



**WESTERN**  
COLORADO UNIVERSITY

# **Student Handbook**

## **Community Standards & Code of Conduct**

Academic Year 2025-26

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## Introduction to the Student Handbook

The Student Handbook (“Handbook”) provides essential guidance and resources for students. Western Colorado University (“Western” or “University”) reserves the right to update this Handbook at its discretion, with any changes communicated through official University channels. For additional assistance, students may contact the Office of Student Affairs.

This Handbook serves as a guide to campus life, policies and resources designed to enhance your academic experience. We are committed to fostering a vibrant and inclusive community that promotes learning, personal growth and mutual respect among all members.

As a student at Western Colorado University, you are an integral part of a diverse and dynamic community dedicated to academic excellence and personal development. This Handbook outlines expectations, rights and responsibilities that contribute to a positive campus environment

### **Board of Trustees Statement on Diversity, Equity and Inclusion**

*Drafted by: Western Colorado University Board of Trustees, commented and revised by the DEI Committee and Student Leaders.*

On behalf of the Board of Trustees of Western Colorado University, in partnership with Western’s Diversity, Equity and Inclusivity (DEI) Committee and campus student leaders:

- Western recognizes that systemic, structural, institutional, and interpersonal forms of racism throughout the history of the United States of America have targeted and discriminated against People of Color and continue to do so.
- Western condemns racially motivated violence.
- Western affirms that Black lives matter.
- Western actively rejects racism and discrimination in all forms and affirms higher education leadership that prioritizes the elimination of racist and discriminatory practices across campus.
- Western recognizes that current national events and violence targeted toward the Black community continue to emphasize the historic inequities and injustices suffered by People of Color in the United States of America.
- Western will actively work to condemn racism, improve the transparency of hate crime reporting on campus, and build a culture that reinforces these stated values by holding students, faculty, and all staff accountable at every institutional level.
- Western will annually commit, allocate, and invest funds and resources to ensure DEI- related efforts, evolving practices, and successful outcomes that support the entire campus.
- Western, currently a Predominantly White Institution, commits to increasing the representation of nonwhite/minority individuals among faculty, staff,

- administrators, students, and guest speakers.
- Western recognizes that those privileged to work or study at Western bear special responsibilities to be consistently upheld as we move toward our goal of becoming a campus of Inclusive Excellence, as defined by the Association of American Colleges & Universities (AAC&U).
  - Western affirms the principle of learning and educating through listening.
  - Western pledges to actively engage our campus and the Gunnison community in dialogue, training, and programs that will enhance: our individual and collective understanding of how racism targets People of Color as well as other marginalized communities; our understanding of our role in systems that enable discriminatory practices; and the ways in which we can actively work to correct systemic injustices committed against People of Color.
  - Contact and background information on Western's DEI+ Committee may be found at <https://western.edu/about/diversity-equity-inclusivity>.
  - Western's Faculty Senate authored and adopted a statement on diversity and inclusivity, endorsed by the President and Board of Trustees, which may be found at <https://western.edu/about/diversity-equity-inclusivity/board-of-trustees-statement-on-diversity-equity-and-inclusion>.
  - Information pertaining to AAC&U's Inclusive Excellence may be found at <https://www.aacu.org>.

## **University Diversity Statement**

Western Colorado University takes a firm and unyielding stance in support of heterogeneity, belonging, scientific inquiry and creative expression. We believe these principles are necessary for the free and open inquiry that defines our role as a public institution in a democratic society. We believe that these principles are a moral imperative, requiring constant vigilance and a firm stance against actions motivated by hate or intimidation. The University welcomes people of color, people with disabilities, people of all genders and orientations, people of all religious preferences, immigrants and refugees regardless of national origin or ethnicity and other underrepresented communities regardless of socioeconomic class. We actively seek to build a civil and respectful culture that affirms these principles in all that we do.

## **Ute Land Acknowledgement**

Western Colorado University acknowledges that our campus is located on the traditional and ancestral lands of the Ute people. We honor the deep and enduring connection that the Ute Nation has to this land, as well as their contributions to the past, present and future of this region. We express our gratitude for the stewardship and teachings of the Ute people, recognizing their sovereignty and resilience. As members of this academic community, we commit to fostering a respectful and inclusive environment that values the diverse perspectives and histories of Indigenous peoples.

## **Definition of a Student**

A student is any person taking courses at Western Colorado University, either full- or part-time. This definition includes individuals pursuing an undergraduate or graduate degree and those enrolled in the Center for Learning & Innovation or Concurrent Enrollment courses, online or as a residential student, as well as non-degree seeking, exchange (e.g., National Student Exchange) and international students.

This definition includes persons who register for classes, attend New Student Orientation or are between academic terms including holiday and summer break.

Students who have or are withdrawn from the University, on academic or conduct suspension, expelled or not currently enrolled in courses will not be considered “students.” Those who fail to register for or attend classes without notifying the University of their absence, will not be considered a “student” and must reapply for admission. Students who notify the University that they will not be attending classes, and do not attend, for a designated period time (e.g., one semester) will not be considered a “student” and must reapply for admission.

Western Colorado University reserves the right to rescind offers of admission and scholarships, including merit, academic and athletic, due to any disciplinary findings at another academic institution or criminal findings. Western may also rescind offers of admission and scholarships based upon misrepresentations in applications or any other inappropriate conduct that could infringe on the rights of others or the normal functioning on Western where such conduct is inconsistent with the University’s mission or otherwise is not in compliance with federal law, the Colorado Revised Statutes, local ordinances or University policies.

Individuals who fall into any of the foregoing categories have an obligation to inform the University immediately.

## **Eligibility for Student Housing**

To be eligible to reside in Western Student Housing, an individual must meet the definition of a “student” appearing in the Student Handbook. Western may grant exceptions to these eligibility requirements at its sole discretion. Requests for an exception to eligibility requirements must be submitted in writing and will be determined by the Director of Residence Life or designee.

# University Policies

## Official University Communication

The official University communication network is the assigned Western email account. All official communications concerning policies, the Student Handbook and important announcements are made via the Western student email. Students are expected to read their Western email accounts and comply with all communication sent through email. Failure to read official Western email will not relieve a student of responsibility for the information contained in official communications.

## Student Records

The Family Educational Rights and Privacy Act (FERPA) was passed in 1974 as part of the larger Educational Amendments of 1974. Under FERPA, education records are defined as “those records, files, documents and other materials which contain information directly related to a student; and are maintained by an educational agency or institution or by a person acting for such agency or institution.”

## Directory Information

Directory information comprises classified information that would not be considered harmful or an invasion of privacy if disclosed. Currently, directory information includes the following: a student’s name; Western enrollment status (e.g., full-/part-time, undergraduate/graduate, level); dates of attendance; degrees, honors, and awards received at Western; Western email address; date of birth; major field of study; participation in officially recognized activities and sports; weight and height of members of athletic teams; and the most recent educational agency or institution attended by the student. This information may be disclosed to anyone, by any means, for students who do not “opt out” of its release. Discretion will be used in giving out directory information for non-University purposes, and it will not be disseminated for solicitation purposes. Western is not permitted to disclose any non-directory information to anyone without a legitimate educational interest, without written permission from you, the student, or to others as stated in the Act.

## Buckley Amendment Privacy Rights

The law (under the 1974 Buckley Amendment) provides that eligible students have access to inspect and review their educational records. A student has the right to request a change in an alleged inaccuracy in their educational record and the right to a conduct meeting if the request is denied. This law further provides and protects the student’s right to privacy by limiting access to the educational record without express written consent (a privacy rights

form may be obtained at the Office of Student Affairs. The student has the right to file a complaint with the Family Policy Compliance Office.

## **Access to and Release of Records**

All eligible students will have access to their own records as provided by the Act, except where access has been waived. Directory information may be released to anyone without a student's consent. Students have the right to request that directory information not be released without their consent. A request form is available at the Office of Student Affairs. Academic and personally identifiable information, which could include a social security number and the name of a parent/family member, may not be released without the student's consent, except as provided by the Act. Students may give or deny consent for parents or other third parties to have access to their records. A form for this process is available at the Office of Student Affairs.

## **Release of Information Exceptions**

Western has a practice of releasing educational records or information from educational records (non-directory information) to school officials (current faculty, staff and students employed by the University) with an educational interest, without the student's permission. Educational interest means that the school official has a need to access student education records for the purpose of performing an appropriate educational, research or administrative function for the institution. Non-directory information may also be released to schools in which a student seeks or intends to enroll; to authorized representatives of Federal, State and local educational authorities conducting an audit, evaluation or enforcement of education programs; agents acting on behalf of the institution; to State and local officials pursuant to a State statute in connection with serving the student under the juvenile justice system; to organizations conducting studies for specific purposes on behalf of schools; to accrediting organizations; to the parents of a dependent student (proof must be provided); or to comply with a conduct order or subpoena (reasonable effort to notify the parent or eligible student at the last known address). Non-directory information may be released to anyone when it is determined necessary to protect the health, life or safety of the student or other individuals.

## **Selective Service Policy and Information**

As a state-supported institution of higher education, Western must provide eligible males with information about Selective Service prior to course registration.

**Selective Service Registration Requirement:** As mandated by federal law, all males must register with the Selective Service System (SSS) within 30 days of their 18th birthday. The university will provide information about the Selective Service registration requirement during orientation sessions, on the university website and through regular communication channels to ensure students are aware of their obligation.

Effective August 7, 2023, Colorado institutions of higher education are no longer required to prevent eligible students from enrolling in classes based on Selective Service registration status (Colorado House Bill 23-1261). However, it is our responsibility to inform eligible students (males ages 18-25) that they need to register with the U.S. Selective Service System prior to course registration. Eligible students will no longer need to complete the Selective Service verification form after registering with the U.S. Selective Service System. The Selective Service registration hold will no longer be applied to students' records in compliance with this change in the law.

For more information, see the Selective Service System's "Who Needs to Register" webpage. To register with the Selective Service System, visit <https://www.sss.gov/register>.

Exceptions and Exemptions: Students with certain exemptions or exceptions to Selective Service registration requirements must provide appropriate documentation to the University.

Exemptions may include non-U.S. citizens, active-duty military members and those with specific medical conditions.

Annual Compliance Check: The University will conduct an annual compliance check to ensure all eligible male students are registered with the Selective Service System. Non-compliant students will be notified of the necessary steps to rectify the situation.

## **Solomon Amendment**

The Solomon Amendment (U.S.C. § 983) allows military recruiters access to certain student information, including name, address, birthdate, academic details and contact information for students aged 17 and older. This law supersedes certain aspects of FERPA. The University is obliged to release this "student recruiting information" unless a student has submitted a Request to Prevent or Allow Disclosure of Directory Information form through the Office of Student Affairs. Military recruiters may request this information once per term for each of the 12 eligible units across the five service branches. Requests must be in writing, specifying the needed information and the semester, and must come from the unit's official letterhead.

Proof of identification will be required to obtain access to student records.

## **Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act**

The Clery Act (officially known as the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act) requires colleges and universities to record specific campus crime statistics and safety policies for consumer protection. The Clery Act (20 U.S.C. § 1092(f)) is a federal law that requires colleges' participation as a condition of receiving Title IV student financial assistance programs under the Higher Education Act.

The crime statistics are included in an annual security report published for prospective and

current students and employees to educate any interested consumer on campus and community safety. In addition to publishing an annual security report, colleges and universities are required to publish and update security policies. In 2013, the Violence Against Women Reauthorization Act amended the Clery Act to include additional crimes to report, such as dating violence, domestic violence and stalking, and required colleges to create and disclose additional security policies.

## **Drone/Unmanned Aircraft Systems**

The operation of an Unmanned Aircraft System (UAS), or drone, is regulated by the Federal Aviation Administration (FAA). Drone owners are required to register effective December 12, 2017, under the National Defense Authorization Act (H.R. 2810). Western establishes the following policy to govern the operation of any UAS by any person from or above the University's campuses or properties. This policy extends to all property owned, rented, leased or controlled by Western. With limited exceptions, FAA requirements mandate that hobby or recreational users limit their unmanned aircraft operations and operate in accordance with a set of community-based safety standards.

**Reason for the Policy:** This policy is established to require and ensure compliance with all applicable laws, reduce safety risks and preserve the security and privacy of members of the University community.

**Primary Guidance:** This policy primarily responds to FAA guidelines and requirements that promote the safe and responsible use of unmanned aircraft.

Any use of a UAS over the campus or inside a campus building without authorization is strictly prohibited, and faculty, employees, students, contractors, volunteers and the public are expected to follow the directives below:

- The use of drones for hobby or recreational use on or above University property is not permitted.
- All commercially operated drones must comply with all federal (FAA), state and local laws.
- Any drone operator must obtain prior approval from the Department of Marketing Communications and the Department of Campus Security at least 48 hours in advance of the proposed use of the drone.
- The use of commercially owned Unmanned Aircraft Systems (for hire or otherwise) is permitted only for educational or research purposes. A drone operator must provide a certificate of insurance naming the University as an additional insured, with a minimum of \$5 million in general liability insurance written on an occurrence basis.
- A commercially owned (University or contract) operator must file a "flight plan," including date, time, duration of flight and operational area 48 hours prior to commencing the drone flight.
- A contract drone operator must be accompanied by a University representative at all times.
- The drone must be operated in a responsible manner.
- The drone may not operate over areas of public assembly, stadiums or

- populated areas.
- The drone is not permitted to photograph, video, or monitor areas of the University where other members of the University community would have a reasonable expectation of privacy.

Any violations of law (e.g., trespassing, illegal surveillance, reckless endangerment) or violations of University policies may subject the individual(s) to both criminal and/or disciplinary action. Members of the University community who violate this policy will be subject to discipline as described under the Student Conduct Process. Damages or injuries occurring to University property or individuals will be the responsibility of the UAS operator.

The Department of Campus Security maintains the authority to ground or suspend operations of any UAS that is not compliant with FAA regulations, this policy or that presents a threat to privacy, property, or the general well-being of the campus community.

## **Parent, Guardian, and Emergency Contact Notification**

In accordance with the Higher Education Act of 1998, Western may inform parents and/or legal guardians of alcohol and drug violations occurring on or off campus. The responsibility for determining when and by what means communication will occur lies under the jurisdiction of the Office of Student Affairs or their appointed designee. Parent/guardian notification may be enacted when students under the age of 21 have been found responsible for alcohol

and/or drug offenses, including consumption, use, possession, manufacturing or distribution of prohibited substances. Repeated violations may include situations where medical intervention is required due to alcohol and drug use, when the violation may result in suspension or expulsion from the University or when the student has shown a pattern of repeated violations. Whenever possible, students will be notified that their parents and/or legal guardians have been contacted in accordance with this policy.

In extraordinary circumstances, Western will notify parents and/or legal guardians when there is reasonable suspicion that the student is at risk of harming themselves or others. However, the full nature of the concern may not be fully described in accordance with FERPA. Examples of extraordinary circumstances may include, but are not limited to, suicidal ideation and/or attempts, medical transport or when a serious crime has been committed.

## **Request for Name or Address Change**

Students who would like to initiate a change of name or address in their University record should contact the Registrar's Office.

## **Trustee Policy Manual**

Many policies applicable to students are contained in Western's Trustee Policy Manual. Students are encouraged to review the entire Trustee Policy Manual.

### **Discrimination, Harassment, and Retaliation**

For the University's policy related to discrimination, harassment and retaliation, as well as related procedures, please refer to Section 2.2 of the Trustee Policy Manual, available at <https://western.edu/about/leadership/board-of-trustees/policy-and-governance>. For more information concerning this policy, contact Western's Equal Employment and Affirmative Action Office at [civilrightseeoaa@western.edu](mailto:civilrightseeoaa@western.edu).

#### **Retaliation**

Any form of abuse, threat, intimidation, bullying, coercion, harassment or attempt to influence or interfere with another individual or group who submits a report, cooperates with any investigation or acts as a witness in relation to an alleged violation of the Student Handbook, University policy or any federal, state or local law or ordinance constitutes retaliation under University policy.

#### **Campus Free Expression**

For the University's Policy on Free Expression, including use of campus grounds and facilities; campus postings; solicitation; activity registration; time, place and manner restrictions; and more information, refer to the Board of Trustees' Free Expression Policy, available at <https://western.edu/about/leadership/board-of-trustees/policy-and-governance>.

#### **University Theft and Vandalism**

Theft is the unlawful taking of someone else's property, intellectual property or money. There will be no tolerance for theft. Vandalism refers to the destruction, defacing or damaging of public or private property. Colorado vandalism laws generally refer to vandalism as "criminal mischief," which is defined as the knowing damage of the real or personal property of another, including, but not limited to, graffiti, tire slashing, broken windows, keying a car and arson.

This definition includes damage not only to personal property but also to University property. Western property includes, but is not limited to, buildings and lawns, University vehicles, the University Center and Pinnacles fire pits, dining facilities, library materials, computers, and computer-related hardware and software. Law enforcement may be called for any type of

theft or vandalism. Students engaged in acts of theft or vandalism in the Gunnison community may also be subject to the student conduct process.

## **Campus Wide Tobacco and Smoking**

In support of the health and well-being of all members of the Western community, tobacco use and the smoking or vaping of any other substance are prohibited in residence halls and University apartments. This prohibition includes, but is not limited to, cigarettes, cigars, smokeless chewing tobacco/snuff, bidis, cloves, pipe tobacco, e-cigarettes, vaporizers, vape pens, vape wax, oils, hookahs and marijuana. Students may store cigarettes and smokeless tobacco as long as they are stored in a personal space and out of view. Tobacco, cigarette and vape use is prohibited within 30 feet of any University building.

## **Alcohol and Other Drugs**

The following conduct actions refer to policies concerning alcohol and other drugs (AOD). Based on the severity of the infraction, Western reserves the right to impose appropriate student conduct outcome sanctions. Violations of AOD policy will be considered cumulatively when assigning outcomes by conduct administrators. This policy applies to students in off-campus housing as well as students residing in on-campus housing. Western reserves the right to investigate and subsequently apply disciplinary actions in on- and off-campus situations that may affect the Western community.

## **Communicable Illnesses**

Western Colorado University is committed to maintaining a healthy and safe environment for all members of the University community. The purpose of this policy is to outline guidelines and procedures for managing communicable illnesses. It is essential that all students, faculty, and staff actively participate in preventing the spread of communicable diseases to ensure the well-being of the entire campus community. This policy will be reviewed periodically and updated as necessary to align with current public health guidelines.

In the event of a communicable illness or exposure to communicable illness, the university will follow the guidance of local, state, and federal public health agencies, including but not limited to the Gunnison County Health and Human Services, the Colorado Department of Public Health & Environment (CDPHE), and the Centers for Disease Control and Prevention (CDC).

### **Prevention**

1. Vaccinations: All eligible individuals are strongly encouraged to get vaccinated against preventable diseases as recommended by public health authorities. Please refer to

the University vaccination policy below for additional guidance.

2. Hygiene Practices: Maintain good personal hygiene by regularly washing hands with soap and water, using hand sanitizer, and practicing respiratory etiquette, such as covering your mouth and nose with a tissue or your elbow when coughing or sneezing.

### **Reporting and Monitoring**

Examples of infectious diseases include, but are not limited to:

- Measles (MMR) • Tuberculosis • Hepatitis
- Meningitis • Chicken Pox • Influenza
- Pneumonia • Mononucleosis • Ebola

**Self-Reporting:** Students who are diagnosed with the above or other infectious diseases should promptly report to Student Affairs, who will work with Health and Human Services and Public Health professionals to provide guidance.

**Monitoring and Contact Tracing:** The University will work closely with Health and Human Services and Public Health professionals to implement monitoring and contact tracing protocols to identify and notify individuals who may have been exposed to a communicable illness. Cooperation with these efforts is crucial for the health and safety of the community.

**Isolation and Quarantine:** Certain communicable illnesses may require individuals to isolate and/or quarantine to protect the health or safety of the community. Please work with Student Affairs to ensure that applicable isolation and/or quarantine procedures are followed. Individuals who are directed to isolate or quarantine should refrain from coming to campus until they have received clearance from healthcare professionals.

**Requesting Disability Accommodations:** Students who would like to request accommodations should contact the Center for Disability & Accommodations at:

Leslie J. Savage Library 121  
970.943.2113  
[disabilityaccommodations@western.edu](mailto:disabilityaccommodations@western.edu)

**Academic Completion:** Students whose academic pursuits are impacted by a communicable illness should contact their instructors as soon as possible to discuss alternative arrangements for coursework.

Students recovering from a communicable illness may need to reduce their course load and/or allow additional time for schoolwork and rehabilitation. Students are encouraged to work with their instructors immediately to reach an agreement regarding classes and assignments missed. This includes making up missed exams and quizzes and time extensions on assignments.

Communicable illnesses that are documented and have caused students to be unable to complete their studies despite their best efforts may consider withdrawing or requesting incompletes in classes. Students should discuss these options with instructors and the Registration & Advising Services professionals at:

Taylor Hall 300  
970.943.7056  
[reg\\_advise@western.edu](mailto:reg_advise@western.edu)

Policy Compliance: Non-compliance with this communicable illness policy may result in disciplinary action, as outlined in the student handbook.

### **Immunization Requirements**

1. General Requirement
  - All enrolled university students are obligated to furnish evidence of immunization. A university student, as defined by the State Board of Health, includes those enrolled for one or more classes physically present at the institution. Auditing students are included, while students exclusively taking correspondence or off-campus classes are exempt. Immunization records must be submitted through the housing portal on the western.edu site.
  -
2. Exemptions
  - The following exemptions will be considered by Western if properly documented requests are made.
    - a. Medical Exemption: A Certificate of Immunization must accompany a signed statement from an advanced practice nurse or physician, stating that immunization would endanger the student's life or health.
    - b. Religious Exemption: Students seeking a religious exemption must submit a signed statement from parent(s) or emancipated student, declaring adherence to a sincerely held religious belief opposing immunizations.
    - c. Age Exemption: College students born before January 1, 1957, are exempt from the measles, mumps, rubella (MMR) vaccination. Contact the Office of Student Affairs if this exemption applies.
  -
3. Online Student Exemption
  - Students exclusively taking online or off-campus courses are exempt. However, they must provide immunization records if attending on-campus classes in the future.
  -
4. Required Immunizations
  - a. Proof of 2 MMR vaccinations (usually at ages 1 and 5) from a doctor's clinic, on an immunization record signed by a doctor, or from a previous school or insurance provider.
  - b. Proof or waiver of the meningococcal vaccination, required every 5 years for on-campus students.
  -
5. Documentation Sources

- The following sources of documentation may be accepted as proof of immunization:
  - a. Immunization Form available on the university website.
  - b. MMR records available through personal records, doctor, or insurance provider.
  - c. Other state databases that contain the individual student's immunization records.
- 
- 6. Re-immunization
- 7. If you are unable to demonstrate proof of immunization and do not meet the eligibility for an exemption, you may need to get re-immunized and it is not harmful. MMR shots are available at Gunnison Public Health for a reduced rate with no insurance required. Immunizations are free under the Affordable Care Act.
- 
- 8. Semester Compliance
  - a. Each semester, students will receive an email reminder and will see a Workday checklist item if they need to update their immunization records.
  - b. Holds may be placed on accounts that are out of compliance with this policy. This hold will be lifted upon submission of required immunization records to the Office of Student Affairs.
  - c. To resolve holds for non-compliance with this policy, students should contact the Office of Student Affairs.
- 
- 9. Contact Information
- For inquiries into the University immunization policy students should contact the Office of Student Affairs.

# Student Affairs Policies

## Student Conduct

Student Handbook Authority: While enrolled at Western, students are subject to delegated University authority. The Dean of Students will designate a Student Conduct Administrator, who may identify other conduct advisors to assist with the administration of the conduct process. The Student Conduct Administrator or designee will train the conduct advisors and members of the conduct panel who are responsible for the discipline of students and may, through the disciplinary procedures specified herein, impose sanctions for violations of the Student Handbook.

The Student Conduct Program (SCP) is designed to ensure fairness and equity throughout the conduct process towards students and registered student organizations. The program is intended to be developmental and educational in nature.

## University Jurisdiction

The Student Handbook and the Trustee's Policy Manual apply to the conduct of any University student that occurs 1) on University premises, or 2) at any University-sponsored event or activity. In addition, the University may act under the Student Handbook, the Trustee Policy Manual and/or other University policies based on off-campus behavior of a student if the behavior 1) constitutes a safety or security threat to the campus, 2) directly affects any other Western student, 3) substantially affects the University community or its objectives or 4) violates local, state or federal law. Concurrently enrolled high school students who fail to comply with the Student Handbook may be subject to program dismissal as outlined in the Concurrent Enrollment policy.

Western Colorado University, as a state public institution, is required to follow all federal, state and local laws, including laws that may not apply to private entities. This means that the Student Handbook must comply with the Constitution of the United States, federal statutes, federal administrative regulations, the Constitution of the State of Colorado, Colorado Revised Statutes and State of Colorado administrative regulations. Accordingly, the Student Handbook cannot conflict with or supersede federal, state or local law.

