WESTERN STATE COLLEGE OF COLORADO

# STUDENT HANDBOOK

## 2011-2012

## POLICIES AND STANDARDS OF CONDUCT

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# I. PRINCIPLES FOR POLICIES STANDARDS OF CONDUCT

## A. BASIS FOR COLLEGE POLICIES

Matriculation at the College is a privilege, which carries certain responsibilities. The College expects its students to demonstrate honesty and integrity in all phases of their college life. The student voluntarily assumes obligations of performance and behavior reasonably imposed by the institution relevant to its lawful missions, processes, and functions.

Admission to Western State College of Colorado implies an obligation to take advantage of the opportunities for academic and social achievement and to conduct oneself in a manner, which will reflect credit upon the College. Western State College, in turn, has broad responsibilities for the education of students, including accountability regarding their behavior.

The primary purpose of the College centers on academic functions. Rules and regulations have been designed to promote learning in all areas including student life. Courtesy and consideration for others should be an important part of our everyday lives-both on and off campus. Business, industry, and the professions need young people dedicated to a life of high ideals. Western State College accepts its responsibility for encouraging good citizenship and endeavors to lead students to higher and better ideals of character and public service.

Western expects that each student will obey federal, state, and municipal laws as well as College regulations. A violation of these laws and regulations can lead to disciplinary action being taken by the College. Any act, which interferes with the rights of others, disrupts or impairs the normal functioning of the College, damages or destroys property, or impairs health or safety is grounds for suspension or expulsion from the College. Students who interfere with the personal liberty of a fellow student, faculty, staff or visitor to the College are liable to immediate expulsion and to such other penalties as may be imposed by law. A student's behavior in the larger community can also be grounds for disciplinary action by the College. Conduct at all times should reveal mature judgment and a sense of moral, civil, and academic responsibility.

The President of Western State College or the President's designees may summarily suspend any student for the violation of generally accepted standards of conduct, pending a hearing of the case before the appropriate hearing board or hearing officer. Students should be aware that such misconduct may also subject them to any penalties which may be prescribed by municipal, state, or federal laws. The imposition of such additional penalties does not constitute double jeopardy, in as much as the College's punishment is not criminal.

Any member of the College community (i.e., students, faculty, staff) may bring charges of misconduct against a student or group of students. Western State College has three primary conduct lines of due process: (1) Misconduct on-campus (with the exclusion of residence halls or off-campus); To initiate a case you should communicate your allegations to the Associate Vice President for Student Affairs; the Dean of Students serves as the final hearing authority; and (2) Misconduct in a residence hall will result in the line of due process described as beginning with the Resident Advisor and ending with the Dean of Students as the final hearing authority; and (3) Academic misconduct will result in the line of due process described as beginning with the Department and final authority will be within the department of Academic Affairs. Please note that discrimination/retaliation complaints/grievances shall be governed by the antidiscrimination policy and procedures set forth in Section XII.

The discipline of students in the educational community is, in all but the case of irrevocable expulsion, a part of the teaching process. In the case of irrevocable expulsion for misconduct, the process is not punitive or deterrent in the criminal law sense, but rather the determination that the student is unqualified to continue as a member of the educational community and acts as a protection to that community. Even then, disciplinary process is not equivalent to the criminal law processes of federal and state criminal laws.

Campus judicial decisions are based on a "preponderance of evidence" in contrast to the criminal justice system whose burden of proof is "beyond a reasonable doubt."

Under the Colorado Trespass and Interference with Education Act it is a class 3 Misdemeanor to unlawfully deny to students, school officials, employees and invitees lawful freedom of movement on the campus, lawful use of the property or facilities of the College or lawful ingress or egress to the College's physical facilities. It is unlawful for a person to willfully refuse or fail to leave the campus upon being requested to do so by the Dean of Students or the Dean's designee, if such person is committing, threatens to commit or incites others to commit any act which would disrupt, impair or interfere with the College. See C.R.S. § 18-9-109 (2007).

## B. OBLIGATIONS OF A STUDENT

Attendance at a tax-supported educational institution of higher learning is not compulsory. The Federal Constitution protects the equality of opportunity of all qualified persons to attend. Whether this protected opportunity is called a qualified "right" or "privilege" is unimportant. It is optional and voluntary.

The voluntary attendance of a student in such institutions is a voluntary entrance into the academic community. By such entrance, the student voluntarily assumes obligations of performance and behavior reasonably imposed by the institution of choice relevant to its lawful missions, processes, and functions. Those obligations are generally much higher than those imposed on all citizens by civil and criminal law. So long as there is no invidious discrimination, no deprivation of due process, no abridgement of a right protected in the circumstances, and no capricious, clearly unreasonable or unlawful action employed, the institution may discipline students to secure compliance with these higher obligations as a teaching method or may sever the student from the academic community.

Colleges do not prosecute criminals; they discipline students who violate their rules. Even though some of those rules may parallel the laws of society in what they prohibit; neither the campus proceedings, the standards of proof required, nor the discipline imposed is even remotely similar in either nature or substance to criminal procedures, standards of proof, or punishment. Fundamental fairness is all that the law requires of the College. Courts recognize the inherent authority of colleges and universities to set these higher standards because our institutions are preparing the next generation of leaders for our society.

## C. STUDENT CONDUCT

A college is a unique institution requiring high standards of individual conduct in order to fulfill its mission. Its primary purpose is learning and the improvement of the mind; it requires reasoned and rational discourse and an environment conducive to contemplative study. As a result, some of its codes of conduct are higher than those found in other institutions and it has a vested interest in the conduct of students who live off campus as well as those who live in college housing.

The College tries to make as few rules as it can and relies on the maturity of its students to guide good conduct. There are some rules needed, however, in order to live together in a safe educational community.

Students are expected to act as responsible adults and will be held accountable for their behavior. Students need to know the standards of the College and the judicial sanctions that will be imposed if they violate these standards. Listed below are some examples of violations of College standards and the penalties that will be imposed. This information is intended to provide guidelines, not prescriptions, and each individual case will be decided upon its own merits.

### D. JUDICIAL ACTION

In the occasion that a state or federal court 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 clearly constitutes a violation of the College rules set forth herein or in the residence hall contract, the Hearing Officer or Board appointed by the Office of Student Affairs may adopt the judicial determination of guilt without conducting a fact-finding hearing concerning guilt or innocence. A hearing for the purpose of assessing sanction(s) shall be afforded the student, in any case, with the student having the right to present mitigating evidence. The College may choose to hear a case prior to its disposition in a court of law. The findings of the courts do not limit the College in assessing appropriate sanction(s) for violations of campus rules or policies.

### E. APPEALS REGARDING POLICIES

It is reasonable to expect that some students will not agree with established policies; and means to implement change are available to students via student government representation and/or formal proposals for policy change to the College administration. However, until a particular policy is administratively altered, students are responsible to abide by published policies or risk being held accountable judicially for misconduct. There are no avenues for individuals to appeal a policy; only appeals to judicial sanctions as a result of misconduct or failure to comply with a policy will be heard. In the event of pending proposals for change of or exception to a policy, students are in the meantime responsible to comply fully with policies and judicial sanctions. (For information regarding appeals of judicial sanctions, refer to the Appeal Process {III.C}).

### F. ADMINISTRATIVE RESPONSIBILITY FOR SANCTIONS

Appeals of judicial sanctions will not be heard unless her/his immediate administrator has assessed the student's case. For instance, in the particular case of housing related judicial processes, sanctions against students will be ultimately arbitrated and determined by Residence Hall Directors. An appeal of this administrative judicial sanction must be submitted to the Director of Residence Life in accordance with the Appeals Process {III.C} guidelines.

Students are expected to behave responsibly and are accountable for their behavior. Students need to know the standards of the College and the judicial sanctions that will be imposed if they violate these standards.

## II. JUDICIAL RESPONSE TO MISCONDUCT

The Hearing Officer is the person designated by the Office of Student Affairs to administer judicial matters. Any of the following penalties may be imposed in the event that the Hearing Officer determines that the student has violated the College's rules and regulations. In assessing what penalty to impose, the Hearing Officer shall attempt to provide the individual with an opportunity to alter her/his behavior so that s/he may benefit from the experience. The Hearing Officer shall also take into account mitigating circumstances. Such sanctions could include behavioral contracts or community service. However, measures must be taken to insure that the rights of others are protected. As stated before; the College may choose to hear a case prior to its disposition in a court of law. The findings of the courts do not limit the College in assessing appropriate sanction(s) for violations of campus rules or policies. Campus judicial decisions are based on a "preponderance of evidence" in contrast to the criminal justice system whose burden of proof is "beyond a reasonable doubt".

### A. Judicial Warning

Officials of the College responsible for judicial matters may give warnings for minor infractions of standards of conduct. These warnings may be given verbally or in writing with or without a hearing and are a notice to the student or group of students that continuation or repetition of the misconduct shall be cause for more severe judicial sanctions including dismissal from the College.

## B. Judicial/Residence Life Fines

Within the judicial/operational matters, administrative members may assess fines to students (residents or non-residents) who fail to comply with policies (i.e., Alcohol/Drug Policy). Such fines are intended to be more administrative rather than just punitive. Relevant charges may be assessed to groups of students as well in cases, which warrant generally assigned responsibility. An example of such could be (not to the exclusion of others) charging an entire floor, preferably after prior warning, for vandalism committed by an unidentified person. Another example could be furniture being removed from the common areas and utilized as personal furniture could receive a fine. All billing appeals must be received in writing within 3-days of notification. Include a current phone number and mailing address. The Appeals Committee will respond in writing within 14 days.

## C. Educational/Service Projects

The Hearing Officer may require, as part of the sanctioning process, that students found responsible for misconduct to perform educational programs and/or community service projects.

## D. Restitution

The Hearing Officer may request 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. A restitution penalty may become a part of the student's academic, personal record or judicial record.

## E. Residence Hall Probation

The Hearing Officer may place a student on Residence Hall Probation after having a hearing in which procedural due process is afforded. Students on probation who violate policies may be subject to eviction from the Residence Halls. Residence Hall probation shall be for such period and subject to such terms and conditions as the judicial authority imposing it shall designate. A student will be notified in writing of the probation issued. The probation may become a part of the student's academic, personal record or judicial record.

## F. Eviction from the Residence Halls/Persona Non-Grata

The College reserves the right to move a student to another residence hall or room; or suspend, or evict or ban a student from the residence halls if a student is involved in a serious violation of College rules/policies or repeatedly violates College rules/policies. Once a student is evicted from a residence hall or apartment complex, they are Persona Non-Grata and not welcome in any on-campus residence hall or apartment. Failure to comply with this status will be considered trespassing and sanctioned as such. This sanction may become a part of the student's personal or judicial record.

## G. Persona Non-Grata

The College reserves the right to deny access to the College campus and/or its facilities to anyone who does not comply with campus policy. Failure to comply with this status will be considered trespassing and can be arrested. This sanction may become a part of the student's personal or judicial record.

## H. Judicial Probation

The Hearing Officer may place a student on judicial probation after having a hearing in which procedural due process is afforded. Judicial probation shall be a final period of trial. Students on probation who violate policies may be subject to suspension or expulsion. Judicial probation shall be for such period and subject to such terms and conditions as the judicial authority imposing it shall designate. A student will be notified in writing of the probation issued. The probation may become a part of the student's academic, personal record or judicial record.

### I. Judicial Suspension

The Hearing Officer or such member(s) of the College staff as appointed by the President of the College, may suspend a student from the College after having a hearing in which procedural due process is afforded. Judicial suspension is normally for a stated period of time 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, use College facilities, participate in College activities, or be employed by the College. A student will be notified in writing of any suspension penalty assessed. A judicial suspension penalty will become a part of the student's academic and personal record.

### J. Expulsion

The Hearing Officer or such member(s) of the College staff, as appointed by the President of the College, may expel a student from the College after having a hearing in which procedural due process is afforded. Expulsion is permanent dismissal from the College. A student will be notified in writing of any expulsion sanction assessed. An expulsion penalty will become a part of the student's academic and personal record.

### K. Summary Suspension Pending Disposition/Utilization of Law Enforcement

The College reserves the right to temporarily suspend a student from the College or the residence halls immediately, pending the outcome of a College hearing or a trial in a state or federal court and/or to put restrictions upon a student's access to the campus in instances where a student has been accused of a crime which, if repeated, could jeopardize the well being of College students, staff, faculty or property. In these instances, a hearing will be held within three (3) class-days to determine whether or not such dangers reasonably continue to exist.

### The Board of Trustees has passed the following resolution:

"Any act by students or non-students which interferes with the rights of others, disrupts or impairs the normal functioning of the College, damages or destroys property, or impairs health or safety is grounds for suspension or expulsion from the College. The President or the President's representative may summarily suspend those individuals in the 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 to maintain order."

## III. FORMAL HEARING PROCEDURES FOR MISCONDUCT

In order that a student is guaranteed due process and a fair hearing, the following steps will be followed:

### A. INITIATION OF PROCEEDINGS

1. Charges are made in writing and presented both to the accused student and the Western State College Hearing Officer designee for the Office of Student Affairs. The designee will serve as the investigating officer when judicial accusations are made. At a minimum, the charges will set forth the type of alleged misconduct and a specific description of the facts and circumstances of the alleged misconduct.

2. The hearing shall be held within ten class-days of the date a student receives his/her notification letter; date and time to be established at the discretion of the Hearing Officer (extenuating circumstances can allow for an extension of this time frame at the discretion of the Hearing Officer, providing advance notice is given within the ten class-day period). Note: When numbers of days are specified herein, they shall be understood to exclude Saturdays, Sundays, holidays, College vacation days, and other days when the College is not in session and holding classes.

3. The accused student shall be notified in writing regarding charges, rights of the student, and the date and place of the hearing.

4. The student may request to have the hearing as soon as possible, and the Hearing Officer should accommodate such a request at his/her own convenience.

5. If a student does not attend his/her scheduled hearing, other than for an unforeseeable emergency documented to the satisfaction of the Hearing Officer, a decision will be made by the Hearing Officer, based on the information gathered at the time of the hearing.

## B. CONDUCT OF HEARING

**1.** Hearings shall be conducted by a Hearing Officer appointed by the Dean of Students.

**2.** This is not a court procedure, but every effort will be made to arrive at the truth and to insure a fair hearing.

**3.** The accused student may have two representatives present upon the discretion of the Hearing Officer, including legal counsel. The legal counsel or representative may not speak in the student's behalf, but may only advise the student.

**4.** The Hearing Officer may approve or call for witnesses to be present at the hearing. The accused student may question witnesses and may present witnesses in his/her behalf.

**5.** The hearing shall be closed to the public unless prior approval has been granted by and at the discretion of the Hearing Officer.

**6.** Either side may, at its own expense, make a recording of the hearing provided that all present are made aware of the recording. Parties may be asked verbally to acknowledge the agreement on the initial recording.

**7.** If the student admits to the charges or if the Hearing Officer determines that the student is found in violation of the charges, mitigating circumstances and the student's history at Western State College may be considered in the judgment of a sanction.

