

# **Annual Security Report**

## **Campus Safety 2022-2024**

**Apex College of Veterinary Technology**

## Introduction

Thank you for taking time to read Apex College of Veterinary Technology's Annual Campus Safety and Fire Safety Report issued by the Campus Safety Officer. This report details the policies and procedures that Apex College of Veterinary Technology uses to deter and respond to crime on campus, and the systems and educational components related to fire safety. You will also find suggestions on how you can increase your own safety. This Report includes information from the last three calendar years as required by the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (also referred to as the "Clery Act"), and the Violence Against Women Reauthorization Act of 2013 (also referred to as the "VAWA"), which, among other things, amended the Clery Act to require statistics and other information related to dating violence, domestic violence, sexual assault and stalking.

All members of the Apex College of Veterinary Technology community serve an important role in striving to maintain a safe and secure learning environment. Our combined efforts in personal, public, and fire safety and security help in our goal of striving to provide a safe and secure environment for the educational mission of Apex College of Veterinary Technology to take place. Without each community member's effort, the quality of campus life would be diminished.

Like other smaller occupational colleges, Apex College of Veterinary Technology has been less susceptible to the kinds of violent crimes that are more prevalent in larger metropolitan areas and at larger colleges and universities. However, the risks associated with being in the heart of a city of more than 500,00 people are real and multiple; therefore, campus safety is an ongoing priority for Apex College of Veterinary Technology. No campus can be a sanctuary from the "real world" issues of society. No institution can guarantee that it will be completely free from crime; such a level of absolute protection is unavailable anywhere.

What you can expect is that Apex College of Veterinary Technology will take reasonable steps to provide a level of security that is not so restrictive as to be unacceptable, yet will promote an environment in which personal safety is taken very seriously by all members of the Apex CVT community.

We encourage you to read and understand this Report. Your use of the facilities, programs, and services mentioned in this Report, along with your taking steps to increase personal safety, will help you have a positive experience at Apex College of Veterinary Technology.

### Colorado Springs Emergency Services

Police, Fire, Medical	911
COS Police – non-emergency	719-444-7000
COS Police – victim services	719-444-7556
COS Fire Department – non-emergency	719-385-5950
Apex College of Veterinary Technology	719-375-8228

## Geographical Location and Boundaries

The Clery Act requires institutions to disclose crime and fire statistics that occur on campus, on public property without or immediately adjacent to the campus, and in or in proximity of non-campus properties owned or controlled by the institution. The statistical data provided in this Report reflects reported incidents that occur within the geographical boundaries described below:

Apex College of Veterinary Technology is comprised of two buildings (administration and academic classrooms/laboratories) located on the fringes of downtown Colorado Springs

- Apex College of Veterinary Technology – Administrative Offices
  - 330 South El Paso Street
  - Colorado Springs, CO 80903
  - (719) 375-8228
- Apex College of Veterinary Technology – Main Campus Building
  - 320 South El Paso Street
  - Colorado Springs, CO 80903
  - (719) 375-8228

## Annual Campus Crime Report Compliance Statement

Compilation and distribution of an annual security report is mandated for all institutions participating in the student financial aid programs under Title IV of the Higher Education Act of 1965, which includes Apex College of Veterinary Technology. As explained above, under the Clery Act, as amended by the VAWA, institutions (including Apex CVT) are required to disclose information about campus safety policies and procedures and to provide statistics concerning the occurrence of certain criminal offenses by designated categories. The report must also include statements about campus law enforcement policies, campus security education and prevention programs, alcohol and drug policies, sexual assault education, vehicles for reporting and procedures for handling reports of sexual assault, and various other information. The numbers provided in the crime statistics section reflect: (a) reports filed with Campus Safety/Security Authorities as such term is defined by the Clery Act; (b) reports filed with Colorado Springs Police Department and other law enforcement agencies with jurisdiction for our campus locations; (c) reports filed with certain Apex CVT officials.

## Crime Reporting & Police Relations

Apex College of Veterinary Technology places a high priority on striving to keep its campus locations safe for students, faculty, staff, and visitors (including invited guests). To ensure that effective crime prevention strategies are in place, it is important that we gather information regarding crimes in and around our campus and non-campus locations. Campus Safety works closely with the Colorado Springs Police Department and other law enforcement agencies with relevant jurisdiction to share information about crimes that have occurred or patterns and



trends that could pose a threat to the Apex College of Veterinary Technology community, and also to address crimes and other behavior reported to the Campus Safety Officer.

Campus Safety Officer: Campus's Safety's goal is to strive to provide a safe environment for the educational mission of Apex CVT. Campus Safety provides educational programs, service, support, emergency response, and high visibility for the Apex CVT community.

Please call the Campus Safety Officer, Dr. Stephen Crane, at (719) 375-8228 if you have any questions about crime at Apex College of Veterinary Technology.

**Crime Reporting:** Apex College of Veterinary Technology encourages students, faculty, staff, and visitors (including invited guests) to report all crimes to the Campus Safety Officer or to a local law enforcement agency, including the Colorado Springs Police Department, in a prompt and timely manner.

Anyone, including any student, may report crime(s) to the CSPD, seek support from Apex CVT resources in making such a report, and pursue judicial sanctions against the person(s) who allegedly committed the crime(s). The Campus Safety Officer is available to all community members, and will arrange a neutral meeting place for your initial meeting with the police and, if you wish, a representative of the College can accompany you. Once you report a criminal incident to the police, Apex CVT does not control any investigation and the legal process that may result – instead, it is handled by the police and lawyers who prosecute criminal cases (as well as lawyers who defend the person(s) who allegedly committed the crime(s). To contact Campus Safety, call (719) 375-8228. Emergencies can be reported by calling 911.

Certain categories of crime often go unreported. Apex CVT has initiated programs to encourage students to recognize and report such crimes, especially those involving sexual misconduct and incidents involving gender, sexual orientation or gender identity bias and other forms of bias (including race, religion or national origin), which may be under-reported. With respect to any sex-related crime or misconduct, or incident involving gender, sexual orientation or gender identity bias, you may speak confidentially to a member of the executive/administrative team about the importance of reporting such matters.

**Confidential Reporting Procedures:** If you are the victim of a crime and do not want to pursue action within the Apex CVT system or through a local law enforcement agency and the criminal justice system, you may still want to consider making a confidential report as allowed pursuant to applicable law. With your permission, the Campus Safety Officer can file a report on the details of the incident without revealing your identity.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while allowing Apex CVT to take the steps to strive to ensure the future safety of you and others. With such information, Apex CVT can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the Apex CVT

community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for Apex College of Veterinary Technology.

## Emergencies

**Campus Emergencies:** Emergency preparedness is a shared responsibility. Apex CVT provides information regarding emergency preparedness to the Apex CVT community via printed materials, student and employee orientations, bulletin boards and signage throughout the campus and administrative buildings.

Apex College of Veterinary Technology provides emergency information to new students and employees and facilitates emergency training for members of the Apex CVT community. Faculty, staff, students, and visitors to Apex CVT should commit to personal preparedness and create personal and/or family emergency plans that address their specific needs and concerns. Planning assistance is available through the Red Cross [www.redcross.org](http://www.redcross.org), as well as through FEMA [www.ready.gov](http://www.ready.gov). Although notification is voluntary, Apex CVT encourages faculty, staff, students, and visitors with disabilities to notify Apex CVT of any need for assistance in planning for emergencies.

Emergencies should be reported to 911 and/or Campus Safety (719) 375-8228. Calling Campus Safety will activate an emergency response protocol that includes appropriate campus personnel dispatched to the scene and an immediate notification to police, fire, and/or emergency medical response. Also, other appropriate campus authorities and support services that are available through Apex CVT will be notified. Always give your location, nature of the emergency, and be prepared to respond to the dispatcher's questions or instructions. Do not hang up until instructed to do so.

