULT AND SEXUAL HARASSMENT EDUCATIONAL PROGRAMMING

Training, orientation, and education about sexual assault and the University response are required for *all* University agencies that provide services to CMU Students who are sexually assaulted. The Office of Diversity, Advocacy, and Health facilitates the training, which includes general information about sexual assault and the response plan. The coordinated training helps ensure consistent information and careful, sensitive, and efficient assistance to sexual assault Complainants, Respondents, and others. Below is a list of trainings currently offered at CMU.

SART Team Official Training

On an annual basis all SART Team members attend training sessions on how to be an advocate for victims, handle the first responder hotline, and training on investigating situations to help in case of criminal charges. The SART team also meets regularly to discuss situations and get clarification on processes if needed.

Peer Educator Program for Student Well-being (PEPS)

The PEPS program is designed to provide education and prevention in the areas of mental health, healthy relationships, substance use, and physical well-being to the students at Colorado Mesa University. Peer educators work to empower CMU students to identify the above concerns, and access appropriate professional services at an early stage of the concern. The peer educators do not provide counseling or psychotherapy.

Online Sexual Assault Prevention Course

CMU requires all new students and incoming freshmen to take a sexual assault prevention and bystander intervention online training course, "Consent and Respect". This course educates students regarding Title IX, sexual violence, intimate partner violence, and bystander intervention. It covers sexual assault, domestic violence, stalking, and setting healthy boundaries. The students learn skills that help build healthy relationships, minimize personal risk, and learn how to be an active bystander. The students also learn about all the resources available at CMU, should they or a friend ever become involved in an incident of sexual violence.

YOU @ CMU

YOU @ CMU is an online resource available to any Colorado Mesa University student, faculty, or staff member. It is an interactive, very personal resource that allows students to build goals for academic success; thrive in their personal physical, mental and emotional well-being; and find purpose in relations, community and the world. Students can investigate job opportunities and create resumes. They can work on time management or mental health. Financial planning tools and positive, encouraging videos are also available. The many activities provided on YOU @ CMU are self-directed and evolving with the individual. Colorado Mesa University resources are included.

Other Presentations and Workshops

During campus orientation students are given a workshop on the meaning of consent and how to handle themselves in certain situations. Students who attend the freshman year initiative courses are also given presentations on sexual harassment/ assault and the expectation of the university in regards to these matters.

MEDICAL, LEGAL, COUNSELING AND SUPPORTIVE RESOURCES FOR VICTIMS

Sexual Assault Response Team

The Sexual Assault Response Team (SART), 970-270-5895, operates under the direction of the Vice President for Student Services. SART team members maintain a 24-hour hotline number where sexual assaults can be reported and/or resources can be discussed. SART advocates assist individuals who report sexual assault in navigating educational issues and connecting them with appropriate resources, to include health care, mental health, academic, living situation, and law enforcement, as appropriate and desired.

Medical

Montrose Memorial Hospital, located at 800 South 3rd Street, is within a mile of the Montrose Campus. The non-emergency telephone for the hospital is 970-249-2211. After-hours emergency services for students are available through the Emergency Room at Montrose Memorial Hospital.

Law Enforcement/Legal

Legal options for victims of sexual assault include filing a criminal complaint with the Montrose Police Department or civil action against the accused through an attorney. Legal options for victims of sexual harassment include all criminal and civil remedies, as well as filing complaints with the College's Affirmative Action Officer (970-248-1820). Information about community legal services for victims can be obtained through the Montrose Police Department (970-252-5200).

Counseling and Supportive Resources

The Montrose Police Department maintains a Victim's Advocate Program, available 24 hours a day, seven days a week. Law enforcement on the scene notifies the Victim Advocate. In addition, Victims Advocate services can be accessed through the Montrose County Sheriff's Department or by calling Victim's Advocate directly at 970-252-5205. Additionally CMU's Sexual Assault Response Team provides a 24 hour hotline, 970-270-5895, for victims of sexual assault to call to assist with contacting appropriate resources, healthcare, and law enforcement.

Behavioral Health Services

Counseling services are provided and all students paying student fees are eligible for counseling sessions and will be required to pay a \$5.00 co-pay. All sessions are confidential and students dealing with personal problems affecting their academic life are encouraged to speak with a professional counselor. Referrals can be made through the Office of the Vice President for Student Services in Lowell Heiny Hall Room 107; Phone 970-248-1366.

Brochures/Handouts

Campus disciplinary policies and procedures are contained in the [Maverick Guide](#). Rules and regulations for students living on-campus can also be found in the Maverick Guide. The Latimer House provides brochures on dealing with sexual assault and legal services.

Changing Living and Academic Situations

Colorado Mesa University will provide victims of sexual assault, sexual harassment, stalking, domestic violence, and/or dating violence with written notification about options for, and available assistance in, changing academic, living, transportation and working situations. The Offices of the Vice Presidents for Student Services and Academic Affairs or their designees will assist the student with the appropriate accommodations if the student requests them and they are reasonably available. Colorado Mesa University will maintain as confidential any accommodations or protective measures provided, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

STUDENT CONDUCT AUTHORITY

Infractions of University policy governing student behavior should be handled at the first level of authority when possible. If resolution is not achieved at this level, general campus violations should be directed to the Director of Campus Safety and Student Conduct.

Violations involving the Residence Life Community Standards should be directed to the appropriate Residence Life staff member. Generally, University jurisdiction and discipline shall be limited to conduct which occurs on University premises, property owned or controlled by the University, all satellite campuses, or at University authorized functions, or that which adversely affects the University community and/or the pursuit of its objectives. In those instances where a student displays a body of evidence of poor decisions and behavior both in and outside of the classroom, such as academic dishonesty coupled with other student conduct violations, the Vice President for Student Services and the Vice President for Academic Affairs shall confer on appropriate action.

