



Otero College Annual Security And Fire Safety Report 2024

Report Covers 2021, 2022, and 2023

TABLE OF CONTENTS

TABLE OF CONTENTS.....	Error! Bookmark not defined.
ANNUAL CAMPUS SECURITY AND SAFETY REPORT	5
CLERY GEOGRAPHY DEFINITIONS	5
On-Campus Property.....	5
Non-Campus Property.....	6
Public Property.....	6
REPORTING CRIMES AND EMERGENCIES.....	6
Daily Crime Log	8
Campus Security Authorities	8
TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS	9
Emergency Response Personnel	10
College Employees Responsible for Areas	11
Phone/Text Alert System	11
E-Mail System	11
College Website	11
News Media	11
EMERGENCY RESPONSE AND EVACUATION PROCEDURES.....	12
CAMPUS POLICE/SECURITY DEPARTMENT JURISDICTION	13
SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS.....	13
Personal Safety on Campus for Students.....	13
Faculty And Staff Presentations	13
Campus Foot Escort Program	13
Video Surveillance.....	14
Crime Analysis	14
ACCESS TO CAMPUS FACILITIES.....	14
ALCOHOL AND DRUG POLICIES.....	14
ALCOHOL AND DRUG ABUSE EDUCATION PROGRAMS AND RESOURCES.....	16
SEXUAL MISCONDUCT PREVENTION AND AWARENESS PROGRAMS	16
Awareness Programs.....	16
Bystander Intervention	16
Ongoing Prevention and Awareness Campaigns	17

Risk Reduction	17
SEXUAL MISCONDUCT RESPONSE AND REPORTING PROCEDURES	21
What To Do If Sexual Misconduct Has Occurred	22
Reporting Sexual Misconduct.....	22
Other Options for Sexual Misconduct Complainants	23
CONFIDENTIALITY	23
SUPPORT AND RESOURCES FOR SEXUAL MISCONDUCT COMPLAINANTS	24
On-Campus Resources	24
Community Resources	25
OPTIONS FOR PROTECTIVE MEASURES.....	25
SEXUAL MISCONDUCT RESOLUTION PROCEDURE	26
Preliminary Steps and Timeline	27
Rights Of Involved Parties	29
Informal Resolution	29
Formal Investigation	30
Preliminary Investigation Report.....	31
Special Procedures for Sex-Based Harassment Involving a Student Party	31
Final Investigation Report	32
Notice of Findings.....	32
Appeals.....	33
DISCIPLINARY ACTION FOR SEXUAL MISCONDUCT	34
PROHIBITION ON RETALIATION.....	35
INFORMATION ON REGISTERED SEX OFFENDERS	36
MISSING STUDENT NOTIFICATION	36
PREPARING THE ANNUAL CRIME STATISTICS	37
Unfounded Crimes	38
DEFINITIONS OF REPORTED CRIMES	38
Aggravated Assault.....	38
Arson	38
Burglary	38
Criminal Homicide-Manslaughter by Negligence	38
Criminal Homicide-Murder and Non-negligent Manslaughter	38
Dating Violence	39

Domestic Violence	39
Motor Vehicle Theft	39
Robbery	39
Sex Offenses	39
Stalking.....	40
Drug Law Violations.....	40
Illegal Weapons Possession/Weapon Law Violations.....	40
DEFINITIONS FOR USE WHEN CLASSIFYING HATE CRIME REPORTS	40
Larceny-Theft (Except Motor Vehicle Theft).....	41
Simple Assault	41
Intimidation	41
Bias Categories	41
Race.....	41
Gender	41
Gender Identity	41
Religion	42
Sexual orientation.....	42
Ethnicity	42
National Origin.....	42
Disability	42
CAMPUS MAP	43
CRIME STATISTICS FOR 2021, 2022, AND 2023	44
ANNUAL FIRE SAFETY REPORT FOR ON-CAMPUS HOUSING 2022.....	46
On-Campus Housing Facilities	46
Fire Safety Systems and Fire Drills.....	47
EVACUATION PROCEDURES IN CASE OF FIRE	47
OTERO HOUSING FIRE EVACUATION PROCEDURES.....	48
FIRE SAFETY EDUCATION AND TRAINING	48
DEFINITIONS APPLICABLE TO FIRE STATISTICS.....	48
Fire	48
Cause of Fire.....	48
Fire Related Injury.....	49
Fire Related Death.....	49

ANNUAL CAMPUS SECURITY AND SAFETY REPORT

The report was prepared by Otero College to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). This report covers the calendar years 2019, 2020, and 2021. The report describes safety and security policies and procedures at Otero College and contains crime statistics for the most recent calendar year and the two preceding calendar years. The College's Clery Compliance Officer works with the Clery Compliance Committee, Campus Security Authorities, and local law enforcement agencies to collect crime statistics from the prior calendar year for inclusion in this report.

Current Otero employees and students are notified of the availability of this report annually. A copy of the report is available on the Otero website at:

<https://www.otero.edu/campus-community/campus-safety/>

Additionally, a copy of this report may be requested from the Dean of Students in McBride Hall or at **(719) 384-6859**.

This publication is intended to provide a general description of campus safety and security policies and procedures. Policies and procedures are subject to change following publication of this report and the campus community will be made aware of updates as required.

CLERY GEOGRAPHY DEFINITIONS

The following definitions are used to describe campus and other property that is covered by this report under the Clery Act:

On-Campus Property

The term "On-Campus Property" means (1) Any building or property on the core/main campus; and (2) any building or property on the core/main campus that is owned by Otero but controlled by another person, is frequently used by students, and supports campus purposes (such as a food or retail vendor). On-campus Property includes, for example, College buildings; residence halls; College-owned land/real property; College streets, sidewalks, and parking lots; property leased by the College that is part of the core/main campus; and property owned by the College but controlled by a third party.

Otero's Main/Core Campus is defined as those properties, streets, retail operations, and facilities owned by the State of Colorado and used by students, staff, faculty, and visitors

which are bounded by Colorado Ave., San Juan Ave. 22nd St., and the alley west of Tippy Martinez field and 15th St. as shown on the Campus Map at the end of this report.

Non-Campus Property

College's educational purposes means: (1) Any building or property owned or controlled by a student organization that is officially recognized by the College; or (2) any building or property owned or controlled by the College that is used in direct support of, or in relation to, the College's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the main campus. At Otero College, our non-campus locations are as follows:

- South Site Residence Hall (1.5 miles south of campus on San Juan) 22nd Street Field (2009 Bradish Ave.)
- Tiger Stadium (1817 Smithland Ave.)
- La Junta Rodeo Grounds (27150 Harris Rd.)
- La Junta Golf Club (27696 Harris Rd. La Junta, CO)
- La Junta Police Department Shooting Range: Memorial Training Facility (27510 Target Rd. La Junta, CO)
- La Junta Police Department Driving Instruction Track (30121 1st Ave. Airport La Junta, CO)
- Hotel rooms rented for students at the same hotel every year for one night.
- Hotel rooms rented for students for short stay-away trips of more than one night.

Otero does not have any recognized student organizations that own or control buildings or property.

Public Property

The term "Public Property" means: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the reasonably contiguous geographic area of the core/main campus. Public Property includes, for example, city streets and sidewalks that are within the core/main campus or immediately adjacent to and accessible from the core/main campus.

REPORTING CRIMES AND EMERGENCIES

Crime reports or emergency reports can be made at any time. Colorado Revised Statute, 18-8-115, "Duty to Report a Crime," requires all persons who believe a crime has been committed to promptly report the suspected crime to law enforcement authorities. This includes when a suspected crime has occurred, and the victim elects not to or is unable to report. Otero does not have a campus police department. The College's campus security department is available during the following days and times:

- Monday – Thursday 1:30 pm –2:00 am
- Friday – Mon 3:00 pm – 2:00 am

The College’s security department will be the primary safety response department on campus during these hours.

When on campus, crimes should be reported to Otero’s Security Department or the local police department. To report a crime, students, staff, faculty, and visitors should call **911** to report any incident, emergency, or disaster that is severe and presents an immediate or ongoing threat to the campus community (e.g., act of violence, medical emergency, fire). **911** may be directly dialed from any campus phone without having to dial “9” for an outside line. The reporting party should then call the Campus Emergency Number at **6911** or **(719) 469-2613** to report the incident, emergency, or disaster to Campus Security. Accurate and prompt reporting of all campus crimes is essential to maintaining campus safety and security.

For non-emergency incidents that occur during **regular business hours**, students, staff, and faculty should contact the Campus Emergency number at **6911** or **(719) 469-2613**.

