



**Annual Security Report  
Boulder Campus  
2024**

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## **Clery Act Annual Security Report of 2024**

The Auguste Escoffier School of Culinary Arts (AESCA) Annual Security Report of 2024 is provided to both current and prospective students and employees as part of the Campus's commitment to the safety and well-being of the AESCA community.

### **Development, Disclosure, and Implementation of Security Policies**

The Campus President is designated to ensure that AESCA security policies are actively implemented as prescribed. The Campus President reviews and updates this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and works on-going to ensure that administration, faculty, staff, students, and guests are aware of AESCA security policies. The Regulatory Operations department is responsible for the collection of the crime reports from local police and for their inclusion in the Annual Security Report.

### **Campus Security Authorities**

Campus Security Authorities (CSAs), as defined by the Clery Act, have an obligation to report allegations of Clery Act-defined crimes that they conclude are made in good faith. Crime allegations should be reported to a CSA or to the local police. The Clery Act definition of a campus security authority includes any personnel who has significant responsibility for student and campus activities, including but not limited to, student discipline, student activities, campus conduct proceedings, advisors to student organizations, event security, or those who monitor access to the campus. The Campus President is the current CSA on the campus. In the absence of the Campus President, the Director of Culinary Operations performs the duties of a CSA.

If a student or employee reports a crime to a CSA, the CSA is responsible for, outside of a qualifying confidential request, providing the information to the local police. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals may be hesitant about reporting crimes to the police but may be more inclined to report incidents to other campus-affiliated individuals. Crimes may be reported confidentially to CSAs for inclusion in the Annual Security Report.

### **Immediate Notification**

The procedure regarding immediate notification at Auguste Escoffier School of Culinary Arts is designed to get relevant information to AESCA students, employees, and visitors at any affected campus location as soon as possible when an emergency incident occurs that involves a threat to health and safety. The AESCA administration will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurring on campus.

The Campus President or a designee will confirm if there is a significant emergency or dangerous situation by gathering information and conferring with authorities to determine necessary notifications. Immediate notifications are distributed in several ways depending on the nature of the situation and the information to be disclosed. The Campus has prewritten emergency

messages that will be text messaged to those that have opted-in, emailed, and posted to the student portal by CSAs to deliver immediate information. Parents or other interested members of the community can also obtain information in the event of an emergency on campus via the local news media.

## **Emergency Response Procedures**

An emergency response program has been developed to ensure response to and recovery from emergencies of all types and magnitudes and the continuation of Institution operations following an emergency. Auguste Escoffier School of Culinary Arts (AESCA) priority when an emergency occurs is employee, student, and guest safety and emergency response, and their second priority is disaster recovery and business continuity. Considering the safety of the community, AESCA will, without delay, determine the content of the notification and initiate emergency response notification, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond, or otherwise mitigate the emergency. This plan encourages the development of prominent levels of resilience where required and the wise use of resources to assure that when an emergency occurs, AESCA's normal functions continue and, in the case of a major emergency, its mission essential functions are restored as soon as possible followed by the restoration of all Institution functions.

The Campus publishes an abbreviated Emergency Response Plan that can be found using a QR code posted on fliers throughout the building. Additionally, there are evacuation maps posted that include current location (You Are Here). Faculty and staff have access to a Contact List to communicate effectively during an emergency and Emergency Procedures are located throughout all AESCA facilities. Training and Emergency Plan discussions are held at least once a year; these discussions consist of training and review of the Emergency Alert messaging process.

The Senior Leadership Team (SLT) will initiate emergency response procedures if they have confirmed, through discussion with authorities, a report of an immediate threat to the health and safety of students or employees. If deemed appropriate, campus leadership will notify the greater campus community of campus emergencies through local media once the campus has initiated the emergency response procedures on campus and conferred with first responders and authorities. In nearly all cases of an emergency, the Campus will initiate the Emergency Alert process: Students will be notified via the online learning platform, email, and/or text and employees will be notified via emails and texts indicating the nature and any pertinent information. In any emergency, AESCA will continue to assess the situation and notify additional segments of the campus community if the situation warrants.

When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the SLT along with local Police, Fire and EMS. These first responders typically work together to manage the incident. Depending on the nature of the incident, other AESCA departments and other local agencies could also be involved in responding to the incident.

## **Emergency Evacuation Procedures**

Students, employees, and guests are expected to evacuate campus buildings if they hear a fire alarm, if they are notified by first responders, or if the campus administration determines that an evacuation is necessary. All persons will be notified if evacuation or shelter-in-place procedures are needed via one or more of the following: e-mail, Emergency Alert text messaging and/or verbally by faculty or administration in person or by phone. A test drill will be completed annually in which the fire alarms will sound, and the evacuation procedure initiated. The CSAs on campus will serve as contact points and document the results.