Student Conduct / Grievance Procedure

1. Any member of the University community may file a complaint ("complainant") against any other student ("respondent") for alleged misconduct. Allegations of misconduct should be prepared in writing and presented to the Director of Campus Safety and Student Conduct. The Director of Campus Safety and Student Conduct will provide a Notice of Alleged Misconduct to the involved student(s) and conduct an investigation into the matter. If a reasonable basis exists to support an allegation, the respondent student may dispose of the allegation(s) during the course of an Administrative Hearing with the Director of Campus Safety and Student Conduct or his/her designee. If the alleged conduct violation fits within the

guidelines of a petty offense or a misdemeanor offense as described by Colorado law, the allegation(s) will be addressed by the Student Conduct Officer. If the alleged conduct violation fits within the boundaries of a felony offense as described by Colorado law or is an assault-related offense, other than a sexual assault, when appropriate a student may elect to either resolve the allegation(s) during the course of an Administrative Hearing with the Director of Campus Safety and Student Conduct, or his/her designee, or during a hearing before a Campus Student Conduct Board. In cases involving allegations of sexual assault, determination of responsibility must be made by the Student Conduct Board and an Administrative Hearing may not be substituted. In some cases involving allegations of Sexual Assault, the case may be referred to mediation before a qualified mediator, but only if determined to be an appropriate case for mediation by the Title IX Coordinator and only upon the written and informed consent of the Complainant and Respondent. The Vice President for Student Services reserves the right to direct a serious incident to a Student Conduct Board Hearing. The Campus Student Conduct Board is composed of six (6) members of the campus community, including two students, two faculty members, and two staff members. Student representation on the Campus Student Conduct Board will consist of Associated Student Government Justices of the Supreme Court. Faculty representatives are appointed by the Faculty Senate and staff representatives are appointed by the Vice President for Student Services.

2. The Residence Life Conduct Board is composed of six or more residents from across campus and overseen by professional staff member of Residence Life.
3. In the event the complaint(s) is based on behavior prohibited by Title IX (i.e., alleged sexual harassment, sexual assault, stalking, dating violence, or domestic violence) the matter will be referred to a specially-trained University-designated Title IX investigator. This investigator shall be assigned by the University's Title IX Coordinator (or designated Deputy Title IX Coordinator). In the instance of a Title IX-related complaint, a Notice of Alleged Misconduct, to include the specific allegations of sexual misconduct, shall be presented to the respondent prior to the commencement of a Title IX investigation. As soon as reasonably possible after the Notice of Violation, the Title IX Coordinator shall appoint a University Advocate for complainant and a University Advocate for respondent. The Title IX Coordinator shall also meet separately with the complainant and with the respondent to explain the Title IX procedures and process that will occur from the time of the Notice of Violation through the Campus Student Conduct Board hearing and possible appeal.
4. Upon receipt of a Title IX-related complaint, the investigator will commence a prompt, thorough, reliable, and impartial investigation. The investigator will examine all relevant documents and evidence and interview relevant witnesses, including the complainant and respondent. Both complainant and respondent will be provided with a draft copy of the final investigation, along with findings of the investigator. Complainant and respondent shall then have the opportunity to submit any clarifications or objections that either party may have regarding the investigative report. Such clarifications or objections shall be submitted in writing within three (3) business days of the completed draft report to the Title IX Coordinator, and shall be included, unedited, as appendices to the final investigative report. In most cases, the investigation will be completed within 40 days of receipt of the complaint.
5. In those cases involving behavior prohibited by Title IX, a hearing with the Campus Student Conduct Board is mandatory if there is a reasonable basis by which to support the allegation(s). Every reasonable effort will be made by the University to complete the Campus Student Conduct Board hearing within 60 days of receipt of the complaint (i.e., within 20 days of the issuance of a final investigative report). At such hearing, the complainant and the respondent may each be provided with a room that is separate from the actual hearing room and which will be connected to the hearing room by telephone allowing each party to participate remotely during the Campus Student Conduct Board hearing. Each party will be escorted to the hearing room to present that party's direct testimony and evidence directly to the Campus Student Conduct Board. For purposes of cross examination, the Campus Student Conduct Board shall permit both complainant and respondent to submit written

questions to the Campus Student Conduct Board prior to the hearing, which questions will be asked by the Campus Student Conduct Board of the other party. Each party will have the opportunity to further cross-examine the other party via telephone connection at the Student Conduct Board hearing to clarify testimony and evidence presented. The Campus Student Conduct Board retains discretion to determine whether the cross examination questions are appropriate. If any questions submitted are deemed inappropriate or irrelevant, the Campus Student Conduct Board may choose not to allow such questions.

