

**Adventist University of Health Sciences**  
**Denver Campus**  
**Annual Security Report**  
**October 1, 2015**

**INTRODUCTION**

Adventist University of Health Sciences (ADU) home campus is located in Orlando, and is currently offering degrees in Radiography, Sonography, and Nursing through the distance education modality using Polycom technology in Denver, CO. There is a small physical location with five classrooms and offices to facilitate the education and management of the Denver campus. The classroom and office area are leased by Fleisher, Smyth, and Brokaw, and operated by Porter Hospital. Security of this area is provided by the Porter hospital security department.

Adventist University of Health Sciences prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The annual security report for the Denver campus is produced by the Vice President for Student Services in conjunction with the Campus Security, the ADU compliance officer, ADU Health, Safety committees, and local law enforcement. The annual security report is generated from data contained in the campus incident reports and local law enforcement records which are submitted to the office of the Vice President for Student Services. The annual security report is disclosed annually on the secure student website and on the public University website. All current students and employees are advised of its availability by e-mail notification. Prospective students and employees also are advised of its availability and are given a copy if requested.

**CAMPUS SECURITY ORGANIZATION**

The University Security Department reports to the Vice President for Student Services. The University has grown in scope so as to require an expanded committee structure. The University currently has three committees which deal with various aspects of campus safety and security. These committees are the Health Committee, Safety/Security Committee, and Emergency Response Committee. The Security Department has representation on all three committees. All three committee's vote and make recommendations to Presidents Council through the Operational Policy Committee relative to policy and procedural changes.

The Denver campus security officer does not possess the authority to arrest individuals but they do work closely with local law enforcement when a crime is committed on the property. The Campus Security officer is on duty during the Denver campus normal business hours: 8:00am-4:30pm Monday through Thursday, and 8:00am-3:00pm on Friday. Currently, there is no memorandum of agreement with the Denver Police Department for the investigation of crimes alleged to have occurred on campus; however, the University Security Department continues to build and maintain strong relationships with the city and state law enforcement agencies. Prosecution of criminal offenses is conducted by the appropriate court systems.

Denver campus security officers patrol the entire campus geography daily. The geographical jurisdiction and patrolling area of the ADU's security officers is as follows:

*Main Campus:*

Adventist University Denver Campus is located at:

Porter Medical Office Buildings  
950 East Harvard Avenue, Suite 224  
Denver, CO 80210

The Clery geography is defined by the Ogden Street to the West and the main parking lot entrance to the East. (approximately 100 yards from Ogden Street) The North side of the Harvard building is occupied by an additional medical building, while the South side is a student and visitor parking area.

## **CURRENT POLICIES AND PRACTICES**

### **General Security Communication Procedures:**

Students are provided with direct telephone numbers for the University campus security as well as the Florida Hospital security dispatch for reporting or assisting in any campus security or safety issues. Students are instructed to report a crime, potential criminal activity, or a safety concern to campus security officers or other campus security authorities as follows:

Porter Hospital Security	303-603-3090
Denver Campus Administrator	303-765-6271
Orlando Campus Security Director	407-353-4002
Denver Compliance Deputy	303-765-6271
Senior Vice President for Student Services	407-303-8016

\*Numbers are printed on the back of required student ID cards.

Following any safety or security incident, students, faculty, or staff involved are required to fill out an incident report and submit it to the Denver Campus Administrator. Students also may report a crime to any Denver faculty or staff member who will be able to assist in the reporting of the crime and submission of the incident report. Denver faculty and staff members are trained annually on the protocols for filing incident reports.

### **Reporting of Crimes**

All students, faculty, staff and visitors are strongly encouraged to report all crimes and public safety incidents to Porter Hospital Security department at 303-603-3090. The Porter Hospital Security Department will assist the student, faculty, staff or visitor in filing an official incident report. These reports are tallied annually and the required crimes are reported in the annual safety report.

### **Confidential Crime Reporting**

The ADU Security department encourages anyone who is a victim or witness to a crime to report this crime to the appropriate law enforcement entity. Because police reports are public record, the decision to file a police report is a decision left to victim or witness. ADU encourages victims or witnesses to report all crimes to the University security department. Students can remain anonymous and make a confidential report. The purpose of a confidential report is to comply with the students wish while also

taking steps to ensure the future safety of the student and other campus community members. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to the potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for Adventist University.

## **Emergency Notification Procedures**

In the event of a significant emergency or dangerous situation (on-or-off campus) involving an immediate threat to the health or safety of students or employees, a decision relative to an emergency notification will be made. This determination will be made without delay, taking into account the safety of the campus community. The institutions administration will make a decision relative to the appropriate information to disseminate and will initiate the appropriate notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The decision to notify will be made by the Denver Campus Administrator as well as the Vice President for Student Services, and/or their designee. The office of the Vice President for Student Services will initiate the emergency notification through EverBridge (the emergency notification system) and the University website. The EverBridge mass notification system disseminates information and alerts to students, faculty, and staff via home phone, cell phone, office phone, text message, and e-mails. Additionally, the system records confirmations of message delivery through a touch-tone, text-based, or e-mail response method.