### **“Shelter-in-Place” Procedures**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to seek shelter indoors. Thus, to “shelter- in-place” means to utilize the building that you are in as shelter from danger that is outside of the building or in other areas of the building. With a few adjustments, these locations can be made even safer and more comfortable until it is safe to go outside.

### **Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside an interior room until you are told it is safe to come out. If your building is damaged, take easily accessible personal belongings (purse, wallet, ID, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, proceed to the pre-designated evacuation point or to a safe location. If police or fire department personnel are on the scene, follow their directions.

### **How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, including e-mails, Emergency Alert text messaging system, or verbally from Administration.

### **How to “Shelter-in-Place”**

No matter where you are, the basic steps of “shelter-in-place” will remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency “shelter-in-place” supplies and a telephone to be used in case of emergency. If you are outdoors, proceed inside the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - a. an interior room
  - b. above ground level
  - c. without windows or with the least number of windows

- d. if there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able.
6. Make a list of the people with you and ask someone to call the list in to 911.
7. Turn on a radio or TV and listen for further instructions.
8. Remain calm and make yourself comfortable.

## **Lockdown**

Lockdown is a protective action employed to safeguard students and staff when there is an armed perpetrator approaching the campus or in a campus building. Lockdown is used to keep people away from a violent perpetrator while law enforcement engages the subject. Lockdown procedures may be issued in situations involving dangerous intruders or other incidents that may result in harm to persons inside the campus building.

Alert Signal: School officials or building management will issue a lock-down order to all students, faculty and staff by text, voice, and email via the Campus Emergency Notification process.

“Run,” “Hide,” and “Fight” are the actions that both the Federal Bureau of Investigation and U.S. Department of Homeland Security recommend in an active shooter situation. Each action is explained in further detail below:

### **Run**

If possible, attempt to evacuate the premises. Be sure to:

- Have an escape route and plan in mind.
- Evacuate regardless of whether others agree to follow.
- Leave your belongings behind
- Help others escape, if possible
- Prevent individuals from entering an area where the active shooter may be.
- Keep your hands visible when engaging with law enforcement.
- Follow the instructions of any police officers.
- Do not attempt to move wounded people.
- Call 911 when you are safe.

### **Hide**

If evacuation is not possible, find a place to hide where the active shooter is less likely to find you.

- Your hiding place should:
  - Be out of view.
  - Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door)

- Not trap you or restrict your options for movement.
- Can prevent an active shooter from entering. (i.e., you should be able to lock the door)
- Blockade the door with heavy furniture.
- If the active shooter is nearby:
  - Lock the door.
  - Silence your cell phone
  - Turn off any source of noise (radios, televisions)
  - Hide behind large items (cabinets, desks)
  - Remain quiet.
- If evacuation and hiding are not possible, remain calm.
- Dial 911, if possible, to alert police to the active shooter's location
- If you cannot speak, leave the line open and allow the dispatcher to listen.

### **Fight**

As a last resort, attempt to disrupt and/or incapacitate the active shooter by:

- Acting as aggressively as possible against him/her
- Throwing items and improvising weapons
- Yelling
- Committing to your actions

### **Annual Testing**

Once a year, AESCA will test emergency response procedures by performing evacuation drills at all campus facilities. Testing of the evacuation procedures will be announced the day of the test to administration and staff and the test will be documented by CSAs. The results of these tests will be reviewed and discussed by campus leadership to determine if any modifications must be made. Testing for 2024 occurred in August and the next testing is scheduled to take place in 2025.

## Annual Crime Report

### Statistics from Local Police and Campus Security Authorities

AESCA submits an annual request to the local law enforcement agencies requesting specified crime statistics reported to local police agencies that occurred on or immediately adjacent to the campuses and on Institution owned, controlled, or affiliated property to be reported for inclusion in the annual crime report. Documentation of the request is maintained by the Campus President regarding the Campus’s efforts to obtain the statistics and documentation of any noncompliance on behalf of the police. Under the regulations of the Clery Act, an institution may withhold, or subsequently remove, a reported crime from its crime statistics if, after a full investigation, a sworn or commissioned law enforcement officer makes a formal determination that the crime is false or baseless and therefore “unfounded.” AESCA campus procedure includes reporting all non-confidential crimes to the local police department. Any confidential reports made to CSAs that are not reported to the police are added to the Crime Report by the Campus President.

### Report to ED via the Web-based Data Collection

Per request by annual letter, the United States Education Department (ED) sends a request to submit the crime statistics portion of the Annual Security Report via the Campus Safety and Security Survey web-based system. The designated Campus Safety Survey Administrator (CSSA) enters and submits the Campus’s crime statistics through this survey. AESCA’s updated statistics will be available to the public at: <http://ope.ed.gov/security>. Any crimes deemed to be unfounded will be reported to the ED as required.

