



# ANNUAL SECURITY REPORT 2024

Spartan College – Colorado

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## Spartan College Annual Security Report

### I. Introduction

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. It provides students and employees of Spartan College with information on: the College's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the College will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

This report is prepared by the Campus Director/President in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. Each year an e-mail notification is made to all enrolled students that provides the web site to access this report. Faculty and staff receive similar notifications. Hard copies of the report may also be obtained at no cost by contacting Spartan College-Student Support Department.

#### **Spartan College – Broomfield**

Student Services

10851 W 120<sup>th</sup> Avenue

Broomfield CO 80021

online at: <https://www.spartan.edu/denver/>

Spartan College is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.

### II. Policies Concerning Campus Law Enforcement Authority of Campus Security Personnel

The College does not have a campus police or security department of any kind. The college does not have any written memoranda of understanding (MOU) or any other written agreement with law enforcement agencies to assist in investigation of alleged criminal offenses. Security personnel at the College have no relationship with state or local law enforcement agency and have no authority to arrest anyone. Students, employees and visitors of the College, whether victims or witnesses of crimes, are encouraged to voluntarily, promptly and accurately report all criminal activity to the designated Campus Security Authorities (as listed below), in the event that a Campus Security Authority is not available, to any other College employee.

The following individuals are designated Campus Security Authorities (CSA):

Name	Title/Position	Contact Information
Nicholas Brown	Campus President & CAO	Office #: 888-889-3505 Phone #:303-410-2407

Dwayne Isbell	Vice President of Curriculum & Training	Office #: 888-889-3505 Phone #:303-466-7383
Corey O'Brien	Dean of Student Affairs	Office #: 888-889-3505 Phone #:303-410-2418
Sohail Mahmood	Dean of Academic Affairs & Operations	Office #: 303-410-2400
Felix Palacio	Director of Facilities	Office #: 888-889-3505 Phone #:303-410-2403

Campus Security Authorities are responsible for not only responding in the event of a crime or emergency, but also for looking for opportunities to deter and/or prevent crime. In an effort to improve safety on campus and to make the community aware of prevention services and reduce the incidents of crime, campus security personnel may also provide the campus community with the following services:

- Respond to police, fire, and emergency medical personnel
- Investigate incident reports and suspicious activities
- Prepare follow-up reports and document activities and results
- Assist victims of crime by providing resources and referrals
- Make recommendations in cases of disciplinary action
- Monitor campus for signs of intrusion, robbery, vandalism, and safety hazards
- Comply with federal, state, and local regulations regarding the release of information
- Assist with sick/injured
- Provide security consultation to students and staff
- Present crime awareness and prevention program information
- Inform campus community of imminent danger
- Enforce regulatory standards for student safety and campus security

Additionally, upon written request, Spartan College, will disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by this institution against a student who is the alleged perpetrator of such a crime or offense. If the alleged victim is deceased as a result of such a crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### III. Policies on Reporting a Crime or Emergency

All criminal actions, accidents, injuries, or other emergencies occurring on campus must be immediately reported as follows:

- Situations that pose imminent danger or while a crime is in progress should be reported to local law enforcement by calling **911** from any campus phone or cell phone. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred. After making the 911 call, also make a report to one of the campus security authorities identified above.
- Students, staff, and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of the College staff will assist a student in making the report to the police.
- Anonymous incident reports can also be made to the Campus Security Authorities or the College's Ethics hotline (Lighthouse Services) online at [www.lighthouse-services.com/spartan](http://www.lighthouse-services.com/spartan) or by calling **844-960-0004** (English speaking students/staff) or **800-216-1288** (Spanish speaking students/staff).
- Any incident that is associated to Sexual Harassment, Dating Violence, Domestic Violence, Stalking, and Retaliation will follow the established guidelines set within the campus Title IX Policy

and Procedures. Including investigating and responding to complaints, availability of supportive measures and the campus disciplinary actions, see <https://www.spartan.edu/denver/consumer-information>.

Any victim of a crime who does not want to pursue action within the College disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority or through the College's incident reporting system (Lighthouse Services). Although confidentiality cannot be guaranteed in every case, to the extent possible every effort will be made to preserve confidentiality. With the victim's permission, that official can then file a report of the details of the incident without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the College take appropriate steps to ensure the future safety of the victim and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the College.

The College does not have any policies or procedures that encourage pastoral counselors; if and when they deem it appropriate, to inform the individuals that they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the crime statistics contained in this Report.

The College has no officially recognized student organizations with off-campus locations. However, if criminal activity occurs while students are attending school sponsored events or training off campus, the reporting procedures are the same as those stated above.

Any student or employee who is the victim of stalking or has a restraining order against another individual (whether or not that individual is also a student or member of the campus community) is highly encouraged to notify a campus security authority of the threat and to provide a copy of the restraining order so that it may be enforced, if necessary.

The College is committed to preserve evidence and records, including electronic documents that are relevant to a pending or potential claim or action.

### **Crime Reports (Incidence Reports)- Procedure**

- The Campus Director/President will oversee the Campus Security Authorities (CSA's).
- All CSA's will be required to gather, report, and provide information on any crimes reported throughout the year.
- All crime report information must be submitted to the Campus Direct/President or appointed authority (follow timely warning and/or emergency notification protocols).

*CSA's who don't have crimes to report can be asked to document this in writing. This could be as simple as writing a statement that reads, "From \_\_\_\_\_ to \_\_\_\_\_ I was not aware of, and did not receive, any reports of criminal incidents, arrests or disciplinary actions for Clery Act crimes."*

- CSAs must indicate if they do not have any crimes to report(s) for the specific timetable requested period.
- Recommendation; update the job descriptions of individuals at your institution who are designated as a CSA. Make this designation an official part of their job description so that they know what's required of them.
- If applicable, forward copies of the crime reports to your campus security department.

- All crime report information must be entered within the campus daily crime log.
- Keep documentation of all crime reports.

### **Reporting Dating Violence, Domestic Violence, Sexual Assault or Stalking - Procedure**

If a sexual assault occurs, the most important step is to get to a safe place, safety is our number one concern.

Any incident that is associated with any of the above subjects, the campus will follow the established guidelines set within the campus Title IX Policy and Procedures. This will include investigating and responding to complaints, availability of supportive measures and the campus disciplinary actions.