The College works closely with the local police departments who will respond to all calls when campus security is not on campus. Priority is given to reports of incidents that threaten the life or safety of people, the security of property, and the peace of the community. Upon receiving information concerning an incident, campus security will investigate the incident, document the information, and take appropriate action. This action may involve working with local police or sheriff ‘s departments, the district attorney, and other state or federal agencies such as the FBI or the Drug Enforcement Administration. Cases are adjudicated through either the city or county and/or through the College’s disciplinary system.

The College provides a confidential online reporting system at <https://www.otero.edu/about/policies/incidentreport-form.aspx> where anonymous reports can be made for inclusion into the annual disclosure of crime statistics. The local police department provides an anonymous reporting option for victims of crimes who do not wish to be identified, and individuals may also report crimes and crime tips anonymously through Safe2Tell at 1-877-542-SAFE (7233). The phone line is recorded and has no caller ID. In Colorado, Safe2Tell reporting parties are anonymous under the State Law. Additionally, a reporting form is available to any campus official who is designated as a Campus Security Authority to complete as they become aware of a crime and the victim wishes to remain anonymous.

The College employs a licensed professional counselor to serve students on campus. While professional counselors are functioning within the scope of their responsibilities to provide mental health counseling to students, they may not be required to report certain crimes of which they become aware (and therefore such crimes will not be included in the crime statistics included in this report). This exemption has limitations, and professional counselors are under a legal obligation to report some crimes discovered during the counselor-client relationship. When a professional counselor is not legally required to report a crime, they are expected to inform and/or encourage clients regarding where they may make crime reports to the College on a voluntary, confidential basis. The College does not employ any pastoral counselors.

Crime reports involving employees will be referred to Human Resources for review under applicable employee conduct and discipline policies. Crime reports involving students will be referred to Student Affairs for review under the applicable student code of behavioral expectations and responsibilities (conduct and discipline) policies and procedures. Upon written request, the College will disclose to the alleged victim of a crime of violence or non-forcible sex offense the results of any disciplinary proceeding against a student who is an alleged perpetrator. If the alleged victim is deceased, disclosure will be made to the next of kin upon written request.

All personally identifiable information of the person reporting a crime will be kept confidential by law enforcement to the extent permitted by law. However, even if crime reports are made confidentially, the statistical information regarding the type of incident and its general location is published in the Annual Security Report consistent with Clery Act requirements.

Daily Crime Log

Campus Security prepares a log of reported crimes by date that details the date, time, location, and disposition of reported incidents. The daily crime log for the last 60 days is open to public inspection upon request from 8am to 5pm Monday through Friday in Student Services, except on holidays. The daily crime log for entries older than 60 days will be made available within two business days of a request for public inspection.

Campus Security Authorities

In addition to the departments listed above, crime reports may also be made to the following College personnel who are designated as Campus Security Authorities (CSAs). For Clery Act crime reporting and timely warning purposes, CSAs include campus police or security department personnel; College employees with security-related responsibilities; individuals or organizations identified in College security policies as those to which students and employees should report criminal offenses; and College employees who have significant responsibility for student and campus activities, including, but not limited to, student housing, student activities, student athletics, and student discipline.

Based on their job duties, the following Otero employees are CSAs:

- Academic Advisors
- Accessibility Services Coordinator
- AIM Project Director
- AIM Case Manager
- AIM Student Success Coach
- AIM Mentoring Coordinator
- AIM Faculty Professional Development and Student Research Coordinator
- Assistant Director of Financial Aid
- Associate Vice President of Academic Affairs
- Associate Vice President of Enrollment Management and Marketing
- Athletic Coaches (Head Coaches and Assistants)
- Club Advisors
- COSI Finish What You Started Success Coordinator
- Dean of Students
- Director of Financial Aid
- Director of Human Resources/Title IX Coordinator
- Director of International Relations
- Director of Student Success and Engagement
- Emergency Management Coordinator
- Faculty Advisors
- Faculty Mentors
- Fitness Center Director
- Director of Auxiliary Services
- International Relations Assistant
- Library Coordinator
- Registrar
- Resident Hall Assistants
- Security
- Student Engagement and Education Development Team
- TRiO Academic/Transfer Advisor
- TRiO Career/Financial Coach
- TRiO Director
- Tutors
- Vice President of Academic of Academic Affairs
- Vice President of Student Affairs

TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS

The College issues announcements (“Timely Warnings”) to inform the campus community of crimes occurring on Clery Geography that are reported to Campus Security Authorities

or local law enforcement when the reported crime may pose a serious or continuing threat to students and employees. The College also issues announcements (“Emergency Notifications”) to inform the campus community of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus. The College’s procedures for issuing Timely Warnings and Emergency Notifications are as follows.

A critical component of any emergency management plan is the dissemination of information to the community. The timely distribution of accurate information about crimes or emergencies serves multiple purposes, including helping citizens protect themselves from hazards, keeping people away from emergency scenes, and controlling rumors. Otero will issue a timely warning for all crimes that occur on campus, on non-campus property, or adjacent public property if they are reported to Campus Security Authorities or local law enforcement and present a serious or continuing threat to the campus community.

The responding party is responsible for assessing the location of the emergency or criminal conduct and the likely affected members of the campus community. Based on that analysis, it will determine whether the entire campus community will be notified/warned, or if the communication will be targeted to a specific segment of the campus community. This analysis will be ongoing as the matter develops and additional segments of the campus community may be notified/warned when they are likely to become affected by an emergency or crime. Follow up communications will be disseminated regarding the incident as circumstances change or the threat subsides.

The College 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 the first responders, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The content of the notification will include sufficient facts and details, such as relevant locations, descriptions of the emergency or suspect, and type of danger, to allow the campus community to take appropriate precautions to protect themselves.

The College utilizes a multi-tiered approach to reach the largest possible audience in the shortest period. The following are the methods currently in place at the College for issuing timely warnings and emergency notifications. The appropriate method is determined by the responding party for each situation:

Emergency Response Personnel

There will be direct communication from the personnel on scene to those in the immediate area. This may be face-to-face, or via a public address system. While limited in range and reach, this provides the most immediate communication between responders and those in the area.

College Employees Responsible for Areas

There will be direct communication from the personnel on scene to those in the immediate area. This may be face-to-face, or via a public address system. While limited in range and reach, this provides the most immediate communication between responders and those in the area.

Phone/Text Alert System

The AppArmor Alert System operated by the Public Information Officer, Dean of Students, and Emergency Management Coordinator utilizes phone, email, and text messaging to enhance safety and communication. The system can contact all students and employees within minutes in the case of a campus emergency, school closure, or when there is a need to communicate other important messages. Students, faculty, and staff are responsible for keeping their contact information updated in the system. All students, staff, and faculty are automatically enrolled to receive emergency notifications via their school email, home phone, and work phone as available through the Banner system. To receive mobile phone and text message (SMS) alerts, users must opt-in to this service on their MyOtero dashboard by clicking on the “Update Otero Alert” link in the MyOtero box. The College does not charge for signing up to AppArmor; however, standard text messaging fees may apply to text messages received via this system. Users are responsible for payment of these costs.

E-Mail System

In addition to the above, the Public Information Officer, Dean of Students, and/or Emergency Management Coordinator sends campus-wide e-mails to provide information to all students, faculty, and staff through their official College e-mail accounts. Students and employees do not have to opt in to receive these messages.

College Website

In addition to the above, the Public Information Officer, Dean of Students, and/or Emergency Management Coordinator sends campus-wide e-mails to provide information to all students, faculty, and staff through their official College e-mail accounts. Students and employees do not have to opt in to receive these messages.

News Media

The news media are used to push out information via radio and television. The College’s Public Information Officer will be the only official source of information from the College to the news media. This method is utilized when it is necessary to disseminate information to the larger community.

It is important to understand that no single system can reach the entire College or the neighboring community. Each of the above has individual limitations. This is why it is critical that as many systems be used at one time as possible, and that all messages

contain instructions that recipients pass along the message to those they come into contact with. The methods of communication will be determined on a case-by-case basis.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The College has developed an emergency/disaster response plan that provides a comprehensive set of guidelines for directing resources before, during, and after campus emergencies and disasters. The College trains its employees for emergency preparedness, response, and recovery. The plan includes a set of guidelines for emergency procedures which are posted with evacuation diagrams in all the campus buildings.

Members of the campus community are encouraged to report all information related to emergencies to campus security, who will take the lead on confirming the report. The campus security department may inspect/observe the area subject to the report and/or contact other appropriate individuals on and off campus to investigate the report and confirm the existence of the reported emergency. The nature of the report, including the type and location of the emergency, will dictate which internal and external resources will be contacted to determine if an emergency exists.

In case of a confirmed active, major campus emergency that involves an immediate threat to the health or safety of students or employees, an emergency alert system may be activated. For further information on methods of notification see the section on “Timely Warnings and Emergency Notifications.”

