



# STUDENT HANDBOOK

POLICIES AND  
STANDARDS OF CONDUCT

this book belongs to:

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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 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 around the 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 College punishment is not criminal.

Any member of the College community (students, faculty, staff) may bring charges of misconduct against a student or group of students. Western State College has two 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.

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 of 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.”

The Colorado General Assembly has passed a Trespass and Interference with Education Act. Violation is a Class 3 misdemeanor (Colorado Revised Statutes, 1973, 18-9-109).

## **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 be 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. It's 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 rely 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.3}.

## **F. ADMINISTRATIVE RESPONSIBILITY FOR SANCTIONS:**

Appeals of judicial sanctions will not be heard unless the student's case has been assessed by her/his immediate administrator. 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.3} 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 officiate 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 his/her behavior so that he/she may benefit from the experience. The Hearing Officer shall also take into account mitigating circumstances. Such sanction 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.

- 1. Judicial Warning:** Officials of the College responsible for judicial matters may give warnings for minor infractions of standards of conduct. These warning 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.
- 2. Residence Life Fines:** Within the jurisdiction of Residence Life judicial/operational matters, administrative members may assess fines to students (residents or non-residents) who fail to comply with policies. 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. All billing appeals must be received in writing. Include a current phone number and mailing address. The Appeals Committee will respond in writing within 14 days.
- 3. Judicial Probation:** The Hearing Officer may place a student on judicial probation after having a hearing in which fundamental 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 will become a part of the student's academic and personal record.
- 4. Educational/Service Projects:** The Hearing Officer may require, as part of the sanctioning process, that students found responsible for misconduct perform educational programs and/or community service projects.
- 5. 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 will become a part of the student's academic and personal record.
- 6. Eviction from the Residence Halls/Persona Non-Grata:** The College reserves the right to move to another residence hall or room, evict, or ban from the residence halls any student involved in a serious violation of the College rules/policies or who 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 will become a part of the student's personal records.

- 7. 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 fundamental 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.
- 8. 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 fundamental 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.
- 9. Summary Suspension Pending Deposition/ 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.

### **III. HEARING PROCEDURES FOR MISCONDUCT**

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

**1. Initiation of Proceedings:**

- a. Charges are made in writing and presented both to the liable student and the Western State College Hearing Officer designee for Student Affairs. The designee will serve as the investigating officer when judicial accusations are made.
- b. The hearing shall be held within ten class-days of the date a student receives their 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.
- c. The accused student shall be notified in writing regarding charges, rights of the student, and the date and place of the hearing.
- d. 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.
- e. When a student does not attend their scheduled hearing, a decision will be made by

the Hearing Officer, based on the information gathered at the time of the hearing.

## **2. Conduct of the Hearing**

- a. Hearings shall be conducted by a Hearing Officer appointed by the Dean of Students.
- b. Hearings shall be conducted on an informal basis. This is not a court procedure, but every effort will be made to arrive at the truth and to insure a fair hearing.
- c. The accused student may have two representatives present upon the discretion of the Hearing Officer, including legal counsel. The legal counsel may not speak in the student's behalf, but may advise the student.
- d. 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.
- e. The hearing shall be closed to the public unless prior approval has been granted by and at the discretion of the Hearing Officer.
- f. Either side may, at its own expense, make a recording of the hearing providing all present are made aware of the recording.
- g. 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.

## **3. Appeal Process**

- a. A Hearing Officer is the person designated by the Dean of Students to officiate judicial matters. Appeals of judicial sanctions will not be heard by an administrator until grievances against the student have been adjudicated and sanctions determined by the Hearing Officer. The appeals process will always follow the administrative hierarchy. 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.
- b. Generally, appeals will be granted consideration based upon 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.2} has not been followed.
- c. Appeals shall be decided upon the record of proceedings at the hearing. In addition, either party may file a written statement in support of his or her appeal within three (3) class-days of the written notice of appeal. In the event that either party files such a written statement, the other party may make a written response thereto within three (3) class-days.
- d. 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.
- e. Either party may appeal the decision of the Hearing Officer by filing a written notice of appeal with the Dean of Students. The procedures and time limits set forth in paragraphs b and c of this section shall apply to appeals to the Dean of Students.

