



**Rocky Vista University**  
**Annual Security and Fire Safety Report**

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**Report for 2022**

**8401 S. Chambers Rd., Englewood, CO 80112**  
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# INTRODUCTION

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Rocky Vista University (RVU) is providing the following information to all of its current students and employees and online as part of the University's commitment to safety and security, pursuant to the requirements of the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") and the Violence Against Women Reauthorization Act of 2013 ("VAWA") which added "SaVE Act" provisions. VAWA amended the Clery Act requirements to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports.

This report is intended to provide the students, faculty and staff of RVU with information, statistics on crime, crime prevention, fire incidents and fire safety on campus. The report describes how the campus security system works and how to access this system in an emergency. It covers safety and security in academic and administrative buildings, the university's policies on alcohol and drugs, and it describes substance abuse prevention and education programs currently in place.

Working in collaboration with Campus Safety & Security, the university makes every effort to prevent crime on campus. However, RVU also recognizes the crucial role that individuals must play in protecting themselves and others from harm. The university encourages all students, faculty and staff to use the personal safety tips provided by Campus Safety & Security and to report immediately all crimes, suspicious activities or emergencies occurring on or off campus to Campus Safety & Security or to local police.

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# THE JEANNE CLERY ACT AND HIGHER EDUCATION ACT

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The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Higher Education Opportunity Act provide that campus communities receive an annual report containing crime statistics, fire incident statistics, and safety policies. The statistical information in this report allows members of the campus community to be informed about criminal activity occurring within and immediately surrounding the geographical boundaries of the campus and any related buildings owned or operated by the University.

Additionally, fire incident and safety systems information assist residents in emergency planning. Of equal importance are the safety policies and guidance in this report, which allows individuals to make informed decisions about their personal safety and enhance the safety of the community through their actions.

RVU students, faculty and staff are informed of the availability of the report, which is located on the University website at <http://www.rvu.edu/consumer-information/>. The Report is available to prospective employees and students by viewing the same University website. A paper copy may be requested by emailing [mriddlehoover@rvu.edu](mailto:mriddlehoover@rvu.edu) and a copy will be mailed.

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

Rocky Vista University (RVU) does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include domestic violence, dating violence and stalking. As a result, RVU issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, RVU prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

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**For a complete copy of RVU's policy governing sexual misconduct, visit [www.rvu.edu](http://www.rvu.edu).**

## **Mission and Guiding Principles**

Rocky Vista University provides an exceptional education that inspires professional success and lifelong personal and intellectual growth. In support of our mission and recognizing the importance of preserving our unique student-centered culture we will be guided by the following principles:

- Undertake continuous improvement and planning for a sustainable future
- Enrich our academic programs with experiential and work-integrated learning
- Be cost-conscious in our endeavor to provide an affordable private University education and be a good steward of our resources
- Embrace diversity for a richly inclusive community
- Model ethical behavior and local, national and global citizenship
- Value our faculty and staff by investing in their quality of life and professional development
- Provide facilities, technology and other resources to meet the needs of students, faculty and staff

## Campus Safety & Security

All Campus Safety and Security personnel are trained and experienced Officers. The Safety and Security Officers routinely patrol campus areas and aid the local police by taking reports and being witnesses to crimes or incidents that happen on or around the campuses. The University does not have any officially recognized student organizations with off campus locations. All Campus Security Officers attend mandatory in-service training to stay updated on local regulations, improve on their skill sets, and maintain certification in First Aid/CPR/BLS/AED. Officers are training and recertified every six months.

Campus Safety and Security has a good working relationship with local police departments to ensure prompt and efficient response to on-campus calls for service. The Parker Police Department, Douglas County Sheriff's Office, and Santa Clara-Ivins Police Department has agreed to notify RVU Campus Safety and Security in their respective states when they investigate a crime involving a student or when a third party calls the police on campus. RVU Campus Safety and Security also actively participates in local emergency planning efforts toward disaster preparedness.

Both of RVU's Offices of Campus Safety and Security maintain a daily crime log. The reports contain an Incident Report of any criminal incident or alleged criminal incident that occurs at the University or on public property, within or immediately adjacent to and accessible from the campus, or that occurred within the patrol jurisdiction of the security departments and is reported to the departments. This log extends beyond Clery Act crimes. This information is available for public inspection, upon request, during normal business hours.

Information in the crime log includes the following: the nature of the crime, the date and time the crime occurred, a general location of the crime, the case number, and any known disposition of the complaint. Any portion of the log older than 60 days will be made available within two business days of a request for public inspection. The University reserves the right to maintain the privacy of both the victim and the accused in any of these situations except as may be required by law.

## Duty to Report

Colorado is a "Duty to Report" State, meaning residents are required to report crimes committed by others if they have knowledge of them. Colorado Revised Statutes (CRS) 18-8-115, "Duty to Report a Crime" states, "It is the duty of every corporation or person who has reasonable grounds to believe that a crime has been committed to report promptly the suspected crime to law enforcement authorities."



Utah is a “Duty to Report child abuse or neglect” State only. When someone, including licensed medical practitioners has reason to believe that a child has been subjected to abuse or neglect, or who observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, that person shall immediately notify the nearest peace officer, law enforcement agency, or office of the division.

## Campus Security Authority Defined

A Campus Security Authority (CSA) is defined as: (1) A campus police department or a campus security department of an institution. (2) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrances into institutional property. (3) Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. (4) An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

The following list denotes the positions at Rocky Vista University which are thought to meet the definition of a CSA. This list is intended to be comprehensive, but certain positions may not be specifically listed. If you believe your job duties meet the definition of CSA, please contact [mmiddlehoover@rvu.edu](mailto:mmiddlehoover@rvu.edu).

- Law enforcement and security officers, including contract security
- Resident Deans
- Program Directors
- Title IX staff
- Office of Community Standards staff
- Study Abroad Administrators
- Student Activities and Leadership staff
- Dean of Students
- Graduate Life Office staff
- Student Services Officers
- Financial Aid Advisors
- Career Advisors

## CSA Responsibilities

Any CSA who becomes aware of a Clery-reportable crime must report the incident to the Rocky Vista University Campus Safety & Security Department (RVUCSS). Federal law does not mandate the time frame within which Clery-reportable crimes must be reported to the RVUCSS; however, in order to ensure that the University complies with the Timely Warning provision of the Clery Act the University strongly encourages CSAs to report Clery-reportable crimes to the RVUCSS as soon as practicably possible after learning of the crime.

Under Clery, a crime is “reported” when it is brought to the attention of a campus security authority or local law enforcement personnel by a victim, witness, other third party or even the offender. It doesn’t matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the institution. If a campus security authority receives the crime information and believes it was provided in good faith, he or she should document it as a crime report. In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay.



That is, there is little or no reason to doubt the validity of the information.

What must be disclosed, therefore, are statistics from reports of alleged criminal incident. It is not necessary for the crime to have been investigated by the police or a campus security authority, nor must a finding of guilt or responsibility be made to disclose the statistic. A campus security authority is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel. A campus security authority should not try to apprehend the alleged perpetrator of the crime. That too is the responsibility of law enforcement. It’s also not a CSA’s responsibility to try and convince a victim to contact law enforcement if the victim chooses the option to not do so.

The preferred way of notifying the RVUCSS is in person. Alternatively, CSAs may report Clery-reportable crimes to the RVUCSS by phone or via email and a RVUCSS officer will conduct a follow up to ensure the report is completed with accuracy. The following information must be reported to the Clery Compliance Officer (Leah Riddlehoover, 8401 S. Chambers Rd, Englewood, CO 80112 or 720-875-2892 or [mriddlehoover@rvu.edu](mailto:mriddlehoover@rvu.edu)):

- The details of the incident(s) - sufficient to properly classify the type of crime
- The location of the incident
- The date and time the incident occurred
- The date and time the CSA was advised of the crime

CSAs are not expected, required, nor encouraged to share information that identifies the victim or alleged perpetrator with the Clery Compliance Officer. CSAs do not share legally-protected, confidential information with the Clery Compliance Officer, without the permission of the involved parties, unless state or federal law mandates such notification (such as mandated child abuse reporting laws).

In the event an incident involves an ongoing or imminent threat to the campus community that might require a Timely Warning or Emergency Notification to be distributed, CSAs are encouraged to call **9-1-1** immediately *and* notify Campus Safety and Security.

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# REPORTING A CRIME OR OTHER EMERGENCY

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Rocky Vista University strongly encourages the prompt and accurate reporting of all criminal or suspicious activities occurring on or near campus to the Security Department, when the victim of a crime elects to, or is unable to, make such a report. A student or employee who has witnessed any suspicious or apparent criminal action should immediately contact Campus Safety and Security at 720-875-2892 (24-hour assistance) or local police at 911 or 303-841-9800 for the Colorado Campus, and Campus Safety and Security at 435-222-1300 (24-hour assistance) or local police at 911 or 435-652-1122 for the Utah Campus. Each employee, Faculty or staff member designated as a Campus Security Authority (“CSA”) has been instructed to report all criminal or suspicious activity occurring on or near campus to Safety and Security or local police. Reports of criminal actions or other emergencies occurring on or near campus or in any building or property owned or controlled by the university or recognized student organization, should be made to a Safety and Security Officer either in person or by dialing 720-875-2892 (Colorado Campus) or 435-218-6796 (Utah Campus) from any phone. Criminal actions and other emergencies can also be reported to the local police or fire department by dialing 911 or 303-841-9800 (Colorado) or 435-652-1122 (Utah) from a phone.

## **Report a Crime or Suspicious Activity:**

### *Colorado Campus:*

RVU Security: (720) 875-2892

Parker Police: (303) 841-9800

911

### *Southern Utah Campus:*

RVU Security: (435) 222-1300 Ivins

Police: (435) 652-1122

911

## Colorado Campus

The Colorado Campus Safety and Security front desk and dispatch center is located on the first-floor lobby, at the main North entrance, at 8401 S. Chambers Rd. Englewood, CO 80112 Monday through Friday from 7 AM to 5 PM. Outside of those hours, Campus Safety and Security can be reached at 720-875-2892 or in room 114 on the first floor.

## Southern Utah Campus

The Utah Campus Safety and Security front desk and dispatch center is located on the first-floor lobby, at the main entrance, at 255 E. Center St. Ivins, UT 84738 Monday through Friday from 7 AM to 5 PM. Outside of those hours, Campus Safety and Security can be reached at 435-222-1300 or in room W-153 on the first floor.

Campus Safety and Security personnel will immediately evaluate each report and take appropriate actions, such as calling an emergency medical team or reporting the matter to local police. Campus Safety and Security will also respond to the scene. When an Officer arrives, a preliminary investigation will be completed, and further action will be coordinated with either the Parker Police Department or Santa Clara-Ivins Police Department, if

appropriate. In all cases, an incident report will be completed. Additional investigations may be conducted as necessary. If a student is identified as a suspect, the report will be forwarded to appropriate University officials for Student Conduct Review and possible disciplinary action.

Anonymous reports can also be made using the Anonymous Help/Tip Line by dialing 303-708-8185 (Colorado) or 435-222-1313 (Utah).

RVU is not required to include crimes reported only to a pastoral or professional counselor in the crime statistics published in this report. Students who seek personal counseling on campus are advised that if they disclose information that the University counselor considers to be a current threat to others, the counselor may release the information to appropriate authorities including University administration, Campus Safety and Security, the local police, or the students' parents or guardians. Students are also advised that the University will release information when required by law.

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# CONFIDENTIALITY OPTIONS FOR REPORTING PARTIES OF SEXUAL VIOLENCE

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The University recognizes that some alleged Reporting Parties of sexual violence may wish to remain anonymous or for the information they disclose to be confidential. Throughout the complaint procedures (whether formal or informal), the confidentiality of all participants will be maintained to the fullest extent possible. However, different individuals both on and off campus have different abilities to maintain a Reporting Party's confidentiality based upon applicable law, including Title IX.

The following options are designed to make students and employees aware of the disclosure options available to them, and the University encourages students to talk to someone in one or more of these groups. The University also reminds students and employees of its prohibition against retaliation located in Section V of this Policy, and if the student or employee is concerned about retaliation from the alleged Responding Party, the University will take steps to prevent retaliation and take strong responsive actions to retaliatory conduct.

- **Professional and Pastoral Counselors:** These professionals, including the University's clinical psychologist, are bound by professional ethics to not release information without the patient's permission, except in circumstances where the counselor or health care provider believes that there is a serious threat of imminent physical violence to a specific person or persons, or as otherwise required or permitted by applicable law.
- **Responsible Employees of the University:** Responsible employees of the University are obligated to report incidents of possible sexual violence to school officials, including the Title IX Coordinator. A responsible employee is defined as University employee who has the authority to redress sexual violence, who has been given the duty of reporting incidents of sexual violence or any other misconduct to students to the Title IX coordinator or other appropriate school designee, or who a student could reasonably believe has this authority or duty. Therefore, reporting to a responsible employee is not confidential. Examples of responsible employees include, but are not limited to: Campus Safety and Security Officers, Faculty members, Human Resources representatives, and Student Affairs personnel.
- **Anonymous Reporting for Alleged Sexual Violence:** Reporting Parties of alleged sexual violence are permitted to submit an anonymous Sexual Violence Request for Investigation or call the RVU Anonymous Help/Tip Line by dialing 303-708-8185 (Colorado) or 435-222-1313 (Utah). The University may act then on behalf of the Reporting Party and act as Reporting Party on behalf of the student. However, the student must understand that remaining anonymous will impede the University's ability to investigate and respond to the complaint.
- **Filing a Request for Investigation or Reporting to a Responsible Employee with a Confidentiality Request:** A student Reporting Party of alleged sexual violence may ask that a Request for Investigation or report to a responsible employee be handled confidentially or that an investigation not be completed. In such a situation, the University must weigh the student's request against the University's obligation to provide a safe, non-discriminatory environment for

all of its students and employees. If the University honors the student's request for confidentiality, the student must understand that the University's ability to meaningfully investigate the sexual misconduct will be impeded, including the ability to sanction the alleged Responding Party. However, in some cases the University may not be able to honor a student's request for confidentiality in order to provide a safe, non-discriminatory environment for all of its students and employees.

The Title IX Coordinator will evaluate requests for confidentiality in accordance with the following factors:

- The risk that the alleged Responding Party will commit additional acts of sexual misconduct;
- The severity of the sexual misconduct;
- Whether sexual violence or a weapon was involved;
- Whether the report reveals a pattern of perpetration at a given location or by or against a particular group.

If the University determines that it cannot maintain a student's confidentiality, it will, to the extent possible, inform the student prior to taking any action that would disclose the student's identity, and will, to the extent possible, only share information with people responsible for handling the University's investigation and response. The University may not require the student requesting confidentiality to participate in the investigation.

Regardless of whether the University honors a request for confidentiality, the University will promptly take any possible steps to protect and assist the student or prevent future sexual misconduct, such as increased monitoring or security at locations where reported sexual misconduct occurred and increased education and prevention efforts.

## Student Contact Information

All student contact information is registered confidentially and is accessible only to authorized campus officials and law enforcement and will not be disclosed outside of a missing person investigation.

## Security of Campus Facilities

**Residence Halls/On-Campus Residence:** As of January of 2019, RVU no longer owns or controls Residence Halls or On-Campus Residences at either location (Colorado or Utah Campuses).

**Administrative and Academic Facilities:** Card readers are in place at all entrances on both Campuses allowing Campus Safety and Security to secure the building and still allow students and staff access. Campus Safety and Security administers the access control system that performs the unlock and secure functions and records the student or staff information as they are accessing the facility. Video intercom phones are installed at the North and South entrances at the Colorado Campus and all entrances of the Utah campus. Closed Circuit security cameras have been installed at all building entrances and in parking lots in the effort to deter criminal activity and help ensure the safety of the students, staff, and visitors that are at either campus. The surveillance system

is recorded and may not be monitored at all times. The recording may be copied and provided to law enforcement or University disciplinary board to assist in the investigation of an incident or in the event of a crime.

**Timely Maintenance for Security:** Any maintenance problem affecting the building, including classrooms receive a work order, prioritized for safety issues and forwarded to facilities management.

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# KEEPING THE UNIVERSITY COMMUNITY INFORMED

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A major goal of the University is to keep students, faculty and staff informed about campus security and safety procedures and to encourage them to act responsibly to ensure their own safety and the safety of others. Incoming freshmen students are instructed on how to report a crime or emergency, on the functions of Campus Safety and Security, and on the consequences of possessing drugs, alcohol or other contraband on and off campus.

In addition, annual faculty and staff training is provided as requested. Periodic information is distributed to all community members in newsletters' and other sources or at meetings and other events in the form of flyers, on information monitors, or class announcements. Information will also be displayed in public places. Both the Colorado and Utah Campus Safety and Security departments make available a safety services brochure that provides information on contacting RVU Campus Safety and Security and other local emergency services, discusses crime prevention programs, and provides tips on awareness and crime prevention.





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# TIMELY WARNING PROCEDURE

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## Definition of Timely Warnings

To date, the Department of Education has declined to provide a definition of "timely reports." The Department of Education has advised that "timely reporting to the campus community. . . must be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.

## Confidentiality Issues in Timely Warnings

All Clery reportable crimes are subject to the "timely warning" requirements when police believe the crimes pose an ongoing threat regardless of whether or not the victim or perpetrator is a member of the campus community. However, there are often concerns raised regarding confidentiality if the information disclosed in the "timely warning" report would personally identify an individual. Information that might personally identify students may be disclosed, if disclosure of this information is necessary to protect the health and safety of the student or other individuals. For example, see the Family Educational Rights and Privacy Act (FERPA) and the FERPA regulations: personally identifiable information may be disclosed from an education record of a student without the student's consent "to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of a student or other individuals." The campus may disclose personally identifying information about an individual if it determines "that compelling circumstances exist which affect the health or safety of an individual." This standard also applies to the disclosure of personally identifying information about any other individuals, including campus employees and individuals not associated with the campus.

In order to keep the campus community informed on an ongoing basis, the University will alert the campus community of certain crimes in a manner that is timely and will aid in the prevention of similar crimes. An alert will be issued and posted for all Clery Act crimes that are reported to Campus Security Authorities, or are reported to Campus Safety and Security by local police agencies, and are considered by the university to represent a serious or continuing threat to students and employees, that occur on the university Clery geography.

