Welcome!

On behalf of everyone at Colorado Mountain College, we are pleased that you have chosen us as your place of learning. We are committed to providing quality learning experiences in a caring, safe, supportive environment.

Please take a few moments to familiarize yourself with the contents of this student handbook. It is designed to provide excellent information about the numerous college and community resources available to you as a CMC student. Being a college student carries with it responsibilities to yourself and others to maintain a collegial environment that is dedicated to learning. Your success will be determined by your willingness to work hard, meet new people, and ask for assistance when you encounter difficulties. We are here to facilitate your success. Have a great school year as you participate in the excellent learning opportunities at Colorado Mountain College.

Best wishes for a successful year!

— Colorado Mountain College Faculty and Staff

Notice of Non-discrimination

¿Quieres información en español?

Colorado Mountain College does not discriminate on the basis of age, color, disability, gender identity, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, veteran status, and family and genetic information, in its programs and activities, as required by Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act of 1990, as amended, Section 504 of the Rehabilitation Act of 1973, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and as provided in other applicable statutes and College policies. The College prohibits sexual and gender-based harassment, including sexual assault and other forms of interpersonal violence. Colorado Mountain College will take appropriate steps to ensure that the lack of English language skills will not be a barrier to admission and participation in vocational education programs.

Student Inquiries

The following person has been designated to serve as the overall coordinator of student inquiries under Title IX, the Disabilities Act, the Rehabilitation Act, and other College policies prohibiting discrimination:

Lisa Doak, Title IX Coordinator
ldoak@coloradomtn.edu
970-947-8351
802 Grand Avenue, Glenwood Springs, Colorado 81601
Students also may contact the following persons who have been designated as Deputy Title IX Coordinators:

<table>
<thead>
<tr>
<th>Campus</th>
<th>Deputy Title IX Coordinator</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspen &amp; Carbondale</td>
<td>K Cesark, Associate Dean of Academic &amp; Student Affairs</td>
<td><a href="mailto:kcesark@coloradomtn.edu">kcesark@coloradomtn.edu</a></td>
<td>970-236-0446 ext 2446</td>
</tr>
<tr>
<td>Breckenridge &amp; Dillon</td>
<td>Nicole Fazande, Assistant Dean of Academic &amp; Student Affairs</td>
<td><a href="mailto:nfazande@coloradomtn.edu">nfazande@coloradomtn.edu</a></td>
<td>970-968-5805 ext 2805</td>
</tr>
<tr>
<td>Leadville &amp; Salida</td>
<td>Evan Weatherbie, Assistant Dean of Student Affairs</td>
<td><a href="mailto:eweatherbie@coloradomtn.edu">eweatherbie@coloradomtn.edu</a></td>
<td>970-486-4290</td>
</tr>
<tr>
<td>Rifle</td>
<td>Chip Thomas, Assistant Dean of Student Affairs</td>
<td><a href="mailto:rmthomas@coloradomtn.edu">rmthomas@coloradomtn.edu</a></td>
<td>970-625-6955</td>
</tr>
<tr>
<td>Spring Valley &amp; Glenwood Springs</td>
<td>Lisa Runck, Associate Dean of Student Affairs</td>
<td><a href="mailto:lrunk@coloradomtn.edu">lrunk@coloradomtn.edu</a></td>
<td>970-947-8212</td>
</tr>
<tr>
<td>Steamboat Springs</td>
<td>Carolyn Lawrence, Associate Dean for Student Affairs</td>
<td><a href="mailto:cmlawrence@coloradomtn.edu">cmlawrence@coloradomtn.edu</a></td>
<td>970-870-4463</td>
</tr>
<tr>
<td>Vail Valley at Edwards</td>
<td>Paula Hauswirth-Cummings, Associate Dean of Academic &amp; Student Services</td>
<td><a href="mailto:pcummings@coloradomtn.edu">pcummings@coloradomtn.edu</a></td>
<td>970-569-2922</td>
</tr>
</tbody>
</table>

Employee Inquiries

The following person has been designated to handle employee inquiries regarding the Americans with Disabilities Act, the Rehabilitation Act, and other employee complaints of unlawful discrimination other than Title IX matters:

Angela Wurtsmith, Executive Director of Human Resources
awurtsmith@coloradomtn.edu, 970-947-8311
802 Grand Avenue, Glenwood Springs, Colorado 81601

Employee inquiries under Title IX should be directed to the Title IX Coordinator listed under Student Inquiries above.

Other Resources

- Colorado Civil Rights Division, 1560 Broadway, Suite 825, Denver, Colorado 80202, Telephone 303-894-2997, DORA_CCRD@State.co.us, https://ccrd.colorado.gov/
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Student Services

The student handbook describes and explains student services, how to get involved in student life, and student rights and responsibilities. Basecamp, CMC’s student online portal, provides access to various services and information. If you have questions about student services or this handbook, please visit your nearest campus to speak with a College Counselor or Advisor.

Admissions, Housing, Counseling & Student Activities
Student Services staff provide a variety of services for students: admissions, housing, counseling, advising, career exploration and planning, veterans’ support services, registration and records, financial aid, student activities, and other services are available.
Staff members are available to assist you with any of your concerns. We suggest you make an appointment with the appropriate staff by stopping by a campus or calling.

**Registration & Student Records**

Registration and student records are handled by staff members associated with the Registrar’s Office. Registration staff members are located at every campus to assist with registration, add/drop requests, and other needs concerning student records. Information concerning registration and records can be found in the CMC Catalog, on the Registrar’s webpage, or by visiting your campus registration staff.

Transcripts may be requested from the College Registrar’s Office. Forms and directions can be found at [https://coloradomtn.edu/transcripts/](https://coloradomtn.edu/transcripts/).

**Student Accounts**

The Business Office is responsible for billing and collection of all student charges, including but not limited to tuition, course and program fees, learning materials charges, room and board, and other required assessments. Payments or payment arrangements are due before midnight (MST) of the day following registration unless registrations are early enough to qualify for deferred Payment Arrangement Deadlines. The office also administers the college’s online payment plan and adjusts students’ accounts for financial aid, scholarships, grants, refunds, and other changes. All fines and other outstanding account balances must be paid before grades or transcripts can be released or registering for the next semester.

**Financial Aid**

Colorado Mountain College is committed to helping you (and your parents) find the money you need for your education. To meet that end, CMC participates in federal and state financial aid programs such as the Pell Grant, Federal Work Study, Federal Direct Student Loans, and Colorado Student Grants. Financially supporting parents may qualify for Plus Loans. In addition to programs based on financial need, CMC provides scholarships to recognize a student’s outstanding ability and talent. Contact your College or Campus Financial Aid Specialist or College Counselor for more information about various forms of financial aid.

**Student Employment**

If you plan to work part-time while attending school, you should visit the Student Services Office as soon as possible. The College Counselor can provide information about part-time and full-time job opportunities throughout the community. On-campus jobs are often filled by students who have qualified for the Federal Work Study Program through financial aid. Limited employment opportunities for Colorado resident students who do not demonstrate “need” under the Federal Work Study Program may also be available. Check with the Financial Aid Office for information about such positions.

A variety of employment positions are available in the community. Students may apply to work as waitstaff, baby sitters, cooks, administrative assistants, housekeepers, bus drivers, or in construction and outdoor retail sales. Local ski resorts hire many part-time employees as lift operators, housekeepers, ticket sellers, cashiers, parking lot attendants, bus drivers, and ski equipment rentals.
Counseling Services

At CMC, college counselors take on a dual role of providing academic advising and personal support. CMC counselors have a background in personal, career, and educational counseling. They are trained to help students identify problems and understand and determine options and actions to address personal issues impacting their wellbeing and academic success. CMC counselors provide student support in a non-clinical role. They refer and connect students to mental health clinicians who partner with CMC to offer students in-person and virtual clinical counseling. Counseling Services on Basecamp provides information on how to connect with a counselor, clinician, and other resources to support students' mental health and wellbeing.

Transfer Advising

Colorado Mountain College has transfer agreements with all public four-year colleges and universities in Colorado. A College Counselor or Academic Advisor can assist you in planning course work for transfer, selecting a college or university, and applying to other schools.

Identifying the school and program to which you plan to transfer after you begin attending is essential.

Academic Skill Enhancement & Tutoring

Colorado Mountain College offers skill-building courses in English, mathematics, and reading. Check with your campus registration staff or advisor for skill-building course schedules and tutoring hours.

Access, Inclusion & Disability Services

Colorado Mountain College is committed to providing access to everyone to benefit from a program of higher education. We empower students with disabilities to take responsibility for their education and utilize appropriate accommodations to reach their educational goals. Services including, but not limited to, note taking, extended time oral testing, and assistive technology are available to qualified students with disabilities.

To qualify for services, documentation of the disability should be on file with your campus Access, Inclusion & Disability Services Coordinator before enrollment. Individual accommodations will be determined from the documentation. To receive accommodations, you must provide your “Notification of Accommodation” to all instructors at the beginning of each semester. With these accommodations, students are required to meet the college's academic standards. See the Student Rights and Responsibility section for information about filing a disability-related complaint.

For information, please get in touch with one of the following Access, Inclusion & Disability Services Coordinators:

<table>
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<tr>
<th>Campus</th>
<th>Access Coordinator</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspen, Carbondale, Glenwood Springs, &amp; Spring Valley</td>
<td>Dan Hammon</td>
<td><a href="mailto:jdhammon@coloradomtn.edu">jdhammon@coloradomtn.edu</a></td>
<td>970-947-8256</td>
</tr>
<tr>
<td>Breckenridge &amp; Dillon</td>
<td>Andrew Pyrc</td>
<td><a href="mailto:apyrc@coloradomtn.edu">apyrc@coloradomtn.edu</a></td>
<td>970-986-5816</td>
</tr>
</tbody>
</table>
Campus | Access Coordinator | Email | Phone
--- | --- | --- | ---
Vail/Eagle Valley | Jan Abbott | jlabbot@coloradomtn.edu | 970-569-2975
Leadville & Salida | Jen Speight | jgspeight@coloradomtn.edu | 719-486-4200 ext 4203
Rifle | Jennifer Boone | jboone@coloradomtn.edu | 970-625-6928
Steamboat Springs | Elisha Colson | ecolson@coloradomtn.edu | 970-870-4450

Online Learning | Contact the closest campus to the student’s residence.

**TRIO Student Support Services**

Student Support Services (SSS) is a federally-funded program offering free services to eligible students at the Glenwood Springs, Spring Valley, Carbondale, Steamboat Springs, Leadville, Rifle, and Edwards campuses.

Participants of Student Support Services must be US citizens or permanent residents, degree or certificate-seeking, and have a background that includes one or more of the following:

- Income eligible
- First-generation college student (neither parent/guardian has a bachelor’s degree)
- A documented disability
- Foster youth, unaccompanied, and/or independent status

Services available to students include, but are not limited to: academic, career, and transfer advising and support; transfer visits to four-year institutions; financial aid assistance; financial aid/FAFSA support; scholarship search and application assistance; and financial literacy education. Additionally, the program provides success seminars covering a wide range of academic and life skills; tutoring; and student advocacy with faculty, staff, and peers.

**Academic Testing**

Colorado Mountain College will work with you to determine which classes best suit your academic abilities. If you are transferring credit to CMC or have previous placement scores, check with the Central Admissions Office or your campus admissions staff to determine whether you need to provide additional information. For students within five years of their high school graduation, CMC can use your final high school transcript to attempt to determine placement. CMC will use the Accuplacer test by College Board to determine placement if the information is insufficient. In some cases, other placement measures, such as an evaluation of your work history or prior learning experiences, may be used.

If an Accuplacer test is needed, students are encouraged to prepare before taking placement tests by utilizing a study guide, practice tests, or the free study app available at CollegeBoard.org. Students needing accommodations for testing must first contact the Access Services Coordinator at their campus to request accommodations for the Accuplacer Placement test.

If you do not meet the minimum competency standards established by the College, an advisor can discuss available options to take skill-building or support courses concurrently with college-
level courses. These will help you to develop the skills you need to succeed in college-level courses.

For complete information, including how to register for the Accuplacer, test prep resources, required scores, and exemptions from placement testing, go to Placement Testing.

Testing

Colorado Mountain College offers a variety of institutional and national testing programs. The College Level Examination Program (CLEP) tests students' prior knowledge in various subjects. High School Equivalency tests [GED, Test Assessing Secondary Completion (TASC), and HiSET], preparation classes, and retesting are available at CMC. HSE preparation classes are provided at many of our campuses. See your campus Student Services Office for more information about locations, dates, and times.

Career self-assessments are available to all CMC students. Students may use these assessments in consultation with a College Counselor or Academic Advisor as part of overall educational and career planning, within a class or workshop, or on their own for personal discovery and understanding. CMC also offers the YouScience aptitude assessment, a comprehensive inventory designed to help students better understand their natural abilities related to best-fit careers. Students interested in taking this assessment can contact their campus counselor or advisor to learn more, or they may contact Career Services directly.

International Students

All international students should check in with the Designated Student Official (DSO) soon after their arrival on campus. The Department of Homeland Security regulates international student enrollment. If you have questions regarding these regulations or need assistance with American culture, academic problems, or community resources, please contact the Campus DSO or Student Services Office.

International students must be enrolled full-time (12 credit hours or more) to maintain their immigration status and maintain the academic standards that apply to all students.

Career Services

Career Services offers students career exploration and planning resources, events, career coaching, and a job board through its online career management platform CareerConnect located on Basecamp. Information on job opportunities and internships - within our local mountain communities, across the state, and nationwide – are shared through this online system. Additional benefits include networking with alumni and mentors, preparing job-seeking documents, practicing interviewing, attending workshops or webinars, or obtaining one-on-one career coaching.

CMC Career Services regularly visits each campus in support of student career development. Counselors and advisors are also well-equipped to assist students in exploring major and career options. Faculty advisors are an excellent source of information about career possibilities in their field. They may be able to refer students to partner agencies, non-profits, or businesses for experiential learning. Your instructors are also likely to have information about CMC graduates, where they are working, and what types of positions they hold. Networking to enhance your job prospects, both within CMC and externally, is highly encouraged.
Student Life

Student Center
The Student Center, Student Lounge, or Café is the hub of campus life. Various locations have a study lounge, café, or other gathering areas; these are popular spots for students and community members to meet, study and relax. College-sponsored activities such as entertainers, speakers, and presentations are held in the common areas or other large group meeting spaces. Community events may also be held in the facility. Watch for information on upcoming events as posted on campus, displayed on electronic monitors, or posted online through your campus's CMC websites, Basecamp or other social media sites.

Activities
Many campus activities occur throughout the school year. The Student Government Association sponsors some, and individual student clubs or organizations sponsor others. You are encouraged to become involved in the development of new activities that could benefit the student community as a whole. Students involved on campus are more likely to succeed in college.