- f. No appeal will be heard by a higher administrator unless a decision on an appeal has either been made by the appropriate lower administrator or the decision has been referred to a higher administrator by the lower administrator. A student may not circumvent lower administrator by appealing directly to the higher.
- g. 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 all sanctions throughout and in spite of the appeal process.

**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.”

## **IV. GENERAL DEFINITIONS AND CONDITIONS OF MISCONDUCT**

### **A. ALCOHOL POLICY**

#### **1. 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.

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

It is illegal if you are twenty-one years of age or older for you to purchase whiskey, wine, or beer for a person under twenty-one years of age.

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

#### **2. 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. 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.

##### **b. 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.

**c. 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.

**d. 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.

**e. 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.

**f. Alcohol Paraphernalia prohibited**

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

**g. 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.

**h. 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.

**i. 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.

**j. Transport**

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

**k. 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.

**2. College Resources**

Drug and alcohol counseling is available at the Campus Health Center (943-2484) located in 104 Tomichi Hall (Escalante Complex). There is also a Prevention Education Coordinator available for assistance and consultation, please contact the Office of Campus Life, 943.2066.

**3. Community Resources**

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

**\*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 law to report to the local authorities violations regarding alcohol and drug use/abuse.

**B. BREAKING INTO OR ENTERING A CLOSED BUILDING OR ROOM**

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.

**C. 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.

## **D. 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 organizational guidelines, the system administrator may access or examine files or accounts that are suspected of unauthorized use or misuse, or that have been corrupted or damaged.

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. Colorado Revised Statutes Criminal Code**

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. 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.

## **E. Dogs**

All Gunnison County 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.

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

## **F. DRUG POLICY**

### **1. Possession, Distribution and/or Use of Illegal Substances**

The use of mind-altering substances, of any kind, has no place in an academic community. Any student using illegal substances or ethnogens, including possession of residue, paraphernalia (e.g. water pipes, bongs) 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 is 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.

## **G. BICYCLING**

**BICYCLE REGULATION** - Bicycles can be registered, free of charge, by the Gunnison Police Department. Call 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, 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 (943-3087) or Campus Security Services (943-3084).

**BICYCLE RIDING** - Western State College currently allows bicycling on sidewalks.

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. Bicycling is only permitted in the following areas:

- Sidewalks (with courtesy to pedestrians)
- Skate Park

## **H. 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 {IV. 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.

## **I. 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.

## **J. FIREWORKS/FIREARMS OR WEAPONS**

No firearms, explosives, pellet guns, paintball guns, air guns, bullets, black jacks, smoke machines, fireworks, knives (larger than 3 1/2"), 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 (i.e., knives) used by or in the possession of a person with the intent to cause fear or assault on 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 (knives larger than 3 1/2", 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 8:20am and 4:30pm. 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 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 Director of

Campus Life 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.

## **K. IMPERSONATION**

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

## **L. FOOD FIGHTS IN THE DINING HALLS**

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.

## **M. HARASSMENT:**

Harassment in any form, but especially that based upon race, religion, disability, gender, sexual orientation or national origin, is a serious violation of the standards of an academic community. Tolerance of individual differences is fundamental to any academic pursuit with integrity, and therefore any overt or subtle form of discrimination or harassment is taken very seriously by the College.

### **1. General Definitions**

Certain verbal or physical conduct towards students by fellow students can (1) create an intimidating, hostile or offensive working or educational environment; (2) can unreasonably interfere with the victim's work or academic performance; or (3) otherwise adversely affect his or her employment or academic opportunities. Conduct having this purpose or effect is defined as harassment. If harassment is based on the victim's race, national origin, religion or gender or is sexual in nature, it may constitute prohibited discrimination under state and federal civil rights laws. Under certain circumstances, acts of harassment may also result in criminal or civil liability. Whatever its basis, harassment is inappropriate on a college campus and will not be tolerated by Western State College. Students who harass other students will be subject to disciplinary action including disciplinary suspension or expulsion.