### *Segmentation of Notifications:*

In the event of a serious threat to a specific campus the Emergency Notification system has been setup to communicate with the Denver campus population individually. The decision of who to communicate with is determined by the ADU Security personnel, Denver Administrator, the Vice President for Student Services, and or their designee.

### *Message Content:*

The content of any outgoing emergency message is determined by the ADU Security, Denver Administrator, and the Vice President for Student Services who may also seek advice of other members of senior administration before sending a message.

### *Message Initiation:*

An emergency message can be initiated by any member of the Universities Security Department, Denver Administrator, the Vice President for Student Services, the SS Executive assistant, and the Vice President for Operations. These members are given annual training and rights to the various mass communication systems on campus.

### *Communication to the larger community:*

All information concerning an emergency situation will be released to the larger community from the office of the president or his designee through scheduled general media statements, the official University Website and various University Social Media sites.

### **Evacuation Procedures**

Upon the confirmation of a significant emergency or dangerous situation involving an immediate threat, all affected areas of campus will be evacuated or directed to designated safe areas. If evacuation is not possible or deemed unsafe, other safety plans will be implemented (such as campus lock down, predetermined department specific safety plans etc.) as outlined in the Denver Safety and Security Manual.

### **Confirmation of Significant Emergency or Immediate Threat:**

Confirmation of the event will be determined by ADU administration through the official communication channels currently established with campus security. In the event of a community emergency, local law enforcement or news affiliates will be contacted, if deemed appropriate.

### **Timely Warnings**

Adventist University Denver Campus will issue timely warnings when a crime(s) has been reported and, in the opinion of the Porter Hospital Security Department, Denver Administrator, and Adventist University Senior Administration, constitutes a serious or continuing threat to campus community members. The warnings will be issued through the University's Everbridge Emergency notification system, and Adventist University will issue the appropriate follow-ups as more information becomes available. Anyone with information about a threat warranting a timely warning is encouraged to report that information to the Security Department.

### **Automated External Defibrillators (AED)**

The Denver campus is outfitted with automated external defibrillators (AED) for use in case of emergencies. The AED's are tested monthly by the Denver Administrator, and batteries are replaced per manufacturer recommendations every two years.

### **Emergency Procedure Testing**

During the course of one academic year the following emergency preparedness procedures are performed:

- 1) Testing of the Emergency Notification system (September, January)
- 2) Announced or Unannounced full campus fire evacuation (annually)
- 3) Review and assessment of the above activities by the University Safety and Security Committee

Each test is documented with a description, the date, and time that it was conducted. In addition, the University's emergency response and evacuation procedures are publicized to students and employees in conjunction with at least one test per calendar year.

## **ACCESS**

### **General Campus**

During regular business hours, all campus buildings are accessible to students, faculty, staff, invitees, and the interested public. The University requires all student, faculty, staff, invitees, and interested public to display permanent identification or visitor identification at all times. All current students and full-time faculty and staff are required to possess and display their permanent University-issued identification badges. Students, faculty, and staff that fail to provide the aforementioned identification badges are denied access to the University campus until identification is presented or a replacement identification badge is obtained. After business hours, campus buildings are accessible to authorized individuals by key, slide card or Porter Hospital security.

### **Maintenance/Safety**

Campus safety issues reported by Denver Administration, faculty, or staff, are logged in the Security Log Book by the Denver campus Administrator.

Denver campus maintenance or safety requests submitted by faculty, staff, or students are submitted to Fleisher, Smyth, and Brokaw.

The Campus Security office is trained to report any safety and security issues observed during their normal security rounds such as lights that need replacement, hazardous placement of equipment, and potentially dangerous situations (i.e. wet floors, constructions sites, etc.).

### **Counselors**

The University provides counseling, both pastoral and with licensed mental-health counselors. The counselors abide by the confidentiality laws dictated by their professional organizations. When deemed appropriate by the counselors, a client will be encouraged to provide information regarding any criminal activity to the University. This information can be provided anonymously, and the purpose is to track the crime for reporting purposes and to ensure that Adventist University can take steps to protect other campus community members.