A student may face both the University student conduct process and criminal or civil litigation charges since the same factual situation may allegedly violate both the Student Handbook and criminal or civil law. The student conduct process may happen before, during or after criminal proceedings. Since the student conduct process is separate from criminal or civil litigation, legal outcomes do not affect the student conduct process, nor will pending criminal or civil litigation stop or delay the student conduct process.

Each student is responsible under the Student Handbook for their own conduct occurring at any time prior to being awarded an applicable degree or certificate, even if the University does not discover the conduct until after awarding the degree or certificate. The Student Handbook

also applies to any student conduct that occurs during any interim period:

- After the date of application but before classes have begun for any upcoming term;
- After classes have ended for any given term but before the student has officially withdrawn or terminate their student status; or
- Any period during which the student's enrollment or participation in campus life temporarily ceases;

The Student Handbook also applies to the student's conduct if the student withdraws from the University or leaves its premises while a disciplinary matter is pending.

If a responding party is a former student who is not currently enrolled at the time the University is made aware of an alleged incident, the University may suspend the student conduct process and place a hold on the responding party's account, which suspends future enrollment by the responding party until any outstanding conduct adjudication has been resolved. Further, the University reserves the right to resume the student conduct process should the former student seek reenrollment or readmission to Western Colorado University at a later time before any prior conduct issues have been resolved.

This policy and the student conduct process will apply to all residential, commuter, and online learning students, including part-time students, full-time students, concurrent enrollment students, and undergraduate and graduate students.

### **Identification Card (Mountaineer Card)**

All students are required to carry their valid Western ID with them at all times. Students must present their Western identification card when requested by any Western official.

### **Official University Communications**

The official University communication network is the assigned Western email account. All official University communications are made via the Western student email. Students are expected to monitor their Western email account and to comply with all communication sent through email. Failure to read official Western email will not relieve a student of responsibility for the information contained in official Western email correspondence.

### **Other Policies and Handbooks**

If a student is involved in circumstances related to academic or athletic policies/handbooks, any specific processes in those policies/handbooks will take precedence over the Student Conduct Policy. To learn more, please refer to the Academic Policies above and/or the specific academic program policies/handbooks. If a student is involved in circumstances related to their employment with the university, employment policies or contracts may apply in lieu of this Student Conduct Policy.

## **Extended Leave of Absence**

When leaving campus for an extended period, it is advised that the student inform the Office of Student Affairs to coordinate accommodations accordingly.

## **Prohibited Conduct**

The following list of behaviors is not exhaustive, and the University reserves the right to amend its rules and policies. The actions and/or behaviors listed below are expressly prohibited. Students are prohibited from violating any University policy, handbook, or agreement.

## **Academic Misconduct**

- **Cheating:** Includes the use of unauthorized sources of information and providing or receiving unauthorized assistance on any form of academic work or engaging in any behavior specifically prohibited by the instructor in the course syllabus.
- **Plagiarism:** Involves copying the language, structure, images, ideas, or thoughts of another and representing them as one's own without proper acknowledgment. This policy applies only to work submitted for credit. Disciplinary action will not be taken for work in draft form.
- **Unauthorized Possession or Disposition of Academic Materials:** Includes the unauthorized selling or purchasing of examinations, class notes, term papers, or other academic work; stealing another student's work; and using information from or possessing exams that an instructor did not authorize for release to students.
- **Falsification:** Encompasses any untruth, verbal or written, in one's academic work.
- **Facilitation of Academic Misconduct:** Includes knowingly assisting another in committing an act of academic misconduct.

## **Abusive Behavior**

- **Threatening or Inflicting Bodily Harm:** Actual or implied behavior that creates a risk of bodily harm to oneself, another person, an animal, or property.
- **Threats, Intimidation, Coercion, or Other Unwelcome Behavior:** Threats, intimidation, coercion, or other unwelcome behavior, through any method of communication directed at an individual or individuals that is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with a person's academic or work performance, or a person's ability to participate in or benefit from the University's programs, services,

opportunities, or activities, when viewed through both an objective and subjective standard.

- Abusive Behavior Toward Current or Former Intimate Partners: Any form of abusive behavior (as listed above) specific to current or former intimate partners.

## **Damage**

Any threatened, attempted, or actual damage or destruction of University property or the property of others.

## **Discrimination, Harassment, and Retaliation**

Refer to the Trustee Policy Manual. In the event a student is identified as a Respondent in a non-employment related discrimination, harassment, or retaliation report or complaint, the student misconduct and appeals process outlined in this Student Handbook will be followed to resolve the grievance.

## **Disruptive Behavior**

- Engaging in behavior that disrupts or interferes with teaching, classroom presentations, or other educational interactions; residential communities on or off campus; research administration; athletic events; governmental functions; or disciplinary proceedings.
- Engaging in behavior that disrupts or obstructs the right of free speech or expression of any person on campus (for more information, refer to the WCU policy on Free Expression, available here).
- Leading, inciting, or participating in any on- or off-campus demonstration, riot, or activity that disrupts the normal operations of the University, inhibits freedom of movement or safe passage, or infringes on the rights of other members of the University community.
- Engaging in behavior considered lewd by a reasonable person, including voyeurism, public urination and/or defecation, and public exposure of intimate body parts.

## **False Information**

- Hazing Knowingly furnishing false information to any University official, instructor, office, or organization, or on any applications.
- Intentionally initiating, or causing to be initiated, any false report.

- Use, possession, or provision of false identification.

## Hazing

The Stop Campus Hazing Act defines hazing as “any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that—

1. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
2. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—
  - a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;
  - b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
  - c. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
  - d. causing, coercing, or otherwise inducing another person to perform sexual acts;
  - e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
  - f. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
  - g. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.” 20 U.S.C. 1092(f)(6)(A)(vi).

Definition of *student organization*: “an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.” 20 U.S.C. 1092(f)(6)(A)(vii).

Western has adapted the nationally recognized best practice for understanding hazing into three categories: Subtle Hazing, Harassment, and Violent Hazing. These categories are defined below and are all prohibited:

- Subtle Hazing: Behaviors that emphasize a power imbalance between new members and other members of the group or community. This is termed "subtle hazing" because these types of hazing are often taken for granted or accepted as "harmless" or meaningless. Subtle hazing typically involves activities or attitudes that breach reasonable standards of mutual respect and place new members on the receiving end of ridicule, embarrassment, and/or humiliation tactics.

- Harassment: Behaviors that cause emotional anguish or physical discomfort to make individuals feel like part of a group.
- Violent Hazing: Behaviors that cause or could reasonably cause physical or psychological harm.

### **Misuse of Alcohol**

- Use or possession of alcohol by anyone under the age of 21 on university premises.
- Manufacturing or distribution of alcohol as prohibited by law or University policy.
- Operating any vehicle while impaired by alcohol.
- Excessive consumption of alcohol that results in a state of intoxication that endangers oneself or others.

### **Misuse of Drugs**

- Use or possession of illegal drugs (under federal or state law), including but not limited to marijuana, methamphetamine, cocaine, opiates, LSD, psilocybin mushrooms, heroin, ecstasy, GHB, or other controlled substances, or any substance used for an intoxicating effect.
- Use or possession of prescription drugs other than by the person prescribed or for use other than the prescribed purpose and/or dosage.
- Manufacturing, growing, or distribution of illegal and/or prescription drugs.
- Possession or use of drug paraphernalia, including but not limited to equipment, products, and materials used to cultivate, manufacture, distribute, or use marijuana or other illegal drugs.
- Operating any vehicle under the influence of drugs or while impaired by any intoxicating substance.
- Use of drugs resulting in a state that endangers oneself or others.

### **Non-Compliance**

- Failure to comply with the verbal or written directions of any University official acting in the performance of their duties and within the scope of their employment, including failure to identify oneself to these persons when requested to do so.
- Failure to comply with the verbal or written directions of any law enforcement officers acting in the performance of their duties and within the scope of their employment, including resisting and/or obstructing law enforcement officers, or failing to identify oneself when requested to do so.
- Violating the terms of any interim measure, no-contact order, or exclusionary

- order imposed by the University.
- Failure to complete student conduct sanctions.

## **Retaliation**

Any form of abuse, threat, intimidation, bullying, coercion, harassment, or attempt to influence or interfere with another individual or group who submits a report, cooperates with any investigation, or acts as a witness in relation to an alleged violation of the Student Handbook, University policy, or any federal, state, or local law or ordinances.

## **Sex Discrimination and Sex-Based Harassment**

Please refer to Section 3.5 of the Trustee Policy Manual, which also includes the available supportive measures and the grievance resolution procedures.

## **Theft**

Theft, attempted theft, or other unauthorized possession of University property or the property of others, including the property of local, state, and federal governments.

## **Unauthorized Use**

- Unauthorized use, entry, or occupation of another person's property or University facilities, property, or vehicles.
- Any unauthorized possession, duplication, or use of University keys or access devices, including swipe access cards.
- Unauthorized removal or misuse of any University document, record, data, nonpublic information, identification, educational materials, or property (including forgery or alteration).

## **Violation of Law or University Policy**

Evidence of a violation of any federal, state, or local law or University policy.

## **Violation of University Rules, Contracts, or Agreements**

- Violation of any rules, contracts, or agreements governing residence in or use of University-owned or controlled property, or at athletic or other authorized

- special events.
- Violations of any rules, contracts, or agreements governing recognized student organizations.

## **Violent Behavior**

Please refer to Section 3.4 of the Trustee Policy Manual for matters pertaining to violent behavior.

## **Weapons**

Please refer to Section 3.4 of the Trustee Policy Manual for prohibited weapons.

## **Summary Suspension Pending Disposition/Utilization of Law Enforcement**

Western reserves the right to temporarily suspend a student from the University, as well as temporarily evict a student from the residence halls/apartments, pending the outcome of a University conduct meeting or a trial in a state or federal court. Additionally, restrictions may be placed on a student's access to the campus (PNG) in instances where a student has been accused of a crime or conduct that, if repeated, could jeopardize the well-being of students, staff, faculty, or property. In these instances, a conduct meeting will be held within three (3) business days to determine whether such dangers reasonably continue to exist.

The Board of Trustees has passed the following resolution: "Any act by students or non-students that interferes with the rights of others, disrupts or impairs the normal functioning of the University, damages or destroys property, or impairs health or safety is grounds for suspension or expulsion from the University. The President or the President's representative may summarily suspend those individuals in violation of any of these standards, pending final disposition of the case by the appropriate body having jurisdiction thereof. The President or the President's representative may call on any law enforcement agency to enforce the suspension and maintain order."

## **Coordination with Criminal Proceedings**

In instances where a court of law has accepted an accused student's plea of guilty to a criminal offense, or the accused student has been found guilty of such an offense, and the commission of the offense also constitutes a violation of Western's policies as set forth herein or in the Housing Contract, the conduct administrator or panel selected by the Dean of Students, Associate Director of Community Wellness, or other designated hearing officer, may adopt the conduct determination of responsibility without conducting a fact-finding conduct meeting or hearing. However, a conduct meeting for the purpose of determining

conduct outcome sanction(s) may be provided to the student, during which the student may present any qualifying information. Western may proceed with student conduct matters prior to any related disposition in a court of law. Court dispositions do not prohibit Western from assessing appropriate outcome sanctions for violations of campus policies.

## **Adjudication of Student Misconduct and Appeals Process**

### **Filing Complaints**

- A. Any member of the University community may file a complaint against a student for alleged violations of the Student Handbook or other applicable University policies.
- B. Complaints alleging a violation of the Student Handbook or other applicable University policies should be submitted as soon as possible after the incident.
- C. Complaints should be prepared in writing and directed to the Student Conduct Administrator. The Student Conduct Administrator is the Director of Campus Security.
- D. The Student Conduct Administrator or designee will assign the case to a conduct panel to investigate and initiate the conduct process.
- E. The respondent is presumed not responsible for a violation until the respondent acknowledges responsibility or is determined to be responsible by a preponderance of evidence at the conclusion of a disciplinary proceeding.

### **Standard of Proof**

To find that a student or organization has engaged in prohibited activities, the standard of proof required is preponderance of evidence. This evidence must demonstrate that it is more likely than not that the alleged violation occurred.

### **Informal Hearing**

The conduct advisor, typically a Resident Director (RD), will present all charges and meeting notifications to the respondent in written form sent to the address listed via the student's Western email. This notice serves as full and adequate notification. Students are responsible for updating their address or providing a forwarding address. Failure to do so, or refusal or inability to accept the emailed summons, does not excuse noncompliance.

The informal hearing will be scheduled within 15 business days of receiving the summons. The respondent should make every effort to attend the informal hearing barring extenuating circumstances such as an emergency. If the respondent needs to miss the informal hearing, they must notify the student conduct advisor via email at least 24 hours prior to the scheduled meeting. The student conduct advisor will reschedule the meeting. Failure to notify the student conduct advisor means that a decision may be made in the student's absence based on the available information.

The respondent will meet with the conduct advisor in an informal hearing when the conduct advisor reviews the charges and supporting documentation, advises the

respondent of due process rights under the Student Handbook, and explains the conduct adjudication process during the informal hearing. The conduct advisor will then offer the respondent the opportunity to informally resolve the alleged violation(s).

- The informal resolution process involves a review of the incident and discussion of possible sanctions.
- The conduct advisor may determine that the respondent is not responsible, that insufficient evidence exists to reach a finding of responsibility for the alleged violation(s), or that the University does not have jurisdiction over the allegations.
- This determination does not prevent the Student Conduct Administrator from pursuing a subsequent complaint should new evidence become available later.
- If the respondent does not want to engage in the informal hearing process but instead wishes to proceed to the formal hearing process, they must file a request for a formal hearing by notifying the conduct advisor.
- If the respondent acknowledges responsibility for the violation and the resolution offered by the conduct advisor, the respondent and the conduct advisor will complete an informal resolution agreement, which should include information regarding the violations for which the respondent has been found responsible, the resulting sanctions, and due dates associated with the sanctions, as well as a follow-up
- meeting to discuss what may have been learned from the educational conduct experience.
- When the respondent agrees to take responsibility for the violation and the sanction recommended by the conduct advisor, the case will be resolved after the sanctions have been completed, followed by a sanction completion meeting. No subsequent hearing will occur.
- If the respondent does not attend the informal hearing meeting, the conduct advisor may decide in absentia based on preponderance of evidence and notify the student of their findings, offering steps for appeal. The respondent will have seven (7) calendar days to request a formal hearing in writing to the Student Conduct Administrator.
- Failure to arrive or notify the conduct advisor could result in a \$50 fine and/or additional sanctions.
- The respondent has seven (7) calendar days from the date of the informal resolution agreement to reconsider the agreement and request a formal hearing. The resolution of an informal hearing cannot be contested after seven (7) calendar days.
- Appeals for informal resolutions may be requested due to procedural errors, new information, or an unreasonable sanction.

### **Formal Hearing**

If the charges cannot be resolved by mutual consent of the respondent and the conduct advisor, the respondent does not complete the sanctions agreed upon during the informal hearing process, or if the respondent maintains innocence of the alleged violation(s), the Student Conduct Administrator will refer the case to a conduct panel to adjudicate the case in a formal hearing.

- A student charged with a serious violation has the right to have a live hearing

and be present at the hearing unless waived by the student. The signed waiver will be provided in writing by the student. The student will receive a copy of the completed waiver, and a copy will be maintained in the student's administrative file.

- If a student waives the right to be present, they forfeit the right to make an opening or closing statement, present relevant evidence, cross-examine adverse witnesses through an advisor, or appeal the decision to the Dean of Students.
- A respondent's failure to participate in the conduct process does not preclude the University from conducting the hearing in their absence, even if the student-respondent does not return a signed waiver.
- The outcome of a formal hearing will replace any agreements made during the informal resolution.
- A formal hearing will be set to occur within fifteen (15) business days after the Student Conduct Advisor refers the case for a formal hearing. Time limits for scheduling formal hearings may be adjusted at the discretion of the Student Conduct Administrator.
- The University will maintain an administrative file of all disciplinary hearings. The respondent and complainant involved in alleged serious violations may have reasonable continuing access to the administrative file by contacting the Associate Director of Community Wellness to schedule a reasonable date and time for review.
- Portions of the administrative file may be redacted if confidentiality of the evidence is required. Each record of any disciplinary process or sanction imposed under the Student Handbook involving a respondent and other students may constitute an educational record, and the release of such is governed by FERPA (Family Educational Rights and Privacy Act).
- The conduct advisor may later serve in the same matter as a member of the conduct panel.
- The respondent may request a change in the date and time of the preliminary conference only once by requesting it 24 hours in advance by contacting the Student Conduct Advisor via email.
- Failure of the respondent to attend the preliminary conference will result in a formal hearing being scheduled.

### **Composition of a Conduct Panel**

The conduct panel may be composed of the following members: one (1) resident director from any residence hall, except for where a Conflict of Interest (COI) or bias may be present; one

(1) student affairs representative; and one (1) university faculty or staff member at large. The Student Conduct Administrator or designee will serve as the chairperson. The conduct panel will hear the case and determine recommended sanctions.

After reviewing the case that brought the student to a conduct panel, the panelists will need to review the student's entire conduct file (if applicable). In this review, it's important to consider the student's file to assess whether the student's behavior has changed, showing neglect or respect for university policy and procedures.

All participants are bound to confidentiality under FERPA. In cases involving a serious violation, the Dean of Students may be presented with evidence and findings for further sanctioning, as necessary. If the matter is not resolved at an informal hearing, the conduct advisor will serve as the adjudicator and may be allowed to chair the conduct panel.

### **Hearing Guidelines**

- A. Hearings must be conducted in private and are not open to the public.
- B. The complainant, respondent, and their advisor (if any) may attend the entire student conduct hearing at which information is received, excluding panel deliberation.
- C. Admission of any person to the hearing who is not a party or witness is at the discretion of the chair of the conduct panel.
- D. In cases with multiple respondents, the Student Conduct Administrator or designee may, at their discretion, decide whether to conduct hearings jointly or separately for each respondent.
- E. Both the complainant and respondent have the right to bring their chosen advisor at their own expense to student conduct hearings. Advisors cannot speak or directly participate in the hearing. Both parties must inform the Student Conduct Administrator in writing via email of their choice of advisor at least 48 hours before the scheduled formal hearing. The respondent and complainant should select an advisor with a schedule that permits attendance, as delays due to scheduling conflicts will not be allowed.
- F. The complainant, respondent, and conduct panel may bring witnesses to the formal hearing who will present relevant information and respond to panel questions. Cross-examination between the complainant, respondent, or witnesses is not allowed. Written notice of requested witnesses must be submitted to the Student Conduct Administrator at least 48 hours before the scheduled formal hearing.
- G. The conduct panel, led by the panel chairperson, may consider relevant records, exhibits, and written statements as evidence, at the chairperson's discretion. Submission of such information to the Student Conduct Administrator is required at least 72 hours before the formal hearing. The final decision on procedural questions rests with the chairperson, the Student Conduct Administrator, or their designee.
- H. Following the presentation of evidence and dismissal of the involved parties, the conduct panel will vote by simple majority to determine the respondent's responsibility for the alleged violations.
- I. The conduct panel's decision, using a preponderance of evidence standard, hinges on whether it is more likely than not that the respondent violated the Student Handbook. University conduct hearings do not adhere to formal courtroom rules, but efforts are made to include only relevant and probative evidence, excluding irrelevant information.
- J. A verbatim record, such as an audio recording, will document all formal hearings before conduct panels, excluding deliberations. This recording is considered University property.
- K. If the respondent fails to appear before the conduct panel for the formal hearing, the information in support of the charges will be presented in absentia.
- L. The conduct panel may address safety, well-being, retaliation, and

confrontation concerns during the formal hearing by offering options that may include a visual screen or participation through telephone, video conferencing, or other means, as decided by the Student Conduct Administrator or their designee.

- M. After the formal conduct hearing, the Student Conduct Administrator will advise the respondent in writing of the determination of the conduct panel and any imposed sanctions, and any written referrals to the Dean of Students for further sanctioning, within five (5) business days. Any record of any disciplinary process or sanction imposed under the Student Handbook involving a respondent and any alleged victim may constitute an educational record, the release of which is governed by FERPA.

### **Sanctions**

The following sanctions may be imposed singularly or in combination upon any student found to have violated the Student Handbook or any other University Policy, including the University's Policy Prohibiting Sex Discrimination and Sex-Based Harassment (Section 3.5 of the Trustee Policy Manual).

Sanctions that are issued as a result of a finding from a conduct panel and a formal hearing are designed to be educational and restorative, not solely punitive. Appropriate sanctions will be issued equitably. A student's previous disciplinary record, including conduct sanctions and disciplinary status, may be considered for a current conduct violation, and may result in the assignment of a higher sanction. More than one sanction may be imposed for a single violation:

- Warning
- Written reprimand
- University probation
- Avoidance of contact directives
- Loss of privileges
- Housing removal or re-assignment
- Removal or suspension from participation in university athletics or organizations
- Removal or suspension from employment with the university
- Relocation of housing assignments or reservations
- Loss of good standing
- Monetary fines
- Restitution
- Education or training requirements
- Educational sanctions
- Community or campus service
- Alcohol and drug assessment
- Substance abuse treatment recommendations and referrals
- Administrative holds
- Loss of scholarship
- Parental notification (in accordance with FERPA)
- Residence Life suspension or eviction
- Loss of hosting privileges

- Persona Non Grata (PNG) status
- University leave, suspension, or expulsion
- Revocation of admission and/or credential

Sanctions must be completed by the respondent within the time frame set by the conduct administrator or applicable decision-maker, barring any extenuating circumstances. Students who fail to complete the assigned sanction(s) will have a disciplinary hold placed on their student account, which may prevent class registration and access to other university resources. The hold is removed when sanctions are complete.

A disciplinary sanction becomes part of the student's permanent academic record if it includes University suspension, expulsion, or the revocation of any credential.

Other than university suspension, expulsion, or revocation of credential, disciplinary sanctions will not be made part of the student's permanent academic record but will become part of the student's conduct record, unless otherwise required by law. Upon graduation and application to the Dean of Students, the student's confidential record may be expunged of disciplinary actions other than university housing expulsion, university suspension, university expulsion, or revocation of degree and/or certificate, or when the record is required to be maintained by law. Requests for expungement must be made in writing to the Dean of Students and approved by the Dean of Students.

### **Interim Actions**

In certain circumstances, the Dean of Students or their designee may impose a University and/or residence hall suspension prior to the conclusion of the conduct process to maintain

the safety and security of the University and University community members. Interim actions may be imposed in the following circumstances:

- A. To ensure the safety and well-being of the members of the University community or preservation of University operations or property, and/or to ensure the student's own physical or emotional safety and well-being;
- B. If the respondent is provided with written notice within twenty-four (24) hours of the interim actions, explaining the reasons for the interim actions.
- C. Within three (3) business days of the written notice, unless this time frame is waived or extended by agreement by the respondent, the University holds a formal conduct hearing.

During the interim action, the respondent will be denied access to University housing and/or the campus (including classes) and/or all other University activities and privileges for which the student might otherwise be eligible, as the Dean of Students or designee deems appropriate.

Interim actions may include the following:

- Interim no contact order
- Interim Persona Non Grata (PNG) order
- Interim residential relocation or eviction
- Interim University suspension
- Interim registration hold
- Interim restriction of organizational activities

## **Conduct Resolution**

Taking into consideration the nature of the incident report and the seriousness of the reported violation, the Student Conduct Administrator or their designee may pursue the sanctions outlined in the SCP Conduct Matrix. Please refer to the appendix of the Student Handbook for the SCP Sanctioning Matrix.

## **Appeals**

Appeals of any formal hearing or student conduct panel decision may be made in writing to the Office of Student Affairs within seven (7) calendar days of notification of the decision.

For serious violations where the sanctioning is determined by the Dean of Students, the student may appeal the decision to the President of the University or their designee within seven (7) days for further consideration. The only bases for appeal are:

- A. Alleged failure of the conduct panel or Dean of Students to follow procedures set forth in the Student Handbook, or
- B. Consideration of new evidence that was not available at the time of the hearing before the conduct panel or the Dean of Students, and is not duplicative.

If an appeal is upheld, the review of the case may result in a modified sanction, or the case may be remanded to a new conduct panel for a new hearing. If the appeal is denied, the sanction imposed by the conduct panel or Dean of Students will be immediately implemented. Sanctions issued following the conduct panel formal hearing will not be implemented until all appeals have been either exhausted or voluntarily waived.

## **Involuntary Withdrawal Policy**

1. Purpose
  - Western Colorado University is committed to maintaining a safe and supportive learning environment. This policy provides a structured process for involuntary student withdrawal when a student's behavior presents a direct threat to themselves, others, or causes significant disruption to the University community, and such concerns cannot be resolved through voluntary measures or other interventions.
  -
2. Preference for Voluntary Withdrawal
  - Whenever possible, students will be given the opportunity to withdraw voluntarily and to collaboratively develop a plan for future return, including planning for necessary support, assessments, or conditions for re-admission. Involuntary withdrawal will only be pursued when:
    - a. The student declines voluntary withdrawal,
    - b. Other support strategies or conduct processes are insufficient, and
    - c. The student's behavior continues to pose a substantial risk.