When a building fire alarm sounds, or when directed by a college official to evacuate, all occupants will leave the buildings through the nearest safe exit. Designated personnel may remain behind for the purpose of assisting other occupants or emergency responders. The public address system may be used to provide instructions for evacuation to avoid contact with any potential threats or if usual evacuation routes are blocked.

The College tests the emergency response and evacuation procedures on at least an annual basis during drills and other exercises. These tests are initiated by the Dean of Students, Emergency Management Coordinator, and campus security and may or may not be announced and publicized in advance of the drill or exercise. In conjunction with testing, the College publicizes the emergency response and evacuation procedures to the campus community by making it available on the College website and emailing employees and students. The College’s Clery Compliance Coordinator maintains records of all tests, drills, and exercises that include a description of the exercise, the date, time, and whether it was announced or unannounced.

CAMPUS POLICE/SECURITY DEPARTMENT JURISDICTION

The College Security Department includes trained personnel who are responsible for monitoring safety and security on campus. The Security Department is not a sworn law enforcement agency and therefore does not have jurisdiction to make arrests. The La Junta Police Department is the local law enforcement agency with jurisdiction over the College Campus. College Security Department works closely with the La Junta Police Department in relation to criminal activity, emergencies, and other security issues on the College Campus. Some services provided to the College Campus by the College Security Department include:

- Respond to police, fire, medical, and environmental emergencies.
- Investigate reports, traffic accidents, and suspicious activities.
- Assist victims of crime by taking reports, doing follow-up investigations, and referring them to appropriate resources.
- Comply with federal, state, and local laws regarding release of information.
- Assist with sick/injured and other non-criminal activity.
- Provide security services at special events such as concerts and sporting activities.
- Provide security consultations to students and office personnel.
- Assure that the College is in compliance with city, state, and federal environmental regulations.
- Ensure the safety of the campus by monitoring environmental and safety hazards.

SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

Otero College provides the following services and programs to improve safety on campus and to make the community aware of campus crime and efforts to reduce criminal activity, as well as to minimize their chances of becoming a victim:

Personal Safety on Campus for Students

This program is presented by the Residence Hall Director and community partners at the beginning of each semester to students living in the residence halls, and it is available for other groups upon request. This program covers personal awareness, ways to avoid being the victim of physical or sexual assault, and how to intervene as a bystander.

Faculty And Staff Presentations

A security and safety presentation is given to campus departments at least once a year by the Emergency Management Coordinator. This presentation includes information on crime reporting, prevention, and awareness.

Campus Foot Escort Program

Students, staff, and faculty are always encouraged to walk with others when possible and to choose paths that are well-illuminated. Upon request, the campus security will provide

a free foot escort to all students, faculty, and staff during evening hours. This service is available every day of the fall, spring, and summer semesters, except for school holidays. To request a food escort, contact security at 6911 or (719) 469-2613.

Video Surveillance

Video cameras are in various areas throughout the campus. Besides serving as a deterrent to crime, these cameras assist security and law enforcement in identifying suspects.

Crime Analysis

Campus security frequently review crimes to determine if focused patrol activity is needed for repeated offenses in any given area.

ACCESS TO CAMPUS FACILITIES

The Dean of Students, Emergency Management Coordinator, and campus security have the primary responsibility for monitoring access to college facilities and coordinating the locking and unlocking of most campus buildings. Established facility hours are coordinated and maintained by the President's Cabinet. Unless otherwise noted, campus facilities are generally open to employees and students during normal posted operating hours and locked at all other times. When locked, access must be requested from supervisors.

Some facilities are also accessible to the public during operating hours, such as the Welcome Center, Student Center, Fitness Center, Humanities Center, and the Learning Commons. Residence Halls are only accessible by an electronic keycard, and all students residing in the Residence Halls have a Student Photo ID that also serves as their residence hall and room key. Student Services distributed Student Photo ID's, and the Residence Hall Director works with Physical Plant staff to program electronic keycards. The Residence Hall Director also has hard keys on hand if needed when electronic access is impaired.

The Physical Plant is responsible for facilities maintenance, monitoring facilities for safety hazards (such as lack of lighting) and addressing safety hazards on campus.

ALCOHOL AND DRUG POLICIES

In compliance with applicable federal and state laws, the illegal possession, use or sale of alcohol (including underage drinking) or illegal drugs when on campus is prohibited. The College applies and enforces the following Colorado Community College System Board Policies and System Procedures related to alcohol and drugs:

- BP 3-24 Drug-Free Workplace (<https://www.cccs.edu/policies-and-procedures/board-policies/bp-3-24-drug-free-workplace/>)

- SP 3-24 Drug-Free Workplace (<https://www.cccs.edu/policies-and-procedures/system-presidents-procedures/sp-3-24-drug-free-workplace/>)
- BP 19-30 Drug Free Schools (<https://www.cccs.edu/policies-and-procedures/board-policies/bp-19-30-drug-free-schools/>)
- SP 19-30a Drug Free Schools (<https://www.cccs.edu/policies-and-procedures/system-presidents-procedures/sp-19-30-drug-free-schools/>)

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

- The sale of alcoholic beverages is prohibited except in areas, at times, and on dates licensed by the Colorado State Department of Revenue.
- Persons under 21 years of age cannot legally possess or consume alcoholic beverages of any kind. The furnishing of alcoholic beverages to under-aged persons is prohibited.
- Alcohol cannot be consumed or carried in open containers on any street, sidewalk, alley, automobile, or public area (except as noted herein).
- In addition, persons residing in campus residence halls (including those who are 21 years or older) are not permitted to have alcohol in their room or on campus.

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

Students in violation of these laws, policies or procedures are subject to referral for discipline which may include warning, probation, suspension, expulsion, or any other disciplinary outcome in the College's disciplinary procedures. Disciplinary sanctions for employees who violate the foregoing standards of conduct shall be subject to disciplinary sanctions which may include, without limitation, completion of an appropriate rehabilitation program, reprimand, probation, corrective action, demotion, reassignment with or without salary adjustment, suspension with or without pay, and termination. Disciplinary sanctions shall be consistent with local, state, and federal law and shall be administered in accordance with state personnel system rules, procedures and policies or State Board or College policies and procedures.

In addition to the foregoing disciplinary sanctions, violations may be reported to law enforcement authorities for criminal prosecution. Students, employees, and other visitors in violation of these laws, policies or procedures are also subject to referral for criminal prosecution. The College cooperates with local, state, and federal authorities in the detection and investigation of alcohol and drug offenses.

ALCOHOL AND DRUG ABUSE EDUCATION PROGRAMS AND RESOURCES

There are currently no alcohol or drug counseling programs on campus, but the college has referral agreements with Southeast Health Group and the Region Six Alcohol and Drug Abuse Treatment Center. In accordance with the policies described above, education, training, and information about treatment services are available on campus through the Mental Health Counselor, Case Manager, Dean of Students, and Human Resources Director. Referrals for students are made through the CARE Team or through the Mental Health Counselor, Case Manager, or Dean of Students, or students may contact these agencies directly.

Students are made aware of the College's alcohol and drug policy during orientation, athletic team meetings, mandatory residence hall meetings, through the Student Handbook, and through workshops and passive programming in the Learning Commons.

SEXUAL MISCONDUCT PREVENTION AND AWARENESS PROGRAMS

The College is committed to the prevention of sexual misconduct, which includes dating violence, domestic violence, sexual assault, and stalking. In support of this commitment, the College offers various prevention and education programs that may fit into one or more of the following categories:

Awareness Programs

Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Bystander Intervention

Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Ongoing Prevention and Awareness Campaigns

Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Risk Reduction

Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

The College offers programs to all incoming students and new employees covering, at minimum, the following information.

- The College’s prohibition on crimes of dating violence, domestic violations, sexual assault, and stalking as those terms are defined in the Definitions for Crime Reporting section of this Annual Security Report.
- The following state law definitions applicable to those terms and consent:
 - **DATING VIOLENCE:** There is no Colorado state law defining dating violence, so the definition used in the Violence Against Women Reauthorization Act of 2013 (VAWA) is used by the College.
 - **DOMESTIC VIOLENCE:** Any 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 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. 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. C.R.S. 18-6-800.3.
 - **SEXUAL ASSAULT:** “Sexual assault”: 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 (e) At the time of the

- commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or (f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or (g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or (h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented. C.R.S. 18-3-402. *Note that subparagraphs (d) and (e) above define the offense in Colorado related to the Clery Act crime of Statutory Rape.
- **UNLAWFUL SEXUAL CONTACT:** 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; or (f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority, unless incident to a lawful search, to coerce the victim to submit; or (g) The actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner substantially inconsistent with reasonable medical practices. Any person who knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with another person, for the purpose of the actor's own sexual gratification, commits unlawful sexual contact. C.R.S. 18-3-404.
 - **STALKING:** 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. For the purposes of this definition: (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.
- **CONSENT:** 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. C.R.S. 18-3-401(1.5)
 - **Bystander intervention:** A large part of preventing sexual misconduct and other inappropriate behavior (such as bullying) involves recognition of warning signs and early intervention efforts. “Bystander intervention” as that term is defined above, can include options such as:
 - Interrupt the behavior.
 - Publicly support the victim
 - Show disapproval through comments, facial expressions, or body language.
 - Use humor to diffuse the situation.
 - Encourage communication and open dialogue.
 - Gather a group of people as back-up.
 - Offer to leave the situation with the victim.
 - Invite yourself to tag along to avoid isolation of the victim from the perpetrator.
 - Ask questions or make suggestions on appropriate behaviors to the perpetrator as a friend.
 - Use the situation as an educational opportunity.
 - Call someone for help
 - **Risk reduction:** Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. “Risk reduction” as that term is defined above can include strategies such as:
 - Trust your gut
 - Have a code word.