It is important for the victim to preserve all evidence, doing this may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

After an incident of sexual assault, dating violence, domestic violence, or stalking the victim should consider seeking help from law enforcement and/or medical attention as soon as possible. The student should report to the local Medical Center or another nearby care facility. Evidence may be collected even if you choose not to make a report to law enforcement and the evidence can be kept with a case identification number separate from the name of the victim.

If physical injuries, take photos and date stamp the photos.

Additional actions, do not;

- Bathe, or
- Douche, or
- Smoke, or
- Change clothing, or
- Clean the bed/linen/area of assault
- Save any of the following;
  - text messages, instant messages, or other social networking.
  - Communications
  - Pictures
  - Logs or other copies of documents.

Any victim that does not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with Campus Security or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

The victim, student, or employee will have the option to notify law enforcement authorities about the offense, the option to be assisted by campus authorities in notifying law enforcement, and they have option to decline any notify to such authorities. The institution will provide appropriate and specific contact information for the authorities,

Reporting an incident may vary by jurisdiction. Submit your report sooner than later, as you wait the details are not as clear. You will need to write down your recollection of the incident and note as many details as possible. Focus on the facts, date, time and location. Do not write down what you think might have happened, only the facts.

Any student or employee who has an order of protection, no-contact order, restraining order or similar order issued by a civil, criminal or tribal court should bring it to the Title IX Coordinator or applicable campus Deputy Title IX Coordinator and provide a copy of the order so that appropriate campus security authorities may be aware of its existence and help ensure its enforcement.

The Institution may employ one of these measures that may include the following:

- Orders of protection, including no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court, or by the institution;
- Transportation assistance or security escorts;
- Modifications to academic requirements or class schedules
- Changes in living or working accommodations

#### **IV. Educational Programs Related to Security Awareness and Prevention of Criminal Activity**

Spartan College seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. A description of those programs and their frequency of presentation follows:

- The College sponsors at least one annual safety, security awareness and crime prevention event. These safety events are intended to enhance the campus community's awareness of their responsibility for their own safety and the safety of others. Similarly, the security awareness and crime prevention events focus on educating the campus community on security and crime prevention measures. Visit Student Support for information about upcoming safety, security awareness and crime prevention programs.
- Security and safety procedures are discussed with new and continuing students and staff within each individual department of the school at the beginning of term. This includes encouraging students to be alert to security situations and to assist the school in preventing crimes from occurring through awareness and communication. Students are highly encouraged to develop and present their own crime prevention programs to other students and staff.
- Employees and students are informed about the prevention of crimes through written communication from school management, via campus postings, email distribution, or internet posting.

#### **V. Building Security**

The campus facilities are accessible to members of the campus community and visitors during normal business hours Monday through Friday, and for special events over the weekend. Access during non-business hours must be coordinated through the office of Student Support. Exterior doors are locked and secured each evening by designated campus staff. Buildings are secured according to evening and weekend hour class times.

Spartan College has installed CCTV units on campus in the effort to further detect and enforce campus safety and security measures. Although students and staff are hereby notified that these surveillance cameras will be operational in public spaces on our campus, you are also assured that Spartan College

follows the Department of Homeland Security guidelines for the prohibition of sharing of these files with third parties, and will periodically destroy non-evidentiary film on a basis consistent with these guidelines.

Students and employees are asked to be alert and to not circumvent security measures that are meant to preserve their safety and that of others:

- Do not prop doors open or allow strangers into campus buildings that have been secured
- Do not lend keys or access cards to non-students and do not leave them unattended
- Do not give access codes to anyone that does not belong to the campus community

Keys to the offices, laboratories, and classrooms on campus will be issued to employees only as needed and after receiving the proper authorization. Each department supervisor is responsible for assuring his/her area is secured and locked.

Employees must adhere to policies stated in the Policies and Procedures Manual regarding unauthorized access to school facilities, theft of, or damage to, school property, or other criminal activity. In particular, rendering inoperable or abusing any fire prevention or detection equipment is prohibited. Violation of these policies may lead to disciplinary action, up to and including termination and the filing of charges with law enforcement authorities.

All individuals entering the building, who are not current students or staff, must check in with the front desk receptionist. Employee and student identification cards may be used to verify the identity of persons suspected to be in the building without permission.

Security also is a consideration in maintaining campus facilities. For example, maintenance personnel regularly check to ensure pathways are well lighted and that egress lighting is working in hallways and stairwells.

Spartan College does not maintain residential housing. Therefore, there are no policies regarding campus residences stated here.

## **VI. Timely Warnings**

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Campus Director/President or other designated College official constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued. Examples would be a rash of motor vehicle thefts or sexual assaults in the area that merit a warning because they present a continuing threat to the campus community. This warning will be communicated to students and employees by phone, text or email to the student's and/or employee Spartan email account.

Anyone with information warranting a timely warning should immediately report the circumstances to Campus Director/President or Campus Academic Dean.

## **VII. Emergency Response and Evacuation Procedures**

The College has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, or armed intruders. Spartan College has communicated with local police requesting their cooperation in informing the College about situations reported to them that may warrant an emergency response. Students, staff and visitors are

encouraged to notify the Campus Director/President and Campus Academic Dean of any situation that poses such a threat.

The Campus Director/President and Campus Academic Dean will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the College's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other College departments may be involved in the confirmation process.

Once the emergency is confirmed, the College community, or appropriate segments of it, will be notified. The Campus Director/President in collaboration with other appropriate personnel, will determine who should be notified and will, without delay, and taking into account 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. Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The Campus Director/President will direct the issuance of emergency notifications, which will be accomplished using one or more of the following means, depending on the nature of the threat and the segment of the campus community being threatened:

- Mass Communication System: The College has a mass emergency communication system that can send messages to all faculty, staff and students. The Rave Mobile Safety system allows Spartan College administration or emergency response personnel the ability to send all students, staff and faculty time-sensitive information about unforeseen events and emergencies using voice, email and text messaging. This system will be used to broadcast pertinent information and provide details on appropriate response.
- Emergency Signage: Emergency signage may be placed by designated College officials along the campus perimeter and throughout the campus to alert students, faculty and staff to campus evacuations, closures, partial closures or testing of emergency communications. The signs include flat screen monitors or laminated signs located throughout the campus.

The Campus Director/President works with local law enforcement to notify the surrounding communities of situations that pose a threat or danger to the larger community.