## C. APPEAL PROCESS

**1.** A Hearing Officer is the person designated by the Dean of Students to administer judicial matters. An administrator will not hear appeals of judicial sanctions until grievances against the student have been adjudicated and sanctions determined by the Hearing Officer. The appeals process will always follow the administrative hierarchy, unless there is a conflict of interest with a hearing officer. This will be determined by the Hearing Officers. Appeals must be filed in writing to the administrator directly supervising the Hearing Officer within three (3) class-days of the decision of the Hearing Officer.

**2.** Appeals will be granted consideration based upon one or more of the following reasons: 1) new information pertaining to the case can be produced; 2) the Hearing Officer's conclusion is not appropriate considering the evident information; 3) the imposed sanction is more severe than what is prescribed for the offense; or 4) due process as delineated in the "Conduct of a Hearing" section {III.B} has not been followed.

**3.** Appeals shall be decided upon the record of proceedings at the hearing.

**4.** The Hearing Officer shall issue a written decision on the appeal within ten (10) class-days from the date that the written notice of appeal is filed.

**5.** No appeal will be heard by a higher administrator unless the appropriate lower administrator has either made a decision on an appeal or the decision has been referred to a higher administrator by the lower administrator. A student may not circumvent a lower administrator by appealing directly to the higher administrator.

6. All sanctions (except those involving separation from the College) will be considered in full effect during the appeal process; that is, students will be expected to abide by and completing all sanctions throughout and in spite of the appeal process.

# IV. INFORMAL HEARING PROCEDURES FOR MISCONDUCT

Informal hearings can range from dialogue, conflict coaching, facilitated dialogue, mediation, restorative practice, or shuttle diplomacy. It is at the discretion of the Hearing Officer which process they would like to apply for misconduct.

**A. DIALOGUE**-students engage in a conversation to gain understanding or to manage a conflict independent of administrator intervention or third-party facilitation.

**B. CONFLICT COACHING**-students seek counsel and guidance from administration to engage a conflict more effectively and independently.

**C. FACILITATED DIALOGUE**-students access administration for facilitation services to engage in a conversation to gain understanding or to manage a conflict. In a facilitated dialogue, parties maintain ownership of decisions concerning the conversation or any resolution of a conflict.

**D. MEDIATION**-students access administration to serve as a third party to coordinate a structured session aimed at resolving a conflict and/or constructing a go-forward or future story for the parties involved.

**E. RESTORATIVE JUSTICE PRACTICES**-(such as conferences, circles, and boards)- through a diversion program or as an addition to the adjudication process, administration provides space and facilitation services for the students taking ownership for harmful behavior and those parties affected by the behavior to jointly construct an agreement to restore community. This method may be an alternative to a formal adjudication process or part of the process associated with the judicial process.

**F. SHUTTLE DIPLOMACY**-Administration actively negotiates an agreement between two parties that do not wish to directly engage with one another. This method may be an alternative to a formal adjudication process or part of the process associated with the judicial process.

# V. GENERAL DEFINITIONS AND CONDITIONS OF MISCONDUCT

## A. ADVERSE IMPACT ON THE SURROUNDING GUNNISON/CRESTED BUTTE COMMUNITIES

The College reserves the right to take judicial action against a student who has participated in acts of misconduct (including but not to the exclusion of policies delineated in the Policies and Standards of Conduct) that take place on or off campus and which have an adverse impact upon the surrounding Gunnison/Crested Butte communities. (Note: refer also to “Civil/Criminal Charges” section {V.E})

## B. ALCOHOL

1. **Alcohol Use and Possession** The College has published policies concerning the use of alcohol and is seriously concerned about its abuse. Intoxication is not considered an excuse for unacceptable behavior.

   a. **Alcohol Possession and Consumption**
   Possession and/or consumption of alcoholic beverages in and around the residence halls is permitted only by individuals 21 years of age or older, in student rooms with doors closed, and no minors present. If anyone in the room is under 21, then everyone present is in violation of policy, regardless of who has or has not been drinking.

**b. Empty Alcohol Containers**

Empty containers of alcohol are considered evidence of prior consumption in the room or suite. Empty alcohol boxes, cans, bottles, etc. are not permitted on Western State College Residence Hall property or in the rooms of anyone under the age of 21.

**c. Alcohol Paraphernalia Prohibited**

**"**Beer bongs", keg taps, beer pong tables, and other such devices that promote irresponsible drinking are prohibited on campus. Possession of such items may result in judicial action.

**d. Knowing Presence**

Knowing presence in an area of a College building or College property where any illegal substances are being used or are present is also subject to disciplinary actions.

**e. Intoxication**

Visible intoxication on any of the Western State College public premises is not permitted and will be confronted, with the possibility of judicial sanctions.

**f. Bulk Alcohol Prohibited**

i. Defined: Any alcoholic beverage in a container requiring a tap (for example, but not exclusively kegs) or capable of holding large quantities of alcohol for group consumption is defined as bulk alcohol and is prohibited on campus.

ii. Responsibility: All students found in possession of, responsible for purchasing, or helping to transport bulk alcohol on College property will be held responsible to the full extent of judicial sanctions.

iii. All student residents assigned to a residence hall room or apartment which has been identified as hosting (or helping to host) bulk alcohol on campus will be held responsible (whether they were present or not) to the full extent of judicial sanctions, unless individuals accepting full responsibility confirm the resident was in no way present or had any complicity.

iv. Any student on the premises of a gathering, in which bulk alcohol is being served, can be held responsible to the full extent of judicial sanctions.

v. Exception: This policy can be waived in advance for particular situations only by the President of the College upon the recommendation of the Dean of Students.

**g. Bulk Alcohol Paraphernalia Prohibited**

Any container (e.g., keg or pony keg) for bulk alcohol or device used to tap bulk alcohol is prohibited on campus. This policy can be waived in advance only by the President of the College upon the recommendation of the Dean of Students.

**h. Transport**

Transport to the Gunnison Valley Hospital or Gunnison Jail due to alcohol consumption will result in Parental Notification and judicial action.

**i. Alcohol in Western State College's Non-Residence areas**

Western State College's alcohol policy prohibits the possession, consumption or distribution of alcohol by students on the grounds and in the non-residential buildings of Western State College. The possession, consumption and distribution of alcohol is prohibited in all public areas (bathrooms, corridors and lounges) on campus, including the residence halls and apartments. This regulation can be waived only by the President of the College upon the recommendation of the Dean of Students.

**j. Alcohol in and around areas of Residence Halls**
Alcohol is not permitted in any public areas of the residence halls including grounds, lounges, hallways and bathrooms. Students of legal age (21) may have alcohol in the privacy of their room; however, the door must be shut and no underage person may be present.

**2. Colorado Liquor and Beer Code Warning**
It is illegal to sell whiskey, wine or beer to any person under twenty-one years of age and it is illegal for any person under twenty-one years of age to possess or to attempt to purchase the same.

Identification cards which appear to be fraudulent when presented by purchasers may be confiscated by the establishment and turned over to a law enforcement agency.

Fines and imprisonment may be imposed by the courts for violation of these provisions.

**a. Distribution of Alcohol to Underage People**
The "legal drinking age" in Colorado is twenty-one (21) years of age. Any student involved in underage drinking or responsible for providing the opportunity for a guest or another student to become involved in the illegal use of alcohol is subject to judicial sanctions including eviction from the residence halls and apartments.

**Please Note:** After any alcohol violation or violation of other College policies while under the influence of alcohol, the College reserves the right to recommend counseling and/or dependency assessment as a condition of continuing enrollment.

The College is required by state/federal law to report violations regarding alcohol and drug use/abuse.

**3. College Resources**
Drug and alcohol counseling is available at the Campus Health Center, 104 Tomichi Hall (Escalante Complex), **970-943-2484**. There are seven (7) FREE counseling visits per student/per academic year. The free emergency 24-hour number is **970-252-6220.**

WRAP (Western's Responsible Alcohol Partnership) is located in College Center 118, **970-943-2500** and is a program funded by the Department of Education, created to reduce binge drinking among college students. WRAP evaluates current alcohol-related judicial policies and implements strategies that will reduce high-risk drinking behaviors among students. WRAP also provides SBIRT (screening, brief intervention, and referral to treatment) and QPR (Question, Persuade and Report) suicide training. WRAP provides fun, alternative activities on and off campus and offers educational programs through partnerships with campus and community organizations.

**4. Community Resources**
Alcohol and substance abuse counseling is available at The Center for Mental Health, 710 North Taylor, 970-641-0229.

## C. BICYCLING

**1. BICYCLE REGULATION** - Bicycles can be registered, free of charge, by the Gunnison Police Department. Call 970-641-8000 to arrange to register your bicycle. It is recommended that all bicycles be registered and locked at all times when not in use.

Bicycles may only be parked in bike racks. Locking bicycles to light posts, stair rails, guard rails, trees, shrubs or benches creates a traffic hazard for pedestrians or emergency and service vehicles. Bicycles locked to objects other than bicycle racks may be immobilized or removed by Facilities Services or by Campus Security. If your bicycle has been immobilized or removed, contact Facilities Services (970-943-3087) or Campus Security Services (970-943-3084).

2. **BICYCLE AND SKATEBOARD RIDING** - Western State College currently allows bicycling and skateboarding in the following areas:
   - Sidewalks (with courtesy to pedestrians)
   - Skate Park

   Bicycle Riders are responsible for the following Moving Violation Regulations:
   - The speed limit on campus is 10 miles per hour unless otherwise posted.
   - Speeding violations are non-contestable and 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 Laws.

## D. BREAKING INTO OR ENTERING A CLOSED BUILDING, ROOM OR AREA

Any campus area, which is locked or closed to unauthorized entry, is a closed area. Unauthorized entry is a serious offense and students found responsible will face severe sanctions in addition to civil or criminal charges. Unauthorized entry includes, but is not limited to residential rooms, custodial and storage closets, roofs or any part of the buildings outer structure, attics, or on top of elevators or elevator shafts.

## E. CIVIL/CRIMINAL CHARGES

In serious situations, the College reserves the right to press charges against a student in a civil or criminal court. Any student tried in a civil or criminal court, even if the offense took place off campus, may also have judicial action taken against him/her at the College.

If a student is found guilty in a court of law, the College will accept the court's verdict. Yet, the College reserves the right to impose its own sanctions independent of legal time frames. The student found guilty can appeal the sanction imposed by the College but cannot appeal the guilty verdict.

The College will usually impose sanctions beyond those imposed by the courts in situations where it is felt that the nature of the offense is such that the guilty student could be a threat for the College, its students, faculty or staff. Examples of such offenses are: assault, rape, robbery, use and/or distribution of illegal substances, theft and/or receiving stolen goods, harassment and threats to persons or property.

## F. COLLEGE IDENTIFICATION CARD-MOUNTAINEER CARD

All students are required to carry their valid Western State College I.D. with them at all times. Within this policy, students are required to present their college identification card when requested to do so by a college official.

## G. PETS PROHIBITED

All Gunnison County dog policies apply to Western State College and its surrounding grounds and parking lots. Dogs, cats, and other animals are not allowed in any Western State College building. Dogs may be walked on leashes across the grounds. No dog is to be off of a leash. The administration reserves the right to remove any dog off the premises at any time. Failure to comply with the campus dog policy will result in one warning, further citations, and judicial action. Warnings and citations are non-contestable.

Policies pertaining to service dogs may be obtained by contacting the Office of Student Affairs, 301 Taylor Hall, 970-943-2011.

If an animal appears to be in distress or becomes a nuisance to the campus community, contact Campus Security (970-209-1020) or the Animal Control Office at City Hall (970-641-8000).

## H. DRUGS

*Although possession and use of marijuana for certain medical conditions consistent with the requirements of the Colorado Constitution is no longer a crime in the State of Colorado, the possession and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug-Free Schools and Communities Act, the use/or possession of marijuana continues to be prohibited while a student is on campus, including while in campus housing.*

1. **Possession, Distribution, Paraphernalia and/or Use of Illegal Substances (i.e. Marijuana, K2, Spice, Salvia, Bath Salts)**
   The use of mind-altering substances, of any kind, has no place in an academic community. Any student using illegal substances or ethneogens, including possession of residue, paraphernalia (e.g. water pipes, bongs, spoofs) and/or who is involved in or responsible for providing the opportunity for a guest or another student to become involved in illegal drug/substance use of any nature is subject to judicial sanctions as severe as expulsion from the College. Distribution and/or sale of an illegal substance are taken very seriously. Students found responsible should expect the most severe of sanctions. Pictures of drug usage or paraphernalia are strongly discouraged and will be addressed in the adjudication process.

2. **Altered State of Mind/Under the Influence**
   Visible altered state of mind or under the influence on any of the Western State College public premises is not permitted and will be confronted, with the possibility of judicial sanctions.

3. **Knowing Presence**
   Knowing presence in an area of a College building or College property where any Illegal substances are being used or are present is also subject to disciplinary actions.

## I. FAILURE TO COMPLY WITH A REASONABLE REQUEST OF A COLLEGE OFFICIAL

The College cannot operate in an environment where students refuse to cooperate with reasonable requests such as the request to identify oneself or the request to refrain from inappropriate behavior (See section {V.M}). This includes requests made by students who are College employees (for example, Resident Advisors). Students who fail to comply with the reasonable request of a college official can face judicial action and/or fines.

## J. FIREWORKS/FIREARMS OR WEAPONS

No UNAUTHORIZED weapons, including but not limited to, firearms, explosives, pellet guns, paintball guns, air guns, bullets or other ammunition, black jacks, smoke machines, fireworks, knives(blades longer than 3 ½:") , swords (metal or wooden), or bows and arrows are allowed on any College property or in any College buildings under any circumstances. Possession of such items in these places endangers the lives of others and is a serious violation of College policies. Dangerous weapons including but not limited to knives, regardless of the length of the blade used by or in the possession of a person with the intent to cause fear or assault to another person is included within the meaning of a firearm, explosive, or dangerous weapon. Any student or employee violating this policy faces immediate disciplinary action, which may include probation, suspension, or expulsion.

Weapons used for hunting (including but not limited to knives with blades longer than 3 ½", shotguns, and bullets) may be stored in the arms room at the Municipal Building, 201 West Virginia, Gunnison. Turn-in and pick-up of weapons and paraphernalia from the arms room must be done Monday–Friday between 8:20 a.m. and 4:30 p.m. Weapons must then be secured off-campus (not on college property) until they are used and returned to the arms room at the Municipal Building. Under no circumstances may UNAUTHORIZED weapons be brought onto the Western State College of Colorado campus. Specific items (i.e. wooden swords) must be approved for club use by the Associate Vice President for Student Affairs and Campus Security.

Such items must be stored in a secure location and only be utilized during specific times in secure campus locations. Club members must follow all campus policies as well as those outlined for their specific club. Failure to comply will result in disciplinary action toward the campus organization and individual club members.

The College's weapons policy is under review in light of the recent Court of Appeals decision regarding CU's weapons policy. When any of the College's policies come into conflict with the law, we interpret the law to supersede the policy. Until the policy is updated, the College will enforce its weapons policy only to the extent that the policy is consistent with law, including the way the law has been interpreted in the CU weapons policy decision.

## K. FOOD FIGHTS IN RETAIL AND RESIDENTIAL DINING AREAS

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 judicial action imposed against them.