These alerts will be posted on the Campus Safety and Security website at <https://www.rvu.edu/co/campus-resources/campus-safety-and-security/> (Colorado), and <https://www.rvu.edu/ut/campus-resources/campus-safety-and-security/> (Utah) at the earliest possible. Additionally, alerts are also posted on designated Safety & Security notification boards throughout campus. If necessary, notification to the larger community via written press release or telephone call, will be made.

The alert will include the following content: nature and description of the incident, location, date and time of the incident, date and time posted suspect/vehicle descriptions (if applicable) and relative crime prevention tips and will be received by all employees and Students via email and SMS text messaging, as well as media platforms.

Campus Safety and Security maintains a daily crime log listing the nature, date, time and general location of

each crime and the disposition of the complaint, if known, and date reported. These postings inform community members of the nature of the critical incident, the manner in which to report similar incidents, and, in addition, provide prevention tips to avoid being victimized.

The amount and type of information that the campus discloses in a "timely warning" report will vary depending on the circumstances of each case, as noted above in the Department of Education explanation of this provision. In general, whenever a report of a violent crime against a person or a major crime against property on campus is received by the campus security department that is determined by the police department to represent an ongoing threat to the safety of the campus community, the campus security department must issue a "timely warning." The "timely warning" should be sequentially numbered, beginning January 1st of each year, and should include the following details of the crime, if available:

- A succinct description of the incident
- A physical description of the suspect, including gender and race
- Composite drawing of the suspect, if available
- Apparent connection to previous incidents, if applicable
- Race of the victim, if relevant
- Sex of the victim, if relevant
- Injury sustained by the victim
- Date and time the campus crime alert was released

"Timely warnings" will be distributed as soon as possible after the time the incident is reported, subject to the availability of accurate facts concerning the incidents

## Immediate Notifications

The University will, without delay, and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Emergency Notifications are triggered by an event that is currently occurring on or immediately threatening the campus. The following are examples of significant emergencies or dangerous situations that may occur on campus to trigger an Emergency Notification:

- |                        |                        |
|------------------------|------------------------|
| • Active Shooter       | • Natural Disaster     |
| • Bomb Threat          | • Riots                |
| • Fire                 | • Severe Weather Event |
| • Hazardous Materials  | • Terrorism            |
| • Communicable Disease |                        |

Prior to emergency notifications, the significant emergency must be confirmed. Confirmation will come from the Security Department and the University President and or Dean, or their designee, or any Vice President or

their designee, depending on the type of emergency. To evaluate the significance of any emergency that would render an Immediate Notification, the University, in conjunction with the Security Department, may consult with local authorities (law enforcement), to include the Federal Bureau of Investigations prior to submitting a notification.

In the event that there is a confirmed significant emergency or dangerous situation involving an immediate threat to the campus community, the University will, without delay, and considering safety of the community, determine the content of the notification, and initiate the immediate notification system. However, if in the professional judgement of responsible authorities, the notification may compromise the efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency, the notification will be delayed. As with the above section related to “Timely Warnings”, the Security Department and the University President, and or Dean, or their designee with the specifics of the case for the purpose of drafting the content of the immediate notification. The Security Department also maintains pre-scripted messages for a variety of incidents to assist in the timely issuance of immediate notifications. All Immediate Notifications will be sent via email and SMS messaging, along with University connected-network notifications.

All Immediate Notification must be followed up with either an “All Clear”, or other instructions related to the situation and safety and security of the Campus Community.

## Emergency Notification Systems: RAVE and RAVE Apps

The safety of students, faculty and staff is a constant priority at RVU. The ability to quickly provide notice, accurate information and instructions with minimum delay during a situation is crucial. To accomplish this both the Colorado and Utah Campuses employs the RAVE Emergency Notification Systems, a multi-modal communication service that allows RVU campus leaders and Security personnel to deliver time-sensitive notifications to our students, faculty and staff during unforeseen events or emergencies. The RAVE Emergency Notification System allows security to send out text and email communications to students, faculty and staff member.

RVU implemented the RAVE Guardian App in 2021, an end-user application downloadable to an individual’s personal cell phone. The App, which piggybacks off of the RAVE emergency notification system, allows users to report, notify, and contact Campus Security while geo-referencing their location.

In late 2021, RVU also incorporated the RAVE Panic App, for employees with many similar to the RAVE Guardian App but centered around Employee safety.

These systems complement our existing campus emergency response plans, which are continuously updated to be responsive to both man-made and natural disasters. University and campus leaders have integrated our computer systems with the RAVE and RAVE Guardian systems. These systems are only used during emergencies (and for related tests). The RAVE Emergency Notification System is mandatory, all students and staff are automatically enrolled in this upon hire or matriculation by the Information Services Department. There is no opt-out option. The RAVE Guardian App however, is optional.

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# MISSING STUDENT POLICY

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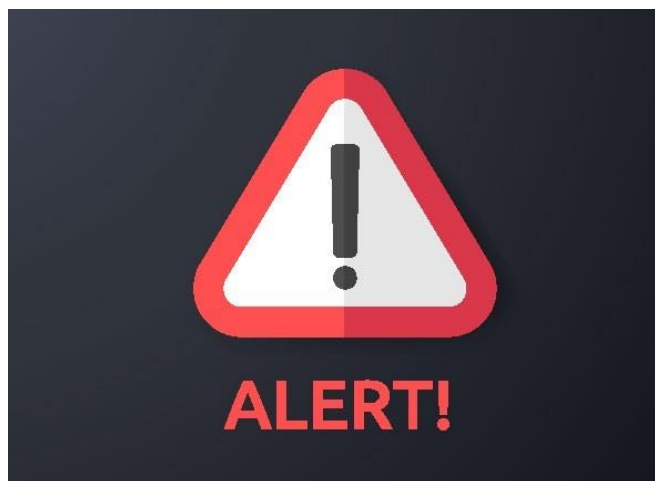
Any person who believes an RVU student is missing should immediately report the situation to Colorado Campus Safety and Security (720-875-2892), Utah Campus Safety and Security (435-222-1300), or local police at 911, or to the Associate Dean of Student Affairs (720-874-2483). In the event another University office or employee other than a member of Campus Safety and Security receives a report of a missing student, that person shall immediately without delay notify RVU Campus Safety and Security of the report received.

Upon receipt of a missing student notification, Campus Safety and Security will decide of when to implement missing student procedures based on whether there are unusual or suspicious circumstances surrounding the student's absence and/or whether the student has been absent from campus without explanation for more than 24 hours.

## Missing Student Notification Procedures

RVU Campus Safety and Security together with other authorized RVU officials will, after the student has been missing for 24 hours or sooner if they deem advisable, initiate official notification procedures according to the Missing Student Response Procedure then in place. RVU Campus Safety and Security shall notify local police and/or other local law enforcement and shall also contact the following in the order they deem advisable:

- The missing student's "confidential contact," if any (see Admissions for information on registering a "confidential contact")
- The parent(s) or legal guardian as well as any other designated contact person of any missing student under the age of 18
- The regular emergency contact provided to Health Services by the student. Once the student has been located, further notifications do not need to be made.



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# EMERGENCY RESPONSE AND EVACUATION PROCEDURES

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RVU has adopted a University Emergency Response and Communications Plan as a guide for emergency management and coordination of emergency operations. This Statement of Policy describes the following procedures to facilitate notification and evacuation responses in an emergency:

- The procedures to notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.
- The process that RVU will use to confirm that there is a significant emergency and to determine whether to initiate the notification systems, whom to notify, and the content of the notification.
- A list of the titles of the RVU employees responsible for carrying out the above process.
- Procedures for disseminating emergency information to the larger community.
- RVU's procedures to test the emergency response and evacuation procedures; and
- Where to obtain RVU's emergency response and evacuation procedures.

## Emergency Notification Procedures

RVU will, without delay, considering the safety of the community, immediately notify the appropriate campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

The campus has implemented emergency notification systems, called RAVE that can send notices via e-mail, SMS, and desk top messages to student and employee cell numbers and any personal computers connected to the RVU network. These systems are used in order for RVU to quickly provide notice and accurate information and instructions to the entire University community during an unforeseen event or emergency. In order for the University to communicate effectively and in a timely manner, including in emergency situations, all students are required to manage and update, their permanent and on campus/commuter addresses and telephone contact information (including cell phone numbers) so that they are current. Students can opt in by contacting the Internet Services Department and providing their cell phone number and service provider. Employees should visit the Help Desk on the RVU website to update phone numbers. To update home or cell phone numbers, employees should contact Human Resources.

Other forms of communication may be used to relay emergency messages including, but not limited to, email, voice mail, and campus hotlines.

## Emergency Confirmation and Initiation of the *Emergency Notification System*

RVU will adhere to the following process to determine whether there is a significant emergency and whether to initiate the systems, and if so, who to notify and the content of the notification. Upon discovery or report of a possible emergency, the situation will be assessed by the ranking Campus Safety & Security officer to determine:

- Type of crime if situation is a criminal incident
- The hazards involved, including whether there is an immediate threat to the health or safety of students or employees occurring on campus
- The magnitude of the problem
- The resources threatened
- Whether access to a particular area must be restricted to first responders from local/area emergency service providers or evacuation of a building is required

The ranking Campus Safety and Security Officer and the Manager of Security or designee will determine if it is appropriate to activate the University Emergency Response and Communications Plan and whether to make an emergency notification, who to notify, and the content of the notification. In addition, they will also determine whether a notification will, in their professional judgment or in consultation with appropriate police, fire, or other federal, state, and local emergency services personnel, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

## Titles of RVU Employees Responsible for Carrying Out the Emergency Notification Process

The following RVU employees (or their designees) have primary responsibility for determining whether there is an emergency requiring a notification and/or carrying out the notification process:

- The Campus Safety and Security Manager (respective campus)
- Director of Operations (in CO, MT, and UT)
- The University President
- Provost
- Vice President or Dean of Students
- The senior Security Officer on duty

## Procedures for Disseminating Emergency Information to the Larger Community

RVU will liaise with local, state, and federal emergency services personnel and with regulatory agencies, as applicable, during an emergency.

## Procedures to Test Emergency Response and Evacuation Procedures

RVU will test its emergency response and evacuation procedures on at least an annual basis, through regularly scheduled drills, exercises and appropriate follow-through activities designed for the assessment and evaluation of emergency plans and capabilities, including by publicizing its procedures in conjunction with at least one test per calendar year and documenting a description of each test as well as the date and time of the test and whether it was announced or unannounced. RVU will conduct drills to assess its emergency plans and procedures, to determine the readiness of emergency responders for resolving questions of coordination and clarifying roles and responsibilities, and to promote awareness of potential hazards. Whenever feasible, observers from outside agencies will be present throughout the drill to analyze and evaluate each component of the response and to make recommendations as needed.

Tabletop exercises will be conducted periodically with various response team members as a technique for evaluating specific aspects of the Emergency Response Plan. These exercises will be developed and coordinated by the Campus Safety and Security team and will seek to include external community members and government emergency service providers.

## Obtaining Emergency Response and Evacuation Procedures

Students and employees may access the University's Emergency Response Plan on the [M: drive](#). We urge you to familiarize yourself with the emergency and evacuation procedures for your campus. Copies are also available in the Security Office and Security desks.

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# DRUG AND ALCOHOL POLICIES

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Rocky Vista University prohibits the unlawful manufacture, distribution, dispensation, possession or use of narcotics, drugs, or other controlled substances at the workplace and in the education setting. In addition, possession or use of alcoholic beverages anywhere on University premises is prohibited, except for lawful use at events, operations, or programs sanctioned by University officials. Unlawful for these purposes means in violation of federal, state, or local statutes, regulations, or ordinances. Workplace is defined as University premises or any place where University business is conducted away from University premises. Educational setting includes both University premises and approved educational sites off campus.

University policies and relevant laws regarding the possession or use of illegal drugs, narcotics or drug paraphernalia and illegal alcohol use are strictly enforced at the University through Campus Safety and Security and/or Human Resources, together with federal, state, and local law enforcement officials when appropriate. Rocky Vista University is not, and cannot be considered, a protector or sanctuary from the existing laws of the city, state, and federal governments.

A violation of this policy by a student constitutes a violation of the Student Code of Conduct. Disciplinary sanctions which may be imposed on a student's violation of this policy include, but are not limited to: reprimand, revocation of certain privileges, campus service, conduct probation, deferred suspension, suspension, or permanent dismissal from the University.

To ensure that all incoming students are aware of the alcohol and drug laws of the states of Colorado and Utah, an outline of Colorado and Utah penalties for drug- and alcohol-related offenses are included in the Student Handbook and through annual notification from the Compliance Office

All employees of the university, as a condition of employment, must also agree to abide by the terms of this policy. In addition, all employees must notify the University of any Criminal Drug Statute Conviction for a violation occurring in the workplace no later than five days after such conviction.

## Drug-Free Schools and Communities Act

It is the University's intent to provide a drug-free, healthful, safe, and secure academic environment. In compliance with the Drug-Free Schools and Communities Act, Rocky Vista University has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. The Program requires the University to distribute information annually to students and employees concerning the possession, use, or distribution of alcohol and illicit drugs at the University.

This information includes the University's standards of conduct relating to the unlawful possession, use, or distribution of illicit drugs and alcohol, health risks associated with the use of illicit drugs and alcohol abuse, resources for obtaining assistance with drug and alcohol abuse, and a summary of legal sanctions for violations of law under the States of Colorado and Utah, and federal law, as well as University disciplinary actions relating to the unlawful possession, use, or distribution of illicit drugs and alcohol.

The Drug-Free Schools and Communities Act Program is intended to supplement and not limit the provisions of the University's Drug-Free Workplace policy applicable to University employees.



The University conducts biennial reviews of its Drug-Free Schools and Communities Act Program to: (a) determine the Program's effectiveness and implement changes to the Program if changes are needed; (b) determine the number of drug and alcohol-related violations and fatalities that—(i) occur on the University's campus, or as part of any of the University's activities; and (ii) are reported to campus officials; (c) determine the number and type of sanctions that are imposed by the University as a result of drug- and alcohol-related violations and fatalities on the University's campus or as part of any of the University's activities; and (d) ensure that the sanctions are consistently enforced.

**Substance Abuse Prevention:** Given the problems associated with consumption of alcohol or drugs, Rocky Vista University offers a variety of assessment and prevention programs for students and employees.

**Rehabilitation Programs:** Students who have been disciplined through the University's conduct review system for substance abuse or for negative behavior resulting from substance abuse receive sanctions underscoring the consequences for repeating similar behavior.

Counseling is available through the University's Student Services. Counselors refer any students with chronic abuse problems who need additional visits to an outpatient program.

**Substance Abuse Awareness:** The University community takes an active role in raising awareness of substance abuse among its students, faculty and staff. Campus activities sponsor various events and students and staff are encouraged to attend these events, which are publicized through employee and student newsletters, flyers and posters.

**Health Risks Associated with the Abuse of Alcohol and Use of Illicit Drugs:** The U.S. Department of Justice provides information on the effects of alcohol and commonly used drugs. This information is provided below and can also be found on the U.S. Department of Justice website at <http://www.justice.gov>.

**Alcohol:** Alcohol consumption causes a number of marked changes in behavior. Even a low amount can significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate amounts of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high amounts of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high amounts cause respiratory repression and death. If combined with other depressants of the central nervous system, much lower amounts of alcohol will produce the effects described here.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly combined with poor nutrition, can also lead to permanent damage to vital organs, such as the brain and the liver.

Females who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at a greater risk of becoming alcoholics themselves. Because alcohol affects many organs in the body, long-term heavy drinking puts people at risk for developing serious health problems, some of which are described below.



**Alcohol-Related Liver Disease:** More than 2 million Americans suffer from alcohol related liver disease. Some drinkers develop alcoholic hepatitis, or inflammation of the liver, as a result of long-term heavy drinking. Its symptoms include fever, jaundice (abnormal yellowing of the skin, eyeballs, and urine), and abdominal pain. Alcoholic hepatitis can cause death if drinking continues. If drinking stops, this condition often is reversible. About 10 to 20 percent of heavy drinkers develop alcoholic cirrhosis, or scarring of the liver.

Alcoholic cirrhosis can cause death if drinking continues.

**Heart Disease:** Moderate drinking can have beneficial effects on the heart, especially among those at greatest risk for heart attacks, such as men over the age of 45 and women after menopause. But long-term heavy drinking increases the risk for high blood pressure, heart disease, and some types of stroke.

**Cancer:** Long-term heavy drinking increases the risk of developing certain forms of cancer, especially cancer of the esophagus, mouth, throat, and voice box. Women are at slightly increased risk of developing breast cancer if they drink two or more drinks per day. Drinking may also increase the risk for developing cancer of the colon and rectum.

**Pancreatitis:** The pancreas helps to regulate the body's blood sugar levels by producing insulin. The pancreas also has a role in digesting ingested food. Long-term heavy drinking can lead to pancreatitis, or inflammation of the pancreas. This condition is associated with severe abdominal pain and weight loss and can be fatal.

## Drugs

**Methamphetamine:** Methamphetamine releases high levels of the neurotransmitter dopamine which stimulates brain cells enhancing mood and body movement. It also appears to have a neurotoxic effect damaging brain cells that contain dopamine and serotonin, another neurotransmitter. Over time,

methamphetamine appears to cause reduced levels of dopamine, which can result in symptoms like those of Parkinson's disease, a severe movement disorder. Users may become addicted quickly and use it with increasing frequency and in increasing doses. The central nervous system (CNS) actions that result from taking even small amounts of methamphetamine include increased wakefulness, increased physical activity, decreased appetite, increased respiration, hyperthermia, and euphoria. Other CNS effects include irritability, insomnia, confusion, tremors, convulsions, anxiety, paranoia, and aggressiveness. Hyperthermia and convulsions can result in death.

Methamphetamine causes increased heart rate and blood pressure and can cause irreversible damage to blood vessels in the brain, producing strokes. Other effects of methamphetamine include respiratory problems, irregular heartbeat, and extreme anorexia. Its use can result in cardiovascular collapse and death.

**Cocaine:** Cocaine is a strong central nervous system stimulant that interferes with the reabsorption process of dopamine, a chemical messenger associated with pleasure and movement. Dopamine is released as part of the brain's reward system and is involved in the high that characterizes cocaine consumption. The physical effects of cocaine use include constricted peripheral blood vessels, dilated pupils, and increased temperature, heart rate, and blood pressure. The duration of cocaine's immediate euphoric effects, which include hyperstimulation, reduced fatigue, and mental clarity, depends on the route of administration.