- Lie or make an excuse to create an exit.
- Plan an escape route in advance.
- Become familiar with safe places.
- Create a support network.
- Change your routine to avoid someone.
- Make an escape to-go bag and plan a route/destination.
- Know what you're drinking and don't leave a drink unattended.
- Be aware of sudden changes in the way your body feels.
- Share your travel plans and routes with people (e.g., share your location on your phone with a trusted person to make sure you get home safe)
- Programming also covers the information included in the sections of this report on Sexual Misconduct Response and Reporting Procedures and Sexual Misconduct Resolution Procedures.

Otero engages in comprehensive educational programming to promote awareness of and to prevent domestic violence, dating violence, sexual assault, and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees. The College offered the following primary prevention and awareness programs to students in 2023:

Name of Program	Date Held	Location Held	Which Topics Covered
Residence Hall Safety Meetings	Start of each semester: August, January	Residence Halls	Sexual Assault, Dating Violence, Domestic Violence, Stalking
Suicide Awareness Programming	Fall 2023	Campus-Wide	Suicide Awareness/Mental Health First Aid
Bulletin Board Awareness	Spring 2023 and Fall 2023	Residence Halls	Sexual Assault, Dating Violence, Domestic Violence, Stalking, Alcohol and Drug Use
Sexual Assault Awareness Month	April 2023	Learning Commons	Sexual Assault Statistics, Prevention, and Response

The college offered the following primary prevention and awareness programs for employees in 2023:

Name of Program	Date Held	Location Held	Which Topics Covered
Mosaic: Prevent Sexual Violence Together	Various	Online	Sexual Violence, Intimate Partner Violence, Stalking
Campus Security Authority Training	Ongoing	Online	CSA Responsibilities

SEXUAL MISCONDUCT RESPONSE AND REPORTING PROCEDURES

The College prohibits sexual misconduct which includes dating violence, domestic violence, sexual assault, and stalking in its programs and activities in accordance with the following Board Policy and System Procedure.

- BP 19-60 Prohibition of Discrimination, Harassment or Retaliation (<https://www.cccs.edu/policies-and-procedures/bp-19-60-prohibition-of-discrimination-harassment-or-retaliation/>)
- SP 19-60a Civil Rights and Sexual Misconduct Resolution Process (<https://www.cccs.edu/policies-and-procedures/sp-19-60-civil-rights-and-sexual-misconduct-resolution-process/>)

Specifically, sexual misconduct may be against the law and violates College policy and the Student Code of Behavioral Expectations and Responsibilities. The College prohibits sexual misconduct on property owned or controlled by the College, at institutionally-sponsored or supervised activities, or at functions of recognized student organizations. Sanctions for policy violations by College employees or students are determined by applicable internal policies and procedures. Students may be sanctioned up to and including expulsion. Employees may be sanctioned up to and including termination.

The College is committed to responding appropriately to all reports of sexual misconduct and to working collaboratively with other law enforcement, government, and community agencies. This policy provides general guidelines for responding to individuals who are victims of sexual misconduct (also referred to herein as “complainants”) on the College’s campus or during other institutionally sponsored activities. For specific procedures and resources, contact the following representative(s):

Director of Human Resources/Title IX Coordinator
 Phone: (719) 384-6824
 Email: Kelsey.Barbee@otero.edu

What To Do If Sexual Misconduct Has Occurred

Individuals who believe they have been the victim of sexual misconduct should first ensure that they are in a place that is safe and that they are receiving any necessary medical treatment. It is important to preserve evidence, so victims should not shower, bathe, eat, drink, brush their teeth, change clothes, or disturb the scene of the incident. This evidence can be important to prove that a criminal offense has occurred and may be helpful in obtaining a protection order.

Reporting Sexual Misconduct

Individuals should report any incident of sexual misconduct immediately to the College's Title IX Coordinator listed in the section above. The Title IX Coordinators can assist the complainant with getting help, explaining their rights as a student/employee, investigation processes, accessing resources, and protection options. Title IX Coordinators will provide complainants of sexual misconduct with a written explanation of their rights or options with respect to the complaint, regardless of whether the conduct occurred on or off campus. This written information may include a copy of System Procedure (SP) 19-60a and resources.

The complaint should describe the alleged incident, which may include when and where it occurred, the parties involved, and the desired remedy sought. Any supporting documentation and evidence may be referenced within the body of the complaint. Complaints may be submitted verbally or in writing. Complainants may be asked to reduce verbal complaints to writing and sign them (in person or electronically) before proceeding through the resolution process (e.g., Sexual Harassment/Title IX complaints must be in writing and signed by the Complainant or Title IX Coordinator before proceeding with formal investigation).

Individuals may decide to report the incident to campus security or other local law enforcement. Title IX Coordinators can assist with the reporting process. If an individual does not wish to pursue a formal criminal action through a police department, they can pursue institutional actions consistent with the System Procedure (SP) 19-60a. Alternatively, they can choose not to pursue any institutional action, but pursue criminal action or make a police report by contacting Campus Security at **6911** or **(719) 469-2613**, or local law enforcement. Individuals also have the option of not notifying authorities of the incident.

Individuals may also report to a faculty member or an administrative official. In the interest of campus safety, the faculty or administrative official should immediately notify campus security of the incident and will also be required to report the incident in accordance with the College's internal policies. Reports may be made anonymously. The identity of the individual involved in or reporting the incident is not essential for reporting.

Care should be taken to file a report as soon as possible after the incident and to preserve all physical evidence of the crime to aid in the police investigation or to assist in obtaining a protective order. These procedures are particularly important in the case where the assailant is unknown to the complainant and may be a threat to the campus community.

Other Options for Sexual Misconduct Complainants

Complainants of sexual misconduct may also pursue the below options individually or in combination with reporting options:

To obtain crisis counseling during normal operating hours by contacting the Mental Health Counselor at **(719) 384-6945** or danya.herrell@otero.edu or by contacting Southeast Health Group at **(719) 384-5446**.

To file a civil lawsuit or restraining order request against the accused (also referred to herein as “respondent”). (In this case, the complainant may need a private attorney to assist with these options, and the complainant will likely be required to give testimony in court.)

To seek a restraining order, protective order, no contact, or other similar order, and to have that order enforced by the College. A restraining order is an order from a court that requires one party to do, or refrain from doing, certain acts. For example, it can help protect someone from being physically abused, threatened, stalked, or harassed. The College can be notified of such court orders by informing campus security. The College can help to enforce the restraining or no-contact order on campus and at college events.

For students, to request adjustments to their academic schedules after a reported sexual misconduct, if such changes are reasonably available, and for employees, to request adjustments to work schedules. Each such request will be handled on a case-by-case basis by the College. Even if there is no court order, the College may issue a no-contact order as part of its investigation and resolution procedures or take further protective action to minimize the interactions of the complainant and the respondent, such as rearranging College schedules or altering College employment arrangements.

To have an advisor present when reporting or during any College proceedings to provide support, guidance, or advice.

CONFIDENTIALITY

College employees, depending on their roles, have varying reporting responsibilities and may not be able to maintain confidentiality of information reported to them. Any person who reports concerns of sexual misconduct should not assume that confidentiality or anonymity can be protected in connection with making a report.

At the College, the following confidential resources are available:

Mental Health Counselor
Phone: (719) 384-6945
Email: danya.herrell@otero.edu

Except in rare circumstances, such as the existence of an immediate threat of harm, these individuals can offer options and advice without any obligation to report internally or externally unless the complainant has requested information be shared. Other outside confidential resources are available, and the Title IX Coordinator can assist in connecting an individual to these resources.

Any person who reports concerns of sexual misconduct should also be aware that the College must issue immediate emergency notifications and/or timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The College will make every effort to ensure that a complainant's name and other identifying information is not disclosed, while still providing adequate information for community members to make safety decisions in light of the danger. The College will conduct publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the complainant in accordance with applicable laws.