Spartan College tests its emergency response and evacuation procedures at least once a year. Also, at various times the Emergency Management Team will meet to train and test and evaluate the College's emergency response plan. The Campus Director/President maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute to its students and employees information to remind them of the College's emergency response and evacuation procedures.

## **A. Building Closures**

Closure of campus facilities during periods of inclement weather, power outage, or other emergencies will be determined by the Campus Director/President or his/her designee. The decision to close will only be made under those extreme conditions which pose an immediate health/safety hazard to members of the campus community.

The options for closure are:

- Closed for the day and evening
- Close at a time determined by the Campus Director/President or Academic Dean

Weather-related closure decisions will be made as early as possible to permit adequate communication to all affected parties. Authorized individuals will notify the media to publicize the closure.

General notification and mass communication of the campus closure will be conducted via phone messages, text, email and/or voice alert notices.

## **B. Building Lock-Downs**

In the event of imminent danger if members of the campus community were to leave the safety of the facility they are in, the following procedures will be implemented:

- Campus security authorities determining that there are precautionary reasons to order a lock-down will give the command via verbal and text phone messaging.
- Campus facilities staff will lock exterior entrances. Students and staff are to remain in the classrooms. Students and staff that were in common areas should proceed to the closest classroom. Each faculty member will make certain that their classroom remains secure, with classroom doors closed and lights turned off.
- No one should allow access to the building once it has been secured, as this will compromise the safety of those inside.
- All individuals should stay away from doors and windows, stay quiet, and keep movement to a minimum.
- Building occupants are free to leave the location they were in ONLY when faculty, police and/or facilities staff has given the "all-clear" signal.

## **C. Building Evacuations**

Some emergency situations require building occupants to exit the building to ensure their safety. In the event an evacuation is ordered, the following procedures will be followed:

- Students and staff should shut off any equipment they are working on and if possible, unplug electrical connections from outlets.
- Staff and students should proceed to the nearest exit, making sure they have collected their belongings, as they may not be allowed back into the building once it has been evacuated.
- Faculty/staff in each classroom will ensure that any individuals that need special assistance are aided in safely exiting the building.
- Faculty and staff will proceed with students to the outside assembly area, and shall account for all of the occupants of the classroom there.

- Staff and students should wait in the assembly area for further instructions from the campus security authorities.

## VIII. Missing Persons Procedures

Although Spartan College does not provide residential housing, the safety and well-being of our students is important to us. If you have concerns about the suspicious absence of a fellow student, please contact Campus Security Authority (See sections II, designated Campus Security Authorities [CSA]) or Student Services personnel. We will attempt to contact the student, and if unsuccessful we will then follow local guidelines in filing a Missing Person's Report.

### Procedures

Any suspicion or concern that a student is missing, must be immediately referred to Campus Student Services, the Campus Security Department, CSA, or the local law enforcement.

- The Campus Director/President or the Campus Security Authority/Department or the local law enforcement agency, will attempt to contact the student. If no contact is made an "Official Determination" that the student is missing will be established.
- On-campus students living in campus housing (at this time the campus does not have on campus housing), the campus must address within 24 hours of determination ("a student living in on-campus housing has been missing for 24 hours").
- Determine if the student has registered a contact person(s), campus will notify him/her within 24 hours after it's been officially determined that the student is missing.

*Note: Multiple contacts, the campus can determine the order of contact. If the first person contacted confirms that the student is not missing, the institution must contact each additional contact person in turn, unless the student in question is contacted by the institution or contacts the institution.*

- Document all successful and unsuccessful attempts to each of the students registered contact(s).
  - Any student under 18 years of age who are not legally independent of their parents. If it's determined that the student has been missing for 24 hours, the institution must contact (in no required order) the custodial parent or guardian within 24 hours.
  - Any student above the age of 18 or is an emancipated minor, regardless of whether the student has identified a contact person. The campus will inform the local law enforcement agency that the student is missing within 24 hours.

*Note: Student contact information; will be stored within the Campus Records Department. The contact list will include any emergency contacts, individuals, organizations, or employers that should be contacted if the student is determined to be missing. The option to update this list should be revised annually regardless if they chose to register a contact this from the prior year. Contact information will be registered confidentially, that this information will be accessible only to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.*

- The campus will issue a statement and notification to the community that a student has been determined to be missing.

## **IX. Sex Offense Policy, Procedures and Programs**

Spartan College of Aeronautics and Technology (the “College”) is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Harassment, Dating Violence, Domestic Violence, Stalking, and Retaliation (collectively “Prohibited Conduct”). It is the policy of the College to comply with Title IX of the Education Amendments of 1972 and its implementing regulations (34 C.F.R. Part 106), which prohibit discrimination based on sex in College educational programs and activities. Title IX and its implementing regulations also prohibit retaliation for asserting claims of sex discrimination.

The College prohibits conduct that occurs in the context of the College’s education programs and activities is a violation of the Title IX Policy and will be grounds for disciplinary action up to and including expulsion from the College and termination of employment.

The primary purpose of the Title IX Policy is to: (1) define, eliminate, prevent, and remedy the effects of Prohibited Conduct; (2) identify care, support, and reporting options for students and employees; (3) explain the obligations of employees to report Prohibited Conduct to the College; and (4) require enactment of procedures the College will follow to thoroughly, equitably, and promptly investigate and resolve reports of Prohibited Conduct.

Additional information about the College’s procedures and Title IX, training and prevention programs can be found online at:

Broomfield Campus                      <https://www.spartan.edu/denver/consumer-information/>

This published summary of the Spartan College Title IX Policy, Procedures, and Trainings will outline the educational programs used to promote the awareness of dating violence, domestic violence, stalking, rape, acquaintance rape and other forcible and non-forcible sex offenses. It will provide information concerning procedures that students should follow if a sex offense occurs and advises students of services available in the event they become a victim of a sex offense.

The Federal Bureau of Investigation’s National Incident Reporting System of the Uniform Crime Report defines a sex offense in general as: *Any sexual act directed against another person, forcibly and/or against the person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.*

When a student or employee reports being a victim of any form of sexual assault, domestic violence, dating violence or stalking, whether on or off campus, that individual will be provided a written explanation of their rights and options.