High doses of cocaine and/or prolonged use can trigger paranoia. Smoking crack cocaine can produce a particularly aggressive paranoid behavior in users. When addicted individuals stop using cocaine, they often become depressed, which may lead to further cocaine use to alleviate depression. Prolonged cocaine snorting can result in ulceration of the mucous membrane of the nose and can damage the nasal septum enough to cause it to collapse. Cocaine-related deaths are often a result of cardiac arrest or seizures followed by respiratory arrest.

**Heroin:** Heroin abuse is associated with serious health conditions including fatal overdose, spontaneous abortion, collapsed veins, and infectious diseases, including HIV/AIDS and hepatitis. Mental functioning becomes clouded due to depression of the central nervous system. Long-term effects of heroin appear after repeated use for some period of time. Chronic users may develop collapsed veins, infection of the heart lining and valves, abscesses, cellulitis, and liver disease. Pulmonary complications, including various types of pneumonia, may result from the poor health condition of the abuser, as well as from heroin's depressing effects on respiration.

**Marijuana:** Recent research findings indicate that long-term use of marijuana produces changes in the brain similar to those seen after long-term use of other major drugs of abuse. Someone who smokes marijuana regularly may have many of the same respiratory problems as tobacco smokers. These individuals may have daily cough and phlegm, symptoms of chronic bronchitis, and more frequent chest colds. Continuing to smoke marijuana can lead to abnormal functioning of lung tissue injured or destroyed by marijuana smoke.

**MDMA (Ecstasy):** MDMA causes injury to the brain, affecting neurons that use the chemical serotonin to communicate with other neurons. The serotonin system plays a direct role in regulating mood, aggression, sexual activity, sleep, and sensitivity to pain. Many of the risks users face with MDMA use are similar to those found with the use of cocaine and amphetamines, such as: psychological difficulties including confusion, depression, sleep problems, drug craving, severe anxiety, and paranoia – during and sometimes weeks after taking MDMA; physical symptoms such as muscle tension, involuntary teeth clenching, nausea, blurred vision, rapid eye movement, faintness, and chills or sweating; and increases in heart rate and blood pressure, a special risk for people with circulatory or heart disease. There is also evidence that people who develop a rash that looks like acne after using MDMA may be risking severe side effects, including liver damage, if they continue to use the drug.

**Rohypnol, GHB, and Ketamine:** Coma and seizures can occur following abuse of GHB and, when combined with methamphetamine, there appears to be an increased risk of seizure. Combining use with other drugs such as alcohol can result in nausea and difficulty breathing. GHB may also produce withdrawal effects, including insomnia, anxiety, tremors, and sweating. In October, 1996, because of concern about Rohypnol, GHB, and other similarly abused sedative-hypnotics, Congress passed the "Drug-Induced Rape Prevention and Punishment Act of 1996." This legislation increased federal penalties for use of any controlled substance to aid in sexual assault.

**LSD:** The effects of LSD are unpredictable. They depend on the amount taken; the user's personality, mood, and expectations; and the surroundings in which the drug is used. Usually, the user feels the first effects of the drug 30 to 90 minutes after taking it. The physical effects include dilated pupils, higher body temperature, increased heart rate and blood pressure, sweating, loss of appetite, sleeplessness, dry mouth, and tremors.

LSD is not considered an addictive drug since it does not produce compulsive drug-seeking behavior as do cocaine, amphetamine, heroin, alcohol, and nicotine. However, like many of the addictive drugs, LSD produces tolerance, so some users who take the drug repeatedly must take progressively higher doses to achieve the state of intoxication they had previously achieved. This is an extremely dangerous practice, given the unpredictability of the drug. The National Institute on Drug Abuse (NIDA) is funding studies that focus on the neurochemical and behavioral properties of LSD. This research will provide a greater understanding of the effects of the drug.

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# CAMPUS SEX CRIMES PREVENTION ACT (CSCPA)

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The CSCPA provisions appear in subsection (j) of the Wetterling Act [42 U.S.C. 14071(j)]. As provided in subsection (j), any person required to register under a state sex offender registration program must notify the state concerning each institution of higher education in the state at which the person is a student or works, and of each change in enrollment or employment status of the person at such an institution.

State procedures must also ensure that information concerning a registrant enrolled or working at an institution of higher education is promptly made available to a law enforcement agency having jurisdiction where the institution is located, and entered into the appropriate state records or data system.

In accordance with requirements of the CSCPA, information concerning registered sex offenders employed, enrolled as a student, or carrying on a vocation at this institution can be obtained, to the extent permitted by law, by contacting the Parker Police Department—Douglas County Unified Sex Offender Listing (18600 E. Lincoln Meadows Pkwy, Parker, CO 80134) at 303-941-9800 or online at <http://sor.state.co.us>.



Registry information is provided as an awareness tool so that community members may adequately protect themselves and their children from these individuals. Any use of the sex offender registry information to harass, endanger, intimidate, threaten or in any way to seek retribution on an offender through illegal channels is strictly prohibited. Any person who engages or participates in such acts shall be charged criminally.

The Colorado statewide sex offender registry maintained by the Colorado Bureau of Investigation is located at <http://sor.state.co.us/>. Questions regarding the statewide registry should be directed to the

Colorado Bureau of Investigation's Program Support Unit at (303) 239-4222 or at [or@cdps.state.co.us](mailto:or@cdps.state.co.us).

The Utah Department of Corrections manages the state's Sex Offender and Kidnap Offender Registry. However, the Department is not in charge of actively registering offenders nor monitoring an offender's compliance once he or she is registered unless the offender is being actively supervised by Adult Probation and Parole. Ensuring an offender is registered and monitoring compliance is the responsibility of local law enforcement agencies. For information about the registry or registration requirements, contact the Sex Offender and Kidnap Offender Registry by contacting (801) 495-7700 or <https://corrections.utah.gov>

Final regulations updated this requirement to reference the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921)

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# CRIME PREVENTION

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Because RVU believes crime prevention begins with awareness, the University takes every opportunity to heighten that awareness. A Crime Prevention initiative has been established within Campus Safety and Security to help students; faculty and staff understand the potential hazards of campus life. Campus Safety & Security provides crime prevention programs, which include the following:

**Sexual Assault Education:** In order to teach students how to prevent all types of sexual assault, including date rape, RVU provides literature, and information on counselors that specialize in sexual assault and harassment. New student orientations cover topics such as crime prevention and victim awareness, Safety and Security on campus, sexual assault prevention and education, and drug and alcohol awareness.

**Report a Crime or  
Suspicious Activity:**

*Colorado Campus:*

RVU Security: (720) 875-2892

Parker Police: (303) 841-9800

911

*Southern Utah Campus:*

RVU Security: (435) 222-1300 Ivins

Police: (435) 652-1122

911

**Violence Education and Prevention:** an annual program is in place to educate the campus community and help prevent the crimes of Domestic Violence, Dating Violence, Sexual Assault, and Stalking. This program encompasses all of the abovementioned topics and is part of the university's VAWA requirement regulations.

**Safe walk:** program allows students and staff to call Security Officers at any time of the day or night for an escort on campus.

**Silent Witness:** The Campus Safety and Security crime prevention initiative, an anonymous Help/Tip Hot Line was implemented for the purpose of providing our students a means to convey safety and security concerns with anonymity by calling 303-708-8185 (Colorado) or 435-222-1313 (Utah).

Security Officers on both campuses also act as Crime Prevention officers that provide valuable safety training tips to students and

staff members in different facets of personal safety and awareness.

Crime prevention programs are offered at different intervals. For example, pre-orientation, orientation, and on-going Violence Against Woman Act education and prevention programs are offered as pre-planned programs, whereas other security awareness programs are delivered to anyone at any time. Further, prevention and education programs and information are sent via email, flyers, and posted on student monitors on at least a bi-monthly standard.

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# SEXUAL MISCONDUCT AND NONDISCRIMINATION POLICY

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## Sexual Misconduct and Non-Discrimination Policy

Rocky Vista University (the “University”) is committed to the principles of academic and professional excellence and to fostering a positive learning and working environment for its students and employees. Accordingly, the University does not discriminate on the basis of sex in the administration of, or in connection with, its educational and admission policies, scholarship and loan programs, or employment practices, and it is required by Title IX of the Educational Amendments of 1972 to not discriminate in such a manner.

It is the intent of the University to provide its employees and students with an environment free of sexual discrimination, sexual harassment, and sexual violence (collectively “sexual misconduct”), and to respond appropriately to reports of sexual misconduct. The civil and respectful treatment of one another is a foundation of our principles, and the University will not tolerate any form of sexual misconduct. Persons found responsible for sexual misconduct are subject to disciplinary measures, up to and including dismissal or termination, consistent with this Sexual Misconduct Policy and Procedures (“Policy”) and any other applicable disciplinary procedures.

Compliance with this Policy is a term and condition of student enrollment and employment at the University. Questions about this Policy or Title IX can be directed to the Title IX Coordinator, Ms. Laura Dement, 720-874-2481, [ldement@rvu.edu](mailto:ldement@rvu.edu), 2<sup>nd</sup> floor, Pod B, CO campus.

**NOTE: SEXUAL HARASSMENT**, as defined by the Title IX Final Rule as amended on May 19, 2020 as found in the Code of Federal Regulations, 34 C.F.R. Part 106, *Non-Discrimination on the Basis of Sex in Education and Employment Programs and Activities*, will follow specific investigation and grievance procedures as promulgated by the Title IX Final Rule and will be noted as such within this document.

**Any other sexual misconduct or discrimination based on sex/gender outside of the Title IX definition of sexual harassment will continue to be handled as per the investigation and grievance procedures outlined in this document.**

## Reporting, Investigating, and Hearing Procedures

### Reporting Sexual Misconduct or Discrimination Based on Sex/Gender Identity

Any RVU student, employee, or third-party affiliate may report sexual misconduct/discrimination to:

- A. The RVU Title IX Coordinator at 720-874-2481 or [ldement@rvu.edu](mailto:ldement@rvu.edu) (Takes in Formal Complaints)
- B. OWA (Officials with Authority): President, Vice Presidents, Deans, Assoc. Deans, or Provost
- C. Mandated Reporters: All RVU Faculty and Staff (Except Counselors)



## I. Definitions and Examples of Prohibited Sexual Conduct and Sex Discrimination

All of the definitions stated below and the use of terms in this Policy are intended to be consistent with how such terms are defined and interpreted in and under applicable state and federal laws and regulations, as amended from time to time. Words in definitions that are further defined are *italicized*.

**Actual Knowledge** means notice of sexual misconduct, sexual harassment or allegations of sexual harassment to RVU's Title IX Coordinator or any official who has authority to institute corrective measures on behalf of RVU.

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment or sexual discrimination. May also be referred to as the Reporting Party.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment or sexual discrimination. May also be referred as Responding Party.

**Formal Complaint:** A document signed and filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment or sexual discrimination against a respondent and requesting that RVU investigate the allegation(s). (May be filed in-person or via email to the Title IX Coordinator by complainant.)

**Educational Program or Activity** means locations, events, or circumstances over which RVU exercises substantial control over both the respondent and the context in which sexual harassment occurs and also includes any building owned or controlled by RVU or a student organization that is officially recognized by RVU.

**Sexual Discrimination** includes but is not limited to circumstances when an employee or student suffers an adverse employment or academic consequence (such as denial or loss of employment or academic opportunities or status, reductions in pay or grades) on the basis of sex or *sexual orientation*, and also includes circumstances where an employee or student is subjected to *sexual harassment* or *sexual violence*.

**Sexual Violence** is a serious form of sexual harassment and falls within Title IX regulations requiring a specific set of grievance procedures. This type of sexual harassment constitutes a form of prohibited sexual discrimination under Title IX and is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving *consent* (e.g., due to the person's age or use of drugs or alcohol, or because an intellectual or other disability prevents persons from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including *rape*, *sexual assault*, *dating violence*, *domestic violence*, *stalking*, and sexual coercion, all of which are forms of sexual discrimination prohibited by this policy.

**Sexual Harassment, as defined by Title IX 34 CFR §106.30**, constitutes three forms of prohibited sexual discrimination as listed below. Any formal complaint filed by a complainant that is determined to fall under the Title IX definition of Sexual Harassment to RVU's Title IX Coordinator will be investigated and adjudicated following the process as indicated by Title IX regulations in section V.

- Quid Pro Quo Sexual Harassment:

An employee of RVU conditioning the provision of an aid, benefit, or service of RVU on an individual's participation in unwelcome sexual conduct.

This includes situations wherein:

- a) Submission to such conduct is made to appear to be a term or condition of employment, enrollment, attendance, or participation in class;
  - b) Submission to or rejection of such conduct affects employment or academic decisions;
  - c) Making sexual propositions or pressuring students or employees for sexual favors; and
  - d) Punishing a refusal to comply with or to condition a benefit on a sexual based request or advance.
- Unwelcome Conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to RVU's education program or activities.
  - Sexual Assault defined as:
    - Any attempted or actual sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
    - 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.
    - Includes the crime of Rape, regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent. If the victim consented, the offender did not force or threaten the victim, and the victim was under the statutory age of consent, it is defined as Statutory Rape.
    - Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
    - Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    - Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

**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 persons involved in the relationship. For the purposes of this definition:

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

**Domestic Violence** is violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;

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

To categorize an incident as Domestic violence, the relationship between the perpetrator and the victim must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

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

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress. For the purposes of this definition—
  - **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
  - **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.
  - **Substantial emotional distress** means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

**Hostile Work or Educational Environment** is verbal, physical or other behavior of a sexual nature that is reasonably considered unacceptable by an employee or student. This includes, but is not limited to, commenting about an individual's body or appearance when such comments go beyond mere courtesy, telling jokes that are reasonably considered offensive by others, or other tasteless sexually oriented comments, innuendoes, or actions that reasonably offend others. Examples include, but are not limited to, sexual remarks, jokes, or gestures communicated verbally, in writing, or through electronic means such as:

- Writings, pictures, or drawings of a sexual nature (or the displaying or distributing of same);
- Websites, social media or e-mails depicting writings, pictures or drawings of a sexual nature;
- Telling of sexual or dirty jokes;
- Sexual comments about human anatomy that are reasonably considered suggestive, offensive, or reasonably inappropriate;
- Spreading sexual rumors or rating other people as to sexual activity or performance;
- Simplistic generalizations about gender attributes, differences, and roles of individuals or groups; and
- *Sexual exploitation.*

**Third-Party Sexual Harassment** includes persons who are not directly the target of sexual harassment but who work in environments where sexual harassment is allegedly occurring and can file "third party" and "bystander"

harassment claims. Third parties who were not directly the target of sexual harassment may be able to bring a claim against the Responding Party if the third party has suffered certain repercussions due to the Responding Party's inappropriate actions.

**Sexual Exploitation** occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's *consent*. Examples of behavior that could rise to the level of sexual exploitation include but are not limited to:

- Prostituting another person;
- Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's *consent*;
- Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not *consent* to such disclosure and objects to such disclosure; and
- Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's *consent*, and for the purpose of arousing or gratifying sexual desire.

**Consent** must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

**Non-Consensual Intentional Sexual Contact** is any intentional sexual touching with any object, by any person upon another, without consent and/or by force.

**Non-Consensual Sexual Intercourse** is any sexual intercourse, however slight, by any person upon another without consent and/or by force.

**Unwelcome Conduct** means the student or employee did not request or invite the conduct and considered the conduct to be undesirable or offensive. Unwelcome conduct may take various forms, including, name-calling, graphic or written statements (including the use of cell phones or the internet), or other conduct that may be physically threatening, harmful, or humiliating. Unwelcome conduct does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Unwelcome conduct can involve persons of the same or opposite sex. Participation in the conduct or the failure to complain does not always mean that the conduct was welcome. The fact that a person may have welcomed some conduct does not necessarily mean that a person welcomed other conduct. Also, the fact that a person requested or invited conduct on one occasion does not mean that the conduct is welcome on a subsequent occasion.

**Intimidation** is unlawfully placing 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.

**Sexual Orientation** means a person's orientation toward heterosexuality, homosexuality, bisexuality, *transgender* status, or another person's perception thereof.

**Transgender** means having a *gender identity* or *gender expression* that differs from societal expectations based on gender assigned at birth.

**Gender Identity** means an innate sense of one's own gender.

**Gender Expression** means external appearance, characteristics, or behaviors typically associated with a specific gender.

## II. Sexual Misconduct Reporting and Request Procedures (outside of Title IX definition)

Any individual who believes that an employee or student of the University, including him or herself, has been subjected to sexual misconduct is encouraged to immediately follow the applicable reporting procedure and may also pursue criminal, civil, and/or administrative remedies provided by federal and state law. The University encourages all individuals to report possible sexual misconduct that they suffer or observe, and requires responsible employees of the University to do so as found in this policy.

The purpose of these reporting, investigation and hearing procedures is to provide prompt and equitable processes for addressing and investigating incidents of sexual misconduct allegedly committed against students and employees. A lengthy period of time between an alleged occurrence and an investigation may make fact-finding more difficult; therefore, individuals are encouraged to raise concerns and complaints as soon as possible.

**Please note: If alleged sexual misconduct falls under the Title IX definition of Sexual Harassment as described above in the definition, a separate investigation and hearing process will occur and is outlined separately in this document under "Title IX Sexual Harassment Process and Procedures".**

### ***Reporting Sexual Misconduct Allegedly Committed by an Employee or a Student***

The following procedures apply to all complaints of sexual misconduct alleged to have been committed by an employee or a student, including sexual misconduct allegedly committed by an employee against a student, a student against a student, an employee against an employee, or a student against an employee. Reports may be made by either students or employees.

Any manager, supervisor, faculty member, or staff member who observes conduct in violation of this Sexual Misconduct Policy are considered Mandated Reporters and must promptly report the conduct to the University's Title IX Coordinator, who may involve the Office of Human Resources, the Office of Student Affairs, or legal counsel if deemed appropriate.

Managers and supervisors must not conduct their own interviews or investigations. The University will evaluate the investigation request and, in its sole discretion, will determine whether and how to investigate the allegations in a prompt and equitable manner. If the University concludes that conduct violated this Sexual Misconduct Policy, it may impose appropriate disciplinary sanctions on the Respondent, up to and including termination or dismissal.

### ***Supportive Measures During and After Grievance Procedures***

Sometimes it is necessary to take steps before or during an investigation, especially an investigation of alleged sexual assault, dating or domestic violence, or stalking to protect the rights and interests of the parties involved. Such measures may be designed to reduce or eliminate contact between the involved parties so that they may feel safe in their education environment. Protective or supportive measures may also guard against further actual or perceived discrimination, harassment, violence or retaliation.