Work through your campus Coordinator of Student Life, Academic Advisor, or College Council to volunteer or serve on a campus initiative committee, Student Government Association, or the Student Activities Committee.

Residence Halls
Colorado Mountain College offers on-campus housing at Spring Valley, Leadville, and Steamboat Springs campuses. Each room has a bathroom (shower, sink, toilet) and is furnished with beds, closets, a desk, a desk chair that converts to a gaming chair, a chest of drawers, and local phone service. Laundry rooms, TV lounges, study lounges, computer rooms, and other facilities are available.

New first-year, full-time students are required to live on campus for one year. Residents who live on campus must participate in the College Food Service Plan. Any full-time student (12 or more credit hours) is eligible to live on campus. Students may apply for housing online and submit a $300.00 deposit and a $50.00 non-refundable application fee. Residences are assigned on a first-come, first-served basis. Housing is limited and fills quickly, so we urge early reservations.

Each residential campus has a Director of Student Life and Housing, a Coordinator of Residence Life, and several Resident Assistants who reside on campus that provide assistance and oversight. On-campus residents are informed about who these people are and where their rooms are located.

An online Residence Hall Handbook, which can be found on the CMC Residence Hall Housing Policies webpage, outlines regulations and resources. It is your responsibility to review this information. For more detailed information, contact the Office of Residential Life.
Food Service
Meals are prepared in the dining facilities on residential campuses and served cafeteria style. The food service staff plans menus emphasizing nutrition, quality, and quantity. Specific information on dining services and meal plans is available on the Residence Life webpages. All residence hall students must participate in a food service meal plan. Contact your Dining Services General Manager regarding any questions or specific dietary needs.

Off-campus students, faculty, staff, and community members are encouraged to utilize campus dining facilities. Optional discount meal packages are available through the Student Accounts office or the dining services cashier.

Educational Programs
A series of educational and student life programs and online resources are offered to inform students about campus safety and security, sexual misconduct policies and procedures, drug and alcohol use/abuse, stress management, time management, relationship and communication skills, and college success strategies. See your Student Life or Student Services Offices for details.

Libraries
This section summarizes the library services available at Colorado Mountain College.

Library Contact Information:
Steamboat Springs: 970-870-4445
Glenwood Springs at Spring Valley - Quigley Library: 970-947-8271
Leadville: 719-486-4283
Virtual Library: 970-569-2926 or reference@coloradomtn.edu

The libraries at Colorado Mountain College offer an extensive collection of resources, available within the physical collections of the Spring Valley at Glenwood Springs, Steamboat Springs, and Leadville campus libraries in addition to 24/7 online through the Virtual Library website. The libraries provide access to books, videos, music, art images, audiobooks, career resources and practice tests, journals, magazines, maps, government documents, and course reserves. They also offer various services, including physical and virtual research assistance, library instruction, research guides and tutorials, and free Interlibrary Loan service.

Additional information about the CMC libraries can be found at http://library.coloradomtn.edu.

Learning Labs & Computer Labs
Colorado Mountain College provides additional resources and staff to assist students with their educational needs. Computer Labs provide access to online resources and educational technology needs. Many sites also have Tutoring Centers or Learning Resource Centers offering free tutoring services, supplemental instruction, self-paced skill building, and assistive technology. Contact your local campus for specific locations and hours of access, or check out the virtual tutoring tab on Basecamp.
Campus Stores
Campus stores at the Spring Valley and Steamboat Springs campuses provide CMC apparel and gifts, school and program supplies, snacks, and more. Leadville Campus Student Affairs sells a variety of CMC apparel. Questions: contact Steamboat Springs Campus Store at 970-870-4427 or The Eagle’s Nest Campus Store Spring Valley Campus at 970-947-8273.

Learning Materials Program
CMC participates in the flat rate, all-inclusive Learning Materials Program (LMP). This is an affordable, flat rate lease system and service that provides 100% of required materials by the first day of class or the start of the semester. It is automatically customized to the student’s schedule.

The fees for the Learning Materials Program are easily budgeted as “cost of attendance” in your financial aid and payment plans. Flat fees are not applicable for non-credit classes. The rate is assessed at $25.00 per credit hour.

Students participating in the Learning Materials Program automatically receive their textbooks. To see your textbook order and related information, please go to Basecamp (login required), then access Learning Materials Program under “My CMC Apps.” At the beginning of each semester, all LMP books are available as listed on the CMC website and Basecamp. Materials ship to the verified UPS physical shipping address. Please verify your address on the Learning Materials Program website.

Your lease agreement specifies that you will return the books promptly at the end of the semester. If you fail to return them as instructed, it is assumed that you want to purchase the books, and you will be billed for the purchase price of the books. Unpaid bills on your account will result in a “hold” that prevents you from registering for future classes.

Student Government & Organizations
The college recognizes clubs and organizations through the Student Government Association. One of the easiest ways for students to expand their educational experience is to join one or more established clubs or organizations or start one of their own. Clubs and organizations offer opportunities for students to take leadership positions and become involved in the college community. They also provide educational, social, and recreational experiences that enrich the students’ lives. Club officers gain leadership skills that have tremendous value in their professional lives after graduation. Clubs also give students a sense of belonging and the pleasure of spending time with people with similar interests.

The Student Government Association (SGA) and Student Activities Office sponsor a Clubs and Organizations Fair at the beginning of the fall and spring semesters. At this event, students are introduced to the various clubs and organizations, meet representative members, and learn about each group’s purpose, goals, and activities.

Residence Hall Association
The Residence Hall Association (RHA) is comprised of representatives of residence hall students who assist the residence hall staff in evaluating policies and procedures concerning residence hall living. They also plan or coordinate residence hall functions and activities.
Wellness
Most campuses do not have on-campus health services or facilities. Particular sites may provide essential physical or mental health services on a limited basis. The Student Services staff can refer students to appropriate medical personnel and assist in arranging medical appointments. Student Services staff can also help contact your instructors if you are ill or contending with an emergency.

Recreational Sports
Colorado Mountain College offers some intramural activities and club sports for its students. These activities include soccer, volleyball, basketball, and flag football. In addition to organized intramural sports, you will find some of the most incredible skiing, backpacking, rafting, kayaking, climbing, and mountain biking in your backyard!

Athletics
Colorado Mountain College has two collegiate-level varsity sports teams: Alpine Ski and Cross Country. See details at CMC Athletics. Go Eagles!

Service Learning
Colorado Mountain College supports and encourages students to get involved in their community and volunteer for civic service as part of their education.

Experiential education through community service is reciprocally beneficial for the community and students. For many community organizations, students augment service delivery, meet crucial human needs and provide a basis for future citizen support. Community service is an opportunity to: enrich and apply classroom knowledge; explore careers or majors; develop civic and cultural literacy; improve citizenship; leadership and occupational skills; enhance personal growth and self-image; develop job skills; and, most of all, foster a concern for public and human service and involvement. Most student clubs, organizations, and courses provide members with community service or service learning opportunities. Contact your Student Services Office for further details.

Student’s Rights & Responsibilities

Guide to the Rights, Responsibilities & Code of Student Conduct
The Student Affairs Office has prepared the Guide to Students’ Rights, Responsibilities, and Conduct. It is updated annually to serve as a ready reference to the significant policies relevant to students at Colorado Mountain College.

Many policies are presented here in an abridged form, and more detailed statements may be obtained from the Campus Vice President or designee. Students should also consult the Colorado Mountain College Catalog for policies relevant to academic programs. On-campus residents must adhere to specific guidelines, policies, and procedures in the Residence Hall and Student Handbooks. In this document and college-related policies, the terms “classroom” and “campus” pertain to all college-owned or controlled property, any place of instruction on- or off-campus, and any college-sponsored or supervised activities or events.
As an academic community, Colorado Mountain College exists for the pursuit of learning and truth, for the development of students as scholars and citizens, and, ultimately, for the well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. The college's responsibility for creating and maintaining an atmosphere conducive to these freedoms is shared by students, faculty, administrative personnel, and the board of trustees.

Inherent in the policies of student rights, responsibilities, and code of student conduct is the concept that at Colorado Mountain College, students must demonstrate respect for authority, public and private property, and the rights and privileges of others. Colorado Mountain College, in return, shall provide the facilities and opportunities and guarantee certain rights necessary for students to achieve a high-quality education in the field of their choice within the limits of the educational programs available. Each right carries equal responsibility for both the institution and the student.

**Applicable Laws & Policies**

**Americans with Disabilities Amended Act (ADAAA)**

Under Section 504 of the Vocational Rehabilitation Act of 1973, the ADA Amendments Act of 2008 (ADAAA), and Title II, Colorado Mountain College will implement procedures that ensure equal access to educational opportunities for all persons with disabilities. It is the student’s responsibility to provide appropriate documentation of disabilities. Reasonable accommodations will be provided based on the college's evaluation of the documentation. With accommodations, students are required to meet the college’s academic standards. Access Coordinators are available to work with students; contact information for coordinators is below.

Contact information for College Access, Inclusion & Disability Services follows.

<table>
<thead>
<tr>
<th>Campus</th>
<th>Access Coordinator</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspen, Carbondale, Glenwood Springs, &amp; Spring Valley</td>
<td>Dan Hammon</td>
<td><a href="mailto:jdhammon@coloradomtn.edu">jdhammon@coloradomtn.edu</a></td>
<td>970-947-8256</td>
</tr>
<tr>
<td>Breckenridge &amp; Dillon</td>
<td>Andrew Pyrc</td>
<td><a href="mailto:apyrc@coloradomtn.edu">apyrc@coloradomtn.edu</a></td>
<td>970-986-5816</td>
</tr>
<tr>
<td>Vail/ Eagle Valley</td>
<td>Jan Abbott</td>
<td><a href="mailto:jlabbot@coloradomtn.edu">jlabbot@coloradomtn.edu</a></td>
<td>970-569-2975</td>
</tr>
<tr>
<td>Leadville &amp; Salida</td>
<td>Jen Speight</td>
<td><a href="mailto:jgspeight@coloradomtn.edu">jgspeight@coloradomtn.edu</a></td>
<td>719-486-4200 ext 4203</td>
</tr>
<tr>
<td>Rifle</td>
<td>Jennifer Boone</td>
<td><a href="mailto:jboone@coloradomtn.edu">jboone@coloradomtn.edu</a></td>
<td>970-625-6928</td>
</tr>
<tr>
<td>Steamboat Springs</td>
<td>Elisha Colson</td>
<td><a href="mailto:ecolson@coloradomtn.edu">ecolson@coloradomtn.edu</a></td>
<td>970-870-4450</td>
</tr>
</tbody>
</table>

**Online Learning** Contact the closest campus to the student’s residence.

**Appropriate Use of Technology Statement**

Colorado Mountain College owns and operates a variety of technology and telecommunications’ equipment, systems, networks and resources which are provided for use by faculty, students, administration and staff in support of the programs and mission of the college, and are to be
used only for education, instruction, administration, public service and other purposes related to the mission of the college. Commercial uses are prohibited.

Use of the college’s technology and telecommunications resources is not a right, but a privilege, much like the privilege of using CMC libraries. All users of college technology resources are expected to use those resources in a responsible, ethical, efficient, and professional manner consistent with all applicable laws and policies. Violation of these policies may be grounds for loss of privileges, disciplinary action under other college policies, or legal sanctions under federal, state, and local laws.

Complete details of the Appropriate Use of Technology Statement and the Computer and Telecommunication policy may be obtained through the Campus Vice President, designee, Advisor, or College Counselor at your campus.

Copyright Infringement Information

Colorado Mountain College is committed to compliance with the laws and preservation of the rights of copyright owners and users of copyrighted materials. Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement. As outlined in CMC’s Student Code of Conduct, unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, or any other violations of copyright laws may be grounds for disciplinary action up to and including suspension or termination from the College, and may subject the student to civil and criminal liabilities. Reports of copyright infringement should be submitted through CMC Cares and will be promptly processed by the appropriate administration. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or statutory damages affixed at not less than $750 and not more than $30,000 per work infringed. For "willful" infringement, a court may award up to $150,000 per work infringed. A court can, at its discretion, also assess costs and attorneys' fees. See Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to $250,000 per offense. For more information, please see the website of the U.S. Copyright Office at https://copyright.gov.

Complaint Processes

The goal of complaint processes at Colorado Mountain College (CMC) is to respond to students promptly, provide information that answers the student’s questions and concerns, and come to a resolution agreeable to the student and the college. The College has established the following formal and informal processes, to be followed depending on the type of complaint:

1. **CMC Code of Student Conduct or Policy Violation**  
   See CMC Code of Conduct and Adjudication process.

2. **Credit Transfer Questions and Complaints**  
   If you are denied transfer credit after meeting the requirements, please contact your
college transfer advisor for [policies and procedures](https://highered.colorado.gov/filing-student-complaint). Additional information is available at [https://highered.colorado.gov/filing-student-complaint](https://highered.colorado.gov/filing-student-complaint).

3. **Disability-Related or Discrimination Complaint Procedure**
   See [Discrimination Complaint Procedure](https://highered.colorado.gov/filing-student-complaint) for concerns, inquiries, or specific complaints of alleged discrimination or non-compliance with state or federal regulations.

4. **Financial Aid Appeal**

5. **Grade Appeal**
   See [Grade Appeal](https://highered.colorado.gov/filing-student-complaint) procedure.

6. **Other Complaints**
   Complaints unrelated to processes noted above may utilize a process outlined in the Discrimination Complaint Procedure.

7. **Sexual Harassment and Sexual Misconduct Reporting and Grievance Procedure**
   See [Sexual Misconduct Policy and Procedure](https://highered.colorado.gov/filing-student-complaint) and [Sexual Harassment Procedure](https://highered.colorado.gov/filing-student-complaint).

### Discrimination Complaint Procedure

Students with a disability-related concern are encouraged to first discuss their complaint or issue with the campus Access Coordinator. Most disability-related issues or complaints about accommodations, services, faculty, staff, other campus departments, programs, or facilities are generally resolved at this level. A student may bypass the campus level and initiate the College Discrimination complaint process by filing a disability-related complaint.

Disability-related or discrimination complaints, whether or not in writing, may be submitted to Lisa Doak, Assistant Vice President for Student Services, who serves as the ADA Officer at 802 Grand Avenue, Glenwood Springs, CO 81601, or ldoak@coloradomtn.edu, 970-947-8351. See the Discrimination Complaint Procedure below; contacts and resources are at the end of this section.

The College expressly prohibits any prohibited discrimination carried out by employees, students, or third parties. The College will take steps to prevent the recurrence of such conduct and correct its discriminatory effects on the complainant and others. To that end, the College will follow reporting, investigation, and grievance procedures in substantially the form outlined in the CMC Procedures for Investigation of Discrimination and summarized below.

