



2011

# Campus Security and Drug-Free Campus/Workplace Report

(Covers 2008-2010 Reporting Years)

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# Campus Security and Drug-Free Campus/Workplace

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## CAMPUS SECURITY

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), originally known as the Campus Security Act, requires all schools that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.

Campuses are not permitted to take retaliatory action against anyone with respect to the implementation of any provision of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

### TIMELY WARNING/ EMERGENCY RESPONSE and EVACUATION PLAN STANDARD OPERATING PROCEDURE

All ATI owned and operated campuses require institutions to maintain an Emergency Response and Evacuation Plan (EREP) which includes plans and instructions to be followed by campus administration, faculty, staff, students and guests in the event of emergencies and evacuations. Each campus has a group of designated campus staff members designed as Campus Security Authorities (CSA's), who are responsible for reporting and ensuring the evacuation of the campus in the case of an emergency. The EREP includes:

- 1) The process by which the campus will confirm that there is a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurring on the campus.
  - a. Emergency information will be broadcasted through the campus emergency notification system (Rave Wireless), allowing for both electronic and cellular communication to all students and employees.
- 2) A provision for immediate notification of the campus community upon confirmation of a significant emergency or dangerous situation.
  - a. Emergency response and evacuation procedures will be publicized using emergency notification system (Rave Wireless) and physical notification by authorized personnel. This is designed to reach all ATI students and staff
- 3) Procedures for disseminating emergency information to the larger community.
- 4) Procedures for disseminating updated emergency information, which explain how this information will be communicated to the campus and relevant members of the community on a regular basis.
- 5) Procedures for testing and publishing the plan on an annual basis.
- 6) A list of CSA's (titles) responsible for carrying out this process.

The campus will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the RAVE Wireless notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate an emergency.

### SECURITY & ACCESS TO FACILITIES

- Each campus limits access to all campus facilities to authorized personnel, students, and visitors. Unauthorized persons will be considered "trespassers" and will be dealt with accordingly.
- Adequate lighting is provided at all campus locations, especially in outside areas.
- Only authorized vehicles are allowed to park in the designated parking areas.
- Persons employed as security personnel at each campus represent the campus and are instructed to enforce campus security policies.
- Security personnel are defined as campus officials or on site campus security (where applicable). Students and employees should report criminal offenses, or suspected offenses to campus officials or campus security.
- **The security personnel do not have powers of arrests, unless such personnel possess valid certification as a law enforcement officer, peace officer, or are authorized to act in such a capacity by way of official authority granted by a court of state regulatory agency.**
- Such persons have the authority to evict unauthorized persons from the campus premises and will notify local authorities of all actual or suspected criminal activities, including trespassing.

- The campus maintains its relationship with local police through campus **in-services** and collection of annual statistical in-services. In addition, the campus works with local law enforcements as necessary to report or investigate crimes.

## CRIME AWARENESS & PREVENTION

- All new campus employees and students are instructed on crime awareness during orientation, including the description of campus security measures and procedures for reporting any criminal activity or emergency.
- Students are required to follow campus security guidelines for their own personal and property safety, and are encouraged to report any suspicious activity.
- Prospective/current students and employees are provided with a notification on acquiring the complete policies and procedures package from the campus via the campus website or at the residential campus location. This information on crime awareness is readily available upon request, and will be updated and re-distributed to all existing students and staff on an annual basis.
- The campus conducts bi-annual in-service programs designed to heighten awareness of crime and its prevention. These in-service programs are conducted by local law enforcement or qualified officials twice a year.
- Students performing externship or clinical practice off-campus are expected to practice safety and security procedures as if the site were an extension of the campus.

## CRIME PREVENTION

Often people contribute to crimes of opportunity by needlessly placing themselves or their property at risk. Prevention efforts can be effective in reducing the opportunities for criminal activity. The following list is a compilation of tips devoted to crime prevention:

- Do not prop open campus doors.
- Do not leave personal property unattended.
- Report suspicious individuals to security.
- Keep your room locked at all times.
- At night, always walk in groups of at least two.
- Stay on main walkways.
- Remove valuables from your car and lock it.
- Engrave your valuables.
- Attend school-sponsored programs led by law enforcement officials.
- Always carry your picture ID.
- Be aware of your surroundings and what is going on around you.

If you assume responsibility for your own safety first and encourage others to do the same, the opportunities for crime are drastically reduced.

## CRIME LOG

The campus maintains a Crime Log that records, by the date the crime was reported, any crime that occurred on campus, on a non-campus building or property, on public property, or within the patrol jurisdiction of the Campus Security department.