## L. IMPERSONATION

Impersonating a College official or parent is prohibited and will result in judicial action.

## M. INAPPROPRIATE BEHAVIOR

As an academic community, Western State College is committed to the open exchange of ideas where all views, popular and unpopular, can be freely advocated. The College, however, requires that the behavior of individuals and groups not infringe on the rights of others or interfere with the normal functioning of the College. Behavior which infringes on the rights of others or interferes with the normal functioning of the College will result in disciplinary action through established procedures of the College. This prohibition against inappropriate behavior includes the public domain of Facebook and Myspace. Any threats of harm or inappropriate postings and pictures will be subject to discussions and considered evidence in the judicial process as well as subject to a judicial hearing.

It is a privilege to be on the Western State College Campus. Students and visitors are responsible for all policies while on campus. This includes all academic, public, and residential properties and buildings. Failure to comply may result in action by campus officials and contact with the Gunnison Police Department.

Students participating in on- or off-campus programs are expected to comply with all college policies and procedures as articulated in the Student Handbook. Some College programs such as Wilderness Pursuits and College athletics will have specific policies governing the behavior of student participants. These policies can be obtained by contacting the specific department.

## N. INTERFERENCE WITH THE COLLEGE JUDICIAL PROCESS/GIVING FALSE TESTIMONY IN A COLLEGE JUDICIAL PROCESS

The College cannot govern itself if students do not respect the established judicial procedures of the institution. Any attempt on the part of students to intimidate witnesses or to influence witnesses to alter testimony or to not testify in a college judicial process is a very serious offense that may result in expulsion from the College. Similarly, giving false testimony at a judicial hearing is an equally serious offense and can lead to expulsion from the College.

## O. KNOWING PRESCENCE

Knowing presence in an area of a college building or college property where a policy violation is occurring is also subject to disciplinary actions.

## P. PARKING, VEHICLE AND BICYCLE REGULATIONS

1. **ABANDONED VEHICLES AND BICYCLES** - Vehicles and bicycles, that appear to have been abandoned on campus, will be towed or removed, at the owner's expense. Any vehicle without license plates will be towed. Any vehicle which has expired tags (tags expired more than one month) will be considered an abandoned vehicle and will be towed at the owner's expense. A vehicle that is not drivable due to a flat tire(s) or major damage, etc., will be considered abandoned and will be ticketed and/or towed or removed at the owner's expense. If for some reason a vehicle cannot be moved, it is the owner's responsibility to notify Campus Security.

2. **MOVING VIOLATIONS** - The speed limit on campus is 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 laws.

3. **OTHER VEHICLE RESTRICTIONS** - Vehicle maintenance is not permitted anywhere on campus. Included in this restriction is changing oil or other fluids or maintenance work that is more than changing a tire. For the safety of WSC students, faculty and staff, safety of our buildings and your vehicle, no one is permitted to run an electrical cord from a vehicle to an outlet on or in WSC buildings. We understand that this prohibition may present a problem for certain vehicles during cold months of the year; however, safety and security must remain our primary priority.

4. **PARKING DURING VACATION PERIODS** - Vehicles may be left on campus, during Thanksgiving, Christmas and Spring Breaks only in the Dolores Hall, Mountaineer Bowl and the north side of the College Center parking lots, unless other lots have been designated by the College for overflow parking. Vehicles are not to be left on campus over summer break unless prior written permission from Campus Security is obtained. Each case will be decided on an individual basis. Vehicles that are left on campus without obtaining prior written permission will be ticketed and towed at the owner's expense.

5. **PAYMENT OF FINES** - Parking citations and other fines are payable to Western State College and may be paid in person at the Cashier's Office (Taylor Hall 314) or mailed in the ticket envelope. Persons wishing to appeal a citation may pick up an appeal form in the Office of Student Affairs.

6. **RESIDENCE HALL PARKING** - Due to limited parking areas, only students and staff living in campus housing may park overnight (12:00 a.m. to 7:00 a.m.) in the following lots:
   - Chipeta Lot
   - Dolores
   - Escalante North Lot
   - Mears Complex Lot
   - Mountaineer Bowl Lots
   - Savage Library Lot
   - Shavano Complex Lot
   - Teller Street (east of Chipeta Hall)
   - Ute Lot

   All residents living in residence halls are required to register their vehicles at residence hall check-in. Parking and/or guests of residents are permitted to park in residence hall parking for a maximum of 72 hours. Parking and/or guest permits are available from the Resident Director in each residence hall or from Campus Security.

   In the interest of providing maximum convenience for all campus drivers, students, faculty and staff living on campus are encouraged to park in the lots designated for their particular building and to leave their vehicle in that lot, rather than driving to another lot closer to classes or work locations.

7. **SNOW REMOVAL WARNING** - 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 College reserves the right to issue notice to remove vehicles from any parking lot or roadway at any time during periods of heavy snowfall. It is the vehicle operator's responsibility to look for email notices, notices posted in the College Center or notices posted on affected vehicles and remove their vehicles from the affected parking lot or roadway, when directed to do so.

8. **THEFT, VANDALISM OR DAMAGE TO VEHICLES OR BICYCLES** - Any theft, vandalism or damage to property should be reported immediately to Campus Security (970-943-3084) or the Gunnison Police Department (970-641-8000). Western State College 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.

9. **TRAFFIC/VEHICLE PARKING AND FIRE REGULATIONS INTRODUCTION** - The Campus Security office is located in 105 College Center. The office phone is 970.943.3084 and the Security cell-phone is 970.209.1020.

   Consideration of others should be kept in mind at all times when operating a motorized vehicle, bicycle, skateboard or inline skates. The intent of these regulations is to protect the health, safety and property of all persons on campus and to provide access for fire and emergency equipment. It is the responsibility of all students, staff, faculty and visitors to be aware of and to comply with state, county, and city laws as well as campus rules and regulations.

   Primary responsibility for campus parking and traffic control rests with Campus Security and designated staff members (C.R.S. § 23-5-107). This responsibility is shared with the Gunnison Police Department and the Gunnison County Sheriff's Department. The Colorado State Patrol may also be involved in traffic enforcement on campus.

10. **UNAUTHORIZED PARKING AND DRIVING AREAS** - A valid parking space is defined by two white parallel lines with no yellow markings or signage present. Yellow lines or markings means no parking is permitted. Red markings designate fire department access zones and no parking is permitted.

    Parking is not permitted (whether posted —"No Parking" or not) on roads without designated parking spots, driveways, sidewalks, lawns or grass, or non-paved areas. Vehicles violating College parking policies may be towed away from these areas, at the owner's expense, without notice. Driving or parking is not permitted in any pedestrian walkway or lawn area except for campus service and emergency vehicles.

    Only the Director of Facilities Services or Campus Security officers may give permission to drive or park in these areas.

11. **HANDICAPPED SPACES** - Western State College reserves parking spaces for disabled students, staff, faculty and visitors. A handicapped permit issued by Western State College, the State of Colorado or another state must be displayed on the rearview mirror, the driver's side dashboard or as a license plate. **A handicapped permit may be obtained from the Academic Resource Center, Taylor Hall 302 or the Campus Security Office, 105 College Center, by providing a physician's statement of injury or illness.**

12. **"15 MINUTE" PARKING SPACES** - Campus Security will ticket any vehicle parked for more than 15 minutes in the specially designated —15 Minute parking spots in the Hurst Lot.

13. **OVERNIGHT PARKING**-The College Center and Quigley parking lots are the only lots where overnight parking is permitted on a special basis for field trips, athletic trips, Wilderness Pursuits trips. The trip coordinator must notify Campus Security if vehicles on authorized trips will be parked overnight in the College Center or Quigley lots.

    Camping or living in a vehicle is not permitted at any time on Western State College property.

    NO OVERNIGHT PARKING - Several lots have been designated as —No Overnight Parking from 1:00 a.m. to 6:00 a.m. These lots are:
    - Adams Street (west of Quigley Hall)
    - Georgia Avenue (south of Quigley Hall)
    - Hurst Hall Lot
    - College Center
    - Wright Gymnasium Lot (Except for May 1st - August 1st)

14. **VEHICLE TOW POLICY** - Vehicles are subject to tow-away by a bonded towing company for the following reasons:
    - Abandoned vehicles, including those not bearing license plates or bearing expired (over one month) license plates and those left on jacks, blocks, etc.
    - Parking in —No Overnight Parking areas between 1:00 a.m. to 6:00 a.m.
    - Parking in areas which create a danger to safety and welfare of persons and property (i.e. fire lanes, service areas, traffic lanes, walkways, lawns, etc.).
    - Parking in non-designated lots during vacation periods.
    - Parking in spaces reserved for the handicapped.
    - Obstruction of snow removal operations.

    If you believe your vehicle has been towed, contact the Office of Student Affairs, Facility Services, Campus Security or the Gunnison Police Department (970-641-8000).

## Q. PHYSICAL VIOLENCE

Violence against another person is not warranted under any circumstances except the extreme need for self-defense. The use of force is contrary to the fundamental academic principle of resolving differences by reasoned discourse. Judicial sanctions may include suspension or dismissal from the College.

## R. SKATEBOARDING/LONG BOARDING/RAIL PARK

Skateboarding/Long Boarding is only permitted until quiet hours of 10:00 pm on weekdays and 12:00 a.m. on weekends in the following areas:

- Skate Park
- Sidewalks: Safety precautions must be taken with priority to pedestrians at all times.

Skateboard/long board riders are responsible for the following Moving Violation Regulations: The speed limit on campus is 10 miles per hour unless otherwise posted. Speeding violations are non-contestable and 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 Laws.

## S. SNOW RAMPS AND WINTER ACTIVITIES

Because of the damage to College property and potential for serious physical injury, building snow ramps or using handrails, stairs, etc., will not be tolerated. Individuals found engaging in said activities will be contacted and referred to the Office of Student Affairs for possible judicial action.

## T. TAMPERING WITH FIRE EQUIPMENT

Tampering with fire equipment, including alarms, smoke/ heat detectors, sprinklers and fire extinguishers endangers the lives of others and is a serious offense. In addition to facing judicial sanctions, violators of these rules may be turned over to local law enforcement officials.

### U. THEFT OR VANDALISM OF COLLEGE PROPERTY

Theft or vandalism of College property is a serious offense. College property incorporates (not to the exclusion of others) materials such as buildings and lawns, the College Center fire pit, as well as dining and library materials, computers, and computer related hardware and software. Theft or vandalism is the same as theft from another student since student fees directly pay for all of the residence halls and much of the rest of the campus. Every dollar that goes to replace items stolen or damaged is a dollar that cannot go towards improvement.

Theft or vandalism of the personal property of others is a serious offense and the penalties will follow those outlined above for theft or vandalism of College property.

### V. UNAUTHORIZED POSSESSION AND/OR USE OF COLLEGE KEYS

College keys are College property. The unauthorized possession and/or use of College keys (particularly master keys) is a serious breach of College security. Judicial sanctions may include suspension or dismissal from the College.

## VI. RESIDENCE LIFE POLICIES

### A. ABANDONMENT OF PERSONAL PROPERTY

The Department of Residence Life, without liability, has the right to dispose of any personal property left on the premises thirty (30) calendar days after the end of the contract term or other termination of this contract.

### B. ALTERATIONS TO PROVIDED SERVICES

Students are not permitted to install additional cable services (i.e. high speed internet) that will alter the physical structure of a residence hall room, hallway, or lounge.

### C. ANIMAL PREPARATION

Skinning or any other kind of animal preparation is prohibited in student rooms, residence halls, and apartment complexes.

### D. CANCELLATION OF CONTRACT

A student may cancel/terminate their Housing Contract at anytime without penalty under any of the following circumstances: 1) Marriage, 2) Graduation, 3) Military Duty, 4) Untimely Death of an Immediate Family Member, 5) Serious Medical Condition, 6) Significant Financial Hardship (must have occurred after the contract was signed), and 7) Withdrawal from the College. Written notice must be provided to the Director of Residence Life along with the appropriate documentation in order to be approved for the contract termination and to receive a refund of the housing deposit and any portion of the housing fees as described in section #6 of the housing contract.
**A student who has submitted a signed contract is legally obligated to reside on campus**.
Should a student wish to cancel/terminate their Housing Contract, that student will be held responsible for a portion, up to all of the room charges for the period of time they have contracted for. The Housing Contract includes a schedule used to determine the charges assessed.

### E. FLAMMABLES, CANDLES AND INCENSE

The presence of candles, propane, oil burning lamps, incense, petruli oil or any other free burning agent is prohibited in student rooms, the residence halls, and student apartment complexes. Small, contained, camping cylinders are allowed to be stored (not used) in Residence Halls/Apartments upon approval and inspection by Residence Life.

### F. CHECK-IN AND CHECK-OUT

Each resident is considered checked-in when s/he obtains the room key. When moving into the assigned room, the resident shall complete, sign and turn in a Room/Apartment Inventory Form. When vacating the assigned room/apartment, the resident must check out with the Resident Director or his/her designee. Each resident agrees to follow the proper check-out procedures when vacating the premises or relocating within the system. Failure to follow established check-out procedures may result in improper check-out charges as determined by the College.

Assigned bed space will only be held until 3:00 p.m. on the first day of classes each semester. When the resident fails to check in at the assigned residence hall, s/he will forfeit their housing deposit and will be charged all applicable room and board charges until written notice of housing cancellation is received by the Department of Residence Life.
Residents must vacate the residence halls within 24 hours after their last final exam or when the buildings close.

## G. CLOSED/PROPPING DOORS POLICY

All residence hall building and campus apartment exit doors are to be locked 24 hours a day. Students are responsible to carry room keys at all times. Propping doors during these closed hours is dangerous to the student population and property and, therefore, prohibited. Students found responsible for propping doors can expect judicial sanctions, and even potential legal action.

## H. COMMON AREA FURNITURE

Moveable furniture allocated to public/common areas may not be removed at any time. Doing so will result in judicial action, a fine for each piece of furniture removed, and charges for any damages that may have occurred to the furniture as a result of being moved.

## I. COMPUTER LABS USE

Non-students are prohibited from using residence hall and campus apartment computer labs.

## J. COURTESY HOURS, 24-HOURS A DAY

One of the best things to be learned from group living is a sincere respect and consideration for the rights and feelings of others. It is important to consider that all residents will need time to study, review class notes, and sleep. During the daytime when quiet hours are not in effect, residents do not have the right to turn a radio, stereo or TV to full volume (inside or outside of the halls) or to yell and shout. Residence Life staff may ask you to close your door or turn down the volume on your TV, radio, stereo, etc… if the noise levels are disruptive to the community.

As a general rule, if anyone in the living area is disturbed, it is too loud. Courtesy hours are in effect 24 hours a day. Whenever a resident or staff member requests someone to be quiet, the loud student is obliged to comply or risk facing sanctions.

## K. DAMAGE AND COSTS

The resident agrees to be liable for damage or other loss incurred to the building, apartment, room, furniture, and/or equipment that is not the result of ordinary wear and tear. Damages that occur to common areas and/or public areas that are not attributable or chargeable to a specific individual or group shall be shared equally by the residents of the living area where those damages occur. The resident agrees to pay such damages to the College upon demand.