While all harassment is prohibited, the following definitions are intended as additional guidance to students:

#### **a. Racial/National Origin/Religious Harassment**

Racial, national origin, or religious harassment is defined as any verbal or physical conduct that is based on a person's race, national origin or religion. Racial/national origin/religious harassment can include racial, ethnic or religious slurs or epithets or any other abusive or offensive conduct based on the race, national origin or religion of the person to whom it is directed.

#### **b. Sexual Orientation Harassment**

Sexual Orientation Identity harassment is defined as any verbal, written, or physical conduct that, although not sexual in nature, is based on a person's sexual orientation.

Sexual Orientation harassment can include sexual orientation -related slurs or epithets or any other abusive or offensive verbal or physical conduct based on the sexual orientation of the person to whom it is directed. This includes and is not limited to students identifying themselves as bisexual, gay, or lesbian.

### **c. Gender Harassment**

Gender/Gender Identity harassment is defined as any verbal, written, or physical conduct that, although not sexual in nature, is based on a person's gender or gender identity. Gender/Gender Identity harassment can include gender/gender identity-related slurs or epithets or any other abusive or offensive verbal or physical conduct based on the gender or gender identity of the person to whom it is directed. This includes and is not limited to students identifying themselves as female, male, or transgendered. All members of the College community are hereby placed on notice that not only will Western State College of Colorado not tolerate, but will take all necessary measures to deter and sanction sexual harassment, including, if appropriate, the suspension or expulsion of offenders. There are also policies governing sexual harassment in the Handbook for Professional Personnel for WSC employees.

### **d. Sexual Harassment**

Sexual harassment is defined as (1) unwelcome sexual advances, or requests for sexual favors and other verbal or physical conduct made under any circumstance; (2) submission to or rejection of such conduct by a person is used as a basis for decisions affecting the person; or (3) conduct that has the purpose or effect of creating an intimidating, hostile or offensive environment. Sexual harassment encompasses a broad spectrum of conduct from coercing an unwilling person into a sexual relationship to unwelcome or offensive sexual invitations, innuendoes or comments.

Sexual Harassment in Work/Class: Sexual harassment in Work/Class is defined as (1) unwelcome sexual advances, or requests for sexual favors and other verbal or physical conduct made either explicitly a term or condition of a person's employment or educational opportunities; (2) submission to or rejection of such conduct by a person is used as a basis for employment or educational decisions affecting the person; (3) conduct that has the purpose or effect of creating an intimidating, hostile or offensive working or educational environment; or (4) conduct that has the purpose or effect of unreasonably interfering with a person's work or academic performance.

### **e. Verbal Harassment**

Verbal harassment in the form of threats, statements or comments pertaining to another individual of the College community which have those effects of harassment outlined above (IV.M.1) can be considered harassment and constitute administrative intervention as well as the possibility of judicial proceedings and sanctions. While the College respects the right of free speech for each individual, it also reserves the right to dictate the appropriateness of time, place and manner in which communication is used.

#### **f. Verbal/Written Harassment:**

Verbal or Written Harassment in the form of threats, statements, or comments pertaining to another individual of the College Community which have those effects of harassment outlined above (IV.M.1) can be considered harassment and constitute administrative intervention as well as the possibility of judicial proceedings and sanctions. While the College respects the right of free speech for each individual, it also reserves the right to dictate the appropriateness of time, place, and manner in which communication is used.

#### **g. Retaliation**

Retaliation against anyone who opposes any harassment prohibited in this policy or who complains of harassment or participates or assists in any proceeding under this policy is forbidden. Such retaliatory conduct constitutes an independent act of harassment for which the harassing person may be sanctioned in accordance with the Due Process for Harassment procedures.

### **2. Due Process For Harassment Procedures**

While the College cannot guarantee that a student will not be harassed by another student, the following remedies are available to any student who believes that he or she is the victim of such conduct. Students may also seek relief from such external agencies as the United States Department of Education, Office of Civil Rights; Equal Employment Opportunity Commission; Colorado Civil Rights Commission; and local law enforcement agencies. A student wishing to pursue a remedy through an external agency should contact the Dean of Students for information and assistance. Students need not pursue an internal remedy before seeking relief from an external agency.