**Timely Warnings/Timely Warning Assessment:** When Campus Safety and/or administration is notified of a serious crime or emergency on or near campus, the Campus Safety Officer and/or administration begin assessing to determine whether the crime/incident may present a broader threat to the Apex CVT community. Because preliminary information received about an incident is often incomplete and sometimes can be inaccurate, Campus Safety and/or administrators attempt to get to the scene and obtain information directly from complainants and witnesses as quickly as practical and relay that information to campus administration. If, based on the facts available, it appears that a broader threat exists; notification will be made to the Apex CVT community. The goal of the communication is to provide timely, accurate, and useful information so that the community members are informed and can take actions to avoid or mitigate any threat.

**Timely Warnings** are provided when a crime is reported on or near campus that appears to present an ongoing threat to the Apex CVT community, so individuals may assess what precautions to take for their own safety and to aid in the prevention of similar crimes. Warnings are developed by the Campus Safety Officer or designee as soon as pertinent information is available and are sent as "*Urgent Messages*" via Populi. Timely Warning Notices

are not limited to violent crimes such as robbery, but may also be issued for threats and property crimes, such as a series of burglaries, if they present a continuing threat to the Apex CVT community. Updates to warnings will generally be disseminated via Populi, but may also be posted on campus Safety Bulletin Boards.

Emergency Notification is provided if there is a critical incident that represents a “persistent and on-going” or an “imminent or immediate” threat to the Apex CVT community. While Timely Warnings are limited to criminal incidents, emergency notifications may be provided for any situation that presents an immediate threat, whether a crime, severe weather, fire, chemical incident, or any other emergency.

Apex College of Veterinary Technology is committed to preserving life and mitigating the negative impact on our community when an emergency occurs, whether human-made or a natural disaster. One of the top priorities of Apex CVT is to quickly and efficiently notify the campus community of an emergency on or near campus. Campus Safety receives information from a variety of sources, weather monitoring, facilities, CSPD, and the Colorado Springs Fire Department.

Based on the information provided, the acting Campus Safety Officer will determine if the incident reported represents either a “persistent and on-going threat” or an “imminent or immediate threat” to the Apex CVT community. A “persistent and on-going threat” is defined as a set of circumstances in which the danger has not passed. An “imminent or immediate threat” is defined as a set of circumstances in which the danger is in-progress or reasonably predicted to impact the Apex CVT community in a short amount of time. If the acting Campus Safety Officer determines the incident reported satisfies the above criteria, they will contact administration and provide a briefing. The acting Campus Safety Officer or their designee may be directed to initiate incident command protocol and activate the emergency mass notification system.

As soon as Campus Safety has confirmed that a significant emergency or dangerous situation exists, it will take into account the safety of the Apex CVT community, determine what information to release about the situation, and begin the notification process, as described below. The only reasons notification will not be immediately issued are if doing so would compromise the efforts to assist a victim; contain the emergency; respond to the emergency; or otherwise mitigate the emergency.

### [Alert methods](#)

**Emergency Mass Notification System:** Apex College of Veterinary Technology uses a mass notification system to contact all students, faculty and staff in an emergency.

- Urgent messages to Populi
- Text messages to cell phones and other text-based devices
- Written messages to email accounts

- Messages to TTY/TDD receiving devices for individuals who are deaf or hard-of-hearing

The emergency mass notification system has the capacity to notify only segments of the Apex CVT community in the event of emergencies. The distribution list will be determined by the Campus Safety Officer or their designee to maximize the effectiveness of the message while minimizing the disruption to the Apex CVT community. The default will always be to send emergency mass notification messaging to all members of the Apex CVT community.

The service will be used to send critical safety information from Apex CVT. It is reserved for the highest level of emergency, and will never be used for advertising or spam.

**Secondary Communication Mechanisms:** These are mechanisms used to re-post emergency information that was initially sent via Populi, email, text, phone, etc. These secondary communications are coordinated through administration and include posting information to the Apex CVT website, the LMS system – Populi, and social media such as Facebook and Twitter. The Apex CVT website and Populi are the preferred mechanisms for providing updates as new information is developed.

Apex CVT community members are encouraged to notify Campus Safety of any situation that may present an immediate or ongoing threat to the health and safety of students, faculty, staff, and visitors. Campus Safety has the responsibility for responding and requesting the additional resources needed to investigate, mitigate, and address any hazard. In addition, Campus Safety has a responsibility to assess and determine whether the situation poses a threat to the community. If so, Campus Safety coordinates the notification to the Apex CVT community or appropriate segments of the community that may be affected by a hazard.

**Tests of the Emergency Notification System:** These are conducted twice a year, once in the fall quarter and once in the spring. Tests are coordinated through the Campus Safety Office. Test dates are announced via Populi notification to the Apex CVT community to encourage individuals to review and update their contact information in Populi; however, the specific time the test will be conducted may be unannounced. Apex CVT's emergency response and evacuation procedures will be publicized by email in conjunction with at least one test per calendar year. Faculty and staff are encouraged to use the test as opportunities to review their plans with staff and students, ensure laminated emergency response cards are visible in each classroom, office, and to conduct facilitated discussion within their groups in conjunction with the notification system test.

During the test, members of the community will receive a message via phone and/or text and an email saying, *"This is Apex CVT Campus Safety. This is not an emergency; this is only a test. I repeat, this is not an emergency. This is a routine test of the Apex CVT emergency notification system. Thank you."*

For each test, Apex CVT will document a description of the exercise, the date and time of the exercise, and whether or not it was announced. Results are filed in the Campus Safety Binder located in the administration building.

### Campus security, access to facilities & weapons policy

Apex College of Veterinary Technology deals with community crime in a number of ways: educational programs on crime prevention, security systems including surveillance cameras and access control systems, safety planning for facilities, and investigation and prosecution for crimes that occur on campus. These measures are designed to prevent and deter crime and keep members of the Apex CVT community better aware of their surroundings.

**Safety Lighting:** Lighting has been installed/upgraded throughout the campus to increase evening visibility. Campus Safety conducts lighting surveys to identify lamps that need to be replaced and to note any problem areas. Major pathways and parking lots are well lighted. Pedestrians are encouraged to stay in areas where visibility is good.

**Access Control:** Academic buildings and labs are generally open to students, faculty, staff, contractors, and invited guests and persons having business with the college during business hours. After hours access is provided through Campus Safety.

Safety/Security tips to follow in campus buildings:

- Do not prop locked doors as this creates opportunities for unauthorized people to enter
- Avoid allowing people you do not know to “piggyback” in
- Notify Campus Safety about any safety hazards
- Do not enter an unlighted building
- Notify Campus Safety if you observe anyone acting suspiciously
- Don’t leave personal items unattended

**Safety Inspections:** Campus lighting, fire safety equipment, and other safety enhancements of a physical nature are inspected on a quarterly basis. Deficiencies requiring immediate attention will be addressed by Campus Safety or reported to facilities services for timely repair.

**Weapons Policy:** The possession or use of any weapons – including but not limited to firearms, ammunition, pellet guns, air guns, paintball guns, stun guns/Tasers, smoke devices, bows and arrows, large knives, explosives, and fireworks – is strictly prohibited anywhere on the Apex College of Veterinary Technology campus. In addition, verbal or written threats by individuals indicating they have a prohibited weapon or explosives will be addressed as an actual threat, whether or not weapons or explosives actually exist.