## L. EVACUATION DURING FIRE ALARMS

Each residence hall has a specific evacuation procedure in case of fire, and each resident is responsible to know and comply with such, whenever an alarm sounds. No resident may remain in or re-enter a building while fire alarms are sounding. Buildings can only be re-entered when the Fire Marshal or Campus Security informs the senior Residence Life staff member on site that the building is safe. In case of inclement weather, Mears Complex evacuates to the College Center, Chipeta Apartments evacuates to Mears Complex, Escalate Complex evacuates to the College Center, Shavano Complex evacuates to the College Center, and Ute Hall evacuates to Mears Complex.

## M. EXTENSION CORDS

Students are strongly encouraged to utilize power strips instead of extension cords. Electrical outlets must not be overloaded.

## N. FACILITIES USE

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 campus facilities. Any student found responsible for abusing/tampering with college property will face judicial sanctions and fines.

## O. FOOD PREPARATION IN ROOMS

For health and safety reasons residents may not cook in their rooms, except in the apartments where kitchen facilities are available. Students are responsible for safe meal preparation to ensure that cooking fires do not jeopardize the welfare of the community. Hot surface and/or coil resistant appliances such as electric frying pans, broilers, ovens and hot plates, or anything that may create a safety hazard will not be allowed. The only exceptions to this are the use of coffee makers, popcorn poppers, hot pots, indoor electric clamshell grills such as Foreman grills, and microwave ovens. In addition, refrigerators larger than 4.5 cubic feet are prohibited.

## P. FRESHMAN LIVE-IN REQUIREMENT

Students at Western State College must live in on-campus housing and take their meals in the College dining hall unless excused by the Director of Residence Life for one of the following reasons: (1) the students is married; (2) the student is living with parents or a legal guardian; (3) the student is at least 21 years of age by the first day of classes; (4) the student has lived on-campus for the equivalent of one full academic year; (5) medically authorized reasons, as approved by the Vice President of Student Affairs, or ( 6) student is an honorably discharged veteran. A student not living in on- campus housing who is enrolled full-time during any part of a term and does not meet these requirements will be assigned to a space and required to pay all rental and board charges associated with the space for the term.

## Q. GAMBLING

Gambling of any kind is not allowed in the residence halls.

## R. GUEST POLICY

Western State College has a guest policy in effect whereby guests may be welcomed in students' residence halls and apartments. All guests (i.e., any person not registered as residing in the particular complex) must be escorted by a host resident in all residence halls. Residents will be held fully responsible for their guests. Guests are expected to comply completely with all policies and standards of conduct delineated in this handbook. Guests who create problems in the residence halls may be banned from entering the halls, and may result in their hosts being subject to judicial sanctions, and/or be arrested for criminal trespassing. Guests may not reside in College owned rooms for more than 72 hours (exceptions may be granted in advance by Residence Hall Directors or the Office of Residence Life).

## S. HALL SPORTS POLICY/WATER FIGHTS

All sports, running, and water games are prohibited within the dining and residence halls (including residents' rooms). Riding bikes, rollerblading, and skateboarding are prohibited in all buildings. Failure to comply may result in judicial sanctions in addition to charges for resulting damages.

## T. HOUSING CONTRACT

All students are responsible for the housing contract signed at the time of application. Failure to read the contract or handbook does not discount resident responsibility.

## U. HOUSING DEPOSIT

Housing assignments will not be made until after an advance housing deposit of $100 has been received. Western may, at its sole discretion, apply the $100 housing deposit to any damages to the housing unit or its furnishings or to any other indebtedness owed by the student to Western. The housing deposit must remain on account with the College as long as the student remains living on-campus. The housing deposit, net of any amounts applied to damages or other indebtedness owed, will be returned no later than 60 days after the student officially vacates

housing, surrenders all keys, and successfully completes the established checkout procedures. If the housing deposit is forfeited, all damages and other charges will be assessed directly to the student's account and no part of the deposit will be available to apply to any indebtedness owed to Western by the student.

## V. LEAVING THE HALL

When leaving the hall overnight or for a longer period of time, it is advisable for a student to inform their Resident Advisor or the Office of Residence Life, verbally or with a note, as to where s/he is going and how s/he may be reached in the case of an emergency.

## W. LIABILITY

Western is not liable for the loss, damage to, or theft of properties belonging to the student. Further, Western shall not be liable for any claims for damage by reason of any injury or injuries to any person or persons, or damage to property which in any way arises out of the use and occupancy of the on-campus housing. The student hereby agrees to hold Western harmless from all liabilities on account of or by reason of any such injuries, liabilities, claims, suits or losses. The student shall be responsible for obtaining insurance coverage on her/his personal property.

## X. MAIL SERVICE

Students who reside on campus are eligible for an on-campus mail box. Students moving off-campus for the summer must make arrangements with the Gunnison Post Office.

## Y. MEAL PLAN REQUIREMENTS

A student who lives in Western's residence halls (i.e., a room where no cooking facilities are provided by the College) is required to purchase a meal plan. All first-term freshmen are required to purchase a Premier meal plan (either a Blue Mesa or Mountaineer Meal Plan). A student living in an on-campus apartment is not required to purchase a meal plan, but can be eligible for any/all plans.

## Z. PETS PROHIBITED

Pets belonging to students or other guests are not allowed in the residence halls and apartments, dining hall, or adjacent grounds. Only small fish living underwater 24-hours a day are allowed on campus. Students will be held responsible for the care and upkeep of the aquarium and will be billed for any damage caused by the aquarium. Students must make special arrangements to accommodate their fish during times of hall closures. Residents hosting pets in buildings for any period of time will face judicial sanctions and cleaning/damage charges. A fine of $250.00 could be imposed if not complying. For more information regarding pets on campus, see the Pet Policy at Section XII., J.

## AA. POSTING/DEFACING COLLEGE PROPERTY POLICY

Residents/Students are not allowed to deface or post any materials on any dining or residence hall doors, windows, floors or ceilings; nor on commons-area (e.g. lounges, hallways, outdoors) walls. Residence Life staff members are exceptions to this policy for the purpose of posting Residence Life related materials at the discretion of the Residence Hall Director (RD). All materials posted on hall bulletin boards must be approved by the Residence Hall Director or else such will be removed by staff members. Non-staff members are not allowed to remove posted materials without a Resident Director's authorization. Failure to comply with this policy may result in sanctions as well as applicable damage charges.

## BB. QUIET HOURS

Quiet hours designate those times set apart for study and quiet when no one should talk loudly, turn up the stereo or make other noises which might disturb the sleep or study of other students. If any sound is heard outside a closed door, it is considered too loud. Various sanctions can apply, with the more severe reserved for repeated offenses.

It is the responsibility of each floor member to enforce quiet hours and respect the rights of others. If you experience a problem with noise, you are encouraged first to speak directly with the responsible individuals; then, if you are not satisfied, seek the assistance of your Resident Assistant (RA). Flagrant violations will be handled by staff members and are considered a violation of hall policies. Hall councils have the option to temporarily extend quiet hours for areas (floors, wings) at the discretion of the Residence Hall Director.

**Residence Halls Quiet Hours:**
Sunday-Thursday-10:00 p.m. - 8:00 a.m. and Friday-Saturday-Midnight - 8:00 a.m.

## CC. RECYCLING
Students are encouraged to recycle in the residence halls. Damage to any campus recycling property will result in disciplinary action.

## DD. RESIDENT FAMILY MEMBERS
All family members of residents approved by the Office of Residence Life to reside in College housing are full members of the housing community and are, therefore, responsible to abide by all rules and policies outlined, can be held judicially responsible for all policies outlines, and are therein entitled to the full rights and respect due any fully matriculated resident student.

## EE.ROOM CARE
Residents are responsible for removing waste materials in a proper manner, cleaning their rooms, and maintaining sanitary and safe condition which are acceptable to the College. Room furnishings are to be used in accordance with the items designed purpose. The physical structure of the residence hall room may not be altered including painting or changing/adding door mechanisms. Additionally, ceiling tiles may not be removed for any purpose. Students who tamper with ceiling tiles will be fined and face potential disciplinary action from the College. Students may re-arrange their furniture, however, it should be done in a way that does not create an obstacle that would make it difficult for fire or other personnel to enter or leave their room. Residence Life staff conduct periodic “Health and Safety” inspections and will address issues regarding the care of rooms.

## FF. ROOM CHANGES
Residents are placed together for an educational experience. Mediations will be required prior to the approval of any change. A resident may change rooms only with written authorization from her/his Resident Director. Unauthorized room changes or failure to move out of a room when required may result in additional charges as determined by the College. Authorization will not be granted during the first two or last two weeks of each semester.

## GG. ROOM ENTRY
If practical, Western will not enter a student’s room unless accompanied by the student or her/his authorized representative. Authorized personnel may enter a resident’s room with or without the resident’s consent when there is concern for life, safety and/or health threatening reasons; if there is sufficient information available to conclude that a violation of State Law and/or College Policy exists; to perform requested or preventative maintenance; or, if there is a cry for help, the smell of smoke, or to silence a disruptive noise.

## HH. SAFETY AND SECURITY
Residents shall comply with all state laws, the College rules and regulations and all safety and security procedures in College residence halls, including weapons policy, and shall not tamper with locked doors or admit unauthorized persons into buildings. Persons actuating 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 College.

## II. STUDENT CONFLICT

The residence halls are a community designed for residents to learn how to confront concerns. Students are to attempt to resolve conflicts with roommates and other hall residents. If this is not successful, the student needs to contact the Resident Advisor. If a situation is not resolvable through these steps, the Resident Director will assist with the process. All conclusions must be adhered to by the students involved.

## JJ. SINGLE ROOMS AND CONSOLIDATING VACANCIES

Consolidation may occur each semester. Contingent upon availability, students may request single rooms. Single room charges will be computed from the date the resident occupied the room as a single. Once the resident agrees to this room change of rate, they are responsible for all subsequent charges. The College reserves the right to change room or hall assignments, to assign roommates, and to consolidate vacancies by requiring students to move from a single occupancy of a double room to double occupancy of a double room. If the student refuses to move, then the charge will be assessed at the single room rate.

## KK. SOLICITATION

Residence hall areas may not be used for any unapproved commercial enterprise. Sales and solicitation on campus are prohibited unless authorized by the Vice President for Finance and Administration or his/her designee. The Office of Residence Life reserves the right to limit commercial sales and solicitations in order to prevent disruption, to protect the safety and security of the students, and to protect the students from commercial exploitation or for any other reason.

## LL. TERMINATION OF CONTRACT BY COLLEGE

The College reserves the right to terminate a student housing contract under the following circumstances:

- A resident is found to have violated any rules or regulations listed in or referred to in the student housing contract, or in the *Student Handbook*, or in any other official College publication. If a student's housing contract is terminated during the academic year for disciplinary reasons, the resident may not be allowed to return to the residence halls the following academic year.
- A resident fails to comply with any portion of the student housing contract.
- A resident has any unpaid charges from a previous student housing contract.
- The Office of Residence Life reserves the right to not renew housing at any time. In all of these circumstances the deposit is forfeited and room and board charges for the academic year will not be refunded. Additionally, the student will be Persona Non-Grata (PNG) and will not be welcome in any of the residence halls and cannot be within 50 feet of them.

## MM. TOBACCO/NO SMOKING POLICY

In support of the health and well-being of all students at Western State College, tobacco use and/or smoking any substance is prohibited in the residence halls. This prohibition includes, but is not limited to, cigarettes, smokeless chewing tobacco, cigars, bidis, cloves, pipe tobacco and medical marijuana. Use of tobacco in residence hall rooms, common areas, bathrooms, lounges, or in an area around the exterior of the building not labeled expressly for the use of tobacco is prohibited. The official College policy for the use of tobacco is 30 feet from the building; however, please check with the residence life staff for acceptable locations outside specific buildings. Failure to comply with this policy will result in judicial action.

## NN. WINDOWS AND SCREENS

Screens, where applicable, are to remain in windows at all times. Ejecting objects from windows is prohibited as is climbing through and hanging out of windows. Sitting, standing or lying on window ledges, roofs and terraces is also prohibited. Residents are responsible for all damage charges associated with the removal of the screen.

### OO. TRESPASSING

Any student who enters another resident's room/suite/apartment uninvited can be held judicially responsible for trespassing and may face "Civil/Criminal Charges." No student is allowed to enter another resident's room without permission and must leave the premises when asked to do so.

## VII. JUDICIAL ACTIONS AND PROCEDURES SPECIFIC TO THE RESIDENCE HALLS

Students who violate Western State College's standards of conduct are subject to judicial action. The administration of this action shall provide procedural fairness to an accused student or recognized student organization. The procedure will afford an appropriate process, which will be educational and developmental in nature.

The process for judicial actions begins with documentation by a Resident Advisor or Campus Security guard, with appeals in any student conduct issue being referred to a higher authority. The final level of appeals for any issue relating to student conduct is the Associate VP of Student Affairs, who will serve as the final hearing authority.

## VIII. CAMPUS SECURITY

WSC Campus Security is committed to providing a safe and secure environment for students, faculty, staff, and visitors. Our mission is accomplished through a community friendly approach, visibility of security personnel, 24-hour accessibility, roving patrols, and cooperation with all local emergency agencies. ***In case of an emergency, always call 911.*** WSC Campus Security is located in 105 College Center, 970.943.3084 (office) or 970.209.1020. In the case there is no guard on duty, contact the Security duty phone, 970.209.8798.

### A. CAMPUS CRIME REPORT

The current annual Campus Crime Report is available to the public in the Office of Student Affairs, Taylor Hall 301 and at the Western State College website:
http://www.western.edu/student-life/student-affairs/policies-and-handbooks/western-state-college-institutional-security.html

### B. RAVE

Rave Mobile Safety is our primary emergency notification system. As a student at Western State College, you will receive an email at your Western State email address asking you to sign-up with Rave Mobile Safety. All students are automatically enrolled with their Western email accounts and will receive emergency alerts from WSC. Students have the option to add a cell phone number to receive text messaging emergency alerts. WSC will conduct tests of our Rave emergency notification system periodically throughout the semester to ensure the system is working properly.

**Please ensure that you check your WSC email on a regular basis for any updates or news about the Rave Mobile Safety system.**

# IX. FAMILY EDUCATIONAL RIGHTS and PRIVACY ACT (FERPA)

**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."**

## A. 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 form for this is available at the Office of Student Affairs anytime during the semester.

Academic and personally identifiable information which could include social security number and name of parent/family members, 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 anytime during a term.

## B. DIRECTORY INFORMATION

Directory information is classified as information that would not be considered harmful or an invasion of privacy if disclosed. Currently, directory information includes the following: student's name, local/campus address, home or off-campus address, local/cell phone number, date and place of birth, tuition and fee status, class level, major field of study, college of enrollment, participation in officially recognized activities, and most previous educational agency or institution attended by the student. Western State College of Colorado is not permitted to disclose any *non-directory* information to anyone without a legitimate educational interest or without written permission from you, the student.