Supportive or protective measures may include, but are not limited to, temporary changes in working or learning conditions (such as changes to faculty, class, supervisor or office location), modification of work or class schedules, leaves of absence, directives to the involved parties to avoid personal contact or refrain from such contact without a neutral third person present, campus escort, temporary suspension of an employee with or without pay, or temporary suspension of a student or students. As soon as practicable after receipt of a Request for Investigation, the

University will make changes to a Complainant's and/or Respondent's academic or work situations if requested and reasonably available. If interim measures are being taken due, at least in part, to a delay occasioned by the pendency of a criminal investigation and/or prosecution, the University will continue to update the parties on the status of the investigation and inform the parties when the school resumes its Title IX investigation.

### ***No Contact Order***

During a formal investigation or an investigation of alleged sexual violence, the Title IX Coordinator may issue a "No contact" order to insure the well-being of all parties and/or the integrity of the investigation process. Both the Complainant and the Respondent are expected to avoid all contact with each other while the report is under investigation.

"No contact" means no communication whatsoever including direct communication (talking, calling, texting, etc.), indirect communication (through friends or third parties), or contact through social media (Facebook, Twitter, etc.). The "No contact" order does not imply wrongdoing. Violation of the "No contact" order, however, is considered a serious and potentially threatening breach of university policy and may result in immediate suspension.

### ***Emergency Removal***

RVU can act to remove a Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal.

This risk analysis is performed by the Title IX Coordinator in conjunction with Campus Security and RVU Leadership using a standard objective violence risk assessment.

In all cases in which an emergency removal is imposed, the student or employee Respondent will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified. This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested within two days of notice, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so. There is no appeal process for emergency

removal decisions. A Respondent may be accompanied by an Advisor of their choice when present for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion or termination.

RVU will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: removing a student or employee from RVU's buildings including access to or use of facilities or equipment. At the discretion of the Title IX Coordinator, alternative coursework or work options may be pursued to ensure as minimal an academic impact as possible on the parties.

#### ***Role of Advisors and Attorneys in Both Informal and Formal Sexual Harassment Response Processes***

A Complainant or Respondent may choose to seek the advice and assistance of an attorney or any advisor at their own expense. An attorney or advisor may serve as a non-participating, support person but may not interfere with, pose or answer questions to the Title IX Coordinator during the investigation. Additionally, the University will not recognize or enforce agreements between the parties reached outside of these procedures.

Both the Complainant and the Respondent have the same opportunity to have others present during a meeting, hearing or proceeding regarding the allegation of sexual misconduct. If the complainant or respondent is unable to retain an advisor, RVU will provide an advisor at no expense; however, that does not mean an advisor will be an attorney.

#### ***Amnesty for Alcohol and/or Other Drugs***

Sometimes, a student or employee may be hesitant to come forward and file a sexual misconduct investigation request out of concern that the student or employee was using or was under the influence of alcohol or illegal drugs at the time of the alleged incident. However, the University's primary interest in such situations is in addressing alleged sexual violence. Illegal alcohol or drug use never makes a Complainant at fault for sexual violence against him or her. Other rules violations will be addressed separately from a sexual violence allegation.

#### ***Requests for Investigations of Allegations of Sexual Misconduct***

**Please note: Any formal complaint filed with allegations under Sexual Harassment, as defined above as Title IX Sexual Harassment, also adds a hearing procedure that must take place following an investigation unless an informal resolution can be reached. Please see the definition under Section I in regard to complaints of Sexual Harassment as defined by Title IX Regulations. The process below is the same as for any allegations of Sexual Misconduct, except if defined under Title IX Sexual Harassment; the right to a hearing procedure with questioning by advisors is added.**

The following procedures apply to all Requests for Investigation alleging sexual misconduct that does not qualify under Title IX promulgated regulations. Under these procedures, individuals may submit Requests for Investigation regarding sexual misconduct allegedly committed by University students, employees, or other third parties which occur either inside of the school program or activity or outside of the school program but still under the control of RVU if the conduct negatively affects a Complainant's school experience, employment, or the overall school environment.

However, the University's response to cases involving visitors, or third parties unaffiliated with the University will depend upon the University's degree of control over the visitor or third party.

The University will investigate all incidents of sexual misconduct of which it becomes aware (such as through a responsible employee or observation or other notification of misconduct), regardless of whether anyone files an informal or formal Request for Investigation. In such a circumstance, the University is the Reporting Party/Complainant. The University will elect how to proceed in such a situation, in accordance with its obligation to provide a safe, non-discriminatory educational environment under Title IX and applicable due process laws. At the conclusion of any process, the University will take steps to prevent recurrence of sexual misconduct and to correct its discriminatory effects on a Complainant, and others, if appropriate.

#### ***Evidence Standard for Determining Responsibility for Violations***

A **preponderance of the evidence standard** of review (meaning it is more likely than not that the sexual misconduct occurred) will be used in any investigations conducted and decisions made under these policies and procedures. The alleged victim or the University acting on behalf of the alleged victim of the sexual misconduct is described as the Complainant. The alleged offender is described as the Respondent. The Complainant has the option to inform the Respondent that his or her actions are offensive, unwelcome, or inappropriate, but is not required to do so, as this may negate the reporting of possible offenses and place the Complainant in an uncomfortable, difficult, or fearful position.

The University's investigation process concerning allegations of sexual misconduct alleged to have occurred against a student or employee will be promptly completed, within a reasonable amount of time, and usually from 60-90 days of the University's first receiving notice of the Request for Investigation, absent extenuating circumstances, parallel criminal investigation, or the need for certain evidence or testimony unavailable within the typical timeframe. Both parties will be notified, in writing, of the evidence presented and outcome of any investigation report and be given the opportunity to review and comment on the evidence and/or report for up to 10 days following the notice.

Both parties will be promptly notified of any deviations from these time estimates, and the reasons for any deviation, as determined and approved by the Title IX Coordinator after considering the nature and seriousness of the allegations, and any extenuating circumstances. If the process lasts longer than 30 days, each party will be provided periodic status updates until the process is completed.

### **III. Processes for an Investigation of Sexual Misconduct**

The University provides three different processes, described below, for investigating and adjudicating Requests for Investigation of sexual misconduct allegedly committed. The first two options address Requests for Investigation alleging misconduct other than Title IX defined sexual harassment (of quid pro quo harassment by an employee, unwelcome conduct that is severe and pervasive and objectively offensive, and sexual violence including sexual assault, dating violence, domestic violence or stalking) and may be filed under an **Informal Conciliation Process** or a **Formal Investigation Process**. The third process is available only for Sexual Harassment as defined under Title IX: **The Title IX Sexual Harassment Process** (under section V of this policy). (The University highly recommends that the Complainant of sexual violence seek immediate medical attention after the incident, The Title IX Coordinator or Sexual Assault Advocate will provide, if needed, referrals to medical professionals.)



If the student or employee is unsure about the appropriate process for a Request for Investigation or unsure whether he/she should file a Request for Investigation, contact the Title IX Coordinator for an initial meeting, wherein the Title IX Coordinator will discuss the options and answer any questions.

Copies of this Policy, processes, and forms are available from the Title IX Coordinator and on the RVU website at <http://www.rvu.edu/about/title-ix>.

### ***Informal Sexual Misconduct Conciliation Process***

The University offers an informal conciliation process as an alternative to the Formal Investigation Process for Requests for Investigation alleging sexual misconduct. Upon the filing of an Informal Request for Investigation, the Title IX Coordinator will attempt to intervene in order to reach a satisfactory resolution between the individuals directly involved. The informal proceeding focuses on conciliation rather than culpability and therefore does not involve a sanctioning process.

The Complainant and Respondent will be asked to resolve the problem with the mediation of the Title IX Coordinator or another University Official. This may include the services of the Office of Student Affairs and/or the Office of Human Resources. If informal attempts to resolve the Request for Investigation are unsuccessful, or if the Complainant or the Title IX Coordinator believes an informal procedure is inappropriate, the Formal Investigation Process can be utilized at any time. The filing of an Informal Sexual Harassment or Sexual Discrimination Request for Investigation is not a prerequisite to a Formal Sexual Harassment or Sexual Discrimination Request for Investigation.

- If a Complainant wishes to try informal resolution, she/he will be asked to file an *RVU Informal Sexual Misconduct or Sexual Discrimination Request for Investigation*. Upon receipt of this Request for Investigation, an attempt will be made to resolve the Request for Investigation by conciliation leading to informal mutual agreement.
- In order to conciliate an Informal Sexual Misconduct or Sexual Discrimination Request for Investigation, the Title IX Coordinator may meet with the parties and their respective advisers separately, together, or both, and may permit both parties to present evidence. The purpose of the meetings is to clarify issues and resolve the Request for Investigation.
- If conciliation resolves the Request for Investigation, a conciliation agreement, stipulating the terms of the resolution, will be signed by the Complainant and the Respondent. Each party will be simultaneously given a copy of the final signed agreement.
- If the conciliation process is not successful and the Complainant wishes to proceed with the Formal Investigation Process, the Complainant should follow the instructions set forth below.

The Complainant has a right to end the Informal Conciliation Process at any time and begin the Formal Investigation Process. Informal options will not be used to resolve Requests for Investigation concerning sexual violence allegedly committed by a University student or employee, which will be referred directly to the Title IX Sexual Harassment Response Process.

### ***Formal Sexual Misconduct Investigation Process***

If a Complainant wishes to invoke a formal administrative action regarding sexual misconduct, other than Title IX defined Sexual Harassment, an *RVU Formal Sexual Misconduct or Sexual Discrimination Request for Investigation* may be filed with the Title IX Coordinator.

- All Requests for Investigation will be acknowledged and promptly investigated and may include

interviews with the Complainant, the Responding Party, and other persons (witnesses) believed to have knowledge relevant to the allegations.

- Both the Complainant and Respondent may present evidence to the Title IX Coordinator.
  - Questioning or evidence about the Complainant's prior sexual conduct with anyone other than the Respondent is prohibited.
  - Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.
- Both the Complainant and Respondent will receive the Title IX Coordinator's report concurrently.
- Upon the conclusion of the investigation of a formal Request for Investigation, a written investigative finding report and recommendation will be prepared by the Title IX Coordinator and submitted to the Associate Dean of Student Affairs (for students) or the Vice President of Human Resources (for employees). The Associate Dean of Student Affairs in consultation with the Provost (for students), or the VP of Human Resources in consultation with the Provost (for employees), will issue a final determination to the Complainant and Respondent and may do so through the Title IX Coordinator. The final decision may include sanctions or remedial measures if a violation of this Policy is found, such as a referral to the appropriate University administrative office for disciplinary action, including termination, suspension or dismissal.

***In re: Submitting Requests for Investigation of Sexual Misconduct***

All Requests for Investigation alleging an incident of sexual misconduct committed by an employee or a student should be mailed, emailed, or hand delivered to:

- **The University's Title IX Coordinator:** Ms. Laura Dement, 720-874-2481, [ldement@rvu.edu](mailto:ldement@rvu.edu); Accounting and Finance Suite. The Title IX Coordinator is responsible for investigating all Requests for Investigation of sexual misconduct or sexual violence, and for identifying and addressing any patterns or systematic problems that arise during the review of such complaints. The Title IX Coordinator is available to meet with University students or employees to discuss related issues, as needed.

If the Title IX Coordinator is not available, or there is a potential conflict of interest with the Title IX Coordinator, **students** may file informal and formal Requests for Investigation and should be mailed, emailed, or hand delivered to:

- **The Office of Student Affairs:** Dr. Ashley Farmer-Hansen, Associate Dean; [afarmerhansen@rvu.edu](mailto:afarmerhansen@rvu.edu)

If the Title IX Coordinator is not available, or there is a potential conflict of interest with the Title IX Coordinator, **employees** may file informal and formal Requests for Investigation and should be mailed, emailed, or hand delivered to:

- **Human Resources Dept:** Ms. Kat Abernathy, Vice President; [kabernathy@rvu.edu](mailto:kabernathy@rvu.edu)

## IV. Appeals of Formal Sexual Misconduct Determinations

Each party in a Formal Sexual Misconduct Investigation may appeal the findings or sanction determined by the Title IX Coordinator by filing a written appeal with the University President within seven (7) days of the date of the decision. The opposing party then may respond to the appeal, in writing, within seven (7) days. Both the Complainant and Respondent may review the Title IX Coordinator's investigative report and any responses upon filing an appeal.

Appeals must meet the following criteria:

- An error in procedure, which allegedly prejudiced the process to the extent the participant was denied a fundamentally fair investigation as a result of the error. Only significant procedural errors that may have affected the decision or which relate to the sanction imposed will be considered.
- New evidence that was previously unknown and became available during the appeal process that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included with the notice of appeal.
- Sanctions imposed are not appropriate for the violation the individual(s) committed.
- Clearly demonstrated investigator bias.

All appeal documentation shall be directed to the Title IX Coordinator and the University President, Dr. David Forstein, 720-795-9743, [dforstein@rvu.edu](mailto:dforstein@rvu.edu), President's Suite, Room D105. Dr. Forstein will issue a written decision to both parties within fourteen (14) days of receiving the opposing party's response. There are no further appeal opportunities, and Dr. Forstein's decision shall be the final decision regarding the Sexual Misconduct Request for Investigation.

## V. Title IX Sexual Harassment Grievance Process and Procedures

This process and procedures are specific to Title IX defined Sexual Harassment. Title IX Sexual Harassment is defined above in detail under definitions and includes:

- Quid Pro Quo harassment by a university employee (or)
- Unwelcome Conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational or employment access (or)
- Any instance of Sexual Assault (as defined in the CLERY Act), Dating Violence, Domestic Violence, or Stalking as defined in the Violence Against Women Act (VAWA).

The following is applicable once a Formal Complaint is filed under Title IX Sexual Harassment:

### ***Investigation Phase***

- Complainant and Respondent must be participating in, or attempting to participate in, an RVU educational program or activity.
- Formal Complaint filed with the Title IX Coordinator and determination of whether an alleged violation may have occurred under Title IX definition of Sexual Harassment.
- Alleged violation must have occurred within the United States, and within an RVU educational program or activity, which means locations, events, or circumstances over which RVU exercises

substantial control over both the Respondent and the context in which the sexual harassment occurs and also includes any building owned or controlled that is officially recognized by RVU.

- Supportive Measures may be put in place for the Complainant, and may include removal of the Respondent from the educational program or activity, on an emergency basis, after undertaking a safety and risk analysis and determining if an immediate threat to the physical health or safety of the complainant justifies removal. Respondent (student or employee) is to be given notice and has the opportunity to challenge a decision immediately following the removal by appealing to the Associate Dean of Student Affairs or the VP of Human Resources (respectively) in cooperation with the Title IX Coordinator.
- Notice of Investigation will be sent, in writing to the Respondent, of the allegations of sexual harassment, as defined in Title IX § 106.30, including sufficient details known at the time and with sufficient time for the Respondent to prepare a response before any initial interview by the Title IX Coordinator. It is to be stated that the respondent is presumed not responsible for the alleged conduct before a determination regarding responsibility is made at the conclusion of the grievance process.
- Both the Complainant and the Respondent may have an Advisor of their choice, at their own cost (if applicable), who may be, but is not required to be, an attorney or advocate, and who may attend their own party's interviews and inspect and review evidence of the alleged misconduct. The Advisor may not interfere with, pose or answer questions to the Title IX Coordinator during the investigation phase of the process. (Note: If a party does not have an Advisor for the Live Hearing phase of the process, RVU will provide, without fee or charge to the party, an Advisor of RVU's choice in order to conduct cross-examination on behalf of the party.)
- The Title IX Coordinator or another trained investigator will conduct interviews separately with both the Complainant and Respondent and any witnesses named by either party. The interviews will take place without conflict of interest or bias against any party by the Title IX Coordinator. The Title IX Coordinator will objectively evaluate all relevant evidence – including both inculpatory and exculpatory evidence – and determine credibility without respect to a person's status as a complainant, respondent, or witness.
- The Title IX Coordinator or another trained investigator will prepare a draft form of an investigative report that fairly summarizes all relevant evidence. Both parties and their advisors will be given up to 10 business days to review and submit a meaningful written response, which will be considered by the investigator prior to a final report.
- A finalized investigative report in electronic format or hard copy will be provided to both parties and their advisors at least 10 business days prior to a scheduled Live Hearing. A finalized investigative report will also be provided to the Hearing Panel/Decision Maker at least 10 days prior to a scheduled Live Hearing.
- Notice of the place, date and time for a Live Hearing will be provided to all parties at least 10 business days prior to the date of the Hearing.
- Additionally, if the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the investigation.

### ***Dismissal of a Formal Complaint of Sexual Harassment Under Title IX***

The following are defined under Title IX § 106.30 as reasons for dismissal of a formal complaint, and the Title IX Coordinator reserves the right to do so:

- If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in § 106.30 even if proved, or
- If the conduct did not occur in an RVU education program or activity, or
- If the conduct did not occur against a person within the United States, or
- If at the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in an RVU education program or activity.
- A Complainant notifies the Title IX Coordinator in writing that he/she would like to withdraw the formal complaint or any allegations therein, or
- The Respondent is no longer enrolled or employed by RVU, or
- Specific circumstances prevent RVU's investigators from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

### ***Live Hearing Phase***

Upon completion and delivery of the final investigative report to the parties, their advisors, and the hearing panel or a single decision-maker (herein the Decision-Maker(s), a hearing will be scheduled and communicated as to the place, date, and time of the hearing. The parties, their advisors, their witnesses, the Title IX Coordinator, and the decision-maker(s) will be present.

The following information outlines the procedures that will take place during the live hearing:

- At the request of either party, RVU must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party of the witness answering questions. Hearings may be conducted with all parties physically present in the same geographic location or, at RVU's discretion, any or all parties, witnesses, and other participants may appear at a live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
- At the live hearing, the decision-maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.
- Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- If a party does not have an advisor present at the live hearing, RVU must provide, without fee or charge to that party, an advisor of RVU's choice to conduct cross-examination on behalf of that party.
- Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
- Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.