### Reported Crime Statistics – 2021 - 2023:

The following statistics of Clery-reportable crimes were provided by the Boulder Police Department – the law enforcement agency with jurisdiction over Auguste Escoffier School of Culinary Arts.

Crimes	On Campus			Public Property			Unfounded		
	2023	2022	2021	2023	2022	2021	2023	2022	2021
Murder and 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



Crimes Categorized as Hate Crimes*	On Campus			Public Property			Unfounded		
	2023	2022	2021	2023	2022	2021	2023	2022	2021
Murder and 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
Larceny Theft	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
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0

Violence Against Women	On Campus			Public Property			Unfounded		
	2023	2022	2021	2023	2022	2021	2023	2022	2021
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Arrests / Referrals for Disciplinary Actions	On Campus			Public Property			Unfounded		
	2023	2022	2021	2023	2022	2021	2023	2022	2021
Arrests									
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0
Liquor Law Violation	0	0	0	0	0	0	0	0	0
Referrals for Disciplinary Actions									
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0
Liquor Law Violation	0	0	0	0	0	0	0	0	0

## Clery Geographic Area & Maps

The campus defines the geographic location as follows:

**On Campus:** Property owned or leased by the Campus during the reporting year, within the same contiguous geographic area; and used in direct support of or in a manner related to the Campus's educational purposes such as academic buildings and administrative buildings. These areas are marked in blue on the Clery Map below.

Areas marked in green on the Clery Map represent privately owned parking lots that students may use or walkways that are used when accessing campus facilities and are thus also considered "On Campus."

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, which is within the campus, or immediately adjacent to and accessible from the campus during the reporting year. These areas are marked in red on the Clery Map below.

637 South Broadway – H  
691 South Broadway – B  
693 South Broadway St. Boulder, CO 80305



## Clery Act Definitions of Reportable Crimes per the Uniform Crime Reporting Handbook

**Aggravated Assault:** 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.

**Arson:** 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.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

**Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**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, violence, and/or causing the victim fear.

**Sexual Assault** includes the following:

**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 of 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.

**Hate Crime:** Criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim in any of the following categories:

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asian, Black or African American, white.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

- **Sexual orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.
- **National Origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.
- In addition to all criminal offenses previously defined, the following four crimes are required to be reported only if classified as hate crimes:

**Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Simple Assault:** 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.

**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 an actual physical attack.

**Destruction/Damage/Vandalism of Property:** 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.

***Weapon Law Violations:*** 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:*** 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. 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:*** 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.

***Driving While Intoxicated:*** Operating a motor vehicle in a public place while intoxicated, which is to say not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body or having an alcohol concentration of 0.08 or more.

In accordance with the Violence Against Woman Act (VAWA), the campus also reports crimes of:

**Dating Violence:** The term *dating violence* means 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 shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

- Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence:**

The term “domestic violence” means felony or misdemeanor crimes 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.
- 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.

**Stalking:**

The term “stalking” means:

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. For the purposes of this definition:
- **Course of conduct** means s 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.
- **Reasonable persons** means a reasonable person under similar circumstances and with similar identities to the victim.
- **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Procedures for Reporting Crimes and Other Emergencies**

Students, faculty, staff, or guests encountering violations of AESCA policy, crimes, or other emergencies are encouraged to report these incidents accurately and promptly to one of the following:

**Campus Security Authorities:**

Contact	Title	Email	Phone
Kirk T. Bachmann	Campus President   Provost	kbachmann@escoffier.edu	720-457-9428
Susan Yurish	Lead Chef Instructor, General Education	syurish@staff.escoffier.edu	720-253-7861
Richard Jensen	Lead Chef Instructor, Culinary Arts	rjensen@staff.escoffier.edu	916-743-2950
Daniel Widmann	Lead Chef Instructor, Pastry	dwidmann@staff.escoffier.edu	720-220-2789

**Boulder Police Department: 9 1 1** (emergency)

**N o n - E m e r g e n c y :** (303) 441-3333

Community members, students, faculty, staff, and guests should report all crimes and public safety related incidents including when the victim of the crime is unable to make such a report to a CSA and/or the local police in a timely manner. Phones are available for emergency use throughout the campus. Crimes should be reported for the purpose of making timely warning notices to the community and inclusion in the annual security report. It is the responsibility of the CSA and law enforcement agencies to investigate and follow up on all reports of criminal activity on campus.

Reported violations of local, state, or federal law will be investigated. Information acquired in this investigation will be used in selecting an appropriate course of action. Options for action include:

1. pursuing the alleged violation through the criminal justice system,
2. pursuing the alleged violation through the Campus Student Conduct System,
3. pursuing the alleged violation through both the criminal justice system and the Campus Student Conduct System, or
4. taking no action.