A student who believes that he or she is the victim of harassment of any sort by a fellow student may wish to speak with or write to the person who has engaged in the conduct. Because people are sometimes unaware of how their remarks or actions affect others, communicating one's feelings may discourage such behavior in the future. The College however, does not require students who believe that they have been harassed to seek to resolve the matter by themselves prior to instituting informal or formal proceedings.

#### **a. Informal Consultation Procedures**

A student who believes that he or she is being or has been harassed may seek advice and counseling on the matter from the Dean of Students or his/her designee or the Ombudsperson. College personnel are not authorized to take any formal action at this stage. The College personnel will discuss in confidence any incident, and will explain the formal grievance procedure and informal options available to the student.

Any resort to this informal consultation procedures is not a prerequisite to the institution of the formal grievance proceeding.

#### **b. Formal Grievance Procedure**

A student who believes that he or she is being or has been harassed may file a written complaint with the Office of Student Affairs. This written complaint should be filed as soon as possible after the incident giving rise to the complaint and should contain a detailed factual account of the incident. The Dean of Students or his/her designee will be

responsible for handling the complaint until it is appealed to or referred to the President of the College or the President's designee or until the procedure is terminated as explained below:

- i. Upon receipt of the written complaint, the Dean of Students or the Dean's designee will make a preliminary determination whether the conduct complained of constitutes harassment under this policy. If the person handling the complaint concludes that the matter is outside the scope of this policy, he or she may refuse to accept the complaint but shall engage in informal consultation and shall provide a written explanation to the student of the reasons for refusing to accept the complaint. The student may appeal the decision to refuse to accept a complaint in accordance with the Appeals Process outlined earlier {III.3}. to the President of the College or the President's designee.
- ii. If a preliminary determination is made that the conduct complained of constitutes prohibited harassment, the person handling the complaint will give the person charged an opportunity to respond in writing to the charges within three (3) days after receiving the notification. This response time may be extended by the person handling the complaint. If no response is received to the charges within three (3) days of notification (or within such longer period as is established by the person handling the complaint), the complaint will be considered as true and the matter will be referred to the administrative supervisor for disposition, which may include judicial action.
- iii. Upon receipt of a written response to the complaint, the person handling the complaint will attempt to resolve the matter in a mutually satisfactory manner. The mutually satisfactory resolution may include the imposition of a penalty, if agreed to by the person alleged to have engaged in the conduct. At this stage of the proceedings, the person handling the complaint has no authority to unilaterally impose any sanction.
- iv. If the person handling the complaint is unable to resolve the matter to the satisfaction of both parties, he or she will again review the matter to determine whether in his or her opinion a formal hearing is warranted. If the person handling the complaint determines that a formal hearing is not warranted, he or she shall provide the complaining student with an explanation of reasons. The complaining student may appeal this decision (not to hold a formal hearing) in accordance with the Appeals Process guidelines, {III.3}.
- v. If the person handling the complaint believes a formal hearing is warranted, the hearing will be conducted in accordance with the Official Hearing Procedure published in this Student Handbook.
- vi. The College will attempt to complete its handling of a formal complaint within thirty (30) days following the filing of the formal complaint.

The College will endeavor to preserve the confidentiality of the identity of the complaining party, the party against whom the complaint is lodged, and the nature of the complaint. Prior to the completion of the process, it will issue no statement concerning the matter. Any proceeding held will be closed.

At any stage of the proceedings, either party may be accompanied by another member of the College community.

The College will not tolerate any form of direct or indirect harassment or retaliation against any person because he or she has chosen in good faith to utilize these procedures or has

sought relief from an external agency nor will it tolerate any effort to influence the testimony of witnesses. Such actions threaten the process by which individual rights are protected and may form the basis for separate judicial action.

\* Please note:

Most violence—physical or psychological—is perpetrated by peers, acquaintances, friends, dates, roommates, domestic partners, or significant others. Protect yourself! Attend presentations about date rape and self-defense offered through the Office of Residence Life. If you are in danger, call Campus Security (209-1020) or the police (911). For additional support or assistance call the Victim's Advocate on Duty (641-8000).

## **N. 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 includes the public domain of Facebook and Myspace. Any 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.

Student's 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.

## **O. 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 get witnesses to alter testimony or not to testify in a college judicial process is a very serious offense that can 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.