## **EDUCATIONAL PROGRAMS ON SECURITY AWARENESS AND CRIME PREVENTION**

Security awareness and crime prevention are presented at the various departmental student orientations that take place at the beginning of every trimester. In addition to addressing safety and security in various venues throughout the school year, the Campus Security Department provides an annual fall (October) week of general and campus safety emphasis to the Denver campus via Polycom. This week of emphasis provides opportunities for students, faculty, and staff to engage in various safety conversations and training. The conversation and training focuses on specific campus safety procedures and practices (Campus Fire, campus lockdown, inclement weather etc.) while also focusing on how these specific procedures and practices can be applied to the students' personal safety. Additional general and campus specific safety and security resources are available throughout the week and the remainder of the school year both in print and electronic form. Additionally, the University has recently embarked on a "Know Your Neighbor" campaign aimed at promoting campus awareness to recognize and report unidentifiable persons on campus. This campaign and most security awareness campaigns

have been focused on making students, faculty, and staff aware of their responsibility to ensure security for themselves and others.

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report of the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### **Behavioral Intervention Team (BIT)**

In 2013, Adventist University formed a behavioral intervention team, which operates as an additional line of defense in identifying potential behavioral issues on campus. The University is a member of the National Behavioral Intervention Team Association (NABITA).

### **PREVENTING AND RESPONDING TO VARIOUS SEX-RELATED OFFENSES**

Consistent with the requirements of Title IX of the Education Amendments of 1972 and the Clery Act as amended by reauthorization of the Violence Against Women Act, Adventist University prohibits discrimination based on sex in its educational programs and activities, including sexual harassment. This includes a prohibition against acts of domestic violence, dating violence, sexual violence/assault and stalking. A full statement of the University's Title IX policy and the procedures related to it may be found at: [https://my.adu.edu/sites/default/files/ADU Title IX Policy 0.pdf](https://my.adu.edu/sites/default/files/ADU_Title_IX_Policy_0.pdf)

In addition, the University prohibits any retaliation, intimidation, threats, coercion or any other form of discrimination against any persons exercising their rights or responsibilities under the Clery Act or the policies and procedures set forth herein.

### **Educational Programs**

The University has various programs to educate students and employees about awareness of such offenses and steps that can be taken to prevent them.

The University's Primary Prevention and Awareness Program focuses on all incoming students and new employees. This program includes a face-to-face component as well as an online component. Initially, all new applicants to ADU are required to successfully complete an online training module dealing with the prevention of dating violence, domestic violence, sexual assault and stalking, the procedures one should take if he or she becomes a victim of such an offense, and the procedures the University will take once such an offense has been reported. The new student is also required to attend a synchronous online (via Polycom) student orientation where again these topics will be presented. The online training and new student orientations are offered for all three trimesters (Fall, Winter, Summer).

The Primary Prevention and Awareness Program also includes instruction on safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene where there is a risk of domestic violence, dating violence, sexual assault or stalking against a person other than such individual. It also includes information on risk reduction, such as warning signs of abusive behavior and how to avoid potential attacks.

In addition, the University has an Ongoing Prevention and Awareness Campaign for students and faculty. This campaign serves as a refresher for the topics addressed in the Primary Prevention and Awareness Program. It is conducted by means of separate student and employee online trainings. Students are required to complete their course prior to registering for the Spring 2016 Trimester and annually thereafter. Faculty and Staff are required to complete their training as terms of employment. In addition to the online training, there is one faculty staff meeting that is dedicated to this topic annually; this training meeting re-emphasizes the ADU policies and procedures relative to dating violence, domestic violence, stalking and sexual assault. All course syllabuses have a required (identical) section that informs and reminds students of their rights and procedures in reporting any incident of dating violence, domestic violence, stalking or sexual assault.

For purposes of this training, the University uses definitions of these crimes and other terms as contained in Colorado law. They are:

**Definitions - [Note the definition of "Consent"] C.R.S. 18-3-401.**

As used in this part 4, unless the context otherwise requires:

(1) "Actor" means the person accused of a sexual offense pursuant to this part 4.

(1.5) "**Consent**" means cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent under the provisions of this part 4. Submission under the influence of fear shall not constitute consent. Nothing in this definition shall be construed to affect the admissibility of evidence or the burden of proof in regard to the issue of consent under this part 4.

(2) "Intimate parts" means the external genitalia or the perineum or the anus or the buttocks or the pubes or the breast of any person.

(3) "Physically helpless" means unconscious, asleep, or otherwise unable to indicate willingness to act.

(4) "Sexual contact" means the knowing touching of the victim's intimate parts by the actor, or of the actor's intimate parts by the victim, or the knowing touching of the clothing covering the immediate area of the victim's or actor's intimate parts if that sexual contact is for the purposes of sexual arousal, gratification, or abuse.

(5) "Sexual intrusion" means any intrusion, however slight, by any object or any part of a person's body, except the mouth, tongue, or penis, into the genital or anal opening of another person's body if that sexual intrusion can reasonably be construed as being for the purposes of sexual arousal, gratification, or abuse.