Additionally, the College will maintain as confidential any accommodations or protective measures provided to the complainant, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the accommodations or protective measures.

SUPPORT AND RESOURCES FOR SEXUAL MISCONDUCT COMPLAINANTS

The College will provide written information to students and employees who report sexual misconduct about counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available at the College and in the community. Those resources include but are not limited to:

On-Campus Resources

Department	Location	Phone
Student Affairs	McBride Hall Room 132	719-384-6800
Mental Health Counseling	Learning Commons Room 117	719-384-6945
Case Management	Learning Commons	719-384-6811

Community Resources

Agency	Address	Phone
Local Police	601 Colorado Ave.	719-384-2525
Arkansas Valley Regional Medical Center	1100 Carson Ave.	719-384-5412
Southeast Health Group	711 Barnes Ave.	1-800-511-5446
Arkansas Valley Resource Center	415 Colorado Ave.	719-384-7764
Otero County Courthouse	13 W. 3 rd St. #207	719-384-3166

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

- Colorado Coalition Against Sexual Assault: <https://www.ccasa.org/>
- Colorado State Employee Assistance Program: <https://www.colorado.gov/c-seap>
- Rape, Abuse, and Incest National Network: <http://www.rainn.org>
- National Sexual Violence Resource Center: <http://www.nsvrc.org>
- National Resource Center on Domestic Violence: <http://www.nrcdv.org/>
- National Domestic Violence Hotline: <http://www.thehotline.org/>
- Survivor Project (a resource for Intersex and Trans people): <http://www.survivorproject.org/>
- Men Can Stop Rape: <https://mcsr.org/home>
- Stalking Resource Center: <http://www.victimsofcrime.org/our-programs/stalking-resource-center/stalking-information/>
- Make the Connection (Support for Veterans): <https://maketheconnection.net/>
- Department of Justice: <https://www.justice.gov/ovw/sexual-assault>
- Department of Education, Office of Civil Rights: <http://www2.ed.gov/about/offices/list/ocr/index.html>

OPTIONS FOR PROTECTIVE MEASURES

The College will provide written notification to complainants of sexual misconduct about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The College will make such accommodations or provide such protective measures if they are reasonably available, regardless of whether the complainant chooses to report the crime to campus security or local law enforcement.

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

SEXUAL MISCONDUCT RESOLUTION PROCEDURE

Allegations of sexual misconduct will be reviewed in accordance with System Procedure (SP) 19-60a Civil Rights and Sexual Misconduct Resolution Process. The full procedure can be found at: <https://www.cccs.edu/policies-and-procedures/sp-19-60-civil-rights-and-sexual-misconduct-resolution-process/>. All applicable definitions can be found in Appendix A to SP 19-60a (<https://www.cccs.edu/policies-and-procedures/sp-19-60-civil-rights-and-sexual-misconduct-resolution-process-definitions/>).

The resolution process, which encompasses all proceedings (i.e., activities related to non-criminal resolution of a college complaint, including but not limited to, fact-finding investigations, formal or informal meetings, and hearings, but not including meetings with complainants concerning accommodations or protective measures), will:

Include a prompt, fair, and impartial process from the initial investigation to the final result.

- Be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- Provide the complainant and respondent with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice to provide the party with support, guidance or advice.
- Not limit the choice or presence of an advisor for either the complainant or the respondent in any meeting or institutional disciplinary proceeding; however, the

College has established restrictions regarding the extent to which the advisor may participate in the proceedings, which apply equally to both parties.

- Provide simultaneous notification, in writing, to both the complainant and respondent of the result of any institutional disciplinary proceeding that arises from an allegation of sexual misconduct; the College's procedures for appealing the result of the institutional disciplinary proceeding; any change to the result; and when such results become final (Note: a result means any initial, interim and final decision by College officials, including sanctions, along with the rationale for the result.)
- Be completed within a reasonably prompt timeframe as outlined in the College's procedures which allow for extension of timeframes for good cause with written notice to the parties of the delay and reason for the delay.
- Be conducted in a manner that is consistent with the College's procedures and transparent to the complainant and respondent, provide timely notice of any meetings at which the parties may be present, and provide timely and equal access to information that will be used during the resolution procedures.
- Be conducted by officials who do not have a conflict of interest or bias for or against the complainant or respondent.

Preliminary Steps and Timeline

Upon receipt of a complaint, the Title IX/EO Coordinator will review the complaint to determine:

- Whether the Complainant is participating or attempting to participate in a CCCS program or activity;
- Whether there is an identifiable Respondent;
- Whether the Respondent is participating in CCCS educational programs or activities, or is employed by CCCS;
- Whether there is jurisdiction over the alleged conduct; and
- Whether the complaint alleges sufficient information, if proven, to support that a civil rights violation has occurred (reasonable cause).

If the Title IX/EO Coordinator is unable to evaluate these factors in reviewing the complaint alone, the Coordinator may, at their discretion, reach out to the Complainant or others, as relevant, for clarification and/or additional information.

This preliminary review process will typically be completed within 7-14 days of receiving the information necessary to evaluate the complaint.

If, after reviewing the above factors, the Title IX/EO Coordinator determines not to proceed with the complaint, the Title IX/EO Coordinator will dismiss the complaint and inform the Complainant of this decision and discuss other options for addressing the reported

concerns. Additionally, the Title IX/EO Coordinator may dismiss the formal complaint if the Complainant requests such dismissal in writing, or if one or more of the above factors is not met at any time before a final determination. If the Respondent has been notified of the complaint, the Title IX/EO Coordinator will also inform them of the dismissal. Dismissal of a complaint is subject to the appeal procedures outlined herein.

If, after reviewing the above factors, the Title IX/EO Coordinator determines to proceed with the complaint and the Complainant wishes to proceed, the Title IX/EO Coordinator will initiate an informal resolution or a formal investigation.

If the Complainant does not wish to proceed, the Title IX/EO Coordinator will give consideration to the Complainant's preference, but reserves the right, when necessary to protect the CCCS community, to initiate an informal resolution or formal investigation of the complaint. The Title IX/EO Coordinator also reserves the right to initiate an investigation and resolve a complaint without a participating or identifiable Complainant.

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

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

- Complainant's request not to proceed;
- Complainant's reasonable safety concerns;
- Seriousness of the alleged conduct;
- Risk that the Respondent will similarly harm others;
- Age and relationship of the parties, including whether the Respondent is an employee;
- Previous complaints or allegations involving similar conduct (pattern of behavior);
- Whether multiple Complainants were involved;
- Availability of evidence;
- Whether the conduct was facilitated by incapacitation;
- Whether a weapon or violence was used;
- Whether the Complainant is a minor and/or at-risk;
- Whether the conduct was predatory in nature;
- Whether conduct can be addressed without a formal investigation; and/or
- Any other information deemed relevant by the Title IX/EO Coordinator.

If, after considering these factors, the Coordinator initiates a complaint, the Coordinator will notify the Complainant in advance and appropriately address reasonable concerns about safety, including offering supportive measures.

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

CCCS shall make every effort to complete the resolution process within approximately 90 days from the date the complaint is filed. If CCCS cannot resolve the complaint within this timeline, the Title IX/EO Coordinator may extend the timeline, for good cause, to properly resolve the complaint. Written notice will be provided to the parties regarding the extension and the reason for the delay.

Rights Of Involved Parties

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

- To be treated equitably and with respect by CCCS employees.
- To take advantage of supportive measures and other resources, such as counseling, psychological services, and health services.
- To experience a safe educational, living, and work environment.
- To have an advisor of their choice present at any meeting.
- To have access to the Title IX/EO Coordinator, investigator(s), decision-maker(s) for Title IX matters, and/or other individuals assisting with the resolution process who do not have a conflict of interest or bias for or against any party.
- To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- To be free from retaliation.
- To be informed of the outcome/resolution of the complaint, and the sanctions and rationale for the outcome, where permissible.
- To have assistance in contacting law enforcement, if desired.
- To request housing, employment, and/or educational modifications, as deemed appropriate and reasonable.
- To request no further contact with the opposite party, as deemed appropriate, allowable, and reasonable.
- A presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility has been made at the conclusion of the resolution process.

Informal Resolution

The Title IX/EO Coordinator, upon agreement of the parties, may determine that an informal resolution is appropriate to resolve the reported concerns. The Title IX/EO

Coordinator, or designee, will facilitate the informal resolution process. The primary focus during an informal resolution remains the welfare of the parties and the safety of the CCCS community, but it does not involve a written investigation report or an opportunity to appeal. An informal resolution may include, but is not limited to:

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

Notice of the allegations and specific informal resolution process will be provided to all parties.