RVU will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

### ***Determination Phase (Notice of Outcome)***

Once all the relevant questions and evidence have been presented at the hearing, the Decision-maker(s) will take reasonable time to consider the information gathered from both sides and decide (based on the preponderance of evidence standard) as to whether the Respondent violated Title IX protections and is responsible for Sexual Harassment as defined under Title IX. The Decision-maker(s) shall have up to 5 business days to decide and put it in writing. If it is determined the Respondent is responsible for misconduct under the definition of Title IX Sexual Harassment, the Decision-maker(s) will work with the Title IX Coordinator and either the Associate Dean of Student Affairs in regard to students, or the VP of Human Resources in regard to employees, in order to decide any disciplinary sanctions to be imposed on the Respondent. The Decision maker(s), in cooperation with the Title IX Coordinator and the Associate Dean of Student Affairs or VP of Human Resources (respectively) will also decide whether additional remedies need to be designed to restore or preserve the Complainant's equal access to RVU's educational program or activities.

The written determination (titled as Notice of Outcome) shall be sent simultaneously to the parties along with information about how to file an appeal. The written determination will include:

- Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR § 106.30 Definitions.
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
- Findings of fact supporting the determination
- Conclusions regarding the application of Title IX defined Sexual Harassment to the facts
- A statement of, and rationale for, the result as to each allegation, including:
  - any disciplinary sanctions the recipient imposes on the respondent; and
  - whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant

The Title IX Coordinator is responsible for effective implementation of any remedies.

**Note: The Informal Conciliation Resolution Process that does not involve full investigation and a hearing may be requested by either party prior to reaching a determination of responsibility (except in cases of Quid Pro**

**Quo Sexual Harassment by an employee). An informal conciliation has to be agreed upon by both parties. No waiver of rights to an investigation, hearing, and adjudication will be offered.**

### ***Request for Appeal***

Any party may file a request for appeal, but it must be submitted in writing to the Title IX Coordinator within 5 days of the delivery of the Notice of Outcome.

A single Appeal Decision-maker will review the appeal. No Appeal Decision-maker will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

The Request for Appeal will be forwarded to the Appeal Decision-maker for consideration to determine if the request meets the grounds for appeal. This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

#### ***A. Grounds for Appeal***

Appeals are limited to the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Decision-maker, and the parties and their Advisors will be notified in writing of the denial and the rationale.

The other party(ies) and their advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s) will be mailed, emailed, and/or provided a hard copy of the request for appeal with the approved grounds and then be given 5 business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Appeal Decision-maker to all parties for review and comment.

The non-appealing party may also choose to raise a new ground for appeal at this time. If so, that will be reviewed for standing by the Appeal Decision-maker and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses within 5 business days, which will then be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeal Decision-maker will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses and will render a decision in no more than 5 business days, barring exigent circumstances. All decisions are applied to the preponderance of the evidence standard.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding

on each ground for appeal, any specific instructions for remand or reconsideration, and any sanctions that may result which the Decision-maker is permitted to share according to state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' RVU-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

#### *B. Sanctions Status During the Appeal*

Any sanctions imposed as a result of the Hearing are stayed during the appeal process. Supportive measures may continue or be reinstated, subject to the same supportive measure procedures above. If any of the sanctions are to be implemented immediately post-hearing, and any sanction involves emergency removal procedures, a hearing with the Appeal Decision-maker on the justification for doing so must be permitted within 48 hours of implementation.

RVU may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

#### *C. Appeal Considerations*

Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error, and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.

- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- An appeal is not an opportunity for Appeal Decision-makers to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).
- The Appeal Decision-maker may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- In rare cases where a procedural or substantive error cannot be cured by the original Decision maker(s) (as in cases of bias), the appeal may order a new hearing with a new Decision maker(s).
- The results of a remand to a Hearing Decision-maker(s) cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.



- In cases in which the appeal results in the Respondent's reinstatement or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

## VI. Additional Information Applicable to This Policy

### ***False Reports/Allegations***

A false report or allegation of Sexual Misconduct occurs when the Reporting Party intentionally reports information or incidents that he or she knows to be untrue. Failure to prove a complaint of Sexual Misconduct is not equivalent to a false report or allegation. The University may impose sanctions against an individual who knowingly makes false allegations of Sexual Misconduct.

### ***Records of Investigations and Decisions***

The record of the Complaint (Formal or Informal), the Investigation, any Audio or Audiovisual Recording, if any, Remedies provided to the Complainant, the Final Determination regarding responsibility, and any Appeals shall be retained in a confidential and secure file in the Title IX Office for a period of seven (7) years.

### ***Audio/Video Recording of Proceedings***

Individuals involved in the investigative process are not permitted to audio or video record any investigation or resolution meetings or other portions of the process. RVU will video record any live hearing as per Title IX regulations.

### ***Confidentiality Options for Reporting Parties***

The University recognizes that some alleged Reporting Parties of sexual violence may wish to remain anonymous or for the information they disclose to be confidential. Throughout the complaint procedures (whether formal or informal), the confidentiality of all participants will be maintained to the fullest extent possible. However, different individuals both on and off campus have different abilities to maintain a Reporting Party's confidentiality based upon applicable law, including Title IX.

The following options are designed to make students and employees aware of the disclosure options available to them, and the University encourages students to talk to someone in one or more of these groups. The University also reminds students and employees of its prohibition against retaliation located in this Policy, and if the student or employee is concerned about retaliation from the alleged Responding Party, the University will take steps to prevent retaliation and take strong responsive actions to retaliatory conduct.

- ***Professional and Pastoral Counselors:*** These professionals, including the University's clinical psychologists, are bound by professional ethics to not release information without the patient's permission, except in circumstances where the counselor or health care provider believes that there is a serious threat of imminent physical violence to a specific person or persons, or as otherwise required or permitted by applicable law.
- ***Responsible Employees of the University:*** Responsible employees of the University are obligated to report incidents of possible sexual violence to school officials, including the Title IX Coordinator. A responsible employee is defined as University employee who has the authority to redress sexual violence, who has been given the duty of reporting incidents of sexual violence

or any other sexual misconduct to the Title IX Coordinator, or to who they could reasonably believe has this authority or duty. Therefore, reporting to a responsible employee is not confidential. Examples of responsible employees include, but are not limited to: Campus Safety and Security Officers, Faculty members, Human Resources representatives, and Student Affairs personnel.

- ***Anonymous Reporting for Alleged Sexual Violence:*** Reporting Parties of alleged sexual violence are permitted to submit an anonymous Request for Investigation or call the RVU Anonymous Help/Tip Line by dialing 303-708-8185. The University may act then on behalf of the Reporting Party and act as Reporting Party on behalf of the Complainant. However, the Complainant must understand that remaining anonymous will impede the University's ability to investigate and respond to the complaint.

A Reporting Party of alleged sexual violence may ask that a Request for Investigation or report to a responsible employee be handled confidentially or that an investigation not be completed. In such a situation, the University must weigh the Complainant's request against the University's obligation to provide a safe, non-discriminatory environment for all of its students and employees. If the University honors the Complainant's request for confidentiality, they must understand that the University's ability to meaningfully investigate the sexual misconduct will be impeded, including the ability to sanction the alleged Respondent. However, in some cases the University may not be able to honor a Complainant's request for confidentiality in order to provide a safe, non-discriminatory environment for all of its students and employees.

The Title IX Coordinator will evaluate requests for confidentiality in accordance with the following factors:

- The risk that the alleged Responding Party will commit additional acts of sexual misconduct;
- The severity of the sexual misconduct; o Whether sexual violence or a weapon was involved;
- Whether the report reveals a pattern of perpetration at a given location or by or against a particular group.

If the University determines that it cannot maintain a Complainant's confidentiality, it will, to the extent possible, inform the Complainant prior to taking any action that would disclose their identity, and will, to the extent possible, only share information with people responsible for handling the University's investigation and response. The University may not require the Complainant requesting confidentiality to participate in the investigation.

Regardless of whether the University honors a request for confidentiality, the University will promptly take any possible steps to protect and assist the Complainant and/or prevent future sexual misconduct, such as increased monitoring or security at locations where reported sexual misconduct occurred and increased education and prevention efforts.

In cases involving Complainants who do not wish to pursue a Request for Investigation further, the University may investigate and take whatever remedial action may be possible and appropriate under the circumstances, consistent with guidance issued by the United States Department of Education and the University's obligations to other members of the University community. Failure by a responsible employee to report an allegation or incident of sexual violence to the Title IX Coordinator may result in disciplinary action up to and including termination.

### ***Prohibition of Retaliation***

The University prohibits retaliation against any employee or student who, in good faith, reports, rejects, protests, or complains about sexual misconduct. Retaliation is a violation of University policy. The University will not tolerate discrimination, recrimination, or reprisal against any employee or student who reports or participates under this policy in good faith in a related investigation or hearing.

Complaints of retaliation should be reported to the Title IX Coordinator listed above. Such complaints will be investigated and handled in a prompt and equitable manner by the Title IX Coordinator, in his or her discretion. Any individuals, including Reporting Parties and alleged Responding Parties, who are determined to have made knowingly false statements during the course of a sexual misconduct investigation, may be subject to discipline, which may include termination or dismissal.

The Title IX Final Rule expressly prohibits retaliation.

- Charging an individual with code of conduct violations that do not involve sexual harassment, but arise out of the same facts or circumstances as a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX constitutes retaliation. - RVU must keep confidential the identity of complainants, respondents, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding. - Complaints alleging retaliation may be filed according to RVU's prompt and equitable grievance procedures.
- The exercise of rights protected under the First Amendment does not constitute retaliation. - Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX grievance proceeding does not constitute retaliation; however, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

### ***Disabilities Accommodation in the Resolution Process***

RVU is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the resolution process. Anyone needing such accommodations or support should contact the Director of Disability Services, who will review the request and, in consultation with the person requesting the accommodation, and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

### ***Timely Warnings***

Rocky Vista University is required by federal law to issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to members of the campus community. Rocky Vista University will ensure, to every extent possible, that a victim's name and other identifying information is not disclosed, while still providing enough information for members of the campus community to make decisions to address their own safety in light of the potential danger.

### ***Clery Report***

The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires colleges and universities, both public and private, participating in federal student aid programs to disclose campus safety information, and imposes certain basic requirements for handling incidents of sexual

violence and emergency situations. Disclosures about crime statistics and summaries of security policies are made once a year in the University's Annual Security Report (ASR), which can be viewed at: <http://www.rvu.edu/cleryact.asp>

### ***Training***

#### **Training of Officials**

The University officials who conduct the investigation and proceedings related to sexual misconduct are trained on an annual basis in order to protect the safety and due process of alleged victims and respondents. The investigation and any related process will be conducted impartially without any real or perceived conflicts of interest between the fact-finder or decision-maker and the parties. Any perceived conflicts will be fully disclosed at the beginning of the investigation. The precise investigation process and any other procedures will depend upon the nature of the allegations and other circumstances, but will afford both parties equal processes and procedures as described in this policy. In addition, training materials used for the education of the Title IX Coordinator, Investigators, and Hearing Panel and/or Decision Makers are posted on the Title IX web page on RVU's public website at: [www.rvu.edu/about/title-ix/titleixteamtraining](http://www.rvu.edu/about/title-ix/titleixteamtraining)

#### **Training of Students and Employees**

The University provides and requires annual training, including bystander intervention, awareness, and prevention programs, to educate all students and employees about the University's Sexual Misconduct Policy and their civil rights under Title IX.

## **VII. Resources for Student and Employee Victims of Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

For those who are victims of sexual assault, it is important to get immediate medical attention, even if there are no obvious physical injuries. Go to the emergency room of the nearest hospital. A physical examination will help to assure that any injuries will be identified and treated and that victims receive important information about the risks for sexually transmitted disease. An examination does not obligate a victim to any kind of investigation; however, it allows evidence to be obtained and preserved in the event a criminal investigation is authorized at a later time. Victims should not bathe, shower, douche, or change clothes before the examination. Individuals are also encouraged to seek counseling. Support by a trained counselor can help the individual understand and work through the trauma of the incident. Counselors can also help others who are close to the individual.

RVU will provide written notification to students and employees about existing resources available for victims within the institution *and* the larger community for counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims.

#### ***RVU CO Campus Resources***

Students or employees needing immediate and confidential medical assistance, treatment and other health services following an incidence of sexual assault, may contact the University's Health Clinic (on the RVU Colorado campus): 720-875-2880; <https://www.rockyvistahc.com/>.

### ***CO Community Resources***

RVU students and staff, who are victims of sexual misconduct and assault, may also seek guidance and assistance from the following Denver-area resources and organizations. ([Utah campus resources available at the front Security desk](#)) (Please note: these organizations are not affiliated with RVU.)

- The Blue Bench (formerly known as RAAP) (24/7) 303.322.7273 (ENG) 303.322.7273 (ESP) 1.888.394.8044 (TOLL FREE); <http://thebluebench.org/>
- Colorado Anti Violence Program (24/7 LGBT Resource) 303.852.5094; <http://coavp.org/>
- Denver Center for Crime Victims at 303-894-8000 (ENG) and 303.718.8289 (ESP) or 711 for Relay Colorado Access for deaf or hard of hearing. Translation and interpretation services available; <http://www.denervictims.org/>
- Denver Police Non-Emergency at 720.913.2000
- Denver Police Victim Services at 720.913.6035
- (For licensed physicians, physician assistants, and Resident, Medical Students and Physician Assistant Students): Colorado Physician Health Program; 303-860-0122; [www.cphp.org](http://www.cphp.org).

### ***Sexual Misconduct or Assault Complaints to Outside Agencies***

In addition to the University's complaint procedures, a Reporting Party or alleged Reporting Party has the right to file a complaint of sexual misconduct or assault with local law enforcement agencies. As referenced elsewhere in this Policy, the involvement of outside law enforcement agencies may necessitate some accommodation in the timing and manner of the University's Title IX investigation so as not to impede such external proceedings.

However, the University will ensure that it takes appropriate interim measures to protect the Reporting Party in the educational setting as well as to follow through with its own Title IX mandated processes once it learns that the local law enforcement agencies have indicated that their proceedings will not be compromised by the resumption of the University's Title IX processes.

**Colorado** local law enforcement agencies to which complaints may be directed include:

- RVU Department of Public Safety and Security: 8401 S. Chambers Rd., Parker, CO 80134, Phone: 720-875-2892, Web: <http://www.rvu.edu/campus-life/campus-safety-andsecurity/>
- Parker Police Department: 18600 E. Lincoln Meadows Pkwy., Parker, CO 80134, Phone: (303) 841-9800, Web: <http://www.parkerpolice.org/>
- Colorado State Patrol – District 1: 4600 Castleton Court, Castle Rock 80109, Phone: (303) 688-3115, Web: <https://www.colorado.gov/pacific/csp/district-one-metro>

(See the following pages for Utah resources.)

Additionally, Employee and Student Reporting Parties may file complaints with the following organizations and agencies:

### ***PARKER, COLORADO CAMPUS RESOURCES***

#### **Resources for Victims of Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

##### **ON-CAMPUS**

Dean, Dr. Heather Ferrill	8401 S. Chambers Rd. Englewood, CO 80112	720 874-2432
Counseling, Karen Robinson	8401 S. Chambers Rd. Englewood, CO 80112	720-875-2896
RVU Health Center	8401 S. Chambers Rd. Englewood, CO 80112	720-875-2880
Campus Safety & Security	8401 S. Chambers Rd. Englewood, CO 80112	720-875-2892
Office of the Title IX Coordinator Laura Dement	8401 S. Chambers Rd. Englewood, CO 80112	720-874-2481
Director of Student Life, Daphne Tsung	8401 S. Chambers Rd. Englewood, CO 80112	720-874-2471
Associate Dean of Student Affairs, Dr. Ashley Farmer-Hansen	8401 S. Chambers Rd. Englewood, CO 80112	720-874-2483
Anonymous Help/Tip Hotline	8401 S. Chambers Rd. Englewood, CO 80112	303-708-8185

#### IN THE METRO PARKER AREA

Parker Police Department	18600 E. Lincoln Meadows Pkwy. Parker, CO 80134	303-841-9800
South Metro Fire Rescue Authority	9195 E. Mineral Ave. Centennial, CO 80112	720-989-2000
Parker Adventist Hospital	9395 Crown Crest Blvd. Parker, CO 80138	303-269-4000
Medical Center of Aurora	1501 S. Potomac St. Aurora, CO 80012	303-695-2600
Denver Safe House	1649 Downing St. Denver, CO 80218	303-318-9989
Women's Crisis & Family Outreach Center	Castle Rock, CO 80104	303-688-8484 (24 Hours)
Rape Assistance & Awareness Program	1120 Lincoln St. Suite 700 Denver, CO 80203	303-322-7273 (English) 303-329-0031 (Spanish)
Douglas County Sheriffs	4000 Justice Way, Castle Rock, CO 80109	303-660-7500

#### Employees

- Colorado Attorney General's Office: 1300 Broadway, 10th Floor, Denver, CO 80203, Phone: (720)508-6000, Web: <http://www.coloradoattorneygeneral.gov/>

- Equal Employment Opportunity Commission, Denver Field Office: 303 E. 17th Avenue, Suite 410, Denver, CO 80203, Phone: (303) 866-1085 or 1-800-669-6820, Fax: 866-1085, Web: <http://www.eeoc.gov/field/denver/>
- <http://www.labor.state.ut.us>
- Colorado Civil Rights Commission: 1560 Broadway, Suite 1050, Denver, CO 80202, Phone: (303)894-2997, Fax: (303)894-7830, Email: [ccrd@dora.state.co.us](mailto:ccrd@dora.state.co.us)

## Students

- United States Department of Education: Office for Civil Rights, Cesar E. Chavez Memorial Building, 1244 Speer Boulevard, Suite 310, Denver, CO 80204, Telephone: 844-5695, Facsimile: (303) 844-4303, Email: [OCR.Denver@ed.gov](mailto:OCR.Denver@ed.gov)
- Colorado Civil Rights Commission: 1560 Broadway, Suite 1050, Denver, CO 80202, Phone: (303)894-2997, Fax: (303)894-7830, Email: [ccrd@dora.state.co.us](mailto:ccrd@dora.state.co.us)

## ***IVINS, UTAH CAMPUS RESOURCES***

### **Resources for Victims of Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

#### **ON-CAMPUS**

Department of Public Safety and Security	255 E. Center St. Ivins, UT 84738	435-222-1300
Title IX Coordinator, Laura Dement	8401 S. Chambers Rd. Parker, CO 80134	720-874-2481
Student Affairs	255 E. Center St. Ivins, UT 84738	435-222-1270
Dean of RVUCOM-SU	255 E. Center St. Ivins, UT 84738	435-233-9512
Assistant Dean of Student Affairs, Dr. David McCoy	255 E. Center St. Ivins, UT 84738	435-222-1252
Anonymous Tip Hotline	255 E. Center St. Ivins, UT 84738	435-222-1313

#### **IN THE METRO SANTA CLARA-IVINS AREA**

Santa Clara/Ivins Police Department	2603 Santa Clara Drive, Santa Clara, UT 84765	435-652-1122
Santa Clara/Ivins Fire Department	90 Center Street, Ivins, UT 84738	435-673-6712
Washington County Sheriff's Department	620 S 5300 W, Hurricane, UT 84737	435-656-6500
Washington County Justice Court	87 N 200 E #301, St. George, UT 84770	435-634-5728
Utah Highway Patrol	620 5300 W #216, Hurricane, UT 84737	435-634-2890
Dixie Regional Medical Center,	515 S 300 E, St. George, UT 84770	435-251-1000
Crisis Shelter – Dove Center	1240 E 100 S #221, St. George, UT 84790	435-628-1204
Victim / Court Advocates		435-627-4399
Utah Office for Victims of Crime		800-621-7444
24 Hr. Rape Crisis Hotline		888-421-1100

Other resources available to persons who report being the victim of sexual assault or domestic violence in Utah include:

#### Employees

- <https://laborcommission.utah.gov/divisions/utah-antidiscrimination-and-labor-uald/employment-discrimination/>
- <https://intermountainhealthcare.org/blogs/topics/live-well/2018/04/suicide-prevention-resources-in-utah/>
- Crisis Shelter: <https://dovecenter.org>
- Utah Office for Victims of Crime: [https://justice.utah.gov/Crime/cvr\\_grants.html](https://justice.utah.gov/Crime/cvr_grants.html)
- Utah Office of Civil Rights: <https://www.hhs.gov/ocr/about-us/contact-us/index.html>

#### Students

- Utah Office of Civil Rights: <https://www.hhs.gov/ocr/about-us/contact-us/index.html>
- American Osteopathic Association/Commission on Osteopathic College Accreditation (AOA/COCA): 142 E. Ontario St., Chicago, IL 60611-2864, Toll-free phone: (800) 621-1773, General phone: (312) 202-8000, Fax: (312) 202-8200, Web: [www.osteopathic.org](http://www.osteopathic.org)



- Higher Learning Commission (HLC): 230 South LaSalle Street, Suite 7-500, Chicago, Illinois, 60604-1411, Phone: (800)621-7440,

## Education and Prevention Programs

Both RVU Campuses maintain sexual assault education and prevention programs focused on risk reduction, sexual assault prevention and responses to sexual assault. Literature dealing with issues of sexual assault is available in Health Services, Campus Safety and Security and the student lounge areas.