### **A. Educational Programs to Promote Awareness of Sex Offenses**

The Clery Act requires educational programs to be based on the definitions of certain terms in the jurisdiction where the institution is located. For that purpose, the following legal definitions apply:

The College is committed to promote an environment in which all student, staff, and faculty within our campus are safe, secure, and free from gender-based violence. Including but not limited to sexual assault, dating violence, domestic violence, and stalking. The college expects that all relationships and interactions, especially those of an intimate nature, be based on mutual respect, open communication, and clear consent.

Any student, faculty, and staff associated with sexual assault, dating violence, domestic violence, and stalking will be held to the standards of conduct set by the college. These principles are to be supported regardless of gender, sexual orientation, or gender identity. The college is committed to provide resources for prevention, education, support, investigation, and a fair disciplinary process.

### **Definitions**

**"Actor"** means the person accused of a sexual offense.

**"Consent"** means cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent. Submission under the influence of fear shall not constitute consent. Nothing in this definition shall be construed to affect the admissibility of evidence or the burden of proof in regard to the issue of consent.

**"Prohibited Conduct"** means Sexual Harassment, Dating Violence, Domestic Violence, Stalking and Retaliation, as further defined herein.

**"Sexual Harassment"** means any of the following that occurs in the United States and in a College education program or activity:

- a. An employee of the College conditioning the provision of a College aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or
- b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity; or
- c. "Sexual assault," as defined under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act,") is an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation), which includes:
  - i. Rape: 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.
  - ii. Attempted Rape: Any attempt to engage in Rape.
  - iii. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of the victim's age or because of the victim's temporary or permanent mental incapacity. Fondling includes any intentional sexual touching, however slight, with any object, by a person upon a person, when such touching is without their consent and/or by force. This includes intentional contact with the

intimate parts of another, causing another to touch one's intimate parts, or disrobing or exposure of another without permission. Intimate parts may include the breasts, genitals, buttocks, groin, mouth, or any other part of the body that is touched in a sexual manner.

- iv. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- v. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent within the applicable state.

**"Intimate parts"** means the external genitalia or the perineum or the anus or the buttocks or the pubes or the breast of any person.

**"Physically helpless"** means unconscious, asleep, or otherwise unable to indicate willingness to act.

**"Sexual contact"** means the knowing touching of the victim's intimate parts by the actor, or of the actor's intimate parts by the victim, or the knowing touching of the clothing covering the immediate area of the victim's or actor's intimate parts if that sexual contact is for the purposes of sexual arousal, gratification, or abuse.

**"Sexual intrusion"** means any intrusion, however slight, by any object or any part of a person's body, except the mouth, tongue, or penis, into the genital or anal opening of another person's body if that sexual intrusion can reasonably be construed as being for the purposes of sexual arousal, gratification, or abuse.

**"Sexual penetration"** means sexual intercourse, cunnilingus, fellatio, anilingus, or anal intercourse. Emission need not be proved as an element of any sexual penetration. Any penetration, however slight, is sufficient to complete the crime.

**"Victim"** means the person alleging to have been subjected to a criminal sexual assault.

**"Sexual assault"** means;

(1) Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

- (a) The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or
- (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
- (c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
- (d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
- (h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

(2) Sexual assault is a class 4 felony, except as [otherwise] provided.

(3) Sexual assault is a class 3 felony if it is attended by any one or more of the following circumstances:

- (a) The actor causes submission of the victim through the actual application of physical force or physical violence; or
- (b) The actor causes submission of the victim by threat of imminent death, serious bodily injury, extreme pain, or kidnapping, to be inflicted on anyone, and the victim believes that the actor has the present ability to execute these threats; or
- (c) The actor causes submission of the victim by threatening to retaliate in the future against the victim, or any other person, and the victim reasonably believes that the actor will execute this threat. As used in this paragraph (c), "to retaliate" includes threats of kidnapping, death, serious bodily injury, or extreme pain; or
- (d) The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission.

(4) (a) Sexual assault is a class 2 felony if any one or more of the following circumstances exist:

- (I) In the commission of the sexual assault, the actor is physically aided or abetted by one or more other persons; or
- (II) The victim suffers serious bodily injury; or
- (III) The actor is armed with a deadly weapon or an article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon or represents verbally or otherwise that the actor is armed with a deadly weapon and uses the deadly weapon, article, or representation to cause submission of the victim.

**“Unlawful Sexual Contact”** means;

(1) Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if:

- (a) The actor knows that the victim does not consent; or
- (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
- (c) The victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented; or
- (d) The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission; or

(e) Repealed.

(2) (a) Unlawful sexual contact is a class 1 misdemeanor and is an extraordinary risk crime that is subject to the modified sentencing range.

(b) Notwithstanding the provisions of paragraph (a) of this subsection (2), unlawful sexual contact is a class 4 felony if the actor compels the victim to submit by use of such force, intimidation, or threat.

**“Stalking”** (34 U.S.C. 12291(a)(30) means engaging in a course of conduct directed at a specific person that would cause a reasonable person to 1) fear for his or her safety or the safety of others; or 2) suffer substantial emotional distress.

(1) A person commits stalking if directly, or indirectly through another person, the person knowingly:

- (a) Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or

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

(2) For the purposes of this part:

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

(3) A person who commits stalking:

- (a) Commits a class 5 felony for a first offense except as otherwise provided in subsection (5) of this section; or
- (b) Commits a class 4 felony for a second or subsequent offense, if the offense occurs within seven years after the date of a prior offense for which the person was convicted.

(4) Stalking is an extraordinary risk crime that is subject to the modified presumptive sentencing range.

(5) If, at the time of the offense, there was a temporary or permanent protection order, injunction, or condition of bond, probation, or parole or any other court order in effect against the person, prohibiting the behavior described in this section, the person commits a class 4 felony.

**“Domestic Violence”** (34 U.S.C. 12291(a)(8)) means felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

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

(2) "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

**"Dating Violence"** (34 U.S.C. 12291(a)(10)) means violence committed by a person who 1) is or has been in a social relationship of a romantic or intimate nature with the victim; and 2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- i. The length of the relationship.
- ii. The type of relationship.
- iii. 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.

**"Retaliation"** means an action taken because of a person's participation in a protected activity and that would discourage a Reasonable Person from engaging in protected activity. "Protected activity" means a person's good faith: (1) opposition to Prohibited Conduct or assisting a person who opposes Prohibited Conduct; (2) report of Prohibited Conduct to the College, the police, or to a state or federal agency or assisting a person who reports Prohibited Conduct; (3) participation (or reasonable expectation of participation) in any manner (e.g., in an investigation, proceeding, or hearing relating to Prohibited Conduct) or requesting a supportive measure; and/or (4) exercise of rights or responsibilities under any provision of the Clery Act. An action is not taken in good faith if done with knowing or reckless disregard for information that would negate the accuracy of the report or information. Retaliation is a violation of this Policy regardless of whether the underlying allegation of a violation of this Policy is ultimately found to have merit.