## C. EDUCATION RECORDS

Education records are records (1) directly related to a student and (2) maintained by the College or by a party acting for the College. The term does not include those records specifically excluded by Section 99.3 of the Act.

## D. ELIGIBLE STUDENT

Eligible student is one who is 18 years of age or is attending an institution of post secondary information. For the purpose of this Act, an eligible student is defined as any individual formally admitted to and matriculated at Western State College. An individual who has made application to the College but has not been formally admitted shall not be included.

## E. PERSONALLY IDENTIFIABLE INFORMATION

Includes but is not limited to are (a) the name of the student, the student's parent, or other family member, (b) the address of the parent, (c) a personal identifier such as the student's social security number or student number, (d) a list of personal characteristics, or (e) other information which would make the student's identity easily traceable.

## F. PRIVACY RIGHTS

The law (Under the 1974 Buckley Amendment) provides that eligible students will have access to inspect and review educational records. The student has the right to request a change in an alleged inaccuracy in their educational record and a right to a hearing 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. The student has the right to file a complaint with the Family Policy Compliance Office.

### G. PROOF OF IDENTIFICATION

Before access is allowed to educational records, and the Mountaineer Identification Card the student must display some form of personal identification. At the minimum this identification should include a picture of the student.

### H. RECORD

Any information or data recorded in any medium, including but not limited to handwriting, print, tapes, film, microfilm and microfiche.

### I. RELEASE OF INFORMATION EXCEPTIONS

Western State College has a practice of releasing educational records or information from educational records to school officials (current Faculty, Staff) without the students' permission. Educational interest means that the 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 be released when it is determined necessary to protect the health, life and safety of the student or other individuals.

# X. MEDICAL HEALTH INSURANCE

The College offers a supplemental student accident and sickness insurance plan through Student Resources, a division of Summit America Insurance Services. The plan covers illness and injury expense subject to provisions and exclusions. Complete information may be obtained from the Human Resources Office, or online at: http://www.western.edu/administration/hr/student-insurance-information.html

# XI. IMMUNIZATIONS

Federal and state statutes require college students to provide proof of two doses of immunizations for measles, mumps and rubella (MMR) before they can register for courses their first semester. Student should provide a Certificate of Immunization (signed by a medical professional) to the Office of Student Affairs –Taylor Hall 301. Failure to provide your immunization record may result in your receiving a Dean's Hold, preventing you from registering for future terms. Some exceptions to this policy are for students born before 1/1/57 or students who are registered for less than 6 credits.

The American College Health Association (ACHA) and Centers for Disease Control and Prevention (CDC) ***recommend that all first-year students living in residence halls get immunized against meningococcal disease, a rare, but potentially fatal, bacterial infection commonly referred to as meningitis.*** In addition, any other college students who wish to reduce the risk of disease may choose to be vaccinated and should consult with a doctor.

# XII. POLICIES

## A. ACADEMIC POLICIES

### 1. ACADEMIC INTEGRITY

As members of the academic community, students are expected to recognize and uphold standards of intellectual and academic integrity. The College assumes, as a basic and 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:

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

b. **Cheating on examinations** - Involves giving or receiving unauthorized help before, during or after an examination. Examples of unauthorized help include the use of notes, texts or —crib sheets during an examination (unless specifically approved by their instructor).

c. **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 or without It is also a violation of academic honesty knowingly to provide such assistance. Collaborative work specifically authorized by an instructor is allowed.

d. **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, the falsification of the results of experiments or of computer data).

e. **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.

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

**2. PROCEDURE FOR ACADEMIC DUE PROCESS FOR STUDENTS**

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 State College.

**3. DEFINITIONS**

a. **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. (See Step I below).

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

c. **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. (Step II below). The grievance should include the possibility of a remedy.

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

e. **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.

f. **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), the function of which is described in Step II below.

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

**h. Academic Administrator:** Professional personnel of the College other than teaching faculty who are in positions to make academic decisions affecting students, including but not limited to Department Chairs, Deans, the Vice President for Academic Affairs, and the President.

**4. STEP I-THE INFORMAL COMPLAINT PROCEDURE**

**a.** The complainant shall discuss the problem with the respondent(s).

**b.** 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.)

**c.** If satisfactory resolution is still not achieved, the complainant must confer with the Vice President for Academic Affairs.

**5. STEP II-THE FORMAL GRIEVANCE PROCEDURE**

**a.** If the complaint is not suitably resolved during Step I, 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 in accord with Step I. Preservation of relevant documents and of precise records of actions taken pursuant to Step I is advantageous.

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

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

**d.** 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.

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

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

**g.** If the grievance has not been resolved satisfactorily after Step II, D. above, the grievant is advised that he/she may appeal to the President of Western State College, and ultimately, to the Board of Trustees.

**6. GRIEVANCE COMMITTEE PROCEDURES**

**a.** The grievance committee shall elect a chairman from among its members.

**b.** The chairman of the grievance committee shall appoint a secretary, who shall keep minutes.

**c.** The procedures of the hearing shall be at the reasonable discretion of the chairman of the grievance committee.

**d.** The chairman of the grievance committee shall notify the grievant and the respondent of a mutually acceptable date, time and place of the scheduled hearing(s).

**e.** The grievant and the respondent shall have full responsibility for preparing and presenting evidence to support their cases.

**f.** No legal counsel shall be permitted at hearings.

**g.** The grievance committee shall have access to all relevant information regarding the case, except for unwaived confidential information.

**h.** If more than one grievant files an appeal for the same cause, the collective grievances may be heard by a single committee.

## B. ADMINISTRATIVE WITHDRAWAL POLICY

**Reference Standard: Council for the Advancement of Standards in Higher Education (1999)**

Standards of Conduct form the basis for behavior in the academic community; the enforcement of such standards must protect the rights, health, and safety of members of that community in order that they may pursue their educational goals without undue interference.

**Policy Statement**

Western State College of Colorado may execute an administrative withdrawal when a student engages in behavior that poses a danger of causing harm to self or others, or disrupts the learning environment.

**Reason for Policy**

Western State College of Colorado is concerned about the physical, mental, and emotional welfare of its students and in maintaining the health, safety and welfare of the College community. The College believes that all students have a responsibility for self-welfare, self-guardianship, and self-care. In addition, students are responsible for conducting themselves in a manner that is not violent or disruptive. When, in the judgment of the College, a student's behavior constitutes a disruption or danger to the living/learning environment which the College seeks to create, or presents a threat to the health or safety of the student or others, the College will intervene. This policy addresses students whose behavior is disruptive or dangerous to self or others, or which disrupts the learning environment of others.

**Definitions**

Danger to self or others and destructive behavior is here defined to include, but is not limited to the following:

1. Suicide attempts, or statement of suicidal intent
2. Self mutilation or injury
3. Assault or threatened assault of students, faculty, or staff
4. Excessive use of alcohol and/or drugs
5. Misuse of prescribed medications
6. Criminal activity

Such dangerous and disruptive behavior may be in the form of a single behavioral incident or somewhat less severe but persistent dangerousness or disruption over a more extended period.

**Procedure for Dealing with Disruptive or Dangerous Behavior**

When a student's behavior is perceived to be dangerous or disruptive, to themselves or other members of the campus community, the matter shall be referred to the Vice President for Student Affairs. In the event that the Vice President for Student Affairs determines that the student's behavior is a potential danger or disruption to self or others, the following procedure will be initiated:

1. The Vice President for Student Affairs, or in his/her absence, the Associate Vice President for Student Affairs (hereafter referred to as "designee"), will notify the student that an administrative withdrawal is under consideration. The College may, in its sole discretion, execute an immediate administrative withdrawal leave should circumstances warrant.
2. The Office of Student Affairs or faculty advisor will discuss with the student the implications of and procedures relating to an administrative withdrawal. A copy of this policy will be provided to the student. Whenever possible and appropriate, the Office of Student Affairs or faculty advisor will encourage the student to voluntarily withdraw, thereby eliminating the need to complete the process for an administrative withdrawal.
3. When an administrative withdrawal is being considered, the Vice President for Student Affairs will convene a committee made up of representatives from the Crisis Prevention Task Force, which may include, but is not limited to, representatives from Campus Security Services, the Office of Residence Life, the Office of Academic Affairs, Counseling Services and the Office of Human Resources. This committee will review the situation and make a recommendation.
4. During this review, the committee will consider the criteria for executing an administrative withdrawal, specifically whether the student engages in, or is judged to be likely to engage in, behavior that poses a danger of causing harm to self or others, or disrupts the learning environment. Whenever appropriate, the student will be permitted to provide additional information regarding the situation.
5. Following this review, the Vice President for Student Affairs and his/her designee will make a final decision regarding the administrative withdrawal, and must provide written notice of this decision to the student. (A return receipt must be requested.)
6. A copy of the final decision regarding the administrative withdrawal and a copy of the written notice to the student of this decision will be immediately delivered to the President of the College.

**If an Administrative Withdrawal is Not Executed**
The committee may impose other conditions and/or requirements under which the student is allowed to remain at the College.

**If an Administrative Withdrawal is Executed**
The Vice President for Student Affairs or a designee will inform the student, along with notice of the decision, as to the steps that must be taken if the student is allowed to and wishes to re-enroll (See request for re-enrollment). The duration of leave will be determined by Vice President for Student Affairs. The student must leave campus within the time frame set forth within the notification letter. The student must obtain permission in writing from the Vice President for Student Affairs or designee to visit the campus during the duration of the leave. The Vice President for Student Affairs or designee reserves the right to notify a parent, guardian or other person if notification is deemed appropriate. In addition, the parent, guardian or other person may be asked to make arrangements for the safe removal of the student from the College environment.

The refund policy, as outlined in the College Catalog, would be applicable when an Administrative Withdrawal is executed.

**Appeal**
The student may appeal the final decision by delivering a written request for an appeal to the President of Western State College of Colorado. Such request must be received by the President's office within ten days of the date of receipt of the decision of the Vice President for Student Affairs. The student may request a meeting with President; however, it is at the President's sole discretion as to whether or not to meet with the student.

**Request for Re-enrollment**
A formal request for re-enrollment must be submitted to Registration Services. The student's re-enrollment request will be reviewed by the Vice President for Student Affairs and the committee that recommended the administrative withdrawal. This group must approve the re-enrollment. The Dean of Students reserves the right to require clearance by a health professional before the student is allowed to be considered for re-enrollment.

## C. AIDS POLICY

AIDS (Acquired Immune Deficiency Syndrome) describes an impairment of the body's immune system, the mechanism which helps people fight infection and disease. When this system is not functioning correctly, the individual becomes vulnerable to unusual infections and other illnesses, which are life-threatening.

The most recent information distributed by the Centers for Disease Control, U.S. Department of Health and Human Services, states that casual contact with AIDS patients or persons who might be at risk for the illness does not place others at risk for getting the illness; that AIDS is spread by sexual contact, needle sharing, or less commonly, through blood or its components.

The College shall treat AIDS the same as any other disease that may be contracted by students. Individuals with AIDS or those who test positive for HIV antibody, whether or not they are symptomatic, may work at and/or enroll in courses at Western unless the student's personal physician, campus medical officials, or state or federal public health officials declare that the disease represents a substantial risk to the health and safety of other members of the community. In such instances, appropriate measures will be taken to protect the institution and the individual.

Western State College officials will maintain strict confidentiality with information regarding a patient's diagnosis as having AIDS, adhering to one's right to privacy, which is derived from the First Amendment to the United States Constitution. The duty to report such information is limited only to those situations in which there are specific government reporting requirements or a medical justification for the disclosure of that information.

The College is committed to providing the campus community with a comprehensive educational program through campus programming. For AIDS information contact the Colorado AIDS Project at 1-800-333-AIDS.

## D. ALCOHOL and OTHER DRUG (AOD) SANCTION POLICY

The following sanctions are in reference to policies concerning alcohol and other drugs (further referred to as AOD) as stated in the Student Handbook. Violations of the Western State College AOD Policy: The following sanctions are mandatory minimum sanctions for AOD violations. Based on the severity of the infraction, the College reserves the right to impose any appropriate additional sanction(s). Violations of AOD Policy will be considered in a cumulative manner when assigning Tier Offenses by the hearing officers.

The AOD fines collected pursuant to AOD violations shall be used to fund alcohol and drug education and policy-related administrative costs.

Resident and off campus students are expected to adhere to the code of conduct established by Western State College. This applies to students in off-campus housing as well as students dwelling in on-campus housing. The College reserves the right to investigate and subsequently apply College discipline in off-campus situations which may impact the College community.

Each student must assume full personal responsibility for his or her compliance with the Colorado State law, and with the Western State College policy on alcohol and other drugs. This policy has been designed to prevent the destructive consequences of illegal and excessive drinking and illegal drug use. Western State College accepts the responsibility to enforce its own code of conduct and will impose sanctions on students violating any Code provision, on or off-campus.

Western State College will not tolerate the misuse of alcohol or other drugs, violation of Colorado State laws, or violation of college AOD policies. In certain instances, Western State College will cooperate fully with local law enforcement officials in instituting procedures for addressing students in the local neighborhood engaged in underage drinking, disorderly conduct, or public intoxication.

**Tier One Offense**
Specific sanctions for violating the WSC Alcohol policy for alcohol related offences will be as follows:

1. Written conduct warning.
2. Mandatory conduct hearing.
3. Mandatory conduct AOD fine of $75.00.
4. Mandatory alcohol education via Alcohol Response-Ability course.
5. Mandatory Parental notification for students under the age of 21.
6. Possible Judicial probation.
7. Possible Service Learning Hours assigned to WRAP / GCSAPP.

Sanctions 1-5 are mandatory for all alcohol related policy violations. Sanctions 6-7 are optional sanctions given severity of violation. Additional sanctions will be determined by the conduct hearing officer(s).

Students in violation of the AOD policy and under sanction will have three (3) weeks from the date of their conduct hearing to complete the sanctions. Students who do not complete their sanctions in the pre-determined three week period or fail to attend the conduct hearing may be subject to having a hold placed on their next WSC class registration, additional service hours, additional fines, suspension of WSC Student Id Card, and/or eviction from the Resident Halls as determined by the conduct hearing officer.

**Tier Two Offense**
Students who violate the WSC AOD policy, including first violation of illegal drugs and marijuana, alcohol for a second time, or any two cumulative violations during one academic year will be subject to the following sanctions:

1. Written conduct warning/probation
2. Conduct hearing
3. Mandatory AOD fine of $125.00.
4. Mandatory parental notification
5. Mandatory alcohol education CHOICES Class
6. Mandatory SBIRT evaluation
7. Possible Service learning hours WRAP / GCSAPP
8. Possible Counseling at student expense or Student Health Center

**Tier Three Offense**
Students who violate the WSC AOD policy for a third time, drugs and marijuana for a second time, or any three cumulative violations, during one academic year will be subject to the following sanctions:

1. Written judicial warning
2. Conduct hearing
3. Judicial probation/suspension
4. Mandatory meeting with a designate from the Office of Student Affairs / Dean of Students.
5. Eviction from Residence Hall (on campus)
6. Parental notification
7. AOD fine of $200.00
8. Alcohol counseling at student expense or Student Health Center

## E. ANTI-DISCRIMINATION POLICY

I. **Definitions.** The following definitions shall apply to this Policy.

**A.** "Affiliate" means an entity at which members of the Campus Community work or study (including entities that accept student interns) and other third parties or service providers on campus or associated with the College through contracts, affiliation agreements, or otherwise.