(6) "Sexual penetration" means sexual intercourse, cunnilingus, fellatio, anilingus, or anal intercourse. Emission need not be proved as an element of any sexual penetration. Any penetration, however slight, is sufficient to complete the crime.

(7) "Victim" means the person alleging to have been subjected to a criminal sexual assault.

**Sexual Assault - C.R.S. 18-3-402.**

Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

1. The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or
2. The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
3. The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
4. At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
5. The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

**Domestic Violence - C.R.S 18-6-800.3.**

As used in this part 8, unless the context otherwise requires:

(1) "Domestic violence" means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

(2) "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

**Stalking - C.R.S. 18-3-602.**

(1) A person commits stalking if directly, or indirectly through another person, the person knowingly:

(a) Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or

(b) Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or

(c) Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with

whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

(2) For the purposes of this part 6:

(a) Conduct "in connection with" a credible threat means acts that further, advance, promote, or have a continuity of purpose, and may occur before, during, or after the credible threat.

(b) "Credible threat" means a threat, physical action, or repeated conduct that would cause a reasonable person to be in fear for the person's safety or the safety of his or her immediate family or of someone with whom the person has or has had a continuing relationship. The threat need not be directly expressed if the totality of the conduct would cause a reasonable person such fear.

(c) "Immediate family" includes the person's spouse and the person's parent, grandparent, sibling, or child.

(d) "Repeated" or "repeatedly" means on more than one occasion.

### **Dating Violence**

Colorado law does not have a separate definition of "dating violence." However, for purposes of these policies and for reporting crime statistics, the University uses the definition contained in the Violence Against Women Act. See the definitions of crimes at page 10 or the VAWA definition of "dating violence."

### **Restraining Orders**

Any student or employee who has a restraining order, order of protection, no contact order or any other such order issued by any court or the University against another individual (whether or not that individual is also a student or employee of the University) is highly encouraged to notify the Denver campus Administrator of the threat and to provide a copy of the restraining order so that it can be kept on file with the Security Department and can be enforced, if necessary.

### **Procedures to Follow if You are a Victim of a Sex Offense**

If you are a victim of a sexual assault, dating violence, domestic violence or stalking, go to a safe place and call 911 or Porter Hospital Security at 303-603-3090. You should also contact the University's Title IX Deputy, Karen Ordelleide at 303-765-6271 or [Karen.ordelleide@adu.edu](mailto:Karen.ordelleide@adu.edu) (Denver, CO). The University will do its best to protect the confidentiality of victims. This includes maintaining any publicly available recordkeeping without the inclusion of identifying information about the victim to the extent permitted by law.

Upon receiving a report of an offense, victims will be notified in writing of the procedures to follow. This notification will include:

- The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or that may be helpful in obtaining a protection order. This includes:
  - Not removing clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
  - Not bathing or washing or otherwise cleaning the environment in which the assault occurred.
  - Preserving any electronic communications, especially in an instance of stalking.

Options for pressing charges can be deferred, if you will go to the local hospital emergency room and ask for an exam and for evidence of the sexual assault to be collected and sealed.

- To whom and how the alleged offense should be reported;
- The following options regarding notification to law enforcement:
  - Option to notify either campus security or local law enforcement;
  - Option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses; or
  - Option to decline to notify such authorities.
- Where applicable, the rights of victims and the Universities responsibilities regarding orders or protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court.

### **Available Victim Services**

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration, and other services available to them, both within the University and in the surrounding community.

Denver on-campus services include pastoral and online mental health counseling. Denver currently has an off-campus service, Blue Bench, which is a comprehensive sexual assault prevention and support center. <http://thebluebench.org>

The University will provide written notification to victims about options for and available assistance in, changing academic, living, transportation, and working situations. If victims request these accommodations and they are reasonably available they will be provided, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. The University will keep information about these accommodations and any protective measures confidential to the extent that maintaining confidentiality would not impair the institution's ability to provide them.

### **Procedures for Disciplinary Action**

I. **ALLEGATIONS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT OR STALKING WILL BE PROCESSED IN ACCORDANCE WITH THE FOLLOWING INVESTIGATION AND RESOLUTION POLICY**

A. **Commencement of the Investigation**

Once a complaint is made, the Investigating Officer will commence an investigation of it as soon as practicable, but not later than seven (7) days after the complaint is made. The purpose of the investigation is to determine whether it is more likely than not that an offense of dating violence, domestic violence, stalking or sexual assault occurred. During the course of the investigation, the Investigating Officer may receive counsel from University administrators, the University's attorneys, or other parties as needed.

In certain narrow circumstances, the Investigating Officer may commence an investigation even if the complainant requests that the matter not be pursued. In such a circumstance, the Investigating Officer will take all reasonable steps to investigate and respond to the matter in a manner that is informed by the complainant's articulated concerns.