- d.
- 3. Interim Safety Actions
  - If the student presents an immediate or ongoing threat to campus health, safety, or operations, the Dean of Students may impose interim restrictions, including:
    - a. Temporary exclusion from campus or university activities,
    - b. Class attendance restrictions, and
    - c. Interim suspension.
  - The student will receive written notification and may request a meeting with the Dean of Students within five (5) business days to discuss the interim action. Restrictions remain in effect pending final resolution.
  -
- 4. Individualized Review Process
  - Reports of concerning behavior will be referred to the Behavioral Intervention and Threat Assessment (BITA) Team, which collaborates with the Dean of Students to conduct an individualized assessment that considers:
    - a. The nature, duration, and severity of the risk,
    - b. The likelihood of potential harm,
    - c. The student's current functioning and capacity for safe participation in University life, and
    - d. Whether reasonable accommodations can mitigate the risk.
  - The student will be invited to a meeting with the Dean of Students and may bring a support person (e.g., advisor, family member). The support person may not speak on the student's behalf.
  -
- 5. Forensic Risk Assessment
  - Western may require the student to complete a forensic psychological or medical assessment by a licensed, independent clinician. This assessment evaluates the student's ability to safely and successfully participate in the University community. Western will cover the cost of this assessment when it is required by the University. Failure to complete the assessment may result in suspension or conduct action.
  -
- 6. Outcomes of the Review
 

Following the review, possible outcomes include:

  - a. No action: The situation has been resolved and no withdrawal is required.
  - b. Voluntary withdrawal: If agreed upon, the student may withdraw voluntarily with documented conditions for return.
  - c. Involuntary withdrawal: If the student declines to withdraw or the risk remains unmitigated, the University may issue an involuntary withdrawal. The student will receive written notice outlining:
    - i. The reasons for withdrawal,
    - ii. Any restrictions or interim actions,
    - iii. Conditions for readmission, and
    - iv. Appeal procedures.
- 7. Appeals
 

The student may appeal the decision within seven (7) business days of the involuntary withdrawal notification by submitting a written appeal to the Office of

Student Affairs. The appeal must include relevant documentation and state the grounds for appeal (e.g., procedural error, new evidence, or a claim the decision was unreasonable based on the facts).

The appeal officer's decision is final. The student remains withdrawn during the appeal process.

#### 8. Readmission

Students seeking to return to Western after an involuntary withdrawal must:

- A. Contact the Dean of Students or designee listed in the withdrawal notice,
- B. Demonstrate that the conditions for return have been fully met,
- C. Provide documentation from medical or mental health professionals, if applicable, and
- D. Participate in a follow-up meeting to assess readiness for reintegration.

The BITA Team and relevant departments will collaborate to determine if readmission is appropriate.

#### 9. Academic and Financial Impact

The same refund, financial aid, and housing policies that apply to voluntary withdrawals will apply to involuntary withdrawals.

- Courses may appear as withdrawals on transcripts, depending on timing.
- Financial aid implications are governed by state, federal, and institutional policy.

#### 10. Coordination with Conduct or Other Policies

This policy does not replace or limit the university's ability to initiate conduct proceedings or take action under other University policies when appropriate. An involuntary withdrawal process may run concurrently with conduct or Title IX investigations.

## **Rescission of Admission or Scholarship**

Western reserves the right to rescind offers of admission and scholarships—including merit, academic, and athletic—due to any disciplinary findings at another academic institution or criminal findings. Western may also rescind offers of admission and scholarships based on misrepresentations in applications or any other inappropriate conduct that could infringe on the rights of others or disrupt the normal functioning of Western. Such conduct must be inconsistent with the University's mission to promote intellectual maturity and personal growth in its students, preparing them to assume constructive roles in local, national, and global communities, or otherwise not in compliance with federal law, the Colorado Revised Statutes, local ordinances, or University policies. Individuals who fall into any of the foregoing categories have an obligation to inform the University immediately.

## Conduct Administrators

Western uses a collaborative approach to student conduct and adjudication. Conduct administrators represent all aspects of campus with direct support from the Director of Campus Security and the Office of Student Affairs. They serve on conduct panels when necessary. Additionally, conduct administrators provide support and resources to students and inform them about the conduct process. For questions regarding policies and procedures, contact:

Dean of Students (Office of Student Affairs)  
Taylor Hall 301  
970.943.2232

University Center 102E  
970.943.3084

Associate Director of Community Wellness  
University Center 117  
970.943.2101

# **Residence Life Policies**

## **On-Campus Residency Requirements**

Western's student development philosophy holds that, in addition to the benefits of living on campus, the roommate experience is integral to encouraging social-emotional growth in first-year students. In addition to hoping that a roommate will provide an immediate connection in an unfamiliar environment, learning to live with someone also strengthens communication and conflict resolution skills. It allows students to broaden their perspectives, learn about people who are different from them, and develop an appreciation for others. The policies outlined below are based on these philosophies.

Exemptions to the on-campus residency requirement include students who live within 30 miles driving distance of campus with a direct family member (biological parent or legal guardian), married students, students with dependent minor children, or honorably discharged veterans. Students under 18 must sign a waiver and release of liability for a minor living on campus before being allowed to sign a housing contract and reside in university housing.

Western assigns student housing based on the number of credit hours completed and housing availability. The university has different occupancy policies for each subset of our student population.

## **Additional Residency information**

Though first-year students may occasionally find themselves in a single room, the room must remain ready for a roommate to arrive at any time. This means that students must remain on one side of the room, utilizing only one set of furniture. If first-year students are found using the vacant space or elements reserved for a potential roommate, they may be charged a fine of \$100 for failing to follow this policy. The conduct process may be initiated for failure to comply with a reasonable request from a Western official.

## **Housing Freeze**

During the first two weeks of every semester, all housing is under a two-week freeze. This provides Residence Life time to ensure that all students who have signed up for housing are on campus and in their assigned housing. After the two-week freeze and any potential consolidation, residents may begin requesting room changes, etc., after a conversation with their respective Resident Director. Extreme and/or extenuating circumstances supersede the two-week freeze and will be handled on a case-by-case basis.

## **Mandatory Consolidation**

If there is an empty space in a room, mandatory consolidation will become an option. This option will only be applied during the first two weeks of the academic year. The process will be as follows:

Before being placed with another roommate, residents will be sent an email informing them that they currently do not have a roommate and outlining their options, which include:

1. Selecting a roommate via the housing application system (including a list of other single students on their floor whom they can room with).
2. Inviting a friend to join them.
3. Doing nothing and understanding that Residence Life may consolidate them with another student at the end of the first two weeks of classes.
4. If permitted, buying out as a single.

## **First-Year Residence Halls**

- Escalante Complex (Colorado, Crystal, Dolores, Tomichi): 0-29 credit hours; standard double occupancy rooms with communal bathrooms
- Ute Hall: 0-29 credit hours; standard double occupancy rooms with communal bathrooms

## **Returning Student Halls**

- Mears Complex: (Mears, Moffat, Robidoux) standard double-occupancy rooms within shared suites and semi-private bathrooms in each unit
- Pinnacles Apartments: apartment-style housing with kitchens within each unit.
- Chipeta Apartments: apartment-style housing with kitchens within each unit.

## **Eligibility**

To be eligible for residency in university residential housing, a person must be enrolled in a minimum of one (1) credit hour and must carry a meal plan (for those residing in university apartments, a meal plan is optional). The University reserves the right not to contract with anyone who is currently or has previously violated the student handbook, the terms of a university housing contract, or who has a past-due balance with the University. All students living in residence halls must pay a \$250.00 housing deposit, which will be returned to the student upon graduation or departure from the university, barring any damages assessed to the student's account.

## **Housing Contract**

The University Residence Life housing contract is a legal document, and it is binding for the entire academic year. Please read the contract carefully before signing. Withdrawal from the University does not automatically terminate your housing contract, nor does removal for conduct policy violations, nor does the loss of any scholarship and/or financial aid. Room and board charges will continue to accumulate until an official check-out has been completed.

Check-out is complete when all personal belongings have been removed from the residence hall, the residence hall room is cleaned by the student, related keys are returned, and a staff member has completed the necessary check-out paperwork with the student's signature. Prior to check-out, the student must communicate with their Resident Director to file the appropriate paperwork. If there is sufficient demand and available space, students needing scheduled break housing may be (at the discretion of the Director of Residence Life) accommodated in a designated housing facility.

## **Meal Plans/Board**

To support student food security, residents are required to purchase a meal plan unless they are living in university-operated apartments with fully operational kitchens within the unit. Residents select their meal plan in the housing portal. Should a student fail to select a meal plan in the housing portal, the resident will automatically be placed on a meal plan. Residents have until the third day of class each semester to change their meal plans. Students may change their meal plan without penalty until 5:00 p.m. on the Sunday following the first day of classes each semester. Meal plans are non-transferable.

## **Housing Accommodations**

Residence Life strives to provide accessible housing for students with disabilities. If a student needs specific housing accommodations because of a disability, they should contact the Center for Disability & Accommodations for assistance. Alternatively, they may initiate an online housing accommodation request by visiting [www.western.edu/ds](http://www.western.edu/ds). Housing accommodations because of a disability will not be approved without supporting documentation, and final approval is at the discretion of the Director of the Center for Disability & Accommodations.

## **Disorderly Conduct**

Disorderly conduct is defined as individual or group behavior that substantially disturbs others. Such conduct includes, but is not limited to, unwelcome physical conduct and boisterous or threatening behavior that is unwanted and unreasonable for the time, place, or manner in which it occurs.

## Roommates

Developing a positive relationship with roommates is crucial for maintaining a conducive campus living environment. Students are strongly encouraged to adhere to the roommate agreement, and policies are in place to ensure compliance. Western encourages students to use the housing portal's roommate matching software to find like-minded roommates. Upon arrival, it is recommended to use the online roommate agreement to discuss and set expectations regarding alarm settings, bedtime, sleeping habits, study patterns, and preferences on food and visitors. Other things to consider include the following:

- Divide all cleaning responsibilities.
- Set a regular cleaning schedule and post it in a shared area.
- Find out how your roommate feels about lending things to others.
- Discuss how to handle visitors. For example, if one roommate prefers to stay up late and socialize, a compromise may be necessary.

Respect your roommate as an individual, and do not expect them to satisfy emotional or social needs. Be open to making other friends.

Address concerns directly with your roommate, emphasizing courtesy, thoughtfulness, and consideration for their basic rights, such as:

- The right to live in a clean room and building.
- The right to have respect for personal belongings.
- The right to read and study without undue interference.
- The right to sleep without undue disturbance from noise, guests, etc.
- The right to free access to one's assigned room and facilities.
- The right to personal privacy.
- The right to be free from fear, intimidation, or physical or emotional harm.
- The right to reasonable cooperation in the use of room amenities.

If issues with a roommate persist after discussion, residents should contact their Resident Assistant for support. The Resident Assistant can offer guidance and professional assistance in resolving challenges. If necessary, involving the Resident Director to facilitate discussions between roommates is the next step. Violations of the roommate agreement, in accordance with student handbook policies, may lead to disciplinary action through the conduct process.

## Roommate Conflict Resolution

Residents are placed together for an educational experience. If conflicts arise, a conflict resolution process is required prior to the approval of a room change. A resident experiencing conflict with a roommate should communicate with the Resident Advisor (RA) on their floor. All RAs at Western have been trained in conflict resolution. The RA and the resident are encouraged to schedule an initial conflict resolution meeting for the resident and the roommate(s).

During this meeting, new agreements will be put in place, and methods for bringing up

broken agreements in respectful ways will be established. Two weeks after the first conflict resolution meeting, an informal assessment will be made by the RA and the Resident Director (RD) regarding the residents' relationship. A decision will then be made about the possible need for a second conflict resolution meeting with the RD. Unauthorized room changes or failure to move out of a room when required may result in sanctions as determined by the Department of Residence Life. If the conflict resolution process is unsuccessful, the University reserves the right to move all parties involved to another room and/or residence hall. Room change authorization will not be granted during the first two weeks of each semester. A \$100 fee will be assessed for all room changes.

Campus residence halls and apartments are communities designed for residents to develop relationships and learn how to confront concerns. Students are expected to attempt to resolve conflicts with roommates and other hall residents. If this is not successful, the student may contact their Resident Assistant. If a situation is not resolvable through these steps, the student should contact their Resident Director, who will assist with the process. All conclusions must be adhered to by the students involved.

## **Guest Policy**

Residents must inform roommates and suitemates in advance about guests, whether on or off-campus. On-campus or off-campus guests are allowed for up to 72 hours within a two-week period, with prior roommate permission required for residence entry. Host students must accompany off-campus guests on campus and are prohibited from sharing keys or leaving guests unattended in their room/apartment.

## **Emergency Procedures**

An emergency evacuation map is provided in every residence hall room and apartment and can be found on the wall near the entry door. This map is the property of the University and must remain in the assigned location in the room or apartment. Removal or damage to the emergency evacuation map may result in disciplinary action and additional charges assessed to the student's account. If there isn't an evacuation map in the room or apartment, it is the student's responsibility to report this finding to either an RA or an RD to get a replacement.

## **Fire Regulations**

Fire restrictions on campus property or Western-controlled state property include, but are not limited to:

- Anything that produces open flames or coils or has the potential to create an uncontrolled fire;
- Any fire to burn trash, debris, fence rows, or vegetation;
- Any campfire or warming fire;
- Any temporary or permanent fire pit or fire grate;

- Any open fire;
- Fires in outdoor wood-burning stoves; and
- The use of any fireworks.

If any local, state, or federal agency declares a burn ban or fire restriction, then all fires, stoves, grills, outdoor cigarette smoking, and similar activities will be banned to conform to those regulations. Please consult the Gunnison County government website to ensure that a fire ban will not be violated.

Persons activating false fire alarms, tampering with or removing firefighting equipment, or interfering with firefighters are subject to prosecution under Colorado statutes, as well as disciplinary action by the University. An automatic fine of \$300 will be assessed for the first offense, and \$600 for any subsequent offenses.

Should the fire alarm in your residence hall be activated, every resident is required to evacuate the building immediately using the nearest stairwell or exit. Do not use elevators. Please review all emergency evacuation plans posted throughout the building. In the event of a fire, keep the following in mind when evacuating a building:

- Feel the door from top to bottom.
- If the door is cool, crouch low and open the door slowly.
- If visibility permits, exit by stairwells.
- Stay as low as possible, crawling if necessary, when smoky conditions exist.
- If you encounter heavy smoke in a stairwell, go back and use another set of stairs.
- If trapped in a room, take the following steps:
- If possible, call 911 and report your situation.
- Wedge wet towels or clothing under the doorjamb to keep smoke out.
- Keep a soaked towel over your head.
- Stay low and try to breathe fresh air near a window.
- Open a window and signal firefighters with a sheet or blanket.

## **Fire Evacuation Locations**

In case of an emergency, residence halls will evacuate to the following locations:

- Mears Complex evacuates to the skate park.
- Ute Hall evacuates to Taylor lawn.
- Chipeta Hall evacuates to the grassy area north of Chipeta Hall.
- Pinnacles Hall:
  - East-West wing evacuates to the skate park.
  - North-South wing evacuates to the RTA bus stop lawn.
- Escalante Complex:
  - Colorado and Dolores evacuate to the University Center parking lot.
  - Crystal and Tomichi evacuate to the Kelley parking lot.

Failure to evacuate a residence hall during a fire alarm or to comply with a reasonable request of a fire official or campus staff member will result in an automatic fine of \$300 for the first

offense and \$600 for subsequent offenses.

## **Maintenance Request Procedures**

If a student has a maintenance request or other concerns regarding the physical upkeep of their room (plumbing problems, broken heater, etc.), they will need to work with their respective RA or RD to complete an online work request. If a serious maintenance concern arises after 5:00 p.m. or on weekends, the student should submit a work request and contact their on-call RA (Resident Assistant).

## **On-Duty Personnel**

A Department of Residence Life staff member is always on duty. If you have a security, maintenance, or other concern from 8:00 a.m. until 5:00 p.m., Monday through Friday, please call the Office of Residence Life. After 5:00 p.m. and on weekends, there is a Resident Assistant on-call in each residence hall. Contact information is posted in all residence halls and at all building entryways.

## **Public Safety**

The Department of Campus Security maintains order and enforces University rules and regulations. The office's responsibilities include patrolling the campus, enforcing parking and traffic regulations, investigating accidents and reported incidents, and providing security for the University's campus, people, and event. The Campus Security office is in University Center 102E and may be reached via phone at 970.943.3084 (office) or 970.209.1020 (mobile). In the event of an emergency, call 911.

## **Renter's Insurance**

Many homeowners' insurance policies cover students' belongings while they are away at college. It is strongly recommended that students check with their insurance agent to verify that coverage exists for personal belongings while living on campus. Western Colorado University is NOT responsible for personal property that is lost, stolen, or damaged in any Residence Life facility. Renter's insurance may be purchased through the housing application, if desired.

## **Quiet Hours**

Designated quiet hours are Sunday through Thursday 10:00 p.m.–8:00 a.m.; Friday & Saturday 12:00 a.m. (midnight) to 8:00 a.m. During quiet hours, students may not make

excessive noise that disturbs others. Noise violations during quiet hours can lead to student conduct and sanctions. Serious and/or repeated violations may result in more severe disciplinary action. Students should be mindful to not create noise that is disruptive to the community at any time. Excessive noise complaints may result in reassignment to another housing residence hall.

Courtesy hours are 24/7 and all students should be mindful of noise levels both within and outside of designated quiet hours.

## **Health and Safety Inspections**

The residence life hall staff will conduct a health and safety inspection once a month in all residence life facilities. These inspections are to ensure that room smoke detectors are in proper working order, University policies are being followed, window locks are working, and that there are no other hazards present. Advance notice will be given prior to conducting health and safety inspections.

## **Laundry Services**

Washers and dryers are provided in every residence hall. If the machines fail to function properly, please contact your Resident Assistant or Resident Director. Do not overload the machines. High efficiency detergent is recommended.

## **Service or Assistance Animal Accommodations**

Residents requiring aid by a service or assistance animal must be registered at the Center for Disability & Accommodations. Residents receiving this accommodation must comply with the terms and conditions of the University Service Animal and Emotional Support Animal Policy.

## **Mountaineer Marketplace**

The Mountaineer Marketplace, Western's on campus food pantry, is available for all Western community members to access. The Mountaineer Marketplace is located in the Pinnacles Apartments on the first floor, adjacent to the Pinnacles firepit. Entering through the South door near the fire pit, the Marketplace is open multiple hours a week and partners closely with the Gunnison Country Food Pantry to provide college-friendly food and snacks. Please report all questions to [mmathewson@western.edu](mailto:mmathewson@western.edu) if you have any or need support.

## **Alcohol**

Students under 21 are prohibited from possessing, consuming, or attending any social gathering where alcohol is present and/or where they have passive participation. Public intoxication while on campus is strictly prohibited.

Students who are 21 or older may possess alcohol in quantities that may reasonably be consumed by an individual. Bulk alcohol is prohibited. Consumption of alcohol in the presence of an underage individual is prohibited unless the underage individual is a contracted resident of the room, suite, or apartment.

Discovery of alcohol possession by underage students will require immediate disposal of the beverage and will lead to disciplinary action under the student conduct process.

Students requiring staff assistance due to alcohol consumption without medical amnesty may be subject to disciplinary action. Please refer to the Medical Amnesty policy for more details.

### **Gunnison Safe Ride – 970.209.RIDE (7433)**

Safe Ride of Gunnison encourages the responsible use of alcohol and safer roads by providing non-judgmental “No Questions Asked” rides and promoting alcohol education and awareness programs to the Gunnison community. Safe Ride is dedicated to improving the safety of Western students and the Gunnison community.

Hours: Wednesday, Friday and Saturday nights: 8 p.m. to 2:30 a.m.

### **Building Entry/Room Entry and Building Security**

For the safety and security of all residence halls, they are locked 24 hours a day, 7 days a week. It is expected that all residents lock their room doors when leaving their room at any time and always carry their keys and ID cards to ensure access. All doors and windows must remain locked when the resident is not present, including individual residence hall doors. Additionally, residents are strongly encouraged to lock windows and doors at night while sleeping to prevent unauthorized entry during overnight hours.

Do not remove window screens from any windows. Residents should never open doors for strangers or leave any exterior door propped open. Students found propping open doors or breaching hall security, including sharing keys, access cards, or tampering with door-closing or locking mechanisms, will face disciplinary action. Failure to lock and secure your room door will also result in disciplinary action. Entering or exiting through windows is prohibited. Residents and guests are to enter and exit only through designated entrances and exits.

#### **Building Access**

- Do not prop or otherwise obstruct the normal operation of any security door in the residence halls. This includes exterior doors and doors on your

residence hall floor or throughout your hall.

- Students are also prohibited from accessing the residence halls prior to the official published date for Hall Opening, after the date for Hall Closing, or during break periods (Fall, Winter, and Spring) without specific authorization.

### **Building Safety**

- Under no circumstances are students to sit on windowsills, climb out of windows, or be on exterior window ledges. Students are also prohibited from climbing on residence hall buildings, ledges, or roofs.
- Students are prohibited from throwing any objects out of room windows or from windows in any public area or lounge in the building.
- Students are prohibited from removing window screens, whether in a residence hall room or a public area. Removal of the window screen is a safety violation, and a charge will be assessed for its replacement. Disciplinary action may also be taken. Report any lost, damaged, or stolen screens immediately to your hall's community desk, Resident Assistant, Residence Director, or Assistant Residence Director.
- When removing your personal room trash and recycling, please use the receptacles located outside your residence hall. Please do not place personal trash or recycling in stairwells, bathrooms, or public trash cans within your hall.
- Residents must comply with all federal, state, and local laws; University rules and regulations; and all safety and security procedures in University buildings. Residents must not tamper with locked doors or admit unauthorized or unknown persons into buildings.

## **Lockouts and Keys**

Keys issued to residents by University Housing may not be duplicated or given to unassigned persons (friends, family members, others). All keys must be returned at the time of official check-out. If a resident does not return keys or turns in keys that do not match the keys that were issued upon check-in, it will result in a lock change that will be billed back to the resident's account.

## **Lockout Policy**

- Lockouts will be an immediate \$100 fine that will be added to the students' account.
- If you lose your key, you should report this to University Housing immediately, to have the lock changed for your own safety and security, fees may be assessed.

## **Unauthorized Use**

- Unauthorized use, entry, or occupation of another person's property or of University facilities, property, or vehicles.
- Any unauthorized possession, duplication, or use of University keys or access devices including swipe access cards.
- Unauthorized removal or misuse of any University document, record, data, nonpublic information, identification, educational materials, or property (including forgery or alteration).

## **Common Areas/Public Areas**

Personal belongings are not to be left in shared bathrooms, kitchens, studies, lounges, hallways, stairwells, or any other public areas due to health and safety concerns. Any personal items found in these areas will be removed. The university is not responsible for items left in public or shared areas.

Rowdy activity, wrestling, running, excessive noise, outdoor games and use of mobile recreational devices are not permitted in hallways or public areas due to disturbance and safety of other residents. Any items used during horseplay may be confiscated.

The use of computer labs, activity rooms, and on-campus laundry facilities is restricted to those residents of the specific community. Non-residents are prohibited from using these facilities. Any student found responsible for abusing/tampering with University property will face conduct sanctions and fines.

## **Wireless Internet**

Wireless internet is provided in each residence hall room and apartment. Cable splitters, hubs, routers, or other devices that are not provided by the university and alter wireless service or the campus network are prohibited. In addition, residents are required to use surge protectors when operating personal computers in their room. Residents must abide by the University Technology Usage Policies as governed by IT Services.

## **Personal Recording Devices**

Audio or video recording in any space where a student enjoys a reasonable expectations of privacy is strictly prohibited unless all persons present provide written consent to be recorded via audio and/or video devices. Areas where a student has a reasonable expectation of privacy include dorm rooms, bathrooms, and any area of transport between a private living space and community bathroom facilities.

## **Damage Costs**

Residents are financially responsible for any damage to public or private areas of Residence Life facilities. Residents should complete a Room Condition Contract (RCC) when they check into their room. This contract records in detail the room's condition at check-in. Rooms are checked against this record at the time of check-out. Students will be held liable for any damages, lost property, or cleaning beyond standard cleaning caused by accident, neglect, or intent. When two residents occupy the same room and the University cannot ascertain responsibility for damage or loss in the room, the cost will be divided equally between the residents of the room. Charges will be posted to the student's account within 30 days of check-out.

When damage occurs in public areas of a building, all residents of that building may be held liable for the repair cost or fines. If the damage occurs on a specific floor or wing, the cost will be divided equally by the number of residents on that floor or wing and billed to their accounts. Should the Department of Residence Life deem that the damage cannot be attributed to a specific wing or floor, the damage will be divided equally among all the residents of the building and billed directly to their student accounts as a community charge.

Students may appeal damage charges in writing to Residence Life within 30 days of notification. Appeals should include the full name of the student, their Western student ID number, date of charge, amount of charge, and what is being appealed, along with any rationale or evidence. Residence Life will review the appeal and make a determination. Nonpayment of debts incurred from lost keys and service fees may result in withholding academic records and/or academic awards.

Residents who intentionally cause damage or commit vandalism to their assigned residence hall will be charged and face additional conduct sanctions that may include fines and possible expulsion from the University at the discretion of the Dean of Students.