## **P. 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.

## **Q. NONDISCRIMINATION 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.

## **R. 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.

## **S. PARKING: VEHICLE AND BICYCLE REGULATIONS**

**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 expire 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.

**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.

**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 may present a problem for certain vehicles during cold months of the year; however, safety and security must remain our primary priority.

**PARKING DURING VACATION PERIODS** - Vehicles may be left on campus, during Thanksgiving, Christmas and Spring Breaks only in the Dolores and Mountaineer Bowl 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.

**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 207A) or mailed in the ticket envelope. Persons wishing to appeal the citation may pick up an appeal form in the Office of Student Affairs.

If you receive a ticket and do not pay it or start an appeal within 15 days a "stop" can be placed on your student account. This means you can not register for classes, obtain a transcript, etc. Any appeal started later than 15 days from the issue date of the ticket will be denied unless special circumstances apply.

All appeals must be made on the appropriate form and your ticket must be attached. You will receive a notification as to whether your appeal has been upheld or denied. If denied you have five business days to pay the fine. Unpaid tickets issued to non-students may be submitted to the state collection agency for action.

**RESIDENCE HALL PARKING** - Due to limited parking areas, only students and staff living in campus housing may park overnight (12:00 am to 7 am) in the following lots:

- Beckwith/Coronado Lot
  - Chipeta Lot
  - Dolores
  - East Gothic Avenue
- (South of Shavano Complex and Lot)

- Escalante North Lot
- Lower Taylor 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 and must put a parking permit in their vehicles. The permit must be placed inside the lower left (driver's) corner of the windshield. 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.

**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.

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

**TRAFFIC/Vehicle PARKING AND FIRE REGULATIONS INTRODUCTION** - The Campus Security office is located in Alpine Hall 106. 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 (Authority CRS 73-23-5-107). 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.

**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.

**HANDICAPPED SPACES** - Western State College (WSC) 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. Valid handicapped permits from other states will also be honored. **A handicapped permit may be obtained from the Academic Resource Center (306 Taylor) or the Campus Security office by providing a physician's statement of injury or illness. The WSC permit is only valid on college property.**

**"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.

**NO OVERNIGHT PARKING** - Several lots have been designated as "No Overnight Parking" from 1:00a.m. to 6:00a.m. These lots are:

- Adams Street (west of Quigley Hall)
- Georgia Avenue (south of Quigley Hall)
- Hurst Hall Lot
- College Center
- Taylor Hall Lot (upper)
- Wright Gymnasium Lot (Except for May 1st - August 1st)

The College Center and Quigley 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 Student Center or quigley lots.

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

**VEHICLE REGISTRATION** - All vehicles owned or operated by on-campus residents must be registered with Campus Security if parked on campus. The permit must be placed inside the lower left (driver's) corner of the windshield. Permits not properly placed will be subject to ticketing and cannot be appealed. Registration forms are available in the Security Office (106 Alpine Hall) and the Residence Life Office.

**VEHICLE TOW POLICY** - Vehicles are subject to tow-away by a bonded towing company for the following reasons:

- Abandoned vehicles, including those not having license plates or having 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 (641-8000).

## **T. PETS PROHIBITED**

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.

## **U. PHYSICAL VIOLENCE:**

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

## **V. 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 adverse impact upon the surrounding Gunnison/Crested Butte Communities. (Note: refer also to “Civil/Criminal Charges” section {IV.B}).

## **W. SEXUAL ASSAULT POLICY**

Western State College will not tolerate sexual assault in any form, including acquaintance rape. A student charged with sexual assault can be prosecuted under Colorado criminal statutes and/or disciplined under the 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.

The College’s jurisdiction extends beyond the physical boundaries of the campus whenever a 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 and to campus authorities. Individuals can confidentially discuss their case with a member of the Residence Life or Student Affairs staff before deciding whether they want to proceed with criminal or campus judicial proceedings. These staff members are also available to assist students in notifying local police if the student requests such assistance. To preserve potential evidence, individuals should not bathe, douche, or change clothes before reporting the sexual assault to the police.