The log includes:

- Date of entry
- Incident report date
- Date/time of the crime

- Nature/type of the crime/complaint
- General location of crime
- Disposition of complaint, if known

A campus may withhold information required above if there is clear and convincing evidence that the release of the information would:

- Jeopardize an ongoing criminal investigation or the safety of an individual;
- Cause a suspect to flee or evade detection; or
- Result in the destruction of evidence

The campus must make an entry or an addition to an entry to the log within two business days of the report of the information to the campus authority, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

***The campus must make the crime log for the most recent 60-day period open to public inspection during normal business hours. The campus must make any portion of the log older than 60 days available within two business days of a request for inspection.***

## REPORTING CRIMES

1. Students and employees should accurately and promptly report criminal acts to the Campus Executive Director at the campus, a member of the Campus Management staff, designated campus security (if applicable) or local police departments.
2. Reporting crimes is on a voluntary, confidential basis.
3. Campus Management staff or campus security (if applicable) must immediately notify the Campus Executive Director of any instances reported.
4. The Campus Executive Director is responsible to document any criminal acts, as well as reporting crimes to the local authorities as required by law.
5. The campus is required to make timely warnings to members of the campus community regarding the occurrence of crimes, those that are reported to campus security, and those considered by the institution to represent a threat to students and employees. The campus community includes all campus buildings and grounds and all adjacent public property.
6. Timely warnings to the campus community will be issued via text and e-mail using the RAVE Alert system as well as posted on any notice boards within the campus.
7. If there is an ongoing investigation of a crime that occurred in, at, or on any of the locations listed above that would be jeopardized, cause the suspect to flee, risk the safety of an individual, or result in the destruction of evidence, the campus may delay the timely warning until any adverse effect is no longer likely to occur.
8. The statistics are collected centrally for each campus and reported to the Federal Regulatory Affairs team on a monthly basis. The Federal Regulatory Affairs Team will report the information annually to the US Department of Education.
9. Should also include the institution's response after a crime is reported (ex. disciplinary hearing)

## CRIME STATISTICS

The federal law requires that schools disclose statistics on specific crimes/offenses that occur on-campus, on non-campus property, or on public property adjacent to or accessible from the campus. For the purposes of the Clery Act, any building that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student facility even if the building itself is owned or controlled by a third party, as classified by the FBI Uniform Crime Report.

Campus specific statistics are attached as an addendum and may be obtained by students and/or employees (current and prospective) via the campus website or at the residential campus location.

## DEFINITIONS for Crimes (as defined by the FBI Uniform Crime Report)

**1. HOMICIDE:** The willful (non-negligent) killing of one human being by another or the killing of another person through gross negligence. In general, (1) any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is considered **Murder and Nonnegligent Manslaughter** and (2) any death caused by the gross negligence of another is considered **Criminal Homicide-Manslaughter by Negligence**.

**2. SEXUAL ASSAULT:** Any sexual act directed against another person, forcibly and/or against the person's will; not forcibly or against the person's will when the victim is incapable of giving consent.

Forcible Rape – Rape by Force is defined as the carnal knowledge of a female forcibly and against her will. "Against her will" includes instances in which the victim is incapable of giving consent because of her temporary or permanent mental or physical incapacity (or because of her youth).

Forcible Rape – Attempts to Commit Forcible Rape is defined as assaults or attempts to forcibly rape.

Non-Forcible Rape – Incidents of unlawful, non-forcible sexual intercourse classified as (1) Incest is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law and (2) Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent according to state statutes.

**Note: By definition, sexual attacks on males are excluded from the rape category and must be classified as assaults or other sex offenses depending on the nature of the crime and the extent of injury.**

**3. SIMPLE ASSAULT (Hate Related Bias Crime):** 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.

Included are offenses such as minor assault, hazing, assault and battery, and injury caused by culpable negligence. As with Aggravated Assault, there are no attempted Simple Assaults.

**Simple, Not Aggravated** includes all assaults which do not involve the use of a firearm, knife, cutting instrument, or other dangerous weapon and in which the victim did not sustain serious or aggravated injuries. Agencies must classify as simple assault such offenses as assault and battery, injury caused by culpable negligence, intimidation, coercion, and all attempts to commit these offenses. In addition, Reporting Agencies must classify the offense as simple assault if the injuries are not serious (abrasions, minor lacerations, or contusions) and require no more than usual first-aid treatment. Under certain circumstances, offenses of disorderly conduct, domestic violence, or affray must be classified as simple assault.

**4. 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.

Examples include:

- Firearm includes all assaults in which a firearm of any type is used or is threatened to be used. (Examples: revolvers, automatic pistols, shotguns, rifles, etc.).
- Knife or Cutting Instrument includes assaults wherein weapons are used as cutting or stabbing objects or their use is threatened. (Examples: knives, razors, hatchets, scissors, etc.).
- Other Dangerous Weapon includes assaults resulting from the use or threatened use of any object as a weapon in which serious injury does or could result. (Examples: Mace, pepper spray, clubs, bricks, etc.). Attacks by explosives, acid, lye, poison, scalding, burnings, etc. are also included in this category.
- Hands, Fists, Feet, Etc. – Aggravated Injury includes only the attacks using personal weapons such as hands, arms, feet, fists, and teeth that result in serious or aggravated injury. Reporting agencies must consider the seriousness of the injury as the primary factor in establishing whether the assault is aggravated or simple. They must classify the assault as aggravated if the person injury is serious, for example, there are broken bones, internal injuries, or stitches required.