At any time during the informal resolution process, the Title IX/EO Coordinator may elect to initiate a formal investigation as deemed appropriate to resolve the matter. The parties can elect to cease the informal resolution process at any time before it concludes and proceed with a formal investigation.

Formal Investigation

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

Throughout the investigation, all questions will go through the assigned investigator(s), including questions about credibility of parties and witnesses. The Complainant and Respondent may offer any documentation, witnesses, or other materials in support of their position as it relates to the complaint. There will be a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility has

been made at the conclusion of the resolution process. Any credibility determinations made by investigators will not be based upon a person's status as a Complainant, Respondent, or witness. If a party or witness does not respond to questions related to their credibility, the investigator may choose to place less or no weight on their statements.

The Complainant and the Respondent have the opportunity to be advised and accompanied by an advisor of their choice, at their expense, at any stage of the process. An advisor may consult and advise their advisee but may not speak on behalf of their advisee. These procedures are entirely administrative in nature and are not considered legal proceedings. The investigator may end a meeting or remove or dismiss an advisor who becomes disruptive or who does not abide by the restrictions on their participation as explained above.

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

Throughout the formal investigation process, the Complainant and Respondent will receive regular written updates on the status of the investigation.

The formal investigation process typically takes 30-60 days.

Preliminary Investigation Report

Following the fact gathering stage of the formal investigation, the investigator(s) shall issue a Preliminary Investigation Report to the Complainant and Respondent (and their advisors, if applicable) for review. The Preliminary Investigation Report will include access to all relevant and not otherwise impermissible evidence as gathered by the investigators. The Complainant and the Respondent will have five (5) calendar days to review and respond to the Preliminary Investigation Report with any changes, clarifications, or questions.

If a matter involves sex-based harassment with a student as a party, special procedures shall apply. For all other civil rights cases, the investigator shall review the investigation file and make a determination as to whether or not, based on a preponderance of the evidence, the alleged behavior took place and whether that behavior constitutes a civil rights violation. In reaching this determination, the investigator must consider all relevant evidence, except for any privileged information (unless waived) or treatment records (unless specific, written consent is obtained). Evidence of the Complainant's prior sexual predisposition or behavior is not relevant, except to prove that someone other than the Respondent committed the alleged conduct or to prove consent concerning prior specific acts between the parties. The investigator shall issue a Final Investigation Report.

Special Procedures for Sex-Based Harassment Involving a Student Party

Upon issuance of the preliminary investigation report, the parties will be given an opportunity to submit questions to the investigator to be asked to the parties and

witnesses. The investigator will determine whether proposed questions are relevant and not otherwise impermissible. The investigator must explain any decision to exclude a question and provide the party with an opportunity to clarify or revise a question that is initially deemed impermissible because it is unclear or harassing.

Questions deemed relevant and not otherwise impermissible by the investigator must be asked during follow up meetings, along with any additional questions from the investigator. The follow up meetings will be recorded or transcribed, and the recording or transcription will be provided to the parties. The parties will have five (5) calendar days to review and submit additional follow up questions to the investigator. If additional relevant and not otherwise impermissible questions are submitted, the investigator will conduct additional follow up meetings to ask the questions, and record or transcribe the meetings and make them available to the parties. The investigator has the discretion to conduct additional meetings, as necessary, or proceed to the determination process.

The follow up questioning stage of the process is usually completed within 20-30 days.

The Title IX/EO Coordinator will assemble a panel, including the investigator, to review the investigation file and make a determination as to whether or not, based on a preponderance of the evidence, the alleged behavior took place and whether that behavior constitutes sex-based harassment. In reaching this determination, the panel must consider all relevant evidence, except for any privileged information (unless waived) or treatment records (unless specific, written consent is obtained). Evidence of the Complainant's prior sexual predisposition or behavior is not relevant, except to prove that someone other than the Respondent committed the alleged conduct or to prove consent concerning prior specific acts between the parties. The panel has the discretion to ask any additional questions of parties and witnesses, including questions regarding credibility. The panel shall issue a Final Investigation Report, typically within 14 days of the determination.

Final Investigation Report

The Final Investigation Report in all civil rights cases shall include a description of the allegations, information about the policies and procedures used to evaluate the allegations, evaluation of the relevant and permissible evidence, findings of fact supporting the determination, conclusions regarding violation of applicable policies with supporting rationale, any disciplinary steps or remedial measures imposed, and the parties' appeal rights.

Notice of Findings

Once a Final Investigation Report is received, the Title IX/EO Coordinator shall provide written notice (Notice of Findings) simultaneously to the Complainant and Respondent (and their advisors, if applicable) notifying them of the findings. A copy of the Final Investigation Report shall be attached to the Notice of Findings. The Complainant and

Respondent shall be advised of their right to appeal, subject to the grounds below, by filing a written appeal with the Title IX/EO Coordinator within five (5) calendar days of service of the decision.

Appeals

In the event of an appeal, the Title IX/EO Coordinator shall perform an initial review to determine if the appeal meets the limited grounds listed below and is timely (filed within five (5) calendar days, as noted above). If the appeal is found to meet these criteria, the Title IX/EO Coordinator shall forward the appeal to a designated appellate officer, who shall give written notice to the opposing party and provide a suitable time frame for the opposing party to submit a written response to the appeal. The appeal and any responses shall be reviewed by the appellate officer. The party requesting an appeal must show error, as the original finding is presumed to have been decided reasonably and appropriately.

The only grounds for appeal are as follows:

1. A procedural irregularity occurred that would change the outcome. The written appeal shall specify the procedural error and how it impacted the outcome of the decision.
2. The Title IX/EO Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against a party that would change the outcome. The written appeal shall specify the conflict or bias and how it impacted the outcome of the decision.
3. New evidence became available that would change the outcome and that was not reasonably available at the time the decision was made. Any new evidence and its impact must be included in the written appeal.

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

If the appellate officer determines there is new evidence that substantially impacts the original findings, the appellate officer shall conduct or request appropriate additional steps (such as requesting additional investigation by the investigators) and/or modify the findings accordingly.

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

The appeal process typically takes 14-21 days.

DISCIPLINARY ACTION FOR SEXUAL MISCONDUCT

A finding of sexual misconduct will be based upon a preponderance of the evidence standard – whether it is more likely than not that the respondent engaged in sexual misconduct. If a report of sexual misconduct is processed and the respondent is found in violation of the College’s sexual misconduct policies and procedures, the findings shall be provided to the College’s Disciplinary Authority to proceed in accordance with applicable policies:

- For **faculty**, disciplinary action will be in compliance with BP 3-20, Due Process for Faculty: <https://www.cccs.edu/policies-and-procedures/board-policies/bp-3-20-due-process-for-faculty/>. Under this policy, notice of disciplinary action may be given by the College president at any time and shall state the grounds and effective date.
- For **classified employees**, disciplinary action will be taken pursuant to the applicable State Personnel Rules and Regulations: <https://www.colorado.gov/spb>. As outlined in these rules, the College’s appointing authority is responsible for deciding whether to take disciplinary action. The appointing authority must meet with the classified employee before making a decision and must give the classified employee at least seven days’ notice of the meeting. The employee also has at least seven days after the meeting to provide additional relevant information. Within five days of the effective date of the decision, the appointing authority will provide a written letter notifying the employee what discipline will be imposed, if any, including the factual basis and any appeal rights.
- For **students**, disciplinary action will be taken pursuant to BP 4-30 and SP 4-30a, Student Behavioral Expectations and Responsibilities Resolution Procedure: <https://cccs.edu/policies-and-procedures/system-presidents-procedures/sp-4-30a-student-behavior-procedure/>.
- Under this process, the College will give the student notice that the matter has been referred for potential sanctioning and will issue a decision which shall address whether alleged conduct occurred; whether and how the conduct violated the code; and impose an outcome, if appropriate. Notification of the decision in writing will be provided to the respondent and any other involved parties, as appropriate, which includes a complainant in sexual misconduct cases. The decision will include information regarding the applicable appeals process. The decision is part of the student’s educational record.

- **Instructors and Administrative, Professional-Technical (APT) employees** are at-will under BP 3-10, and may not be subject to additional procedures when issuing sanctions: www.cccs.edu/policies-and-procedures/board-policies/bp-3-10-administration-of-personnel/.

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

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

The following sanctions may be imposed:

- **For students:** warning, probation, fines, restitution, denial of privileges, assignment to perform services for the benefit of the CCCS community, re-assignment to another class section (including the option for an on-line section), suspension, expulsion, a “Cease Communications” directive, a “No Trespass” directive, or any other outcome stated in SP 4-30a.
- **For CCCS employees:** warning, corrective action, probation, restitution, denial of privileges, suspension, demotion, reduction of pay, termination of employment, a “Cease Communications” directive, or a “No Trespass” directive.
- **For authorized volunteers, guests, or visitors:** warning, probation, denial of privileges, removal from CCCS property, a “Cease Communications” directive, or a “No Trespass” directive.