Individuals who decide to adjudicate sexual assault and students accused of sexual assault through the campus judicial process 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 to be called.
- to question witnesses and to present witnesses in his/her behalf.
- to be informed of the status of the case at any time.
- to have counsel of their choice accompany them throughout the hearing.
- to have a closed hearing.
- a speedy hearing without unnecessary delays.
- to be informed of the outcome of the hearing.
- efforts will be made to protect the victim and witnesses from threats, harassment, and intimidation by the assailant and the assailant’s friends.

Educational programs on sexual assault are presented annually as part of orientation, regular student affairs programming, and in the residence halls. For additional information, resources, or support please contact the Office of Student Affairs (943-2090), the Campus Health Center (943-2707), the Jubilee House (641-2712), or the Gunnison Police (641-8000)

## **X. SKATEBOARDING**

Skateboarding is only permitted until quiet hours of 10:00 pm on weekdays and 12:00 am on weekends in the following areas:

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

Skateboard 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.

## **Y. SNOW RAMPS AND WINTER ACTIVITIES**

Because of the damage to College property, and potential for serious physical injury, the building of 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.

## Z. 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, most violators of these rules will be turned over to local law enforcement officials.

## AA. 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.

## BB. THEFT OR VANDALISM OF PERSONAL PROPERTY

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.

## CC. 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.

## V. POLICIES SPECIFIC TO RESIDENCE LIFE

- 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:** If the Residence Life office receives written notification of cancellation before July 1st for the Fall Semester and November 15th for the Spring Semester, the \$100.00 housing deposit will be fully refunded. Written notification received after July 1st for the fall semester, but prior to the start of school will serve to release students from the obligations of this housing contract but the \$100.00 housing deposit will be forfeited. All students who have not cancelled prior to the first day of

classes of the semester and/or have received a key for their room will be required to live on campus for that semester.

**E. Candles and Incense:** The presence of candles, propane, oil burning lamps, incense, petrol oil or any other free burning agent is prohibited in student rooms, the residence halls, and student apartment complexes.

**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 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. 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.

**I. Computer Labs Use:** Non-students are prohibited from using residence hall computer labs.

**J. 24 Hour Courtesy Hours:** 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 or stereo to full volume (inside or outside of the halls) or to yell and shout. When playing a stereo at any time (day or night), doors must remain closed.

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. Common Area Furniture:** Moveable furniture allocated to public common areas may not be removed at any time.
- L. 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.
- M. 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 that the building is safe. In case of inclement weather, Mears Complex evacuates to Keating Dining Hall, Escalante Complex evacuates to the College Center, Chipeta Apartments evacuate to Keating Dining Hall, Shavano Complex evacuates to Keating Dining Hall, Ute Hall evacuates to Mears Hall.
- \* If students choose to re-arrange their room furniture, it should be done in a way that does not create an obstacle that would make it difficult to enter or leave their room.
- N. Extension Cords:** Students are strongly encouraged to utilize power strips instead of extension cords. Electrical outlets must not be overloaded.
- O. 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.
- P. 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, Foreman grills and microwave ovens. In addition, refrigerators larger than 4.5 cubic feet are prohibited.
- Q. 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 student is married; (2) the student is living with parents or a legal guardian; (3) the student has completed 24 credit hours; (4) the student is at least 21 years of age by the first day of classes; (5) the student has lived on-campus for the equivalent of one full academic year. 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.

- R. Gambling:** Gambling of any kind is not allowed in the residence halls.
- S. 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, cause their hosts to face 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).
- T. Hall Sports Policy/Water Fights:** All sports, running, and water games are prohibited within the dining and residence halls (including residents' rooms). Riding bikes, rollerblades, and skateboards are prohibited in all buildings. Failure to comply may result in judicial sanctions in addition to charges for resulting damages.
- 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 the Resident Advisor or the Office of Residence Life, verbally or with a note, as to where he/she is going and how he/she 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 freshman 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. Common Area Furniture:** Moveable furniture allocated to public common areas may not be removed at any time. Doing so will result in judicial action and charges for any damages to the furniture.
- AA. 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.
- BB. 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 Resident Director authorization. Failure to comply with this policy may result in sanctions as well as applicable damage charges.
- CC. 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 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 Resident Hall Director.

Residence Halls Quiet Hours:

Sunday-Thursday	10:00 p.m. - 8:00 a.m.
Friday-Saturday	Midnight - 8:00 a.m.