Reported violations of Institution policies will be investigated and, where appropriate, adjudicated by the appropriate student conduct complaint/grievance procedures. After investigation by a sworn or commissioned law enforcement personnel, a crime may be classified as “unfounded” if it was determined to be baseless or false. “Unfounded” crimes will be reported to the Department of Education and disclosed in this security report.

*Incident Reports* will be used to capture information reported to CSAs. A CSA, along with the Campus President, will investigate a report when it is deemed appropriate and report the crime to the local police. Appropriate actions or sanctions will be applied.

### **Confidential Crime Reporting**

AESCA encourages anyone who is the victim or witness to any crime to promptly report the incident. Because all police reports are public records under state law, AESCA cannot guarantee that it will hold reports of crime in confidence.

Confidential reporting may be available to witnesses or victims of some crimes who do not want to pursue action within the Campus system or the criminal justice system. A person who wishes to make a confidential report that will be included in the annual disclosure of crime statistics should indicate that they do not wish the reported crime to be relayed to local police. The purpose of a confidential report is to comply with the witness’s or victim’s wish to keep the matter confidential, while taking steps to ensure their or other’s future safety. With such information, the Campus can keep an accurate record of the number of incidents involving students, employees, and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and when necessary, alert the campus community to potential danger. It is the policy of the Campus to encourage the reporting of crimes even if the victim does not wish to file a complaint. However, with crimes that involve sexual harassment, including sexual violence, confidentiality cannot be guaranteed. If a crime is reported to a CSA and the victim chooses not to report it to the police, then the employee, student or visitor may complete an Incident Report, exclude the victim’s name, and mark the confidentiality requested box.

### **Making Timely Warnings**

The Campus President will work to provide Timely Warning Notices for the Campus Community to notify members of the community about crimes that occur within Clery Geographical Boundaries, where it is determined that the incident may pose a serious or continuing threat to members of the Campus Community. Timely Warning Notices are usually distributed for a Clery crime that warrants continuing vigilance from the Campus Community and may include non-Clery crimes (such as kidnapping) if the situation warrants as determined by CSA and administrative leadership.



Timely Warning Notices for the Campus Community will be approved by the Campus President and other administrative leaders and notifications will be made via some or all of the following: e-mails, emergency alert text messaging system, press releases, warning posters, campus meetings, and announcements as soon as possible after information is available.

Anyone with information warranting a timely warning should report the circumstances to a CSA or the Campus President. All notifications issued will provide general information about the incident as well as crime prevention information that may aid in the prevention of similar occurrences. All Timely Warning notices will be issued in a manner that withholds the names of victims as confidential.

### **Preparing the Annual Disclosure of Crime Statistics**

The Annual Security Report is compiled by the Compliance Department. Crime and arrest statistics for the report are provided by the Boulder Police Department for an area that encompasses the Clery Geographical Boundaries. Student conduct violation statistics are compiled from data stored by the Compliance Department and solicited from other Institution departments and CSAs. Statistics are compiled from their replies.

### **Security and Access to Campus Facilities**

AESCA facility hours vary depending on location. The AESCA administrative office hours are open Monday–Friday from 9:00 a.m.–6:00 p.m. This facility is open to staff, current and future students, and their guests. Campus and program tours may be scheduled through the Office of Admissions. Visitor parking is allowed in any of the parking lots surrounding the building. Academic facilities close and are locked, after the last class scheduled in the facility. AESCA does not have on- campus or off- campus residence halls.

Some facility hours vary during the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules. Facilities on campus are regularly reviewed for proper physical facility function as it relates to campus safety including replacement or repair as needed.

### **Relationship with Local Law Enforcement**

AESCA does not have a campus-based police department or security center. The CSAs on campus are trained in basic security and safety functions including investigating reports of crimes, conducting follow- ups as necessary, and referring matters (as appropriate) to other departments; however, they are not law enforcement and have no arresting authority.

CSAs will report offenses to the local police department unless confidentiality is requested. Although AESCA does not have a formal written memorandum of understanding with the Boulder Police Department regarding its campuses/centers for the purpose of investigation of alleged criminal offenses, joint efforts are coordinated as needed with these local agencies and the Boulder PD to investigate crimes as deemed necessary. The prosecution of all criminal offenses, both



felony and misdemeanor, is conducted in the appropriate local, state, or federal court. AESCA maintains a working relationship with local law enforcement agencies.

### **Reporting Crimes to Law Enforcement**

AESCA is committed to providing a safe and secure environment for our students, faculty, staff, and guests. With the support of all members of the Campus Community, there is a continuing effort to keep the campus safe and secure. Because a truly safe campus can only be achieved through the cooperation of all students, faculty, staff, and guests; everyone is encouraged to report all crimes accurately and promptly to either a CSA or the appropriate police agencies as soon as they have knowledge of such an event. Any crime reported to a CSA will be, unless otherwise specified, reported to the Boulder Police.