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

In addition to sanctions, other action may be taken as deemed appropriate to bring an end to the violation, to prevent future reoccurrence, and to remedy the effects of the violation. Such protective measures include but are not limited to: cease communications, no contact, and/or no trespass directive, also referred to as a persona non grata, campus bans/emergency removals, referral to counseling and health services or to the Colorado State Employee Assistance Program (CSEAP), education to the community, altering housing situations, altering work arrangements, providing campus escorts, offering adjustments to academic deadlines or course schedules, and/or suspending privileges such as attendance at College activities or participation in College-sponsored organizations.

PROHIBITION ON RETALIATION

Individuals shall not retaliate against any person who opposes sexual misconduct or participates in any sexual misconduct complaint or investigation process. Retaliation is

any adverse employment or educational action taken against a person because of the person's participation, or perceived participation, in a complaint or investigation.

The College and its employees and agents shall not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under the Clery Act.

Retaliation includes acts to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege provided by applicable sexual misconduct laws, policies, and procedures.

INFORMATION ON REGISTERED SEX OFFENDERS

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

In Colorado, convicted sex offenders must register with the Colorado Bureau of Investigation (CBI). The Colorado sex offender website is <https://www.colorado.gov/apps/cdps/sor/>.

Sex offender registry information is available at the La Junta Police Department and through Student Services during normal business hours. The individual making the request will be provided with the list of registered sex offenders. In the event the Otero Student Services staff is unavailable to provide the requested information immediately, the name and phone number of the individual making the request will be taken and they will be notified when the report is available. All requests will be processed and made available for review within 72 hours of the request.

MISSING STUDENT NOTIFICATION

If anyone has reason to believe that a college student is missing for 24 hours, that information must be reported to the Otero Security Department immediately at **6911** or **(719) 469-2613** or to the La Junta Police Department at **(719) 384-2525**. Any College department or employee receiving a report regarding a missing student is required to refer the report immediately to campus security or local law enforcement.

Students who reside in college campus housing are advised that:

- Students will be given the option of identifying a contact person or persons whom the College shall notify within 24 hours of the determination by campus security or local law enforcement that the student is missing. This information will be kept

confidential by the College (accessible only by authorized College officials) and only disclosed to local law enforcement in furtherance of a missing person investigation.

- Upon receipt of a missing student report, Campus Security will work with local law enforcement, as appropriate, to investigate the matter and determine whether the student is actually missing and for how long. In the event a student is reported missing, every effort will be made to locate the person as soon as possible.
- If a student is determined to have been missing for at least 24 hours, the College will make the following notifications within 24 hours of the determination:
 - For any student, regardless of age, the student's designated contact person(s) for receiving missing student notice will be notified.
 - If a student is under 18 years of age and not emancipated, the College will also notify a custodial parent or guardian in addition to notifying the contact person(s) designated by the student.
 - The College will also notify local law enforcement unless that was the entity that made the determination that the student is missing.

PREPARING THE ANNUAL CRIME STATISTICS

Crime statistics are compiled and released annually by the College. The totals in the charts at the end of this report represent all Clery Act crimes reported to campus security personnel and Campus Security Authorities (CSAs) for the three most recent calendar years that occurred on or within the College's Clery geography. Clery Act reporting does not require initiating an investigation or disclosing personally identifiable information about the victim as defined in the Violence Against Women Act. The statistics included in this report do not identify the victim or accused.

The College annually notifies all CSAs of their requirement to provide information to campus security brought to their attention regarding any Clery Act reportable crimes. If the CSA receives crime information and there is no reason to believe the report was not made in good faith, the CSA is required to report that information for inclusion in this report.

The crime statistics in this report also include Clery Act reportable crime data received from other law enforcement agencies with jurisdiction in Non-Campus Property and Public Property as those terms are defined herein. To collect this information, the College includes any reportable crime reports that are proactively shared by local law enforcement throughout the year. Additionally, the College annually identifies such property and makes a good-faith effort to request crime statistics in writing from applicable law enforcement agencies.

Unfounded Crimes

The College may withhold or subsequently remove a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement have fully investigated the reported crime and based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” The recovery of stolen property, the low value of stolen property, the refusal of a victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report. The College may not withhold or remove a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official.

DEFINITIONS OF REPORTED CRIMES

The following definitions are crimes utilized for the purposes of collecting and reporting statistics in this report and are in accordance with the applicable provisions of the FBI Uniform Crime Reporting program, the National Incident-Based Reporting System (NIBRS) User Manual, and the Violence Against Women Act, as required by the Clery Act.

Aggravated Assault

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

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.

Burglary

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

Criminal Homicide-Manslaughter by Negligence

The killing of another person through gross negligence.

Criminal Homicide-Murder and Non-negligent Manslaughter

The willful (non-negligent) killing of one human being by another.

Dating Violence

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

Domestic Violence

A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of Colorado; or 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.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned - including joyriding.)

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.

Sex Offenses

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Forcible Sex Offenses:

- A. *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.
- B. *Fondling*: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Non-Forcible Sex Offenses:

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

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. 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; and "substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Drug Law Violations

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.

Illegal Weapons Possession/Weapon Law Violations

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.

Liquor Law Violations: 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.

DEFINITIONS FOR USE WHEN CLASSIFYING HATE CRIME REPORTS

For the purposes of this report, hate crimes include any of the following offenses if there is evidence that the victim was intentionally selected because of the perpetrator's bias against the victim in one of bias categories listed in this section: murder and non-negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary,

motor vehicle theft, and arson, as those terms are defined above. In addition, hate crimes include the following offenses if there is evidence that the victim was intentionally selected because of the perpetrator's bias against the victim in one of bias categories listed in this section: larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property as defined below.

[Larceny-Theft \(Except Motor Vehicle Theft\)](#)

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

[Simple Assault](#)

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

[Intimidation](#)

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

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

[Bias Categories](#)

[Race](#)

A preformed negative opinion or 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 or African Americans, Whites).

[Gender](#)

A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female. The term gender is used synonymously with sex to denote whether a newborn is male or female at birth.

[Gender Identity](#)

A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

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 person or group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Ethnicity

A preformed negative opinion or attitude toward a group of persons whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

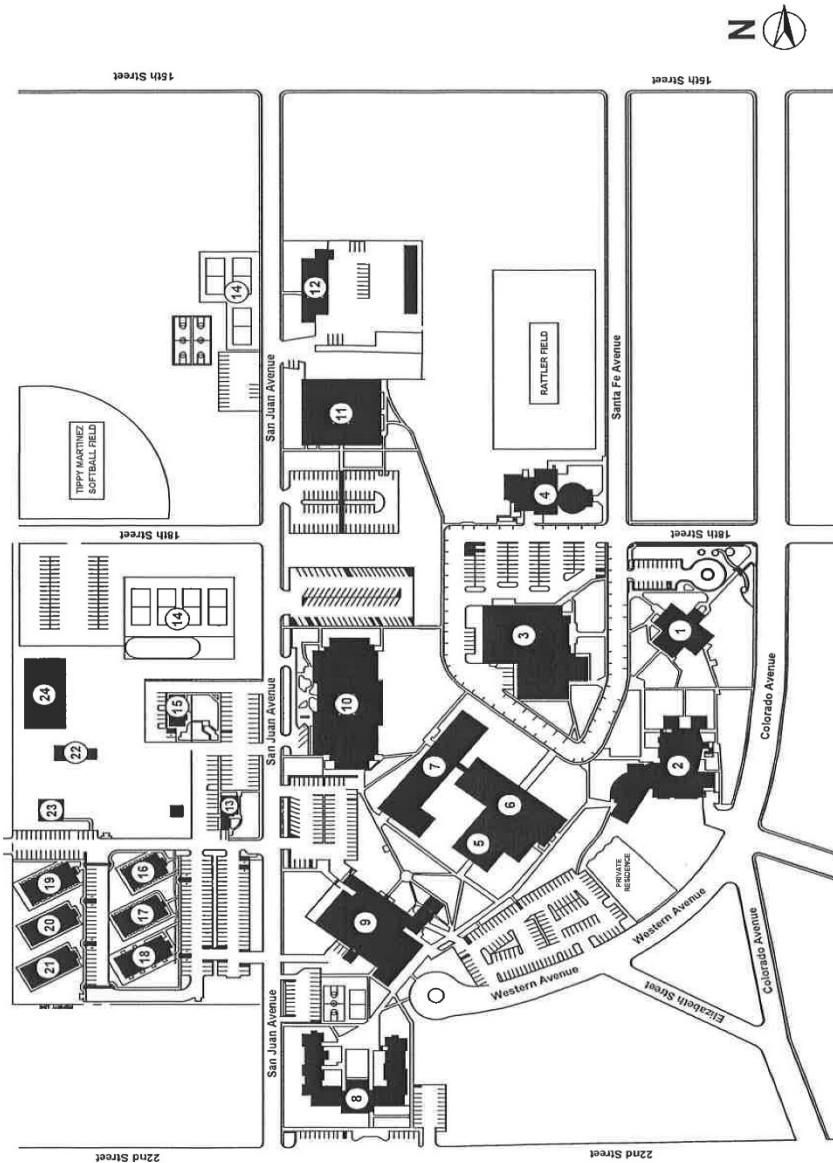
National Origin

A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

Disability

A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness. Mental disability is any mental impairment or psychological disorder such as organic brain syndrome, emotional or mental illness, and specific learning disabilities. Physical disability is any physical impairment; any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.