The College’s Title IX Coordinator will administer student discrimination complaints. (Disability complaints may be submitted, whether or not in writing.) A discrimination complaint includes the following information:

- signed by the grievant or complainant;
- describe in detail the specific incident(s), occurrence(s), decision(s), and other factual matters believed to constitute unlawful discrimination, harassment, or retaliation;
c) name as the respondent(s) the individual, department, committee, or other body whom the complainant believes to have engaged in prohibited behavior; and

d) include a brief statement describing the resolution, relief, or action requested by the complainant.

Notifications

The responsible administrators shall broadly disseminate written notice of the college’s policy of nondiscrimination in its publications, websites, handbooks, and other locations to reach the broadest possible audience, including students, employees, and vendors. Such notice shall include contact information for the responsible administrators identified above.

Retaliation

The College prohibits retaliation against individuals who engage in the protected activity of filing a complaint, reporting prohibited discrimination, or participating in an investigation or complaint. Retaliatory action is a basis for a separate complaint under the College’s Nondiscrimination Policy and accompanying procedures. It can lead to the same sanctions as may be imposed for findings of prohibited discrimination. Retaliation complaints can be pursued against individuals who did not engage in discrimination but instead retaliated against complainants, witnesses, or others involved in an investigation or complaint.

Reporting, Investigation, and Grievance Procedures

The College expressly prohibits any prohibited discrimination carried out by employees, students, or third parties. The College will take steps to prevent the recurrence of such conduct and correct its discriminatory effects on the complainant and others. To that end, the College will follow reporting, investigation, and grievance procedures in substantially the form set forth below in response to complaints of such discrimination. These procedures will replace any student conduct code or employee grievance procedures unless the College determines, at its discretion, that another procedure should be used to resolve a particular matter. The College may, at its discretion, modify its investigation and grievance procedures to promote full and fair resolution of complaints regarding prohibited discrimination in accordance with applicable law.

Reporting Prohibited Discrimination

An individual with questions or a possible complaint of prohibited discrimination should contact the appropriate College official set forth above under “Administration of Complaints.” Current contact information for these officials is outlined in an Addendum to these Procedures.

Any employee or student who is found to have made an intentionally false or malicious report or complaint of sexual harassment or retaliation may be subject to corrective or disciplinary action, up to and including termination or expulsion.

Informal Resolution Process

Discrimination or other complaints alleging violation of College Policy may be resolved using an informal resolution process overseen by one or more College representatives if (i) the College determines, in its discretion, that such a process would be appropriate; and (ii) all parties agree to participate in the informal resolution process and agree to a resolution. The College may provide mediation, using trained mediators, between the involved parties and coordinate other
informal and voluntary resolution measures. Any party may request that the informal resolution process be terminated at any time, at which time the formal resolution process (described below) commences. In addition, any party can initiate the formal resolution process if the party is dissatisfied with a proposed informal resolution.

Investigations and Formal Resolution Process

The College will initiate a formal resolution process in any matter where the informal resolution process is not available or when the College deems it appropriate.

- Following a report of a violation of College Policy involving prohibited discrimination by an employee, the Director of Human Resources, or a designee, will review the complaint to determine whether the conduct may be a violation, and also may investigate to determine whether or not the conduct occurred and, if the conduct occurred, what actions should be taken by the College.

- Following a report of a violation of College Policy involving prohibited discrimination by a student, the College employee designated in the Student Handbook, or a designee, will review the complaint to determine whether the conduct may be a violation, and also may investigate to determine whether or not the conduct occurred and, if the conduct occurred, what actions should be taken by the College.

In all cases, a formal investigation will include the following steps:

Promptly following a report as described above, any employee or student suspected or accused of violating College Policy 5.4 or 6.1 will be provided with a written explanation indicating that an investigation has commenced, a description of the alleged actions or conduct leading to the investigation, and the specific policy provisions that relate to the alleged violation.

The College will commence the investigation as soon as is practicable under the circumstances, using all reasonable efforts to complete its investigation within 60 days of the filing of a complaint or within 60 days of the date on which the College becomes aware of suspected discrimination or harassment, subject to any factors which delay the investigation beyond the College’s control. As part of the investigation, the College will establish a timeframe for how long it will take to issue a written outcome of the complaint by scheduling dates for a hearing, completion of the initial investigation, completion of the investigation report, final decision-making and/or determination of sanctions.

The nature and extent of the investigation will vary depending upon the circumstances, including whether the parties are amenable to pursuing an informal resolution if appropriate. The person designated as an investigator for any complaint (the “Investigator”) will conduct fact-finding, review of written and other evidence, and witness interviews. The Investigator will interview both the complainant and the respondent and allow both parties to provide information regarding the complaint. To help ensure a prompt and thorough investigation, the complainant and the respondent may be required to provide as much information as possible relating to the conduct, including the individuals involved, all relevant details and circumstances pertaining to the conduct, names of witnesses, and any other information that the complainant or the respondent believes to be relevant to the investigation. As appropriate, the Investigator will interview witnesses with pertinent information.
Complainants and respondents will be provided with the following procedural protections in connection with the resolution of suspected or alleged violations of college nondiscrimination policies:

- The opportunity to review any information that will be offered by the other party in support of the other party’s position (to the greatest extent possible and consistent with FERPA or other applicable law).
- The opportunity to identify witnesses who can provide information about the alleged conduct at issue.
- The right to bring a victim advocate or advisor of the respondent or complainant’s choice to all phases of the investigation and campus conduct proceeding, provided that such advisor does not directly participate in the investigation, interviews, or other proceedings.
- The opportunity to speak, ask questions, or present witnesses and other evidence on their own behalf. Questions may be posed to the Investigator, but cross-examination by either the complainant or the respondent will not be permitted.
- The right to be informed of the outcome of the investigation.
- The opportunity to appeal the outcome of the investigation.

At the conclusion of the investigation, the Investigator will prepare a written report summarizing the investigation and findings. The Investigator will include in the report findings of facts based solely on the evidence presented at the hearing.

The official designated by the College as the Decision-Maker for purposes of the investigation will review the Investigator’s report and determine whether a violation of policy has occurred. The standard used to determine whether the respondent has violated College Policies 5.4 or 6.1 is whether it is more likely than not that the respondent has engaged in behavior prohibited by the Policy. This is often referred to as a “preponderance of the evidence” standard. For purposes of both the investigation and decision-making process, the College will strive to be complete, thorough, and impartial, basing all decisions on evidence and information determined to be reliable.

Sanctions and Corrective Actions

If at the conclusion of the investigation, the College Decision-Maker determines that it is more likely than not that a violation of a College’s nondiscrimination policy has occurred, they will, in consultation with student affairs and/or human resources representatives, determine what, if any, sanctions or corrective actions are appropriate. The range of potential sanctions that may be imposed against a student includes, but is not limited to, the following: written or verbal apology, discrimination or harassment education, verbal or written warning, probation, suspension and dismissal from the College. Employees may be subject to corrective actions including disciplinary action up to and including termination. Guests and other third parties who are found to have violated a College nondiscrimination policy are subject to action deemed appropriate by the College, which may include removal or exclusion from the College, termination of any applicable contractual or other arrangements with the College and any other remedies available through law or equity. In instances where the College is unable to take disciplinary or other corrective action in response to a violation of a nondiscrimination policy
because a complainant requests confidentiality or for some other reason, the College will nonetheless pursue other steps to limit the effects of the misconduct at issue and prevent its recurrence.

Interim Measures

The College reserves the right to provide appropriate interim measures to address both parties' safety and well-being prior to the investigation's final outcome. The College may temporarily suspend any member of the College community suspected or accused of violating a College nondiscrimination policy or take any other interim measures the College deems appropriate. The College will provide a written explanation of assistance and accommodation options to each complainant. Such interim measures may include, but are not limited to, removing or relocating a student from campus housing, modifying course schedules, and imposing a “no contact” requirement. Any such interim measures will be taken to minimize the burden on the complainant to the extent possible. The College will take reasonable steps to prevent the recurrence of any prohibited discrimination, including retaliation, and to correct discriminatory effects on the complainant and others.

Right to Appeal

Either the complainant or the respondent may appeal, provided that the grounds for any appeal shall be limited to one of the following:

- The established procedures were not followed in a significant way and, as a result, the factual findings, the sanction, or both, were not correct.
- The severity of the sanction imposed was not appropriate based on the nature of the violation or the circumstances.
- The discovery of new evidence unavailable during the original hearing or investigation, which could substantially impact the original finding or sanction. A summary of the new information must be included with the student’s request for appeal.

The President’s decision on whether or not to overturn or modify the outcome shall be solely based on the grounds for appeal listed above. Neither party shall be entitled to a hearing concerning any appeal, but the President may request written submissions from the parties or consider any other information as deemed appropriate. If the President cannot resolve the appeal for any reason, the College will designate another representative to decide the appeal. Both parties will be informed in writing of the outcome of any appeal within fourteen (14) days of the date by which all requested information is received unless the President determines that additional time is required.

Contact Information and Resources

Colorado Mountain College does not discriminate on the basis of age, color, disability, gender identity, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, veteran status, and family and genetic information, in its programs and activities as required by Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act of 1990, as amended, Section 504 of the Rehabilitation Act of 1973, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and as provided in other applicable statutes and College policies. The College prohibits sexual
and gender-based harassment, including sexual assault, and other forms of interpersonal violence.

Student Inquiries

The following person has been designated to serve as the overall coordinator of student inquiries under Title IX, the Disabilities Act, the Rehabilitation Act, and other College policies prohibiting discrimination:

Lisa Doak
Title IX Coordinator
ldoak@coloradomtn.edu
970-947-8351
802 Grand Avenue
Glenwood Springs, Colorado 81601

Employee Inquiries

The following person has been designated to handle employee inquiries regarding the Americans with Disabilities Act, the Rehabilitation Act, and other employee complaints of unlawful discrimination other than Title IX matters:

Angela Wurtsmith
Executive Director of Human Resources
awurtsmith@coloradomtn.edu
970-947-8311
802 Grand Avenue
Glenwood Springs, Colorado 81601

Employee inquiries under Title IX should be directed to the Title IX Coordinator listed under Student Inquiries above.

Other Resources

- Colorado Civil Rights Division, 1560 Broadway, Suite 825, Denver, Colorado 80202, Telephone 303-894-2997, DORA_CCRD@State.co.us, https://ccrd.colorado.gov/

Drug and Alcohol Use/Abuse Prevention Program

Colorado Mountain College complies with the Drug Free Schools and Communities Amendments of 1989 (PL 101-226 in Federal Law). The college adopts the following drug and alcohol abuse prevention program:

1. Standards of conduct
   Students and employees shall not engage in the unauthorized or unlawful use, possession,
manufacture, distribution, or dispensation of alcohol and/or illicit drugs on college property or as part of college courses or activities. Although possession and use of marijuana is no longer a crime in the State of Colorado, the possession and use of marijuana remain 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 or employee is on college property, including residence halls or as part of college courses/activities.

2. **Penalties that the college may impose**
   Students and/or employees who violate the above standard of conduct will be subject to disciplinary action under employee and student disciplinary policies. The sanctions include but are not limited to, a requirement to complete an appropriate rehabilitation or re-entry program; suspension from college housing; expulsion from the college or termination of employment; and/or referral to authorities for prosecution. See [Student Amnesty for Alcohol and Drug Emergencies](#).

3. **Legal sanctions that may be imposed by law enforcement agencies**
   The unauthorized or unlawful possession, use, or distribution of illicit drugs or alcohol may subject the individual to specific penalties. The penalties include the imposition of a citation and a fine to a jail term. Any student or employee who is convicted of the unlawful possession, use of, or distribution of illicit drugs or alcohol is subject to criminal penalties under local, state, and federal law. The exact penalty depends upon the nature and severity of the individual offense and the municipality where the event occurred.

4. **Health risks associated with the use of illicit drugs and alcohol abuse**
   Health risks associated with drugs and alcohol include, but are not limited to, malnutrition, brain damage, heart disease, pancreatic disease, cirrhosis of the liver, mental illness, death, low birth weight babies, and babies with drug addictions.

5. **Available counseling, treatment, rehabilitation, or re-entry program**
   Counseling, treatment, rehabilitation, or re-entry program information can be procured from the Campus Vice President or designee at each site.

### Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of the student’s permanent educational records. Details of this act and the college’s related policies may be found in the current [Colorado Mountain College Catalog](#).

1. FERPA gives students certain rights concerning their education records.
2. Students have the right to inspect and review their education records maintained by the school.
3. Students have the right to request that a school correct records they believe to be inaccurate or misleading.
4. Generally, schools must have written permission from the student to release any information from a student’s permanent record. However, FERPA allows schools to disclose those records, without consent, to specified individuals and agencies (34 CFR § 99.31):
   - School officials with legitimate educational interest;
   - Other schools to which a student is transferring;
• Specified officials for audit or evaluation purposes;
• Appropriate parties in connection with financial aid to a student;
• Organizations conducting certain studies for or on behalf of the school;
• Accrediting organizations;
• To comply with a judicial order or lawfully issued subpoena;
• Appropriate officials in cases of health and safety emergencies; and
• State and local authorities within a juvenile justice system, pursuant to specific state law.

Colorado Mountain College designates the following items as Directory Information: student name, dates of attendance, enrollment status, degrees, and awards received, activity and sport participation, and major. The college will disclose any of those items without prior written consent unless notified in writing to the contrary by the first official class meeting date of each term. This date is found in the college catalog. This notification of non-disclosure is good until rescinded, in writing, by the student.

Colorado Mountain College does not release lists of students for commercial use. The college does release lists of students, upon written request, to military recruiters in accordance with the Federal Solomon Amendment.

**General Marijuana Information**

*Where can I consume marijuana legally?*

Colorado Mountain College DOES NOT allow the possession or use of marijuana (medical or retail) on school property. Marijuana remains illegal under federal law and is addressed in the Student Handbook under the code of conduct.

Any person consuming marijuana off-campus, coming to the college under the influence, or having a distracting odor may be asked to leave the building. Students on campus having a distinct odor of marijuana may be questioned to determine if CMC policies have been violated on campus.

The open and public consumption of marijuana is not allowed in the following locations:

- Any public lands, grounds, or outdoor areas, such as public ways, streets, sidewalks, alleys, parking lots, or playgrounds
- Common areas of buildings usually open to the general public, and
- Any other outdoor areas open to the general public.

**Student Amnesty for Alcohol and Drug Emergencies**

Colorado Mountain College is committed to ensuring a student’s health, safety, and well-being. To that end, the college seeks to reduce barriers for students who may need to seek emergency assistance for themselves or others when alcohol or other drugs may be involved. Any student who actively seeks to contact a member of the college staff or certified emergency medical personnel to report incidents of domestic violence, dating violence, stalking, sexual assault, or a
medical emergency when their or another person's health or safety may be in jeopardy will not be referred to the student conduct process as it relates to alcohol or other drugs.