### **Information on Campus Security Programs and Procedures**

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. The Campus is prepared to distribute timely warning notices to the campus when a crime poses a serious ongoing threat to the community to keep them aware of security related issues. Information regarding AESCA safety and security information consistent with institutional procedures is highlighted in a presentation for new students during the first week of class and available on the Online Campus. New employees are given this information during their orientation/on-boarding. Information regarding campus safety and security is available on the institution website and paper copies are available upon request to all prospective students and to every job applicant.

### **Information on Crime Prevention**

AESCA publishes crime prevention tips on the campus portal available to students and employees. Students and employees are reminded to follow such preventative procedures as:

- 1) Report all crimes and/or suspicious activities to a CSA or the Boulder Police Department
- 2) Protect personal property such as computers, cell phones, iPods, calculators, etc. by marking them to be identifiable.
- 3) Lock offices and car doors.
- 4) Walk in well-lighted areas at night.
- 5) Do not walk alone at night.
- 6) Do not leave books, jewelry, purses, wallets, backpacks, or other valuables unattended for any length of time.

### **Student Off-Campus Criminal Activity**

AESCA operates no on-campus or off-campus housing, and there are no off-campus student organization facilities associated with the Campus. In general, when an AESCA student is involved in an off-campus offense, local law enforcement agencies have primary jurisdiction. Local law enforcement agencies may have a need to communicate with AESCA administrative

surrounding any serious incidents occurring in the immediate neighborhood and business areas surrounding all AESCA's facilities.

### **Alcohol and Drug Policy**

A detailed drug and alcohol policy is provided in the Student Online Campus and available on the institutional website.

- School policy prohibits the possession, use and sale of illegal drugs.
- School policy strictly enforces State underage drinking laws.

Students participating in illegal behavior will be dismissed from the Program and reported to authorities. We urge students needing assistance with Drug and Alcohol Abuse Prevention and Education to reach out for support from any of the agencies listed in the Drug and Alcohol Policy or the Colorado Department of Human Services – Office of Behavioral Health and the website is: <https://www.colorado.gov/pacific/cdhs/behavioral-health>.

### **Sexual Assault Prevention and Reporting Procedures**

Dating violence, domestic violence, stalking, and sexual assault, including rape, acquaintance rape, date rape or gang rape is specifically prohibited on the AESCA campus or in connection with any of the programs and activities it sponsors. Students committing sex offenses, whether on or off campus, are subject to campus disciplinary action as well as criminal action. Primary prevention and awareness programs for the campus include a presentation during the first week of school for new students as well resources on the Online Campus for students and employees related to identifying sexual assault, domestic violence, dating violence, and stalking as prohibited conduct, defines what behavior constitutes sexual assault, domestic violence, dating violence, and stalking, and defining what behavior and actions constitute consent to sexual activity pursuant to AESCA policies and state criminal law.

AESCA wants students to be aware of preventive actions such as the following:

#### *Protecting yourself*

- Define what you want and clearly communicate it. Do not be pressured into situations or behavior you are not comfortable with.
- You have the right and power to say "No" and the right and power to defend yourself against someone who will not listen to you. If you say "No", say it firmly and directly.
- Trust your gut. If you feel something is wrong, it likely is. Remove yourself from the situation and get to a safe space as quickly as you can.
- Be careful with alcohol and drugs. Some people think that a drunk or stoned companion has automatically consented to sex.
- Attend parties with friends you can trust. Leave with a group, rather than alone or with someone you do not know very well.
- Look for danger signals in a dating relationship. Unhealthy behaviors can lead to aggression and violence.
- Talk to your friends honestly and openly about sexual assault.

*Bystander Intervention: Protecting your partner and friends.*

- If you or someone else is in immediate danger, dial 911.
- Watch out for your friends and others. If you someone looks like they could be in trouble or need help, ask if they are ok.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to resources for support in health, counseling, or with legal assistance.
- Consent is voluntary and mutual and can be withdrawn any time.
- Past consent does not mean current or future consent.
- There is no consent when there is force, intimidation, or coercion.
- One cannot always consent if under the influence of alcohol and/or drugs.
- Understand that if someone does not or cannot consent to sex, it is rape.
- Keep an eye on a friend or partner who has had too much to drink.
- Respect your partner's feelings and needs. Do not pressure anyone to go beyond the limits she or he has set.
- If you are unsure of what your partner wants, ask for clarification.
- Be careful with alcohol and drugs. They can interfere with your ability to clearly assess situations and to communicate effectively. If you have sex with a person under these conditions, the situation could be understood as rape.
- Be careful in group situations- resist pressure from friends to participate in or be subjected to violent or criminal acts.
- Do not make assumptions about a person's behavior. Do not automatically assume a person wants to have sex just because they drink heavily, dress provocatively, or agree to go back to your room.