## **Hosting Clause**

Should you choose to host an event in your room where an alcohol, drug, or controlled substance violation occurs, you will be held to a higher level of accountability.

## **Food Fights**

Although food fights may sound like innocent fun, they can often lead to dangerous objects being thrown and serious injuries being inflicted upon other people. Due to this potential danger, students involved in food fights may have serious conduct action imposed against them.

## **Gambling**

Gambling of any kind is not allowed anywhere on campus or Western University Colorado's subsidiaries.

## **Hall Sports**

All sports, running, and water games are prohibited within the dining and residence halls (including residents' rooms and apartments). Riding bikes, rollerblading, and skateboarding are prohibited in all buildings and breezeways. Failure to comply result in conduct actions in addition to possible fines/charges for any damages.

Residence halls strictly prohibit the use of any wheeled items unless they are prescribed medical devices. Non-medical wheeled equipment, regardless of its purpose, is not permitted within the residential facilities.

## **Snow Ramps and Winter Activities**

Because of the damage to Western property and the potential for serious physical injury, building snow ramps or using handrails, stairs, etc. will not be tolerated.

## **Cleanliness and Personal Hygiene**

All students residing in University housing should be considerate of their personal hygiene and how it affects campus facilities and others who share assigned living spaces, including residence hall rooms, suites, apartments, and floors, by following the recommended guidelines listed below:

- Shower, brush teeth, and attend to personal hygiene and grooming practices daily, and clean up after personal grooming activities.
- Launder dirty clothes weekly; wash and change bed sheets and linens monthly.
- Wear clean clothes and avoid reusing dirty and/or sweaty clothes.
- Wash hands thoroughly multiple times a day, especially after using the restroom and before meals; use hand sanitizer when soap and water are not readily available.
- Use deodorant and antiperspirant daily to manage body odor.
- Be mindful of fragrances and cologne to avoid overwhelming scents in shared spaces.
- Practice proper feminine hygiene practices by regularly changing products and disposing of feminine hygiene products in the trash, not the toilet.
- Keep personal hygiene products organized within your personal designated space and not in shared areas, including communal bathrooms.

- Dispose of used personal hygiene products, including tampons or pads, in the trash.
- Avoid clutter and maintain a tidy and organized personal space.
- Remove trash weekly by disposing of it in a dumpster.
- Sweep and/or vacuum your room weekly.
- Wash and put away dishes daily and avoid leaving them overnight to prevent clutter and odors.
- Wipe countertops, desks, and other surfaces with a disinfectant wipe daily.
- Promptly clean spills to prevent stains; keep an emergency cleanup kit for quick and easy handling of unexpected spills.
- Clean your refrigerator monthly and dispose of any expired food.
- Maintain a functional and tidy space by adopting a "clean as you go" approach. Immediately address shared areas after use and promptly store items to prevent clutter accumulation.
- Schedule regular deep cleans monthly to clean hard-to-reach areas.

Bring the following cleaning items with you and plan to restock them regularly:

- All-purpose cleaner, dish towels, and disinfectant wipes
- Trash bags and trash cans
- Laundry detergent and dryer sheets
- Broom, vacuum, and mop with a mop bucket

Adhering to these personal hygiene and cleanliness requirements ensures a clean and comfortable living environment for all students in university housing. All rooms are inspected by Residence Life each month to ensure compliance with this policy. Failure to keep a clean and organized room may result in conduct sanctions. Severe and repeated offenses may result in additional fines and charges applied to the student's account. Vacant spaces must be kept move-in ready.

## **Room Condition Contract**

All residents must complete and sign the electronic Room Condition Contract (RCC) before receiving a room key and confirm any existing damage prior to moving in. If the resident fails to complete the RCC, it is assumed that they accept the room's condition as per Residence Life staff inspection. Upon checkout, damage charges are based on the initial RCC, with additional charges for extra cleaning or improper checkout as determined by a Residence Life staff member.

## **Room Change**

No room changes will be considered until two weeks after the start of the semester. Residents will be charged a \$100 processing fee for approved room changes. Unauthorized room changes or bed swaps are not permitted. Students who have an unauthorized room change or bed swap will have a \$100 fine and will be required to return to their original housing assignment.

## **Prohibited Items**

Students may not bring any prohibited items into any residence hall. Prohibited items will be confiscated, and any student found in possession of such items will be subject to student conduct action and fines. The confiscated items may be destroyed or may be returned to the student when the student graduates or otherwise fully departs from Western Colorado University, at the discretion of the Director of Campus Security.

The list of prohibited items includes, but is not limited to:

- Firearms, including but not limited to pellet guns, airsoft guns, BB guns, gel guns, and any toy guns that resemble a real gun, including prop guns.
- Please also refer to Section 3.4 of the Trustee Policy Manual, Policy Prohibiting Violence and Weapons.
- Other weapons, including brass knuckles, machetes, swords, and other martial arts equipment, knives exceeding 3.5 inches, except for kitchen knives used for the purpose of food preparation in residential areas with access to cooking facilities.
- Illegal drugs and drug paraphernalia, including medical marijuana.
- Alcohol for any student under the age of 21.
- Candles, incense, grills, hot plates, space heaters, air conditioners, halogen lamps, and other devices with open heating coils and/or that produce an open flame.
- Hoverboards, electric bikes, electric scooters, and other electrified personal transportation devices.
- Extension cords and outlet multipliers without surge protectors.
- Fireworks, incendiary devices, combustible materials, and other explosives.
- Any items suspended or hung from the ceiling.

Students are expected to adhere to these guidelines to ensure a safe and conducive living environment in university residence halls. For a complete list of prohibited items, please refer to the glossary in the Student Handbook.

## **Extension Cords**

Extension and outlet multiplier cords are prohibited due to power outages. Residence hall occupants must utilize power strips. Electrical outlets may not be overloaded, and residents may not plug power strips into other power strips.

## **Bunk Beds and Lofts**

University-provided beds are height-adjustable without the use of additional hardware. Personally-constructed loft/bunk equipment or structures are not allowed in the residence halls. Pins for bunking of beds may be provided upon request from Residence Life. Beds may not be stacked on other furniture items. Beds may be raised up to an additional 8" using commonly available plastic or resin bed risers.

## **Upholstered Furniture**

Due to the potential for pest infestations from upholstered furniture (new or used) brought into Residence Halls from outside, upholstered furniture (including but not limited to couches and armchairs) is not permitted in residence hall rooms. If you are found with such an item, a warning will be issued to remove it within twenty-four (24) hours. If not removed, a fine of up to \$150 will be assessed. If an infestation occurs as a result of bringing in upholstered furniture, you may be assessed additional charges for pest mitigation.

The following are approved furniture items:

- Desk chairs that do not have any fabric or upholstery
- Inflatable air mattresses
- Inflatable couches without fuzzy fabric on the outside
- Bean bag chairs without fabric covers
- Memory foam
- Lamps (only non-halogen bulbs)
- Media stands, bookcases, and nightstands in which the total dimensions of each piece do not exceed 80 inches. Total inches can be calculated by adding the longest width, the longest height, and the longest depth together when fully extended (such as legs or sides)

## **Animal Preparation**

Students may not clean or process any wild game or livestock carcasses anywhere on campus for human consumption or mounting. Doing so poses health and sanitation risks for the campus community. Residents caught processing wild game or livestock anywhere on campus, including their assigned room, will be subject to a \$150 fine and additional sanctions under the student conduct process. Animal carcasses will be confiscated and destroyed. Fines will double on subsequent violations.

## **Room Entry**

Western's Residence Life staff will not enter any student's room unless accompanied by the student. However, authorized personnel may enter a student's room without the student's consent or prior notification to:

- Address a concern for life, safety, or health
- Address a violation of state law and/or University policy, in the event of which University staff may perform a search of the resident's room and/or possessions
- Perform requested or preventative or necessary maintenance
- Respond to a cry for help, the smell of smoke, or when visible water is coming from an apartment or residence hall room
- Silence a disruptive noise
- Perform routine health and safety inspections, with 24-hour notice (or more) from Residence Life staff
- Perform building evacuations during a fire alarm or planned evacuation

## **Solicitation**

Solicitation is prohibited including any multi-level marketing, direct sales, work from home schemes, and door-to-door religious solicitation.

## **False Information**

- Knowingly furnishing false information to any University official, instructor, office, or organization, or on any applications.
- Intentionally initiating or causing to be initiated any false report
- Use or possession of false identification

## **Pets and Animals**

Students are not permitted to have pets on campus or adjacent grounds. The only exception is nonpoisonous underwater fish confined to a 10-gallon tank or smaller in the student's assigned room. Students found with an unauthorized animal will be subject to student conduct action and a \$300 fine. Emotional Support Animals (ESAs) and Service Animals are permitted only with approval from the Center for Disability & Accommodation. Failure to comply with the ESA and Service Animal policy will result in the animal's removal and additional fines and charges. Please refer to the Emotional Support Animal and Service Animal Policy for further information.

## **Abandoned Property Policy**

Residence Life, without liability, reserves the right to dispose of any personal property left on the premises five (5) days after the student either 1) checks out of University housing, 2) is removed from University housing, or 3) is otherwise confirmed to have abandoned residence in University housing, and all reasonable efforts have been made to contact the student for pickup. Students will be charged a fee of \$200 for the removal and disposal of abandoned property plus an hourly rate (\$100 per hour) for the work needed to remove the belongings.

Personal property left in communal areas will be removed and placed in the lost and found. Items not claimed by the end of any given term will be disposed of.

## **Aiding and Abetting**

A resident who aids or abets in violating any policy may be deemed as responsible as the person accountable and may be subject to the same sanctions. Residents who anticipate or observe a violation of the Code of Conduct are expected to remove themselves from association or participation and are encouraged to report the violation.

## **Medical Amnesty Policy**

In accordance with the City of Gunnison Municipal Code 5.10.187, immunity may be provided from criminal prosecution for persons who suffer or report an emergency drug or alcohol overdose event, including underage minors. Likewise, students who report alcohol or drug overdoses on campus may be provided with amnesty from student conduct. The student(s) involved are required to remain on scene until campus officials arrive and must meet with the Associate Director of Community Wellness to provide an account of events. Amnesty will be provided at the discretion of the Associate Director of Community Wellness and relies upon the good faith participation of the involved parties.

## **Epinephrine Auto-Injectors on Campus**

Colorado law, C.R.S. § 23-5-149, requires Western to acquire and stock a supply of epinephrine auto-injectors for emergency treatment of anaphylaxis. Under the law, any person is allowed to retrieve and use an epinephrine auto-injector located on Western's campus. Further, a person who acts reasonably and in good faith to furnish or administer an epinephrine auto-injector, including an expired epinephrine auto-injector, to an individual the person reasonably believes to be experiencing anaphylaxis may assert immunity as set forth in C.R.S. § 24-47-107. For more information on recognizing and responding to anaphylaxis, please see <https://www.cdc.gov/vaccines/covid-19/downloads/recognizing-responding-to-anaphylaxis-508.pdf>.

When an epinephrine auto-injector is used to treat anaphylaxis, individuals are also encouraged to make a 911 emergency call. If a campus epinephrine auto-injector is used, please notify Campus Security so that a replacement can be stocked.

The epinephrine auto-injectors will be generally stored near the Automatic External Defibrillators (AEDs) and will be publicly accessible in the following locations on campus.

1. Mears Hall: main lobby.
2. Escalante Terrace: next to the Resident Director's office.
3. Ute Hall: inside the main entry near the Resident Assistant's office.
4. Chipeta Hall: inside the east entrance.
5. Pinnacles Hall: inside the north entrance near the Resident Director's office.
6. University Center: to the right of the reception desk.
7. Mountaineer Field House: indoor track, on the west wall in the center of the field house.

## **Improper Use Policy for AEDs, Narcan, and Epinephrine Auto-Injectors**

### **Purpose and Scope:**

This policy outlines guidelines for the proper use and handling of Automated External Defibrillators (AEDs), Narcan, and Epinephrine Auto-injectors on campus at Western Colorado University aiming to ensure the safety and effective utilization of these medical devices. This policy applies to all faculty, staff, students, and visitors who may come into contact with AEDs, Narcan, and Epinephrine Auto-injectors on campus.

### **Prohibited Actions:**

The following actions are strictly prohibited:

- **Unauthorized Use:** Only trained individuals should use AEDs, Narcan, and Epinephrine Auto-injectors during emergencies. Unauthorized use by untrained individuals is strictly prohibited.
- **Malicious Use:** Any deliberate misuse, tampering, or damage to AEDs, Narcan, or Epinephrine Auto-injectors is strictly prohibited and may result in disciplinary action.
- **Unauthorized Removal:** AEDs, Narcan, and Epinephrine Auto-injectors are installed at designated locations for emergency use only. Unauthorized removal or relocation of these devices is prohibited.
- **Non-Emergency Use:** AEDs, Narcan, and Epinephrine Auto-injectors should only be used in genuine emergency situations as intended. Using these devices for non-emergency purposes is prohibited.
- **Improper Disposal:** Proper disposal procedures must be followed for used or expired Narcan and Epinephrine Auto-injectors. Discarding these items inappropriately poses safety and environmental risks.

### **Responsibilities:**

- **Device Maintenance:** AEDs, Narcan, and Epinephrine Auto-injectors will be regularly inspected, tested, and maintained by authorized personnel to ensure operational readiness.

- Emergency Reporting: Any misuse, damage, or malfunction of AEDs, Narcan, or Epinephrine Auto-injectors must be reported immediately to the Director of Campus Security.
- Awareness Campaigns: Western Colorado University will conduct awareness campaigns to educate the campus community about the proper use and importance of AEDs, Narcan, and Epinephrine Auto-injectors.

**Consequences for Violations:**

Violations of this policy may result in disciplinary action, including but not limited to:

- Formal warnings
- Loss of privileges
- Fines or restitution for damages
- Referral to appropriate authorities for further action if deemed necessary

**Compliance:**

All members of Western Colorado University are expected to comply with this policy and assist in maintaining a safe and secure environment for emergency medical interventions. This policy will be periodically reviewed and updated by the Director of Campus Security Department to ensure relevance and effectiveness.

## **Alcohol Use and Possession**

At Western, our policies on alcohol use aim to support positive decision-making while prioritizing the safety of our community. Here's a brief overview:

- Intoxication and Unacceptable Behavior: Intoxication is not an excuse for unacceptable behavior or conduct. All alcohol, paraphernalia, and substances will be confiscated or given to local law enforcement officials.
- Alcohol Possession and Consumption in Residence Halls: Only individuals aged 21 or older may possess and consume alcohol, and only in private student rooms with doors closed and no minors present. Empty alcohol containers are not allowed in rooms or on Western property for individuals under 21.
- Prohibited Alcohol Paraphernalia: Items promoting irresponsible drinking (e.g., beer bong, keg taps) are prohibited unless explicitly approved by the Office of Student Affairs.
- Knowing Presence: Students are responsible if they know or should know of illicit substance use in any Western area, including social media evidence.
- Intoxication and Bulk Alcohol: Visible intoxication is not allowed on Western property. Bulk alcohol, exceeding individual consumption limits, is prohibited. All students involved will be held responsible.
- Transport and Costs: Medical transport due to excessive alcohol consumption may result in parental notification. Students are responsible for associated costs.
- Alcohol in Non-Residential Areas: Possession, consumption, or distribution of alcohol is prohibited on University grounds and in non-residential buildings, except in designated and approved locations.
- Fake Identification: Fraudulent identification cards may be confiscated by the

University and turned over to law enforcement.

### **Misuse of Alcohol**

- Use or possession of alcohol by anyone under the age of 21 on university premises.
- Manufacturing or distribution of alcohol as prohibited by law or University policy.
- Operating any vehicle while under the influence of alcohol or while impaired by alcohol.
- Excessive consumption of alcohol that results in a state of intoxication that endangers oneself or others.

Any student under the age of 21 is prohibited from consuming and/or possessing alcohol, including empty alcohol containers. It is also prohibited for anyone of legal age to purchase or provide alcohol to anyone under the age of 21. Violations of this policy are subject to conduct action and possible sanctions as outlined in the student handbook.

### **Misuse of Drugs**

- Use or possession of illegal drugs (under federal or state law), including but not limited to marijuana, methamphetamine, cocaine, opiates, LSD, psilocybin mushrooms, heroin, ecstasy, GHB, or other controlled substances, or any substance used for an intoxicating effect.
- Use or possession of prescription drugs other than by the person prescribed or for use other than the prescribed purpose and/or dosage.
- Manufacturing or distribution of illegal and/or prescription drugs.
- Possession or use of drug paraphernalia, including but not limited to equipment, products, and materials used to cultivate, manufacture, distribute, or use marijuana or other illegal drugs.
- Operating any vehicle under the influence of drugs or while impaired by any intoxicating substance.
- Use of drugs resulting in a state that endangers oneself or others.

## **Non-Compliance**

- Failure to comply with the verbal or written directions of any University officials acting in the performance of their duties and within the scope of their employment, including failure to identify oneself to these persons when requested to do so.
- Failure to comply with the verbal or written directions of any law enforcement officers acting in the performance of their duties and within the scope of their employment, including resisting and/or obstructing law enforcement officers or failing to identify oneself when requested to do so.
- Violating the terms of any interim measure, no-contact order, or exclusionary order imposed by the University.
- Failure to complete student conduct sanctions.

## **Pranks**

Pranks often start harmlessly but can quickly escalate into serious violations. As community members, residents are expected to make choices that prevent harm to others or damage to college property. Pranks such as water fights, squirt guns, prank phone calls, jamming doors to resident rooms, or any other activity that disrupts the community, presents a fire or safety hazard, or damages property are prohibited in the residence halls.

## **Harassment**

The University defines harassment as unwelcome conduct that is so severe, pervasive, or objectively offensive that it undermines and detracts from a student's educational experience or creates a hostile environment. Conduct over social media that rises to this level is prohibited. Harassment, as defined above, is not protected by the First Amendment. Harassment may include one or more of the following:

- **True Threat:** Statements where the speaker communicates a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals.
- **Intimidation:** A type of true threat in which the speaker directs a threat to a person or group with the intent of placing the victim in fear of bodily harm or death.
- **Incitement:** Speech that will lead those who agree with it to commit immediate violence.
- **Obscenity:** Expression that depicts or describes sexual conduct and must be limited to works that, taken as a whole, appeal to the prurient interest in sex, portray sexual conduct in a patently offensive way, and lack serious literary, artistic, political, or scientific value.
- **Verbal Harassment:** Includes threatening and intimidating language toward another person, and direct or implied threats that cause reasonable fear of injury to the health and safety of another person or property.

Such harassment will be assessed by the Office of Student Affairs to determine whether it falls into the above categories based on the nature of the incident. Harassment that falls outside the above categories but still creates an intimidating, hostile, or offensive environment is also prohibited.

## **Impersonation**

Impersonating a Western official, parent/legal guardian, or anyone other than oneself is prohibited and will result in conduct action.

## **Interference and Infringement**

As an academic community, Western is committed to the open exchange of ideas where all views can be freely advocated. The University requires that the conduct of individuals and groups not infringe on the rights of others or interfere with University activities, including, but not limited to, normal university operations, teaching, research, Residence Life activities, recreation, meetings, public events, and disciplinary proceedings. University activities include both on- and off-campus University programs or activities. Conduct that interferes with the normal functioning of the University or infringes on the rights of others is prohibited by this section.

## **Liability**

Western is not liable for the loss, damage, or theft of properties belonging to the student. Furthermore, Western shall not be liable for any claims related to injuries to any person or persons, or damage to property that arises from the use and occupancy of on-campus housing. The student agrees to hold Western harmless from all liabilities arising from any such injuries, claims, suits, or losses. The student is responsible for obtaining insurance coverage for their personal property. Western encourages students to keep their doors locked and exterior doors closed. Staff will remove items that prop doors to maintain a safe and secure campus. Additionally, Western encourages students to purchase personal property insurance to cover any loss of personal property.

# Campus Safety and Security Policies

## Campus Security Department Jurisdiction

Western Campus Security is not a law enforcement agency. The primary jurisdiction of the Western campus lies under the authority of the Gunnison Police Department. As a public institution, Western is bound to uphold all Federal and State laws. University security guards do not have arrest powers, law enforcement efforts are performed in conjunction with municipal, county, state and federal agencies as appropriate.

## Role of Campus Security

- Assist the Gunnison Police Department in providing a safe and secure campus environment. Co-manage the Western Emergency Operations Plan and operationalize when appropriate.
- Interpret, provide revision, communicate, and enforce University policies.
- Support all departments of the Western campus community.
- Support all local law enforcement and emergency management.
- Investigate, assess, and respond to campus incident scenes.
- Prepare detailed reports and submit work orders after incidents and, when possible, perform minor maintenance repairs and custodial duties.
- Provide security for the Western infrastructure.
- Provide on-campus safety escorts for students, faculty, and staff.

## Campus Security Contact Policy

All non-emergency campus crimes, other than low-level cooperative underage alcohol pour-outs, are reported to Western Campus Security. Contact the Campus Security office at 970.943.3084 or the Campus Security on-call phone at 970.209.1020. The Campus Security representative will contact the Gunnison Police Department if needed and document the incident.

## Campus Parking

Parking is open to all students and employees. This policy aims to ensure fair and accessible parking for all members of our community. While there are no specified parking zones, it is crucial to adhere to the guidelines outlined below.

### Vehicle Registration

No permit, sticker, or hangtag is currently required to park on campus. However, all students and employees are strongly encouraged to register their vehicle via the Housing & Campus Life Portal to help avoid tickets or towing. Registration is free, simply navigate to [housing.western.edu](https://housing.western.edu) and register your vehicles in the Forms area.

## **General Parking Guidelines**

Failure to adhere to any of these guidelines can result in enforcement and/or towing at the owner's expense.

**Accessible Parking:** Parking in designated accessible spots is strictly prohibited without a valid handicap placard or license plate decal. Violators may be subject to fines and towing.

**Fair Use of Spaces:** All students, whether residing on campus or commuting, are expected to park in a courteous and considerate manner, ensuring that vehicles do not obstruct traffic flow or impede others.

**Compliance with Signage:** Adhere to posted signs and markings, including fire lanes, no-parking zones, and any specific instructions.

**Prohibited Parking:** Drivers may not park on sidewalks, grassy areas, in driveways or rights-of-way, fire lanes, designated loading zones, or in hashed areas in designated parking lots.

## **ADA Parking**

Western reserves parking spaces for students, staff, faculty and visitors with disabilities. An ADA permit must be displayed on the rearview mirror, the driver's side dashboard or as a license plate. The University does not provide these permits. ADA Parking permits must be applied for through the Department of Motor Vehicles or equivalent.

## **Enforcement**

1. **Violations:** Violations of the parking policy may result in fines, towing, or other disciplinary actions.
2. **Appeals Process:** Students have the right to appeal parking citations. Information on the appeals process is available through the Campus Security Office.
3. **Warning Stickers:** Campus security may issue warning stickers for parking violations by adhering the warning sticker to the vehicle's window. If a vehicle has been issued a warning sticker, it may be towed for future parking violations. See towing policy below for additional information.
4. **Towing:** Failure to adhere to campus policies and regulations regarding parking could result in towing at the owner's expense.

It is the responsibility of each student to familiarize themselves with and adhere to the campus parking policy. Ignorance of the policy will not be considered a valid excuse for violations.

**Contact:** For questions, permit inquiries, or assistance regarding campus parking, please contact Campus Safety and Security.

## **Overnight Parking**

The University Center lot overnight parking is permitted in the north four (4) rows only. NO OVERNIGHT PARKING is permitted in the South two (2) rows closest to the University Center (including the Handicap/Emissions row) at any time. Trip coordinators must notify Campus Security if vehicles on authorized trips will be parked overnight in the UC and Quigley lots.

Overnight parking is limited to no longer than 72 hours. Cars parked longer than 72 hours may be stickered and/or towed at the owner's expense.

Camping or living in a vehicle is not permitted at any time on Western property. The parking of any type of trailer must receive approval from the Director of Campus Security and must

be parked in designated locations only. Trailers parked in lots without approval will be subject to towing.

### **No Overnight Parking Areas**

The following lots have been designated as No Overnight Parking from 12:00 a.m. to 6:00 a.m.:

- Taylor Hall (including the south Borick Building lot)
- Wright Gymnasium north lot (Except for May 15–August 1)
- Northwest Mountaineer Field House lot
- University Center north lot per guidelines listed above.
- West Crystal/Ice Lab (by loading dock)
- Hurst East Lot
- Library parking lot (south row by sidewalk)

If you have housing concerns or monetary issues that led to camping or living in a vehicle, please contact the Office of Student Affairs at 970.943.2232.