Students that commit other college or criminal violations (i.e., vandalism, disorderly conduct, possession of false identification, sale to minors, etc.) associated with the incident may be referred to the student conduct process. No part of this policy will preempt any civil or criminal charges/proceedings brought forth by non-college parties. While individuals who invoke the medical amnesty policy for themselves or another student will not be referred to the student conduct process as it relates to alcohol or other drugs, individuals may be required, depending on the circumstances, to complete educational and/or health requirements as deemed necessary by the Office of Student Life and Housing or the Associate Dean of Student Affairs. These educational and/or health requirements may include, but are not limited to, an online or in-person educational program, a substance abuse evaluation, independent treatment as warranted, and/or appropriate follow-up with internal or external agencies. Students who fail to complete required programs will be charged with violating the Student Code of Conduct. Students are allowed to invoke this policy as needed proactively; however, repeated use of the policy may require further action by the college to ensure a community member's health, safety, and well-being. This policy applies only when a person provides the first notification for an emergency, and its use retroactively would be contrary to the policy's intent.

**Title IX Sexual Harassment and Sexual Misconduct Policy and Procedure**

1. **Introduction**

   CMC prohibits discrimination on the basis of sex in its education and employment programs and activities in furtherance of its inclusivity objectives, as detailed in College policies 1.1 (inclusivity) and 3.12, together with the college’s sexual misconduct procedure 3-A. This procedure is added in order to comply with the 2020 implementing regulations (34 C.F.R. Part 106) under Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681-88). The college has retained its policy and procedures relating to sexual misconduct so that certain conduct not covered by this Procedure may be prohibited under CMC’s sexual misconduct policy and procedure.

   Inquiries regarding the application of Title IX and implementing regulations may be referred to the Title IX Coordinator identified in this Procedure, to the Assistant Secretary of the U.S. Department of Education, or both.

2. **Definition**

   The following definitions apply throughout this Policy:

   2.1. “Complainant” means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

   2.2. “Decision-Maker” means the person, or group of persons, designated to make final decisions concerning findings of fact, determinations of responsibility for policy or procedural violations, or sanctions to be imposed upon any person who is determined to be responsible for engaging in prohibited conduct. There may be more than one Decision-Maker. For example, a hearing officer or panel may decide on final findings of fact along with recommendations to another Decision-Maker for final determinations of responsibility and sanctions.
2.3. “Education Program or Activity” includes locations, events, or circumstances over which the Institution exercised substantial control over the Respondent and the context in which the Sexual Harassment occurs, and any building owned or controlled by a student organization that the Institution officially recognizes.

2.4. “Formal Complaint” means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the Institution investigate the allegation of Sexual Harassment.

2.5. “Mandatory Reporter” means an employee who is obligated under this Procedure to report instances of conduct that may constitute Sexual Harassment or Retaliation to the Title IX Coordinator.

2.6. “Party” means Complainant or Respondent.

2.7. “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment or Retaliation.

2.8. “Retaliation” means intimidation, threats, coercion, or discrimination against any individual to interfere with any right or privilege secured by Title IX or its implementing regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.

2.9. “Sexual Harassment” means conduct on the basis of sex that satisfies one or more of the following:

   2.9.1. An employee conditions the provision of an aid, benefit, or service of the Institution on an individual’s participation in unwelcome sexual conduct;

   2.9.2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Institution’s Education Program or Activity; or


2.10. “Supportive Measures” means non-disciplinary, non-punitive individualized services offered to the Complainant or Respondent, as further described in Section 5 below.

2.11. “Title IX Coordinator” shall be appointed by the college President & CEO from time to time. As of the date of this Procedure, CMC’s Title IX Coordinator is Lisa Doak, ldoak@coloradomtn.edu, 970-947-8351, CMC Central Services Office, Student Affairs, 802 Grand Avenue, Glenwood Springs, CO, 81601. Information regarding non-discrimination may be found at https://coloradomtn.edu/notice-of-nondiscrimination/. For the purpose of this Policy, actions to be taken by the Title IX Coordinator may be completed by the Title IX Coordinator’s designee.
3. **Jurisdiction/Applicability**

3.1. The provisions of this Procedure apply to all conduct that is included within the definition of Sexual Harassment, or any reported instances of alleged Sexual Harassment, that occur while the Complainant is in the United States and is participating in, or attempting to participate in, an Education Program or Activity of the Institution.

4. **Reports of Alleged Sexual Harassment**

4.1. At any time, any person may report sex discrimination, including alleged Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of sex discrimination), in person, by mail, by telephone, or by electronic mail to the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.

4.2. Any Mandatory Reporter who receives a report of alleged Sexual Harassment must promptly report the alleged Sexual Harassment to the Title IX Coordinator.

4.3. Upon receiving a report of alleged Sexual Harassment, the Title IX Coordinator will promptly:

4.3.1. Inform the Complainant of the method for filing a Formal Complaint.

4.3.2. Inform the Complainant of the availability of Supportive Measures with or without the filing of a formal complaint.

4.3.3. Offer Supportive Measures to the Complainant, the Respondent, or both, as detailed in Section 5 below.

5. **Supportive Measures; Interim Actions**

5.1. The Title IX Coordinator will ensure that Supportive Measures are offered to the Complainant and/or the Respondent as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent. Supportive Measures may be offered before or after the filing of a Formal Complaint, or where no Formal Complaint has been filed.

5.2. The purpose of Supportive Measures is to restore or preserve equal access to the college’s Education Program or Activity without unreasonably burdening the other Party. Supportive Measures include measures designed to protect the safety of all Parties or the Institution’s educational environment, as well as measures designed to deter sexual harassment.

5.3. Supportive Measures may include, but are not limited to:

5.3.1. Referral to counseling, medical, or other health care services;

5.3.2. Referral to other community-based service providers;

5.3.3. Student financial aid counseling and academic advising;

5.3.4. Academic support, extensions of deadlines or other program- or course-related adjustments;

5.3.5. Modifications of work or class schedules;

5.3.6. Campus escort services;
5.3.7. Mutual restrictions on contact between the Parties;
5.3.8. Changes in work or housing locations;
5.3.9. Leaves of absence;
5.3.10. Safety planning;
5.3.11. Increased security and monitoring of certain areas of the campus, and
5.3.12. Other similar measures.

5.4. Supportive Measures do not include disciplinary sanctions against another person. The Formal Resolution Process, as detailed in Section 8 below, must be completed before disciplinary sanctions may be imposed on a Respondent.

5.5. CMC may suspend or temporarily remove a Respondent from its Education Programs or Activities on an emergency basis if the Title IX Coordinator:

5.5.1 Undertakes an individualized safety and risk analysis, performed by the Title IX Coordinator in conjunction with the Campus Student Care Support Team using its standard objective violence risk assessment procedures.

5.5.2 Determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal; and

5.5.3 Provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

5.6. CMC may place a non-student employee Respondent on administrative leave during the pendency of the Formal Resolution Process set forth in Section 8 below.

5.7. CMC will maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that confidentiality would not impair the ability of the Institution to provide the Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

6. Fair and Equitable Process

6.1. No individual designated as a Title IX Coordinator, Investigator, Decision-Maker, Appeal Decision-Maker, or person designated to facilitate an informal resolution process may have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

6.2. CMC will not make credibility determinations based on a person’s status as a Complainant, Respondent, or witness.

6.3. A Respondent is presumed not responsible for alleged conduct until a determination regarding responsibility is made at the conclusion of the Formal Resolution Process set forth in Part 8 below.

6.4. Throughout the processes described herein, the college will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence.
6.5. The processes described herein are subject to the reasonably prompt timeframes stated. These timeframes may be extended for good cause upon written notice to the Parties setting forth the reason for such extension. Good cause may include considerations such as the absence of a Party, a Party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

7. Informal Resolution Process

7.1 The informal resolution process is sometimes offered as a voluntary means of settling disputes without proceeding to the hearing described below. Informal resolution may include, for example, early neutral evaluation, negotiation, conciliation, mediation, and arbitration. Participation in an informal process is voluntary, and no party shall be required to engage in this alternative process.

Availability of Informal Resolution Process

7.2 The Title IX Coordinator may offer the informal resolution process to the Parties in certain circumstances after a formal complaint is filed and only if all Parties voluntarily consent, in writing, to the informal resolution process. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the formal resolution process described below.

7.3 The informal resolution process is not available to resolve allegations of Sexual Harassment in which the Complainant is a CMC student and the Respondent is a CMC employee.

7.4 The informal resolution process, if available, may be implemented any time prior to reaching a determination regarding responsibility.

Notice of Availability

7.5 If the informal resolution process is available, the Title IX Coordinator will issue written notice to the parties disclosing:

7.5.1 The allegations;

7.5.2 The requirements of the informal resolution process, including the circumstances under which it precludes the Parties from resuming a Formal Complaint arising from the same allegations;

7.5.3 Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; and

7.5.4 That either Party may withdraw from the informal resolution process and resume the formal grievance process prior to agreeing to a resolution.

Timeframe

7.6. CMC will make a good faith effort to promptly complete the informal resolution process, without jeopardizing the rights of a Party.

Disposition of Grievance

7.7. After the Parties have agreed to a resolution that is accepted by the Title IX Coordinator, neither Party may appeal the resolution.
8. Formal Resolution Process

**Formal Complaint**

8.1. A Formal Complaint may be filed by a Complainant or by the Title IX Coordinator. A Formal Complaint may be brought to the attention of the Title IX Coordinator by contacting Lisa Doak, ldoak@coloradomtn.edu, 970-947-8351, CMC Central Services Office, Student Affairs, 802 Grand Avenue, Glenwood Springs, CO, 81601. Reports or complaints may also be submitted via CMC’s online reporting portal known as **CMC Cares**. Formal complaints require either digital or physical signatures. CMC will investigate the allegations in a formal complaint.

**Dismissal**

8.2. The Title IX Coordinator will dismiss a Formal Complaint, and no investigation will be conducted under this policy, if:

8.2.1. The conduct alleged in the Formal Complaint would not constitute Sexual Harassment even if proved; or

8.2.2. The conduct alleged in the Formal Complaint did not occur within the Jurisdiction/Applicability of the policy, as described in Section 3 above.

8.3. The Title IX Coordinator may dismiss a Formal Complaint, or any allegations therein, at any time during the investigation or hearing, if:

8.3.1. The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;

8.3.2. The Respondent is no longer enrolled or employed by the Institution; or

8.3.3. Specific circumstances prevent the Institution from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

8.4. The dismissal of a Formal Complaint does not preclude the college from conducting an investigation or taking action under CMC's Sexual Misconduct policy or procedures, code of student conduct, anti-discrimination policies, or other applicable policies with regard to prohibited conduct that is not subject to this Procedure.

8.5. Upon dismissal of the Formal Complaint or any allegations therein, the Title IX Coordinator will promptly send written notice of the dismissal and the reasons therefore simultaneously to the Parties.

**Consolidation**

8.6. The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment where the allegations of Sexual Harassment arise from the same facts or circumstances.

**Timeframe for Conclusion**

8.7. CMC will make a good faith effort to complete the formal resolution process, including the hearing but excluding appeals, reasonably promptly under the circumstances, without jeopardizing the rights of a Party.
Written Notice

8.8. Upon receipt of a Formal Complaint, the Title IX Coordinator will issue written notice of allegations to the Respondent and Complainant, if known. The written notice will be provided to each Party with sufficient time to prepare a response before any initial interview. The notice of allegations will include:

8.8.1. Notice of this Procedure and the processes within this Procedure, including the informal resolution process described above;
8.8.2. The identities of the Parties involved, if known;
8.8.3. The conduct allegedly constituting sexual harassment;
8.8.4. The date and location of the incident, if known;
8.8.5. A statement that the Respondent is presumed not responsible for the alleged conduct;
8.8.6. A statement that a determination regarding responsibility is made at the conclusion of the formal resolution process;
8.8.7. A statement that Parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
8.8.8. A statement that Parties may inspect and review evidence;
8.8.9. A statement that knowingly making false statements or knowingly submitting false information during this process is prohibited.

8.9. If, during the course of an investigation, the Institution decides to investigate additional allegations about the Complainant or Respondent relating to the same facts or circumstances but not included in the earlier written notice, the Institution will provide notice of the additional allegations to the Parties whose identities are known.

Advisor

8.10. Each Party has the right to have an advisor of their choice, but Parties are not required to have an advisor. The advisor may be, but need not be, an attorney.

8.11. The advisor may be present at any proceedings that are part of the formal resolution process. If a Party wishes to have an advisor present at a proceeding, the college will work within reason to schedule the proceeding so the advisor may attend, without unreasonably delaying the progress of the formal resolution process. Except as described below, a Party’s advisor may not speak on behalf of the Party.

Investigation

8.12. CMC, and not the Complainant or the Respondent, has the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility.

8.13. CMC cannot access, consider, disclose, or otherwise use a Party’s records that are made or maintained by a health care professional acting in their professional capacity, and which are made or maintained in connection with the provision of treatment to the Party, unless the Institution obtains that Party’s voluntary written consent to do so for the resolution process.
8.14. During the investigation, each Party has an opportunity to present witnesses and evidence to the Investigator.

8.15. The Investigator will provide, in advance and with reasonable opportunity to prepare, written notice of the date, time, location, participants, and purpose of any investigative interview or other meeting to any Party whose participation is invited or expected.

8.16. Prior to conclusion of the investigation, the Title IX Coordinator or Investigator will send to each Party and to each Party’s advisor, if any, all evidence obtained as part of the investigation, whether or not the Institution intends to rely on such evidence in reaching a determination regarding responsibility, that is directly related to the allegations raised in the Formal Complaint.

8.17. Each Party may submit a written response, which the investigator will consider prior to conclusion of the investigation and completion of the investigative report. The written response, if any, must be submitted to the Investigator by the deadline designated by the Investigator, which will be at least ten days after the Investigator sends the evidence to the Party, unless the deadline is extended for good cause.

8.18. The Investigator will create an investigative report that fairly summarizes relevant evidence. The Investigator must conduct an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence.

8.19. At least ten days prior to the scheduled hearing, the Title IX Coordinator will send to each Party and to each Party’s advisor, if any, the investigative report. Each Party may submit a written response to the report, which the Title IX Coordinator will submit to the hearing officer(s) for consideration at the hearing. The written response, if any, must be submitted to the Title IX Coordinator by the deadline designated by the Title IX Coordinator, unless the deadline is extended for good cause.