## Campus safety programs & services

**Annual Security Report:** This is the Report you are now reading. It provides information on certain criminal offenses that have occurred at Apex CVT during the past three years. This Report also describes programs and services designed to reduce such criminal offenses, specifics regarding Apex CVT's sexual misconduct policy, information about the alcohol and drug policy, fire safety information, and a list of useful resources and telephone numbers.

**Sex Offender Registry and Access to Related Information:** The Federal Campus Sex Crimes Prevention Act went into effect October 28, 2002. The law requires institutions of higher learning to advise the Apex CVT community about where to find information concerning registered sex offenders. The law also requires registered sex offenders to provide specific notice to each campus with which the person is associated as an employee, student, or other connection.

The Colorado Bureau of Investigations maintains sex offender registry information, which is publicly available via the Internet. The data include the offender's name and aliases; the nature of the offense; the date and place of the conviction; date of birth; current address and photograph. Information on sex offenders is available on:

- [www.sor.state.co.us](http://www.sor.state.co.us)
- [www.springspolice.com](http://www.springspolice.com)
- [www.familywatchdog.us](http://www.familywatchdog.us)
- [www.coloradostatecrimestoppers.com](http://www.coloradostatecrimestoppers.com)

**Crime Log:** A crime log is not maintained on campus since Apex CVT is not required to have a campus police department. The Colorado Springs Strategic Information Center provides Apex CVT with crime statistics annually upon request for our Clery Geography. Statistics are in compliance with the reporting criteria for the U.S. Department of Education.

**Security Notices:** During the academic year "*Security Notices*" which may include safety tips and security issues from previous weeks and/or quarters are posted on the Safety Bulletin Boards.

## Sexual misconduct – policy, prevention, reporting & resources

Apex College of Veterinary Technology's Gender-Based Discrimination, Sexual Harassment, and Sexual Violence Policy and Procedures can be found in the college *Catalog and Handbook*. The Policy and Procedures set forth how complaints can be made (including but not limited to complaints of intimate partner, dating, and domestic violence, stalking and sexual assault), how complaints are investigated, and other pertinent information. The entire Policy and Procedures are not set forth below, but certain provisions are included in this Report. The full Policy and Procedures should be reviewed for complete information and any questions you may have. It is also important to note that Apex CVT has an Anti-Discrimination Policy and Procedures,

governing other forms of discrimination, which can also be found in the college *Catalog and Handbook*. There are also Student Honor and Community Standards, which incorporate these Policies, as well as other expectations of behavior and conduct found in the *Catalog and Handbook*: [www.apexcvt.com](http://www.apexcvt.com)

With respect to sexual misconduct – including dating violence, domestic violence, stalking, and sexual assault, which also are subject to requirements under the Clery Act and the VAWA – Apex CVT believes that students, faculty, staff, applicants for admission and employment, and visitors, regardless of gender, perceived gender, gender identification, gender expression, sexual orientation, sexual preference, or sexual behavior in the past or present, have the right to be free from gender-based discrimination, sexual harassment and sexual violence (which may include intimate partner, dating and domestic violence; sexual assault; sexual exploitation; and stalking). All sexual activity or contact between individuals must be with each person's active consent. *(Active consent as defined below by Apex CVT may be a higher standard than the legal standard of consent).*

The College further believes that students, faculty, staff, applicants for admission and employment, and visitors have the right to be free from retaliation for reporting or participating in the investigation of alleged violations of all applicable policies or in any related proceeding, including a criminal proceeding or a proceeding with a government agency.

Apex CVT prohibits, and does not tolerate, gender-based discrimination, sexual harassment, sexual violence, or retaliation. Individuals who engage in such conduct will be subject to disciplinary and other remedial action under all applicable policies. In addition, such conduct also may violate certain civil and criminal local, state and federal laws, including but not limited to Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the VAWA, all as amended. Apex College of Veterinary Technology does not discriminate on the basis of gender in its education programs and activities, and is required by Title IX, Title VII and other applicable law not to discriminate on the basis of gender so as to ensure the equal enjoyment of benefits, programs and aids provided by the College.

**Privileged Confidential Reporting Resources:** If you are involved in a situation involving alleged gender-based discrimination, sexual harassment, sexual violence, or retaliation (whether as a reporting party (whether or not you are the subject or an alleged violation), a responding party, a witness, or a third party who is involved), you may contact a privileged confidential resource who is a member of the Apex CVT community to discuss the conduct at issue and the options available to you including: seeking personal counseling; finding community resources to assist with the issue; pursuing resolution of the issue through the College's informal or formal procedures; and reporting to the local police. This consultation will remain confidential and these resources are not required to reveal your identity to the College or report alleged violations of the Policy, unless you request that they do so or if otherwise required by applicable law (for example, if there is an imminent risk of serious harm).

Further, the reason confidential resources are referred to as “privileged” is that there are legal privileges under the law that may provide the communications with those individuals with further protection, and legally prevent them from disclosing what you tell them to Apex CVT and also in a criminal or civil proceeding, without your consent, a Court order or as otherwise required by law.

There are other resources, including TESSA, which is an off-campus non-profit organization that offers comprehensive services for sexual assault and domestic violence victims. [www.tessacs.org](http://www.tessacs.org). TESSA counselors may also have legal privilege, but that is an issue for you to discuss directly with TESSA.

## Definitions

The following definitions are consistent with the Clery Act and are used by Apex College of Veterinary Technology in its Gender-Based Discrimination, Sexual Harassment, and Sexual Violence Policy and Procedures.

The legal definitions under Colorado criminal law of “*dating violence*,” “*domestic violence*,” “*sexual assault*,” “*stalking*” and “*consent*,” to the extent such definitions exist, are included in Appendix A for educational and awareness purposes, and as required by the Clery Act. Please note that the criminal law definitions in Appendix A may be different from the Apex CVT definition below and the Clery Act definitions:

**Sexual Harassment:** Sexual harassment is a form of gender-based discrimination. Sexual harassment is any unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Either explicitly or implicitly, submission to such conduct is made a term or condition of a person’s educational or employment endeavors (otherwise known as *quid pro quo* harassment)
- Submission to or rejection of such conduct is used as a basis for education or employment decisions (otherwise known as *quid pro quo* harassment); or
- Such conduct has the purpose or effect of unreasonably interfering with a person’s academic or work performance, or creating an intimidating, hostile, or offensive educational or working environment (otherwise known as hostile environment harassment). Sexual harassment has the purpose or effect of unreasonably interfering with a person’s academic or work performance if, for example, it is sufficiently serious, pervasive or persistent as to create a hostile environment under both an objective (i.e. reasonable person’s view) and subjective (i.e. subject of an alleged violation’s view) standard. The College will consider the effects of off-campus conduct when evaluating whether there is a hostile environment on campus. To be the subject of an alleged violation, one need not be the direct recipient of the conduct; anyone affected or offended by the conduct may be a subject.

Sexual harassment may include but not be limited to: unwelcome texts, phone calls, internet-based communications, or other electronic communications of a sexual nature; crude, obscene, or sexually offensive gestures or unwelcome sexual comments.