The following state law definitions also apply and are incorporated herein as Prohibited Conduct:

State law definitions addressing domestic violence:

1. Colorado Revised Statutes § 18-6-800.3

State law definitions addressing dating violence:

1. Colorado Revised Statutes § 18-6-800.3

State law definitions addressing stalking:

1. Colorado Revised Statutes §§ 18-3-601 and 18-3-602

Additional information regarding state law definitions may be found at [www.victimsofcrime.org/our-programs/stalking-resource-center/stalking-laws/criminal-stalking-laws-by-state](http://www.victimsofcrime.org/our-programs/stalking-resource-center/stalking-laws/criminal-stalking-laws-by-state)

**"Mandatory Reporter"** is a College employee who is required to report information about known or suspected Prohibited Conduct, whether the employee received the information by means of a complaint, report, personal observation, or otherwise, including information learned from third parties.

The following categories of employees are Mandatory Reporters: all Faculty, and all Administrators including the President, Chief of Staff, Vice President and Directors, including all professional staff supporting such Administrators. Mandatory Reporters must report Prohibited Conduct to the Deputy Title IX Coordinator for the applicable campus or to the Title IX Coordinator.

Mandatory reporters are not required to report Prohibited Conduct they become aware of in the following circumstances:

- a. During a public awareness event such as “Take Back the Night,” candlelight vigils, protests, “survivor speak outs” or similar public forums; or
- b. The employee receives information through an in-class discussion, a class paper, or other academic assignment; or
- c. The employee is a student employee and did not receive notice of the incident in the student’s capacity as an employee.

## **B. Procedures to Follow if You are a Victim of a Sex Offense**

If you are a victim of a sexual assault, go to a safe place and call 911 or the Campus Deputy Title IX Coordinator (see Section D). You should also contact the College’s Title IX Coordinator (see Section D). If requested by the victim, the College will assist the victim in notifying appropriate authorities of the assault.

It is imperative that victims of sexual assault try to preserve evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action. The following guidelines may be helpful:

- Do not remove clothing worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
- Don’t bathe or wash, or otherwise clean the environment in which the assault occurred.
- Options for pressing charges can be deferred, if you will go to the local hospital emergency room and ask for an exam and for evidence of the sexual assault to be collected and sealed.

*See Section III - Reporting Dating Violence, Domestic Violence, Sexual Assault or Stalking – Procedure, for additional information*

## **C. Available Victim Services**

<b>Local:</b>	<b>Phone</b>	<b>Website</b>
Division of Mental Health	303-866-7400	<a href="https://cdhs.colorado.gov/behavioral-health">https://cdhs.colorado.gov/behavioral-health</a>
Victim Services	303-438-6471	<a href="http://www.broomfield.org/index.aspx?NID=304">http://www.broomfield.org/index.aspx?NID=304</a>
Division of Developmental Disabilities	720-772-9396	<a href="http://www.coddc.org">www.coddc.org</a>
Rocky Mountain Crisis Partners	844-493-8255	<a href="http://www.rmcrisispartners.org">www.rmcrisispartners.org</a>

### **National:**

Rape, Abuse and Incest National Network (RAINN)	800-656-4673	<a href="http://www.rainn.org">www.rainn.org</a>
National Sexual Violence Resource Center	877-739-3895	<a href="http://www.nsvrc.org">www.nsvrc.org</a>

Victims of alleged sexual assaults will also be informed in writing about options and available assistance in changing academic, transportation and working situations. The College will make such changes, if requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to a campus security authority or to local law enforcement.

## D. Procedures for Disciplinary Action

Allegations of sex offenses will be processed through the College’s student disciplinary system. Allegations against employees will be processed through the employee disciplinary system.

Any incident (Sexual Harassment, Dating Violence, Domestic Violence, Stalking, and Retaliation ) that is associated with the college will follow the established guidelines set within the campus Title IX Policy and Procedures. This will include investigating and responding to complaints and the campus decision making process.

The disciplinary proceeding shall provide for a prompt, fair and impartial investigation and resolution of the alleged offense. It will be conducted by officials who receive annual training on the issues related to various sex offenses and on how to conduct an investigation and hearing that protects the safety of victims and promotes accountability.

Campus Officials: Title IX Coordinator, Deputy Title IX Coordinators, Decision Maker, and Investigator.

### Title IX Coordinator

- Liz Skidmore | Director of Internal Compliance Audits**  
 Title IX Coordinator  
[TitleIXreporting@spartan.edu](mailto:TitleIXreporting@spartan.edu)  
 312-766-9125

### Deputy Title IX Coordinator(s)

Broomfield	Riverside	Inglewood	Tulsa Flight	Tulsa Main
Corey O'Brien	Therese Sandoval	Therese Sandoval	Tami Buttry	Tami Buttry
Dean of Student Affairs & System Career Services Specialist Deputy Title IX Coordinator	Dean of Student Affairs Deputy Title IX Coordinator	Dean of Student Affairs Deputy Title IX Coordinator	Dean of Students Affairs Deputy Title IX Coordinator	Dean of Students Affairs Deputy Title IX Coordinator
10851 W. 120th Avenue	4130 Mennes Ave Bldg #36	8911 Aviation Boulevard	123 Cessna Drive	8820 E. Pine Street
Broomfield, CO 80021	Riverside, CA 92509	Inglewood, CA 90301	Tulsa, OK 74132	Tulsa, OK 74115
(303) 410-2418	(310) 579-9394	(310) 579-9394	(918) 831-5221	(918) 831-5221
Corey.Obrien@spartan.edu	Therese.Sandoval@spartan.edu	Therese.Sandoval@spartan.edu	Tami.Buttry@spartan.edu	Tami.Buttry@spartan.edu

### Decision Maker

- **Keisha Sosias | Sr. Vice President of Human Resources**  
**Title IX Decision Maker**  
Spartan Education Group, LLC.  
Spartan College of Aeronautics and Technology  
One North Franklin Ave, Suite 2125., Chicago, IL 60606  
Phone: (303) 410-2428