B. **Content of the Investigation**

During the investigation, the complainant will have the opportunity to describe his or her allegations and present supporting witnesses or other evidence. The respondent will have the opportunity to respond to the allegations and present supporting witnesses or other evidence. The Investigating Officer will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. All parties and witnesses involved in the investigation are expected to cooperate and provide complete and truthful information.

C. **Support Person**

During the investigation process, both a complainant and a respondent may ask a support person to accompany him or her at all stages of the process. In cases involving multiple complainants or respondents, the support person cannot be another complainant or respondent. The support person does not serve as an advocate on behalf of the complainant or respondent, may not be actively involved in any proceedings, and he or she must agree to maintain the confidentiality of the process.

D. **Interim Measures**

At any time during the investigation, the Investigating Officer may determine that interim remedies or protections for the parties involved or witnesses are appropriate. These interim remedies may include separating the parties, placing limitations on contact between the parties, suspension, or making alternative class-placement or workplace arrangements. Failure to comply

with the terms of these interim remedies or protections may constitute a separate violation of this Policy.

**E. Pending Criminal Investigation**

Instances of dating violence, domestic violence, stalking or sexual assault may also constitute criminal conduct. In such instances, the complainant is also encouraged to file a report with the appropriate law enforcement authorities and, if requested, the University will assist the complainant in doing so. The pendency of a criminal investigation, however, does not relieve the University of its responsibilities under this policy or its Title IX policy. Therefore, to the extent doing so does not interfere with any criminal investigation, the University will proceed with its own investigation and resolution of the complaint.

**F. Resolution**

At the conclusion of the investigation, the Investigating Officer will prepare a written report. The written report will explain the scope of the investigation, identify findings of fact, and state whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence.

If the written report determines that the alleged offense occurred, the Investigating Officer shall set forth in an addendum to the written report those steps necessary to remedy the effects of the offense and to protect the safety and well-being of the complainant and other members of the University community. Such actions will also include reasonable steps to correct the effects of such conduct on the complainant and others and to prevent the recurrence of such offenses and any retaliation against those exercising their rights or responsibilities under the Clery Act. Examples of such action include: no-contact orders, classroom reassignment, the provision of counseling or other support services, training, and discipline for the perpetrator, including up to termination, expulsion, or other appropriate institutional sanctions.

The complainant and the respondent will receive a copy of the written report and any addendum within three (3) days of its completion. If necessary, the version of the addendum provided to the complainant and/or respondent will be redacted to ensure that information concerning any remedial and/or disciplinary measures is disclosed in a manner consistent with Title IX, the Family Educational Rights and Privacy Act ("FERPA"), and the Clery Act, as explained by the April 4, 2011 Dear Colleague Letter issued by the U.S. Department of Education, available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf>.

The written report of the Investigating Officer shall be final subject only to the right of appeal set forth in Section III below.

**G. Special Procedure Concerning Complaints Against The President, The Title IX Coordinator, Deputy Title IX Coordinator, Or Any University Official Outranking The Title IX Coordinator Or Deputy Title IX Coordinator**

If a complaint involves alleged conduct on the part of the University President, the University Board of Trustees will designate the Investigating Officer. Based on the information gathered by the investigation, the University Board of Trustees will prepare and issue the written report determining the complaint. The determination of the University Board of Trustees is final and not subject to appeal.

If a complaint involves alleged conduct on the part of the Title IX Coordinator, Deputy Title IX Coordinator, or a University official who outranks the Title IX Coordinator or Deputy Title IX Coordinator, the University President will designate the Investigating Officer. Based on the information gathered by the investigation, the University President will prepare and issue the written report determining the complaint. The determination of the University President is final and not subject to appeal.

**H. Informal Resolution**

Informal means of resolution, such as mediation, may be used in lieu of the formal investigation and determination procedure. However, informal means may only be used with the complainant's voluntary cooperation and the involvement of the Title IX Coordinator or Deputy Title IX Coordinator. The complainant, however, will not be required to work out the problem directly with the respondent. Moreover, the complainant may terminate any such informal means at any time. In any event, informal means, even on a voluntary basis, will not be used to resolve complaints alleging any form of Sexual Violence/Assault.

**I. Timing Of the Investigation**

The University will endeavor to conclude its investigation and resolution of the complaint within sixty (60) calendar days of receiving it. Any extension of time frames specified herein will only be for good cause and the complainant and the respondent will be given written notice of the delay and the reason for it. If either the complainant or respondent needs additional time to prepare or to gather their witnesses or information, they shall notify the Investigating Officer in writing explaining how much additional time is needed and why it is needed. The Investigating Officer shall respond to any such request within three (3) days.