### **Vehicle Towing Policy**

In order to best serve the entire campus community and ensure uninterrupted operations, the following vehicle towing policy has been set forth. Vehicles are subject to tow-away by a bonded towing company for the following reasons:

- Abandoned vehicles (Three days or longer in one spot not including vacations, sport events, or trips)
- Parking in No Overnight Parking areas between 12 a.m. to 6 a.m.
- Parking in areas that create a danger to the safety and welfare of persons and property (e.g., fire lanes, service areas, traffic lanes, walkways, lawns)
- Parking in non-designated lots during vacation periods
- Parking or obstructing spaces reserved for the handicapped
- Obstruction of snow removal operations, or
- Trailers parked without approval of the Director of Campus Security in appropriate designated areas

## **Vehicle Restrictions**

Vehicle maintenance is not permitted anywhere on campus. Included in this restriction is changing oil or other fluids or maintenance work including changing a tire. Any concerns with diesel vehicles or charging vehicles outside of a charging station at Taylor Hall, please contact Campus Safety & Security.

## **Reckless Driving**

Students are not permitted to drive recklessly anywhere on campus, including in any campus parking lots. Students caught driving recklessly—such as tailgating, running stop signs, performing donuts, speeding, overtaking in unsafe conditions, aggressive driving, distracted driving, reckless lane changes, joyriding, and/or street racing—will face disciplinary action. This may include fines and a referral to the Gunnison Police Department for serious violations that cause injury to others or property damage.

## **Small Motorized/Electric Conveyances**

This policy is established to ensure the safety and well-being of all members of the campus community while attempting to accommodate the use of pocket motorcycles, scooters, and motorized/electric conveyances. The goal is to manage the use of these vehicles in a way that maintains a safe and orderly campus environment.

This policy applies to all students, faculty, staff, and visitors using pocket motorcycles, scooters, and motorized/electric conveyances on the college campus due to safety hazards that these items could cause. Motorized accessible scooters are exempt from this policy

### **Definitions:**

- **Pocket Motorcycles:** Small, gasoline-powered motorcycles designed for recreational use, typically with a top speed of 30-50 mph.
- **Scooters:** Two-wheeled motorized or electric vehicles designed for personal transportation, including electric scooters.
- **Motorized Conveyances:** Vehicles powered by an internal combustion engine, gas, or electric motor that are used for transportation.
- **Electric Conveyances:** Vehicles powered solely by electricity, including electric scooters.

All pocket motorcycles, motorized or electric vehicles, and motorized and electric conveyances are banned inside buildings at Western Colorado University. Pocket motorcycles are prohibited from operating on pedestrian walkways, lawns, and other non-designated areas. They must use designated roads and pathways where available.

E-bikes and E-skateboards are allowed to be brought into buildings on campus as long as the battery is removed. Batteries may not be stored or charged in residence halls due to fire hazards. All motorized and electric conveyances must be parked in designated parking areas. They should not block pedestrian pathways, ramps, hallways, stairwells, or building entrances.

Helmets are required for all operators and passengers on pocket motorcycles and scooters, in compliance with state and local regulations. Pocket Motorcycles must be equipped with front and rear lights if used after dark. Operators are responsible for ensuring their electric or motorized conveyances are in safe working condition.

Malfunctioning vehicles should be reported to campus security immediately. Failure to comply with this policy may result in the impoundment of the vehicle and or other disciplinary actions as deemed appropriate by campus authorities.

## **Bicycles/Motorcycles/Mopeds/Snowmachines**

Students are permitted to bring only one (1) bicycle to campus and must be stored outdoors at any of the designated bike racks available on campus. The bike must be operable and locked when stored and not in use. Bicycles are not permitted to be propped up next to buildings. Bicycles attached to meters, signs, trees, light poles, stairwells, posts, or any area other than a bike rack will be impounded and fees assessed. Riding bicycles, skateboards, and roller skates indoors is prohibited.

Motorcycles, scooters, and mopeds may not be stored in any residential facility and must be parked in designated parking areas.

Snowmachines, including snow mobiles and similar vehicles, are not permitted on campus except for when approved for use for an official university function. Snowmachines must be stored off campus. In cases where special events or circumstances require the use of snow machines for university-sanctioned activities, approval must be obtained from the university administration in advance.

## **Theft, Vandalism, or Damage to Vehicles**

Any theft, vandalism or damage to property should be reported immediately to Campus Security (970.943.3084) or the Gunnison Police Department (970.641.8200). Western Colorado University does not accept or assume responsibility for loss under any circumstances, including theft, vandalism or malicious mischief. It is recommended that parked vehicles be locked at all times.

## **Moving Violations**

The speed limit on campus is ten (10) miles per hour unless otherwise posted. Speeding violations carry varying penalties dependent upon the number of miles per hour in excess of the speed limit. Speeding and other moving violations carry the same penalties applicable under State of Colorado law.

## **Snow and Special Event Removal**

As snow removal from the parking lots, campus roads, and sidewalks becomes necessary during the winter months, heavy snow removal equipment may be operating in these areas' day and night. The University reserves the right to issue notice to remove vehicles from any parking lot or roadway at any time during periods of heavy snowfall or before any special event taking place on campus. It is the vehicle operator's responsibility to look for email notices, notices posted in the University Center, or notices posted on affected vehicles and to remove their vehicles from the affected parking lot or roadway when directed to do so. Vehicles are liable to be towed at the owner's expense if failure to follow procedures.

## Emergency Notifications and Alerts

Western Safe is the official safety app of Western Colorado University. It is the only app that integrates with Western Colorado University's safety and security systems. Western Security has worked to develop a unique app that provides students, faculty, and staff with added safety on the Western Colorado University campus. The app will send you important safety alerts and provide instant access to campus safety resources. This app can be downloaded in the App or Google store.

Western Colorado University's Emergency Alert Notification System is provided by RAVE. All students are automatically enrolled to receive RAVE Alerts which is designed to deliver emergency messages to your Western and personal email addresses as well as personal cell phones.

All students should check their Western email for a message from RAVE and either provide requested information and/or check that your account is up to date as prompted in the email from RAVE.

Western strongly encourages students to provide their current cell phone number on RAVE to receive emergency alerts via text message notifications. Students may also add numbers for parents and significant others to also receive alerts. Western Colorado University will only use

the RAVE alert broadcasting system service for emergencies. Additionally, Western also conducts regular testing of the RAVE Alert Messaging System to ensure the system is working properly.

### Accessing RAVE

Visit [getrave.com/login/western](https://getrave.com/login/western) to access Rave and manage your emergency notification preferences. For questions or assistance with the emergency alert/notification system, contact Campus Security.

Students are strongly encouraged to download both the Western Safe app as well as sign up to receive RAVE alerts to ensure they are kept up to date on important university wide emergency notifications and announcements.

## Reporting Emergencies and Crimes

Ensuring the safety and security of our university community is a top priority. This policy outlines the procedures for reporting crimes and emergencies on campus.

Reporting Crimes:

- Immediate Threats: In the event of an immediate threat to life or property, contact local law enforcement by dialing 911.
- Non-Emergency Incidents: For non-emergency incidents, contact Campus Security at 970.209.1020 or Gunnison County Dispatch at 970.641.8200.
- Confidential Reporting: The University encourages prompt reporting of all crimes. Individuals may report crimes confidentially through the Silent

Witness program or other anonymous reporting mechanisms.

It is the responsibility of every member of the university community to promptly report any criminal or emergency incidents they witness or become aware of.

Protection Against Retaliation: The university prohibits retaliation against individuals who, in good faith, report crimes or emergencies. Any acts of retaliation should be reported immediately.

## **Policy Prohibiting Violence and Weapons**

For the University's policy prohibiting violence, as well as the identification of prohibited weapons, including firearms, and any applicable exemptions, please refer to Section 3.4 of the Trustee Policy Manual. For more information about this policy, please contact Campus Security.

Students living on campus who are found in violation of this policy may be evicted from the residence halls and face further University conduct proceedings, in addition to confiscation of the weapon(s). Weapons may be confiscated by the Director of Campus Security, professional Residence Life staff, or the Gunnison Police Department (GPD). A student who wishes to reclaim their weapon(s) must submit a written appeal to the Director of Campus Security, after which a decision shall be made in consultation with the Office of Student Affairs. The University reserves the right to contact the Gunnison Police Department concerning any weapons found on campus and to consult with the GPD before any weapon is approved for return. Confiscated

weapons approved for return will not be returned until the end of the academic year or upon withdrawal of the student from the University.

Please note that this policy also contains the University's right to designate individuals as Persona Non Grata, or PNG. The University reserves the right to deny access, or treat as unwelcome, to the campus property and/or its facilities to anyone who does not comply with university policies and/or if there is a perceived threat to campus safety and security. Failure to comply with this status will be considered trespassing, and law enforcement will be notified.

# **Center for Disability & Accommodations Policies**

## **Campus Accessibility and Support for Students with a Disability**

Western Colorado University values diversity and inclusion. Our goal is to create a learning environment that is equitable and welcoming, and we strive to facilitate the full participation of all students.

### **Compliance Responsibility**

The Americans with Disabilities Act of 1990 (ADA) was enacted to protect individuals with disabilities against discrimination in critical areas such as employment, housing, public accommodations, education, transportation, communication, health services and access to public services. The purpose of the ADA is to provide a clear mandate for the elimination of discrimination against people with disabilities, thus bringing them into the social and economic mainstream.

Section 504 of the Rehabilitation Act of 1973 is Civil Rights legislation that prohibits discrimination based on disability in the programs and activities of public and private colleges/universities that receive federal financial assistance. Eliminating barriers to education programs and services, increasing building accessibility and establishing equitable employment practices are addressed in Section 504 regulations. The U.S. Office for Civil Rights (OCR) of the U.S. Department of Education is responsible for the enforcement and investigation of compliance with Section 504.

### **Requesting Accommodations**

Students who would like to request accommodations should contact the Center for Disability & Accommodations.

For the university's policy concerning academic-related complaints and grievances, please refer to the "Academic Due Process for Students" section, above.

### **Filing a Grievance Concerning Non-Academic Accommodations**

For non-academic accommodations (such as accommodations related to emotional support animals, service animals, or other accommodations related to housing or dining), if a student is denied a reasonable accommodation or receives an accommodation that they consider ineffective, the student may file a grievance of the decision under the process discussed below. The scope of a grievance review is limited to determining whether an accommodation decision was reasonable under the circumstances.

### **Grievance process for non-academic accommodations**

A student who wishes to file a grievance concerning non-academic accommodations must submit a written request to the Director of the Center for Disability & Accommodations within seven (7) days of receiving the accommodation decision. The student's written grievance should indicate the specific basis for the grievance and supporting information. Students may provide names of individuals who have relevant information and supporting documentation. The student should be aware that the grievance review is limited to consideration of the information that was made available to the Center for Disability & Accommodations during

the prior interactive process. Should a student have new or updated information they would like the university to consider, the student will need to re-engage in the interactive process by submitting an updated request for accommodations.

### **Basis for non-academic accommodation grievances**

If a requested non-academic accommodation was denied in whole or in part, a student should identify:

- any procedural errors that materially impacted the interactive process and/or the determination to deny the requested accommodation(s); or
- any information made available during the interactive process that was not adequately considered; or
- any factual or analytical errors in the accommodations letter which materially impacted the denial of accommodation(s).

### **Notice of grievance decision for non-academic accommodations**

The grievance of non-academic accommodation decisions will be reviewed by the Dean of Students or their designee. In making the decision, the grievance decision-maker will consider the materials obtained during the interactive process, the information submitted by the Center of Disability & Accommodations, and the student's grievance submission.

The grievance decision-maker will provide a final decision letter to the student within twenty-one (21) days following submission of the written grievance and all supporting documentation. This 21-day time limit may be extended at the discretion of the university, upon written notice to the student.

## **Filing a Report or Complaint of Discrimination Based on a Disability**

The Director of the Center for Disability & Accommodation serves as the ADA Coordinator and is responsible for facilitating the University's efforts to comply with the ADA and Section 504 of the Rehabilitation Act of 1973 for students. The Director of the Center for Disability & Accommodations will work with University personnel and students to resolve reports regarding ADA compliance issues.

Students may submit a report or complaint of discrimination based on disability to the Center for Disability & Accommodations. If the matter cannot be resolved informally, or the student does not wish to engage in informal resolution of the complaint, the student may choose to submit a complaint, or complaints may be referred, for resolution under the University's

Discrimination, Harassment and Retaliation Policy, Section 2.2 of the Trustee Policy Manual.

A student may also choose to file a complaint of disability discrimination with an external agency instead of, or in addition to, filing an internal report or complaint. Most external complaints should be filed with the United States Department of Education, Office of Civil Rights, which has a local office in Denver. Complaints alleging disability-based employment discrimination may also be filed with the Colorado Civil Rights Division or the federal Equal Employment Opportunity Commission. Additional information on internal and external complaint procedures is available from the Center for Disability & Accommodations.

Office for Civil Rights, Denver Office  
U.S. Department of Education 47  
Cesar E. Chavez  
Memorial Building  
1244 Speer Boulevard, Suite 310  
Denver, CO 80204-3582

U.S. Department of Justice (DOJ)  
950 Pennsylvania Avenue, NW  
Civil Rights Division  
Disability Rights Section – 1425 NYAV Washington, DC 20530

Equal Employment Opportunity Commission (EEOC)  
Denver Field Office EEOC  
303 E. 17th Avenue, Suite 410  
Denver, CO 80203

U.S. Department of Housing and Urban Development (HUD)  
Office of Compliance and Disability Rights Division  
Office of Fair Housing and Equal Opportunity 451 7th Street, S.W., Room 5242  
Washington, DC 20410

## **Emotional Support Animal (ESA) and Service Animal Policy**

Western Colorado University is committed to allowing people with disabilities the use of a Service or Emotional Support Animal, as necessary, on campus to facilitate their full participation in University programs and activities. Set forth below are specific requirements and guidelines concerning the appropriate use of, and protocols associated with, Service Animals and Emotional Support Animals. Western Colorado University reserves the right to amend this policy as circumstances require.

### *Section I. Definitions*

#### **Service Animal**

A Service Animal is “any dog or miniature horse that is individually trained to do work or

perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not considered a service animal for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the Handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low-vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, pulling a wheelchair, assisting an individual during a seizure, providing physical support and assistance with balance and stability to individuals with mobility disabilities, reminding a person with mental illness to take prescribed medications, calming a person with Post-Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Dogs whose sole function is to provide comfort, emotional support, well-being, or companionship do not constitute work or tasks for purposes of this definition." Service Animals may travel freely with their Handler throughout University housing (and other areas of the University, see Section VII part G. of this document).

### **Service Animal in Training**

A dog being trained to perform as a service dog will be treated as a Service Animal when accompanied by a trainer and identified as such. A service dog in training must meet the same requirements as a Service Animal.

### **Emotional Support Animal**

Emotional Support Animals are a category of trained or untrained animals that provide therapeutic emotional support to an individual with a disability but are not considered Service Animals under the ADA and Western's Service Animal Policy. Some Emotional Support Animals are professionally trained, but in other cases Emotional Support Animals provide necessary support to individuals with disabilities without any formal training or certification. An Emotional Support Animal may be a dog (most common), cat, small bird, rabbit, hamster, gerbil, fish, turtle, or other small, domesticated animal that is traditionally kept in the home. All Emotional Support Animals be fully vaccinated and reliably housebroken. Emotional Support Animals must be contained within their privately assigned residential area (room, suite, apartment) at all times, except when transported outside the private residential area in an animal carrier or controlled by leash and harness. All areas except for privately assigned living space in housing are off limits to approved Emotional Support Animals without prior authorization from Disability Services, which includes all academic buildings, the University Center, all athletic facilities, and maintenance buildings. The term Emotional Support Animal will be referred to any animal not considered a Service Animal under the ADA.

### **Partner/Handler/Owner**

A Partner/Handler/Owner is a person with a Service or Emotional Support Animal. (The term Handler will be used in this document to reflect any of these terms.)

### **Pet**

A pet is a domestic animal kept for pleasure or companionship. A pet is not considered a Service Animal or an Emotional Support Animal. Pets are not permitted on campus.

### **Approved Animal**

An approved animal is a Service Animal or Emotional Support Animal that has been granted as a reasonable accommodation by Western Colorado University under this policy.

In the event that a handler is unable to care for their animal but remains on campus, a proxy must be identified. A proxy is someone who can assist the handler in the care of the animal in university housing. This proxy cannot be an RA, RD, or other university employee. Ideally, the proxy should be a roommate or suitemate who can easily access the animal. However, at a minimum, the proxy must reside in the same residence hall as the handler. The proxy cannot be the designated off-campus contact. If the handler is required to leave campus, the animal must be boarded off campus in accordance with university policy. No other students are permitted to assist in the care of the animal except for the identified proxy.

### **Responsibilities**

A designated proxy for an Emotional Support Animal (ESA) or Service Animal in university housing is responsible for assisting with essential care tasks only. The proxy may take the animal to designated relief areas, assist with the removal of cat litter, help clean cages and habitats, and ensure proper disposal of animal waste in accordance with university policy. The proxy is not permitted to play with the animal, take the animal into their own room, or keep the animal overnight. If the proxy takes the animal out for relief, they must do so quickly and efficiently while ensuring the animal remains leashed at all times in accordance with university policy. Animals may not be left in the care of a proxy overnight and must be boarded off campus if the handler is away, including during university-related NCAA-sanctioned travel.

## *Section II. Procedures for Requesting an Emotional Support Animal in University Housing*

Emotional Support Animals cannot be brought into University housing without approval of University officials. Western will approve only one Emotional Support Animal per student due to space limitations of residence halls and to ensure the safety and well-being of animals and students in residence. Failure to comply with this policy can result in a denial for a request for an Emotional Support Animal. Students are encouraged to ensure their proposed Emotional Support Animal meets policy before initiating a request to have an Emotional Support Animal in university housing to avoid the unnecessary costs and burden of boarding their proposed animal off-campus until the animal is approved. If the proposed support animal does not meet policy, it will not be approved. No exceptions will be granted to this policy.

The procedure for requesting Emotional Support Animals in University Housing are outlined below:

1. A student requesting permission to keep an Emotional Support Animal in University Housing must make a formal request to the University's Disability Services offices at least 63 days before housing for the animal is needed (no later than June 1st for the fall term and no later than Nov. 1st for the spring term). To do so, the student must submit the appropriate Request Form for Disability Housing Accommodations, as well as documentation of their disability to be reviewed by the Disability Services office. This form can be located on our website at <https://elbert.accessiblelearning.com/Western/ApplicationStudent.aspx>. Additionally, if a request is made with less than 63 days remaining in the term, the proposed support animal may not be approved until the following

term.

2. Documentation of the need for an Emotional Support Animal must meet the following documentation guidelines:
  - The student's name
  - Information concerning the healthcare professional's personal relationship with the student involving the provision of healthcare or disability-related services
  - The type of animal for which the reasonable accommodation is sought (i.e., dog, cat, bird, rabbit, hamster, gerbil, or other rodent, fish, turtle, other specified domesticated type of animal or another specified unique animal). The student must submit a full color photo of the animal dated within 30-days of the request to have their proposed ESA or Service Animal in residence. Additionally, the student must also submit the size of the crate, kennel, or cage required for their proposed animal.
  - Disability-related information which includes:
    - Whether the student has a mental impairment that substantially limits one or more major life activity or major bodily function, and
    - Whether or not the student needs the animal because it does work, aids, or actively performs one or more disability-related task that benefits the student because of his or her disability, or because it provides therapeutic emotional support to alleviate a symptom or effect of the disability of the student and not merely a pet.
3. Additionally, if the specified animal is *not* a dog, cat, or other animal that is traditionally kept in a household, the healthcare provider needs to provide the following additional information:
  - The date of last consultation with the student (*must be within the last six months*) and establish an ongoing relationship with the student).
  - Any unique circumstances that justify the patient's need for the particular animal (if already owned or identified by the student), or particular type of animal and
  - Whether the provider has reliable information concerning the specified animal and why they specifically recommended this type of animal for the student.

The Office of Disability Services has a form that requests the aforementioned information in a questionnaire format that must be completed by the student's healthcare professional if a letter from the professional does not provide sufficient information regarding the student's need for a support animal in university housing as a reasonable accommodation. Letters solicited from online ESA letter providers that contain boilerplate language and do not specify the student's individual need for a support animal in university housing may be rejected on the grounds of providing insufficient information regarding the student's specific needs.

Additionally, the aforementioned documentation must be submitted within *30 days of the initial request for a support animal in university housing*, must be *dated within the last six (6) months*, and must be from any of the following sources as listed in the section below. The student must provide documentation from an active provider of care (meaning a social

worker, counselor, doctor, or other mental healthcare provider who is licensed to make such a determination), that the student has met with in person for treatment before seeking an ESA letter. 3. Students seeking documentation for the purpose of obtaining an ESA as a reasonable accommodation from a healthcare provider licensed in Colorado must meet with their healthcare provider in person to discuss their need for an ESA.

### **Sources of reliable documentation**

- A determination of disability from a federal, state, or local government agency.
- Receipt of disability benefits or services that may include Social Security Disability Income (SSDI), Medicare or Supplemental Security Income (SSI) for a person under 65, veteran's disability benefits (DD Form 214), services from a state vocational rehabilitation agency, or disability benefits or services from another federal, state, or local agency.
- Eligibility for housing assistance or a housing voucher because of a disability. This must be for the student; *not* the student's parent or legal guardian.
- Information confirming disability from a health care professional such as a physician, optometrist, psychiatrist, psychologist, physician's assistant, nurse practitioner, or nurse.

### **Documentation from the Internet**

Some websites sell certificates, registrations, and licensing documents for Emotional Support Animals to anyone who answers certain questions or participates in a short interview and pays a fee. Under the Fair Housing Act (FHA), a housing provider can request reliable documentation when an individual requesting a reasonable accommodation has a disability and a disability-related need for an accommodation that are not otherwise obvious or not-known. In HUD's experience, such documentation from the internet is, not by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for an assistance animal. As such, Western Colorado University will reject such documentation from internet providers as unreliable under state telehealth laws and federal HUD guidelines.

### **Review of Proposed ESA Requests**

1. The Disability Services coordinator will review documentation and provide a written response to the student within 10 business days of receipt of documentation in support of their request. If the request is approved, the Disability Services Coordinator shall arrange a meeting with the student requesting that an Emotional Support Animal be housed in University Housing as a reasonable accommodation. The student requesting an Emotional Support Animal must sign a contract and acknowledge that they understand and agree to comply with university policy regarding Emotional Support Animals. Completing a request for an emotional support animal as a reasonable accommodation does not guarantee that the request of the proposed support animal will be approved. Students are encouraged to plan well in advance and ensure their proposed support animal meets policy to avoid unnecessary fees and burden of housing the animal off campus until the request and proposed animal can be approved. If the proposed animal does not meet policy requirements as outlined below, it will not be approved.

No exceptions will be granted to this policy.

2. The University may reject an animal that:
  - Poses a direct threat to the health and safety of others;
  - Would cause substantial physical damage to the property of others;
  - Would pose an undue financial or administrative burden on the University;
  - Would fundamentally alter the nature of University housing operations;  
or
  - Does not comply with the requirements set forth in Section VII below.

### **Crate/Container Size of Proposed ESAs and Service Animals**

The size of the crate that is needed for the Emotional Support Animal or Service Animal in residence will be contained in while the handler is not in the room will also be taken into consideration to ensure adequate living space for both animals and humans in the assigned living space. The crate may not block doors, windows, or emergency exits, and may not be a trip hazard. Crates must have a solid bottom and have adequate space for the animal to comfortably stand up, lie down, and turn around. The crate must have a reliable securing mechanism that prevents the animal's escape while the animal is crated. Animals may not be kept in vehicles.

### **Notification of a Proposed ESA or Service Animal in University Housing**

1. The student's roommate(s) or suitemate(s) will be notified (if applicable) to solicit their acknowledgement of the service or emotional support animal in writing and to meet with the Center for Disability and Accommodation to share any concerns they may have and notify them that animal may be residing in shared assigned living space, including apartments and suites.
2. Before the proposed ESA or Service Animal in residence is approved to move-in, the student must meet with their Resident Director to review the Service and Support Animal Contract and submit the completed contract with all required signatures to Disability Services.
3. After the animal has been formally approved to reside in university housing as a reasonable accommodation, the student will receive notification from Disability Services that their animal has been approved and is allowed to reside on campus in University Housing. The Director of Residence Life and the building's Resident Director will be notified as appropriate.
4. After approval, the submitted documentation must be updated on an annual basis and provided to the Disability Services Coordinator at least 63 days before the start of each academic year or term. This includes summer terms and Maymester if the student will reside in university housing at any time from May through August of any calendar year.
5. Students may be granted permission to move off-campus early for disability related reasons only in the extreme rare occurrence that Western cannot accommodate the student on campus.

### *Section III. Service Animal Use on Campus*

#### **Visitors**

Visitors to campus with Service Animals are permitted access to all public facilities, with the exception of areas where service animals are specifically prohibited due to safety or health restrictions, where the Service Animal will be in danger, or where the Service Animal's use compromises the integrity of research.

#### **Students**

Commuter students with a disability who wish to utilize a Service Animal in a classroom are encouraged, but not required to register with the Disability Services office for access to resources, information, and advocacy around a range of disability-related dynamics, including Service Animals. Service Animals must follow the "Guidelines for Maintaining an Approved Animal at Western Colorado University" found in Section VII. Students who live in university housing who wish to use a service animal because of a disability are required follow the steps in Section IV below to have their service animal reside with them in university housing.