6. In the case of either an Administrative Hearing or a Campus Student Conduct Board hearing, all allegations and supporting witness statements, evidence, investigative reports, etc., shall be presented in advance to both the respondent and complainant. A hearing shall be called by the Vice President for Student Services (VPSS) in a timely fashion, with reasonable scheduling accommodations made to all involved parties. The VPSS shall also designate one member of the Campus Student Conduct Board as Chairperson for the hearing.
7. Hearings shall be conducted by the Campus Student Conduct Board according to the following guidelines:
 - a. Hearings normally shall be conducted in private and conducted on an informal basis. Every effort will be made to arrive at the truth and to insure a fair hearing without the appearance of a court proceeding.
 - b. Admission of any person to the hearing shall be at the discretion of the designated Chairperson of the Campus Conduct Board after consultation with all involved parties.
 - c. In hearings involving more than one accused student, the Campus Student Conduct Board, at its discretion, may permit the hearings concerning each student to be conducted separately or together, based on the circumstances.
 - d. The complainant and the respondent have the right to be assisted by any advisor they choose, at their own expense. The advisor may be an attorney, friend, family member, appointed advocate, etc. However, the complainant and/or respondent is responsible for representing themselves and speaking on their own behalf. The advisor may not speak on the student's behalf, but may advise the student.
 - e. The Campus Student Conduct Board, complainant and respondent may call witnesses, who may be subjected to questioning by all involved parties. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration at the discretion of the Campus Student Conduct Board. To the maximum extent practicable, all available and pertinent records, exhibits, proposed witnesses and written statements shall be presented to all parties in advance of the hearing.
 - f. All procedural questions are subject to final decision by the assigned Chairperson of the Campus Student Conduct Board or, in the case of an Administrative Hearing, the Student Conduct Officer. Following the hearing, the Campus Student Conduct Board shall make a determination of responsibility on the basis of whether it is more likely than not that the respondent violated the Student Code of Conduct.
8. Should a student disregard a notice to appear before the Campus Student Conduct Board or the Director of Campus Safety and Student Conduct, the hearing process will continue without the student's participation, a determination of responsibility will be made using the available information and evidence, and sanction(s) will be imposed, as appropriate, if the student is found in violation of the Student Code of Conduct.
9. There shall be a single verbatim record - such as audio/video/written - of hearing proceedings. The record shall be the property of the University.
10. At the discretion of the Vice President for Student Services (VPSS), in extraordinary circumstances an administrative hearing may be held in lieu of a Campus Student Conduct Board (CSCB) hearing, in which case the VPSS or his/her designee shall conduct the hearing, subject to the equivalent guidelines of a CSCB hearing. Such an administrative hearing in lieu of a CSCB shall only be called for in instances whereby (1) a CSCB cannot practicably set a hearing in a reasonable time frame, and (2) material

harm/damage may be experienced by one or more parties as a result.

Note: In the event a student decides to leave the University prior to his/her Administrative Hearing or Campus Student Conduct Board Hearing, a Disciplinary Hold shall be placed on the student record and the student will be required to attend said hearing prior to re-admittance to the University.

Sanctions

The following sanctions may be imposed upon a student found to have violated the Student Code of Conduct:

1. Warning - A notice in writing to the student that the student is violating or has violated institutional regulations.
2. Probation - A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be in violation of any institutional regulation(s) during the probationary period.
3. Loss of Privileges - Denial of specified privileges for a designated period of time. This can include placing a disciplinary hold on all academic records and accounts.
4. Restitution - Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
5. For violations of Residence Life Community Standards, fines may be levied for each violation and can increase in amount for repeated violations
6. Discretionary Sanctions - Work assignments, service to the University or other related discretionary assignments, reflection papers, educational group attendance, etc.
7. Restrictions:
 - a. Of Entry: Removal of the privilege of entering or visiting some or all areas of the campus.
 - b. Of Participation: Limitations on participation in specific co-curricular activities, use of certain facilities or services, or other social restrictions.
 - c. Of Contact: Prohibition of unnecessary and avoidable contact.
8. Behavior Contract – A Behavior Contract is a directive from the Director of Campus Safety and Student Conduct or Campus Student Conduct Board that details specific sanctions/conditions that the student must adhere to as a result of a finding of responsible during the course of a hearing. A Behavior Contract is established for a defined period of time. A Behavior Contract may be used as a support tool for students with previous criminal involvement who are allowed admission to the University.
9. Eviction - Termination of the right of a student, group or organization to space on campus. Student may forfeit tuition and fees (i.e., residence hall eviction).
10. University Suspension - Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Student may forfeit possible refund of tuition and fees (i.e., residence hall eviction) if found responsible and suspended.
11. University Expulsion - Permanent separation of the student from the University. University Expulsion is limited to the Campus Student Conduct Board's discretion in cases involving allegations of serious misconduct which would be a felony under Colorado law or in assault-related offenses or sexual assault.

Student may forfeit tuition and fees (i.e., residence hall eviction) if found responsible and expelled. More than one of the sanctions listed above may be imposed for any single violation. Other than University expulsion, disciplinary sanctions shall not be made part of the student's permanent record, but shall become part of the student's confidential disciplinary record, to be purged after seven (7) years.

The following sanction may be imposed upon groups or organizations:

1. Those sanctions listed above, 1 through 7.
2. Deactivation - loss of privileges, including University recognition for a specified period of time.

Following either an Administrative Hearing or a Campus Student Conduct Board Hearing, the Director of Campus Safety and Student Conduct or the Campus Student Conduct Board Chairperson shall advise both respondent and complainant, in writing, within five (5) working days, of a "responsible" or "not responsible" determination and the sanction(s), if any, imposed.