- DD. Recycling:** Students are encouraged to recycle in the residence halls. Damage to any campus recycling property will result in disciplinary action.
- EE. 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.
- FF. Room Care:** Residents are responsible for removing waste materials in a proper manner, cleaning their rooms and maintaining sanitary and safe conditions which are acceptable to the College. The physical structure of the residence hall room may not be altered including painting or changing/adding door lock mechanisms.
- GG. 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.
- HH. Room Entry:** If practical, Western will not enter a student's room unless accompanied by the student or his/her authorized representative. However, authorized personnel may enter a resident's room for life, safety or health threatening emergencies; to perform requested or preventive maintenance; or, if there is a cry for help, the smell of smoke, or to silence a disruptive noise.
- II. 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 fire fighting equipment, or interfering with firefighters are subject to prosecution under Colorado statutes as well as disciplinary action by the College.
- JJ. 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 hallmates and roommates. 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.
- KK. 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.

- LL. 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.
- MM. 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.
- NN. Tobacco Policy:** In support of the health and well-being of all students at Western State College, tobacco use is not allowed in the residence halls. This includes, but is not limited to: cigarettes, smokeless chewing tobacco, cigars, bidis, cloves, and pipe tobacco. 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 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.
- OO. 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.
- PP. 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.

## V. 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 Resident Director. The final level of appeals for any issue relating to student conduct is the Director of Residence Life, who will serve as the final hearing authority.

## VI. 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>

### 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 - 222 Taylor Hall. 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 non-traditional students who are at least 24 years old or 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, other college students under the age of 25 years who wish to reduce their risk for the disease may choose to be vaccinated.

## VII. TUITION, FEES AND REFUND POLICIES, EMERGENCY STUDENT LOANS

- Must be enrolled in classes.
- Must be paid back by the end of the semester in which the loan is obtained.
- For information, contact the Cashier's Office (943-3003) in 207 Taylor Hall.

### 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.

## **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.

## **TUITION AND FEES**

When a student officially withdraws from Western, tuition and fees are refunded according to the following schedule:

### **REFUND PERCENTAGE**

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.

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 FAO for more information.

**NOTE:** Western State College will not register a student, release a diploma, 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.

## 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 Registration Services.

The necessary forms, deadline information, and explanations of the Colorado tuition classification statute are available from the Tuition Classification Office, Registration Services.

Generally, Colorado statutes provide that:

1. For tuition-classification purposes, 22 is the age of majority.
2. To be considered for in-state classification, applicants or the parents of unemancipated minors must maintain legal domiciliary (as defined by the statutes in Colorado) for the 12 consecutive months preceding the term for which in-state status is claimed.
3. In-state classification becomes effective at the beginning of the first term after one year of legal residence in Colorado, as defined by Colorado statutes.
4. Tuition classification is governed by Colorado statutes and by judicial decisions that apply to all state-funded institutions in Colorado and is subject to change without notice.

## STUDENT HOUSING

### Refund of Student Housing and Meal Plans

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.

## VIII. POLICIES

### YOUR RIGHTS TO PRIVACY

(Under the 1974 Buckley Amendment)

The law provides that eligible students will have access to inspect and review educational records. This law further provides and protects the student's right to privacy by limiting access to the educational record without express written consent.

### DEFINITIONS

**Eligible Student** – 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.

**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.

**Directory Information** – Directory information may include the student's name, local or campus address, local telephone number, home or off-campus address, date and place of

birth, citizenship, 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. Students have the right to request this information not be disclosed.

**Personally Identifiable Information** – Data included 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.

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

## **ACCESS TO AND RELEASE OF RECORDS**

All eligible students will have access to their own records as predicted by the Act except where access has been waived.

Directory information may be released to anyone without consent of student. 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 to 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, i.e., members of the College faculty and staff with a legitimate educational interest, parents of dependent students, and others. 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.

## **PROOF OF IDENTIFICATION**

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

## **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.

## **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 can not be resolved informally, the student may file a formal complaint. Additional information is available in the Disability Services office located in College Student Center 201 (970-943-7056).