### Investigator

- **Jodi Elston | Sr. Human Resources Business Partner**  
**Title IX Investigator**  
Spartan Education Group, LLC.  
Spartan College of Aeronautics and Technology  
8820 E. Pine Street, Tulsa, OK 74115  
Phone: (918) 831-5233

During the conduct of such a proceeding, both the victim and individual accused of sexual assault are entitled to:

- Timely notice of meetings at which one or the other or both may be present;
- Timely access to information that will be used after the fact-finding investigation but during any informal and formal disciplinary meeting or hearing;
- The same opportunities to have others present, including the opportunity to be accompanied to any related meeting or proceeding by an advisor and/or support person of their choice;
- Have the outcome determined by a majority vote of an impartial panel using a preponderance-of-the-evidence standard based on the totality of the evidence presented; and
- Be notified simultaneously in writing of the outcome of the proceeding, the procedures to appeal the results, any change in results prior to becoming final, and when the results become final.

## **E. Possible Sanctions for Sexual Assault Allegations**

Following a final determination in the College's disciplinary proceeding that a sex offense has been committed, the College may impose a range of penalties depending on the mitigating and aggravating circumstances involved. They include, but are not limited to assessment of financial penalties, suspension, probation or termination/expulsion. In addition, the College may impose protective measures to ensure the safety of the victim. The College will maintain as private any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such privacy would not impair the ability of the College to provide the supportive measures.

### **Range of these measures may include the following:**

- Orders of protection, including no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court, or by the institution;
- Transportation assistance or security escorts;
- Modifications to academic requirements or class schedules
- Changes in living or working accommodations

Any one or more of the possible sanctions listed below may be imposed when there is a violation under the Title IX Policy. Sanctions are assessed in response to the specific violation(s) and any prior disciplinary history of the Respondent. Some of the sanctions listed are applicable only to Students or Employees, as indicated.

Possible sanctions include, but are not limited to:

- Warning: Written notice that the Respondent's behavior was in violation of the Policy and/or other College policy and that future violations will result in more severe sanctions.
- Restitution: Reimbursement by the Respondent(s) to the College to cover the cost of damage to property or other loss.
- Educational Program/Project: Programs and activities designed to help the Respondent become more aware of College policies and help the Respondent understand the inappropriateness of their conduct, including, but not limited to, participation in an educational program or completion of an online program.
- Referral for Counseling: A referral for an assessment with a trained therapist and a mandate to follow any recommendations resulting from the counseling.
- Loss of Privileges (Students only): Denial of specific privilege(s) as defined by the hearing officer/decision maker for a defined period of time. Privileges include, but are not limited to, participation in extracurricular activities and events such as social events and student organizations.
- Restricted Access: Conditions that dictate and limit the Respondent's presence on campus and/or participation in College-sponsored activities. The restrictions will be clearly defined and may include, but are not limited to, presence in certain buildings or locations on campus.

- Removal of Offending Cause: Requirement to remove the item that was the subject of the Complaint.
- Revocation of institutionally funded scholarships and/or grants (Students only).
- Relocation or Removal from Residence Halls (Students only): Requirement that the Respondent relocate to another residence hall, or off-campus, by a specified date.
- Conduct Probation (Students only): Formal, written notice that the Respondent's behavior is in violation of the Policy or other College policy and an expectation that the Respondent exhibit good behavior for a defined period of time. Any violation during the probationary period may result in suspension or expulsion from the College.
- Employment Probation (Employees only): Formal, written notice that the Employee's conduct is in violation of the Policy and/or other College policy and an expectation that the Employee exhibit good behavior for a defined period of time. Any further violations during the probationary period may result in employment suspension without pay or termination of employment.
- Suspension (Students only): Separation from the College for a defined period of time. During the suspension period the Respondent is not permitted on campus and is not permitted to participate in any College-sponsored or -affiliated program or activity. The terms of the suspension may include the designation of special conditions affecting eligibility for readmission or special conditions to be in effect upon readmission.
- Suspension without Pay (Employees only): Separation of employment for a defined period of time without pay for the time of separation.
- Employment Termination (Employees only): Permanent separation of the Employee from the College if the Respondent is a non-Student Employee and permanent separation of the Employee from their student position if the Respondent is a student.
- Expulsion (Students only): Permanent separation from the College. A Respondent who has been expelled is not permitted on campus and is not permitted to participate in any College-sponsored or -affiliated program or activity.

#### Sanctions for Sexual Assault

- Although it is not possible to outline the specific sanctions that will be imposed in all sexual assault cases, the following sexual assault sanctioning guidelines have been established to provide notice to the College community and provide context for the Sanctioning Officer or process in determining appropriate sanctions.

##### Sexual Assault Sanctioning Guidelines:

- i. Students: minimum one-year suspension (or duration that Complainant is enrolled at the College, whichever is longer).
- ii. Faculty/Staff: minimum of suspension without pay and potential termination for cause.

#### Remedies

- Remedies will be designed to restore or preserve equal access to the College's educational programs and activities. Such remedies may include supportive measures but may also be disciplinary or punitive.
- The Title IX Coordinator is responsible for oversight of the effective implementation of any sanctions and remedies. Failure to comply with sanctions may be considered an additional violation of the Policy on Prohibited Conduct, and/or may lead to additional sanctions under general College codes of conduct, handbooks, or policies.

## Sentencing

*Note: the provisions of this section essentially provide that when a person is to be sentenced for some other crime and the underlying factual basis has been found by the court to include an act of domestic violence, the person is ordered also to complete a treatment program and a treatment evaluation. There are also provisions for more serious treatment when the perpetrator is found to be a habitual offender.*

The majority of sexual offenses that occur on campus communities are committed by people known by their victims, such as casual acquaintances. Often, these types of assaults are not reported to police or campus authorities because people don't think this unwanted sexual contact constitutes sexual assault because they know the assailant. These individuals are able to continue to exploit people by manipulating that trust. By reporting these incidents, you will significantly decrease the likelihood that this individual can subject another person to this type of victimization.