**Hearing and Decision-Makers**

*General Conduct of the Hearing*

8.20. The hearing officer, if acting alone, or the hearing panel, if more than one hearing officer is appointed, shall conduct a live hearing, either in-person or remotely. Prior to the hearing, the hearing officer(s) will review the investigative report and the written responses provided by the Parties, if any.

8.21. The hearing may occur in person or virtually, at the discretion of the hearing officer or panel. If either Party submits a request no later than three days prior to the scheduled hearing, the hearing will occur virtually in a manner allowing the participants to simultaneously see and hear the party or witness answering questions.

8.22. Hearings will be recorded. The recording will be available to the Parties for inspection and review.

*Standard of Evidence; Relevance*

8.23. The determination of responsibility will be made by the hearing officer(s) using the preponderance of the evidence standard.
8.24. In making a determination of responsibility or sanctions, the hearing officer(s) may only consider relevant evidence. Relevant evidence is evidence having any tendency to make the existence of any fact that is of consequence to the determinations to be made more probable or less probable than it would be without the evidence.

8.25. Hearing officers will not consider:

8.25.1. Evidence about the Complainant’s sexual predisposition or prior sexual behavior, except that hearing officers may consider:

8.25.1.1. Evidence about the Complainant’s prior sexual behavior, when offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or

8.25.1.2. Evidence concerning specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent, when offered to prove consent.

8.25.2. Any statement of a Party or witness, if the Party or witness does not submit to cross-examination at the hearing, in reaching a determination regarding responsibility.

8.25.3. Hearing Officers will not draw an inference about the determination regarding responsibility based solely on a Party’s or witness’s absence from the hearing or refusal to answer cross-examination or other questions.

8.25.4. Information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

8.26. Hearing officers must conduct an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person’s status as a Complainant, Respondent, or witness.

Witness Examination

8.27. Hearing officers will allow each Party’s advisor to examine witnesses upon request by the Party. Cross examination may not be conducted by either Party. Cross-examination may only be conducted by an advisor acting on a Party’s behalf.

8.28. If a Party wishes to ask cross examination questions of a Party or witness and does not have an advisor, the college will select and provide an advisor to the Party, free of charge, for the limited purpose of conducting cross examination.

8.29. Only relevant cross-examination questions may be asked of a Party or witness. Before a Party or witness answers a question, hearing officers will determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Remedies/Sanctions

8.30. The college will, from time to time, allocate decision-making responsibilities among one or more persons, including non-employee professionals. The responsibilities to be allocated include findings of fact, determinations of responsibility, or determinations of sanctions. Such allocations will be determined prior to or upon receipt of a complaint that may require a formal hearing.
8.31. Remedies are designed to restore or preserve equal access to the college’s Education Program or Activity. Remedies may be disciplinary or punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for the effective implementation of remedies.

8.32. If a Respondent is found responsible for Sexual Harassment under this Policy, potential sanctions include expulsion (permanent), suspension, probation, removal from employment at CMC, conditional employment, conditional enrollment, or other sanctions as determined appropriate by the sanction officer.

Written Determination

8.33. After considering the investigative report, including any Party’s written responses to the investigative report and all relevant evidence presented at the hearing, one or more Decision-Makers will issue a written determination concerning the authority allocated by the college to such Decision-Makers. The Title IX Coordinator will provide the written determination simultaneously to the Parties.

8.34. The written determination will include:

- Identification of the allegations potentially constituting Sexual Harassment.
- A description of the procedural steps from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews, site visits, methods used to gather other evidence, and hearings held.
- Findings of fact supporting the determination.
- Conclusions regarding the application of college policy and legal requirements to the facts;
- A statement of, and rationale for, the result as to each allegation, including:
  - A determination regarding responsibility;
  - Any disciplinary sanctions imposed on the Respondent;
  - Whether remedies will be provided to the Complainant; and
  - Procedures and permissible bases for the Parties to appeal.

8.35. The written determination becomes final five business days after it is sent to the Parties, unless an appeal is filed.

Appeal

Appealable Issues

8.36. Either Party may appeal:

- Dismissal of a Formal Complaint or any allegations therein; or
- A determination regarding responsibility.

8.37. No other issue may be appealed.
Bases for Appeal

8.38. A Party may only appeal on one or more of the following bases:

8.38.1. Procedural irregularity that affected the outcome of the matter;

8.38.2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter (the requirement of a basis for appeal is not satisfied simply because evidence was not presented during the proceedings, if the evidence was reasonably available at the time the determination was made); or

8.38.3. The Title IX Coordinator, Investigator, hearing officer, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, that affected the outcome of the matter.

Filing an Appeal

8.39. If a Party wishes to file an appeal, the Party must notify the Title IX Coordinator in writing no later than five business days after the notice of dismissal or written determination is sent to the Party. The written appeal must state with specificity the issues being appealed and the bases for the appeal as described above.

Timeframe for Completion of Appeal

8.40. CMC will make a good faith effort to complete the appeal within 15 business days. This timeframe for completion of appeal may be extended for good cause. If the timeframe is extended, the Title IX Coordinator will notify both Parties in writing of the delay or extension and the reasons for the delay or extension.

Appeal Procedure

8.41. After receiving a timely written appeal, the Title IX Coordinator will notify the Parties in writing:

8.41.1. That the appeal was filed; and

8.41.2. The process for submitting a written statement in support of, or challenging, the issues being appealed.

8.42. The appeal, including any written statements submitted by the Parties, will be considered by the Appeal Decision-Maker. The Appeal Decision-Maker may also consider the investigative report, including any Party’s written response to the investigative report, all relevant evidence presented at the hearing, and any recording or transcript of the hearing.

8.43. The Appeal Decision-Maker will issue a written determination of appeal, which will describe the result of the appeal and the rationale for the result. The Title IX Coordinator will simultaneously provide the written determination of appeal to the Parties. The result of the appeal is final.
9. Retaliation

9.1. Retaliation is prohibited. A report of alleged Retaliation may be made to the Title IX Coordinator in person, by mail, by telephone, or by electronic mail. Any Mandatory Reporter who receives a report of alleged Retaliation must promptly report the alleged Retaliation to the Title IX Coordinator.

Sexual Misconduct Procedure

The following is a summary of the College’s Policy and Procedures relating to Sexual Misconduct as of September 1, 2015. The college has revised its Policy and Procedures to implement 2020 Title IX Sexual Harassment Regulations (34 C.F.R. Part 106) included immediately before this procedure. Reports of sexual misconduct not covered under the 2020 Title IX Sexual Harassment procedure may be adjudicated under the Sexual Misconduct Procedure. Persons wishing to review the current Title IX Sexual Harassment and Misconduct policies and procedures should contact the Title IX Coordinator at 970-947-8351.

It is the policy of the College to provide an educational and employment environment free of unlawful discrimination or harassment. The College prohibits all forms of discrimination, including sexual misconduct by students, faculty, staff and other members of the College community, as well as contractors, consultants, and vendors doing business with or providing services to the College.

Sexual Misconduct Procedure

The College is committed to the prompt and equitable investigation of all Sexual Misconduct complaints or reports, with appropriate remediation where it has been determined that this Policy has been violated.

The College will appoint and support a Title IX Coordinator who is responsible for implementing and monitoring Title IX compliance on behalf of the College, providing oversight of the Deputy Title IX Coordinators for Title IX matters and for all other duties specified by Title IX or the College from time to time. Any inquiries regarding compliance with Title IX or enforcement of the Sexual Misconduct Policy should be directed to the Title IX Coordinator.

All of the College’s Responsible Employees, as designated by the College President, must inform the Title IX Coordinator of all reports and complaints raising Title IX issues unless the person who is reporting a Sexual Misconduct Policy violation (“reporting person”) requests confidentiality and the employee, because of the employee’s role as a confidential resource by law or designation as described below, can honor that request. Any other requests for confidential treatment of a complaint or report shall be directed to and handled by the Title IX Coordinator.

The College shall designate one or more Deputy Title IX Coordinators for each campus who are responsible for coordinating training, education, communications, and administration of the complaint and grievance procedures for Sexual Misconduct complaints on that campus.

Notifications

The Title IX Coordinator shall broadly disseminate written notice of the Sexual Misconduct Policy in its publications, websites, handbooks and other locations to reach the widest audience.
reasonably possible, including students, employees and vendors. Such notice shall include contact information for the Title IX Coordinator and Deputy Title IX Coordinators. The Title IX Coordinator also shall inform students and staff of College policy on Sexual Misconduct through live or recorded training sessions.

Definitions and Examples of Prohibited Conduct
For purposes of implementing the Sexual Misconduct Policy, the following definitions will apply:

**Sexual Misconduct**
Sexual Misconduct, a form of unlawful discrimination, encompasses all forms of prohibited sexual or gender-based conduct which unreasonably interfere with an employee’s or student’s work, educational, or social performance at the College or any of its programs or activities (whether on- or off-campus) or creates an intimidating, hostile, or offensive work, educational, or social environment. Sexual Misconduct includes sexual harassment and sexual violence, each of which is further described below.

**Sexual Harassment**
Sexual harassment is defined as an interaction between individuals of the same or differing gender that is characterized by unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment, living conditions, educational evaluation, and/or ability to participate in a College activity; or
- Submission to or rejection of such conduct by an individual is used as the basis for tangible employment or educational decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or participation in an activity, or creating an intimidating, hostile or offensive working or educational environment.

Hostile environment sexual harassment is unwelcome sexual conduct that is sufficiently severe or pervasive that it alters the conditions of education or employment and creates an environment that a reasonable person would find intimidating, hostile, or offensive. The determination of whether an environment is “hostile” is a fact-specific inquiry based upon subjective and objective factors of the circumstances. These circumstances could include the frequency of the conduct, its severity, and whether it is threatening or humiliating. A single instance of sexual assault can constitute a hostile environment.

Sexual harassment is not intended to include conduct or contact reasonably viewed as accepted forms of social or professional interaction.

**Sexual Violence**
Sexual violence includes all violent sexual conduct, whether or not the conduct leads to a criminal charge or conviction, or any physical sexual conduct perpetrated without consent, or when an individual is incapable of giving consent. This includes, but is not limited to, sexual contact of any kind without consent, rape, other physical assaults of a sexual nature, sexual
battery or molestation, or attempts to commit any of these acts. Sexual violence can take the
form of intentional physical conduct that is sexual in nature, such as touching (however slight)
with any object a student’s breast, groin, genitals, mouth or other bodily part in a sexual or
hostile manner, or disrobing or exposing a student without consent.

Domestic violence, dating violence, and stalking are forms of sexual violence expressly
prohibited by the College.

- Domestic violence includes crimes of violence committed by a current or former spouse
  or partner of the impacted student, by a person with whom the impacted student shares
  a child in common or by a person who is cohabitating with or has cohabitated with the
  impacted student as a spouse or partner. Other persons capable of committing domestic
  violence are defined by Colorado statute, and any conduct by such persons that meets the
  statutory definition of domestic violence is prohibited.
- Dating violence is sexual violence committed by a person who is or has been in a social
  relationship of a romantic or intimate nature with the impacted student. The existence of
  such relationship shall be determined based on a consideration of the length of the
  relationship, the type of relationship and the frequency of interaction between the
  persons involved in the relationship.
- Stalking is engaging in a course of conduct directed at a specific person that would cause
  a reasonable person to fear for their safety or the safety of others, or suffer substantial
  emotional distress.

Consent

Sexual activity without consent is, by its nature Sexual Misconduct, and is often considered rape
or attempted rape. Consent to sexual activity must be informed, known and voluntary. Consent
is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Sexual
misconduct includes sexual activity with someone known, or who should be known, to be unable
to give active consent due to age, alcohol or other drug use, unconsciousness or semi-
consciousness, intellectual or other disability or other inability to give informed, knowing and
voluntary consent to sexual activity.

Retaliation

The College prohibits retaliation against individuals who engage in the protected activity of
filing a complaint or report of Sexual Misconduct or who participate in a Sexual Misconduct
investigation or complaint. Retaliatory action is regarded as a basis for a separate complaint
under the College’s Sexual Misconduct Policy and accompanying procedures and can lead to the
same sanctions as may be imposed for findings of Sexual Misconduct. Retaliation complaints
can be pursued against individuals who did not engage in Sexual Misconduct but instead
retaliated against reporting persons, witnesses or others involved in a Sexual Misconduct
investigation or complaint.

Reporting, Investigation, and Grievance Procedures

The College expressly prohibits any Sexual Misconduct carried out by employees, students, or
third parties. The College will take steps to prevent recurrence of any Sexual Misconduct and
correct its discriminatory effects on the reporting person and others. To that end, the College
will follow reporting, investigation and grievance procedures in substantially the form set forth below in response to a Sexual Misconduct complaint or for suspected Sexual Misconduct. These procedures will replace any student conduct code or employee grievance procedures unless the College determines, in its discretion, that another procedure should be used to resolve a particular matter. The College may, in its discretion, modify its investigation and grievance procedures in the interests of promoting full and fair resolution of Sexual Misconduct complaints in accordance with applicable law.

**Reporting Sexual Misconduct**

An individual with questions or a possible Sexual Misconduct complaint against a student, faculty, staff member, or another individual should contact the Title IX Coordinator or the Deputy Title IX Coordinator designated for the individual’s campus, as set forth in the Addendum to these Procedures. Any individual who is a victim of sexual assault or other act of Sexual Misconduct will be informed of available law enforcement authorities and the option to file or decline to file a criminal complaint. The Title IX Coordinator will assist reporting persons in making contact with appropriate law enforcement authorities where requested.

When a reporting person requests confidentiality or asks that a complaint not be pursued, the College will inform the reporting person that honoring a request for confidentiality may limit its ability to respond fully to the incident, including pursuing disciplinary action against the respondent. If the reporting person still requests confidentiality or asks that a complaint not be pursued, the College will take all reasonable steps to investigate and respond to the complaint consistent with the request, provided that the College is able to both honor the reporting person’s request and provide a safe and nondiscriminatory environment for all individuals, including the reporting person. The Title IX Coordinator or Deputy Title IX Coordinator for the individual’s campus will be responsible for evaluating confidentiality requests.

**Employee Responsibility to Report Sexual Misconduct**

To enable the College to respond effectively and to prevent instances of Sexual Misconduct, all College employees shall receive training appropriate to their position duties and shall be informed of their respective responsibilities to report incidents that may involve Sexual Misconduct. Any employee who is designated as a “Responsible Employee” pursuant to Title IX will be informed of such designation. Employees designated as confidential resources below may be exempt from reporting requirements. Employees who fail to act on reports or complaints of sexual harassment; who discourage employees, students, or third-party vendors from reporting sexual harassment; who have engaged in or encouraged retaliation; or who otherwise fail to follow the requirements imposed pursuant to the Sexual Misconduct Policy or this Procedure may be subject to corrective action or discipline, up to and including termination.