Education programs promote awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses. RVU takes a proactive stance to educate its student body regarding issues of sexual assault and methods of prevention.

**Awareness Programs:** refers to programs, campaigns, or initiatives that increase audience knowledge of the issues of sexual assault, domestic violence, dating violence and stalking and share information and resources to prevent interpersonal violence, promote safety, and reduce perpetration. These efforts can include campus communitywide mobilizations as well as targeted audience specific programming (including both students and employees) throughout the year starting during orientation. Awareness month campaigns, “Speak Outs,” rallies or marches, informational poster campaigns or resource websites, and educational programming that focuses on sharing resources and information about these issues are examples of awareness programs

**Bystander Intervention:** refers to safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene in situations of potential harm when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the individual. Effective bystander intervention training prepares participants to recognize situations of potential harm, overcome barriers to intervening, identify safe and effective intervention options, and act.

**Ongoing prevention and Awareness campaigns:** refers to campaigns that are sustained over time focusing on increasing awareness or understanding of topics relevant to sexual assault, domestic violence, dating violence, and stalking prevention via our Prevention and Education Program and Sexual Assault Awareness Month. These programs will occur at different levels throughout the institution (i.e. faculty, incoming students) and will utilize a range of strategies. Ongoing awareness and prevention campaigns may include information about what constitutes sexual assault, dating violence/intimate partner abuse, and stalking, changing social norms, promoting recognition of perpetrator tactics, enhancing understanding of consent, and advancing prosocial behaviors of individuals and communities. Effective ongoing awareness and prevention campaigns will include developmentally appropriate content for the specific audience and their knowledge and awareness level and provide positive and concrete ways for individuals to get involved. Additional programs include Title IX Sex Assault Awareness, Consent and Respect, Drug Free Schools Act, OSHA/HIPPA, and FERPA, and held during first year orientation, or new hire onboarding, and various dates near the commencement of the fall semester upon student arrival.

**Primary prevention programs:** refers to programming, initiatives and strategies intended to stop domestic violence, dating violence, sexual assault, or stalking before it occurs to prevent initial perpetration or victimization through the promotion of positive and healthy behaviors and beliefs. Efforts to change behavior and social norms, and promote healthy relationships, healthy sexuality and egalitarian gender roles, or efforts

to understand risk factors and protective factors for bystander inaction and change social norms around bystander inaction are all examples of primary prevention.

**Risk reduction:** refers to approaches that seek to mitigate risk factors that may increase the likelihood of perpetration, victimization, or bystander inaction. Risk reduction focuses on helping individuals and communities address the institutional structures or cultural conditions that facilitate SV, DV & stalking to increase safety. Examples of risk reduction may include but are not limited to general crime prevention education, campus escort programs, programs that educate on how to create individual and community safety plans and strategies, and bystander intervention programs that educate the campus on how to recognize and interrupt situations of harm, or implementing a communications system that can notify the entire campus community of immediate threats to security, student monitor slides and flyers.

**Tips to Reduce Risk of Sexual Assault and Misconduct** Men and women should be aware of the subsequent information to help protect themselves against acquaintance rape and stranger rape sexual violence, intimate partner violence, and sexual assault on campus. The following are some tips to reduce the risk of being a victim:

- Avoid isolated settings. When you begin dating a new person, go to public places or go with other people.
- Clearly express your expectations and limits to your date.
- Be suspicious if drugs or alcohol are being forced on you. These can be used to decrease your defenses and reactions. They can also impair your judgment.
- Carry enough money to take a cab home if you have to get away. Carry your cell phone or enough change in case you need to use a pay phone.
- Tell someone the name of your date and where you are going before your date.
- Pay attention to warning signs such as being very demanding, talking in degrading ways about you or men or women in general, being irrationally suspicious or jealous, or touching you when you've said "no."
- Make an assertive refusal — hurting his/her feelings or your own embarrassment are less important than your own safety.
- Do not let your date intimidate you. If you feel uncomfortable, trust your instincts and get away from him or her.
- Trust your feelings. Gut instincts are often a sign of potential danger.
- Stay around other people.
- Avoid accepting rides from new acquaintances.
- Don't drink beverages you don't open yourself.
- Go to parties with friends that you trust. Plan to watch out for each other and meet up periodically to make sure that you are all okay.

**To protect against sexual assault:**

- Know your sexual intentions and limits. You have the right to say "No" to any unwanted sexual contact. If you are uncertain about what you want, ask the other person to respect your feelings.
- Communicate your limits firmly and directly. If you say "No," say it like you mean it. Don't give mixed signals. Back up your words with a firm tone of voice and clear body language.

- Remember that some people still think that drinking heavily, dressing provocatively, or going to a person's room automatically indicates a willingness to have sex. Be especially careful to communicate your limits and intentions clearly in such situations.
- Listen to your gut feelings. If you feel uncomfortable or think you may be at risk, leave the situation immediately and go to a safe place.
- Don't be afraid to make waves if you feel threatened. If you feel you are being pressured or coerced into sexual activity against your will, don't hesitate to state your feelings and get out of the situation; better a few minutes of social awkwardness or embarrassment than the trauma of sexual assault.
- Be alert to your surroundings and other people. Stay in populated, well-lit areas.
- Don't walk alone at night. If you must walk alone, advise a friend of your route and estimate time of arrival/return. If you feel in danger, walk, jog, or run toward people or traffic. Draw attention to yourself by yelling, screaming, etc. If you are being followed, go to a house with lights on or to the middle of the street. Make a scene.
- If a driver stops you near the street or in a parking lot, avoid getting near the car. Do not get into the car.
- Have direct eye contact with persons approaching you. Respond immediately and assertively to questions or statements they make. These behaviors prevent you from being identified as an easy victim.
- On campus, avoid short-cuts through empty buildings, vacant lots, or areas that are poorly lit or hidden by shrubs and trees.

#### **If you are assaulted:**

- Try to stay calm so you will be able to gather information and make decisions.
- Evaluate the situation for possible ways to escape. If one method doesn't work, look for another escape opportunity.
- Draw attention to yourself if there are other people around - scream, swear, yell "fire" or "help," break a window, etc.
- Resist as long as it is safe to do so. If resistance is too dangerous, stop resisting.
- Claim to be sick, pregnant, have a venereal disease, or to have AIDS.
- Act hysterical, insane, or mentally incapacitated.
- If you are assaulted, do not shower, change clothes, or douche until you make a decision about reporting to the police or going to the hospital. You may request a female officer. While you will be encouraged to talk to the police, you have the right to obtain medical assistance and not talk to the police.
- Remember: You are not trying to win; you are trying to survive.
- If you are assaulted, remember that there are resources available to victims/survivors of assault.

## **Steps to Follow After a Sexual Assault**

If you believe you are the victim of a sexual assault or other sex offense, you should take the following steps:

1. **Go to a safe place.**
2. **Tell someone.** Your options include:

- Reporting the assault to Law enforcement authorities by dialing 911 or contact the appropriate police department.
- Reporting the assault to Campus Safety and Security 720-875-2892 (Colorado), 435-222-1300 (Utah), or a Health Services staff member; and/or
- Making a complaint to the University's Title IX Coordinator, Laura Dement at 720-874-2481 and/or
- If you choose not to report the assault, but to seek only counseling assistance, contact Health Services directly at 720-875-2896 (Colorado), or 866-640-4777 (Utah) or, without disclosing any details, ask Campus Safety and Security to contact the on-call counselor.

Victims have the right to decline notifying authorities, however RVU strongly urges students to report sexual assaults to local police and Campus Safety and Security so that the University can take appropriate measures to provide help to the victim and prevent future assaults.

**3. Seek medical attention immediately.**

Both male and female students can be victims of sexual assault. Victims are encouraged to go to the nearest hospital (*see hospitals listed under "Community Help" below*). Medical attention is critical so that any injuries (*including internal injuries*) or infections which may have resulted from the assault can be treated. Getting an exam does not mean that you have to press charges; however, a medical exam will help to preserve evidence if you should choose to press charges at some point.

**4. Preserve and record evidence, including the following:**

- Do not wash anything (including your hands, mouth and face).
- Do not wash or comb your hair.
- Do not shower, douche or change your clothes.
- Bring an extra set of clothes with you to the hospital.
- Record a description of the assailant (including type of clothing, race, age, height, weight, hair color, eye color, distinguishing marks, etc.) and
- Record where the assault occurred and the description and direction of travel of any vehicle involved.

**5. Seek additional help, counseling and assistance.**

The single most important thing a sexual assault victim can do is tell someone as in the police, a friend, a community-based rape crisis center, a counselor. Don't isolate yourself, don't feel guilty, don't blame yourself and don't just ignore it. Sexual assault, whether by a stranger or by someone you know, is a violation of your body and your trust.

The organizations and departments under "Community Help & Victim Resources" can provide or arrange for immediate support and response, including arrangements for emergency services, if needed; transportation to medical resources; contact with local authorities; information regarding criminal and civil proceedings and/or the University's student reporting and investigative procedures; advocacy services; community counseling services; and assistance with personal safety concerns; Victim's Rights.

Victims of crimes listed have the right to:

- Be treated with fairness, respect and dignity
- Be informed of and present for all critical stages of the criminal justice process
- Be informed about what steps can be taken and protections can be afforded if he/she is subjected to any intimidation or harassment
- Notification of any change in the status of the accused including release or discharge from the county jail
- Information on charges filed
- Information on charges not filed in misdemeanor cases
- Have Social Security Number redacted from criminal justice documents if released to the public
- Assurance of swift and fair resolution of the proceedings
- Consult with the District Attorney prior to any disposition of the case or before a case goes to trial and be informed of the final disposition of the case
- Be informed of the status of the case and any scheduling changes or cancellations
- Prepare a Victim Impact Statement and to be present and/or heard at sentencing
- Restitution and to be informed of the right to pursue a civil judgment
- Prompt return of the victim's property when no longer needed as evidence
- Information on the availability of financial assistance and community services
- Appropriate employer intercession services regarding court appearances and meetings with criminal justice officials
- Whenever practical, be able to have a safe, secure waiting area
- Be informed of the results of any court-ordered HIV testing
- Be informed of any post-conviction proceedings related to DNA issues
- Inform victims of certain cold cases of any change in status of the case
- Upon written request, provide victims of cold cases for which the crime has a statute of limitations of longer than three years, an annual update concerning the status of the case
- To be informed of any rights which the victim has pursuant to the Constitution of the United States or the State of Colorado
- Request a copy of the law enforcement report and other documents related to the case, including the right to receive a free copy of the initial incident report. The release of any such documents associated with the investigation is at the discretion of the law enforcement agency based on the status of the case
- If a victim or victim's designee is unavailable to be present for the critical stages described in this section and the victim or the victim's designee wishes to address the court, the right to request that the court, within the court's resources, arrange and provide the means for the victim or the victim's designee to provide input to the court beyond a written victim impact statement
- Be informed of the existence of a criminal protection order under section 18-11001, C.R.S. or section 19-2-207, C.R.S, and upon request of the victim, information about provisions that may be added or modified and the process for requesting such an addition or modification.

**Steps the University will take to reports of SA, DV, and S:**

Incident Being Reported:	Procedure RVU Will Follow:	Evidentiary Standard:
<b>Sexual Assault</b> <ul style="list-style-type: none"> <li>• Rape</li> <li>• Non-Consensual sex, intentional contact with intimate body parts</li> <li>• Lewd exposure of one's sexual organs</li> </ul>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs. delayed report), RVU will provide complainant with access to medical care.</li> <li>2. RVU will assess the campus threat level and immediate safety needs of Complainant for a timely warning.</li> <li>3. RVUCSS Department will assist Complainant with contacting Police if Complainant requests AND Complainant will be provided with contact information for Police.</li> <li>4. RVU will provide Complainant with referrals to on and off campus mental health provider.</li> <li>5. RVU will assess need to implement interim or long-term protective measure, such as housing changes, change in class schedule, "No Contact" directive between both parties.</li> <li>6. RVU will provide a "No Contact Order" (PNG) directive to accused party if deemed appropriate.</li> <li>7. RVUCSS will provide written instructions on how to apply for Protective Order.</li> <li>8. RVU will provide a copy of the Sexual Misconduct Policy to Complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution.</li> <li>9. RVU will inform the Complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is.</li> <li>10. RVU will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.</li> </ol>	<p>Sexual assault cases are referred to the Title IX Coordinator and are adjudicated by the institution's Sexual Misconduct Board using the <i>preponderance of the evidence</i> standard. Also see the RVU Policy on Sexual Misconduct and Non-Discrimination on our website at: <a href="http://www.rvu.edu/about/titleix">www.rvu.edu/about/titleix</a> or in both the Student's and Employee's handbooks.</p>

Incident Being Reported:	Procedure RVU Will Follow:	Evidentiary Standard:
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<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. RVU will assess immediate safety needs of complainant.</li> <li>2. RVUCSS will assist Complainant with contacting Police if Complainant requests AND Complainant will be provided with contact information for the Police Department.</li> <li>3. RVUCSS will provide written instructions on how to apply for Protective Order.</li> <li>4. RVUCSS will provide written information to Complainant on how to preserve evidence.</li> <li>5. RVU will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.</li> <li>6. RVU will provide a “No Contact Order” (PNG) directive to accused party if deemed appropriate.</li> </ol>	<p>Stalking cases are referred to the Director of Campus Safety and Security (Leah Ridlehoover) and adjudicated using the clear and convincing evidentiary standard. If the stalking is sexually based, it may fall under RVU’s Sexual Misconduct Policy and if so, would be referred to the Title IX Coordinator and adjudicated under RVU’s Sexual Misconduct Board using the <i>preponderance of the evidence</i> standard.</p>
<b>Domestic Violence or Dating Violence</b>	<ol style="list-style-type: none"> <li>1. RVU will assess immediate safety needs of Complainant.</li> <li>2. RVUCSS will assist Complainant with contacting Police if Complainant requests AND Complainant will be provided with contact information for the Police Department.</li> <li>3. RVUCSS will provide written instructions on how to apply for Protective Order.</li> <li>4. RVUCSS will provide written information to Complainant on how to preserve evidence.</li> <li>5. RVU will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.</li> <li>6. RVU will provide a “No Contact Order” (PNG) directive to accused party if deemed appropriate.</li> </ol>	<p>Domestic Violence cases are referred to the Director of Campus Safety and Security (Leah Ridlehoover) and adjudicated using the clear and convincing evidentiary standard. If the Domestic Violence is sexually based, it may fall under RVU’s Sexual Misconduct Policy and if so, would be referred to the Title IX Coordinator and adjudicated under RVU’s Sexual Misconduct Board using the <i>preponderance of the evidence</i> standard.</p>



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## VICTIM RESOURCES

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### Victim Advocate Assistance

#### Colorado Campus

##### **Parker Police Department**

Victim Advocate Unit  
18600 E. Lincoln Meadows Pkwy.  
Parker, CO. 80134  
303-805-6601

##### **Douglas County Sheriff's Office**

Victim Advocate Unit  
4000 Justice Way  
Castle Rock, CO 80138  
303-660-7535

#### Southern Utah Campus

##### **St. George Police Department**

##### **Victim Advocates**

175 E. 200 N.  
St. George, UT 84770  
435-627-4000



## Victim Assistance

### Colorado Campus

#### **Colorado Organization for Victim Assistance**

[www.coloradocrimevictims.org](http://www.coloradocrimevictims.org)

800.261.2682

#### **Colorado Coalition Against Sexual Assault**

[www.ccasa.org](http://www.ccasa.org)

303.861.7033

#### **Colorado Coalition Against Domestic Violence**

[www.ccadv.org](http://www.ccadv.org)

303.778.7091

#### **Colorado Victim Compensation Program**

[dcj.state.co.us/OVP/comp\\_english.htm](http://dcj.state.co.us/OVP/comp_english.htm)