The following are warning signs of abusive behavior, the recognition of which will help mitigate the likelihood of perpetration, victimization or bystander inaction:

- Past abuse
- Threats of violence or abuse
- Breaking objects
- Use of force during an argument
- Jealousy
- Controlling behavior
- Quick involvement
  
- Unrealistic expectations
- Isolation
- Blames others for problems
- Blames others for their feelings
- Hypersensitivity
- "Playful" use of force during sex
- Rigid sex roles
- Jekyll-and-Hyde personality

Individuals are encouraged to take safe and positive steps to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against another person. This includes reporting such incidents to appropriate authorities. Other steps that can be taken include:

- Stay with your group of friends; avoid secluded areas
- Drink responsibly
- Communicate directly and clearly
- Leave if you feel uncomfortable
- Trust your instincts
- Don't walk alone at night
- Make a scene if confronted

The College provides primary prevention and awareness programs for new students and employees. The following is a description of them:

- An online sexual assault/violence awareness course for new employees.
- Instructors cover the violence and awareness policies during the first class via review of the student handbook.

The College also provides ongoing prevention and awareness campaigns for all students and employees. The following is a description of them:

- A copy of the campus policy on sexual harassment and professional student behavior is provided at all new start orientations.
- Provide safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander; and
- Provide information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.

## **F. Retaliation Prohibited**

The College prohibits any form of retaliation, intimidation, threat, coercion or other form of discrimination against any individual exercising his or her rights or responsibilities under this policy or its procedures or any other provision of the Clery Act.

## **G. Protection of Confidentiality**

The College will use its best efforts to maintain the confidentiality of victims, including the confidentiality of accommodations or protective measures to the extent that maintaining confidentiality will not impair the ability of the College to provide them. In particular, public available recordkeeping will be accomplished without the inclusion of identifying information about the victim to the extent permissible by law. Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

## **H. Sex Offender Registration Program**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to provide notice of each institution of higher education in the state at which the persons is employed or enrolled or carrying on a vocation.

In this state, sex offender information may be obtained at the following site:

<https://apps.colorado.gov/apps/dps/sor/search-agreement.jsf>.

## **X. Counseling and Services**

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

### **Local Services:**

Broomfield County (Health & Human Services) <https://broomfield.org/260/Health-and-Human-Services>  
Broomfield County (Court Services) <https://broomfield.org/233/Court-Services>  
Adams County (Government Services) <http://www.adcogov.org/>  
US Immigration – Denver Field <https://www.uscis.gov/about-us/find-a-uscis-office/field-offices/>  
Substance Abuse & Mental Health  
Services Administration <https://www.samhsa.gov>  
Rocky Mountain Behavior Medicine <https://www.rockymountainbehavioralmedicine.com>

**Additional Services:**

See Section - IX, C

## **XI. Drug and Alcohol Policy**

It is the policy of Spartan College to provide a positive environment that is conducive to learning and that promotes pride, respect, and teamwork. Alcohol and drug use negatively impact the ability of the campus community to meet these objectives. Therefore, Spartan College explicitly prohibits the use, sale, dispensing, possession or manufacture of alcohol or any controlled substance on school premises or while conducting school business or at a school activity off its premises. This prohibition applies to all employees and students, and also covers the improper use of all legal or prescription drugs that impair one's ability to perform safely and properly.

A student may be subject to drug and alcohol screening for cause while attending Spartan. Cause may be established through personal observation or reports of the following symptoms or behaviors by a student:

- Observed using alcohol or drugs
  - Observed with drug paraphernalia
  - Odor of Alcohol
  - Odor of marijuana
  - Admitted using alcohol or drugs
- 
- Is lethargic
  - Dilated or constricted pupils
  - Eyes are bloodshot
  - Red, glassy eyes
  - Unable to focus
  - Incoherent Speech
  - Slurred speech
  - Unable to balance or hold onto items or equipment
  - Lack of coordination
  - Swaying
  - Weaving or stumbling
  - Fumbling or dropping items
  - Fighting or hostile behaviors
  - Other specific, articulable behaviors that would cause a reasonable person to suspect a student is impaired in violation of this policy

Each campus reserves the right to conduct random testing.

The College may notify the parents of students under the age of 21 who commit any drug or alcohol offense.

### Sanctions

The sanctions range from warnings and substance abuse awareness programs for minor offenses to dismissal and/or referral to civil authorities for major and/or multiple offenses. Notifications of such violations may include local law enforcement agencies.

Students may be required to complete a series of follow-up screenings. A failed screening may result in the student being suspended and subject to further disciplinary action up to and including expulsion.

As with any disciplinary action, the student has the right to appeal the action based on guidelines within this catalog.

The College also enforces federal, state and local laws regarding the use, sale, distribution, or manufacture of alcohol or any controlled substance, including the laws relating to underage drinking. Violators are subject to College disciplinary action as well as criminal prosecution that can lead to fines or imprisonment.

Detailed information about the physical effects of alcohol and drugs, penalties for convictions, and substance abuse prevention education programs, is available in the Student Support department

### Services (Local / National):

- Alcoholics Anonymous <http://www.aa.org>
- BeTobaccoFree.HHS.gov <http://BeTobaccoFree.HHS.gov>
- Substance Abuse & Mental Health Services Administration – 800-662-HELP (4357) <https://www.samhsa.gov/about-us/who-we-are/offices-centers/csat>
  
- Narcotics Anonymous – <http://www.na.org>
- NIDA InfoFacts – (301) 443-6441 <http://www.drugabuse.gov/infofacts/infofactsindex.html>
- SAMHSA's Treatment Locator - (800) 662-HELP (4357) <http://findtreatment.samhsa.gov>
- American Family Physician Associates - (800) 274-2237 <https://www.aafp.org>
- U.S. Department of Health and Human Services <https://www.hhs.gov>
- National Council on Alcoholism and Drug Dependence - <https://www.ncadd.us>

## **XII. Crime Statistics**

The Clery Act requires institutions of higher education to disclose crime statistics covering the previous three years on four general categories of crimes. The first category is primary criminal offenses (murder and non-negligent manslaughter, negligent manslaughter, sex offenses (rape, fondling, incest and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, and arson). Prior to recent amendments to the Clery Act, sex offenses were classified as sex offenses-forcible and sex offenses non-forcible. Therefore, the chart that follows will show these categories and their relevant data for 2016 and will show data for the offenses in the new category for 2019, 2020 and 2021. For the non-applicable years for each category, the chart will show an N/A.

The second category is hate crimes (any of the previous offenses and any incidents of larceny-theft, simple assault, intimidation or destruction/damage/vandalism of property that were motivated by bias); the third category encompasses the crimes of dating violence, domestic violence, and stalking; and the fourth category includes arrests and referrals for disciplinary action for weapons, drug and liquor law violations.