Citation Outcomes

The following are typical sanctions for citation-level offenses:

1. Excessive noise or other disruptive behavior.
 - o First Citation: Admonition/Letter of warning
 - o Second Citation: \$25 fine and meeting with Area Coordinator/Conduct Officer.
 - o Third Citation: \$100 fine and a Hearing to consider further sanctions.
2. Actions that endanger health or safety.
 - a. Any action that endangers the health and safety of campus community members.
 - b. Obstructing hallways, fire exits or room doors, damaging exit signs, or otherwise compromising fire egress or safety equipment.
 - i. First Citation: \$100 fine
 - ii. Second Violation: Conduct meeting w/ Coordinator or Conduct Officer
 - c. Propping locked security doors or otherwise compromising security equipment or facilities.
 - i. First Citation: \$25 fine.
 - ii. Second Citation: \$50 fine and meeting w/ Coordinator or Conduct Officer
 - d. Possession of candles, oil lamps, incense, or other open flames (or storage of flammable materials).
 - i. First Citation: \$25 fine and immediate removal of items.
 - ii. Second Citation: \$50 fine and meeting w/ Coordinator or Conduct Officer
3. Breaches of Residence Life
 - a. Unauthorized removal of furniture from lounges and other public areas.
 - i. First Citation: Admonition/Letter of warning
 - ii. Second Citation: \$25 fine.
 - iii. Third Citation: \$50 fine and meeting with Coordinator.
 - b. Unauthorized animals in residence halls
 - i. First Citation: Admonition/Letter of warning/removal of animal
 - ii. Second Citation: \$50 fine and immediate removal of animal.
 - iii. Third Citation: \$100 fine and hearing to consider other sanctions
 - iv. Fraudulent portraying of service animals will be prosecuted by law. Animal control will be contacted, and animal will be removed
 - c. Possession of prohibited appliances.
 - i. First Citation: Admonition/Letter of warning and removal of item(s).
 - ii. Second Citation: \$25 fine and immediate removal of item(s).
 - iii. Third Citation: \$50 fine, confiscation, meeting w/ Coordinator.
 - d. Unauthorized room changes or occupying both side of a room
 - i. First Citation: \$100 and meeting w/ Coordinator
 - ii. Second Violation: Conduct meeting w/ Coordinator and an additional fine.
 - iii. Third Violation: Charge for all occupied spaces.
 - e. Removal of window screen.

- i. First Citation: Admonition/Letter of warning
 - ii. Second Citation: \$25 fine.
 - iii. Third Citation: \$50 fine.
- f. Smoking or using smokeless tobacco where not permitted.
 - i. First Citation: \$100 fine.
 - ii. Second Citation: Conduct meeting w/ Coordinator
- g. Smell of Marijuana
 - i. First Citation: Verbal Warning
 - ii. Second Citation: \$50 fine.
 - iii. Third Citation: \$100 fine and Conduct meeting w/ Coordinator.
- h. Violating Escort Policy
 - i. First Citation: Admonition/Letter of warning
 - ii. Second Citation: \$50 fine
 - iii. Third Citation: \$100 fine and meeting w/ Coordinator.
- i. Disrespectful to Reslife staff
 - i. First Citation: meeting w/ Coordinator Admonition/Letter of warning
 - ii. Second Citation: meeting w/ Coordinator & creative sanction
 - iii. Third Citation: meeting w/ Coordinator & residence hall probation
- j. Occupying both sides of a double
 - i. First Citation: \$100 fine, 24 hours to move belongings
 - ii. Second Citation: charge for complete room
- k. Leaving stuff in the laundry room (5+ days, weekends are included)
 - i. First Citation: Admonition/Letter of warning
 - ii. Second Citation: \$50 fine
 - iii. Third Citation: \$100 fine and meeting w/ Coordinator.
- l. Not picking up a package (5+ days, weekends are included)
 - i. First Citation: Admonition/Letter of warning
 - ii. Second Citation: \$50 fine
 - iii. Third Citation: \$100 fine and meeting w/ Coordinator.
- m. Unauthorized sale of items (not including drugs or alcohol)
 - i. First Citation: Admonition/Letter of warning
 - ii. Second Citation: \$50 fine
 - iii. Third Citation: \$100 fine and meeting w/ Coordinator.

Interim Suspension

The Vice President for Student Services and/or Director of Campus Safety and Student Conduct reserves the right to temporarily suspend a student without prejudice pending the outcome of an Administrative Hearing or a Campus Student Conduct Board Hearing under the following circumstances:

1. Interim suspension may be imposed only:
 - a. To ensure the safety and wellbeing of members of the University community or preservation of University property;
 - b. To ensure the student's own physical or emotional safety and wellbeing;
 - c. If the student poses an immediate threat of disruption of, or interference with, the normal operation of the University.
2. During the interim suspension, students shall be denied access to the campus, including classes and/or all other University activities or privileges for which the student might otherwise be eligible, as determined by the Vice President for Student Services.

Administrative Withdrawal

A student may be administratively withdrawn from CMU if the University determines that the student:

1. Demonstrates ongoing behavior that is unreasonably disruptive to the normal learning

- processes and orderly operation of the University; and/or
2. Demonstrates behavior that endangers him/herself and unreasonably disrupts the campus community; and/or
 3. Demonstrates behavior that endangers others or that creates a direct threat that may endanger others.

In the event there is evidence that the student poses an immediate threat to his or herself or others, the Student Conduct Officer or appropriate University official may impose an immediate interim suspension of the student until such time that the student issue can be handled in an appropriate manner in accordance with the Maverick Guide.

Student Appeal Rights for Sanctions

A decision reached and/or a sanction imposed by the Director of Campus Safety and Student Conduct may be appealed by either the complainant or the respondent student within (5) working days of said decision to the Vice President for Student Services. Such appeals shall be in writing and shall be delivered to the Vice President for Student Services.

A decision reached and/or a sanction imposed by Campus Student Conduct Board hearing may be appealed by the complainant or respondent within (5) working days of said decision to the Vice President for Student Services. Such appeals shall be in writing and shall be delivered to the Vice President for Student Services.

Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:

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

All sanctions will be considered in full effect during the appeal process; that is, students will be expected to abide by all sanctions even if the student has appealed his or her sanctions.

In instances where the VPSS has a conflict, he/she shall designate another appellate officer from the university's executive management team (e.g., the Vice President for Academic Affairs, the Vice President for Finance and Administration, etc.) to determine the appeal.