**B.** "Affirmative Action Officer" means the person appointed by the College to investigate complaints or grievances. When the President appoints another to fulfill the role of the Affirmative Action Officer with respect to a particular matter, Affirmative Action Officer shall be read to mean the person so appointed by the President. The contact information for the current Affirmative Action Officer is attached to this Policy as Exhibit 2.

**C.** "Calendar day" and "day" mean any day of the year. "Working day" means a day on which the College holds regular class sessions or exams, and excludes Saturdays, Sundays, and College holidays. It includes summer session, even if a party is not enrolled, employed or volunteering during the summer, and periods of annual or other leave requested by the party.

**D.** "Campus Community" means Students, Faculty, Professional Personnel, Classified Staff, and Volunteers, who are admitted or enrolled in the College, are participating in programs offered by the College, or who are employed by, or volunteering for the College.

**E.** "Complaint" means a written or oral allegation of violation of this policy that has not been formally filed as a Grievance.

**F.** "Complainant" means a person making a written or oral allegation of violation of this policy other than by filing a Grievance.

**G.** "Disciplinary action" means the process for and sanctions available for violations of College policy as set forth in the *Western State College Student Handbook* or any applicable Graduate Program Handbook or Catalog, the *Colorado State Personnel Board Rules and Director's Administrative Procedures,* or the *WSC Handbook for Professional Personnel*.

**H.** "Employee" means any member of the Classified Staff, Professional Personnel or Faculty and student employees.

**I.** "Grievance" means a written allegation of discrimination or retaliation that is filed with the College in accordance with this policy. A sample Grievance form is attached as Exhibit 1 to this policy.

**J.** "Grievant" means any member of the Campus Community who files a written Grievance.

**L.** "Party" means Grievant(s) or Respondent(s).

**M.** "Remedial action" means any corrective, non-disciplinary action that is taken as a result of allegations of discrimination or retaliation and that is reasonably calculated to end present discrimination/retaliation, protect against future discrimination/retaliation, or remedy past discrimination/retaliation.

**N.** "Protected status" means race, color, national origin, gender (including pregnancy), religion, age, disability, veteran or marital status, or sexual orientation.

**O.** "Respondent" means a member of the Campus Community against whom a Grievance or Complaint has been made or filed.

**P.** “Deliver” or —Delivery" means hand delivery, signed receipt required, or certified mail, return receipt requested. The date of delivery shall be the date of mailing according to the records of the College or hand delivery as evidenced by a postal certification form or a receipt signed by the recipient. If the recipient does not accept a hand-delivery, a certification signed by the person who attempted to deliver the notice shall be conclusive evidence of the date of delivery.

**Q.** “Supervisory-level employee” means any employee or student who supervises, evaluates or is responsible for the work of another employee or student.

## II. Prohibitions

**A.** Discrimination. The College prohibits and will not tolerate discrimination that violates federal or state law or this policy. The College prohibits and does not discriminate on the basis of race, age, color, religion, national origin, gender, sexual orientation, veteran status, or disability. The College complies with Titles VI and VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Education Amendments of 1972 (Title IX), the Age Discrimination in Employment Act, the Rehabilitation Act of 1973, the Americans with Disabilities Act, Executive Order 11246, sections 24-34-301, C.R.S. *et seq*. and the Trustee Policy Manual.

**B.** Sexual Harassment. Sexual harassment is a type of discrimination. The College prohibits and will not tolerate sexual harassment. Sexual harassment is neither legally protected expression, nor the proper exercise of academic freedom. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal and physical conduct based on sex when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or education; or

2. Submission to or rejection of such conduct is used as the basis for making employment or educational decisions about a person; or

3. Such conduct has the purpose or effect of substantially and unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working or educational environment. For such conduct to constitute sexual harassment in the teaching context, the behavior must also be persistent, pervasive, and not germane to the academic subject matter and affect a student’s class participation, or ability to participate in or benefit from an education program, opportunity or activity, or create an intimidating, threatening or abusive educational environment.

**C.** Retaliation. The College prohibits and will not tolerate retaliation against any person who opposes or reports a discriminatory practice which is forbidden by law or this policy or who has filed a Grievance, testified, assisted or participated in any manner in an investigation or proceeding conducted under this policy. Acts of retaliation may be the subject of a Complaint or Grievance under this policy.

**D.** Penalties. Members of the Campus Community who engage in discrimination, sexual harassment, or retaliation against any member of the Campus Community or any employee of any Affiliate may be subject to remedial action or disciplinary action, up to and including termination of employment or expulsion from the College.

## III. Discrimination By or Against Persons Outside of the Campus Community

**A.** Agreements with Affiliates must contain provisions requiring Affiliates to comply with the letter and the spirit of all applicable State and Federal laws respecting discrimination and unfair employment practices. Illegal discrimination or retaliation by an Affiliate or an Affiliate's employee affecting any member of the Campus Community may result in remedial actions up to and including termination of the Affiliate's agreement with the College. Such allegations shall be reported to the primary College representative/contact person identified in the agreement ("College Representative") or the Affirmative Action Officer. The College shall investigate the credibility of the allegations and promptly notify the Affiliate of any credible allegations and request appropriate action. The College also shall promptly take any necessary remedial actions as appropriate.

**B.** Allegations by an Affiliate that a member of the Campus Community has engaged in illegal discrimination or retaliation against any employee of the Affiliate shall be reported to the College Representative identified in the agreement. The College shall promptly investigate the allegations and take any necessary remedial and/or disciplinary actions as appropriate.

**C.** Allegations of illegal discrimination or retaliation made by applicants for employment shall be reported to the Director of Human Resources (or other presidential designee). The College shall promptly investigate the allegations and take any necessary remedial and/or disciplinary actions as appropriate.

**D.** Allegations of illegal discrimination or retaliation made by undergraduate applicants for admission to the College shall be reported to the Vice President for Student Affairs (or other presidential designee). The College shall promptly investigate the allegations and take any necessary remedial and/or disciplinary actions as appropriate.

**E.** Allegations of illegal discrimination or retaliation made by applicants for admission to graduate programs shall be reported to the Vice President for Academic Affairs (or other presidential designee). The College shall promptly investigate the allegations and take any necessary remedial and/or disciplinary actions as appropriate.

**F.** Allegations that a member of the Board of Trustees has engaged in illegal discrimination or retaliation shall be reported to the Chair or, if the allegations are against the Chair, the Vice Chair of the Board of Trustees. Credible allegations shall be investigated by an independent investigator appointed by the Chair or Vice Chair, as appropriate. The independent investigator shall deliver a confidential written report to the Chair or Vice Chair, as appropriate. Necessary remedial actions shall be determined by the Chair or Vice Chair, as appropriate.

## IV. Procedure for Campus Community Discrimination Complaints and Grievances

### A. Application

1. This procedure applies to allegations of discrimination or retaliation made by any member of the Campus Community against any other member of the Campus Community.

### B. Time Limits

1. In order to fall within the jurisdiction of this policy, a Complaint or Grievance must be initiated within ten (10) calendar days of the date on which alleged discrimination or retaliation occurred.
    a. The Complainant/Grievant may choose to withdraw his/her Complaint/Grievance at any point.

b. The College will investigate all credible allegations of discrimination or retaliation as appropriate to the circumstances and may take remedial and/or disciplinary action if warranted by the available facts, even if the Complainant/Grievant declines to pursue resolution of the matter through this policy, or the Complaint/Grievance does not fall within the jurisdiction of this policy.

2. The Affirmative Action Officer may extend or shorten any time periods prescribed in this policy for good cause, including the ten (10) day time limit for filing a Grievance, but shall not permit unreasonable delay. It shall be the goal of the Affirmative Action Officer to bring most Complaints/Grievances to closure no later than thirty (30) days after the date of filing. The actual time required will depend on the complexity of each Complaint/Grievance.

**C. Purposes of the Discrimination Grievance Procedure**

1. To provide a mechanism for prompt and fair internal resolution of allegations of discrimination or retaliation by members of the Campus Community that is reasonably calculated to immediately end any discrimination or retaliation, remedy its effects and prevent discrimination or retaliation from occurring again; and
2. To provide a prompt and fair procedure for administering allegations of discrimination or retaliation by Campus Community members that violate this policy.
3. For allegations between or among Classified Staff alleging discrimination or retaliation, this Discrimination Grievance Procedure shall be construed as the grievance policy adopted by the College pursuant to Personnel Board Rules 8-3 and 8-8 and shall be in lieu of the Grievance Procedures set forth in Chapter 8 of the Department of Personnel Board Rules and Director's Administrative Procedures.

**D. Protection of the Parties**

1. It will be the Affirmative Action Officer's responsibility to keep the President closely informed about any and all Complaints and Grievances involving discrimination/retaliation that arise within the College. The Affirmative Action Officer will have final authority to decide all procedural matters and arrange for and coordinate all informal resolution efforts unless otherwise specified herein. These decisions are final, non-appealable and non-grievable.
    a. Any reference in this policy to "The President" shall be read as "the Chair of the Board of Trustees" if the President is the subject of the Complaint.
    b. "Affirmative Action Officer" shall be read as "the President's designee" if the President has made such designation for investigation. The President may make such designation whenever he/she deems that the interest of the College would be best served, and shall make such designation if the Affirmative Action Officer is the subject of the Complaint/Grievance.

2. The President or supervisory personnel may take remedial action to protect the Complainant/Grievant and to prevent contact between the Complainant/Grievant and the Respondent during the pendency of the process. Any such actions shall be in addition to any remedial or disciplinary measure imposed by the process.

a. In accordance with the applicable procedures set forth in the *Western State College Student Handbook* or any applicable provision of a Graduate Program Handbook or Catalog that provides a process for temporary or summary suspension, the *Colorado State Personnel Board Rules and Director's Administrative Procedures*, and the *Western State College Handbook for Professional Personnel,* the President may impose administrative leave, temporary suspension or summary suspension, as appropriate, in conjunction with this policy.

3. Complaints and Grievances will be treated with discretion to protect the privacy of those involved. Participants in the Complaint/Grievance process, including parties, witnesses, employees, agents, students, confidential advisors, mediators or facilitators will treat all information and documents as confidential and will not discuss the matter with, or provide documents to, anyone except as necessary for the investigation and any subsequent proceedings, or as authorized or required by law. The process for resolving allegations of discrimination or retaliation is handled with discretion to protect the parties, but neither anonymity nor complete confidentiality can be promised.
    a. Failure to observe these confidentiality requirements may be cause for discipline, up to and including termination of employment or expulsion from the College.

4. Participants in Discrimination Grievance Procedures should not be promised confidentiality beyond that stated herein.

5. Except for the failure of a Complainant/Grievant to attend an interview or discussion conducted pursuant to this policy, failure of any member of the Campus Community to cooperate with College officials in pursuing allegations of discrimination/retaliation may be cause for discipline.

6. The intimidation of, unauthorized contact with, or retaliation against any individual because of that individual's involvement in a Complaint/Grievance is a violation of College policy and may be the subject of a Complaint or Grievance under this or other College policies and may result in discipline.

7. Abuse of the Complaint/Grievance process is grounds for discipline. Abuse of this process includes fraudulent or bad faith allegations, knowingly false statements of fact or documentation, or otherwise behaving irresponsibly in connection with any part of a Complaint/Grievance.

8. A Complainant/Grievant who is a member of the Classified Staff may have a representative present at any stage in the Complaint/Grievance process and that representative may speak for him/her, however the Classified Staff member is expected to participate in discussions. Other members of the Campus Community may be advised by a representative at any stage of the process but must speak for themselves.

**E. External Processes**

1. Those who believe they are victims of discrimination or retaliation may initiate outside legal action through private sources or the appropriate State or Federal enforcement agencies. These agencies are:

Denver Office
Office for Civil Rights
U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582
(303) 844-5695
FAX (303) 844-4303; TDD (877) 521-2172
OCR.Denver@ed.gov
http://www2.ed.gov/about/offices/list/ocr/complaintprocess.html

U.S. Equal Employment Opportunity Commission
303 E. 17th Avenue
Suite 510
Denver, Colorado 80203
1-800-669-4000
FAX 303-866-1085; TTY (800) 669-6820
http://www.eeoc.gov/denver/index.html

Colorado Civil Rights Division
1560 Broadway # 1050,
Denver, Colorado 80202
(303) 894-2997; (800) 262-4845
FAX (303) 894-7830
http://www.dora.state.co.us/civil-rights/complaint_process_intake_packets/complaint_process.htm

2. If an external complaint, grievance or charge is filed with an equal opportunity enforcement agency or in state or federal court while a Complaint/Grievance is pending within the College and the complaints arise out of the same incident(s) or make similar allegations of discrimination/retaliation the College may discontinue the internal Complaint/ Grievance process. The College may nonetheless require an investigation of all credible allegations of discrimination/retaliation and take remedial/disciplinary action as appropriate even if the Complaint/Grievance process has been discontinued.

**F. Consolidation of Grievances**

1. Multiple Complaints/Grievances may be consolidated if they arise from the same or similar facts and circumstances, or allege retaliation for bringing an earlier, still-pending Complaint/Grievance.

**G. Informal Resolution Efforts**

1. It is the goal of the College to provide prompt resolution of any Complaints/Grievances in a manner that ends any present discrimination/retaliation, protects against future discrimination/retaliation and remedies past discrimination/retaliation. To advance this goal, the College strives to resolve perceived discrimination/retaliation at the lowest level possible. Frequently, the most satisfactory process for resolving perceived discrimination/retaliation is informal discussion between the parties and appropriate administrators. Such discussions will generally precede the filing of a written Grievance as defined under this policy but may also take place after the filing of a Grievance.

2. In informal resolution, affected employees, administrators, students, other parties, and/or outside facilitators, will attempt to informally identify problems, to develop understanding, to reconcile differences and, if appropriate, to redress allegations of discrimination/retaliation. In order to facilitate this process, the Affirmative Action Officer may conduct a preliminary investigation of the situation. Upon approval by the President and consent of the parties, the Affirmative Action Officer may refer a matter to mediation for informal resolution. Informal resolution may be by-passed or terminated if the Complainant feels it is necessary to do so and provides written notice to the Affirmative Action Officer of his or her request to by-pass or terminate informal resolution.

3. The Complainant/Grievant, appropriate supervisory personnel or the Vice President of Student Affairs, the Affirmative Action Officer and if appropriate, other individuals who may facilitate communications will discuss informal resolution. The person(s) alleged to have engaged in discrimination/retaliation may be asked to join the discussion if the Affirmative Action Officer determines that it would be worthwhile and the Complainant/Grievant consents.

4. Any remedy arising from informal resolution efforts will be reduced to writing within seven calendar days after the conclusion of informal resolution efforts. A remedy arising from informal resolution may consist of 1) an informal remedy determination issued by the appropriate supervisory level-employee or the Vice-President of Student Affairs after discussions with the Complainant and others; or 2) a written agreement between the Parties.