Any College employee whose duties include counseling of students (whether or not the counseling is provided pursuant to a professional license) may, at the College's discretion, be designated as confidential resources for reporting of Sexual Misconduct. Such counselors will receive training on Title IX compliance when in receipt of a confidential report.

Any employee or student who is found to have made an intentionally false or malicious report or complaint of sexual harassment or retaliation may be subject to corrective or disciplinary action, up to and including termination or expulsion.
Informal Resolution Process

Sexual Misconduct complaints, other than those described in the following sentence, may be resolved using an informal resolution process overseen by one or more College representatives if (i) the College determines, in its discretion, that such a process would be appropriate; and (ii) all parties agree to participate in the informal resolution process and agree to a resolution. Allegations of sexual violence, sexual assault, domestic violence, dating violence or stalking may not be resolved through an informal resolution process. The parties to any informal resolution process will not be required to interact directly with one another unless they and the College all agree to communicate directly with each other in attempting to resolve the matter. The College may provide mediation, using trained mediators, between the involved parties and coordinate other informal and voluntary resolution measures. Any party may request that the informal resolution process be terminated at any time, at which time the formal resolution process (described below) commences. In addition, any party can initiate the formal resolution process if the party is dissatisfied with a proposed informal resolution.

Investigations and Formal Resolution Process

The College will initiate a formal resolution process in any matter where the informal resolution process is not available or when the College deems it appropriate. Following a report of Sexual Misconduct, including a formal complaint or when the College receives notice that Sexual Misconduct may have occurred, the Title IX Coordinator will assign an investigator to conduct an investigation to determine whether or not the conduct occurred and, if the conduct occurred, what actions should be taken by the College. The College will take immediate or interim measures for severe cases and acts of sexual violence, as described below under Interim Measures. An individual suspected or accused of Sexual Misconduct will be provided with a written explanation indicating that an investigation has commenced, a description of the alleged actions or conduct leading to the investigation, and the policy violation under investigation. The College will commence the investigation as soon as is practicable under the circumstances regardless of whether there is a pending criminal investigation or formal criminal charge. The College will establish a timeframe for how long it will take to issue a written outcome of the complaint, using all reasonable efforts to complete its investigation within 60 days of the filing of a complaint or within 60 days of the date on which the College becomes aware of suspected Sexual Misconduct, subject to any factors which delay the investigation beyond the College’s control. The College will schedule dates for completion of the initial investigation, completion of the investigation report, final decision-making and/or determination of sanctions.

The nature and extent of the investigation will vary depending upon the circumstances, including whether the parties are amenable to pursuing an informal resolution if appropriate. The Investigator will conduct fact-finding, review of written and other evidence and witness interviews. The Investigator will interview both the reporting person and the respondent and allow both parties to provide information regarding the complaint. To help ensure a prompt and thorough investigation, the reporting person and the respondent will be required to provide as much information as possible relating to the conduct, including the individuals involved, all relevant details and circumstances pertaining to the conduct, names of witnesses and any other information that the reporting person or the respondent believes to be relevant to the
investigation. As appropriate, the Investigator will interview witnesses with relevant information.

At the conclusion of the investigation, the Investigator will prepare a written report summarizing the investigation and findings. The Title IX Coordinator will review the investigation report prior to its finalization and determine whether a violation of policy has occurred. The standard used to determine whether the respondent has violated the College’s Sexual Misconduct Policy is whether it is more likely than not that the respondent has engaged in behavior that constitutes Sexual Misconduct. This is often referred to as a “preponderance of the evidence” standard. For purposes of both the investigation and decision-making process, the College will strive to be complete, thorough, and impartial, basing all decisions on evidence and information determined to be reliable.

Reporting persons and respondents will be provided with the following procedural protections in connection with the resolution of suspected or alleged violations of this Policy:

- The opportunity to speak or present evidence on their own behalf (cross-examination by either the reporting person or the respondent will not be permitted).
- The opportunity to identify witnesses who can provide information about the alleged conduct at issue.
- The opportunity to review any information that will be offered by the other party in support of the other party’s position (to the greatest extent possible and consistent with FERPA or other applicable law).
- The right to bring a victim advocate or advisor of the respondent or reporting person’s choice to all phases of the investigation and campus conduct proceeding, provided that such advisor does not directly participate in the investigation, interviews or other proceedings.
- The right to be informed of the outcome of the investigation.
- The opportunity to appeal the outcome of the investigation.

**Sanctions and Corrective Actions**

If, at the conclusion of the investigation, the Title IX Coordinator determines that it is more likely than not that a violation of the College’s Sexual Misconduct Policy has occurred, they will, in consultation with student affairs and/or human resources representatives, determine what, if any, sanctions or corrective actions are appropriate. The range of potential sanctions that may be imposed against a student includes, but is not limited to, the following: written or verbal apology, discrimination or harassment education, verbal or written warning, probation, suspension and dismissal from the College. Employees who are found to have violated the College’s Sexual Misconduct Policy may be subject to corrective actions including disciplinary action up to and including termination. Guests and other third parties who are found to have violated the College’s Sexual Misconduct Policy are subject to action deemed appropriate by the College, which may include removal or exclusion from the College, termination of any applicable contractual or other arrangements with the College and any other remedies available through law or equity. In instances where the College is unable to take disciplinary or other corrective action in response to a violation of this policy because a reporting person requests
confidentiality or for some other reason, the College will nonetheless pursue other steps to limit
the effects of the misconduct at issue and prevent its recurrence.

**Interim Measures**

The College must provide appropriate interim measures to address the safety and well-being of
both parties prior to the final outcome of the investigation. The College may temporarily
suspend any member of the College community suspected or accused of violating the College’s
Sexual Misconduct Policy or take any other interim measures the College deems appropriate.
The College will provide a written explanation of assistance and accommodation options to each
reporting person. Such interim measures may include, but are not limited to, removing or
relocating a student from campus housing, modifying course schedules, and imposing a “no
contact” requirement. Any such interim measures will be taken in a manner that minimizes the
burden on the reporting person to the extent possible. The College will take reasonable steps to
prevent the recurrence of any Sexual Misconduct, including retaliation, and to correct
discriminatory effects on the reporting person and others. Immediate and appropriate steps will
be taken to protect reporting persons who experience sexual violence and to protect any person
from retaliation associated with suspected or actual Sexual Misconduct.

**Right to Appeal**

The college will provide to all parties the outcome of the complaint and the investigation. After
written notification of the resolution has been provided, the reporting person and the
respondent will have the opportunity to appeal the outcome, including whether there is a policy
violation and any sanction(s) imposed. Any appeal must be submitted in writing to the President
within seven (7) calendar days after notification of the investigation outcome and must set forth
the grounds upon which the appeal is based.

Either the reporting person or the respondent may appeal upon one or more of the following
grounds:

- The established procedures were not followed in a significant way and, as a result, the
  factual findings, the sanction, or both, were not correct.
- The severity of the sanction imposed was not appropriate based on the nature of the
  violation or the circumstances.
- The discovery of new evidence, unavailable during the original hearing or investigation,
  which could substantially impact the original finding or sanction. A summary of the new
  information must be included with the student’s request for appeal.

The President’s decision on whether or not to overturn or modify the outcome shall be solely
based on the grounds for appeal listed above. Neither party shall be entitled to a hearing in
connection with any appeal, but the President may request written submissions from the parties
or consider any other information as deemed appropriate. If the President is unable to resolve
the appeal for any reason, the College will designate another representative to decide the appeal.
Both parties will be informed in writing of the outcome of any appeal within fourteen (14) days
of the date by which all requested information is received unless the President determines that
additional time is required.
Contact Information for Title IX Inquiries or Complaints

Reports, complaints or inquiries regarding possible Sexual Misconduct or application of Title IX may be referred to the College’s Title IX Coordinator, any Deputy Title IX Coordinator or to the U.S. Department of Education’s Office for Civil Rights.

Contact information for the College Title IX Coordinator and Deputy Title IX Coordinators is as follows:

**Lisa Doak**, Assistant Vice President of Student Services
802 Grand Avenue
Glenwood Springs, Colorado 81601
970-947-8351
ldoak@coloradomtn.edu

Deputy Title IX Coordinators are identified below.

<table>
<thead>
<tr>
<th>Campus</th>
<th>Deputy Title IX Coordinator</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspen &amp; Carbondale</td>
<td>K Cesark, Associate Dean of Academic &amp; Student Affairs</td>
<td><a href="mailto:kcesark@coloradomtn.edu">kcesark@coloradomtn.edu</a></td>
<td>970-236-0446 ext 2446</td>
</tr>
<tr>
<td>Breckenridge &amp; Dillon</td>
<td>Nicole Fazande, Assistant Dean of Academic &amp; Student Affairs</td>
<td><a href="mailto:nfazande@coloradomtn.edu">nfazande@coloradomtn.edu</a></td>
<td>970-968-5805 ext 2805</td>
</tr>
<tr>
<td>Leadville &amp; Salida</td>
<td>Evan Weatherbie, Assistant Dean of Student Affairs</td>
<td><a href="mailto:eweatherbie@coloradomtn.edu">eweatherbie@coloradomtn.edu</a></td>
<td>970-486-4290</td>
</tr>
<tr>
<td>Rifle</td>
<td>Chip Thomas, Assistant Dean of Student Affairs</td>
<td><a href="mailto:rmthomas@coloradomtn.edu">rmthomas@coloradomtn.edu</a></td>
<td>970-625-6955</td>
</tr>
<tr>
<td>Spring Valley &amp; Glenwood</td>
<td>Lisa Runck, Associate Dean of Student Affairs</td>
<td><a href="mailto:lrunck@coloradomtn.edu">lrunck@coloradomtn.edu</a></td>
<td>970-947-8212</td>
</tr>
<tr>
<td>Springs</td>
<td>Carolyn Lawrence, Associate Dean for Student Affairs</td>
<td><a href="mailto:cmlawrence@coloradomtn.edu">cmlawrence@coloradomtn.edu</a></td>
<td>970-870-4463</td>
</tr>
<tr>
<td>Vail Valley at Edwards</td>
<td>Paula Hausworth-Cummings, Associate Dean of Academic &amp; Student Services</td>
<td><a href="mailto:pcummings@coloradomtn.edu">pcummings@coloradomtn.edu</a></td>
<td>970-569-2922</td>
</tr>
</tbody>
</table>

The Office for Civil Rights contact information is:

Office for Civil Rights, Denver Office
U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582
(303) 844-5695
https://www2.ed.gov/about/offices/list/ocr/complaintprocess.html
Tobacco Policy

Colorado Mountain College is responsible to its employees and students for providing a safe and healthful environment. CMC has initiated a tobacco and smoking use policy that specifies:

*Each campus and center will identify designated smoking areas. Smoking will be limited to these designated areas only. All smoking areas shall be clearly marked with signs.*

Colorado Mountain College locations in Breckenridge, Dillon, and Rifle are tobacco-free. This means the use of tobacco products is prohibited at these locations.

Use of Surveillance Equipment for Security Purposes

The College presently utilizes video surveillance as a security measure for public portions of its various campuses. The College expects to issue College-wide Procedures for the installation and operation of electronic surveillance equipment (the “ESE Procedures”). It is expected that each College campus shall establish campus-specific procedures for placing, operating, and monitoring electronic surveillance equipment, including surveillance cameras, software, computers, and servers (“ESE”) in accordance with the procedures set forth below. ESE will only be utilized on public portions of the campus or in non-public areas requiring enhanced security measures. When appropriate, cameras may be placed campus-wide, inside and outside buildings.

Campus procedures will include restrictions to avoid abuse or violation of legitimate privacy interests and specify legitimate needs for safety and security. Signage shall be placed in areas where video surveillance is taking place to advise the public of its presence and whether monitoring includes video, audio, or both. All video data storage will be by digital means. Stored surveillance data will be retained for a specified period, depending on storage availability, unless data is a part of an ongoing investigation. Unless otherwise required by law, access to stored surveillance data will be limited to designated CMC employees, law enforcement authorities, judicial officers, and other personnel with a legitimate need.

CMC Student Rights & Responsibilities

Student Rights in the Classroom

1. Students have the right to inquire, discuss, and express their views by orderly means that do not infringe upon the rights of others or impede the progress of the course.

2. Students have the right to expect that instructors will conduct themselves professionally in the classroom in accordance with college policy.

3. Through a printed syllabus and course outline, students have the right to be informed of the academic standards expected of them in each course. Academic standards shall include, but are not limited to, class participation requirements, objectives to be achieved, and grading criteria that will be applied to a particular course of study.

4. Students have the right to be protected through established procedures against prejudiced or capricious academic evaluation. Students have the right to be evaluated on their academic performance and course requirements defined in the syllabus, established program expectations, or the code of student conduct, and not on their opinions or conduct in matters
unrelated to academic standards. Students may appeal a grade through the official CMC grade appeal procedure.

5. Through established institutional mechanisms, students have the opportunity to assess the value of a course, services, facilities, and equipment. Students have the right to make suggestions as to the course’s direction and to evaluate both the instructor and the instruction they have received.

6. Students have the right to privacy. Personal or scholastic information about students shall be confidential and not be disclosed to others except in accordance with college policy, the Colorado State Open Records Act, the Family Educational Rights and Privacy Act, and Freedom of Information statutes.

7. No qualified individual with a documented disability shall, by reason of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subject to discrimination by such entity.

**Student Responsibilities in the Classroom**

1. Students are responsible for inquiring about course requirements if they do not understand them or are in doubt about them.

2. Students are responsible for maintaining academic performance standards established for individual courses and programs of study.

3. Students are responsible for initiating an investigation if they believe their academic rights have been violated.

4. Students are responsible for learning the content of any course of study.

5. Students with a disability are responsible for requesting accommodations and services, if desired, from the Access Coordinator.

6. Students are responsible to act in accordance with commonly accepted standards of academic conduct:
   - Free discussion, inquiry and expression are encouraged in class. Classroom behavior that interferes with either (a) the instructor’s ability to conduct the class or (b) the ability of students to benefit from the instruction is not acceptable. Examples may include routinely entering class late or departing early; use of beepers, cellular phones, or other electronic devices; repeatedly talking in class without being recognized; talking while others are talking; or arguing in a way that is perceived as crossing the civility line. If a student legitimately needs to carry a beeper/cellular phone to class, prior notice and approval by the instructor are required.

**Student Rights and Responsibilities Outside the Classroom**

1. Outside the classroom, students have the right to discuss and express by orderly means any view in support of any cause, providing it does not disrupt the operation of the institution or infringe on the rights of other members of the college community, subject only to reasonable time, place, and manner restrictions.

2. According to the College’s affirmative action policy, students have the right to be free from discrimination.

3. Students are responsible for appreciating and respecting the diverse population on campus.
4. Students are responsible for resolving issues affecting their academic performance and have the right to seek assistance in resolving those issues.