**Sexual violence:** The act of committing any unwelcome or unwanted physical activity or contact of a sexual nature toward another person without their active consent or when a person is incapable of giving active consent. Sexual violence may be committed by force, intimidation or coercion, or when a person is otherwise incapable of giving active consent (e.g. due to the person's substantial impairment by drugs or alcohol, or because a physical or psychological condition or impairment otherwise impairs a person's judgment). There are many types of sexual violence, including but not limited to:

- **Intimate partner, dating and domestic violence:** Violence committed by a person who is or has been in a relationship of an intimate dating or domestic nature with the other person. The current or former existence of such a relationship will be determined based on a person's statement and with consideration to the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship. Intimate partner, dating and domestic violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse; intentionally violent and/or controlling behavior by a person against the other person; psychological abuse, and may include other types of conduct.
- **Sexual assault:** This includes any unwanted sexual contact or penetration (anal, oral or vaginal) with any body part or object. One type of sexual assault is rape, which is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of a person, without the active consent of the other person. Another type of sexual assault is fondling, which is the touching of the private body parts of another person for the purpose of sexual gratification, without the active consent of the other person. There are other types of sexual assault, including those defined by applicable law.
- **Sexual exploitation:** When a person takes sexual advantage of another person without active consent for any purpose. Sexual exploitation can take many forms including, for example: photographing, videotaping, or audiotaping sexual activity or contact without active consent; invasion of sexual privacy; sexually-based bullying; sexually-based defamation and slander; or engaging in behavior that is beyond the boundaries of the other person's active consent (such as having a friend hide in the closet to watch you have sexual activity or contact with another person who is unaware that the friend is in the closet; live streaming sexual activity or conduct); exposing one's intimate parts, such as genitalia, groin, breast and/or buttocks to someone without their active consent, including by electronic means (also referred to as indecent exposure).
- **Stalking:** A course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of another, or to suffer substantial emotional distress. Course of conduct means two or more acts, including 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. Stalking includes "cyber stalking," a form of stalking that may be over an electronic medium such as the Internet, social network, blogs, cell phones, texts, or other similar devices.

### Definitions of consent

Under Colorado criminal law, *"Consent' for sexual activity 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. Submission under the influence of fear shall not constitute consent."* Colorado Revised Statute 18-3-401 (1.5)

Apex College of Veterinary Technology's Gender-Based Discrimination, Sexual Harassment, and Sexual Violence Policy and Procedures has a different definition of "active consent" as follows:

**Active consent:** When each person involved in sexual activity or contact expressly agrees to the sexual activity or contact freely, willingly, and knowingly. Active consent is an affirmative process.

- All sexual activity or contact between individuals must be with each person's active consent
- A person cannot give active consent if, for example, they are:
  - Physically pressured or forced
  - Psychologically pressured or forced
  - Threatened
  - Intimidated
  - Coerced
  - Frightened
  - Unconscious or asleep
  - Substantially impaired by drugs (including prescription, over-the-counter or illegal drugs) or alcohol; or
  - Their judgment is otherwise substantially impaired, including due to a physical or psychological condition or impairment
- It is the responsibility of the initiator of sexual activity or contact to obtain consent from the other person and to determine whether such consent is given freely, willingly, and knowingly. Engaging in sexual activity or contact with a person who did not give active consent or who withdrew active consent is a violation of Apex College of Veterinary Technology Policy.
- It is also a violation of Apex CVT Policy to engage in sexual activity or contact with another person if it is determined that the person knew or should reasonably have known that the other person was not able to give active consent due to substantial impairment based on drugs, alcohol, or any other physical or mental condition or impairment.
- Active consent to one form of sexual activity or contact does not provide active consent to other forms of sexual activity or contact. Similarly, neither previous relationships nor



prior consensual activities provide active consent to future sexual activity or contact. Active consent must be present throughout the sexual activity or contact and can be revoked at any time. It is important not to make assumptions.

- The best practice is to obtain or give active consent verbally in order to avoid misunderstandings inherent in non-verbal communication. Silence or non-communication should never be interpreted as active consent. A lack of communication is a signal to stop and ask a partner verbally what they would like to do. No sexual activity or contact should be initiated, and sexual contact or activity should be stopped, until communications are received. A verbal **“NO”** or physical resistance, no matter how indecisive or weak or passive, always means **NO**. If there is any doubt about whether a person’s judgment is substantially impaired or whether a person who initially agreed to sexual contact has changed their mind, sexual contact should not be initiated or should be stopped immediately.
- Use of alcohol or drugs never makes a subject of an alleged violation at fault for gender-based discrimination, sexual harassment or sexual violence.
- The College prohibits all sexual activity or contact between students and faculty, and between students and staff. For the purpose of active consent, this means a student cannot give active consent to sexual activity or contact with a faculty or staff member.
- The College prohibits all sexual activity or contact between staff and faculty when one of the individuals holds direct supervisory or evaluative authority over the other person.

### Gender-based discrimination

Gender-based discrimination includes treating a person (or group) unfavorably or differently because of that person’s gender, perceived gender, gender identification, gender expression, sexual orientation, sexual preference, or sexual behavior in the past or present. Gender-based discrimination may or may not be conduct that is sexual in nature. Gender-based discrimination may include gender-based harassment that is not sexual in nature.

The conduct prohibited by Apex CVT policies, including its Gender-Based Discrimination, Sexual Harassment, and Sexual Violence Policy and Procedures, may be committed by any individual (or group) against any other individual (or group), regardless of such individual’s (or group’s) gender, perceived gender, gender identification, gender expression, sexual orientation, sexual preference, or sexual behavior in the past or present.

### Retaliation

Apex College of Veterinary Technology prohibits retaliation, which is defined as:

Any adverse or negative action or behavior against an individual as a consequence of such individual: raising good faith concerns about conduct prohibited by Apex CVT policies; opposing gender-based discrimination, sexual harassment or sexual violence; reporting, making a complaint, cooperating, and/or participating in any way in the College’s procedures under its policies (including as a witness); or otherwise participating in a process administered by any

other third party (including, for example, a criminal process or a complaint with a government agency). Retaliation may result in immediate disciplinary action. Examples of retaliation include but are not limited to:

- Attempting to discourage an individual's use of or participation in the informal or formal procedures addressed in Apex CVT's policies
- Harassment (verbal or physical), coercion, intimidation, or threatening of any member of the Apex CVT community, including a reporting party or responding party, subject of an alleged violation (if not the reporting party), witnesses, investigators or others involved in the process.

### Remedies and interim measures, including protection orders

At any time, the College may take, or a reporting party, responding party, witness or other individual involved in the enforcement of its policies, may request, whatever interim measures, accommodation or remedies necessary and appropriate to eliminate alleged gender-based or other discrimination, sexual harassment, sexual violence, or retaliation, prevent its recurrence and address its effects, and/or protect an individual's safety, physical and mental well-being, and rights.

Although Apex CVT may issue a no-contact order between students, Apex CVT does not issue court orders of protection (which used to be referred to as "*restraining orders*"). Victims wishing to obtain an order of protection, or a similar order issued by a criminal, civil, or tribal court, may receive information about such orders, including the process for obtaining an order, at [https://www.courts.state.co.us/Forms\\_List.cfm?Form\\_Type\\_ID=24](https://www.courts.state.co.us/Forms_List.cfm?Form_Type_ID=24). Apex CVT complies with Colorado law in recognizing orders of protection. Any person who has or obtains an order of protection from Colorado or any other state should provide a copy to Campus Safety located in the administration building.

In addition to no-contact orders (which are different than court-issued orders of protection, described above), other interim measures, accommodations and remedies that Apex CVT may provide include, but are not limited to:

- Safety accommodations, which may include reporting to local police. If safety is an immediate concern, you are encouraged to contact the Colorado Springs Police Department
  - 911 for emergencies
  - (719) 444-7000 for non-emergencies
- Modifying a reporting party, responding party, or witnesses class schedule, extracurricular activities, or working arrangements
- Removing a responding party (or cross responding party) from campus and/or temporarily suspending them

- Providing support resources, including academic support and access to community resources to include counseling, disability services, and health and mental health services

Any interim measure, accommodation or remedy may be imposed at any time after prohibited conduct has become known to the College; provided, however, that a reporting party or a responding party will have an opportunity to respond to a proposed interim measure, accommodation or remedy that affects them, unless the College is unable to do so in order to ensure the safety of the Apex CVT community or the College otherwise has sufficient information to warrant the immediate implementation of the interim measure, accommodation or remedy. The College has sole discretion on what type of interim measures, accommodations or remedies to implement.