5. If a Complainant is dissatisfied by an informal remedy determination issued by the appropriate supervisory personnel or the Vice President of Student Affairs, the Complainant may, within five (5) calendar days after service of the informal remedy determination, proceed with a formal Grievance.

6. An agreement for informal resolution entered into by the Parties must be approved by the President and is binding, final, unappealable and non-grievable.

7. Even if a Complaint is withdrawn or never filed as a Grievance, the President may require further investigation and take appropriate disciplinary/Remedial action if appropriate.

**H. Reporting**

1. Process for an Employee or Volunteer to Report Discrimination/Retaliation. Any employee or volunteer who believes he/she has been discriminated against or retaliated against is encouraged to report the alleged discrimination/retaliation to the employee's supervisor, next level supervisor, or the Affirmative Action Officer.

2. Process for Student to Report Discrimination/Retaliation. Any student who believes he/she has been discriminated against or retaliated against is encouraged to report the alleged discrimination/retaliation to the Vice President of Student Affairs or the Affirmative Action Officer.

3. Duty to Report Discrimination/Retaliation. Any supervisory-level employee or Faculty member who observes what he/she reasonably believes to be discrimination or retaliation, or who receives a Complaint making allegations of discrimination or retaliation by a member of the Campus Community must promptly inform the Affirmative Action Officer, or if the Complaint is against the Affirmative Action Officer, the Vice President of Finance and

Administration Any Student Assistant Residence Director or Resident Assistant who, in the scope of his/her duties observes what he or she reasonably believes to be discrimination or retaliation against a student, or who receives a Complaint from a student making allegations of discrimination or retaliation by a member of the Campus Community must promptly inform the Vice President of Student Affairs or the Affirmative Action Officer. The matter will be referred for appropriate informal discussions as provided above.

a. A supervisory-level employee, Faculty member or Student Assistant Residence Director or Resident Assistant who fails to report alleged discrimination or retaliation may be subject to discipline, up to and including dismissal.

b. A supervisory-level employee, Faculty member or Student Assistant Residence Director or Resident Assistant is not to attempt to independently investigate or mediate allegations of discrimination or retaliation, except that a supervisory-level employee may take steps necessary to issue an informal remedy determination under section IV.G.4.

c. If the person reporting discrimination/retaliation is someone other than the alleged victim, the Affirmative Action Officer, the Vice President of Student Affairs or his/her designee will ask the alleged victim(s) to confirm whether the reported conduct occurred. If the alleged victim does not confirm that the reported conduct occurred, the matter will not be pursued. If the alleged victim confirms that the conduct occurred, the alleged victim will be offered the opportunity to pursue resolution of the matter under this Procedure. If the alleged victim declines to pursue resolution of the matter through this Procedure, the matter shall be reported to the President who may require an investigation and take such remedial/disciplinary actions as he/she deems appropriate under the circumstances.

d. Even if a person reporting or acknowledging the occurrence of perceived discrimination or retaliation requests that no action be taken, the supervisory-level employee, Faculty member or Student Assistant Residence Director or Resident Assistant still must inform the Affirmative Action Officer or Vice President of Student Affairs of the alleged discrimination/retaliation. The supervisory-level employee, Faculty member or Student Assistant Residence Director or Resident Assistant should inform the person reporting the alleged discrimination or retaliation that the matter must be reported and that the process for resolving allegations of discrimination or retaliation is handled with discretion to protect the parties, but that neither anonymity nor complete confidentiality can be promised.

**I. Filing a Grievance**

1. Any Campus Community member may file a formal written Grievance when he/she believes that he/she has been discriminated against or retaliated against, whether or not the matter has been reported in accordance with Section H. The Grievance must be filed with the Affirmative Action Officer or in the absence, unavailability or perceived conflict of interest of the Affirmative Action Officer, with the Vice President of Finance and Administration (for employees and volunteers) or the Vice President of Student Affairs (for students).

2. Step 1
    a. The Grievant will file a written Grievance (see Notice of Discrimination Grievance Form attached as Exhibit 1) which shall include:
        i. the Grievant's name, mailing address, telephone number, and email address
        ii. the identity of the Respondent(s)
        iii. the type of discrimination or perceived reasons for retaliation
        iv. a specific description of the facts and circumstances of the alleged discrimination/retaliation
        v. the date(s) on which the alleged conduct occurred
        vi. the identity of and contact information for any witnesses which the Grievant believes to possess information about the alleged discrimination/retaliation and a description of the information that each witness is believed to possess
        vii. the signature of the grievant
    b. If the alleged discrimination/retaliation took place more than ten (10) days before the filing, the Grievant must also submit a statement showing good cause for not filing within the ten (10) day time limit.
    c. The Affirmative Action Officer will determine whether the Grievance is within the jurisdiction of this policy.
    d. Jurisdiction under this process is established when:
        i. The Grievance is timely filed or good cause is shown for not filing within the 10-day time limit,
        ii. The Grievant has submitted a sufficient written Grievance, and
        iii. The Grievance sets forth facts that, if true, show reasonable cause to believe that a violation of this policy has occurred.
    e. If the Grievance documents do not establish jurisdiction under this policy, the Affirmative Action Officer will serve the Grievant with written notice of this finding. The Grievant may request the President's review of a finding of no jurisdiction under this policy by submitting a written request for review to the Affirmative Action Officer within five (5) working days of the date of delivery of the finding.
    f. The President's determination of jurisdiction shall be rendered as soon as possible after the President receives the request for review. The President's determination of jurisdiction is final. The Grievant will be provided with a copy of the President's determination.
    g. If the Grievance establishes jurisdiction, the Affirmative Action Officer will deliver a copy of the written Grievance on the Respondent with the Grievant's address, telephone and email address redacted.
    h. The Affirmative Action Officer will contact the Grievant to discuss options for informal resolution. If the Grievant wishes to pursue informal resolution efforts, the Affirmative Action Officer will make the necessary arrangements and inform the parties.
    i. If the Grievant wishes to pursue informal resolution efforts, the formal Grievance procedure shall be suspended to permit the parties an opportunity to resolve the Grievance pursuant to Section IV.G above.
    j. The Grievant may at any time terminate informal resolution efforts and proceed to Step 2.

3. Step 2
    a. Within five (5) calendar days after delivery of a copy of the Grievance or within five (5) calendar days after notice of termination of informal resolution efforts, if applicable, the Respondent will file a written response ("Response") with the Affirmative Action Officer.
    b. The Response shall include:
        i. a statement as to whether the facts supporting the conduct that forms the basis for the allegations are true, and
        ii. an explanation of the circumstances surrounding any admitted conduct; and
        iii. the names of witnesses, if any, who may have information pertaining to the Grievance, and a description of the information that each witness is believed to possess.
4. Step 3
    a. After receiving the Response, the Affirmative Action Officer will conduct an investigation to determine the facts. The Affirmative Action Officer, will interview the Grievant, Respondent and anyone that the Affirmative Action Officer determines is likely to have substantial, relevant information, and gather any other evidence that he/she deems necessary.
    b. The interview provides the Respondent with an opportunity to be heard by a fair and impartial fact-finder and to explain, deny, or offer mitigating reasons. If the Respondent fails to attend an interview for reasons other than an unforeseeable emergency, documented to the satisfaction of the Affirmative Action Officer, such failure constitutes a knowing and voluntary waiver of this opportunity and the report may be rendered without Respondent's input.
    c. If the Grievant fails to attend an interview for reasons other than an unforeseeable emergency documented to the satisfaction of the Affirmative Action Officer, the Affirmative Action Officer, in consultation with the President, may deem the Grievance withdrawn and discontinue the process. Even if the Grievance is deemed withdrawn, the President may require further investigation and take appropriate disciplinary/remedial action if appropriate.
    d. The Affirmative Action Officer will promptly prepare and deliver to the President (or the Hearing Officer, if the Respondent is a student) a written report summarizing the investigation that includes observations as to credibility of interviewees, a determination of whether any College policy was violated, and a recommendation for action, which may include remedial action or discipline. The President (or the Hearing Officer, if the Respondent is a student) shall review the report and take action as he/she deems necessary. The President (or the Hearing Officer, if the Respondent is a student) may pursue discipline in accordance with the appropriate disciplinary procedure.

*Approved by the Western State College Board of Trustees: 2007*

Exhibit 1

NOTICE OF DISCRIMINATION GRIEVANCE FORM

Complete this form and file it with your written Grievance attached. The written Grievance may be typed or hand-written, but must be legible. Your written Grievance must explain:

1. the identity of the Respondent(s)

2. the type of discrimination or perceived reasons for retaliation

3. specific description of the facts and circumstances of the alleged discrimination/retaliation

4. the date(s) on which the alleged conduct occurred

5. the identity of and contact information for any witnesses which the Grievant believes to possess information about the alleged discrimination/retaliation and a description of the information that each witness is believed to possess. Please be specific. Failure to attach a sufficiently detailed written Grievance may impair the investigation or result in the Grievance being dismissed because it does not demonstrate facts sufficient to show reasonable cause to believe that a violation of the Anti-Discrimination Policy has occurred. The Respondent will receive a copy of your Grievance, but will not receive this Notice of Grievance Form.

Part A_ - to be fully completed by the Grievant

Name(s) of Grievant(s): Date:

Mailing Address:

Telephone: E-mail:

Summary of Complaint:

Date(s) of alleged discrimination:

Respondent(s) (person(s) who you are complaining about):

_____ _____

Signature of Grievant (date) Signature-Person Receiving Grievance (date)

_____ _____

Printed Name of Grievant (date) Printed Name-Person Receiving Grievance (date)

Part B –to be fully completed by the Affirmative Action Office

Grievance filed on _____(date) Alleged discrimination occurred on _____(date(s))
____A statement of good cause for untimely filing is required
____If required, the statement is attached.

If required, the statement shows good cause for the untimely filing. ____Yes ____No

___ Part A is fully completed ____ A written Grievance is attached

The Grievance alleges facts that, if true, are sufficient to create a reasonable belief that the College's Anti-Discrimination Policy has been violated. ___Yes ____No

If yes, the alleged violation is (Check all that appear to apply):
____ Sexual Harassment-Quid Pro Quo
____ Sexual Harassment-Hostile Work Environment
____ Discrimination based on sex/gender, including pregnancy (other than Sexual Harassment)
____ Race
____ Color
____ Creed
____ Religion
____ Gender
____ National Origin
____ Age
____ Disability
____ Veteran Status
____ Marital Status
____ Sexual Orientation
____ Retaliation

Jurisdiction under this policy is established ____Yes ____No

Exhibit 2
Contact Information for Reporting Violations of Anti-Discrimination Policy

Kimberly E. Gailey, Director of Human Resources and Affirmative Action Officer.
kgailey@western.edu (970) 943-3142

Gary Pierson, Vice President of Student Affairs
gpierson@western.edu (970) 943-2049

Brad Baca, Vice President of Finance
bbaca@western.edu (970) 943-2182

Jessica Young, Vice President for Academic Affairs
jyoung@western.edu (970) 943-3045

If a member of the Campus Community feels threatened, he or she should contact Campus Security at (970) 943-3084 or 970-209-1020. In an emergency, call 911.

## F. COMPUTER AND DATA NETWORKS: ACCEPTABLE USE POLICY

This document outlines the Western State College policy on the use of computer data networks and college-owned computing facilities. These guidelines reflect the general ethical principles of the college community and indicate, in general, what responsibilities are characteristic of the College's computing environment.

Access to computing and networking resources is a privilege to which all college faculty, staff, and students are entitled. Certain responsibilities accompany that privilege; understanding them is important for all computer users. Some of these responsibilities are listed here:

1. **Institutional Purposes**
   The use of computing and networking resources is for purposes related to the College's mission of education, scholarship, and public service. Members of the Western State College 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 College, and their other college-sanctioned activities.

2. **Security**
   Each user is responsible for correct and sufficient use of the tools each computer system provides for maintaining the security of stored information. A summary of the security procedures relevant to the end users of computing and networking resources is given below:
   a. Computer accounts, passwords, and other types of authorization are assigned to individual users and should not be shared with others.
   b. Each user should select an obscure password and change it frequently.
   c. Each user should understand the level of protection each computer system automatically applies to files and supplement that protection, if necessary, for sensitive information.
   d. Each microcomputer user should be aware of computer viruses and other destructive computer programs, and take steps to avoid being either their victim or propagator.

3. **Confidentiality**
   In general, information stored on computers is considered confidential, whether protected by the computer system or not, unless the owner intentionally makes that information available to other groups or individuals. Western State College will assume that computer users wish the information they store on campus computing resources to remain confidential.

   The WSC Computing Services Center will maintain the confidentiality of all information stored on its computing resources. 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 accounts that are suspected of unauthorized use or misuse, or that have been corrupted or damaged.

   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 College officials who are the legal custodians of the information requested, or when required by state or federal law, or court order.

**4. Academic Freedom**

Free expression of ideas is central to the academic process. Western State College 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:

a. 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).
b. 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).
c. The information is inappropriate, because it is unrelated to or is inconsistent with the mission of the College, or is otherwise not in compliance with the legal and ethical usage responsibilities outlined in Federal, State, and college policies.

The Western State College Computing Services 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 any such action by contacting the Director of Computing, Media and Telecommunications Services.

**5. 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:

a. Harassment of other users.
b. Destruction of or damage to equipment, software, or data belonging to Western State College or other users.
c. Disruption or unauthorized monitoring of electronic communications.
d. Violations of computer system security.
e. Unauthorized use of computer accounts, access codes, or network identification numbers assigned to others.
f. Use of computer and/or network facilities in ways that impede the computing activities of others (for example; randomly initiating interactive electronic communications or e-mail exchanges, overuse of interactive network utilities, overuse of Internet connections such as peer-to-peer services like Napster and Gnutella, overuse of network accessible bulletin boards or conferences, and the “off topic” posting of material to bulletin boards and conferences).
g. Use of computing facilities for personal or business purposes unrelated to the mission of the College.
h. Violation of copyrights and software license agreements.
i. Violation of the usage policies and regulations of the networks of which the college is a member or has authority to use.
j. Violation of another user’s privacy.
k. Academic dishonesty (e.g., plagiarism or cheating).

**6. Sanctions**

Violations of the policies described herein for use of computing resources are dealt with seriously. Violators are subject to disciplinary procedures of the College and, in addition, may lose computing privileges. Illegal acts involving Western State College computing and networking facilities may also be subject to prosecution by state and federal authorities. § **18-5.5-101, C.R.S.**

**Definitions**. As used in this article, unless the context otherwise requires:
(1) "Authorization" means the express consent of a person which may include an employee's job description to use said person's computer, computer network, computer program, computer software, computer system, property, or services as those terms are defined in this section.
(2) "Computer" means an electronic device which performs logical, arithmetic, or memory functions by the manipulations of electronic or magnetic impulses, and includes all input, output, processing, storage, software, or communication facilities which are connected or related to such a device in a system or network.
(3) "Computer network" means the interconnection of communication lines (including microwave or other means of electronic communication) with a computer through remote terminals, or a complex consisting of two or more interconnected computers.
(4) "Computer program" means a series of instructions or statements, in a form acceptable to a computer, which permits the functioning of a computer system in a manner designed to provide appropriate products from such computer system.
(5) "Computer software" means computer programs, procedures, and associated documentation concerned with the operation of a computer system.
(6) "Computer system" means a set of related, connected or unconnected, computer equipment, devices, and software.
(7) "Financial instrument" means any check, draft, money order, certificate of deposit, letter of credit, bill of exchange, credit card, debit card, or marketable security.
(8) "Property" includes, but is not limited to, financial instruments, information, including electronically produced data, and computer software and programs in either machine or human readable form, and any other tangible item of value.
(9) "Services" includes, but is not limited to, computer time, data processing, and storage functions.
(10) To "use" means to instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, computer system, or computer network.