Interpretation and Revision

Any question of interpretation regarding the Student Code of Conduct shall be referred to the Vice President for Student Services or his/her designee for final determination.

It is reasonable to expect that some students will not agree with established policies; means to implement change are available to students via student government representation and/or formal proposals for policy change to the University Administration. However, until a particular policy is administratively altered, students are responsible to abide by published policies or risk being held accountable for misconduct.

The Student Code of Conduct shall be reviewed at least once every five years under the direction of the Vice President for Student Services or his/her designee.

Standard of Proof

The University views violations of the Student Code of Conduct as a civil process and separate from formal legal proceedings, which govern civil and criminal behavior. Determinations of student responsibility shall be made on the basis of the preponderance of the evidence. “Preponderance of the evidence” is defined as whether it is more likely than not that a student committed the alleged violation(s). Overall, it is the responsibility of Director of Campus Safety and Student Conduct, the Campus Student Conduct Board, the Residence Life Conduct Board, or the Academic Dishonesty Committee, as the case may be, to evaluate all evidence, statements, and witnesses to ensure every effort is made to arrive at the truth.

SEX OFFENDER REGISTRATION

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, volunteering at, or employed by institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires state law enforcement agencies (in Colorado, it is the Colorado Bureau of Investigation through the Montrose Police Department) to provide Colorado Mesa University with a list of registered sex offenders who have indicated they are either enrolled at, volunteering at, or employed by CMU.

Colorado Mesa University is required to inform the campus community that a list of registered sex offenders residing within the city limits of Montrose will be maintained and available at the Montrose Police Department, 434 South 1st Street, Montrose, Colorado 81401.

Information about registered sex offenders enrolled at, volunteering at, or employed by Colorado Mesa University can be obtained by contacting the Investigations Section of the Montrose Police Department at 970-252-5200.

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

The sex offender registry includes only those persons who have been convicted of certain acts of unlawful sexual behavior since July 1, 1991, and who are in compliance with the sex offender registration laws. Persons should not rely solely on the sex offender registry as a safeguard against perpetrators of sexual assault in their communities. The crime for which a person is convicted may not accurately reflect the level of risk.

This information should not be used to inflict retribution or additional punishment on any person convicted of an offense involving unlawful sexual behavior. Any reports of harassment will be investigated and prosecuted.

Offenders posted on this site include only those having committed specific crimes, and does not include a complete listing of individuals registered with the Montrose Police Department. For a complete listing of individuals who are in compliance with sex offender registration laws, and who are registered with the Montrose Police – contact the Records Section located at 434 South 1st Street, Montrose. Records staff are on duty Monday through Thursday, 7:00 AM to 6:00 PM, at 252-5200, except for the noon hour, 12:00 PM to 1:00 PM.

Offenders who are not in compliance may be listed on the State of Colorado website. You can access this website by logging on to <https://apps.colorado.gov/apps/dps/sor/> or through links from the State of Colorado government page.

CRIME PREVENTION PROGRAMS

Security and Safety Awareness Campaign

This program is designed to make the campus community aware of campus crime and provide information on reporting and implementing self-security to reduce overall campus crime. Self-help tips and reporting information are provided through posters, brochures and media advertising. This campaign is provided in the fall and the spring semester.

Bicycle Registration Program

Members of the campus community are encouraged to register their bicycles with the Montrose Police Department. Registrants receive a bicycle license from the City of Montrose with an identifying number and the bicycle serial number is filed with the department.

Video Surveillance

Video cameras are located in various areas throughout the campus. Besides serving as a deterrent to crime, these cameras have assisted law enforcement in identifying suspects in several cases.

EMERGENCY CONTACT SERVICE

The Office of the Director of the Colorado Mesa University Montrose Campus, or the Office of the Vice President for Student Services will serve as the primary referral points for students who need to be contacted due to an emergency. Although any campus personnel are free to deliver emergency messages to students when expedient, the Office of the Director of the Colorado Mesa University Montrose Campus, and the Vice President for Student Services Office would like to be informed in order to assure appropriate follow up and documentation.

Determining messaging for "emergencies" while students are in class will be handled on a case by case basis. It is important to note that we cannot guarantee a contact with any student due to their highly mobile behavior, but a good faith effort will be made. Keep in mind that we will not become a messaging service for non-emergent situations.

Depending on the type of emergency, a message will be delivered to the faculty member or work supervisor asking for the student to be dismissed and to:

1. Immediately contact the source of the message or;
2. Immediately proceed to the Colorado Mesa Montrose campus office for pertinent information.

ALCOHOL AND DRUG POLICY

As a public institution and state agency, Colorado Mesa University expects all members of the University community to be responsible for their own behavior within the context of state and federal law and University regulations.

Colorado Mesa University is dedicated to instilling positive change in students' lives. The University believes the abuse of alcohol and drugs is counterproductive to this goal and has established campus policies and programs, consistent with state and federal law, which support responsible use for those adults who choose to partake in the consumption of alcohol.

The Campus Policy Regarding Alcohol and Drug Use:

1. The possession or use of alcoholic beverages and illegal drugs is not allowed in any residence halls. Alcoholic beverages may not be used by, possessed by, or distributed to any person under twenty-one (21) years of age.

Illegal drugs, including marijuana, may not be used by, possessed by, or distributed to anyone on campus property, to include all campus buildings.