5. CMC and the department of Residence Life are committed to creating a community environment where residents develop a high standard of behavior and personal values. Being a member of such a community is a difficult task but one that individuals are capable of achieving if the following guidelines are maintained:

- Respect and tolerance for the rights and dignity of others;
- Respect for the rights and needs of the CMC community to develop and maintain an atmosphere conducive to academic study and personal development;
- Willingness to assist others in need of support, guidance, or friendship;
- Respect for federal, state, and local laws and ordinances;
- Respect for the policies and procedures established by CMC for the well-being of the college community, as well as respect for those given the authority to administer them;
- Respect for the individuals and resources of the local neighborhoods and communities in which we reside.
Academic Policies & Requirements

The current Colorado Mountain College Catalog contains all academic policies and regulations concerning the following: grading system, incompletes, audits, credits, withdrawal, repetition of courses, course load, attendance, degree requirements, and academic standards. See College Counselors and Campus Administration for more details in these areas.

Academic Expectations

To encourage and foster academic excellence, the college expects students to conduct themselves per generally accepted norms of scholarship and professional behavior. Because of this expectation, the college does not condone any form of academic misconduct. Academic misconduct includes but is not limited to plagiarism, cheating, fabrication, and knowingly or recklessly encouraging or making possible any act of plagiarism, cheating, or fabrication.

Academic misconduct is an unacceptable activity in scholarship and conflicts with academic and professional ethics and morals. The College will use the Academic Misconduct Procedure to address academic misconduct. The procedure can be viewed on Your Right to Know — Student Consumer Information, under Student Rights & Responsibilities. Generally, students who are found responsible for engaging in some form of academic misconduct shall be subject to: (1) a zero or an “F” on the work in question; (2) other academic penalties as outlined in the instructor’s course requirements and expectations; (3) disciplinary action; or (4) any combination thereof. If cheating occurs on the placement test, the student’s scores will not be accepted, and the student will not be allowed to retake the placement test until six (6) months have passed.

Generally, a student’s intentions will not be the primary consideration in determining whether academic misconduct has occurred. A student’s intentions will usually only be considered when deciding on the appropriate sanctions or penalties.

Plagiarism is appropriating another person’s written, artistic, or musical composition, or portions thereof, or ideas, language, or symbols, and conveying the material as the product of one’s mind without giving credit to the originator.

Regarding written work, in particular direct quotations, statements that are the results of paraphrasing or summarizing the work of another, and other information which is not considered common knowledge, must be cited or acknowledged, usually in the form of a footnote. Quotation marks or a proper form of identification shall be used to indicate all direct quotations.

As long as a student adequately acknowledges their sources and there is no reason to believe that the student has attempted to pose as the originator, the student will not be charged with plagiarism even though the form of the acknowledgment may be unacceptable to the instructor.

Cheating is the act of using or attempting to use, during an examination or other academic work, material, information, or study aids that the instructor does not permit. Cheating includes but is not limited to: using books, notes, calculators, copying from or conversing with others during an examination (unless the instructor permits such external aids); having another person do research, write papers, or take examinations for someone else. The submission of large portions
of the same work as part of the academic work for more than one course can be considered cheating unless the instructor permits such submission.

Fabrication is the invention of material or its source and its use as an authority in academic work. Fabrication includes but is not limited to: inventing the data for a scientific experiment, inventing the title and author of a publication to use the invented publication as a source, or knowingly attributing material to an incorrect source.

**Academic Standards**

Each semester, the Registrar reviews students' academic performance who have declared program (major) intent. This review determines the student’s academic status.

Students with a declared program intent and who have completed six (6) or more hours in the semester under review and have earned a term grade point average of 3.5 to 3.99 are admitted to the Dean’s Honors List. Students meeting the above criteria with a 4.0 term grade point average are admitted to the President’s Honors List.

Students who have attempted nine (9) or more hours at Colorado Mountain College and earned a cumulative grade point average of 1.0 to 1.99 are placed on academic probation. Probationary status remains for the next semester of enrollment.

Students who are placed on academic probation have one semester of enrollment to bring their cumulative grade point average up to at least 2.0. At the end of the next term of enrollment, if the student’s cumulative grade point average is not 2.0 or better, they will be placed on academic suspension.

Students who have attempted nine (9) or more hours at Colorado Mountain College and earned a cumulative grade point average of less than 1.0 will be placed on academic suspension.

Students placed on academic suspension have a right to appeal the suspension. Please contact the registration office at your site for instructions related to the appeal. Usually, suspensions remain for at least one semester. Students suspended for academic reasons must, even after one semester, appeal in writing for reinstatement before the semester they are requesting permission to attend.

Letters of appeal should explain any circumstances that adversely affected the past academic record, current considerations related to performance or reason for appeal, and future academic intentions and goals. Please include a current address and telephone number. Students appealing will be notified of the outcome of the review by the Chair of the Academic Appeals Committee at your site. Financial aid students must work with their campus Financial Aid Specialist to discuss the financial aid appeal process.

**Credit for Prior Learning**

Credit for Prior Learning, or CPL, often called non-college or experienced-based learning, is credit for learning that has been attained outside the sponsorship of accredited postsecondary education institutions.

The term “credit for prior learning” applies to learning acquired from work and life experiences, individual study and reading; civic, community, and volunteer work; and participation in formal courses and in-service training sponsored by associations, business, government, and industry.
It is understood that Colorado Mountain College does not award credit for experience, but for college-level learning that entails knowledge, skills, and competencies that students have obtained as a result of their prior learning experiences.

A student at Colorado Mountain College may receive credit for prior learning only if the following criteria are met: (1) the learning is evaluated through formal procedures; (2) the learning meets the standards of specific courses at the college, and (3) the learning relates to the educational program in which the student is enrolled. Students seeking credit for prior learning must complete the standardized test, institutional challenge exam, or portfolio at any point prior to the semester of graduation. Exceptions may exist and need approval as CPL requests may not be accepted if student is in the process of applying for graduation at CMC. Requests for exceptions must be made to the CMC Registrar by the student’s academic advisor. Students interested in pursuing CPL may contact their academic advisor.

**Grade Appeal Procedures**

Colorado Mountain College recognizes the faculty’s rights and responsibilities to award a fair and impartial grade. Likewise, the college recognizes the importance of the grade received by the student and the student’s right to have the evaluation system be fair and equitable. An appeals process has been put in place for students questioning their grades.

Students may appeal the grade assigned if they think that the grade was awarded in a capricious manner. Capricious grading is defined as one or both of the following:

1. The faculty member used criteria other than performance in the course.
2. The standards used to assign the final grade deviated substantially from the standards announced and/or were not uniformly applied to others in the class.

Please note that simple disagreement with the subjective judgment of the instructor does not support the charge of capriciousness.

Students wishing to appeal a grade must discuss the grade assignment with the instructor. If the matter is not resolved, a written notice of appeal must be submitted to the Campus Vice President or designee of the Colorado Mountain College campus center that offered the class. This notice of appeal must be received within 30 days after the first day of classes for the following term.

**Code of Student Conduct**

Students and community members are subject to the same federal, state, and local laws as non-students and are the beneficiaries of the same safeguards of individual rights. As academic community members, students and community members are expected to conduct themselves reasonably. Students and community members should always try to promote a sense of cooperation and work to build an atmosphere that will be most conducive to higher education goals.

Members of the college community shall recognize the authority of the college to publish and maintain its own set of rules and regulations. It is the responsibility of all members of the college community to make themselves aware of the rules and regulations of the institution and comply with those rules and regulations.
All college community members, while on and off campus, are expected to comply with college rules and regulations. The conduct listed below is not compatible with the college’s mission, is considered misconduct, and is subject to sanctions as set forth below. The college may impose sanctions for misconduct on college-owned or -controlled property, at off-campus activities or functions sponsored or supervised by the college or recognized student organizations, or at other off-campus locations that adversely affects the college community or the pursuit of its objectives.

Specific acts that are not in accordance with the CMC Code of Conduct include:

1. Plagiarizing, cheating, and/or facilitating violations of reasonable standards of academic behavior. Matters relating to academic standards and achievement fall within the responsibility of instructional staff. Examples of the above may include but are not limited to:
   - Copying, writing, or presenting another person’s information, ideas, or phrasing without proper acknowledgment of their true source.
   - Using a commercially-prepared term paper or project.
   - Copying information from the test of another student.
   - Using unauthorized materials during an examination.
   - Obtaining illegally or attempting to obtain unauthorized knowledge of a test.
   - Giving or selling to another student unauthorized copies of tests.
   - Taking a test in place of another student or having someone take a test in their place.
   - Unauthorized collaboration between two or more students on a test, paper, project, or activity.
   - Forging, altering, or misuse of academic materials, documents, records, forms, or instruments.

2. Theft, abuse, or misuse of information technology, e.g., computer, computer time, electronic mail, voice mail, telephone, or fax, including but not limited to:
   - Unauthorized entry into a file to use, read, change the contents, or for any other purpose.
   - Unauthorized transfer or distribution of a file.
   - Unauthorized use of another individual’s identification and password.
   - Use of information technology to interfere with the work of another student, faculty member, or college official.
   - Use of information technology to send obscene or threatening messages.
   - Use of information technology that interferes with normal operations of the college’s systems.
• Any violation of the college Computer and Telecommunications Policy or Appropriate Use of Technology Statement (listed earlier in this document).

3. Disruption or obstruction of teaching, research, administration, disciplinary procedures, and other college activities, as well as unauthorized entry, use, or occupation of CMC facilities.

4. Forgery, alteration, falsification, or misuse of college documents, records, or identification provided to the college or other agencies or educational institutions.

5. Physical abuse, which includes any action that is likely to be detrimental to the health, safety, and/or well-being of another, or psychological abuse, which consists of any activity which unreasonably interferes with the psychological well-being of another (e.g., hazing, assault, harassment).

6. Sexual Misconduct, a form of unlawful discrimination, encompasses all forms of prohibited sexual or gender-based conduct which unreasonably interferes with an employee’s or student’s work, educational, or social performance, at the College or any of its programs or activities (whether on- or off-campus) or creates an intimidating, hostile, or offensive work, educational, or social environment. Sexual Misconduct includes sexual harassment and sexual violence, which are further defined on page 11. All Sexual Misconduct violations will be processed as stated in the CMC Sexual Misconduct Policy and Procedures, which can be found beginning on page 11.

7. Disorderly, indecent, or obscene conduct or expression.

8. Unlawfully discriminatory acts against or harassment of individuals due to race, creed, color, religion, sex, sexual orientation, disability, age, marital status, national origin, or Vietnam-era/disabled veteran, or on any other basis prohibited by federal or state law.

9. Conduct that threatens or endangers any person’s health, safety, or welfare.

10. Intentional or reckless destruction, damage, abuse or misuse of college property or the property of others.

11. Theft or conversion of property or service belonging to the college, members of the college community, or others.

12. Using, possessing, or storing firearms, explosives, or other dangerous weapons - instruments that are designed to, or could potentially produce, bodily harm or destruction. This policy shall not apply to a police officer, peace officer, or anyone authorized by the state, the Campus Vice President, or their designee. Weapons may include, but are not limited to, BB guns, pellet guns, paint guns, martial art devices, brass knuckles, hunting knives, daggers, or similar knives or switchblades. Any instrument designed to look like a firearm, explosive, or dangerous weapon or used by a person to cause fear in or to harass another person is expressly included within the meaning of a firearm, explosive, or dangerous weapon. See the Campus Dean of Students for more information.

13. Intentional initiation or circulation of any false report, warning, or threat of fire, bombs, or explosives.
14. Alteration, misuse of, abuse of, or damage to fire or other safety equipment.

15. Possessing, consuming, or distributing any alcoholic beverage; alcoholic packaging or paraphernalia; or, appearing while intoxicated as defined by state and local laws.

16. Illegally possessing, using, distributing, or manufacturing any narcotic, drugs, or controlled substance or drug paraphernalia, as classified by federal, state, and local laws or appearing while under the influence of any illegally-obtained narcotic, drug, or controlled substance. Although possession and use of marijuana 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 property, including residence halls or as part of college courses/activities.

17. Failure to comply with the verbal or written directions of college officials acting in performance of their duties. Failing to comply with contractual obligations with the college (such as behavioral contract, payment obligation/agreement, housing, and food service agreement, etc.).

18. Leaving children or pets unattended or unsupervised in campus buildings or grounds.

19. Influencing or attempting to influence any employee or student enrolled in the college through offering or accepting favors (including sexual), bribery, or any threats.

20. Intentionally publishing or disseminating any written instrument, sign, picture, object, or verbal statement that impeaches another person's honesty, integrity, or reputation, with knowledge or reckless disregard of its falsity.

21. Violation of any college policies, regulations, or procedures.

22. Violations of federal, state, or municipal laws, or any other conduct not included above, which unreasonably or unlawfully interferes with the operations of the college, and the pursuit of its educational purposes and objectives or the rights of others; or which renders a person or organization unfit or unsuitable for continued association or affiliation with the college.

23. Abuse of the student adjudication system, including but not limited to:

- Failure to obey the direction of an adjudication body or college official.
- Falsification, distortion, or misrepresentation of information before an adjudication body.
- Disruption or interference with the orderly conduct of an adjudication proceeding knowingly without cause.
- Initiation of an adjudication proceeding knowingly without cause.
- Use of intimidation to discourage an individual's proper participation in, or use of, the adjudication system.
• Attempting to influence the impartiality of a member or an adjudication body before and/or during the judicial proceeding.

• Harassment (verbal or physical) and/or intimidation of a member of an adjudication body or a student witness before, during, and/or after an adjudication proceeding.

• Failure to comply with the sanction(s) imposed under the Code of Student Conduct.

• Influencing or attempting to influence another person to commit an abuse of the adjudication system.

24. Aiding, abetting, or inciting others to commit any of the above acts.

25. Colorado Mountain College Code of Student Conduct COVID-19 Addendum

This COVID-19 addendum to the Colorado Mountain College Code of Student Conduct is in effect as of August 5, 2021, until otherwise noted by the College. The College reserves the right to modify or amend this document for any reason, including without limitation, to align with guidance or orders from local, county, state, and federal public health agencies and government officials. All updates to CMC’s Code of Student Conduct will be dated and posted at: Coronavirus Updates and Information. All CMC community members and students must make themselves aware of and act in accordance with the CMC Code of Student Conduct and added COVID-19 behavioral expectations and commitments.

The success of a college experience during the current pandemic requires collective efforts by all students, and by all others who come into contact with students, to meet minimum safety standards that may change in response to the spread of the COVID-19 virus. The College may impose health and safety requirements on every student, faculty, and staff member on campus to mitigate the risk of virus exposure and transmission.