**II. RIGHTS OF THE PARTIES**

During the investigation and resolution of a complaint, the complainant and respondent shall have equal rights. They include:

- A prompt, fair and impartial investigation and resolution.
- A hearing conducted by officials who have no conflict of interest or bias for or against the complainant or the respondent and who, at a minimum, receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- The same opportunities to have others present during any disciplinary hearing, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The University may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
- Have the outcome determined by a preponderance-of-the-evidence standard based on the totality of the evidence presented.
- Simultaneous, written notification of the outcome of the proceeding, any procedures for either party to appeal the result, any change to the result and when the result becomes final.

### **III. APPEALS**

#### **A. Grounds of Appeal**

The complainant or respondent may appeal the determination of a complaint only on the following grounds:

- The decision was contrary to the substantial weight of the evidence
- There is a substantial likelihood that newly discovered information, not available at the time evidence was presented to the Investigating Officer, would result in a different decision
- Bias or prejudice on the part of the Investigating Officer, or
- The punishment or the corrective action imposed is disproportionate to the offense

#### **B. Method of Appeal**

Appeals must be filed with the President within ten (10) days of receipt of the written report determining the outcome of the complaint. The appeal must be in writing and contain the following:

- Name of the complainant
- Name of the respondent
- A statement of the determination of the complaint, including corrective action if any

- A detailed statement of the basis for the appeal including the specific facts, circumstances, and argument in support of it, and
- Requested action, if any.

The appellant may request a meeting with the President but the decision to grant a meeting is within the President's discretion. However, if a meeting is granted, then the other party will be granted a similar opportunity.

#### **IV. RESOLUTION OF THE APPEAL**

The President will resolve the appeal within fifteen (15) days of receiving it and may take any and all actions that he/she determines to be in the interest of a fair and just decision. The decision of the President is final. The President shall issue a short and plain, written statement of the resolution of the appeal, including any changes made to the Investigating Officer's previous written determination. The written statement shall be provided simultaneously to the complainant, respondent, and the Title IX Coordinator and/or Deputy Title IX Coordinator within three (3) days of the resolution.

#### **V. DOCUMENTATION**

Throughout all stages of the investigation, resolution, and appeal, the Investigating Officer, the Title IX Coordinator and/or Deputy Title IX Coordinator, and the President, as the case may be, are responsible for maintaining documentation of the investigation and appeal, including documentation of all proceedings conducted under these complaint resolution procedures, which may include written findings of fact, transcripts, and audio recordings.

#### **VI. INTERSECTION WITH OTHER PROCEDURES**

These complaint resolution procedures are the exclusive means of resolving complaints alleging violations of the University's policy prohibiting dating violence, domestic violence, stalking and sexual assault. To the extent there are any inconsistencies between these complaint resolution procedures and other University grievance, complaint, or discipline procedures, these complaint resolution procedures will control the resolution of complaints alleging these violations.

#### **Possible Sanctions or Protective Orders for Domestic Violence, Dating Violence, Sexual Assault or Stalking Offenses**

Following a final determination in the University's disciplinary proceeding that one of the above offenses has been committed, the University may impose a penalty based on the mitigating and aggravating circumstances involved. The possible sanctions include

##### *1. Restitution*

Students are required to compensate the University or other persons for damages, injuries, or losses. Failure to comply could result in suspension or dismissal.

##### *2. Probation*

There may be specific restrictions or extra requirements placed on the student for a specified period. These may vary with each case and may include action not academically restrictive in nature, such as restriction from participation in University activities or other requirements. Disciplinary action should be consistent with the philosophy of providing constructive learning experiences as a part of the probation. A student may be required to meet periodically with designated persons. Any further misconduct on the student's part during the period of probation may result in disciplinary suspension or dismissal.

*3. University Suspension*

Suspension prohibits the student from attending the University. It prohibits the student from being present on specified University owned, leased, or controlled property without permission for a specified period of time. Students placed on University disciplinary suspension must comply with all suspension requirements. A student seeking to attend the University after the conclusion of his or her suspension may apply for readmission to the University.

*4. University Dismissal*

Dismissal permanently prohibits the student from attending classes at the University and permanently prohibits the student from re-enrolling at the University. Dismissal also prohibits the student from being present on specified University owned, leased, or controlled property without permission.

*5. Loss of Employment*

Termination of an employee prohibits the faculty or staff member from being employed by Adventist University. In addition, it also prohibits the terminated employee from being present on a University owned, leased, or controlled property without permission.

In addition, the University may impose a protective order in behalf of the victim following a determination that an offense of domestic violence, dating violence, sexual assault or stalking has occurred. These orders could range from:

*1. Communication Order*

Prohibition of various kinds of communication and/or contact with the victim.

*2. Course Restriction/Restructure Order*

A prohibition from attending certain classes and clinicals with the victim should the proximity be such that contact with the victim is likely. (All efforts will be made to place the accused into another course section).

*3. Proximity Restriction Order*

A restriction that would impose a pre-determined amount of space to be kept between the victim and the accused.