The definitions of these offenses follow FBI guidelines or statutory definitions and are as follows:

*Criminal homicide--Murder and non-negligent homicide:* The willful (non-negligent) killing of one human being by another.

*Criminal homicide--Negligent manslaughter:* The killing of another person through gross negligence.

*Sex offenses--forcible:* Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

*Rape:* 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.

*Fondling:* The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim.

*Sex offenses—non-forcible:* unlawful, non-forcible sexual intercourse.

*Incest:* Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

*Statutory rape:* Sexual intercourse with a person who is under the statutory age of consent.

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

*Aggravated assault:* An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury, usually accompanied by the use of a weapon or by a means likely to produce death or great bodily harm.

*Burglary:* The unlawful entry of a structure to commit a felony or a theft.

*Motor vehicle theft:* The theft or attempted theft of a motor vehicle.

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

The second category, hate crimes, involve those crimes motivated by the following biases: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, and disability. As noted, hate crimes include those defined above that were motivated by one or more of these biases. They also include a second category as follows:

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

*Simple assault:* An unlawful physical attack by one person upon another where the offender neither displays a weapon nor the victim suffers obvious severe or aggravated bodily injury, such as apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

*Intimidation:* 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.

*Destruction/damage/vandalism of property:* Willfully or maliciously destroying, damaging, defacing, or otherwise injuring real or personal property without the consent of the owner or the person having custody or control of it.

The third category of crimes consists of domestic violence, dating violence and stalking. The requirement to collect data on these offenses became effective in 2014. Therefore, that will be the only year for which

data is entered in the chart below. For the two preceding years, the data will reflect N/A. These terms are defined as follows:

*Domestic violence:* Violent misdemeanor and felony offenses committed by a current or former spouse or intimate partner of the victim, a person who is or has cohabitated with the victim as a spouse of intimate partner, by a person with whom the victim shares a child in common, by a person similarly situated to a spouse under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

*Dating violence:* Violence by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Whether there was such a relationship shall be determined based on the reporting party's statement and with consideration of the length and type of the relationship and the frequency of interaction between the persons involved in the relationship.

*Stalking:* 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. For purposes of this crime, the following additional definitions apply:

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

The fourth category of crime statistics disclosed related to arrests and referrals for disciplinary action for violations of law relating to weapons, drugs or liquor. For this purpose, the following definitions apply:

*Arrest:* A person processed by arrest, citation or summons.

*Referral for disciplinary action:* The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**A. Annual Campus Crime Statistics**

The statistical summary of the above crimes for this campus over the past three calendar years follows.

**Campus location: (No “On Campus” student housing)**

**Spartan College – Broomfield**

10851 West 120th Ave.  
Broomfield, CO 80021  
800-510-3216 (Toll Free)  
303-466-1714

**Spartan College – Broomfield:**

<b>Total Crimes Reported For:</b>	<b>On-Campus</b>			<b>Non-Campus Buildings</b>			<b>Public Property</b>			<b>Total</b>		
<b>Offense Types:</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Criminal homicide - Murder or Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Criminal homicide - Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible <sup>1</sup>	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Non-Forcible <sup>1</sup>	0	0	0	0	0	0	0	0	0	0	0	0
Rape <sup>1</sup>	0	0	0	0	0	0	0	0	0	0	0	0
Fondling <sup>1</sup>	0	0	0	0	0	0	0	0	0	0	0	0
Incest <sup>1</sup>	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape <sup>1</sup>	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0

Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arrests:</b>												
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law	0	0	0	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals:</b>												
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law	0	0	0	0	0	0	0	0	0	0	0	0

1 Prior to recent amendments to the Clery Act, sex offenses were classified as sex offenses-forcible and sex offenses-non forcible. The above chart shows these categories and their relevant data for 2017 and will show data for offenses in the new category for 2019,2020 and 2021. N/A is used in those years where the classification categories were non-applicable.

**Hate Crimes – Broomfield:**

Total Crimes Reported For: Offense Types:	On-Campus		
	2021	2022	2023
Race	0	0	0
Religion	0	0	0
Sexual Orientation	0	0	0
Gender	0	0	0
Gender Identity	0	0	0
Disability	0	0	0
Ethnicity	0	0	0
National Origin	0	0	0

**Unfounded Crimes – Broomfield:**

	Year		
	2021	2022	2023
Total Unfounded Crimes	0	0	0

**XIII. FIRE SAFETY**

The local Fire Marshall and the designated CSA's are involved in plan review and inspection of every new and remodeled project that occurs on the Spartan Campus. Spartan College regularly conducts inspections of every existing facility on campus to eliminate any potential fire hazards and ensuring that the fire and life-safety system located in those buildings are functioning properly.

The local Fire Department is responsible for responding to any fires on campus and for determining their cause and origin. Each year Spartan conducts fire drills to help Employees, Staff and Students familiarize themselves with these procedures.

All occurrences, criminal actions, accidents, injuries, or other emergencies occurring on campus must be immediately reported to a designated Campus Security Authorities (CSA); See Section - II, for a list of CSA's.

Listed below is a chart outlining the fire statistics for Spartan College of Aeronautics and Technology:

Location	Fires (#)	Cause of Fire	Injuries (#)	Deaths (#)	Approx. Property (\$)
Broomfield Campus (2021, 2022, 2023)	0	-	0	0	-

**Fire Drills Held (Date and Time):**

- o February 14, 2023 9:10 am & 5:00 pm (No negative reported outcomes)
- o August 31, 2023 1:15 pm & 4:15 pm (No negative reported outcomes)

**XIV. SPECIFICATIONS FOR ON-CAMPUS HOUSING FACILITY FIRE SYSTEMS**

- Campus does not have On-Campus Housing

**USE OF TOBACCO**

Smoking, or other use of tobacco, (including smokeless tobacco and electronic cigarettes) are NOT permitted in any Spartan building. Smoking is not permitted within fifty feet of aircraft parked outside the lab buildings. Smoking is only permitted within designated areas outside and away from the buildings and breezeways. Failure to observe this policy will result in disciplinary action.

**ALARMS AND EVACUATIONS**

When the fire alarm sounds, all residents will evacuate the building via the nearest exit and assemble in the South Parking Lot a safe distance from the buildings and out of the way of any emergency equipment.

No space heaters or open flames devices are allowed.