### Confidentiality

Students should expect their privacy and confidentiality to be respected as they move through any campus process as provided for in such processes and in accordance with applicable law. As explained above, there are a number of confidential campus resources available in administration. Students can talk with any of these confidential resources before, during or after deciding to go through a formal Apex CVT process and/or a criminal reporting process.

Apex CVT will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about any victim. Apex CVT will also maintain as confidential any accommodations or protective measures provided to any victim, to the extent that maintaining such confidentiality does not impair the ability of Apex CVT to provide the accommodations or protective measures or its otherwise not inconsistent with any policy or applicable law.

### Sexual assault prevention and awareness programs

In addition to their other duties and responsibilities under the Gender-Based Discrimination, Sexual Harassment, and Sexual Violence Policy and Procedures and applicable law, the Apex CVT administration and executive team have the responsibility of educating students, faculty, and staff regarding such policies, and the nature and negative consequences of gender-based and other forms of discrimination, sexual harassment, sexual violence, and retaliation.

### Safe and positive options for bystander intervention

In an effort to promote a safe, accepting, and enjoyable Apex CVT community a campaign focusing on three areas have been initiated by Campus Safety:

- Preventing sexual and relationship violence
- Responding to people in distress
- Creating an inclusive community

Some keys to bystander action are:

- Safety in numbers: Identify others who could help you
- “I” statements: The conflict resolutions skills you learned in elementary school really do work. “I” statements focus on your feelings rather than criticizing the other person and include three parts:
  - State your feelings
  - Name the behavior, and
  - State how you’d like the person to respond
- Bringing it home: Showing someone how the impact of their behavior would feel if directed at them or someone they care about prevents them from dehumanizing the target of their behavior
- Be a pal: Reframing the intervention as your attempt to help someone be successful/stay out of trouble
- Distraction can be the action: Distraction can keep things from happening, and snap people out of “*comfort zone*” behavior that comes from sexism, homophobia, or racism

#### Information on risk reduction and sexual offense prevention

- Most sexual assaults are perpetrated by subjects who are acquaintances or friends, awareness of the possibility that it could happen to you is the first step in prevention
- Avoid becoming intoxicated to the point of mental or physical impairment
- Go to parties with a group of friends and agree to leave together
- Communicate your expectations and desires clearly. Hints and insinuations may lead to miscommunication
- NO means NO! It should be respected
- Trust your instincts. If you sense something is wrong, get away quickly. It’s always best to be cautious
- Avoid risky situations by staying out of isolated areas, never hitchhike, and don’t go off alone with anyone you don’t know well
- Take a self-defense course
- Refer to the college sexual misconduct policy, or excerpts of the student conduct policy for more information regarding sexual offenses

#### Reporting sexual misconduct

Apex CVT encourages students to report sexual assault, intimate partner violence, domestic violence, dating violence, and stalking or other forms of sexual misconduct. When a student or employee reports to Apex CVT that he or she has been a victim of such misconduct, whether the offense occurred on or off campus, Apex CVT will provide the student or employee a written explanation of the student’s or employee’s rights and options.

Under Apex CVT policies, students and employees have three paths or options to pursue, and you can choose one, two, three or more of them. You can speak confidentially to an administrator about all of these options, which include:

- **Informal Support Systems:** a member of the administration team provides information and confidential support to assist individuals in making decisions about filing formal complaint/charges and seeking medical care or counseling. These resources can also assist individuals in managing the impact of misconduct on their academic, employment and social functioning.
- **Formal Legal System:** Apex CVT encourages students and employees to report sexual assaults, intimate partner violence and stalking to the local police. Campus Safety can arrange a meeting place for your initial contact with the police. Individuals can request that an Apex CVT representative accompany them in making a police report. This request can be made through administration or Campus Safety. Individuals have the right to decline to notify campus or law enforcement authorities. Apex CVT will comply with anyone's request for assistance in notifying authorities.
- **Formal College Discipline System:** A formal complaint may be brought forward to Apex CVT as long as the person accused is a student, employee or other member of the Apex CVT community, subject to any limitations of the applicable policy. Apex CVT reserves the right to take whatever measures it deems necessary and appropriate to respond to a charge of sexual misconduct in order to protect individuals' safety, physical and mental well-being, and individual rights, including the interim measures and remedies described above. An internal administrative process determines whether violations of Apex CVT policies have occurred. Reporting parties and responding parties are provided with process advisors to assist them in preparing the formal complaint and/or responding to such a complaint. Once a formal complaint is filed, the matter goes to an investigative team who reports their findings and recommendations for sanction, as described in detail in Apex CVT policies. All members of the investigative team receive training on the issues related to dating violence, domestic violence, sexual assault and stalking, and on how to conduct an investigation and hearing process that protects the safety of everyone involved and promotes accountability. In all cases of sexual misconduct in which a formal complaint is filed both the reporting party and responding party will be provided with the same opportunities to be accompanied by an advisor of their choice during any institutional proceeding or related meeting. Apex CVT will not limit the choice of either party's advisor, but may establish restrictions regarding the extent to which the advisor may participate in the proceedings. Upon completion of the formal process, both parties will be informed, simultaneously and in writing, of the outcome; of the procedures for filing an appeal; any changes to the result; and when the result becomes final. College officials will directly inform parents when requested to do so by a student, or in a life-threatening situation or in certain other emergency situations, or if a responding student has signed the acknowledgement at registration, which allows such communication. The proceeding will provide a prompt, fair, and impartial process from the initial investigation to the final result. Apex CVT endeavors



to complete this disciplinary process within 60 days, though the unique circumstances of each allegation and investigation may alter this timeline.

## Sanctions

Apex CVT may impose any sanction on a student or group of students, which may include one or more of the following sanctions (in alphabetical order):

- **Deferred Sanction:** A sanction of suspension or dismissal may be deferred pending a student's successful completion of conditions imposed by the Executive Team, or their designee; these conditions may include other sanctions
- **Disciplinary Probation:** A formal notice that any additional findings of responsibility will likely result in suspension or dismissal from the College
- **Dismissal:** Permanent exclusion from the College, its premises, and all of its activities
- **Educational Sanctions:** Required attendance at an event or interview that is relevant to a specific topic - this is often accompanied by an assigned reflection/research paper. Participation and completing relevant educational programs or trainings, and paying the cost of such programs
- **Fine:** A monetary sanction issued in the form of a charge to a student account
- **Official Conversation:** A documented conversation with a College official
- **Persona Non Grata:** Prohibiting entry on campus (or specific places on campus) and/or at College related events, for a specific amount of time or indefinitely
- **Reflection/Research Papers:** A document requiring critical analysis and articulation of a specified topic
- **Restitution:** A monetary or service sanction required to pay for the cost of repairing or replacing physical damage or any other cost incurred as a result of the student's conduct
- **Suspension:** Exclusion from the College with the opportunity to rejoin after a designated time period. During a suspension, the student generally cannot participate in any College activities such as academic coursework, student employment, student activities, or College events. The student cannot be on College property for the duration of a suspension and will receive no financial refunds. Return to campus may be contingent upon completing specified requirements. Students who are suspended generally may not take classes at other institutions for credit. In rare cases, the Executive Team, or their designee, may make an exception

The following additional sanction may be imposed on a group of students:

- **Disciplinary Probation:** A formal written notice that any additional conduct violations could result in suspension of the student's group status

**Note:** A student may be required to attend an assessment with a counselor or other appropriate professional to assess if further action by the College is warranted due to conduct impacting the sanctioned student or the surrounding community. The sanctioned student will

be responsible for the cost of the assessment. If assessment results indicate a need for further action or follow-up, that will be required. Students not facing conduct sanctions may still be required to participate in an assessment if there are concerns for student well being.