*4. Campus Restriction Order*

A prohibition that would allow for only one party to be on the campus at a given time.

**Victims to Receive Written Notification of Rights**

When a student or employee reports to the University that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, the

University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

### **OFF-CAMPUS SCHOOL-SPONSORED EVENTS**

All official off-campus school-sponsored events are accompanied by an official employee(s) of Adventist University of Health Sciences. Any crimes committed by or against students, staff, or faculty at said events, are reported via a Campus Incident Report.

### **OFF-CAMPUS CRIMINAL ACTIVITY**

Off-campus criminal activity of ADU students is monitored and recorded by the appropriate local, state, or federal authorities. Certain criminal activity, however, can result in disciplinary action by the institution or render a student ineligible for certain courses of study (i.e. Nursing, Allied Health) due to regulations set forth by the licensing agencies. There are no officially recognized student organizations with off-campus locations.

### **REGISTERED SEX OFFENDER INFORMATION**

The Colorado Bureau of Investigation maintains a list of sexual offenders and predators in the state of Florida. That information may be obtained by visiting the following web site:  
<https://www.colorado.gov/apps/cdps/sor/>

### **CRIMES**

The types of crimes reported in this Annual Security Report are defined as follows: (those in italics) are defined in accordance with the definitions Federal Bureau of Investigations' (FBI) Uniform Crime Reporting Handbook.

**Murder and Non-negligent Manslaughter** is defined as *the willful (non-negligent) killing of one human being by another.*

**Negligent Manslaughter** is defined as *the killing of another person through gross negligence. (Gross negligence is the intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another.)*

**Forcible Rape** is *the carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.*

**Forcible Sodomy** is *oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.*

**Sexual Assault With an Object** is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, handgun, stick, etc.

**Forcible Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

**Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Robbery** is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary** is the unlawful entry of a structure to commit a felony or a theft. (**Structure**, which is defined as having four walls, a roof, and a door)

**Motor Vehicle Theft** is the theft or attempted theft of a motor vehicle.

**Arson** is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Dating Violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship would be determined based on the length of the relationship the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence** is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Sexual Assault** is an offense that meets the definition of rape, fondling, incest or statutory rape.

**Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

**Hate crime** is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. **Bias** is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin.

**Any of the above crimes are also reported as a hate crime if motivated by one of these biases. The following four offenses are only reported if they are found to have the elements of a hate crime.**

- 1) **Larceny-Theft** is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.) **Constructive possession** is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
- 2) **Simple Assault** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- 3) **Intimidation** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- 4) **Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### **Alcohol, drug and weapons violations**

These offenses are categorized by those involving arrests and those referred for disciplinary action. The definitions that follow apply to the collection of statistics for these offenses.

**Arrest** for Clery Act purposes is defined as persons processed by arrest, citation or summons.

**Referred for disciplinary action** is defined as the referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**Weapons: Carrying, Possessing, Etc.,** is defined as *the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.*

**Drug Abuse Violations** are defined as: *the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use; the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance; and arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.*

**Liquor Law Violations** are defined as *the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.*

### Crime Statistics for ADU

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	12	0	0	0
	13	0	0	0
	14	0	0	0
NEGLIGENT MANSLAUGHTER	12	0	0	0
	13	0	0	0
	14	0	0	0
SEX OFFENSES, FORCIBLE	12	0	0	0
	13	0	0	0
	14	0	0	0
SEX OFFENSES, NON-FORCIBLE	12	0	0	0
	13	0	0	0
	14	0	0	0
ROBBERY	12	0	0	0
	13	0	0	0
	14	0	0	0

AGGRAVATED ASSAULT	12	0	0	0
	13	0	0	0
	14	0	0	0
BURGLARY	12	0	0	0
	13	0	0	0
	14	0	0	0
MOTOR VEHICLE THEFT	12	0	0	0
	13	0	0	0
	14	0	0	0
ARSON	12	0	0	0
	13	0	0	0
	14	0	0	0
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	12	0	0	0
	13	0	0	0
	14	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	12	0	0	0
	13	0	0	0
	14	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	12	0	0	0
	13	0	0	0
	14	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	12	0	0	0
	13	0	0	0
	14	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	12	0	0	0
	13	0	0	0
	14	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	12	0	0	0
	13	0	0	0

	14	0	0	0
DOMESTIC VIOLENCE	12*	-	-	-
	13*	-	-	-
	14	-	-	-
DATING VIOLENCE	12*	-	-	-
	13*	-	-	-
	14	-	-	-
STALKING	12*	-	-	-
	13*	-	-	-
	14	-	-	-

**Hate Crimes:** There were no hate crimes reported for the years 2012, 2013, or 2014.

\*These statistics were not required to be reported in these years.