## **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 209 (970-943-3140).

## **PETITION 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. The

regional comparisons would include secondary or "feeder" schools for WSC. Upon receipt of such a petition, the Director of Athletics would respond to the petitioner in writing acknowledging receipt of the petition. The Director of Athletics would then make a copy of this petition for the President and the Faculty Athletic Representative (FAR). The director of Athletics, the President and the FAR would determine if the institution would conduct an extensive evaluation of the petition. This extensive evaluation would follow the procedures, protocol and criteria outlined in the institutional policy titled, "Policies, Procedures and Criteria regarding Intercollegiate Sport Offerings at Western State College of Colorado". Findings would be made by the College regarding the petition based on these policies and procedures. Once these findings are made, they will be communicated in writing to the petitioner. The findings would include reasons and rationale for determining any action or inaction planned by the College.

## **CAMPUS CRIME REPORT**

The current annual Campus Crime Report is available to the public in the Office of Student Affairs, Taylor Hall, Room 221 and at the Western State College website: <http://www.western.edu/student-life/student-affairs/policies-and-handbooks/western-state-college-institutional-security.html>

## **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.

## **IX. FIRE REGULATIONS**

**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.

**EXCEPTIONS TO CAMPUS FIRE RESTRICTIONS** - The following shall be excepted 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 or 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.

Rev 7: June 17, 2007

## **X. ACADEMIC POLICIES**

### **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 be honest and that they 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 are not limited to the following infractions:

- 1) Plagiarism - Presenting another person's work as one's own, including paraphrasing or summarizing of the works of another person without acknowledgment, including the submitting of 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.

- 2) 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).
- 3) 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 assistance from another person or source, is a violation of academic honesty. It is also a violation of academic honesty knowingly to provide such assistance. Collaborative work specifically authorized by an instructor is allowed.
- 4) 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).
- 5) 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.

## 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.

### 1. 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.

## **2. 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.

## **3. 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.

**4. 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 appeals for the same cause, the collective grievances may be heard by a single committee.

**CREDIT BY EXAMINATION**

College Level Examination Program (CLEP) - WSC's Center No. 4946

- 1. Students may be awarded a maximum of 20 semester hours of credit as a result of completing the general examinations. This credit may be applied toward the requirements of the baccalaureate degree at Western State College as follows:
  - a. Credit on the General Examinations:

**EXAMINATIONS SCALED**

	SCORE	CREDIT
Humanities	450-470	2-6
Natural Sciences	440-470	2-6
Social Sciences/History	450-470	2-6
Mathematics	510	0

- b. English Composition - This test is not approved for credit at Western State College (transfer credit is accepted).
2. Students who enroll at Western State College as beginning freshman or as second-term freshmen must present necessary CLEP credentials by the end of their first year in school in order to receive credit for the CLEP general examinations.
3. Awarding Credit on Basis of Subject Examinations:
  - a. In awarding credit on the basis of subject examinations, Western State College follows (approximately) the recommendations of the Council on College-Level Examinations. This means that credit is awarded on the basis of a scaled score of 50, which is approximately at the 50th percentile.
  - b. For a list of subjects and courses awarded CLEP credit, contact the Learning Assistance Center (943-7056). Total credit generally permitted under CLEP and other programs leading to credit by examination for any one student is limited to 40 semester hours. Exceptional cases may be appealed.  
Students transferring CLEP credits from another institution will be notified by the Evaluations Office (located in Admissions) about how they will fulfill requirements at Western State College of Colorado.

## **ADVANCED PLACEMENT**

The College recognizes that each year a number of outstanding high school seniors hope to accelerate their academic programs by taking one or more subjects which cover the material and are taught at the college level.

Western State College offers advanced placement opportunities, including credit, in the following areas of instruction: art, biology, chemistry, English, French, history, mathematics, physics, Spanish and studio art. A student may obtain credit in a maximum of three of these academic areas by achieving satisfactory scores on advanced placement tests.

For further details regarding science, check with the Evaluations Office (located in Admissions).

## **TRANSCRIPTS**

Official transcripts of academic work done at the College may be obtained from the Registrar's Office with a written request. No charge is made for the first transcript, but \$2.00 is charged for each additional transcript. Diplomas and transcripts will not be released if a student owes any outstanding debts to the College.