### Standard of proof

The standard of proof used in all Apex College of Veterinary Technology processes, including those under the Gender-Based Discrimination, Sexual Harassment, and Sexual Violence Policy and Procedures, is the preponderance of the evidence standard.

### Appeals

Either the reporting party or the responding party may appeal the final finding of responsibility or non-responsibility. Appeals may only be granted for one of the following reasons:

- **New Evidence or Information:** New evidence or information sufficient to alter a decision, or other relevant facts not known at the time of the original investigation
- **Failure of Investigative or Decision Making Process:** Allegations that the Investigators deviated from the Policy in a way that substantially altered the outcome of the case
- **Bias in Decision Making Process:** Evidence that an Investigator or person involved in the formal grievance procedures have relevant history of interaction or involvement with either reporting party or responding party sufficient to establish bias or conflict of interest

### Preservation of evidence

In the immediate aftermath of a sexual assault or incident of intimate partner, dating or domestic violence, victims may be uncertain whether they want to report the incident to the police or Campus Safety. It is important that individuals take steps to preserve any evidence of the incident so that if he or she later wishes to report the incident and/or obtain a protection order, the evidence will be available. If you know that you wish to have medical evidence collected, you can go directly to Memorial Hospital Emergency Room for this process. When you arrive at the ER, tell the intake nurse that you are requesting a SANE (Sexual Assault Nurse Examiners) exam. A member of the Executive Team can also help transport you to Memorial and support you through this process.

You should not bathe, douche, change clothes, or brush teeth. This will help preserve evidence in the event you decide to pursue criminal charges. If you have changed clothing, it is best to bring the clothes that you were wearing at the time (or immediately after) the assault.

Once collected, the evidence will be held for a set period of time (usually two years), so you have time to decide whether you wish to prosecute the assault; having medical evidence may improve the strength of your case.

## Policy on illegal use of drugs & alcohol

In compliance with requirements of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989, Apex CVT has adopted the following policy concerning the unlawful use of drugs and alcohol by students and employees. For employees of Apex CVT, abiding by the policy is a condition of continued employment.

The unlawful use, possession, distribution, and manufacture or dispensing of illicit drugs or alcohol is prohibited on Apex CVT property or as part of any of Apex CVT's activities.

**Note:** The FDA considers Marijuana a Class I drug and it is considered unlawful on the Apex College of Veterinary Technology campus.

As an educational institution, Apex CVT attempts to educate its community members about unlawful use of illicit drugs and alcohol, and to encourage appropriate, responsible behavior. The health risks associated with the abuse of alcohol and the use of illicit drugs are numerous.

Apex CVT recognizes that chemical dependency of any sort is a major health problem and encourages employees and students who need help in overcoming such dependency to use the counseling, treatment and rehabilitation programs described under *"Drug and Alcohol Treatment Resources."*

Disciplinary sanctions for the violation of this policy by any employee may include, but are not limited to, reprimand, reassignment, demotion, suspension, dismissal, or termination of employment. Disciplinary sanctions for students may include, but are not limited to disciplinary warning, probation, suspension, or expulsion. A disciplinary sanction for either employees or students may include the completion of an appropriate rehabilitation program. Referral to the authorities for prosecution under criminal law may also be invoked, especially in cases of unlawful sale or distribution of drugs or alcoholic beverages. All disciplinary sanctions for violation of this policy shall be subject to other applicable Apex CVT policies and regulations regarding disciplinary action with respect to students and employees.

In addition to internal disciplinary sanctions, any employee or student who is convicted of unlawful use, possession, distribution, and manufacture or dispensing of illicit drugs or alcohol may be subject to applicable criminal sanction under local, state, and federal law. Penalties range in severity from relatively minor fines to fines of several million dollars. Imprisonment is also a possibility with terms ranging from six months to life sentence.

Any employee who is convicted under a criminal drug statute for violation occurring in the workplace must so notify Human Resources/Executive Team within five days from the date of conviction.

### Drug and alcohol treatment resources:

The following community counseling, treatment, and rehabilitation programs are available to students:

#### The Center for Behavioral Health/St. Francis Health

- Riegel Center – (719) 776-871
- Referral Center – (719) 776-8482
- Alcoholics Anonymous (24 hour) – (719) 573-5020
- Al-Anon (719) 632-0063
- Cocaine Hotline 1-(800) 262-2463
- TESSA – (719) 633-3819
- El Paso County Health Dept. Drug Treatment Clinic – (719) 578-3150
- Narcotics Anonymous – (719) 637-1580
- National Clearinghouse for Alcohol & Drug Information – 1 (800) 729-6686

#### Pikes Peak Mental Health

- Chemical Dependency Emergency (24 hour) – (719) 390-2400
- Crisis Center – (719) 635-7000
- General Information – (719) 572-6100
- Suicide Prevention Partnership – (719) 596-5433
- Youth Power – 1 (800) 258-2766

### Annual crime statistical reporting 2022, 2023, 2024

The following statistics include information on crimes reported to Campus Safety, Campus Administration, and to the Colorado Springs Police Department or other law enforcement agencies having jurisdiction over Apex CVT Clery Act-reportable geographic areas. Statistics are listed for the calendar year in which the crime was reported.

A written request for statistical information is made annually to Campus Security and all Apex CVT administrators, executives, faculty and staff.

All of the statistics are gathered, compiled, and reported to the Apex CVT community via this Report, which is published by Campus Safety. Campus Safety also submits these crime statistics to the U.S. Department of Education. The statistical information gathered by the Department of Education is available to the public through its website. If you would like to review statistics from other colleges go to <http://ope.ed.gov/security/>

Campus Safety posts a reminder via Populi to all students and current employees on an annual basis notifying them of the availability of this Report. The posting provides information on how

to request a hardcopy of the Report and also the address for the website where the Report can be found online – [www.apexcvt.com](http://www.apexcvt.com)

#### Crime statistic definitions, locations that govern this report:

- **On-Campus:** Any building or property owned or controlled by Apex CVT within the same reasonably contiguous geographic area and used by Apex CVT in direct support of, on in a manner related to the institution's educational purposes
- Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by Apex CVT but controlled by another person, is frequently used by students, and supports institutional purposes
- **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, and is within the campus, or immediately adjacent to and accessible from the campus

#### Crime statistic definitions, offenses:

- **Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. Deaths caused by negligence, suicide, accident, and justifiable homicide are excluded
- **Negligent Manslaughter:** The killing of a person through gross negligence
- **Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ or another person, without the consent of the victim. This offense includes the rape of both males and females
- **Fondling:** the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent
- **Robbery:** 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:** An unlawful attack on another person 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 serious bodily injury or death
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft. Burglary attempts are reported the same as completed offenses
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle



- **Arson:** The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind
- **Liquor Law Violations:** The violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages (driving under the influence and drunkenness are not included)
- **Drug Abuse Violations:** The violations of laws or ordinances prohibiting the unlawful possession, sale, growth, manufacture, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use
- **Weapon Law Violations:** Violations 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
- **Removing Unfounded Reports:** The College will only consider removing reports of crimes that have been reported to local law enforcement agencies, and for which the local law enforcement agency concluded that the crime was *“unfounded.”* *“Unfounded”* is defined as determining through investigation that the crime did not occur with the same degree of certainty required for purposes of reporting under the Federal Bureau of Investigation’s Uniform Crime Reporting System

### Annual Crime Statistics for 2022, 2023, 2024

Type of Incident	Public Property			On-Campus			Non-Campus		
	2022	2023	2024	2022	2023	2024	2022	2023	2024
<b>Criminal Offenses:</b>									
Murder & Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
<b>Sex Offenses:</b>									
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
<b>VAWA Crimes:</b>									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Arrests on Campus For:	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0
<b>Referrals to Campus Disciplinary Action For:</b>									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	3	0

Weapons Possession	0	0	0	0	0	0	0	0	0
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- Statistics for sex offenses include any incidents that were reported to Campus Safety as well as to CSPD or any other campus security entity

Apex CVT is required to report statistics for hate- (bias-) related crimes by type of bias as defined below for the following classifications: murder/non-negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, weapon law violations, larceny, vandalism, intimidation, and simple assault. If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury (see definitions below), the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

A hate or bias-related offense is not a separate, distinct crime, but is the commission of a criminal offense that was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, gender, religion, sexual orientation, ethnicity, gender identity, national origin, or disability, the assault is then also classified as a hate/bias crime.