The Colorado statute of rape is genderless, which means that both men and women can be rape victims and perpetrators. According to Colorado Statutes, and as applicable to this institution, sexual assault is defined by knowledgeable sexual penetration or sexual intrusion upon a victim where the perpetrator causes the victim to submit against his or her will or submit under false belief that the victim is married to the perpetrator. Sexual assault can occur whenever consent is not freely given by the victim; whenever the victim is incapable of understanding the sexual conduct, or whenever the perpetrator is aware the victim is physically helpless and has not given consent. In addition, the institution views an act as one of sexual assault whenever the perpetrator uses physical force, threat, coercion, or intimidation to overpower the victim.

Colorado Statutes define domestic violence as an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship (C.R.S § 18-6-800.3 (1)). Colorado does not specifically define dating violence as it is considered a form of domestic violence. Furthermore, the definition of stalking as defined by Colorado Statutes (C.R.S § 18-3-602 (1)(a)-(c)) is:

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.

In accordance with Colorado Statutes (C.R.S. § 18-3-401 (1.5)), “Consent” for sexual activity is defined as 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.

### **Procedures to Follow if Sexually Assaulted**

Although it may be difficult, it is always best to report a sexual assault (attempted rape or rape, which includes acquaintance rape) to local law enforcement as quickly as possible. Crimes that occur on-campus can be reported to a CSA, who will record the incident for reporting, before assisting the student in notifying law enforcement, if the student requests assistance. All incidents are encouraged to be reported to the Boulder Police Department for jurisdiction purposes.

If a crime is reported to the CSA and the victim chooses not to report it to the police, then the employee, student or employee is required to complete a *CSA Crime Reporting Form* which will allow for exclusion of the victim’s name. Any information received will be used for crime reporting notifications, campus crime statistics reporting, and campus education programs. In accordance with the Title IX Educational Amendments of 1972, AESCA does not discriminate on the basis of sex in its education programs. The Campus does prohibit retaliation. Cases of suspected sex discrimination or sexual harassment that includes any unwelcome conduct of a sexual nature such as requests for sexual favors and other verbal, nonverbal, or physical conduct of a sexual nature may be reported to the Campus Title IX Coordinator, Lauren Richardson – Manager of Licensing and Accreditation, at [LRichardson@staff.escoffier.edu](mailto:LRichardson@staff.escoffier.edu). A Title IX complaint may be filed simultaneously with a criminal complaint.

**In an emergency, an individual should go straight to the hospital.**

A victim of any sexual assault is encouraged to go to a hospital emergency room to receive appropriate medical care and/or evidence collection. Individuals may also report a sexual assault

to any of the local hospitals or obtain assistance from the following community resources that include, but are not limited to:

**Auguste Escoffier School of Culinary Arts Student Resource Program by Health Advocate**

HealthAdvocate.com/members

Email: [answers@HealthAdvocate.com](mailto:answers@HealthAdvocate.com)

Phone: (855) 384-1800

**Moving to End Sexual Assault (MESA)**

1455 Dixon Ave, Lafayette, CO 80026

303-443-0400

[www.movingtoendsexualassault.org](http://www.movingtoendsexualassault.org) Located in Boulder County

**Colorado Coalition Against Sexual Assault (CCASA)**

1330 Fox St, Denver, CO 80204

303-839.9999

<http://www.ccasa.org>

**National Sexual Assault Hotline: Confidential 24/7 Support**

National Hotline: 1-800-656-HOPE (4673)

**Safehouse Progressive Alliance for Nonviolence**

303-444-2424

[www.safehousealliance.org](http://www.safehousealliance.org)

Located in Boulder serving the cities of Boulder, Lafayette, Louisville, Broomfield, and Nederland.

**WINGS Foundation, Inc.**

303-238-8660

Toll Free: 1-800-373-8671

[www.wingsfound.org](http://www.wingsfound.org)

**Student's Option to Notify Law Enforcement**

Sexual assault victims are entitled to certain rights which shall be recognized and provided by all campus student services personnel. Among these are:

- The right to notify proper law enforcement authorities and the option to be assisted by the CSAs in notifying such authorities.
- The right to have an incident of sexual assault investigated and adjudicated by the campus conduct system, and the right to full and prompt cooperation and assistance in the campus disciplinary process.
- The right to decline the notification of such authorities.