**§ 18-5.5-102, C.R.S. Computer Crime**
(1) Any person who knowingly uses any computer, computer system, computer network, or any part thereof for the purpose of devising or executing any scheme or artifice to defraud; obtaining money, property, or services by means of false or fraudulent pretenses, representations, or promises; using the property or services of another without authorization; or committing theft commits computer crime.
(2) Any person who knowingly and without authorization uses, alters, damages, or destroys any computer, computer system, or computer network described in section 18- 5.5-101 or any computer software, program, documentation, or data contained in such computer, computer system, or computer network commits computer crime.
(3) If the loss, damage, or anything of value, taken in violation of this section is less than fifty dollars, computer crime is a class 3 misdemeanor; if fifty dollars or more but less than three hundred dollars, computer crime is a class 2 misdemeanor; if three hundred dollars or more but less than ten thousand dollars, computer crime is a class 4 felony; if ten thousand dollars or more, computer crime is a class 3 felony.

## G. DISABILITY POLICY

### PROCEDURE FOR FILING A COMPLAINT BASED ON DISABILITY

A student who believes that he or she has been discriminated against on the basis of disability may seek advice and assistance from the Director of Disability Services or the Director's designees. The Director or designee will explain the student's options including informal resolution of the matter and formal complaint procedures.

1. **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 on the basis of disability in programs and activities, public and private, 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), U.S. Department of Education, is responsible for the enforcement and investigation of compliance with Section 504.

The Director of Disability Services serves as the ADA Coordinator and is responsible for facilitating the College's efforts to comply with the ADA and Section 504 of the Rehabilitation Act of 1973. The Director of Disability Services will work with College personnel and students to resolve disagreements regarding ADA compliance issues. If the matter cannot be resolved informally, the student may file a formal complaint. Additional information is available in the Disability Services office located in Taylor 302 (970-943-7056).

2. **COMPLAINT PROCEDURE**

A student who believes that he or she has been discriminated against on the basis of disability is entitled to file a complaint with the College's Affirmative Action Officer, an external agency, or both. Discrimination can include, but is not limited to, failure to accommodate the student's disability effectively, exclusion from a College program or activity, and disability-related harassment. The procedure for filing an internal College complaint is published in the College's Affirmative Action Plan. To file an internal complaint of disability discrimination, notify the Affirmative Action Officer in person or in writing. Complaints will be promptly acknowledged and investigated.

Disputes may arise between the College and students with disabilities as a result of misunderstanding or miscommunications. The Affirmative Action Officer can frequently facilitate a resolution of such disputes through informal negotiation or mediation.

A student may choose to file a complaint of disability discrimination with an external agency instead of or in addition to filing an internal College complaint. Most external complaints should be filed with the United States Department of Education, Office for Civil Rights, which has a local office in Denver. Complaints alleging disability-based employment discrimination can 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 Human Resources Office located in Taylor 321 (970-943-2003).

## H. NON-DISCRIMINATION POLICY

Western State College of Colorado does not discriminate on the basis of race, national origin, gender, gender identity, religion, age, disability, sexual orientation, or veteran status in employment or admission and access to its educational programs and activities. The College is an equal opportunity institution for all faculty, staff, and students

* Please Note:
This nondiscrimination policy shall not be interpreted or applied in a manner that conflicts with or subjects the College to penalties or ineligibility for funds under state or federal law.

## I. PARENTAL NOTIFICATION POLICY

In accordance with the 1998 Higher Education Act, Western State College is able to inform parents and guardians of alcohol and drug violations on our campus. The responsibility for determining when and by what means notification will occur lies under the jurisdiction of the Vice President for Student Affairs and appointed designees. Parental notification will be considered when students under the age of 21 are found to have committed serious or repeated violations of college policies related to the possession, use, or distribution of alcohol or drugs. Serious and repeated violations may include situations when medical intervention is required as a result of consumption of alcohol/drugs; when the violation could result in eviction from the residence halls or suspension from the institution; or when the student has shown a pattern of violations. Whenever possible, students will be informed that parental notification is planned in advance of their parents' receiving the notice.

WSC will also, in "extraordinary circumstances" notify parents or guardians. "Extraordinary circumstances," cannot in the nature of things be completely enumerated or described; but it is, for example, the belief of Western State College that a serious injury to a student, or a violent crime committed upon a student, are sufficiently grave occurrences as to constitute "extraordinary circumstances." WSC, therefore, as a matter of general policy, notifies parents of such events.

In addition, the College may judge that parents should be notified concerning the existence of serious threats to a student's health, either physical or emotional. Although in most such instances students will be encouraged themselves to inform their parents, the College reserves the right to notify parents directly and/or to ensure that parents have been satisfactorily informed. Western State College recognizes, however, that special circumstances might cause a student to believe that notification of parents would be undesirable or inappropriate. In such a case, a designated College administrator will discuss the matter carefully with the student, and as appropriate will consult the College's Health Center or the College's legal counsel. In certain individual instances, Western State College may then conclude that it is not in the student's best interest that parental notification take place, and in that event an exception to the general policy will be made.

## J. PET POLICY

Pets are not allowed in any College building or adjacent grounds. Owners may walk their dogs across the campus grounds if the dogs are on a leash. If a pet becomes a nuisance to the campus community or appears to be in distress, please notify the Office of Student Affairs (943-2090) or contact the Animal Control Office at City Hall (641-8000). The administration reserves the right to remove noisy or menacing dogs even if they are on a leash. Dogs can be impounded and the owners can be fined if enough complaints are filed. Policies pertaining to service dogs can be obtained by contacting the Office of Disability Services.

## K. PETITION POLICY/PROCESS FOR ADDING AN INTERCOLLEGIATE SPORT

The College will consider a petition for adding an intercollegiate sport when a student submits such a petition in writing. The following criteria will apply:

1. The student is a bona-fide student enrolled at Western State College (WSC) at the time of the petition.
2. The petition must be in writing.
3. The petition would be submitted to the Director of Athletics.
4. The petition should include information and facts relative to the reason(s) such a petition is being submitted.

Some facts that are relative include, but are not necessarily limited to:

A. Evidence of strong interest and support for that sport on the WSC campus
B. Evidence of growth and interest in that particular sport nationally and regionally.

## L. SEXUAL ASSAULT POLICY

Western State College of Colorado will not tolerate sexual assault in any form including acquaintance rape. A student charged with sexual assault can be persecuted under Colorado criminal statutes and disciplined under Western State College's standards of conduct. Even if the criminal justice authorities choose not to prosecute, the college can pursue disciplinary action. This discipline may include suspension or dismissal from the College.

Title IX protects students from sexual harassment/violence in a school's education programs and activities. This means that Title IX protects students in connection with all the academic, educational, extracurricular, athletic, and other programs of the College, whether those programs take place in the College's facilities, at a class or training program sponsored by the College at another location, or elsewhere, including College transportation. For more information on Title IX, please contact the Office of Student Affairs, Taylor Hall 301.

Western State College of Colorado jurisdiction extends beyond the physical boundaries of the campus whenever the student violates the policies and standards of conduct outlined in this student handbook. Thus, a sexual assault involving members of the WSC community that takes place off campus can be adjudicated through the campus judicial system. Campus judicial decisions are based on a "preponderance of evidence" in contrast to the criminal justice system whose burden of proof is "beyond a reasonable doubt".

Students who have been sexually assaulted are highly encouraged to report the crime to the local police. It is the student's decision on reporting to campus authorities. Individuals can confidentiality discuss their case with a member of the Office of Student Affairs, the Office of Residence Life, the Campus Counseling Center, and/or a peer advocate before deciding whether or not they want to proceed with criminal or campus judicial proceedings. These staff members and peer advocates are also available to assist students in notifying local police if the student requests such assistance. **To preserve potential evidence, law enforcement recommends that individuals not bathe, douche, or change clothes before reporting sexual assault to police.**

Individuals who decide to utilize the campus judicial system that have been sexually assaulted and those accused of sexual assault are entitled to the following:

- Assistance with changes in on-campus housing and academic arrangements if requested
- To be informed of the names of all witnesses called
- To question witnesses and to present witnesses on his/her behalf
- To be informed of the status of the case at any time
- To have counsel or a support person present throughout the hearing
- To have a closed hearing
- A speedy hearing without unnecessary delays
- To be informed of the outcome of the hearing

ALL EFFORTS WILL BE MADE TO PROTECT THE VICTIM AND WITNESSES FROM THREATS, HARRASSMENT, AND INTIMIDATION BY THE ASSAILANT AND/OR THE ASSAILANTS' FRIENDS.

**Numbers to call if you've been assaulted or need mental health assistance:**
**Western State College Sexual Assault Peer Assistance Phone: 970.306.5799.** This phone number reaches a trained member of the Sexual Assault Prevention Advocates which is a student and faculty group. Someone is available 24 hours a day, 7 days a week to take calls on this phone and refer victims to appropriate resources.

**Emergency mental health services: 970.252.6220.** There is a community mental health professional available 24 hours a day, 7 days a week. This professional will guide victims to resources and are also professionally trained to deal with sexual assault cases.

**Gunnison Police Department Dispatch: 911 or 970.641.8000.**

**WSC Campus Counseling Center: 970.943.2484.** This line is only staffed during regular business hours (Monday-Thursday, 9am-6pm, Friday, 8 am-12 NOON). All WSC students are entitled to ***7 free sessions*** at the Counseling Center and can schedule appointments through this number.

**Office of Student Affairs: 970.943.2090.** Students should contact Student Affairs to discuss campus policies or general campus support.

**Resident Director (RD) on Duty: 970.209.1021.** Students who live on campus can reach Residence Life staff through this number.

**Campus Security: 970.209.1020.** Campus security can assist students needing to get to a safe place and they can also refer victims to law enforcement.

**Jubilee House: 970.641.2712** The Jubilee House assists individuals whose lives have been affected by violence by providing for their emotional, physical, and safety needs including advocacy, safe shelter, and counseling. All services are provided free and confidentially.

## M. TUITION, FEES, EMERGENCY STUDENT LOANS AND REFUND POLICY

1. **EMERGENCY LOANS**

   To obtain an emergency loan, a student:
   • must be enrolled in classes.
   • must pay back the loan by the end of the semester in which the loan is obtained.

   For more information, please contact the Cashier's Office (943-3003) in 314 Taylor Hall.

2. **FINANCIAL AID GENERAL INFORMATION**

   All students who feel they lack the necessary resources to finance their educational costs are encouraged to apply for financial assistance. Student financial aid is awarded after you have been accepted for enrollment and your financial aid application is complete. We strongly recommend that, when applying for Fall Semester, you have all paperwork completed by April 1.

   The Financial Aid Office at Western State College is interested in you and your education. Our function is to provide assistance to you and your family in meeting the costs of higher education. The information in the Financial Aid Handbook (available in the Financial Aid Office) provides answers to many questions about the financial aid application process, the types of assistance available, the cost of attendance, and the student's responsibilities for maintaining satisfactory academic progress. The basic premise of all need-based financial aid is that the primary responsibility for financing a student's education rests with the student and his/her family.

   No student shall be excluded from participation in any financial aid program on the basis of race, gender, age religion, national origin, physical handicap or marital status.

3. **OFFICIAL DROP PERIOD**

   Please refer to the Class Schedule for specific dates of the official Drop Period. Students on financial aid who withdraw from school prior to completing 60% of a semester may be required to repay a portion of their financial aid received for that term. Please see the Financial Aid Office in Taylor Hall L2 for more information.
   NOTE: Western State College will not register a student, release a diploma, and provide a transcript, or supply placement or other College services to any student or former student who has an outstanding financial obligation to the College other than a loan that is not yet due or for which payments are up to date.

Per state statute, failure to pay a financial obligation to the College when it is due may result in an account being placed with a collection agency and such action reported to a credit bureau. In addition, an account may be charged legally allowable collection charges and attorney fees to help secure payment of the debt owed the College.

4. **PAYMENT OR REFUND OF TUITION AND FEES**
Tuition and all fees are due and payable at the time scheduled for payment during the first three days of each semester. Students may pre-pay at any time. The College encourages payment by mail and accepts payment by Visa and Mastercard. Each pre-registered student will receive a billing statement, along with specific details about the time and place of payment, before the beginning of each term.

5. **RESIDENCY OF STUDENTS FOR TUITION PURPOSES**
New students are classified as in-state or out-of-state for tuition purposes on the basis of information provided on the Application for Admission and on other relevant forms. Applicants may be required to submit evidence substantiating their claims of in-state eligibility. To be eligible for a change to in-state status, applicants must submit petitions with appropriate documentation to the Admissions Office.

6. **TUITION AND FEES-REFUND SCHEDULE**
When a student officially withdraws from Western, tuition and fees are refunded according to the following refund schedule:
   - 100% through the end of the official Drop Period.
   - 50% for the period between 15 and 25% of the semester.
   - 25% for the period between 25 and 50% of the semester.
   - 0% for the period after 50% of the semester.

7. **STUDENT HOUSING AND MEAL PLANS-REFUND POLICY**
If a student officially withdraws from Western after the official start of the semester, the housing and meal plan charges will be refunded according to the following schedule: Prorated by week through the end of the official drop period.
   - 50% refund for the period between 15% and 25% of the semester.
   - 25% refund for the period between 25% and 50% of the semester.
   - 0% refund for the period after 50% of the semester.

Please refer to the class schedule for specific dates of the official drop period.

# XIII. FIRE REGULATIONS

**A. FIRE RESTRICTIONS** - Fire restrictions on campus property or college-controlled state property includes, but are not limited to the following:

- Anything which produces open flames 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.
- Use of all fireworks.

**B. EXCEPTIONS TO CAMPUS FIRE RESTRICTIONS** - The following shall be accepted from the Campus Fire Restrictions:

- Fires outside of buildings that are contained within liquid-fueled or gas-fueled stoves.
- Small charcoal grills or barbecues used for cooking or warming food which do not produce open flames when used.
- Fires set by any federal, state, or local officer, or member of a fire protection district in the performance of an official duty.

- Public fireworks displays with adequate firefighting personnel and equipment standing by at the scene of such permitted public display.
- Flares used to indicate some danger to the public.
- People engaged in emergency work, including, but not limited to: firefighting, fire prevention, or law enforcement while on official business.
- Bonfires with adequate firefighting personnel and equipment standing by at the scene of such permitted public display.

If any local, state of federal agency declares a burn ban or fire restriction, then all fires, stoves, grills, outside cigarette smoking, etc. will be banned in order to conform to those regulations.
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