### *Section IV. Procedures to have an ESA or Service Animal in University Housing*

Students desiring to bring their Service Animals to reside within University Housing are required to follow the steps outlined below:

- New students and students who have not registered with disability services who wish to keep an ESA or Service Animal in University Housing must make a formal request to the University's Disability Services Office. To do so, students must complete the online student application located at <https://elbert.accessiblelearning.com/Western/ApplicationStudent.aspx>. Students can request an ESA or service animal to reside in university housing at any time but must do so at least 63 days before housing for the animal is needed.
- Requests for Service Animals in housing do NOT require supporting documentation of disability if the student's disability is readily apparent and observable. However, students must answer relevant questions on the new student application regarding requests for Service Animals in residence.
- The Disability Services Office will review the request and arrange a meeting with the student requesting a Service Animal to live within University Housing.
- Upon approval of an ESA or Service Animal, residential building staff will be notified as appropriate.
- Upon approval of an ESA or Service Animal, the student's roommate(s) or suitemate(s) will be notified (if applicable) to solicit their acknowledgement of the approval and notify them that the approved service animal will be residing in shared assigned living space.

## *Section V. Conflicting Health Conditions*

Residence Life staff will make a reasonable effort to notify tenants in the residence buildings where the Approved ESA or Service Animal will be located.

Students with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to contact the Disability Services office if they have a health or safety related concern about exposure to a Service or Emotional Support Animal. The University is prepared to also reasonably accommodate individuals with such medical conditions that require accommodation when living in proximity to Service or Emotional Support Animals.

## *Section VI. Handler's Responsibilities in University Housing*

### **Service and Emotional Support Animals – Additional Items**

In addition to the requirements set forth in Section VI 1-18, the following guidelines apply to All Service and Emotional Support Animals:

1. The Handler is responsible for complying with Gunnison County and the City of Gunnison animal control and licensing laws for animal rights and Handler responsibility. All approved animals must be current with immunizations and wear a rabies vaccination tag.
2. The Emotional Support Animal or Service Animal must be spayed or neutered and cannot pose a direct threat to the health and safety of others, must not cause substantial physical damage to the property of others, cannot pose an undue financial or administrative burden, or fundamentally alter the nature of the University's operations.
3. If the proposed Service Animal or Emotional Support Animal does not comply with items 1 and 2 above, it will not be approved to reside in university housing. Students are responsible for ensuring their proposed animal meets policy to avoid unnecessary fees and burden of housing their proposed animal off-campus. If the animal does not meet policy, the student is responsible for the cost of maintaining their animal off campus until it can meet the requirements listed above. Western Colorado University reserves the right to impose additional reasonable requirements for unique animals based on its characteristics. No exceptions will be granted to this policy.
4. All animals must wear a collar that includes the handler's first and last name and phone number, as well as a rabies tag, and city pet license in accordance with Gunnison municipal code.
5. All Emotional Support Animals and Service Animals must be crated when left alone in their handler's dorm room anytime their handler is not physically present. The crate must include a secure locking mechanism that prevents that animal's escape.

### **Approved Animals in Residence Halls**

1. An Approved Service or Emotional Support Animal outside of the Handler's own residence hall room (if applicable) must have a harness, leash, or other tether unless a) the Handler is unable to use a harness, leash, or tether, or b) using a harness, leash, or tether will interfere with the animal's ability to safely and

effectively perform its duties. In that case, the Handler must maintain control of the approved service animal through voice, signal or other effective controls. Approved Emotional Support Animals are allowed outside of their Handler's assigned residence hall room only for toileting, transport to and from campus, and must be on a leash or crated, and under the direct control of the Handler. No off-leash animals are permitted on campus.

2. The Handler is responsible for the costs of care necessary for an Approved Animal's well-being, including bathing and grooming as needed.
  - a. The handler must identify a proxy who can care for the animal in an event that necessitates assistance with the care and well-being of the approved animal. This person must be identified and willing to sign a proxy agreement form. This proxy cannot be a Residence Life staff member or other University employee. Only the identified proxy will be permitted to care for the animal on behalf of the handler of the approved animal.
  - b. Handlers cannot leave their animal overnight in university housing to be cared for by the identified proxy. If the handler must travel or be away from the university for extended periods of time, they must board the animal off-campus for the duration of their travel or plan to take their animal with them. The university is not responsible for the costs associated with boarding an approved animal off-campus. Animals may not be kept in vehicles overnight.
3. The Handler is responsible for independently removing an Approved Animal's waste. Waste must never be placed in a building's garbage cans or other small trash cans available on university property. See Section VII B for more information (care and supervision).
4. The Handler is responsible for ensuring that the Approved Animal does not interfere with the routine activities of the residence hall or cause difficulties for other students who reside there.
5. The Handler is financially responsible for the actions of the Approved Animal including bodily injury or property damage. The Handler's responsibility covers, but it not limited to, replacement of furniture, carpet, windows, wall covering, or other items damaged. The Handler is expected to cover these costs at the time of repair and/or move-out.
6. The Handler is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or repairs to university premises that are assessed after the student and animal vacate the residence. The University shall have the right to bill the student account of the Handler for unmet obligations. A hold will be placed on the student's account until the bill is paid in full.
7. The Handler must notify Disability Services in writing if the Approved Animal is no longer needed as an Approved Animal or is no longer in residence. To replace an Approved Animal, the Handler must file a new Request for Disability Housing Accommodations.
8. The Handler's residence will be inspected for fleas, ticks, or other pests once a semester or as needed. The Office of Residence Life will schedule the inspection. If fleas, ticks, or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a University-approved pest control service. The Handler will be billed for the expense of any pest treatment above and beyond standard pest management in the residence

- halls.
9. If the Handler lives on campus, he or she must feed and provide water for the Approved Animal inside his or her room. Food and water for the Approved Animal are not to be left outside the residence hall room.
  10. All roommate(s) or suitemate(s) of the Handler must sign an agreement allowing the Approved Animal to be in the residence room with them. In the event one or more roommates or suitemates do not approve, the non-approving suitemate or roommate will be moved to a different room or suite.
  11. Service Animals are permitted to travel freely with their Handler throughout University housing (and other areas of the University, see Section VII part G. of this document). Emotional Support Animals must be contained within the privately assigned residential area (room, suite, apartment) at all times, except when transported outside the private residential area in an animal carrier or controlled by leash and harness.
  12. When an Emotional Support Animal or Service Animal becomes lost while on campus, the handler must notify the on-call Resident Director as soon as possible to ensure that the animal can be found and returned. Failure to report missing or lost animals on campus can result in a fine or conduct meeting. The student will need to meet with Disability Services and Residence Life staff to give their account of how the animal became lost and the necessary steps they will take to ensure it does not happen again. The university is not responsible for any harm to the animal.
  13. Approved Animals cannot be left overnight in University Housing to be cared for by another person. Animals must be taken with the student if they leave campus for a prolonged period of time or placed with an identified person who resides off-campus while the student is traveling.
    - a. Student athletes are not permitted to take their Emotional Support Animals with them on official university athletic travel and are responsible for planning to board their approved Emotional Support Animal off-campus for the duration of their travel.
    - b. All students who request a Service or Support Animal in university housing are required to identify a local off-campus contact who can care for their animal during their absence from campus. This person cannot be another University student, staff, or faculty member unless they are a direct family member. Failure to identify an approved off-campus contact will result in the denial of the request until an approved off-campus contact can be named.
  14. The Handler is solely responsible for the care and maintenance of their animal. Students, or other persons, other than the handler or their identified proxy who enter residence halls, apartments, suites, or dorm rooms for the purpose of caring for an approved animal who have not been approved by university officials, will be subject to a conduct meeting and disciplinary action from the University.
  15. Handlers with service animals or emotional support animals are required to provide an adequate size crate for their animal while living on campus. All ESAs and Service Animals are required to be crated anytime their handler leaves them in their assigned dorm, suite, and/or apartment and the handler is not physically present. Residence Life

staff will post a sign on the outside of the student's room to notify maintenance that an animal is in the room. In rare occasions, depending on the work being performed, the student may be asked temporarily to board their animal off-campus to ensure the safety of the animal while the work is being completed. The student will be responsible for the cost of boarding their animal off-campus during these times.

16. Housing has the ability to relocate a Handler and their Approved Animal as necessary according to current contractual agreements.
17. Students with service animals or emotional support animals that reside within University Housing are expected to abide by all University Residence Life policies and student conduct codes.
18. Any violation of the above rules can result in an immediate removal of the Approved Animal from the University and will be reviewed through the Student Code of Conduct as outlined in the Student Handbook. Any violation of the ESA and Service Animal Policy will be considered a Level II Conduct Charge and the student may face conduct charge and sanctions in accordance to the Student Handbook.
19. If the Approved Animal is removed from the premises for any reason, the Handler is expected to fulfill his/her housing obligations for the remainder of the housing contract.

## *Section VII. Policy for Maintaining an Approved Animal at Western Colorado University*

### **Introduction**

The following policies apply to all Approved Animals and their Handlers, unless in extenuating circumstances the nature of the documented disability of the Handler precludes adherence to these policies, and permission for a variance from the guidelines has been granted.

### **Care and Supervision**

Care and supervision of the Approved Animal are the responsibility of the individual who benefits from the Approved Animal's use. The Handler is required to maintain control of the Approved Animal at all times. The Handler is also responsible for ensuring the cleanup of the Approved Animal's waste and, when appropriate, must toilet the animal in areas designated by the University consistent with the reasonable capacity of the Handler. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in an outside trash dumpster. Litter boxes must be placed on mats so that waste is not tracked onto carpeted surfaces.

### **Animal Health and Well-Being**

1. Vaccination: In accordance with local ordinances and regulations, the Approved Animal must be immunized against diseases common to that type of animal. Dogs must have current vaccination against rabies and kennel cough and wear a rabies vaccination tag. Cats must have normal shots required for a healthy animal. Local licensing requirements are followed.
2. Health: Animals to be housed in university housing must have an annual clean

bill of health or current vaccination record from a licensed veterinarian. Documentation can be a vaccination certificate for the animal or a veterinarian's statement regarding the animal's health. The University has the authority to direct that the animal receives veterinary attention. (Local licensing law is followed.) All Approved Animals must be vaccinated in compliance with state and local laws. Western Colorado University reserves the right to impose additional reasonable requirements for unique animals based on their characteristics.

3. Leash: If appropriate, the Approved Animal must be on a leash, unless the leash would inhibit the Approved Animal's ability to be of service. The leash must not be longer than eight (8) feet in length. E-collars and electronic leashes are not acceptable forms of leashes.
4. All approved animals are required to wear a collar that includes the first and last name and phone number of the handler and must include a rabies tag and city pet license as required by Gunnison municipal code.
5. Other Conditions: Disability Services may place other reasonable conditions or restrictions on unique Approved Animals depending on the nature and characteristics of the specified animal.

### **Requirements for Faculty, Staff, Students, and Other Members of the University Community**

Members of the University Community are required to abide by the following expectations:

- They are not to inquire for details about the Handler's disabilities. The nature of a person's disability is a private matter.
- They are to allow a Service Animal to accompany its Handler at all times and in all places on campus, except where animals are specifically prohibited.
- They are not to touch or pet a Service or Emotional Support Animal unless invited to do so.
- They are not to feed a Service or Emotional Support Animal.
- They are not to deliberately startle a Service or Emotional Support Animal.
- They are not to separate or attempt to separate a Handler from his or her Service or Emotional Support Animal.

### **Removal of an Approved Animal**

The University will exclude or remove an Approved Animal when:

- The animal poses a direct threat to the health and safety of others.
- The animal's presence results in a fundamental alteration of the University's programs and/or services.
- The Handler does not comply with the Handler's Responsibilities in University Housing.
- The animal or its presence creates an unmanageable disturbance or interference, (e.g., barking, wandering, displaying aggressive behavior) and the behavior is outside the duties of the Approved Animal on the Western Colorado University campus.
- The animal is not house broken.
- The animal is physically ill.
- The animal is unreasonably dirty, (e.g., matted fur, covered in fleas and/or ticks, noticeable dirt on the fur or skin of the animal).
- The animal is found by the university to be out of control and the animal's Handler does not take immediate and effective action to control it.

**Damage**

Handlers of Approved Animals are solely responsible for any damage beyond normal wear and tear to persons or University property caused by their animals.

**Areas Off Limits to Service Animals**

The University can prohibit the use of Service Animals in certain locations because of health and safety restrictions, (e.g., where the animal will be in danger, or where their use compromises the integrity of research). Restricted areas include, but are not limited to, the following: custodial closets, boiler rooms, facility equipment rooms, research laboratories, classrooms with research/demonstration animals, rooms with heavy restricted areas will be granted on a case-by-case basis by contacting Disability Services and the appropriate department representative; the person directing the restricted area has the final decision.

**Areas Off Limits to Emotional Support Animals**

All areas except for privately assigned living space in housing are off limits to approved Emotional Support Animals without prior authorization from the Center for Disability and Accommodation.

***Section VIII. Advisory Notice of Colorado's Law Regarding Service & Assistance Animals***

Under Colorado Law it is a crime to knowingly take a non-service animal into a public business under the guise that it is actually a service animal. It is also a crime to intentionally misrepresent that your animal is an assistance, companion, or emotional support animal in order to avoid pet fees or to have an animal in housing that otherwise does not permit pets.

1. On the first offense, the person will receive a written and/or verbal warning.
2. Subsequent offense may result in fines ranging from \$50 - \$500 and removal of the animal from university premises.

# Academic Policies

## Academic Integrity

As members of the academic community, students are expected to recognize and uphold standards of intellectual and academic integrity. The University assumes, as a basic minimum standard of conduct in academic matters, that students will be honest and that they will submit for credit only the products of their own efforts. Both the ideals of scholarship and the need for practices that are fair require that all dishonest work be rejected as a basis for academic credit. They also require that students refrain from any and all forms of dishonorable conduct in the course of their academic work. Dishonest work may include, but is not limited to, the following infractions:

**Plagiarism.** Presenting another person's work as one's own, including paraphrasing or summarizing of the works of another person without acknowledgment and the submitting of another student's work as one's own is considered plagiarism. Plagiarism frequently involves a failure to acknowledge in the text, notes, or foot-notes the quotation of paragraphs, sentences, or even a few phrases written or spoken by someone else.

**Cheating on Examinations.** Giving or receiving unauthorized help before, during, or after an examination is considered cheating. Examples of unauthorized help include the use of notes, texts, or "crib sheets" during an examination (unless specifically approved by the instructor).

**Unauthorized Collaboration.** Submission for academic credit of a work product, or a part thereof, represented as being one's own, which has been developed in substantial collaboration with assistance from another person or source, is a violation of academic honesty. It is also a violation of academic honesty to knowingly provide such assistance. Collaborative work specifically authorized by an instructor is allowed.

**Falsification.** It is a violation of academic honesty to misrepresent material or fabricate information in an academic exercise or assignment (e.g., false or misleading citation of sources or the falsification of the results of experiments or of computer data).

**Multiple Submissions.** It is a violation of academic honesty to submit substantial portions of the same work for credit more than once without the explicit consent of the instructor(s) to whom the material is submitted for additional credit.

### Consequences of Violations

Violations of academic integrity may result in the following: a grade of "F" or a "zero" for the assignment, an "F" for the course, withdrawal from the course, or suspension or expulsion from the University. Serious violations of academic integrity are reported to the Office of Academic Affairs.

## Academic Due Process for Students

### US Department of Education Program Integrity Regulations Complaint Process

Pursuant to the United States Department of Education's Program Integrity Rule, Western is required to provide all prospective and current students with the contact information of the state agency or agencies that handle complaints against post-secondary education institutions offering distance learning or correspondence education within that state. Students are encouraged to utilize the institution's internal complaint or review policies and procedures through the Office of Student Affairs or Office of the Provost prior to filing a complaint with the state agency or agencies.

The following link provides a list of contacts from each state in which a student may file a complaint: <http://www.nc-sara.org/content/state-portal-entity-contacts>

To file a complaint against a Colorado institution of higher education, forms can be found at: <https://cdhe.colorado.gov/filing-student-complaint>

It is the objective of these procedures to provide for the prompt and fair resolution of the types of problems described herein which students may experience at Western.

### Definitions

**Complaint:** An informal claim by an affected student that a faculty member or an academic administrator has violated, misinterpreted, or improperly exercised his/her professional duties.

**Complainant:** An affected student who makes a complaint.

**Grievance:** A written allegation by an affected student that a faculty member or an academic administrator has violated, misinterpreted, or improperly exercised his/her professional duties. The grievance should include the possibility of a remedy.

**Grievant:** An affected student who files a grievance.

**Respondent(s):** The faculty member(s) and/or academic administrator(s) identified by the affected student as causing or contributing to the complaint or grievance.

**Grievance Committee:** A committee composed of one faculty member selected by the grievant, one faculty member selected by the respondent, and three faculty members selected by the Vice President for Academic Affairs (or assignees).

**Time Limits:** When a number of days are specified herein, they shall be understood to exclude Saturdays, Sundays, holidays, University vacation days, and other days when the University is not in session and holding classes.

**Academic Administrator:** Professional personnel of the University, other than teaching faculty, who are in positions to make academic decisions affecting students, including but not limited to, department chairs, Associate Vice President for Academic Affairs, Vice President for Academic Affairs, and the President.

**Informal Complaint Procedure**

The complainant shall discuss the problem with the respondent(s). If the problem is not mutually resolved at this time, the complainant shall confer with the immediate supervisor(s) of the respondent(s). This usually will be the Chair(s) of the Department(s) to which the respondent(s) is assigned.

If satisfactory resolution is still not achieved, the complainant must confer with the Vice President for Academic Affairs or selected representative.

**Formal Grievance Procedure**

If the complaint is not suitably resolved, the student has the right to file a grievance with the Vice President for Academic Affairs within six months of the time that the grievant could or should have known of the action which is the basis of the problem.

This written allegation shall indicate what has already been done to resolve the complaint. Preservation of relevant documents and of precise records of actions taken is advantageous.

The grievance committee shall be formed under the supervision of the Vice President for Academic Affairs, and a hearing shall be scheduled within 15 days after that officer receives the written grievance from the grievant.

The grievance committee shall hear testimony from the grievant, the respondent, and whomever else it deems appropriate.

Within 15 days after completion of the hearing(s), the grievance committee shall submit its findings to the Vice President for Academic Affairs for implementation as deemed appropriate by that officer. A copy of the finding of the committee and of the implementing decision of the Vice President for Academic Affairs shall be given to the grievant and the respondent.

The grievant may withdraw the grievance at any point in the proceedings by doing so in writing to the Vice President for Academic Affairs.

The Vice President for Academic Affairs may grant an extension of the time limit for good cause.

If the grievance has not been resolved satisfactorily after the above procedures have been completed, the grievant is advised that he/she may appeal to the President of Western Colorado University, and ultimately, to the Board of Trustees.

## **Title IX and Sexual Misconduct**

Students who violate Western's Sexual Misconduct Policy or the Board of Trustees Policy Prohibiting Sexual Harassment, Section 3.5, will be subject to the conduct procedures detailed below. Alleged violations that fall outside the Sexual Misconduct Policy and/or the Policy Prohibiting Sexual Harassment but happen concurrently with violations of those stated policies shall be pursued together through the Sexual Misconduct Procedure.

### **Reporting of Alleged Sexual Misconduct/Sexual Harassment**

At any time, any person may report sex discrimination, including sexual misconduct and 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 a verbal or written report.

Any Responsible Employee who receives a report of alleged sexual misconduct/sexual harassment must promptly report the alleged sexual misconduct/sexual harassment to the Title IX Coordinator.

Upon receiving a report, the Title IX Coordinator will:

- Inform the Complainant of the method for filing a Formal Complaint
- Inform the Complainant of the availability of Supportive Measures with or without filing a formal complaint
- Offer Supportive Measures to the Complainant, the Respondent, or both as detailed below

### **Supportive Measures**

The Title IX Coordinator will ensure that Supportive Measures are offered to the Complainant and/or 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.

The purpose of Supportive Measures is to restore or preserve equal access to Western's education programs or activities without unreasonably burdening the other Party. Supportive Measures include measures designed to protect the safety of all parties or Western's educational environment, as well as measures designed to deter sexual misconduct/sexual harassment.

Supportive Measures may include, but are not limited to:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules

- Campus escort services
- Mutual restrictions on contact between the Parties
- Changes in work or housing locations
- Leaves of absence
- Increased security and monitoring of certain areas of campus
- Other similar measures

Supportive Measures do not include disciplinary sanctions.

Western may issue an interim suspension or a PNG from campus on an emergency basis if the Title IX Coordinator in collaboration with the Behavioral Intervention Team:

- Undertakes an individualized safety and risk analysis;
- Determines that an immediate threat to physical health or safety of any student or other individual arising from the allegations of sexual misconduct/sexual harassment justifies removal; and
- Provides the Respondent with notice and an opportunity to challenge the decision immediately following the suspension or PNG.

Western may place a non-student employee Respondent on administrative leave during the pendency of the Formal Resolution Process set forth below.

Western will maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of Western to provide Supportive Measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

## **Fair and Equitable Process**

Western will insure a fair and equitable process for both Parties in a Sexual Misconduct investigation. If at any point either Party feels the process is no longer fair or equitable, that Party is encouraged to reach out to the Title IX Coordinator immediately to remedy those concerns.

Western will ensure a fair and equitable process through the following steps:

- No individual designated as a Title IX Coordinator, Deputy 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.
- Western will not make credibility determinations based on a person's status as a Complainant, Respondent or witness.
- A Respondent is presumed not responsible for alleged conduct until a determination regarding responsibility is made at the conclusion of the Formal Resolution Process.
- Throughout the processes described herein, Western will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence.
- The processes described herein are subject to the State of Colorado

suggested timeframes of 60-90 days to complete an investigation of a case. These timeframes may be extended for good cause upon written notice to the Parties setting forth 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.

## **Formal Complaint**

A formal complaint may be brought to the attention of the Title IX Coordinator by contacting:

Title IX Coordinator  
[tixadministrator@western.edu](mailto:tixadministrator@western.edu)  
(650) 383-4753 x137

## **Written Notice**

Upon receipt of a Formal Complaint, the Title IX Coordinator will issue written notice of allegations to the Respondent and Complainant, if known. Written notice will be provided to each Party within five (5) days of receiving the Formal Complaint. The notice of allegations will include:

- Notice of this policy and the processes within this policy, including the Informal Resolution Process described below;
- The identities of the Parties involved, if known;
- The conduct allegedly constituting sexual misconduct/sexual harassment;
- The date and location of the incident, if known;
- A statement that the Respondent is presumed not responsible for the alleged conduct;
- A statement that a determination regarding responsibility is made at the conclusion of a Formal Resolution Process;
- A statement that Parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
- A statement that Parties may inspect and review evidence; and
- A statement that retaliation is prohibited and will not be tolerated.

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

## **Dismissal**

The Title IX Coordinator will dismiss a Formal Complaint from a Title IX investigation, but may pursue the allegations under the Sexual Misconduct Prohibition Policy if:

- The conduct alleged in the Formal Complaint would not constitute Sexual Harassment under Title IX regulations described in the Board of Trustees Policy Prohibiting Sexual Harassment; or
- The conduct alleged in the Formal Complaint did not occur within the jurisdiction/applicability of the Policy Prohibiting Sexual Harassment.

While part of a Formal Complaint may be dismissed under Title IX Regulation, student safety is a priority and sexual misconduct which falls outside the Title IX definition of sexual harassment may be addressed through the processes identified below.

## **Informal Resolution Process**

A complainant who wishes to file a complaint with the Title IX Coordinator, but who does not wish to pursue a Formal Conduct process may request a less formal proceeding known as an Informal Resolution Process.

Although informal, this is an official conduct process. The Informal Resolution Process could include, but is not limited to, restorative justice, mediation, dialogue facilitation, and/or any process that does not involve a full investigation and adjudication.

In order to pursue an Informal Resolution Process, the Complainant must choose to utilize this process and the Respondent must agree to engage in the Informal Resolution Process.

## **Availability of Informal Resolution Process**

The Informal Resolution Process will not be available to parties who do not agree to pursue such a process.

The Title IX Coordinator may offer the Informal Resolution Process to the parties with the following conditions:

- The Informal Resolution Process is only available after a Formal Complaint is filed and only if all Parties voluntarily consent, in writing, to the Informal Resolution Process.
- Any time prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution Process and resume the Formal Process described below.
- The Informal Resolution Process may be implemented any time prior to reaching a determination regarding responsibility if the above conditions are met.

## **Notice of Availability of Informal Resolution Process**

If the Informal Resolution Process is available, the Title IX Coordinator will issue written notice to the parties disclosing:

- The allegations;
- 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;
- Any consequences resulting from participating in the Informal Resolution Process, including the records that will be maintained or could be shared; and
- That either Party may withdraw from the Informal Resolution Process and resume the formal grievance process prior to agreeing to a resolution.

## **Timeframe**

Western will make a good faith effort to complete the Informal Resolution Process within an average of 60– 90 days without jeopardizing the rights of a Party.

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

## **Formal Resolution Process**

A Complainant or Title IX Coordinator may choose to pursue a Formal Resolution Process if an Informal Resolution Process is deemed inappropriate for the specific case details, or the level of the violation warrants a formal intervention.