2. Alcoholic beverages may be consumed in pre-approved areas, such as “The Point” and for pre-approved events by the President’s Office or his/her designee. At all other times and in all other locations, the possession and consumption of alcoholic beverages on campus and in all campus buildings, including the residence halls and apartments, is not permitted by students, faculty, staff, or guests regardless of whether those individuals are twenty-one (21) years of age or not.
3. Illegal use, possession, or distribution of drugs and/or drug paraphernalia on campus will result in disciplinary action and probable arrest.
4. All controlled substances on campus in violation of state and federal laws, or local ordinances, will be confiscated or destroyed and may be subject to criminal action.
5. Visible intoxication/impairment and any disruptive behavior conducted on campus or at campus- sponsored events off campus resulting from the use of alcohol or other drugs may result in disciplinary actions.
6. Furnishing alcoholic beverages or drugs to persons under the legal age or possession and consumption of alcoholic beverages by those under the legal age will result in disciplinary action and probable arrest.
7. Use of University funds to purchase alcoholic beverages is prohibited.
8. The disciplinary actions for violations of the campus alcohol/drug policy are intended to accomplish the following objectives: To deter students from further violations of campus policy and to educate students concerning the health effects of alcohol/drug abuse.

Students are responsible for observing University policy, state and federal regulations pertaining to alcohol and controlled substances. Students who are in violation of the University policy will be subject to the following disciplinary review:

1. Incidents which occur within the residence halls or apartments, will be reviewed by Residence Life and handled by the appropriate Coordinator or Residence Life Student Conduct Board. For more severe incidents, the student may be required to report to the Student Conduct Officer.
2. The Student Conduct Officer will handle all other incidents that occur both on and off campus. The Student Conduct Officer will not handle incidents that occur within the residence halls or apartments, unless referred by the Director of Residence Life.
3. Students who violate local, state, and federal laws shall be contacted by the Student Conduct Officer to address the alleged violation(s). A student that is convicted in a criminal court for possession of illegal drugs or substances can lose all financial aid assistance, per federal financial aid rules.

For additional information on CMU’s drug and alcohol policy, refer to the [DRUG-FREE SCHOOLS, CAMPUSES AND WORKPLACES](#) policy publication or the [Maverick Guide](#).

MEDICAL MARIJUANA POLICY

If the Colorado Department of Public Health and Environment (CDPHE) issues a Medical Marijuana Registry identification card to a student, Colorado law allows that student to possess a limited amount of marijuana for medicinal purposes. However, possession of a Medical Marijuana Registry identification card does not authorize a student to possess, use, or distribute marijuana in any form, in any University residence hall/apartment, dining facility, classroom building, or in any other public area or facility within University premises.

Recreational marijuana use, possession, and distribution on campus property or at a University sponsored event or activity is a violation of the Residence Life Policy and the Student Code of Conduct.

Alcohol and Drug Abuse Prevention Educational Programming

Colorado Mesa University strives to promote healthy lifestyles and provide resources for students and staff who want to pursue healthy choices. Marijuana 101 and Prime for Life classes are available to educate students about the risks of using drugs and alcohol. The newest initiative to promote healthy choices is the addition of addictions/substance abuse counseling services provided by a licensed addiction counselor who is available for individual or group counseling sessions using the evidenced-based Prime for Life curriculum. Participation in addictions counseling sessions may be voluntary or sanctioned as a part of the conduct process.

WEAPONS POLICY

Campus safety is of the utmost priority at Colorado Mesa University. Weapons are not appropriate to the University experience. Weapons of any kind, functional or not, may not be carried or brandished on Colorado Mesa University property except for those covered under C.R.S. 18-12-105(2). **WHEN IN DOUBT, CONTACT THE MONTROSE POLICE DEPARTMENT FOR CLARIFICATION.**

A dangerous weapon is defined as:

- a. A firearm, whether loaded or unloaded, or a firearm facsimile that could reasonably be mistaken for an actual firearm;
- b. Any pellet or “beebee” gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air;
- c. A fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches or
- d. Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury including, but not limited to a slingshot, bludgeon, brass knuckles or artificial knuckles of any kind.

On-campus residents under housing contract may store sporting rifles, shot guns, and bow and arrows along with the ammunition for the same in the weapons safe located at the Police Department substation. **No weapons of any kind may be kept in the residence halls.**

Students who seek accommodations for special circumstances may seek permission by contacting the Montrose Police Department or the Vice President for Student Services.

MISSING STUDENT POLICY

The purpose of this policy is to establish procedures for the University’s response to reports of missing students, as required by the Higher Education Opportunity Act of 2008.

This policy applies to students who reside in on-campus housing. This includes properties rented by the University for the current academic year.

For purposes of this policy, a student may be considered to be a “*missing student*” if the person’s absence is contrary to his/her usual pattern of behavior, have been missing for 24 hours, or unusual circumstances may have caused the absence. Such circumstances could include a reasonable/reliable report or suspicion that the missing student may be endangered. Examples include, but are not limited to, possible victim of foul play, expression of suicidal thoughts, alcohol or other drug abuse, a life-threatening situation, or recent contact with persons who may endanger the student’s welfare.

- I. Procedures for designation of confidential emergency contact information
 1. At the beginning of each semester students who live in on-campus housing will have the opportunity to designate an individual or individuals to be contacted by the University if the student is determined to be

missing. This information will be maintained confidentially and will be available only to the Vice President for Student Services, Grand Junction Police Department, the Director of Residence Life or their designee.

2. In the event a student who is under the age of 18 and is not emancipated, is determined to be missing pursuant to the procedures set forth in the missing student policy, the University is required to notify a custodial parent or guardian, in addition to the student's designated contact.