CAMPUS MAP



- Legend:**
- 1 Macdonald Hall & Administration
 - 2 Humanities Center & Theatre
 - 3 McDivitt Center Gym & Fitness Center
 - 4 Koshare Indian Museum & Kiva
 - 5 Wheeler Library
 - 6 Wheeler Hall
 - 7 Life Sciences
 - 8 Wunsch Hall Dormitory
 - 9 Student Center & Food Court
 - 10 McBride Hall & Student Services
 - 11 McDivitt Hall - Cosmetology & Automotive
 - 12 Maintenance
 - 13 Student Housing
 - 14 Outdoor Recreation Areas
 - 15 Forestry Building
 - 16 EJ Conley Dorm A
 - 17 EJ Conley Dorm B
 - 18 EJ Conley Dorm C
 - 19 EJ Conley Dorm D
 - 20 EJ Conley Dorm E
 - 21 EJ Conley Dorm F
 - 22 Falcon Telescope
 - 23 Greenhouse
 - 24 Auxiliary Gym
 - 1802 Colorado Ave.
 - 1909 Santa Fe Ave.
 - 1803 Santa Fe Ave.
 - 1722 Santa Fe Ave.
 - 202 Pinon Ave.
 - 204 Pinon Ave.
 - 211 W. 22nd St.
 - 2001 San Juan Ave.
 - 1903 San Juan Ave.
 - 1619 San Juan Ave.
 - 1601 San Juan Ave.
 - 1922 San Juan Ave.
 - 1904 San Juan Ave.
 - 2010 San Juan Ave.
 - 2010 G San Juan Ave.
 - 1906 San Juan Ave.

CRIME STATISTICS FOR 2021, 2022, AND 2023

Note: In counting crimes when more than one offense was committed during a single incident, the College follows the hierarchy rule required by the FBI Uniform Crime Reporting program and Clery Act. The College always counts arson in the statistics regardless of whether it occurs in the same incident as another crime. If rape, fondling, incest, or statutory rape occurs in the same incident as murder, the College records both the sex offense and murder in the statistics.

Otero College Campus CLERY and VAWA statistical report

CRIMINAL OFFENSES	ON CAMPUS			ON CAMPUS RESIDENTIAL			PUBLIC PROPERTY			NON-CAMPUS		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	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	2	0	1	0	0	0	0	0	0	0	0	1
Burglary	0	1	0	0	1	0	0	0	0	0	0	1
Motor Vehicle Theft	1	1	0	0	0	0	0	0	0	0	0	0
Arson	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	2
Dating Violence	0	0	1	0	0	1	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0	0	0	0	0	0	0

ARRESTS	ON CAMPUS			ON CAMPUS RESIDENTIAL			PUBLIC PROPERTY			NON-CAMPUS		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Law Violations	0	0	0	0	0	0	0	0	0	0	0	0

REFERRALS	ON CAMPUS			ON CAMPUS RESIDENTIAL			PUBLIC PROPERTY			NON-CAMPUS		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Liquor Law Violations	21	23	35	20	19	35	0	0	0	0	0	0
Drug Law Violations	1	7	0	0	7	2	0	0	0	0	0	0
Weapon Law Violations	0	0	0	0	0	0	0	0	0	0	0	0

HATE CRIMES	ON CAMPUS			ON CAMPUS RESIDENTIAL			PUBLIC PROPERTY			NON-CAMPUS		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	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
Domestic Violence	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
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	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

ANNUAL FIRE SAFETY REPORT FOR ON-CAMPUS HOUSING 2022

Otero College maintains one or more on campus student housing facilities. This fire safety report contains safety policies and procedures related to on campus student housing and fire statistics occurring in those facilities for the three most recent calendar years. Policies and procedures are subject to change following publication of this report and the campus community will be made aware of updates as required.

On-Campus Housing Facilities

- Wunsch Hall, 211 W. 22nd St., La Junta, CO 81050
- Coaches’ House, 1922 San Juan Ave., La Junta, CO 81050
- Conley A, 2010 San Juan Ave., La Junta, CO 81050
- Conley B, 2010 San Juan Ave., La Junta, CO 81050
- Conley C, 2010 San Juan Ave., La Junta, CO 81050
- Conley D, 2010 San Juan Ave., La Junta, CO 81050
- Conley E, 2010 San Juan Ave., La Junta, CO 81050
- Conley F, 2010 San Juan Ave., La Junta, CO 81050

Fire Safety Systems and Fire Drills

The College utilizes various mechanisms and systems in campus housing designed to detect fires, warn of potential fires, and control fires. Below is a table of fire safety systems currently in place for each separate housing facility. The College conducts supervised practices of mandatory evacuation of a building for a fire (“fire drills”). These drills involve planning, supervision, and evaluation. The number of fire drills held in the previous calendar year for each on-campus housing facility is listed below. False alarms are not counted as fire drills.

	Sprinkler System Tested by Licensed Professional	Smoke Detectors Tested by License Professional	Fire Extinguisher Devices Tested by Licensed Professional	Evacuation and Placards Displayed	Fire Alarm Tested by Licensed Professional	Fire Alarm Strobe Light Tested by Licensed Professional	Number of Fire/Evacuation Drills in 2023
Wunsch Hall	X	X	X	X	X	X	2
Conley A	X	X	X	X	X	X	2
Conley B	X	X	X	X	X	X	2
Conley C	X	X	X	X	X	X	2
Conley D	X	X	X	X	X	X	2
Conley E	X	X	X	X	X	X	2
Conley F	X	X	X	X	X	X	2

EVACUATION PROCEDURES IN CASE OF FIRE

In the event of a suspected fire, students, employees and guests should first get to a safe place and then report the circumstances immediately to Otero Security at 6911 from campus phones, or 719-469-2613 after hours, and/or call 911. If an alarm has not been sounded, a fire alarm should be engaged by activating the nearest fire alarm pull station. The building should be evacuated immediately by students, employees and guests by following the evacuation paths and using the nearest fire exit.

For the purposes of including fire incidents in College’s annual fire safety report, once the matter is no longer an emergency, students and employees should report all fire incidents to one of the following:

- Dean of Student Affairs: Gary.addington@otero.edu: 719-384-6859
- Director of Physical Plant: David.girard@otero.edu 719-384-819
- Report an Incident: <http://otero.edu/campus-community/campus-safety/>
- Campus Security: 6911 or 719-469-2613

OTERO HOUSING FIRE EVACUATION PROCEDURES

In the event of a fire alarm Wunsch Hall residents should evacuate to the basketball court North of the building. Conley Complex residents should evacuate and meet at the greenhouse North of the complex. Please check in with your RA after evacuation. Do not re-enter the residence halls after an alarm until Otero personnel and/or the fire department determines it is safe to re-enter the building.

- Hot plates, crock pots, portable electric heaters, or unapproved electrical appliances are not allowed in student dorm rooms.
- Any electrical appliances that you bring to use in your room must have a surge protector between the outlet and the appliance.
- Smoking is not permitted in the residence halls.
- Unattended open flames (candles) are not allowed in the residence halls.
- Misuse of a fire extinguisher or any safety equipment or emergency doors will result in the offender: (1) cleaning up the mess; (2) having the equipment put in working condition; (3) paying for the damage; (4) being placed on conduct probation; and (5) possibly being removed from housing.
- Emergency exits are only to be used in case of fire or other emergencies. Violations will result in fines and referral for discipline.

FIRE SAFETY EDUCATION AND TRAINING

The College provides education and training to relevant students and staff related to fire safety in on-campus housing facilities. The training covers procedures that students and employees should follow in case of a fire, including evacuation procedures and where to report suspected fire incidents.

DEFINITIONS APPLICABLE TO FIRE STATISTICS

For the purposes of this fire safety statistics, the following definitions apply:

Fire

Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Cause of Fire

The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire Related Injury

Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.

Fire Related Death

Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or dies within one year of injuries sustained as a result of the fire.

Value of Property Damage

The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.