888.282.1080

### Southern Utah Campus

#### **Dixie Regional Medical Center**

[intermountainhealthcare.org/locations/dixie-regional-medical-center//](http://intermountainhealthcare.org/locations/dixie-regional-medical-center//)

800-784-2433

#### **Crisis Shelter- Dove Center**

<https://dovecenter.org/>

435-628-1204

#### **Utah Office for Victims of Crime**

[https://justice.utah.gov/Crime/cvr\\_grants.html](https://justice.utah.gov/Crime/cvr_grants.html)

800-621-7444

#### **Utah Domestic Violence Hotline**

[Udvc.org](http://Udvc.org)

800-897-5465

## National Victim Resources

### **Office for Victims of Crime**

[www.ovc.gov](http://www.ovc.gov)  
800.851.3420

### **Identity Theft Center**

[www.idtheftcenter.org](http://www.idtheftcenter.org)  
888-400-5530

### **National Center for Missing & Exploited Children**

[www.missingkids.com](http://www.missingkids.com)  
800.843.5678

### **Bureau of Indian Affairs**

Indian Country Child Abuse Hotline  
[www.doi.gov/bia](http://www.doi.gov/bia)  
800.633.5155

### **Federal Bureau of Prisons**

Federal Inmate Locator/Information  
[www.bop.gov](http://www.bop.gov)

### **National Consumers League Fraud Center**

[www.fraud.org](http://www.fraud.org)  
800.876.7060

### **National Domestic Violence Hotline**

[www.ndvh.org](http://www.ndvh.org)  
800.799.7233

### **National Sexual Violence Resource Center**

[www.nsvrc.org](http://www.nsvrc.org)  
877.739.3895

### **Alcohol and Drug Treatment and Counseling Programs**

24 Hour National Alcohol and Substance Abuse Information Center  
1-800-784-6776

### **National Center for Victims of Crime**

[www.ncvc.org](http://www.ncvc.org)  
800.394.2225

### **Federal Trade Commission**

Identity Theft Hotline  
[www.ftc.gov](http://www.ftc.gov) 877.438.4338

### **National Crime Prevention Council**

[www.ncpc.org](http://www.ncpc.org)  
800.627.2911

### **National Organization for Victim Assistance**

[www.trynova.org](http://www.trynova.org)  
800.879.6682

### **Mothers Against Drunk Driving (MADD)**

[www.madd.org](http://www.madd.org)  
800.621.6233

### **Annual Credit Report Request Service**

[www.annualcreditreport.com](http://www.annualcreditreport.com)

### **National Resource Center on Domestic Violence**

[www.nrcdv.org](http://www.nrcdv.org)  
800.537.2238

### **United States Attorney's Office**

1225 17th Street, Suite 700  
Denver, Colorado 80202  
303-454-0100

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## ADDITIONAL COMMUNITY RESOURCES

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### MEDICAL

**Sky Ridge Medical Center**

10101 Ridge Gate Pkwy  
Lone Tree, CO 80124  
(720) 225-1000

**Parker Adventist Hospital**

9395 Crown Crest Blvd.  
Parker, CO 80138  
(303) 269-4000

**Dixie Regional Medical Center**

515 S. 300 E.  
St. George, UT 84770  
435-251-1000

### POLICE

**Parker Police Department**

18600 Lincoln Meadows Pkwy  
Parker, CO 80134  
(303) 841-9800

**Douglas County Sheriff's Office**

4000 Justice Way  
Castle Rock, CO. 80138  
303-660-7535

**Santa Clara-Ivins Police Dept.**

2603 Santa Clara Dr.  
Santa Clara, UT 84765  
435-652-1122

- Douglas County Domestic Violence Shelter 720-913-6035 (CO)
- Rape Assistance & Awareness Program 720-489-8177 (CO)
- 24-hour Rape Crisis Hotline 888-421-1100 (National)
- Utah Domestic Violence Hotline 800-897-5465 (UT)
- East Washington County Victim Services 435-635-9663 Ext. 7 (UT)

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# CAMPUS RESOURCES

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## **Colorado Campus**

### **Campus Safety and Security**

24 hours a day, 7 days a week  
720-875-2892

### **Director of Student Affairs**

8:30 am to 4:30 pm  
720-875-2821

### **Counseling Services (Mental Health and Wellness)**

720-875-2896

### **Student Financial Services**

720-874-2442

### **24/7 In the Moment Counseling**

WellConnect  
866-640-4777

### **Title IX Coordinator**

Laura Dement  
8401 S. Chambers Rd.  
Englewood, CO 80112  
720-874-2481

### **Ethics Point**

844-936-2729

## **Southern Utah Campus**

### **Campus Safety and Security**

24 hours a day, 7 days a week  
435-222-1300

### **Office of Student Affairs**

8:30 am to 5:00 pm  
435-222-1241

### **Counseling Services (Mental Health and Wellness)**

720-875-2896

### **Student Financial Services**

435-222-1248

### **24/7 In the Moment Counseling**

WellConnect  
866-640-4777

### **Title IX Coordinator**

Laura Dement  
8401 S. Chambers Rd.  
Englewood, CO 80112  
720-874-2481

### **Ethics Point**

844-936-2729

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# MENTAL HEALTH AND SUBSTANCE ABUSE RESOURCES

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## Treatment Referral Services

### Colorado Campus

#### **Mental Health America**

<http://www.mentalhealthanswers.org>

719-633-4604

#### **The Colorado Center for Clinical Excellence**

303-547-3700

#### **Catholic Charities**

[www.catholiccharitiesdenver.org](http://www.catholiccharitiesdenver.org)

303-742-0828

#### **Centus Counseling Services**

[www.charg.org](http://www.charg.org)

303-830-2130

### Southern Utah Campus

#### **Substance Abuse and Mental Health**

[dsamh.utah.gov](http://dsamh.utah.gov)

800-273-8255

#### **New Roads Treatment**

[newroadstreatment.org](http://newroadstreatment.org)

888-358-8998

#### **Highland Ridge Hospital**

[www.highlandridgehospital.com](http://www.highlandridgehospital.com)

## Drug Abuse Information & Treatment

### Colorado Campus

#### **Broader Horizons Counseling Services**

5524 E Colfax Ave

Denver, CO 80220

303-975-6696

#### **Community Alcohol/Drug Rehab**

3315 Gilpin Street

Denver, CO 80205

303-295-2521

#### **Behavior Services Institute**

1725 High Street, Suite 3

Denver, CO 80218

303-831-4500

### Southern Utah Campus

#### **Utah Addiction Centers**

2590 Prairie View Dr

Eagle Mountain, UT 84005

801-766-2233

#### **Pomarrri Drug Rehab/Addiction Center**

1472 E. 820 N.

Orem, UT 84097

801-227-1226

#### **Alpine Recovery Lodge**

1018 Oakhill Dr.

Alpine, UT 84004

877-514-4060

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# CRIME STATISTICS

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Crime statistics for RVU are prepared by the Campus Safety and Security Department. Rocky Vista University compiles its crime statistics using the uniform crime reporting system of the Department of Justice, Federal Bureau of Investigation, including any modifications pursuant to the Hate Crime Statistics Act. Please note that the University's crime statistics include not only crimes that have been reported to state and local police authorities, but also crimes reported to Campus Security Authorities which may not have been reported to the police (*for example, minor violations of the Student Code of Conduct or crimes where the victim chooses not to press criminal charges*).

The primary source for RVU statistics are reports received by the University's Campus Safety and Security.

All crimes involving University students, personnel, and/or property are required to be reported to Campus Safety and Security. Other individuals who have significant responsibilities for student and campus activities are also surveyed. If these individuals disclose any crimes that may not have been reported to Campus Safety and Security, the crimes are also included in the crime statistics.

Finally, the crime statistics include crimes that have occurred in or on non-campus buildings and property owned or controlled by RVU or by an officially recognized student organization, as well as on public property (*including thoroughfares, streets, sidewalks, and parking locations*) that is adjacent to and accessible from the campus. The University requests information on these crimes from state and/or local police agencies for inclusion in the crime statistics whether or not they were previously reported to Campus Security Authorities.

Under the "CLERY ACT" the Annual Security Report ("ASR") is in compliance with U.S. Public Law 101542, The Student Right-To-Know and Campus Security Act. The ASR is published on October 1<sup>st</sup> of each year. For additional copies, contact , Clery Act Coordinator at 720-874-2482 **or visit [www.rvu.edu/security](http://www.rvu.edu/security)**.

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# CLERY CRIMES AND DEFINITIONS

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## Criminal Homicide

These offenses are separated into two categories: Murder and Non-Negligent Manslaughter, and Negligent Manslaughter.

- **Murder and Non-Negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another.
- **Negligent Manslaughter** is defined as the killing of another person through gross negligence.

## Sex Offenses

Sex offenses are separated into two categories: forcible and non-forcible. Include attempted sex offenses, but do not include in your Clery statistical disclosures any sex offenses other than the four types of Forcible Sex Offenses and the two types of Non-forcible Sex Offenses described in this chapter.

- **Sex Offenses—Forcible** is defined as 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** is defined as unlawful, non-forcible sexual intercourse

### *Sex Offense Definitions:*

**Rape** is the carnal knowledge of a 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 because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females. If force was used or threatened, classify the crime as forcible rape regardless of the age of the victim. If no force or threat of force was used and the victim was under the statutory age of consent, classify the crime as statutory rape. The ability of the victim to give consent must be a professional determination by a law enforcement agency.

**Rape as defined in the Uniform Crime Report** is 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." As January 1, 2013

**Sexual Consent:** Sexual activity requires consent, which is defined as positive, unambiguous, and voluntary agreement to engage in specific sexual activity throughout a sexual encounter. Consent

cannot be inferred from the absence of a “no”; a clear “yes,” verbal or otherwise, is necessary. Consent to some sexual acts does not constitute consent to others, nor does past consent to a given act constitute present or future consent. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Consent cannot be obtained by threat, coercion, or force. Agreement under such circumstances does not constitute consent.

Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity. Engaging in sexual activity with a person whom you know – or reasonably should know – to be incapacitated constitutes sexual misconduct

**Sodomy** is oral or anal sexual intercourse with 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 because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Sexual Assault with an Object** is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of 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 because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, handgun, stick, etc.

**Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, 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 because of his/her youth or because of his/her temporary or permanent mental incapacity.

**There are two types of Non-Forcible Sex Offenses:**

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

## Crime Definitions

**Robbery;** is 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;** is 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

**Burglary;** is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft;** is the theft or attempted theft of a motor vehicle.



**Arson** is 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.

**Larceny-Theft;** is 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;** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness

**Intimidation;** is 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;** is 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

**Weapons: Carrying, Possessing, Etc.,** is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

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

**Liquor Law Violations;** are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Domestic violence;** includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

**Dating violence;** means of physical, sexual or emotional abuse or threats to control another person who is, or has been involved in, a sexual, dating, or other intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

**Stalking;** means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

**Consent;** means *voluntary Acquiescence to the proposal of another; the act or result of reaching an accord; a concurrence of minds; actual willingness that an act or an infringement of an interest shall occur.*

Consent is an act of reason and deliberation. A person who possesses and exercises sufficient mental capacity to make an intelligent decision demonstrates consent by performing an act recommended by another. Consent assumes a physical power to act and a reflective, determined, and unencumbered exertion of these powers. It is an act unaffected by **Fraud**, duress, or sometimes even mistake when these factors are not the reason for the consent. Consent is implied in every agreement.

In the context of rape, submission due to apprehension or terror is not real consent. There must be a choice between resistance and acquiescence. If a woman resists to the point where additional resistance would be futile or until her resistance is forcibly overcome, submission thereafter is not consent.

## Hate Crime Definitions

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, religion, disability, sexual orientation or ethnicity/national origin.

Although there are many possible categories of bias, under Clery, only the following six categories are reported:

**Race:** a preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

**Gender:** a preformed negative opinion or attitude toward a group of persons because those persons are male or female.

**Religion:** a preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).

**Sexual orientation:** a preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).

**National origin:** refers to a person's, or his or her ancestor's, country of birth. It can also refer to the physical, cultural, or linguistic characteristics of a national origin group. A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).

**Ethnicity:** an ethnic quality or affiliation resulting from racial or cultural ties; the fact or state of belonging to a social group that has a common national or cultural tradition.

**Disability:** preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

**Gender Identity** refers to “one’s sense of oneself as male, female, or transgender” (American Psychological Association, 2006). When one’s gender identity and biological sex are not congruent, the individual may identify as transsexual or as another transgender category.

## Definitions of Geographical Area

The Clery Act requires that all institutions disclose statistics for offenses committed in certain geographical locations associated with the University. Example, if a crime is reported to RVUCSS it should be included in the Annual Security Report only if it occurred in the following locations; On- Campus, Non-Campus, or public property within or immediately adjacent to and accessible from the campus.

**Campus** – (i) 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 (ii) any building or property that is within or reasonably contiguous to the area identified in paragraph (i) 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).

**Non-Campus** - (i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) any building or property owned or controlled by an institution that is used in direct support of, or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public Property** - "Public property" is defined by the Clery Act regulations as all public property including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus. Include the sidewalk across the street from the campus, but do not include public property beyond the sidewalk.

# COLORADO CAMPUS CRIME STATISTICS

8401 S. Chambers Rd. Englewood, CO 80112

Crimes	Year	On Campus	Non-Campus	Public Property	Total
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Burglary	2020	1	0	0	1
	2021	0	0	0	0
	2022	0	0	0	0
Criminal Homicide: Murder/Non-Negligent manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Criminal Homicide: Negligent manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Motor Vehicle Theft	2020	0	1	0	1
	2021	1	0	0	1
	2022	2	0	0	2
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Sex Offense: rape, fondling, incest, statutory rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Sex Offense: Non-Forcible Sex Offense	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Hate Crimes	Year	On Campus	Non-Campus	Public Property	Total
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Any Other Crimes involving Bodily Injury	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Criminal Homicide: Murder/Non-Negligent manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Criminal Homicide: Negligent manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Destruction, Damage, or vandalism of Property	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Intimidation	2020	0	0	0	0
	2021	0	0	0	0

	2022	0	0	0	0
Larceny/Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offense: Rape, fondling, incest, statutory rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offense: Non-Forcible Sex Offense	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Simple Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Liquor, Drug & Weapons	Year	On Campus	Non-Campus	Public Property	Total
Liquor Law Arrest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Liquor Law Disciplinary Referrals	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Drug Violation Arrest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Violations Disciplinary Referrals	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Illegal Weapons Arrest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Illegal Weapons Disciplinary	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

VAWA Offenses	Year	On Campus	Non-Campus	Public Property	Total
Domestic Violence	2020	0	0	0	0
	2021	0	1	0	1
	2022	0	0	0	0
Dating Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Stalking	2020	1	0	0	1
	2021	0	1	0	1
	2022	0	0	0	0
Hate Crimes	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Unfounded Crimes	2020	0	0	0	0
	2021	0	0	0	0

	2022	0	0	0	0
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No hate crimes were reported in 2020, 2021, or 2022 based on race, gender identity, religion, ethnicity/national origin, sexual orientation or disability.



# UTAH CAMPUS CRIME STATISTICS

255 E. Center St., Ivins, UT 84738

Crimes	Year	On Campus	Non-Campus	Public Property	Total
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Criminal Homicide: Murder/Non-Negligent manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Criminal Homicide: Negligent manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Sex Offense: Rape, fondling, incest, Statutory rape	2020	0	0	0	0
	2021	1	0	0	1
	2022	0	0	0	0

Sex Offense: Non-Forcible Sex Offense	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Hate Crimes	Year	On Campus	Non-Campus	Public Property	Total
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Any Other Crimes involving Bodily Injury	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Criminal Homicide: Murder/Non-Negligent manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Criminal Homicide: Negligent manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Destruction, Damage, or vandalism of Property	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Intimidation	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Larceny/Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offense: Rape, fondling, incest, statutory rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offense: Non-Forcible Sex Offense	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Simple Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Liquor, Drug & Weapons	Year	On Campus	Non-Campus	Public Property	Total
Liquor Law Arrest	2020	0	0	0	0
	2021	0	0	0	0

	2022	0	0	0	0
Liquor Law Disciplinary Referrals	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Violation Arrest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Violations Disciplinary Referrals	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Illegal Weapons Arrest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Illegal Weapons Disciplinary	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

VAWA Offenses	Year	On Campus	Non-Campus	Public Property	Total
Domestic Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Dating Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Stalking	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Hate Crimes	2020	0	0	0	0

	2021	0	0	0	0
	2022	0	0	0	0
Unfounded Crimes	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

No hate crimes were reported in 2020, 2021, or 2022 based on race, gender identity, religion, ethnicity/national origin, sexual orientation or disability.

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## DAILY CRIME LOGS

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The University maintains and makes available a Daily Crime Log on both campuses. A hard copy is available in the Security Office at any time, with the most recent 60 days of activity/crime. For activity/crime information dating past 60 days, a log will be made available within two (2) business days of the request.

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# EMERGENCY PROCEDURES

## QUICK REFERENCE

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### **Report a Crime or Suspicious Activity:**

#### *Colorado Campus:*

RVU Security: (720) 875-2892

Parker Police: (303) 841-9800

Maintenance/Facilities: (720) 875-2434

Anonymous Help/Tip Line: (303) 708-8185

911

#### *Southern Utah Campus:*

RVU Security: (435) 222-1300

Ivins Police: (435) 652-1122

Maintenance/Facilities: (435) 222-1260

Anonymous Help/Tip Line: (435) 222-1313

911

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# EMERGENCY PROTOCOL

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## Fires

- Call 911 and Campus Safety & Security: 720-875-2892 **(Colorado)**, 435-222-1300 **(Utah)**.
- Notify other building occupants.
- Help those needing assistance to leave the area.
- Confine the fire by closing doors as you exit.
- Evacuate the building at the nearest exit.
- Go to your rally point and stay with your class.
- **DO NOT** re-enter the building until authorized by emergency personnel.

## Building Evacuation Procedures

- When the fire alarm is activated, evacuation is **MANDATORY**.
- Do not use elevators.
- Take personal belongings with you.
- Close doors as you exit.
- Move away from the building to your rally point or a safe area.



## Shelter-in-Place

- Suspend all activities.
- Proceed immediately to an interior room or, if available, a designated shelter-in place location for the building.
- Do not use elevators.
- Close all windows and doors.
- Remain calm.
- Stay in the shelter area until otherwise instructed by university personnel or the authorities.