**Larceny:** The unlawful taking and carrying away property of another with the intent to permanently deprive

**Vandalism:** To willfully or maliciously destroy, injure, disfigure, or deface any property without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as many be specified by local law.

**Intimidation:** 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.

Simple Assault: An unlawful physical attack by one person upon another that does not involve a weapon, severe bodily injury, or loss of consciousness.

### Annual Bias-Motivated Crime Statistics For 2022, 2023, 2024

Type of Incident	On Campus			Public Property			Non Campus		
	2022	2023	2024	2022	2023	2024	2022	2023	2024
Murder & Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Any Other Crime Involving Bias	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0	0	0

## Annual Fire Safety Statistics 2022, 2023, 2024

The Higher Education Opportunity Act became law in August 2008, requiring all U.S. academic institutions to produce an annual *Fire Safety Report* outlining fire safety practices, standards, and all fire-related on-campus statistics. The following details all information required by this law as it relates to Apex College of Veterinary Technology, its institutional policies related to fire safety education programs, an fire safety training programs associated with on campus facilities.

- Apex CVT Administration Building
  - 330 South El Paso Street
  - Equipped with fire extinguishers
  - Equipped with smoke detectors
  - Equipped with emergency lighting
  - Equipped with emergency exit signage
- No fire related incidents to report for years 2022, 2023, 2024
- Apex CVT Academic Facilities
  - 320 South El Paso Street
  - Equipped with fire extinguishers
  - Equipped with smoke detectors
  - Equipped with emergency lighting
  - Equipped with emergency exit signage
- No fire related incidents to report for years 2022, 2023, 2024

Basic fire safety instruction is offered to all new students and employees during the New Student and/or Employee Orientation programs. All existing employees are provided periodic fire safety tips at regularly scheduled faculty/staff meetings.

**Fire Safety:** Tampering with or misusing fire safety equipment, such as fire alarms, fire extinguishers, smoke alarms, and exit signs or creating a false alarm poses a serious threat to life and property and will result in a fine and/or possible suspension. The college reserves the right to take disciplinary action through the appropriate college channels and/or local law enforcement agencies.

Apex College of Veterinary Technology maintains no campus or off-campus residential housing.

### Smoking policy

Apex College of Veterinary Technology is committed to providing an environment for students, faculty, staff, contractors, and guests that is conducive to learning, healthy, and comfortable. Therefore, the college will maintain balance between affording non-smokers with protection from involuntary exposure to environmental smoking and expectations that may be perceived as attempts to manage the conduct and the choice of smokers. Given that philosophy and the



college's compliance with the Colorado Clean Indoor Air act, the college prohibits smoking in all college-owned buildings and building entrances. For the purposes of this policy, references to smoking include the use of marijuana and all tobacco products (including but not limited to cigarettes, bidis, or kreteks, also called clove cigarettes). Although the Colorado Clean Indoor Air Act does not address smokeless tobacco, the college encourages all members of its community to consider the potential health risks of using such products.

- Smoking is prohibited in entryways and all enclosed areas:
  - Classrooms, auditoriums, work areas, private offices, conference and meeting rooms, lounges, hallways, restrooms, stairs and stairwells
  - Vehicles owned, leased, or provided by the college
- Smoking products of all types are prohibited in the following outdoor areas:
  - Seating and parking areas of outdoor venues where members of the general public or animals assemble

### Fire safety definitions

Fire – Any instance of open flame or other burning in a place not intended to contain the burning, or burning in an uncontrolled manner

False Alarm – the fire alarm system was intentionally activated when no fire or danger existed, or the system malfunctioned

Unwanted Alarm – The fire alarm system was activated as it was designed to do, although the ultimate cause of the alarm was false, for example, dust entering a smoke detector

Fire Related Injury – Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of fire. The term “*person*” may include students, faculty, staff, visitors, firefighters, Campus Safety, or any other individuals.

Fire Related Death – Any instance in which a person is killed as a result of a fire, including deaths resulting from a natural or accidental cause while involved in fire control, attempting rescue or escaping from the dangers of a fire, or deaths that occur within one year of injuries sustained as a result of the fire.

Fire Safety System – Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire including sprinkler or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights, smoke-control and reduction mechanism, and fire doors and walls that reduce the spread of a fire.

Value of Property Damage – The estimated value of the loss of the structure and contents, in terms of cost of replacement in like kind and quantity, including contents damaged by fire,

related damages caused by smoke, water and overhaul; however it does not include indirect loss such as business interruption.

### Reporting smoke or fire

If you smell smoke, contact Campus Safety immediately to investigate further, even if you do not see fire. If a minor fire appears controllable, contact Campus Safety immediately and use the fire extinguisher by directing the charge towards the base of the flame. If it is an uncontrollable fire, contact the Colorado Springs Fire Department immediately and then Campus Safety. If you find evidence that a fire occurred and has been extinguished, and you are not sure Campus Safety has already responded, notify Campus Safety to investigate and document the incident.

### In the event of a fire

- Alert others in the immediate area and activate the nearest fire alarm on your way out
- Call 911, then call Campus Safety
- Don't fight a fire if you have not been trained or if you are unsure which type of fire extinguisher to use. Most portable extinguishers are appropriate for only small, contained fires, such as a fire in a wastebasket
- Remember never to fight a spreading or growing fire and never block your escape route
- Close doors to help prevent fire from spreading
- Advise emergency personnel the size and location of the fire
- Do not re-enter a building that is on fire
- Advise emergency personnel if you know that someone is in the building

### Emergency evacuation procedures

If a fire alarm occurs, the Colorado Springs Fire Department and Campus Safety will respond to the affected area. When a fire or other evacuation alarm sounds, follow these procedures:

- In the event of a building evacuation, all individuals who can safely do so are required to exit the building immediately
- Take your keys, and small personal items (your backpack, purse, etc.), if you have time
- Carefully and calmly exit via the closest fire exit route
- Check each door for heat or hazard prior to opening. If the door feels hot or the exit path is hazardous, remain in the building
- If there is a designated fire exit through a window, use it
- Leave doors closed
- Smoke is the greatest danger in a fire, so stay low to the floor and cover your mouth with a wet cloth to make breathing easier in smoky conditions
- If you notice any individual who cannot negotiate the exit, move them laterally away from any obvious danger to a safe place. Persons with disabilities, such as those who

cannot walk or who must be assisted down stairs, may elect to remain in the building until emergency personnel arrive

- Report the status and location of anyone remaining in the building to campus responders and public officials (Police, Fire). Repeat this message often
- Stay together at a safe distance (300 to 500 feet upwind) from the building until Campus Safety advises you can return to the building
- Contain smoke or fire by closing all windows and doors to rooms, stairwells and corridors. This will help to confine the fire and deprive it of oxygen. Do not lock the doors

#### If You Are Trapped Or Unable to Exit:

- Stay calm and take steps to protect yourself
- Close the room door(s)
- Put cloth at the bottom of the door(s)
- Call 911 and stay on the line – state your location
- If possible, move to a room with an outside window
- Stay where rescuers can see you through the window and wave a light-colored item to attract their attention
- If possible open the window at the top and bottom. Be ready to shut the window quickly if smoke rushes in
- Be patient. The rescue of occupants of large structures could take time

#### Shelter-in-place procedures

If an incident occurs and the building or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus to “*shelter-in-place*” means to make a shelter of the building that you are in; with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until emergency personnel tell you it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, backpack, keys, etc.) and follow the evacuation procedures for your building (close the door, proceed to the nearest exit). Once you have evacuated, seek shelter quickly at the nearest building or rendezvous location. If emergency personnel are on the scene, follow their instructions.