II. Official notification procedures for missing students

1. Any individual who has information that a residential student may be missing must notify the Vice President for Student Services office or Residence Life as soon as possible.
2. The Vice President for Student Services Office or Residence Life will work with campus offices, the reporting person(s) and the student's acquaintances to gather all essential information about the student (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the student's physical and mental well-being, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student.
3. If the above actions are unsuccessful in locating the student or it is immediately apparent that the student is a missing person (e.g. witnessed abduction), the Vice President for Student Services Office or Residence Life will immediately:
 - a. Contact the appropriate local law enforcement agency to report the student as a missing person and the local law enforcement agency will take charge of the investigation.
 - b. Notify the emergency contact (for students 18 and over) or the emergency contact and the parent/guardian (for students under age of 18 and not emancipated) that the student is believed to be missing.

Note: When a student who does not reside on-campus is reported missing, local law enforcement authorities will be notified.

ANNUAL FIRE SAFETY REPORT

The following portion of the Annual Safety Report contains information regarding fire safety systems for each residence hall, fire drills, safety policies and fire safety educational training. This portion of the report was created to comply with the 2008 Higher Education Opportunity Act. While the Montrose Campus does not have any residence halls, the annual fire safety report is being included for those students living on the main campus and taking courses at the Montrose Campus.

On-Campus Residence Hall Fire Safety Systems

The following information shows all current on-campus residence halls of Colorado Mesa University, the address at which they are located and the current fire safety system(s) installed in each of them. All residence halls that require a fire suppression system have such systems in place. The University provides fire safety training for residents of the housing facilities. All residence facilities are located on the main campus.

Bunting Hall	1280 Cannell Ave.	Building is sprinkled & fire alarm system
Garfield Hall	1600 Cannell Ave.	Building is sprinkled & fire alarm system
Grand Mesa Hall	1200 Houston Ave.	Building is sprinkled & fire alarm system
Monument Hall	1102 Elm Ave	Building is sprinkled & fire alarm system
North Avenue Hall	936 North Ave.	Building is sprinkled & fire alarm system
Orchard Avenue Apartments	1062 Orchard Avenue	Building is sprinkled & fire alarm system
Pinon Hall	1159 Mesa Ave.	Building is sprinkled & fire alarm system
Rait Hall	1115 Texas Ave.	Fire alarm system
Tolman Hall	1140 Texas Ave.	Building is sprinkled & fire alarm system
Walnut Ridge A	1120 Texas Ave.	Fire alarm system
Walnut Ridge B	1120 Texas Ave.	Fire alarm system
Walnut Ridge C	1120 Texas Ave.	Fire alarm system
Wingate Hall	1602 Cannell Ave.	Building is sprinkled & fire alarm system

FIRE SAFETY POLICIES

Electrical Appliances

Residence Life allows specific size and approved electrical appliances to be used in rooms or apartments. Generally, students may utilize electrical appliances such as: stereo, television, personal computer, gaming systems, personal lamps, fan, hair dryer, clock, microwave oven, coffee pot with an automatic shutoff, and compact refrigerator. If you have a question about a particular appliance, please consult with your Area/Residence Hall Coordinator. Specific guidelines are below:

- Microwaves: Cannot exceed 1000 watts and must be UL approved for both the unit and the power cord.
- Refrigerators: No larger than 5.2 cubic feet. Only one per bedroom.
- Prohibited Appliances: To include but not limited to –halogen lamps, heating or cooking appliances with open coils, hot plates, air conditioners, sun lamps, electric blankets, space heaters, hot tubs, deep fat fryers, and lava lamps.

Smoking / Tobacco Use

Students may not smoke or use smokeless tobacco in campus residence halls or apartments, to include the balconies. This including but not limited to E-Cigarettes, E-Cigars, Hookahs, and Vaporizer Pens. The State of Colorado has a smoke free building policy and all facilities at Colorado Mesa University are tobacco free. Students who choose to smoke or use smokeless tobacco must do so in designated areas outside the halls and/or apartments and more than forty (40) feet away from the residence halls and apartments. Possession of tobacco products in the residence halls is not considered a violation except in substance free areas.

Candle, Incense, or other Flammable Materials

Do not attempt to store or burn any; in and/or around the residence hall rooms, apartments and balconies. This can create a potential fire hazard and in some cases can cause an allergic reaction for individuals within the community. This includes, but is not limited to candles (with or without burned wicks), incense, hot plates, burners, space heaters, flammable items (lighter fluid, etc.), and barbecue grills. Note that items intended for use in a kitchen (George Forman Grills, toasters, etc) may be used in a community or apartment kitchen.

Fire Safety

- Candle, incense, or other flammable materials – candles, incense, oil lamps, etc., (generally anything utilizing a wick, flame, or consuming flammable material including such things as decorative candles, potpourri simmer pots, Sterno cans, camp stove fuel, lighter fluid, barbecue grills), are NOT allowed in residence hall rooms or University-owned apartments, to include balconies.
- Construction / Room Modification that Increases Risk of Fire or Reduces Safety - Construction of platforms, room dividers, use of paneling, plywood, barn board or other excessive amounts of wood is not allowed.
- Door Obstructions (i.e., doors must be able to be opened wide) – There must be a clear and easy exit from each room that may be readily located in the case of fire, smoke, sleepiness, intoxication, darkness, or the confusion of an actual emergency situation. Students may not add personal locks to bedroom or suite/apartment doors.
- Egress Obstructions (storage of bikes on balconies, etc.) – There must be a clear and easy secondary exit that may be readily located in the case of fire, smoke, sleepiness, intoxication, darkness, or the confusion of an actual emergency situation.
- Evacuation – All students are expected to respond appropriately whenever a fire alarm is sounded and evacuate immediately. At all times, follow established procedures, including compliance with all instructions from Residence Life staff, University and/or emergency personnel. Evacuation and meeting locations include:
 - Bunting Hall – meet at the west entrance of Grand Mesa hall