## Active Shooter/Lockdown

- If possible, exit the building and call 911 and Campus Safety and Security at 720-875-2892 **(Colorado)**, 435-222-1300 **(Utah)**.
- If you cannot exit, clear the hallway immediately and/or remain behind closed doors in a locked or barricaded room.
- Stay away from windows and lock them if possible.



- Shut off lights and close blinds and shades.
- Remain calm and quietly call 911 and Campus Safety and Security at 720-875-2892 **(Colorado)**, 435-222-1300 **(Utah)**.
- Leave the room only when authorities have arrived and instructed you to do so.
- Do not leave or unlock the door to see what is happening.
- Do not attempt to confront the hostile intruder unless as a last resort.
- Do not assume someone else has called 911 or Campus Safety and Security.

## Suspicious Behavior/Persons of Concern

- Do not physically confront the person.
- Do not let anyone into a locked room or building.
- Do not block a person's access to an exit.
- Call Campus Safety and Security at 720-875-2892 **(Colorado)**, 435-222-1300 **(Utah)**.

## Suspicious Packages

- Do not touch or disturb the object or package.
- Evacuate the area immediately.
- Do not return until instructed to do so by Campus Safety and Security or local emergency responders.
- Call Campus Safety and Security at 720-875-2892 **(Colorado)**, 435-222-1300 **(Utah)**.
- Notify your professor or other University Administrator.

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# MEDICAL PROCEDURES

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## Cardiac Arrest or Heart Attack

- Assess the scene for danger.
- Check the victim.
- Call or instruct someone to call 911 and Campus Safety and Security at 720-875-2892 **(Colorado)**, 435-222-1300 **(Utah)**.
- Locate an Automatic External Defibrillator (AED).
- Perform CPR if trained and willing to do so.

## Bleeding

- Apply firm but gentle pressure to the wound with a clean cloth or tissue.
- Have the person lie down.
- Call 911 and Campus Safety and Security at 720-875-2892 **(Colorado)**, 435-222-1300 **(Utah)**.

## Burns

- Remove the cause use of the burn.
- Flush the area with water.
- Do not apply a dressing, creams or lotions.
- Call 911 and Campus Safety and Security at 720-875-2892 **(Colorado)**, 435-222-1300 **(Utah)**.

## Hazardous Materials Spills

If the incident is indoors, close all doors in order to isolate the area if it is safe to do so.

- From a safe area call Campus Safety and Security.
- Be prepared to provide the following information:
  - Name and quantity of the material.
  - Time and location of the incident.
  - If anyone is injured or exposed to the material.
  - If fire or explosion is involved.
  - Your name, phone number and location.
- Evacuate if necessary.
- Do not return to the building until instructed to do so by Campus Safety and Security, Facilities, or local emergency responders.

## Bomb Threats

- Remain calm.
- Get as much information as possible.

## Gas Leaks, Fumes & Vapors

If you smell natural gas:

- Do not touch light switches or electrical equipment.
- From a safe area call Campus Safety and Security.
- Clear the area immediately if instructed to do so.
- Do not return to the building until instructed to do so by Campus Safety and Security or Facilities.
- Provide your name, phone number and location along with the location of the odor.
- Provide as many details as possible.

## Flooding

Flooding can occur due to major rainstorms, water main breaks or loss of power to sump pumps. In case of imminent or actual flooding (if you can do so safely):

- Secure vital equipment records and hazardous materials.
- Shut off non-essential electrical equipment.
- Move all people to a safe area away from the building in danger.
- Call Campus Safety and Security.
- Do not return to the building until instructed to do so by Campus Safety and Security or Facilities.

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# MEDIA INQUIRIES

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Direct ALL media inquiries to:

- President (Dr. David Forstein)
- Vice President of External Relations (Julie Rosenthal)
- Deans (Colorado and Utah)



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# ANNUAL FIRE SAFETY REPORT

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**\*After January of 2019, RVU no longer owns or controls residential housing and therefore is not mandated to maintain an Annual Fire Safety Report. However, RVU will still document any occurrences of fires within academic buildings and maintain the below reporting processes.**

All fires are to be reported to the ranking Campus Safety and Security Officer or to one of the following administrators on campus (*these RVU employees and their designees also have primary responsibility for determining whether there is an emergency requiring a notification and/or carrying out the notification process*):

- The Manager of Safety and Security or his/her designee.
- The campus President.
- The campus Vice President/Dean of Students.

## Campus Safety and Security Contact Information

Colorado Campus: 720-875-2892

Southern Utah Campus: 435-222-1300

## Fire Logs and Statistics

**\*After January of 2019, RVU no longer owns or controls residential housing.**

A fire log with the nature, date, time, and location of any fire that occurred in an on-campus residential housing unit before January 2019 is available for review upon request at the Campus Safety and Security office located on the 1<sup>st</sup> floor room 1256 (Utah Campus).

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# FIRE SAFETY EQUIPMENT

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Both campuses have complete pressurized fire sprinkler systems with audible overhead alarms, and strobes, and all buildings have manual fire extinguishers, and evacuation placards in place. Neither campus has

residential housing. The Colorado campus also has a Public Address system and the Fire alarm monitoring is done by Metro State Fire, and Protected by South Metro Fire Department. The Utah campus fire alarm system is monitored by Mountain Alarm and protected by the Santa Clara-Ivins Fire Department. An additional University controlled on-campus facility, known as the Medical Offices Building (MOB), is monitored by Next Alarm and protected by the Santa Clara-Ivins Fire Department as well.

***FIRE DRILLS AND FIRE EQUIPMENT— CALENDAR YEAR 2020***

One unannounced fire drill was completed for both the Colorado and Utah campuses for the reporting year. 12 monthly safety audits were completed and all fire equipment has passed inspection at both locations.

***FIRE DRILLS AND FIRE EQUIPMENT— CALENDAR YEAR 2021***

One unannounced fire drill was completed for each the Colorado and Utah campuses for the reporting year. 12 monthly safety audits were completed and all fire equipment has passed inspection at both locations.

***FIRE DRILLS AND FIRE EQUIPMENT – CALENDAR YEAR 2022***

One unannounced fire drill was completed for each the Colorado and Utah campuses for the reporting year. 12 monthly safety audits were completed and all fire equipment has passed inspection at both locations.

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## FIRE EMERGENCY PROCEDURES

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Effective emergency response requires the coordinated efforts of staff, faculty, and students. Each member of the RVU community should be prepared to act promptly when faced with an emergency. This includes knowing the following:

- Evacuation routes, exit points and rally points; where rally point leaders, or their designee(s), will attempt to take an accounting (roll call) of employees, students, guests and visitors, after evacuation.
- When and how to evacuate a building.

- Locations of emergency supplies and materials, such as fire extinguishers, pull alarms and first aid kits.
- Proper procedures for notifying emergency responders about an emergency in your building or work area.
- Potential exposures to hazardous materials or processes in and around your work area, as well as any means of protecting yourself in the event of an emergency.
- Proper procedures for location specific emergencies (i.e. snowstorm, hurricane, ice storm, etc.).
- Campus emergency contact phone numbers.

Fire safety education and training are provided to all students and staff, before, during, and after coordinated annual fire drills and exercises. This information is also shared during new student orientation, and is incorporated in bi-monthly safety education information sent out via flyers, emails, or on student information monitors.

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# EMERGENCY EVACUATIONS

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In the event of evacuation, campus procedures shall be followed as closely as possible. Evacuations may be the correct course of action in some instances, and direction in these cases will be provided by the Incident Commander, his/her designee, and/or a local emergency services agency.

If the decision is made to evacuate one or more university buildings:

- Stay calm, do not rush, and do not panic.
- No one shall remain in the building and no one shall re-enter the building without the authorization of the incident commander or the responding emergency services agency.
- Upon exiting the building, students, faculty, and staff should report to the designated rally point. See the table(s) in the appropriate campus plan for the list of evacuation procedures and rally point locations.
- Once at the rally point, students, faculty and staff shall remain at the rally point unless otherwise directed by the Incident Commander, or their designee, or emergency response personnel. Students, staff and faculty **MUST** check in with their rally point leader or building manager to attempt to provide an account of occupants to the incident commander. The incident commander must be notified if students, staff and/or faculty have not successfully evacuated or are missing.

## Evacuation Procedures for People with Disabilities

- Evacuate people with disabilities if possible.
- **DO NOT** use elevators, unless authorized to do so by police or fire personnel.
- If the situation is life threatening, call 911.
- Check on people with special needs during an evacuation.
- Attempt a rescue evacuation **ONLY** if you have had rescue training or the person is in immediate danger and cannot wait for professional assistance.
- Always ask someone with a disability how you can help **BEFORE** attempting any rescue technique or giving assistance. Ask how he or she can best be assisted or moved, and whether there are any special considerations that need to come with that person.
- Evacuate to fire stairwells.



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# FIRE SAFETY INFORMATION FOR STUDENTS

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## Fire Safety Rules

Building fire exits and fire escapes are to be used in the event of actual emergency conditions and must be kept clear of obstacles and impediments at all times. Fire escapes are off limits except during emergencies. Violators are subject to fines and disciplinary action.

Fire alarms and extinguishers are placed in all buildings for your safety and that of other occupants. You are reminded that use of the equipment, except in the case of fire, jeopardizes the safety of all occupants, subjects the violator, to fines and disciplinary action (up to and including dismissal from the University) and constitutes a serious criminal offense under the laws of the both states.

You must exit the building whenever a fire alarm sounds, during routine fire drills and when illegal or unauthorized use of this equipment has occurred. Fire drills are conducted periodically and may or may not be announced.

## Fire/Explosion Evacuation Procedures

- The person who discovers a fire should notify Campus Safety and Security or call 911 and leave the immediate area.
- All building occupants should evacuate the building via the nearest safe exit upon sounding of the fire alarm. If the primary route is blocked by fire, the secondary route should be used.
- **DO NOT RUN.**
- **DO NOT** use elevators for evacuation.
- Once outside, occupants should proceed to their building's designated rally point.
- The highest-ranking Campus Safety and Security staff member, or their designee, at the site shall attempt to account for all occupants. Professors and supervisors shall notify Campus Safety and Security of any missing persons. Campus Safety and Security will report any missing occupants to the fire department.
- The student/employee who discovers the situation and begins the evacuation shall contact Campus Safety and Security (at the rally point) to give the location and type of fire (oil, paper, etc.). As a back-up, once Campus Safety and Security is contacted, they will notify the fire department of the alarm situation.
- Upon fire department arrival, the highest-ranking Campus Safety and Security employee, or their designee, and the student/employee who discovered the fire shall report the location and type of fire and any missing occupants.
- Campus Safety and Security (or the incident commander) shall contact an ambulance and hospital if students/employees are injured.

- The fire department will notify Campus Safety and Security when it is safe to re-enter the building. Campus Safety and Security will then inform faculty, staff, students, and visitors of their decision.

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# TRAINING & EXERCISES

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Training and exercises are an integral part of the university's emergency response program. The level and type of training received by each individual will vary according to that individual's responsibilities within the program. The training shall be developed and provided by the appropriate departments or external agencies.

It is the responsibility of each (building) occupant to become familiar with general evacuation procedures, and to know the evacuation routes and assembly areas that are listed in the emergency plan. Faculty and staff shall also attend training(s) given by their department leads on an annual basis.

Conducting drills is essential for assessing emergency plans and procedures, for determining the readiness of emergency responders, for resolving questions of coordination and clarifying roles and responsibilities, and for promoting awareness of potential hazards. In addition to drills, tabletop exercises shall be conducted periodically with various response team members as a less involved technique for evaluating specific aspects of the emergency response program. These exercises will be developed and coordinated by the Campus Safety and Security leadership team and will seek to include external community members and government emergency service providers.

Whenever feasible, observers from within RVU and from outside agencies should be present throughout the drill to analyze and evaluate each component of the response, and to make recommendations as needed. Both campuses conduct annual training, including Active Shooter Preparedness, once a year to educate and prepare the campus community about the dangers and best practices to enhance the safety of the students and staff. All Security staff participate as well, to provide additional safety and training principals.

## Maintenance of the University Emergency Response Plan

The University Emergency Response and Communication Plan will be subject to ongoing changes (and improvements) based on the results of actual events, post-exercise drills and activities, and input from units and departments tasked in the plan. There shall be an annual review process, however incremental changes, modifications, or adjustments to the plan will be made as conditions change. Each campus will maintain their own plan and ensure its availability on the RVU website and within the Campus Safety and Security offices. In addition, Campus Safety and Security shall be responsible for documenting the training of staff and for retaining that documentation with regards to the Emergency Response Plan.

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# STUDENT HANDBOOK POLICIES AND RULES

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As stated in the Student Handbook, the following items are not allowed within our campuses building due to existing RVU policy, fire safety laws, and federal, state, and local laws.

Your cooperation is expected and appreciated. Possession of any of the following items may result in seizure and/or destruction of the items by a University representative and may result in student conduct action.

- Alcoholic beverages and containers- without approval from the President or Dean of Students.
- Narcotics, drugs, or drug-related items.
- Firearms, weapons, ammunition or related paraphernalia, BB guns and air guns.
- Explosive materials.
- Realistic replicas of firearms or other weapons.
- Gasoline, kerosene or other fuels. (Other than those stored and used by Facilities management)
- Firecrackers or fireworks.
- Combustible decorations.
- Candles, lanterns, incense, etc. (No open flames).
- Chemicals of any kind (Other than those used and stored by RVU).
- Additional furniture (without prior approval).
- Cooking equipment (i.e., grills, toaster ovens, hot pots, hot plates, fry pans, etc. without prior approval).
- Immersion heaters.
- Dangerous Pets (including fish and reptiles).
- Items that may affect the safety or security of the University.

## Student Code of Conduct

Conduct that violates the Student Code of Conduct includes (but is not limited to):

- Harming or endangering yourself or others.
- Use of, or threatened use of, physical force or violence.
- Fighting.
- Endangering the health or safety of oneself or another person.
- Intentional possession of a dangerous article or substance which may be used to injure or cause discomfort to any person.
- Possession or use of firearms or other weapons, ammunition, BB guns, air guns, fireworks, incendiary devices, or explosives.
- Initiating or circulating a report or warning of an impending bombing, fire, or other crime, emergency or catastrophe, knowing that the report is false.

- Arson or intentionally or recklessly starting a fire on University property.
- Misuse of or tampering with fire safety equipment (e.g. fire extinguishers, smoke detectors, exit signs, and pull stations).
- Participating in hazing or any other action or situation which endangers an individual's mental or physical health and/or involves the forced consumption of alcohol or drugs.
- Aiding, abetting, encouraging, or participating in a riot, commotion, or disturbance, or other disorderly conduct.
- Failure to evacuate any building in which a fire or other emergency alarm has been sounded or when directed to evacuate by a university representative.

If you are found responsible for injuring or intending to injure another person, you will, at a minimum, be suspended from the University.

If you are found responsible for misuse or tampering with fire safety equipment, you will, at a minimum, be suspended from the University.

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# SMOKING POLICY

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Smoking, vaping, and the use of other electronic smoking devices are strictly prohibited in all campus facilities. This includes, but is not limited to, common work areas, classrooms, conference and meeting rooms, private offices, elevators, hallways, residence halls, stairs, restrooms, vehicles and parking areas and all other campus facilities or locations.



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# NOTICE OF NONDISCRIMINATION

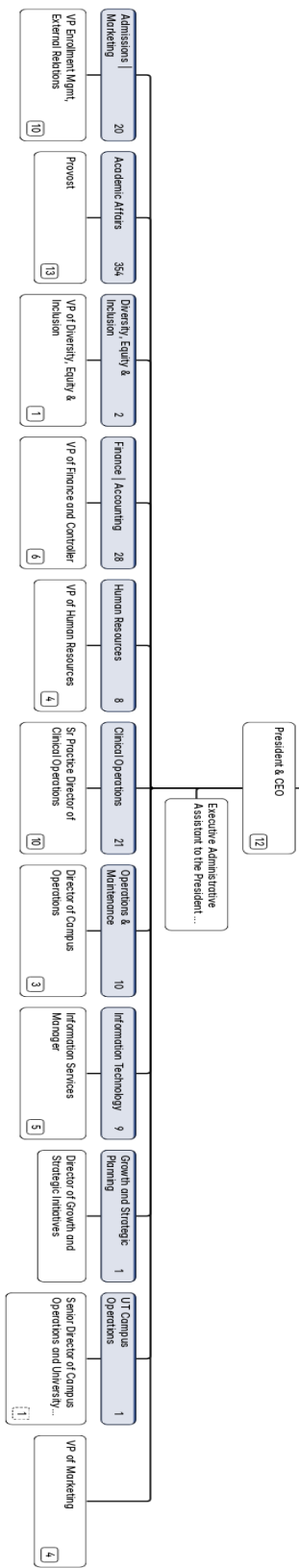
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It is the policy of Rocky Vista University and all of its affiliated colleges and organizations not to engage in discrimination or harassment against any person because of race, color, religion or creed, sex, gender, gender identity and expression, pregnancy, national or ethnic origin, non-disqualifying disability, age, ancestry, marital status, parental status, genetic information, sexual orientation, veteran status, political beliefs or affiliations, and to act in conformity with all applicable federal and state laws, orders and regulations, including the Civil Rights Act; the Americans with Disabilities Act; the Rehabilitation Act of 1973; and Title IX of the Education Amendments of 1972. This policy on non-discrimination applies to admissions, enrollment, scholarships, loan programs, participation in University activities, employment, and access to, participation in, and treatment in all University centers, programs, and activities.

Questions, comments, or complaints regarding discrimination or harassment may be directed to the Rocky Vista University Office of Compliance and/or the Title IX Coordinator (if discrimination is based on sex/gender-identity) by calling 720-874-2481. Another option is to file a complaint through the RVU EthicsPoint system at: <https://secure.ethicspoint.com/domain/media/en/gui/74585/index.html>

Complaints may also be filed with the U.S. Department of Education, Office for Civil Rights at: <https://www2.ed.gov/about/offices/list/ocr/index.html> or calling their Customer Service Hotline at (800) 421-3481.

# ORGANIZATIONAL CHART





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# CAMPUS MAPS

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## Englewood, CO Campus



Rocky Vista University  
8401 S Chambers Rd.  
Parker, Co. 80134



Red is on Campus Boundries



Yellow is Off Campus Boundries



## Colorado Campus Exterior Evacuation Point







## Utah Campus Evacuation Points





## Utah Campus