Follow these building emergency protocols when you receive an emergency shelter-in-place notification:

- Locate a room to shelter inside. It should be an interior room, above ground level, without windows or with the least number of windows

- Shut and lock all windows and doors
- Turn off the lights
- Stay away from windows and exterior doors
- Turn off air conditioners, heaters, and fans
- Close vents to ventilation systems as you are able (college staff will turn off the ventilation as quickly as possible)
- Move near walls or under sturdy locations (e.g. doorways or desks)
- Make a list of people with you and alert public safety personnel of your location and/or medical emergencies by calling 911
- Make yourself comfortable
- Await public safety personnel instruction regarding building evacuation
- Carefully, calmly exit via route designated by public safety personnel. Leave doors closed
- Report any symptoms of chemical exposure (e.g., mucous membrane irritation) to public officials

Additional information about the emergency response and evacuation procedures for Apex College of Veterinary Technology can be found in the Safety Binder located in the administration building.

### Risk mitigation recommendations

Members of the Apex CVT community must assume responsibility for their own personal safety and security of their personal property. The following precautions provide guidance:

### Personal safety

- Most assaults are one-on-one. Decrease your chances of assault by walking with someone. If a friend is not available, request an escort
- Avoid walking, running, or biking alone on the greenways and trails. Go in pairs
- Avoid walking in areas with limited lighting
- If you think you are being followed, walk toward areas that are most likely to be populated and then immediately call Campus Safety or CSPD as appropriate
- Carry a whistle and don't be afraid to blow it! Never be afraid to draw attention to the fact that you feel at risk
- Report anyone who is acting suspiciously on campus to Campus Safety
- When crossing streets, make sure that cars appear to be coming to a complete stop before stepping into the street
- Report broken locks, doors, windows, and lights to Campus Safety and/or administration immediately

## Property

- Lock your bicycle with a U-type lock to a secure fence or railing
- Don't leave books or other valuables, such as purses, backpacks or laptops, unattended even for a short period of time
- Never prop doors open; anyone could walk in

## Driving

- Avoid driving in inclement weather – snow, floods, and blizzard conditions. If you must drive, learn the basics of driving in poor conditions
- Be especially careful driving in the mountains during winter conditions. Check weather reports in advance. Be prepared to use chains and drive slowly
- Carry an emergency kit in your car
- Park in a well-lighted area when possible
- Lock all vehicle doors at all times, even when driving
- Never pick up hitchhikers
- Keep an eye on your fuel gauge
- Maintain your car to reduce the chances of breakdown
- Do not drink and drive

## Pedestrian safety tips

- Be aware of your surroundings: While walking, maintain a sense of situational awareness. Keep your eyes up and refrain from texting while walking. You should keep at least one ear free and able to hear things happening around you. You can only avoid the accidents you are watching out for
- Use sidewalks: The safest place for a pedestrian is the sidewalk. If there is no sidewalk present and you have to walk on the street, walk against on-coming traffic and stay as far to the outside of the road as possible. Avoid shortcuts and alleys if possible
- Only cross at the crosswalk: The safest place to cross a street is at a marked crosswalk. Even in areas where crosswalk signals are automatically activated, stop first and look both ways. Make sure to press the button and wait for the crossing signal to indicate it is safe to cross
- Always watch for vehicles in both lanes: When crossing at a crosswalk, watch for oncoming vehicles in all lanes to make sure they have stopped. Assume that the driver cannot see you and cross when you know they have stopped
- Make yourself visible: Take efforts to make yourself visible to motorists. Wear reflective clothing and carry a flashlight

### Bicycle/long board safety tips

- Be aware of your surroundings: You should never ride a bicycle while listening to headphones. This prevents you from hearing other cyclists or motorists and increases the likelihood of an accident
- Always yield to pedestrians: The proper place for a bicycle is in the road, riding with traffic. If you have to use a sidewalk, always yield to pedestrians. If approaching a pedestrian from behind, make your presence known and indicate on which side of the pedestrian you intend to pass
- Always dismount your bike when going through a crosswalk: Crosswalks are for pedestrian use. Always dismount and walk your bike through a crosswalk abiding by pedestrian rules for crosswalks as listed above
- Obey all posted traffic regulations while riding on the street: When being ridden on the street, a bicycle must obey the same laws as a car. A cyclist should ride on the right quarter of the street closest to the curb and obey all posted regulations and stoplights
- Make yourself visible: When riding in low light conditions, make sure to take efforts to make yourself and your vehicle visible to pedestrians and motorists. Wear reflective clothing and make sure you have a functional headlamp and tail lamp
- Always assume drivers cannot see you: When passing a stopped vehicle or crossing at an intersection or crosswalk, always assume that drivers cannot see you. Stop, look both ways, and make sure all lanes of cross traffic have seen you and stopped. Make sure that vehicles know where you are on the road and that motorists stop before you cross

### Closing comments

Apex College of Veterinary Technology strives to ensure an open and honest level of communication regarding campus crime and issues of safety, security, and fire safety in and around our campus and non-campus locations. We hope that this Report has helped to identify resources and programs that can assist you in having a good experience at Apex CVT.

In our efforts to continually enhance our effectiveness, we welcome your input regarding the Apex College of Veterinary Technology's safety and security programs and services along with the fire safety programs and services.

## Appendix A – Colorado Legal Definitions Of Sexual Assault, Domestic Violence, Dating Violence, Stalking, And Consent

### C.R.S. 18-3-402. Sexual assault

1. Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:
  - a. The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or
  - b. The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
  - c. The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
  - d. 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
  - e. At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or
  - f. The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or
  - g. The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or
  - h. The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented

### C.R.S. 18-3-404. Unlawful sexual contact

1. Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if:
  - a. The actor knows that the victim does not consent; or
  - b. The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
  - c. The victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented; or
  - d. The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission; or
  - e. Repealed
  - f. The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and used this

position of authority, unless incident to a lawful search, to coerce the victim to submit; or

- g. The actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner substantially inconsistent with reasonable medical practices

(1.5). Any person who knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with another person, for the purpose of the actor's own sexual gratification, commits unlawful sexual contact. For the purposes of this subsection (1.5), the term "child" means any person under the age of eighteen years.

#### C.R.S 18-6-800. Definitions (Domestic Violence)

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.

*Colorado law does not contain a separate offense of "dating violence."*

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

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 had 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 had 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, ©, 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 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" include the person's spouse and the person's parent, grandparent, sibling or child
- d. "Repeated" or "repeatedly" means on more than one occasion

C.R.S. 18-3-401. Definitions

(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.