- Garfield Hall – meet between the Maverick Pavilion and Escalante Hall
- Grand Mesa Hall - meet east of the building next to the Library
- Monument Hall - meet south of building next to University Center
- North Avenue Hall - meet north in the Grand Mesa parking lot
- Orchard Avenue Apartments – meet northwest on the Band Practice Field
- Pinon Hall - meet north in the top level of the Parking Garage
- Rait Hall - meet south of building near University Center
- Tolman Hall - meet south of the building near University Center
- Walnut Ridge - meet east between Tolman and Pinon Halls
- Wingate- meet south on Wingate field
- Fire Detection/Prevention/Protection Equipment – Fire extinguishers, fire alarms, smoke detectors, sprinklers, fire hoses, building exit signs, fire and emergency doors, and other fire and safety equipment are placed in the halls for the safety of the residents in the building. Misuse or tampering of fire and safety equipment (ie smoke detector / pull station) is a serious violation of both state and University codes and will result in an appropriate sanction.

False Fire Alarms

Your Residence Life and Dining Contract will be terminated and you may face criminal, civil and financial penalties from the University for:

- Activating false fire alarms
- Activating pull station alarms
- Making false reports
- Activating a smoke detection device that may cause a building to be evacuated
- Removing a smoke detector battery within your room or apartment. *A smoke detector battery may only be replaced by University personnel.*

Fire safety education and training programs

During the initial residence hall/apartment floor meetings Residence Life staff talk with students about fire safety, the alarm system and where to evacuate to in the event of a fire alarm. If a fire does occur it should be reported to an Area/Residence Hall Coordinator, the Assistant Director of Residence Life, Director of Residence Life, Vice President for Student Services, or the Grand Junction Police.

Fire Statistics

There were no reportable fires in any residence halls in 2017, 2016 or 2015.

CRIME DEFINITIONS

Murder/Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: The killing of another person through gross negligence.

Sex Offenses – Forcible: Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

Sex Offenses – Non-forcible: Unlawful, non-forcible sexual intercourse. This includes incest and statutory rape.

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 or probably would result in a serious potential 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.

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 joy riding)

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

Domestic Violence: The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Dating Violence: The term “dating violence” means violence committed by a person: who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

Stalking: A person or persons engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional stress.

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; 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, Benzadrine).

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

CRIME LOCATION DEFINITIONS

On Campus – Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Public Property – All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Note: Include sidewalks and streets surrounding the campus as well as the side walk across the street from campus, but do not include public property beyond the sidewalk.

Definitions taken from the Uniform Crime Reporting Handbook

HATE CRIMES

In addition to reporting the crimes listed above, the University must also disclose statistics on hate crimes. As defined in The Handbook for Campus Safety and Security Reporting, a hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity or national origin. The scope of reporting hate crimes goes beyond the crimes listed above. While hate crimes are reported in the annual statistics for all of the criminal offenses listed above, the crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property must also be included if they are hate crimes.

Larceny-Theft - The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.) Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

Simple Assault - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. (Include all assaults which do not involve the use of a firearm, knife, cutting instrument or other dangerous weapon and in which the victim did not sustain serious or aggravated injuries.)

Intimidation - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property - To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

RECENT CRIME STATISTICS

The following statistics, provided in compliance with the Crime Awareness and Campus Security Act of 1990, as amended, represent the reported crimes and offenses on and near the Montrose Campus of Colorado Mesa University for calendar years 2015, 2016, and 2017.

VAWA Offenses - Montrose Campus			
Offense	Calendar Year Reported	On Campus Property	Public Property
Domestic Violence	2015	0	0
	2016	0	0
	2017	0	0
Dating Violence	2015	0	0
	2016	0	0
	2017	0	0
Stalking	2015	0	0
	2016	0	0
	2017	0	0

Arrests and Campus Disciplinary Referrals - Montrose Campus			
	Calendar Year Reported	On Campus Property	Public Property
Arrests			
Liquor Law Violations	2015	0	0
	2016	0	0
	2017	0	0
Drug Violations	2015	0	1
	2016	0	2
	2017	0	0
Illegal Weapons	2015	0	0
	2016	0	0
	2017	0	0
Disciplinary Referrals			
Liquor Law Violations	2015	0	0
	2016	0	0
	2017	0	0
Drug Violations	2015	0	0
	2016	0	0
	2017	0	0
Illegal Weapons	2015	0	0
	2016	0	0
	2017	0	0

Criminal Offenses - Montrose Campus			
Offense	Calendar Year Reported	On Campus Property	Public Property
Murder & Non-Negligent Manslaughter	2015	0	0
	2016	0	0
	2017	0	0
Negligent Manslaughter	2015	0	0
	2016	0	0
	2017	0	0
Forcible Sex Offenses – Rape	2015	0	0
	2016	0	0
	2017	0	0
Forcible Sex Offenses – Fondling	2015	0	0
	2016	0	0
	2017	0	0
Non-forcible Sex Offenses – Incest	2015	0	0
	2016	0	0
	2017	0	0
Non-forcible Sex Offenses - Statutory Rape	2015	0	0
	2016	0	0
	2017	0	0
Robbery	2015	0	0
	2016	0	0
	2017	0	0
Aggravated Assault	2015	0	0
	2016	0	0
	2017	0	0
Burglary	2015	0	0
	2016	0	0
	2017	0	0
Motor Vehicle Theft	2015	0	0
	2016	0	1
	2017	0	0
Arson	2015	0	0
	2016	0	0
	2017	0	0

Note: No hate crimes were reported in 2015, 2016, or 2017.