### **Consolidation**

The Title IX Coordinator may consolidate Formal Complaints as to allegations of sexual misconduct/sexual harassment where the allegations of sexual misconduct/sexual harassment arise out of the same facts or circumstances.

### **Advisor**

Each party has the right to have an advisor of their choice. The advisor may be, but need not be, an attorney. 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, Western 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 in the section on “Hearing,” a Party’s advisor may not speak on behalf of the Party and will be expected to follow Western’s Rules of Decorum for the Hearing.

## Investigation

- Western will investigate the allegations in a Formal Complaint.
- Western, and not the Complainant or the Respondent, has the burden of proof and the burden of gathering evidence sufficient to reach a determination.
- Western cannot access, consider, disclose, or otherwise use a Party's records that are made or maintained by a health care professional acting in his or her professional capacity, and which are made or maintained in connection with the provision of treatment to the Party, unless Western obtains that Party's voluntary written consent to do so for the resolution process.
- Investigative Process:
  - During the investigation, each Party has an opportunity to present witnesses and evidence to the investigator.
  - The investigator will provide written notice of the date, time, location, participants, and purpose of the investigative interview or other meeting to any Party whose participation is invited or expected.
  - Prior to conclusion of the investigation, the investigator will send to each Party and to each Party's advisor, if any, all evidence obtained as party of the investigation, whether or not Western intends to rely on such evidence in reaching a determination regarding responsibility, that is directly related to the allegations raised in the Formal Complaint.
  - 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.
  - 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.
  - 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, which the Title IX Coordinator will submit to the Decision-maker 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.

## Hearing

After the conclusion of the investigation, the Title IX Coordinator will refer the case to a panel of up to three individuals herein referred to as the Decision-maker. The Decision-maker will conduct a live, virtual hearing.

- Prior to the hearing, the Decision-maker will review the investigative report and

- the written responses provided by the Parties, if any.
- The hearing will occur live and virtual via Zoom or other video platform to allow participants to simultaneously see and hear the Party or witness answering questions.
- Hearings will be recorded. Audio recordings and/or transcripts will be available to the Parties for inspection and review.

### **Standard of Evidence**

- The determination of responsibility will be made by the Decision-maker using the preponderance of the evidence standard.
- The preponderance of the evidence is defined as just enough testimony and information to make it more likely than not that the fact sought to be proven is true. This preponderance is based on the more convincing information and its probable truth or accuracy, and not on the amount of information.

### **Relevant Evidence**

In making a determination of responsibility or sanctions, the Decision-maker 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. The Decision-maker will not consider:

- Evidence about the Complainant's sexual predisposition or prior sexual behavior, except when offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant or evidence concerning specific incidents of the Complainant's prior sexual behavior with respect to the Respondent when offered to prove consent.
- Information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- The Decision-maker 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**

The Decision-maker will allow each Party's advisor to examine witnesses. Cross examination may not be conducted by either Party. Cross examination may only be conducted by an advisor acting on a Party's behalf.

- Western will provide an advisor to support each Party through the hearing and cross examination, free of charge, for the limited purpose of conducting cross examination.
- Only relevant cross-examination questions may be asked of a Party or witness. Before a Party or witness answers a question, the Decision-maker will determine whether the question is relevant and explain any decision to exclude a question as not relevant.

## Remedies/Sanctions

Remedies/sanctions are designed to restore or preserve equal access to Western's education programs or activities. Remedies/sanctions may be disciplinary or punitive and need to avoid burdening the Respondent. The Decision-maker is responsible for identifying and recommending appropriate sanctions. The Title IX Coordinator is responsible for accepting the remedies/sanctions recommendations and the effective implementation of remedies/sanctions.

The Decision-maker will base the recommended remedies/sanctions on Western's core values of student development and education. If a Respondent is found responsible for sexual misconduct/sexual harassment under this procedure, potential sanctions include:

- Educational/Service Projects—Students found responsible for misconduct must perform educational programs for Residence Halls, sports teams, classes, etc. and/or campus or community service projects aimed at establishing an understanding of the harm caused to the community.
- Conduct Fines—Students may be assessed fines for incidents involving damage to property or communal spaces. Relevant fines may be assessed to groups of students as well in cases which warrant generally assigned responsibility. An example of such would be charging an entire floor for vandalism committed by an unidentified person. Fines collected for conduct violations are used by the Office of Student Affairs to provide ongoing prevention education, wellness, and training opportunities.
- Screening Brief Intervention Referral to Treatment (SBIRT)—SBIRT is an evidence-based approach to screening for substance abuse. When risky substance use is identified, students receive a brief intervention—a conversation designed to move an individual to change and reduce substance use. SBIRT is a typical sanction for substance violations. There may be a fee associated with this sanction to provide the assessment and follow-up materials and will be the student's responsibility to cover.
- Substance Abuse Treatment Recommendations and Referrals—Conduct Administrators may recommend substance abuse treatment, classes, and awareness programs to students who are found responsible for substance use violations. There may be a fee associated with this sanction and will be the student's responsibility to cover.
- Parental Notification—In accordance with the Federal Educational Rights and Privacy Act (FERPA), Western Colorado University utilizes and encourages a partnership with parents whose students experience difficulties related to substance use. Notifications may be made by written letter or telephone conversation. Students are encouraged to notify parents prior to or in conjunction with the Conduct Administrator's notification.
- Strengths Probation—Western administers evidence-based Strengths processes in a variety of ways and situations. Strengths in conduct is used two-fold. First to assist students in discovering and using their identified strengths towards personal growth and identifying conduct that may interfere with the student's future goals. Secondly strengths discussion groups are used with a group of students to encourage social growth, civil discourse, citizenship, and future planning as a student. A conduct violation during the

Strengths Probation will result in being placed in a Tier 3 violation level and a mandatory fine equivalent to the highest possible fine for the violation. There is a mandatory \$50 administration fee associated with this sanction and will be the student's responsibility to cover.

- Restitution–The Conduct Administrators may assign restitution as a condition for continued good standing. Such action is appropriate in any case in which the misconduct or violation has caused loss of or damage to property or injury to a person, or in which reparation for a particular act of misconduct may reasonably be made by payment of money or the performance of services. A student will be notified in writing of any restitution penalty assessed. Restitution applies to University-owned property and may apply to restitution for damages and loss of private personal property.
- Residence Life Probation–The Conduct Administrators may place a student on Residence Life Probation after having a conduct meeting in which procedural due process is afforded. Students on probation who violate policies may be subject to eviction from the residence halls/apartments. Residence Life Probation shall be for such a designated period and subject to such terms and conditions as the conduct authority imposing it shall designate. A student will be notified in writing of the probation issued.
- Eviction from the Residence Halls or Apartments–Western reserves the right to move a student to another residence hall, apartment complex or room; or suspend, or evict or ban a student from the residence halls/apartments if a student is involved in a serious violation of University rules/policies or repeatedly violates University rules/policies (this eviction may or may not follow a time of housing probation). Once a student is evicted from a residence hall or apartment complex, they will be considered Persona Non-Grata (see below), that is unwelcome, in any on-campus residence hall or apartment complex. Failure to comply with this status will be considered trespassing and treated as such.
- Persona Non-Grata (PNG)–Western reserves the right to deny access, or treat as unwelcome, to the University campus and/or its facilities to anyone, including non- students, who do not comply with campus policy or if there is a perceived threat to campus safety and security. Failure to comply with this status will be considered trespassing and may result in Law Enforcement being notified.
- Avoidance of Contact Directive–The Avoidance of Contact Directive may be set in place to clearly define behavioral expectations between individuals and to provide a sense of safety and security for all involved. Restrictions may include, but are not limited to, walking path restrictions, classroom seating restrictions, specific times to use campus facilities, reassignment of Residential Life living arrangements, etc. Avoidance of Contact Directives are given to all parties involved in any type of misconduct, including sexual harassment. The directive is not meant to assign blame or responsibility, but to keep all parties safe and provide an equitable resolution process.
- Conduct Probation–The Conduct Administrators may place a student on conduct probation after having a conduct meeting in which procedural due process is afforded. Conduct probation shall be a final period of trial. Students on probation who violate policies may be subject to suspension or expulsion. Conduct probation shall be for such period and subject to such terms and

conditions as the conduct authority imposing it shall designate. A student will be notified in writing of the probation issued. Conduct probation is generally the final conduct action prior to conduct suspension or expulsion. Students on Conduct Probation are required to complete all additional sanctions assigned and meet with their Conduct Officer at least monthly while on Conduct Probation.

- **Conduct Suspension**–The Conduct Administrator or such member(s) of the University staff as appointed by the Office of Student Affairs, in consultation with the Dean of Students, may suspend a student from the University after having a conduct meeting in which procedural due process is afforded. Conduct suspension is normally for a stated period at the end of which a student may apply for readmission. Suspension for an indefinite period may be stipulated, usually with the implication that a student must fulfill certain requirements before re-admission will be considered. While under suspension, the student is not entitled to attend classes regardless of how they are conducted, use University facilities, participate in University activities, or be employed by the University. A student will be notified in writing of any suspension penalty assessed. A conduct suspension penalty may become a part of the student’s academic, personal and/or conduct record.
- **Expulsion**–Conduct administrators or such member(s) of the University staff, as appointed by the Office of Student Affairs, in consultation with the Dean of Students, may expel a student from the University after having a conduct meeting in which procedural due process is afforded. Expulsion is permanent dismissal from the University without access to re-apply for admission. A student will be notified in writing of any expulsion sanction assessed. An expulsion penalty may become a part of the student’s academic, personal and/or conduct record.

## **Written Determination**

After considering the investigative report, including any Party’s written response to the investigative report, and all relevant evidence presented at the hearing, the Decision will issue a written determination within ten (10) days of the hearing. The Title IX Coordinator will provide the written determination simultaneously to the Parties.

### **The written determination will include:**

- Identification of the allegations constituting sexual misconduct/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 the Sexual Misconduct Prohibition Policy and Policy Prohibiting Sexual Harassment;
- A statement of, and rationale for, the result as to each allegation, including;
  - A determination regarding responsibility;

- Any disciplinary sanctions imposed on the Respondent;
- Remedies provided to the Complainant; and
- Procedures and permissible bases for the Parties to appeal.
- The written determination becomes final five (5) days after it is sent to the Parties, unless an appeal is filed.

## **Appeals**

### **Either Party may appeal:**

- Dismissal of a Formal Complaint or any allegations therein; or
- A determination regarding responsibility. No other issue may be appealed.

### **Basis for Appeal**

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

- Procedural irregularity that affected the outcome of the matter; or
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made and that could reasonably affect the outcome of the matter.
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The Title IX Coordinator, investigator 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.

This 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.

### **Filing an Appeal**

If a Party wishes to file an appeal, the Party must complete the Student Conduct Appeal Form found on the Community Standards and Student Conduct webpage or by contacting the Title IX Coordinator to request the form. The Student Conduct Appeal Form must be submitted no later than five (5) days after the notice of dismissal or written determination is sent to the Party.

### **The written appeal must state with specificity:**

- The issue(s) being appealed; and
- The basis for the appeal.

Incomplete Student Conduct Appeal Forms will not be accepted.

### **Timeframe**

Western will make a good faith effort to complete the appeal within five (5) days. The timeframe for completion may be extended for good cause. If the timeframe for completion of appeal 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**

- After receiving a timely written appeal, the Title IX Coordinator will notify the Parties in writing:
  - that the appeal was filed; and
  - the process for submitting a written statement in support of, or challenging, the issue(s) being appeals.
- 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 the audio recording and/or transcript of the hearing.
- The Appeal Decision-maker may consist of one to three faculty and staff members.
- 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 provide the written determination of appeal simultaneously to the parties.
- The result of the appeal is final.

## **Retaliation**

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 Responsible Employee who receives a report of alleged Retaliation must promptly report the alleged Retaliation to the Title IX Coordinator. Allegations of Retaliation may be investigated and adjudicated under the Sexual Misconduct Prohibition Policy and/or the Policy Prohibiting Sexual Harassment.

## **Sexual Misconduct Involving Employees of Third Parties**

This procedure is promulgated under the Western Sexual Misconduct Prohibition Policy and Board of Trustees Policy Prohibiting Sexual Harassment.

## **General Complaint Information**

### **Who May File a Complaint**

Any member of the campus community who believes they have been the recipient of sexually harassing conduct, including retaliation, may file a complaint. Complaints may be filed against employees, students, or third parties not affiliated with Western who are present on campus or who have interactions with students and employees through University-sponsored activities.

### **Choice of Remedies**

Complainants are not permitted to simultaneously file an unlawful discrimination claim under the University's Anti-Discrimination Policy or the State of Colorado Personnel Board Rules, and a sexual harassment claim under the University's Sexual Misconduct Prohibition Policy and Board of Trustees Policy Prohibiting Sexual Harassment and this associated Complaint Procedure against the same individual arising out of an identical set of facts.

### **Promptness in Filing Complaint**

A complaint may be filed at any time, but individuals who feel they have been victims of sexual harassment are strongly encouraged to come forward as soon as possible after the occurrence of the incident, event, or other action alleged to constitute sexual harassment or retaliation.

### **Timing**

The University will address and resolve sexual harassment matters promptly and effectively. It is the University's intent that the entire process for investigating and resolving complaints be concluded within 60 calendar days following receipt of a formal complaint. However, the length of time will vary depending on the complexity of the investigation, the severity and extent of the harassment, the quantity and availability of witnesses, and other factors of significance that may affect the length of the investigation. If the formal complaint process cannot be completed within 60 calendar days from the receipt of the formal complaint by the University, the Complainant and the Respondent will be informed in writing of the reasons for the delay and provided an estimated date of completion.

### **Where to File a Complaint**

Complaints about Employee of Third-Party Conducts: all Complaints alleging sexual misconduct/sexual harassment or retaliation committed by employees and/or third parties, whether informal or formal should be submitted to:

Director of Human Resources  
Taylor Hall 321  
970.943.3140

Complaints about Student Conduct: all Complaints alleging sexual misconduct/sexual harassment or retaliation committed by students should be submitted to the Title IX Coordinator:

Title IX Coordinator  
(650) 383-4753 x137  
tixadministrator@western.edu

### **Employee Obligation to Report**

Any employee, including any faculty member, who is aware of sexually harassing or retaliatory conduct, must promptly report the sexually harassing conduct or retaliatory action to the Human Resources Director.

### **Types of Complaints**

Complaints may be made informally or formally. Informal complaints may be made orally or

in written form; formal complaints must be made in writing.

### **Confidentiality**

The University treats all complaints of sexual harassment as confidential matters and will make reasonable efforts to protect the confidentiality of the complaint process, any investigation or resolution, and all individuals involved with the complaint process. If a Complainant requests confidentiality, the University will take reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality to the extent possible. The University's ability to comply with a Complainant's request for confidentiality cannot be guaranteed.

## **Informal Complaint Procedure**

### **Purpose and Timing**

Under certain circumstances, an informal sexual harassment complaint and resolution process may be appropriate, effective, and desirable for a variety of reasons. Further, it may provide a more expedient path to resolution than the formal process entails. The informal resolution efforts will be focused on bringing the Complainant's concerns to the attention of the alleged harasser and, if the concerns are valid, obtaining the voluntary cooperation of the parties to address and resolve the matter.

If a complaint is filed informally, the process is expected to be completed in a relatively brief period of time, usually within ten (10) calendar days of the date the complaint is received by Human Resources. If additional time is needed for the informal process, Human Resources will communicate this to the Complainant and Respondent in writing, citing the reasons for the additional time and providing an estimated date of completion.

### **Process**

If the Complainant desires to informally resolve the complaint, the Human Resources Office will try to resolve the complaint expeditiously to the satisfaction of all concerned. A variety of possible means to resolve the complaint may be used at the discretion of the Human Resources Office. Examples of the method and means used to try and achieve resolution may include, but are not limited to:

- Providing advice to the Complainant regarding how to handle a situation;
- Working with faculty, department heads or other employees in whom Complainant has trust and with whom the complainant is comfortable to address their concerns;
- Assisting supervisory personnel to address the matter with the alleged harasser;
- Engaging an external investigator; and
- Intervening directly with the alleged harasser.

There is no requirement that once the informal resolution process is started it must be completed prior to filing a formal complaint. The Complainant can choose at any time to stop the informal resolution process and file a formal complaint.

# Formal Complaint Procedure

## Purpose and Timing

The purpose of this procedure is to provide a formal, structured mechanism for the prompt and fair internal resolution of complaints alleging sexual harassment. The steps outlined below are the exclusive forum for the internal resolution of sexual harassment complaints regarding the actions of an employee or non- student third party at Western. The investigation and issuance of a final decision related to a formal complaint should be completed within 60 calendar days of the University's receipt of the formal complaint, except in circumstances out of the ordinary.

## Contents of Formal Complaint

A formal complaint must be in writing and contain at least these four elements:

- A description of the conduct or actions upon which the complaint is based;
- Identification of the alleged harasser or harassers (Respondent);
- A statement of the Complainant's desired outcome and resolution; and
- The signature(s) of the Complainant(s).

## Immediate Institutional Response

The University reserves the right to take all interim steps it deems necessary to protect the Complainant, witnesses, or the Respondent. Examples of these interim steps may include, but are not limited to:

- Issuing "no contact" directives
- Issuing temporary "no trespassing" directives
- Placing an employee on administrative leave with pay
- Obtaining restraining or similar protective orders through appropriate law enforcement and conduct mechanisms

## Notification of Legal Counsel, Title IX Coordinator and Management

Promptly after receiving the complaint, Human Resources will provide the complaint to the University's legal counsel, the Western Title IX Administrator, and appropriate University management personnel. For the purpose of this procedure, the University management personnel to be notified typically include the President, the Vice President in whose area the Respondent is employed or enrolled, the Respondent's supervisor, and the next level supervisor, if appropriate.

## Acknowledgement of Complaint and Notification of Respondent

Western will send the Complainant written acknowledgement of the complaint, notify the Respondent of the complaint in writing, and provide the Respondent with a copy of the complaint. The acknowledgement and notification process from the point of accepting the complaint through the issuance of letters to the Complainant and the Respondent will normally not exceed five (5) calendar days. Western will make best efforts to notify the Complainant by phone or e-mail prior to the delivery of the complaint to the Respondent.

## Investigation Authorization Form

Unless the complaint is initiated by the President, the Complainant will be required to execute a Sexual Harassment Complaint Investigation Authorization Form prior to any investigation of the complaint.

### **Investigation of Complaint**

- Timing–The investigation phase will normally be concluded within thirty (30) calendar days of its initiation.
- Process–The complaint will be investigated as discreetly and expeditiously as possible with due regard to thoroughness and fairness to all parties. The investigator(s) will examine relevant documents and interview witnesses and may interview other individuals with material information who are identified by the parties. The investigator(s) reserves the right to assess the relevance and evaluate the credibility of witnesses to be interviewed who are offered by the Complainant and the Respondent. The University, in its sole discretion, reserves the right to assign any part or all of the investigation to an external investigator in lieu of having the complaint internally investigated.
- Confidentiality of Investigative Materials–All materials and documents prepared or compiled by the investigators during the course of investigating a sexual harassment complaint hereunder will be kept confidential to the fullest extent of the law.

### **Report of Investigation Findings**

After the conclusion of the investigation, the investigator(s) will prepare and submit a joint written report of findings to the President. The report of findings will be provided to the Complainant and Respondent within a reasonable time following the issuance of the University's decision.

### **Decision and Resolution of the Complaint**

The President will issue a final written decision regarding the complaint to both the Complainant and the Respondent. The decision will be addressed to the Complainant and will contain a statement of whether sexual harassment was found to have occurred, the remedies to be provided to the Complainant, if any, and the conduct sanctions to be imposed upon the Respondent, if any. The decision, including any conduct sanctions, will also be communicated to the Respondent in writing. The completion of the written report of findings and the issuance of the University's decision will normally be completed within 20 calendar days from the end of the investigation.

If the President is the Respondent, the Chairman of the Board of Trustees will be the Decision-maker.

### **Appeal of Final Decision**

There shall be no internal appeal of a decision that sexual harassment has occurred issued pursuant to Subsection 3.9 above. However, certified classified staff and tenured faculty members who receive corrective or disciplinary action as a result of such a determination under this procedure may avail themselves of appeal processes provided through the State Personnel Rules or the Handbook for Professional Personnel, as appropriate.

### **Complainant and Victim Support**

The University will provide support to the Complainant, any other victims it identifies during

its investigation, and the Western campus community as reasonable and appropriate to the circumstances. Such support may take many forms, including, but not limited to the following:

- Providing counseling and victim support services
- Providing medical services
- Arranging for the Complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record
- Ensuring that the Complainant and the Respondent do not attend the same classes or that the Complainant is not enrolled in a class taught by the Respondent
- Providing an escort to the Complainant so that he/she can move safely between classes and activities
- Moving the Complainant or Respondent to a different residence hall/apartment
- Providing academic support services, such as tutoring
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant being disciplined
- Additional campus-wide office or department specific training or access to assistance
- Any other steps the University determines are appropriate given the nature and circumstances of the harassment

## **Amorous Relationships Policy**

For the University's Amorous Relationships Policy, please refer to Section 3.13 of the Trustee Policy Manual.

## **Pregnancy and Parenting Policy**

For the University's Pregnancy and Parenting Policy, please refer to section 3.14 of the Trustee Policy Manual. For questions about this policy, students may contact Western's Title IX Coordinator:

Title IX Office  
Taylor Hall 301  
(650) 383-4753 x137  
tixadministrator@western.edu

## **Policy Prohibiting Sex Discrimination and Sex-Based Harassment**

For the University's Policy Prohibiting Sex Discrimination and Sex-Based Harassment please refer to Section 3.5 of the Trustee Policy Manual. This policy contains information

concerning available supportive measures and processes. Some contacts and resources for students related to Sex Discrimination and Sex-Based Harassment are noted below.

The Title IX Coordinator is the primary resource for questions on the Sex Discrimination and Sex-Based Harassment Policy.

Confidential Reporting. For confidential reporting of sex discrimination and sex-based harassment individuals may report to the following campus resources that provide support and guidance:

**On-Campus Confidential Reporting Resources**

University Counseling Center  
Crystal Hall 104  
970.648.7128 (appointments)  
970.252.6220 (after-hours emergency)  
Hours M-F | 8:00 a.m.–5:00 p.m.

Campus Medical Clinic Tomichi Hall 104  
970.943.2707  
Hours M-F | 9:30 a.m.–3:30 p.m.

**Off-Campus Confidential Reporting Resources:**

Center for Mental Health  
710 N. Taylor Street  
970.641.0229  
<https://gunnisonhelp.com/item/center-for-mental-health/>

TimelyCare: Telehealth support for Mountaineers  
Download the TimelyCare app and register via your school email address, or visit <https://app.timelycare.com/auth/login>

Project Hope  
Victims Support Services  
970.641.2712 (office)  
970.275.1193 (24/7 crisis line)  
[www.hope4gv.org](http://www.hope4gv.org)

Gunnison Valley Health  
711 North Taylor Street  
970.641.1456

Note: Victims of Sexual Assault are encouraged to report to the Gunnison Valley Hospital (GVH) Sexual Assault Nurse Examiner (SANE) to have evidence collected and stored for future legal system actions. Funds are available through the Office of Student Affairs to assist students with transportation options/costs.

Non-Confidential Reporting. For non-confidential reporting of sex discrimination and sex-based harassment, individuals may report to the following campus resources that provide support and guidance:

**On-Campus Non-Confidential Reporting:**

Campus Security  
University Center 102E 970.943.3084 (office)  
970.209.1020 (mobile)

Title IX Office  
Location: Taylor Hall 301  
Phone: (650) 383-4753 x137

**Off-Campus Non-Confidential Reporting:**

Gunnison Police Department  
Location: 910 W. Bidwell Ave  
Phone: 970.641.8200

Emergency 911  
Gunnison Police Department Victim Advocate  
Phone: 970.641.8299

# IT Policies

## IT Services Policies Our Mission

The Department of Information Technology Services partners with the Western Colorado University community to evaluate, implement and manage technology resources to enrich the learning and life experience of our students, augment academics and teaching, facilitate business operations, enhance the campus environment, and contribute to the overall mission of the University.

## Acceptable Use Policy

Access to computing and networking resources is a privilege to which all Western Colorado University faculty, staff and students are entitled. Certain responsibilities accompany that privilege; understanding them is important for all computer users.

### *Institutional Purposes*

The use of computing and networking resources is for purposes related to the University's mission of education, scholarship, and public service. Members of the Western Colorado University community may use computing and networking resources only for purposes related to their studies, their instruction, the discharge of their duties as employees, their official business with the University and their other university-sanctioned activities.

### *Security*

Each user shares the responsibility for maintaining the security of stored information. A summary of the security procedures relevant to the end users of computing and networking resources are:

- Do not share username and password with anyone else. Your username and password are your identity on campus; if you share your identity, you may end up being held responsible for something you did not do.
- Multifactor Authentication (MFA) is required for authentication for some services. Like your password, you should not share your MFA information with anyone.
- Physically secure your computer. Lock your computer by clicking the Windows Logo Key
- + L or by pressing Ctrl + Alt + Delete and selecting Lock Computer to log off if you are away from your desk. Computers left unattended with a user logged on pose a serious security problem.
- Know your data. You are the person who knows what is on your computer. Do not keep sensitive data you do not need. If you need it, make sure it is

encrypted.