## DRUG POLICY

Adventist University of Health Sciences is committed to providing a drug-free learning environment. The manufacture, distribution, possession, sale or use of illegal drugs and drug paraphernalia is strictly prohibited. In addition, the intentional misuse of prescription drugs is considered an infraction of this drug and alcohol policy. By enrolling at ADU, all students agree to submit to random drug testing. In addition, Adventist University students and their possessions are subject to search and surveillance at all times while on University property.

All students enrolled at ADU are expected to remain drug free. If at any time a faculty, staff, or administration person has reasonable suspicion or evidence of drug use by a student, he or she may request that a drug and alcohol screening be performed on the student. All random drug tests requested by ADU will be performed at a location and time determined by Adventist University's Denver campus. Refusal to submit to a drug and/or alcohol test is presumed to be a positive result, and the refusal will be handled in the same manner as any other positive test results.

In addition to the ADU drug and alcohol policy, students enrolled in clinical professional programs are also held to the drug and alcohol standards of their appropriate professional organizations and the healthcare facilities in which they perform clinical services. It is customary for clinical sites to request a drug test prior to a student's beginning his or her clinical rotation, and students must adhere to such request. If at any time during a student's clinical experience a clinical faculty or supervising facility has reasonable suspicion or evidence of illegal or inappropriate drug use, the student will be subject to the disciplinary actions outlined by the respective clinical facility, as well as disciplinary actions by Adventist University.

## **Policy Statements on Alcohol, Legally Obtained Substances, Illicit Drugs, and Tobacco Alcohol-Free Campus**

### *Illicit Drugs Defined:*

*Illegal drugs include such substances as opium derivatives, hallucinogens (e.g., marijuana, mescaline, peyote, LSD, psilocybin), cocaine, amphetamines, ecstasy, ketamine, codeine, heroin, morphine, and other drugs prohibited by law. This definition does not include lawfully prescribed drugs that are being taken under a physician's care.*

### **Legally Obtained Substances**

The use or misuse of any legally obtained substance to render oneself intoxicated or in a state of euphoria is strictly prohibited. Students found under the influence, using, manufacturing, selling or distributing said substances for this purpose will face disciplinary actions up to and including permanent dismissal.

*Legally obtained substances are defined as natural or manufactured substances that can be obtained legally and without a prescription and when misused will render the users intoxicated. Examples are: over-the-counter medicines, bath salts, synthetic drugs, aerosols, cocktails of natural plants.*

Adventist University will report to local, state, and federal authorities, any drug or alcohol incidents that are in violation of state and federal laws as outlined in the *Student Handbook*.

### **Alcohol-Free Campus**

Adventist University is committed to providing a learning environment that is focused on student success and safety. Adventist University believes that the use of alcohol is counterproductive to a successful and safe environment. Therefore, the possession, use, or being under the influence of alcoholic products on any Adventist University property or during any University event is strictly prohibited. Failure to abide by the stated policy will result in disciplinary actions.

### **Underage Alcohol Policy (Sale, Possession and Use)**

Students found to be providing any underage person (student) alcoholic beverages will be subject to University disciplinary action and to the Colorado civil penalties. Any underage person (student) who is in possession and or engages in misrepresentation of age to obtain alcohol will be subject to University disciplinary action and to the Colorado civil penalties outlined below.

ADU provides drug and alcohol abuse education programs that include information on the penalties that can be imposed under state and federal law for violating their drug and alcohol laws and information on the effects of drug and alcohol abuse on the body. They include:

- 1) Physical, printed information can be obtained at the Denver campus student lounge or by request from the Campus Administrator. Online training can be found on the ADU website at: <https://my.adu.edu/college-services/center-academic-achievement/counseling>
- 2) Counseling services for substance abuse issues.  
Information on counseling services can be found on the ADU website at: [www.adu.edu/academics/centerforacademicachievement](http://www.adu.edu/academics/centerforacademicachievement)
- 3) Referral services for students needing additional assistance.

Information on referral services can be found at the Center for Academic Achievement or by contacting the Counseling Center. Contact information for the center is found at: [www.adu.edu/academics/centerforacademicachievement](http://www.adu.edu/academics/centerforacademicachievement)

- 4) Annual free drug and alcohol screening day.

Information can be found at: <https://my.adu.edu/college-services/center-academic-achievement/counseling>

A full statement of the University's drug and alcohol policy as required by Section 120(a) through (d) of the Higher Education Act can be found at: <https://my.adu.edu/university-services/new-student-orientation-resources>

### **Tobacco-Free Campus**

Adventist University of Health Sciences (ADU) is committed to the principles of health and healing. Tobacco-related illnesses are a major cause of preventable disease and death. Because of this, Adventist University of Health Sciences is a tobacco-free environment. The use of tobacco in any form on the University campus or during any school-sponsored activity or event is prohibited; this includes the use of electronic cigarettes.