The College will continue to provide updated information about specific location and campus COVID-19 requirements for social distancing, face coverings/masks, vaccinations, and other considerations on CMC’s Coronavirus Updates and Information webpage.

By enrolling at the College or attending College courses or events, and as a matter of shared responsibility, each student understands that face coverings, physical distancing, and self-assessment for symptoms, hand washing, and other pandemic-related measures will minimize the risk of infection. The Code of Student Conduct includes this COVID-19 Addendum to list the measures that may be utilized to satisfy our shared responsibilities to each other. While the College will monitor the changing environment and the requirements or recommendations by public health officials, there is no guarantee that the risk of infection by the COVID-19 virus can be eliminated.

Specific acts that violate the CMC Code of Student Conduct COVID-19 Addendum include but are not limited to:

25. Violating College requirements or public health orders in place to reduce the risk of spreading infectious disease, including but not limited to the following:
a. Failure to follow applicable federal, state, county, and/or local public health orders as required by the College. If multiple orders apply or in the event of a conflict between or among them, students are required to follow the most restrictive public health order.

b. Failure to comply with any additional or more specific actions required by a campus, department, unit, or College representative, to limit the spread of infectious diseases, while participating in a program or activity, utilizing a service or benefit, or using College facilities, including but not limited to, CMC’s Code of Student Conduct COVID-19 Addendum and CMC’s COVID Prevention Guidelines.

c. Failure to participate in updated CMC requirements or public health orders, including but not limited to: vaccinations, if required, testing for COVID-19, contact tracing, quarantine, and isolation.

Adjudication procedure: Behavior not in compliance with the College’s COVID-19-related requirements and health orders will be adjudicated using the College’s adjudication procedure listed in the 2021-2022 Student Handbook. To address reported COVID-19 violations promptly, the College will use the following rubric to guide sanctions.

Level 1: Violation is unintentional, a single violation. Sanction options include but are not limited to: educational requirements, warning, or probation.

Level 2: Willful non-compliance or multiple violations. Sanction options include but are not limited to: education, probation, removal from the course, or removal from the College.

Accessibility: Students may submit requests for reasonable accommodations regarding face coverings or other COVID-19 requirements to the Access, Inclusion & Disability Services Coordinator at the CMC location they are attending or living closest to.

Please note: Additional disciplinary policies may be in effect for select instructional programs. Please refer to these programs for specific information. Students in these programs do not forgo their right to due process through adjudication.

Students/community members may be required to withdraw from CMC for an extended period or indefinitely for failing to meet academic standards, observe the standards of conduct or other CMC regulations, or meet financial obligations to CMC.

Students/community members may be held independently accountable to civil authorities and the college for acts that constitute violations of law and/or violations of college policies, regulations, or procedures. Disciplinary action will not be challenged on the grounds that criminal charges involving the same incident have been dismissed, reduced, or are in process.

**Adjudication Process**

**Philosophy**

From the students/community members’ perspective, the adjudication process at Colorado Mountain College is designed to provide a learning experience that encourages growth and personal understanding of one’s responsibilities and privileges within the college environment. From the college’s perspective, the goal of the adjudication process is to balance an understanding and knowledge of students/community members and their needs with the needs of other students and the college community.
The aim of the college adjudication proceedings is to arrive at decisions that ensure that individuals assume full responsibility for their actions and that ensure the rights, freedom, and safety of all members of the college community.

Corrective and punitive actions by the college may be required if a student violates specific rules of conduct or if their actions endanger the property or well-being of individuals or organizations. The college takes corrective actions to reorient students while protecting the college community.

The authority of the college to discipline students for violations of its regulations differs from the power of civil authority to deal with violations of criminal law. Adjudication proceedings in the college community are administrative rather than criminal. The standard used in determining whether a violation occurred is “preponderance of information,” which means it appears “more probable than not” that the incident occurred as alleged.

Students/community members may be held independently accountable to civil authority and the college for acts that constitute violations of law and/or violations of college policies, regulations, or procedures. Disciplinary action will not be challenged on the grounds that criminal charges involving the same incident have been dismissed, reduced, or are in process.

**Standards of Conduct**

Students are expected to comply with all college policies and procedures at all times. Standards of conduct, rules, and regulations are primarily set forth in the Colorado Mountain College Catalog, this Student Handbook, and the Residence Hall Handbook. Students are expected to read all pertinent materials to make informed choices about their actions. Ignorance of policies is not an acceptable excuse for violating them.

**Adjudication Records**

Any student records or files produced by an Adjudication Officer/Board become the property of Colorado Mountain College. They are maintained by Student Services staff and are not available to persons other than the student, except as provided by the Family Educational Rights and Privacy Act and Colorado Open Records Law.

**Campus Adjudication Process**

The process, in brief, consists of (1) a reported incident; (2) contact and notification of alleged involvement; (3) discussion between the responding student and a School Official; (4) examination of relevant information; (5) decision determining responding student’s involvement in the incident; and (6) application of sanctions, if appropriate.

1. **Reported violation**: Any student or staff member may report a policy violation. The Residence Life Department incident report form or Colorado Mountain College incident report forms are the most common methods. Security reports, police reports, or written statements are also acceptable if they are signed and specific.

2. **Contact and notification**: After reviewing an incident report form, a staff member may determine that a meeting is required. In this case, an incident notification card or a letter will be delivered to the student(s) involved. Failure to comply with a meeting request will be considered a violation of the Code of Student Conduct.

3. **Meeting**: Whenever possible, the school official with the closest jurisdiction to the student(s) and area of concern will make decisions.
• **Possible school officials:**
  
  - Campus Vice President
  - Dean of Campus
  - Dean of Student Affairs
  - Associate Dean of Student Affairs
  - Assistant Campus Dean of Student Life

• **Two possible types of meetings:**
  
  - Informal: Inquiry
  - Formal: Hearing

4. **Examination of the information:** During the Inquiry/Hearing, the student should be aware of their rights in adjudication. Students are ensured the following:

  - Written notice to the student regarding the nature of the charges;
  - The right to a fair and timely meeting before a School Official
  - The right to present witnesses or evidence on the student’s behalf;
  - The right to be heard by an impartial School Official;
  - The right to the assistance of any person of their choosing;*
  - The right to appeal.

The School Official will ask the responding student to discuss their involvement in the incident. The discussion intends to allow the School Official to gather enough information to decide on the student’s participation in the matter and the level of responsibility.

If an incident is complex or involves many students, additional meetings may be necessary to gather sufficient information.

**The student can bring an advisor or observer of their choice and expense. Such advisor may be an attorney. The advisor is limited to counseling the student. The advisor may not act as a student representative, speak on the student’s behalf, or participate, by questions or otherwise, in the meeting or the hearing.

5. **Decisions:** Decisions regarding incidents or involvement will be based on a preponderance of information available, even if the student involved chooses not to attend the hearing. Once all relevant information has been presented, the School Official will decide whether it is more probable than not that the student violated the Code of Student Conduct.

The Code of Conduct School Official will attempt to notify the student of the decision or the course of action in writing within five (5) business days of the hearing. Any determinations or sanctions are in effect once the student is notified in person or in writing.

6. **Application of sanctions:** If the responding student has admitted to or has been found guilty of violating college policies, the Code of Conduct School Official will also determine which sanctions are appropriate for that behavior (see Code of Conduct Sanctions). Students are advised that violations are cumulative.

A sanction imposed by one campus is applicable at all sites college-wide. Decisions to alter a sanction within the terms of the sanction imposed may be adjusted by review of the primary site of desired future attendance with the location of the originating decision.
The Code of Conduct School Official has a wide range of sanctions that may be applied in cases where the student has been determined to violate the Code of Student Conduct or college policy. Sanctions may be assigned individually or in combination with other sanctions. Failure to comply with specific conditions, guidelines, or requirements may result in more severe disciplinary action.

Any record of prior conduct will be taken into consideration in determining sanctions. Sanctions are in effect from the time of notification, either in person or in writing. All college-imposed sanctions shall be confirmed in writing.

7. **Appeal procedures:** A student is entitled to one appeal of a decision rendered in an initial adjudication action. If an appeal is requested, suspension or expulsion shall not be imposed until the appeal procedures below have been completed unless an immediate or summary suspension has been imposed in cases requiring immediate action for the safety or welfare of the College community. Other mandated sanctions remain in effect during the appeal process until they may be reversed or modified. All appeals must be submitted in writing and to the appropriate appeal officer within the timeframe determined by the Code of Conduct School Official. The student must submit the appeal form and any additional supporting material to the Code of Conduct School Official within three (3) business days after receipt of the decision of the Code of Conduct School Official. The student will forfeit their appeal opportunity if not filed within this defined timeframe.

The written appeal petition must clearly explain, in detail, the basis for the appeal. The basis for the appeal must address one or more of the following:

- Whether appropriate adjudication procedures were followed.
- Whether the sanction(s) imposed is (are) appropriate, reasonable, and just.
- Whether the evidence supported the decision. No new evidence may be presented on appeal except as otherwise determined and at the discretion of the School Official.
- Whether the responding student had the opportunity to present relevant information at the time of the original meeting or hearing.

The Campus Vice President or designee will serve as the appeals review body.

The appeal opportunity will be forfeited if the student fails to follow through with the above-outlined process.

8. **Appeal decision:** The appeals review official is charged with upholding the policies and procedures of the college and has the authority to uphold or overturn (and may modify) the initial decision. The Campus Vice President or designee must ensure adjudication proceedings and decisions adhere to the college’s policies and procedures. All appeal decisions will be rendered to the student within five (5) business days of the review’s conclusion. All appeal decisions are final.

**Sanctions for Misconduct**

*The college seeks to ensure fair and equal treatment of students and recognized student organizations subject to disciplinary or academic sanctions and to impose similar sanctions under similar circumstances. Any record of prior conduct will be taken into consideration in determining sanctions. All college-imposed sanctions shall be confirmed in writing. A sanction*
imposed by one campus applies to all sites college-wide. Decisions to alter a sanction within
the term of the sanction imposed may be adjusted only by review of the primary site of desired
future attendance and in consultation with the site of the originating decision.

Code of Conduct Sanctions

Sanctions for violations of college policy by individuals or recognized student groups include:

College or residence hall warning:
A college or residence hall warning is an official notice to a student/community member or
recognized student organization that the conduct violates college standards. The continuation of
such conduct or actions may result in further disciplinary action.

Residence hall probation:
Residence hall probation is a period of observation and conduct review during which the student
must comply with college and Residence Hall Standards of Conduct. Terms of this probationary
period will be determined at the time probation is imposed.

A written reprimand for violation of specified regulations will be given. Probation is for a
designated period and includes the probability of more severe disciplinary sanctions if the
student violates any college or residence hall standards of conduct during the probationary
period. Individual violations are considered on a cumulative basis.

Residence hall suspension:
Residence hall suspension is the separation of the student from the residence hall for a definite
period, after which the student is eligible to return. Conditions for application and readmission
to the residence hall may be specified.

Students suspended from the residence hall typically have up to 72 hours from the moment of
the incident or decision to vacate their residence unless the severity of the incident or related
issues mandates a more prompt departure. Residence hall suspension may or may not include
exclusion from the residence halls and/or revoking of cafeteria privileges. Residence hall
suspension results in the loss of all room and board charges, plus the security/damage deposit.
Sanctions may also exclude the student from the college’s residential, dining, and/or student life
areas, plus college-sponsored activities.

Residence hall expulsion:
Residence hall expulsion permanently terminates a student’s college residence and/or campus
boarding privileges. The student may also be prevented from returning to college premises. This
sanction may be imposed in conjunction with additional college disciplinary action.

College disciplinary probation:
Disciplinary probation is a period of observation and review of conduct during which the
student, community member, or recognized student organization must demonstrate compliance
with college standards of conduct. The terms of this probationary period will be determined at
the time probation is imposed.

A written reprimand for violation of specified regulations will be given. Probation is for a
designated period and includes the probability of more severe disciplinary sanctions if the
student or community member violates college standards of conduct during the probationary
period.
**College disciplinary suspension:**
Disciplinary suspension immediately suspends the student’s enrollment. The suspension may be for a specified period or for an indefinite period until stated conditions are met. The student or community member may also be prevented from returning to college premises. This suspension is subject to a formal hearing.

**Summary suspension:**
Summary suspension is an immediate suspension of a student’s or community member’s privilege to attend the college and its related functions. Summary suspension is appropriate when there is a reasonable cause to believe that the student has been involved in a code of conduct violation and the continued presence of the student on campus (1) presents a danger to the student or other members of the campus community, or (2) threatens to disrupt college operations or activities.

A student or community member who has been summarily suspended may not attend classes, may not participate in any college activities, and may be excluded from college property.

The authority for summary suspension is vested in the Campus Vice President or designee. The Campus Vice President or designee may summarily suspend a student without a pre-suspension hearing. In the event of a summary suspension, the student will be afforded the opportunity within five (5) business days to have a suspension hearing before the Campus Vice President or designee. At the suspension hearing, the Campus Vice President or designee may determine that suspension of the student continues to be necessary pending the outcome of any campus adjudication process, or that suspension of the student continues to be necessary pending the resolution of the campus adjudication process to protect the student or other members of the campus community, or to avoid disruption of college operations or activities. A student subject to summary suspension remains entitled to participate in the campus adjudication process and is subject to the application of sanctions by that process.

**College expulsion:**
Expulsion is the act of terminating a student’s academic program and the right to future enrollment. The student may also be prevented from returning to college premises. Expulsion is subject to a formal hearing.

**Non-academic withdrawal:**
In some instances where a student’s behavior or mental or emotional health may render them unfit for continued participation within the college community, the Campus Vice President or designee may require the student to withdraw from the college. The college may require that certain conditions be met before allowing the student to be readmitted.

**Loss of recognition:**
Recognized student organizations may lose recognition after an administrative hearing before the Campus Vice President or designee. This action deprives the organization of campus resources, the use of the college’s name, and the right to participate in college-sponsored activities. This loss of recognition may be for a specific period, an indefinite period or until stated conditions are met.
**Fines:**
In addition to restitution or other sanctions, a student may be assessed fines for violation of established standards of conduct or residence hall rules and regulations. Previously established and published fines may be imposed.

**Restitution:**
The student, group of students, or recognized student organization may be required to make payment to the college or other persons, groups, or organizations for damages caused. Restitution includes compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary payment or material replacement.

**Other sanctions:**
For educational purposes, other sanctions may be imposed instead of, or in addition to, specific sanctions listed in this section. These include but are not limited to recommendation or requirement for counseling, work sanctions, restriction of privileges, the establishment of mandatory behavioral conditions required as a condition of continuing enrollment and/or re-enrollment, or a special educational project designed to assist the student or community member in better understanding the overall impact of their behavioral infraction.