## **Institutional Disciplinary Action Regarding Dating Violence, Domestic Violence, Sexual Assault, or Stalking**

AESCA will respond promptly and appropriately to any form of alleged misconduct including dating violence, domestic violence, sexual assault, or stalking under the Title IX Sexual Harassment or Non-Discrimination Policies and will take steps to prevent recurrence and to remedy its effects. Allegations of violations of this policy, or inquiries about or concerns regarding this policy and procedure may be directed to:

Lauren Richardson  
Title IX Coordinator/Manager of Licensing and Accreditation  
LRichardson@staff.escoffier.edu  
224.435.4062

The report can be verbal or written. Any person may report dating violence, domestic violence, sexual assault, or stalking at any time, including during non-business hours, by using the email address or telephone number of the Title IX Coordinator listed above.

Upon receiving a report of misconduct, the Title IX Coordinator will promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a complaint, and explain to the complainant the process for filing a complaint.

Supportive measures are individualized services offered as appropriate, as reasonably available, without fee or charge, that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

Supportive measures, as appropriate, will be offered to the complainant and the respondent. The Title IX Coordinator will coordinate the supportive measures.

Notwithstanding the above, AESCA may:

- remove a respondent from an educational program or activity on an emergency basis, provided that AESCA undertakes a safety and risk analysis and determines that an immediate threat to the physical health or safety of a student or other individual justifies removal. In such a case, the respondent will be provided with notice and an opportunity to promptly challenge the decision, and
- Place a non-student employee on administrative leave during the pendency of the complaint resolution process.

A report of misconduct initiates AESCA's complaint resolution process, including an investigation. If the complainant does not wish to file a complaint, and thus trigger an investigation by AESCA and the Complaint Resolution Process, the complainant's wishes will generally be respected, except that the Title IX Coordinator may sign a complaint to initiate an investigation over the wishes of the complainant if the Title IX Coordinator determines that a

complaint is not clearly unreasonable in light of the known circumstances.

If a complaint is filed, either by the complainant or the Title IX Coordinator, AESCA will begin the complaint resolution process. Unless the complaint resolution process results in a determination that a respondent was responsible, AESCA will not impose disciplinary actions or take any other actions under this Policy that are not supportive measures.

AESCA will not restrict the rights of any person, including the subject of a report filed with the Title IX Coordinator, which are protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment. This provision is not meant, and should not be construed, to mean that AESCA is subject as a state actor to the provisions of the U.S. Constitution, or any of its amendments.

At all stages of the complaint resolution process, AESCA and its representatives will:

1. require objective evaluation of all relevant evidence, whether inculpatory or exculpatory.
2. avoid credibility determinations based on a person's status as a complainant, respondent, or witness.
3. require Title IX personnel (including Title IX Coordinators, investigators, decision-makers, or any person designated to facilitate an informal resolution process) to be free from conflicts of interest or bias for or against complainants or respondents.
4. train all Title IX personnel on issues of relevance.
5. not use, rely on, or seek disclosure of information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.
6. not access or use any party's medical, psychological, or similar treatment records unless the AESCA first obtains the party's voluntary, written consent to do so.
7. not restrict the ability of the parties to discuss the allegations or gather evidence (e.g., no "gag orders"); and
8. keep confidential the identity of complainants, respondents, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding.

Upon receipt of a complaint, the Title IX Coordinator will promptly provide written notifications to all known parties. This notification will include the following information:

1. Notice of the allegations constituting potential sexual harassment, including all relevant details known at the time. These details will include, at a minimum, the identities of the parties involved in the incident(s), if known, the alleged conduct that could constitute sexual harassment, and the date and location of the alleged incident(s), if known. If, in the course of an investigation, AESCA decides to investigate allegations that are not included in the original notice, AESCA will provide notice of the additional allegations to the parties whose identities are known.
2. A statement that the respondent is presumed not responsible for the alleged conduct unless a determination regarding responsibility is made at the conclusion of the complaint resolution process.
3. A description of AESCA's complaint resolution process, including the rights and responsibilities of the parties during the investigation, hearing, and appeal process,

and the availability of any informal resolution process (as set forth more fully in this Title IX Policy).

4. A statement that they may have an advisor of their choice, who may be, but is not required to be, an attorney.

Even if the complaint is dismissed, however, AESCA still may address the allegations as potential violations of AESCA's Catalog, Code of Conduct, or other policies.

At any time after a formal complaint has been filed, and before a final determination is made by AESCA, if the Title IX Coordinator believes that the complaint may be amenable to informal resolution, the Title IX Coordinator will give notice to the parties of their ability to choose an informal resolution option. However, an informal resolution process may not be used to resolve allegations that an employee sexually harassed a student. Further, an informal resolution process may not be offered unless a formal complaint has been filed.

The notice of the informal resolution option will include a statement of the allegations, a description of the informal resolution process, and a statement that at any time prior to agreeing to an informal resolution any party has the right to withdraw from the informal resolution process and resume the formal resolution process with respect to the formal complaint. Each party has five business days to indicate in writing to the Title IX Coordinator if the party wishes to pursue the informal resolution option. If both parties give written, voluntary, and informed consent to the information resolution option within five business days, AESCA will begin the informal resolution process.