### *Anti-Virus Software Protection*

At Western Colorado University, the security of our digital environment is paramount to safeguarding our academic community's intellectual pursuits and personal information. As part of our commitment to maintaining a secure computing environment, all students are strongly recommended to adhere to the following Anti-Virus Software Protection Guidelines:

#### **Compatibility**

Ensure that the anti-virus software is compatible with the operating system of your device and does not interfere with other essential software or applications.

#### **Real-Time Scanning**

Enable real-time scanning features of the anti-virus software to automatically detect and quarantine any malicious files or programs attempting to infiltrate your device.

#### **Regular Scans**

Perform regular full-system scans of your device using the anti-virus software to detect and remove any hidden threats or malware that may have bypassed real-time scanning.

#### **Firewall Protection**

Activate and configure the firewall protection features provided by the anti-virus software to monitor incoming and outgoing network traffic, blocking unauthorized access and potential threats.

#### **Safe Browsing Practices**

Exercise caution when browsing the internet and downloading files from untrusted sources, even with anti-virus software installed. Do not click on suspicious links or download attachments from unknown senders, as they may contain malware.

#### **Reporting Security Incidents**

Promptly report any security incidents, such as suspected malware infections or unusual system behavior, to the University's IT support team for investigation and resolution. By adhering to these Anti-Virus Software Protection Requirements, students contribute to creating a secure digital environment that fosters academic excellence and protects the integrity of our University's information systems.

### *Confidentiality*

Information stored on resources maintained by Western (e.g., cloud storage, servers, and local computers) is considered confidential unless the owner intentionally makes that information available to other groups or individuals. IT Services will maintain the

confidentiality of all information stored on their computing resources, subject to the conditions stated herein. Similarly, each user is expected to maintain the confidentiality of all information stored on computing resources in his or her charge. However, the system administrator may access user files as required to protect the integrity of computer systems. For example, following organizational guidelines, the system administrator may access or examine files or accounts that are suspected of unauthorized use or misuse, or that have been corrupted or damaged. Additionally, the system administrator may access user files without consent to preserve public health and safety. Requests for the disclosure of confidential information will be governed by the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA) and the Colorado Open Records Law. All such requests will be honored only when approved by university officials who are the legal custodians of the information requested, or when required by state or federal law, legal proceedings, or court order.

### *Academic Freedom*

Free expression of ideas is central to the academic process. Western Colorado University computer system administrators will not remove any information from individual accounts, servers, or electronic bulletin boards maintained in individual accounts unless it is determined that:

- The presence of the information in the account or on the bulletin board involves illegality (e.g., copyrighted material, software used in violation of a license agreement).
- The information in some way endangers computing, networking resources, or the information of other users (e.g., a computer worm, virus, or other destructive program).
- The information is not properly accessible as required under state and federal accessibility laws and needs to be replaced or updated with information in an accessible format.
- The information is inappropriate, because it is unrelated to or is inconsistent with the mission of the University or is otherwise not in compliance with the legal and ethical usage responsibilities outlined in Federal, State, System and University policies. The Western Colorado University computing center will remove from campus computers any information that is inappropriate as defined above. Users whose information is removed will be notified of the removal as soon as possible. Users may appeal against any such action by contacting IT Services.

### *Inappropriate Usage*

Computing and networking resources should be used only in accordance with the guidelines indicated herein. Examples of inappropriate and unacceptable use of computing and networking resources include:

- Harassment of other users.
- Destruction of or damage to equipment, software, or data belonging to Western Colorado University or other users.
- Disruption or unauthorized monitoring of electronic communications.

- Violations of computer system security.
- Unauthorized use of computer accounts, access codes, or network identification numbers assigned to others.
- Use of computing facilities for personal or business purposes unrelated to the mission of the University.
- Violation of copyrights and software license agreements.
- Violation of the usage policies and regulations of the networks of which the University is a member or has authority to use.
- Violation of another user's privacy.
- Academic dishonesty (e.g., plagiarism, cheating).

### *Sanctions/Additional information*

Violators of the Acceptable Use Policy are subject to disciplinary procedures of the University and may lose computing privileges. Illegal acts involving Western Colorado University computing and networking facilities may also be prosecuted by state and federal authorities and result in expulsion from the University.

## **Connecting to the Internet**

IT Services provides access to the internet via a campus-wide wireless network. Wired connections are available on a limited basis. For details on how to connect to University provided internet services, please visit IT Services on [www.western.edu](http://www.western.edu) or call 970.943.3333 or visit the Student Helpdesk at Taylor Hall 125.

## **Prohibited Network Activities**

To maintain an optimal and freely accessible computing environment on campus, we kindly request that students refrain from engaging in certain activities. These restrictions are in place to prevent disruptions to network performance and accessibility. Should any of the situations outlined below, or any other activity causing harm or being obviously illegal, be detected, Western reserves the right to suspend network access.

- Do not operate or run a DHCP or DNS server on the campus network.
- Use of personal wireless routers and/or network extenders are prohibited.
- Do not utilize wireless printers on campus (refer to Wireless Router guidelines).
- Do not use the campus network for sharing or downloading copyrighted material without legal authorization.
- Do not use the campus network to access or download illegal content.

## **Prohibited Use of Technology**

Misuse, theft, or other abuse of technology includes but is not limited to the following:

- Unauthorized entry into a file to use, read, or change the contents or for any unauthorized transfer of a file.
- Unauthorized use of another individual's identification and password, including sharing of credentials to gain access.
- Use of computing facilities and resources to interfere with the work of another student or university employee.
- Use of computing facilities and resources to send messages that adversely affect the University community and/or the pursuit of its objectives, including obscene or abusive messages, including any sent on any social media platform that may be directed or targeted at another current or former student or university employee.
- Use of computing facilities and resources to interfere with normal operations of the University computing system.
- Use of computing facilities or resources in violation of copyright law, including illegal file-sharing and downloading. Please see the DMCA Policy for additional information.
- Use of computing facilities or resources to access or download illegal content.

## **Cyber-Bullying, Online Harassment, and Online Stalking on Social Media**

Western Colorado University is committed to providing a safe, inclusive, and respectful environment for all university community members. Although the University respects students' First Amendment rights, not all forms of speech are protected under the Constitution. Cyber-bullying, online harassment, and online stalking on social media platforms are prohibited and may be referred for resolution under the University's applicable discrimination, harassment, or retaliation policies. For the University's Policy prohibiting Discrimination, Harassment, and Retaliation, please refer to Section 2.2 of the Trustee Policy Manual. For the University's Policy Prohibiting Sex Discrimination and Sex-Based Harassment, please refer to Section 3.5 of the Trustee Policy Manual.

## **Student Email**

As a student at Western, you will be provided with a western.edu email address through Microsoft Office 365. All official correspondence from Western Colorado University will be directed to this email address.

### **Email Security**

- **Password Protection:** Protect your email account with a strong password that meets university security requirements. You must also change your password periodically in accordance with IT Services policy. You will be notified when you must change your password. You will lose access to university resources until your password is changed. Do not share your password with anyone.
- **Beware of Phishing:** Be cautious of phishing attempts. Do not click on

suspicious links or provide personal information in response to unsolicited emails. All external emails will include a warning at the top of the email to alert recipients to be cautious about the email.

Violations of this policy may result in disciplinary actions, ranging from warnings to suspension of email privileges or other appropriate measures.

Note: *Western Colorado University is not responsible for any forwarded message that is not received at a western.edu email domain.*

## Academic Communications

- Faculty-Student Communication: Faculty members and students should use university email and Canvas LMS for official communication regarding course-related matters, grades, and academic discussions.

### Accessing Student Records

Western uses Workday to manage academic records, including registering for courses, paying bills, viewing your schedule, accessing unofficial transcripts, updating your address, handling official university business, and applying for employment, including work-study.

## Our Services

### Student Helpdesk

Located within IT Services, the Student Helpdesk is a comprehensive technical support hub for Western students. Students may bring any computing issues they encounter, extending to most personal devices, including game consoles. The IT Services team strives to resolve problems efficiently at no extra charge. This service embodies the personalized assistance characteristic of the Western experience.

### Student Open Computer Labs

IT Services provides student computer labs at several locations throughout campus. The workstations are a mix of PC and Macs and are installed with the same software available in the academic labs. Printing is available in all the labs. In some locations there are meeting rooms equipped with large screen displays. These meeting rooms can be reserved to facilitate collaborative group projects.

### Windows/ PC Locations:

Borick Business Building	109
Chipeta Hall	131
Escalante Terrace	Kiosks
Gym	202
Hurst Hall	024, 115, 137, 223
Kelley Hall	202

Mears Hall	Main Lounge
Pinnacles	2nd floor lounge
Quigley Hall	213
Rady Hall	227, 229, 231
Savage Library	126, Main floor, West Wing
Taylor Hall	203, 204 (language lab)
Ute Hall	2 <sup>nd</sup> Floor Lab
University Center	Kiosks

**Mac Locations:**

Quigley Hall	213
Savage Library	Information Commons

**Student Printing Policy**

IT Services oversees printing operations in open student computer labs and enforces a semester printing quota.

Details:

- Printing is accessible in all campus buildings in academic or open computer labs.
- ,If using a personal printer, IT Services recommend connecting it to directly to a personal computer using a cable rather than a wireless connection. Wireless features on many printers can interfere with the campus wireless network, rendering the printer inaccessible.
- Personal wireless routers are prohibited as they interfere with University networks.
- At the start of each semester, students are allocated a 600-page limit. Unused pages at the end of the semester do not carry over to the next semester. If you require additional pages beyond your limit, please contact SGA at [sga@western.edu](mailto:sga@western.edu).
- One page is defined as a single side of a printed sheet of paper. If you print on both sides of a sheet, it counts as two pages.
- Exceeding the 600-page limit will not halt printing, but students will incur a charge of 5 cents per page over the limit, reflected in their semester bill.

**Personal Devices Support**

- Assistance with internet connection on computers, phones, tablets, etc.
- Virus and malware removal
- Help with game consoles (Xbox, PlayStation, Wii, etc.)
- Resolving computer hardware issues.
- Software installation, including full system restoration

*Note: When bringing a personal computer, include its power supply, cables, and any software you would like IT Services to install.*

**IT Services can support:**

- Username and password issues, including password reset (you must present your Western ID for verification purposes)

- Workday account assistance
- Support for online courses
- Assistance with student email
- Printing ID card issues

## **Limitations of Our Services**

### **Compliance with the Law**

IT Services strictly adhere to legal standards and cannot engage in any illegal activities. Please refrain from requesting assistance with anything illegal, such as software piracy or downloading copyrighted material without ownership rights. If students bring a personal computer to campus, they must have the original installation media and required installation codes for potential re-installation needs. IT Services will not assist with installation or re-installation of software without the appropriate installation codes provided by the manufacturer.

### **Warranty Implications**

IT Services may not be able to assist with certain components or open the system case (IE open your computer case), as it could void your system's warranty. While we are committed to providing hardware diagnosis and repair within the warranty guidelines, certain actions may invalidate the warranty. Please be mindful of these considerations.

### **Canvas or Other Course Software Related Issues**

Please communicate with your instructor before contacting IT Services as they have limited information on the various software being used in each program and/or course.

## **Digital Millennium Copyright Act (DMCA) Policy**

The Digital Millennium Copyright Act, signed into law on Oct. 28, 1998, amended the United States Copyright Act, Title 17 of the U.S. Code, to provide in part certain limitations on the liability of online service providers (OSPs) for copyright infringement. Subsection 512(c) of the Copyright Act provides limitations on service provider liability for storage, at the direction of a user, of copyrighted material residing on a system or network controlled or operated by or for the service provider, if, among other things, the service provider has designated an agent to receive notifications of claimed infringement by providing contact information to the Copyright Office and by posting such information on the service provider's website in a location accessible to the public. The provision of information to the Copyright Office about the service provider's designated agent is a condition for reliance on the limitations on liability for service providers.

The designated agent for Western Colorado University  
is: Chad Robinson  
Associate Vice President/CIO  
970.943.3123

## **DMCA Violations and Sanctions**

Western Colorado University recognizes that downloading and sharing copyrighted material online without permission is both illegal and unethical. In compliance with the DMCA of 1998, Western Colorado University is obligated, based on federal regulations, to address and resolve and cases of copyright infringement brought to the University's attention via the procedures listed below:

1. IT Services or University Counsel is made aware of copyright infringement through file sharing or peer-to-peer (P2P) software or a notice of Claimed Infringement, including the violation type, IP address, and IP Port number. The port is turned off immediately when notification is made to IT Services Personnel.
2. IT Services personnel will link the IP port to a specific user.
3. In cases involving student users, IT Services will send the student's name and their WCU Student ID number, residence hall room location or alternate location of activity (if applicable), email address, "material in question" (Notice of Claimed Infringement), and date of activity to the Student Conduct Administrator.
4. A student conduct case is created and assigned to a conduct hearing panel by the Student Conduct Administrator. The case is adjudicated in accordance with the student conduct policies and procedures outlined in the student handbook, during which the student acknowledges policies on copyright infringement and illegal downloading by signing a Notice of Illegal Downloading of Copyrighted Material form. Internet access provided by Western Colorado University is deactivated for that student until the student completes the conduct process.
5. If found responsible for violating the policy, the student may receive sanctions that may include, but not limited to the following:
  - First offense: Loss of internet access from Western Colorado University for a minimum of 30 days, educational sanctions, and a \$75 fine.
  - Second offense: Loss of scholarship eligibility (if applicable), loss of student employment eligibility (if applicable), loss of internet access from Western Colorado University for the remainder of the current semester, student is placed on probation, and a \$150 fine.
  - Third offense: University suspension for 1 (one) full semester, and a \$300 fine.
6. The student, if found responsible, is required to remove and/or delete all illegally downloaded material. If Western Colorado University receives a notification of another violation, the student will be held accountable for the second offense, even if the same material from the original violation is detected due to the student's failure to remove the illegally downloaded material.
7. The Student Conduct Administrator will notify IT Services of the date when the student's internet access can be reactivated. Permission for reactivation will not be granted until the student signs the Notice of Illegal Downloading of Copyrighted Material form and completes all assigned sanctions.

## **Web Accessibility Statement**

Western Colorado University strives to make its web page material accessible and usable. We use the Web Content Accessibility Guidelines (WCAG) 2.0+ developed by the World Wide Web Consortium Level AA for guidance. If you experience difficulty accessing content or are aware of a specific concern, please contact Information Technology Services.

## **Student Handbook Updates and Changes**

The Office of Student Affairs will update the Western Student Handbook on an annual basis and distribute the updates via official University communications to all Western students, faculty, and staff. The updated version of the Student Handbook will be published on the Western Community Standards webpage. If grammatical or clerical edits are needed, the Student Handbook may be updated without notification to students. Edits may be made prior to the prescribed annual review, in which case the campus community will be notified of the updates via official University communications.

Last updated: Summer 2025 | Next official review: Summer 2026

## Appendix A. Student Conduct Matrix

Violation Level	Potential Conduct Sanctions	Examples
<p><b>Level 1</b> Incidents generally not involving damage to property or health/safety concerns (RA, CA, OR RD level)</p>	<ol style="list-style-type: none"> <li>1. Verbal warning</li> <li>2. Acknowledgement of potential harm</li> <li>3. Conflict resolution and/or mediation</li> <li>4. Confiscation or destruction of unauthorized materials</li> <li>5. Written apology</li> </ol>	<ul style="list-style-type: none"> <li>• Failure to report knowledge of prohibited items or behavioral concerns.</li> <li>• Possession of alcohol containers under 21</li> <li>• 1st or 2nd noise violation</li> <li>• Unauthorized posting or solicitation</li> <li>• Underage possession/consumption of nicotine</li> <li>• Verbal altercations</li> <li>• Disallowed furniture and other items</li> <li>• Hall sports; horseplay; pranks</li> <li>• Incivility</li> <li>• Behavior unbecoming a Western student</li> </ul>
<p><b>Level 2</b> Minor damage to property; health and safety concerns; harm to others (RD level)</p>	<p>Includes sanctions from previous level(s) in addition to the following:</p> <ol style="list-style-type: none"> <li>1. Written warning &amp; education</li> <li>2. Fines, fees, and/or community service</li> <li>3. Temporary or permanent loss of privileges</li> </ol>	<ul style="list-style-type: none"> <li>• Second offense of any Level 1 violation unless level(s) in addition to the otherwise noted</li> <li>• Repeated noise or solicitation/posting</li> <li>• 1st or 2nd ESA or Service Animal policy community service violation</li> <li>• Inappropriate disposal of trash/animal waste loss of privileges</li> <li>• Misuse of information technology or campus resources</li> <li>• Possession/use of hoverboards, e-bikes, electric scooters, or similar in University buildings</li> <li>• 1st and 2nd offense for false identification cards, alcohol violations, or personal hygiene violations</li> <li>• Blocking emergency exits/exceeding room or area occupancy capacity</li> <li>• Possession of prohibited items and/or unauthorized guests</li> <li>• Smoking/vaping in unauthorized campus locations</li> <li>• Possession and/or cleaning of animal carcasses</li> <li>• Possession/consumption of marijuana and/or related paraphernalia on campus</li> </ul>

**Level 3**

Significant damage to property; health and safety concerns; impact on community (AD/director level)

Includes sanctions from previous level(s) in addition to the following:

1. Housing reassignment
2. Housing probation
3. Health and wellness referral personal property
4. Restitution
5. Referral to ADC, CARE Team or Director of Residence Life for further action

- Third offense of any Level 1 or 2 violation unless otherwise noted
- Failure to comply with sanctions or pay fines by the specified deadline
- Theft, vandalism, or destruction of University or personal property
- Tampering with elevators or fire safety equipment
- Failure to evacuate during a drill or emergency; refusing the reasonable request of a University official
- Stalking/harassment
- Sharing University ID/keys; tampering with doors/windows; unauthorized entry
- Alcohol/drug intoxication requiring medical transport
- Misrepresenting age/identity; giving false testimony to evade conduct charges
- 1st and 2nd offense disorderly conduct
- Distribution of marijuana and/or related paraphernalia on campus

**Level 4**

Serious safety concerns; impacts on community; major disruptions to university operations (Dean level)

Includes sanctions from previous level(s) in addition to the following:

1. Suspension or expulsion
2. Removal/PNG from campus
3. Referral to Dean of Students and/or law enforcement for further action

- Repeated offense of any Level 1, 2, or 3 violation unless otherwise noted
- Fighting; threats of violence; inciting violence; disruption of University operations
- 3rd offense disorderly conduct
- Physical/sexual assault; dating/domestic violence; sexual exploitation; public exposure (TIX referral)
- Hazing/disorderly conduct resulting in property damage or injury
- Intimidation, harassment or retaliation against groups or individuals
- Manufacture or distribution of alcohol, possession of illicit substances and paraphernalia other than marijuana
- 2nd or greater offense of alcohol/drug intoxication requiring hospital transport
- 3rd offense or greater of alcohol or drug possession/consumption
- Possession or use of fireworks, tasers, explosives, and/or weapons anywhere on campus
- Playing with fire/incendiary materials; arson
- Obstruction of police/emergency responders, including incivility
- Identity theft
- Hate or bias related incidents (referral to VPI)
- Violation of no contact order or other University directive
- Breaking and entering

## Appendix B. Prohibited Items

Prohibited item	Explanation	Alternative Options
<p><b>Air fresheners:</b> electric oil air fresheners (plug ins); reed diffusers, bulb wax melters, candles, incense</p>	<p>Fire hazard</p>	<p>Battery operated air freshener dispenser, aerosol sprays, gel beads and charcoal odor absorbers, motorized wax melters</p>
<p><b>Decorations: removable</b> or stick-on wallpaper, self-adhesive led lights, command strips, nails or screws, any device used to attach a tv to a wall or door, tapestries suspended from ceilings or over emergency exits (including windows), duct tape, organic holiday decorations (tree, garland, etc.)</p>	<p>Permanent damage to walls and a safety hazard.</p>	<p>Use wall art, thumb tacks, finishing nails, university provided furniture (self-standing TVs permitted), fake holiday decorations</p>
<p><b>Cooking appliances:</b> toaster ovens, oil fryers, pressure cookers, waffle makers, grills (including George Foreman and similar), food dehydrators. Any gas-powered cooking device. All cooking appliances except for microwaves, standard burner drip coffee makers, and mini fridges are prohibited in Escalante, Mears, and Ute complexes due to fire hazard and limited space.</p>	<p>Cooking is the leading cause of fires in the nation. Use of cooking appliances in restricted residence hall rooms is prohibited due to units being a fire hazard. Improper disposal of used grease down drains causes significant plumbing issues.</p>	<p>Students with medical or cultural restrictions requiring specific cooking devices can seek accommodations through Residence Life and the CDA. Sodexo may offer some foods prepared with prohibited items. Approved cooking appliances must feature automatic shut-off. Permitted items in Chipeta and Pinnacles: rice cookers, toasters, air fryers, crock pots, panini makers, electric popcorn makers, electric kettles, single-serve coffee makers, wok pans, bread makers, mini fridges (under five cubic feet), and microwaves (under 1,000 watts). Permitted in Escalante, Mears, and Ute: microwaves (under 1,000 watts), single-serve coffee makers, and mini fridges (under five cubic feet).</p>

<p><b>Camping equipment:</b> charcoal, propane, lighter fluid, torches, flare guns, firewood, hammocks suspended from ceiling, any room dividers.</p>	<p>Fire hazard</p>	<p>Rent camping equipment from WP for use during a camping trip.</p>
<p><b>Furniture:</b> personal beds/mattresses, beanbag chairs, any upholstered furniture</p>	<p>Safety hazard, potential for bed bugs</p>	<p>The university provides furniture and mattresses for student use. If you need an adjustment, ask your RA (Resident Assistant).</p>
<p><b>Heating and cooling appliances:</b> air conditioners, space heaters, halogen lamps/heat lamps, and electric blankets</p>	<p>Excessive power usage and fire hazard</p>	<p>Use a fan, extra blankets, and/or adjust your thermostat. If you need assistance, contact your RA.</p>
<p><b>Tobacco and smoking devices:</b> cigarettes (under 21), drugs and drug-related paraphernalia (e.g., bongs, drug pipes, syringes, scales, grinders, hookahs, vaporizers, marijuana, and water pipes).</p>	<p>Fire hazard and marijuana is prohibited anywhere on campus</p>	<p>Smoke outside in designated areas, consume and store marijuana off campus if you are of legal age or have a medical marijuana card.</p>
<p><b>Firearms/weapons:</b> firearms, explosives, incendiary devices, or any weapon, including look-alike harmless toy weapons, bb guns, airsoft guns, paintball guns, pellet guns, gel guns, martial arts equipment, swords, knives exceeding 3 inches, brass knuckles, bows/arrows, and crossbows.</p>	<p>Safety risk to whole campus community</p>	<p>Keep all firearms and weapons at home.</p>
<p><b>Personal electric transportation:</b> hoverboards, electric scooters, electric bikes, electric skateboards, and other similar items, any gas-powered bike</p>	<p>Fire hazard</p>	<p>Walk, ride a bike, or skate, store gas-powered bikes outdoors in designated bike racks.</p>
<p><b>Animals:</b> pets, any fish tank larger than 10 gallons, any animal that is poisonous and/or may pose a health and/or safety hazard to the campus community, e-collars, retractable leashes, any leash longer than eight (8) feet in length.</p>	<p>Health risk to students with severe pet allergies, safety risk</p>	<p>ESAs (Emotional Support Animal) and Service Animals permitted via CDA approval only with documentation from a qualified medical professional, all animals must be leashed when moving around campus.</p>

<p><b>Electronics:</b> any electronic sound amplifying device capable of producing any sound of 80 db or greater, personal wi-fi routers, 3d printers, non-surge-protected cords, drones, fog machines, ring doorbells, and other devices capturing images without consent are prohibited (including pet cameras), exterior antennas.</p>	<p>Disruptive to community, fire hazard, privacy concerns, and excessive power usage</p>	<p>Use headphones, all university residence halls are equipped with University Wi-Fi, keep fog machines and drones at home</p>
<p><b>Miscellaneous items:</b> loud musical instruments capable of producing any sound of 80 db or greater, drums and drum sets, weightlifting apparatus, and other exercise equipment greater than 25 pounds</p>	<p>Disruptive to community; safety hazard</p>	<p>Store and use loud musical instruments in Quigley Hall; utilize exercise equipment available at the Mountaineer Field House, use drum pads in lieu of drums, use headphones whenever possible.</p>
<p><b>Appliances:</b> personal washing machines/dryers, dishwashers, waterbeds, hot tubs, pools, jacuzzis</p>	<p>Fire hazard and water damage</p>	<p>The university provides beds, washers, and dryers in all residence halls for student use; university apartments are equipped with dishwashers. There are hot tubs and other aquatic features available for public use at the Gunnison County Recreation Center with a membership.</p>