Participation in the informal resolution process is completely voluntary.

The Title IX Coordinator will designate one or more individuals to investigate the complaint (i.e., the Investigator). The Investigator will begin an investigation as soon as practicable and generally not later than 10 business days after the written notice of the complaint was delivered to all parties. The Investigator, however, will ensure that the respondent receives sufficient time to prepare prior to any initial interview.

During the investigation process, each party will have the same opportunity to select an advisor of the party's choice who may be, but need not be, an attorney. The adviser may assist with all written submissions made by a complainant or a respondent, may assist with preparing questions or other information for the complainant or the respondent, and may facilitate scheduling and other processes. During any meeting or proceeding, the adviser may be present to observe and provide support and counsel to the participant. The adviser may not, at this stage, present evidence on a party's behalf, present argument, examine witnesses, testify, or disrupt or otherwise obstruct meetings or proceedings.

The Investigator 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 information relevant to the complaint. Although the burden of investigation remains on AESCA, the Investigator will provide equal opportunity for the parties to present fact and expert witnesses and other inculpatory and exculpatory evidence.



The Investigator will send written notice of any investigative interviews, meetings, or hearings to the parties and their advisors, allowing each party adequate time to prepare in advance. AESCA will complete the investigation as quickly as possible, generally within 60 days. The investigative process may be delayed or extended at the Investigator's discretion for good cause, such as the absence of parties or witnesses, concurrent law enforcement activity, or the accommodation of disabilities.

The complainant, respondent, witnesses, and others sharing information with the Investigator are expected to provide all relevant and truthful information and to do so at their earliest opportunity to facilitate prompt resolution. AESCA's students and employees remain subject to the AESCA Catalog and the AESCA's policies during investigations and may be subject to discipline for making false statements or knowingly submitting false information during the investigation.

When the investigation is complete, the Title IX Investigator will provide the parties with a preliminary report, which will include, as applicable, the complainant's statement, the respondent's statement, each witness statement, and either a copy or written summary of any other information the Investigator deems relevant. The preliminary report will be provided in an electronic format that restricts the parties from downloading or copying the evidence. Each party will have 10 business days to review the preliminary report and to provide written feedback.

Each party's written feedback, if any, will be attached to the final report.

After consideration of the parties' final responses to the preliminary report, or after 10 business days have elapsed without comment, the Title IX Coordinator will prepare and send to the parties and to their advisors a final report that fairly summarizes relevant evidence and that includes the parties' written feedback, if any. The report will be in electronic format or hard copy and will issue a written determination regarding responsibility to the parties simultaneously. The standard of proof used will be "preponderance of evidence," which requires proving that it is more likely than not that reported sexual misconduct occurred. The written determination will include:

1. identification of the allegations
2. a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence.
3. findings of fact supporting the determination.
4. conclusions regarding the application of AESCA's policies and/or Title IX Policy to the facts.
5. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions/remedies to be imposed, and whether remedies designed to restore or preserve equal access to AESCA's education program or activity will be provided by AESCA to the complainant; and
6. AESCA's procedures and permissible bases for the complainant and respondent to appeal.

Either party may appeal the determination by filing a written appeal within 10 business days

after receipt of the determination regarding responsibility. If no appeal is filed, the determination regarding responsibility becomes final 10 business days from the date of delivery to the parties.

The Title IX Coordinator is responsible for effective implementation of any sanctions or remedies required by the determination of responsibility. The list of potential sanctions or remedies includes one or more of the following:

*For Students:*

Written warning  
No-contact orders  
Removal from specific courses or activities  
Disciplinary probation  
Suspension  
Expulsion  
Transcript notation; or  
Other sanctions as appropriate.

*For Employees:*

Written warning  
Performance improvement plan  
Required training or education  
Loss of pay increase  
Suspension with or without pay  
Termination; or  
Other sanctions as appropriate.

**Colorado Convicted Sex Offender Search** <https://apps.colorado.gov/apps/dps/sor/>.

*This website does not list all convicted sex offenders in Colorado.*

The CBI does not post information concerning (1) sex offenders only convicted of misdemeanor sex offenses, or (2) juveniles adjudicated for sex crimes.

You may contact your local Police Department, County Sheriff's office, or the CBI for a COMPLETE list of registered sex offenders in your city, county or state. Some Police Departments and Sheriff's Offices maintain websites containing information about sex offenders in their jurisdiction, consistent with Colorado Revised Statutes (CRS) 16-22-112. Please select the Information tab for links to view specific Colorado Police and Sheriff sex offender websites.

## **Missing Persons**

AESCA does not maintain school-operated student housing facilities and is not required to publish a missing student notification policy. Students are encouraged to contact the local authorities if they have information about a missing person.