Often the weapon used or the extent of the injury sustained will be the deciding factor in distinguishing aggravated from simple assault. To classify an assault, consider the following:

1. The type of weapon employed or the use of an object as a weapon
2. The seriousness of the injury
3. The intent of the assailant to cause serious injury

**5. ROBBERY:** 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.

Examples include:

- Firearm includes robberies in which any firearm is used as a weapon or employed as a means of force to threaten the victim or put the victim in fear.
- Knife or Cutting Instrument includes robberies in which a knife, broken bottle, razor, ice pick, or other cutting or stabbing instrument is employed as a weapon or as a means of force to threaten the victim or put the victim in fear.
- Other Dangerous Weapon includes robberies in which a club, acid, explosive, brass knuckles, Mace, pepper spray, or other dangerous weapon is employed or its use is threatened.
- Strong-arm – Hands, Fists, Feet, Etc includes muggings and similar offenses in which only personal weapons such as hands, arms, feet, fists, and teeth are employed or their use is threatened to deprive the victim of possessions.

**6. LARCENY/THEFT (Hate Related Bias Crime):** The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession (where one does not have physical custody or possession, but is in a position to exercise control over a thing), of another person.

Larceny and theft mean the same thing in the UCR Program. Motor vehicle theft is not included and is counted separately because of the great volume of such thefts. Agencies must report local offense classifications such as grand theft, petty larceny, felony larceny, or misdemeanor larceny as larceny-theft.

Examples include:

- Pocket-picking – This includes wallets, purses, pockets, etc. If the victim is manhandled or if force beyond simple jostling is used to overcome the resistance of the victim, the offense becomes a strong-arm robbery and must be so classified.
- Purse-snatching – This includes purses, handbags, etc. If more force is used than actually necessary to snatch the purse from the owner, or if the victim resists the theft in any way, then the offense is classified as a strong-arm robbery.
- Shoplifting
- Theft from motor vehicles whether locked or unlocked (Except theft of motor vehicle parts and accessories)  
\*If a theft from a motor vehicle occurs in conjunction with a motor vehicle theft, reporting agencies must classify the incident as a motor vehicle theft.
- Theft of motor vehicle parts and accessories (attached to vehicle)
- Theft of bicycles
- Theft from buildings
- Theft from Coin-Operated Machine or Device
- All other larceny-theft not specifically classified – All thefts which do not fit the definition of the specific categories of larceny listed above. This includes theft of furniture, tools, etc.

**7. BURGLARY:** The unlawful entry (breaking or entering) with intent to commit a felony or theft, breaking and entering with intent to commit a larceny, house-breaking, safecracking, and all attempts at these offenses as burglary.

The definition of a structure includes, but is not limited to, any residence, business, campus or classroom, other buildings, public buildings, etc.

An incident must meet three conditions to be classified as a Burglary:

- 1) There must be evidence of unlawful entry (trespass). Both Forcible Entry and Unlawful Entry – No Force are counted.
- 2) The Unlawful Entry must occur within a structure, which is defined as having four walls, a roof, and a door.
- 3) The Unlawful Entry into a structure must show evidence that the entry was made in order to commit a felony or theft. If the intent was not to commit a felony or theft, or if the intent cannot be determined, the proper classification is Larceny.

Examples include:

- Forcible Entry is any offense where force of any kind is used to unlawfully enter a structure for the purpose of committing a theft or felony. (Examples: Using tools, breaking windows, master keys, or picks to gain entry). Agencies must also include this category burglary by concealment inside a building followed by exiting the structure.
- Unlawful Entry – No Force is considered when the entry of a structure is achieved by use of an unlocked door or window. The element of trespass to the structure is essential in this category, which includes thefts from open garages, open warehouses, open or unlocked dwellings, and open or unlocked common basement areas in apartment houses where entry is achieved by other than the tenant who has lawful access.
- Attempted Forcible Entry includes those situations where a forcible entry burglary is attempted but not completed. Once the thief is inside a locked structure, the offense becomes a Burglary – Forcible Entry. Agencies must classify attempts to enter an unlocked structure as well as actual trespass to an unlocked structure as Burglary – Unlawful Entry – No Force. Only situations in which a thief has attempted to break into a locked structure are classified as Burglary – Attempted Forcible Entry.

**Note: If a forcible or unlawful entry of a building is made to steal a motor vehicle, the reporting agency must count the offense and the value of the vehicle under burglary, not motor vehicle theft.**

**8. VANDALISM (Hate Related Bias Crime):** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, 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 may be specified by local law.

This offense covers a wide range of malicious behavior directed at property, such as cutting auto tires, drawing obscene pictures on public restroom walls, smashing windows, destroying campus records, tipping over gravestones, and defacing library books. Reporting agencies must include attempts to commit any of the above.

**9. MOTOR VEHICLE THEFT:** Motor Vehicle Theft includes the theft or attempted theft of a motor vehicle, which the UCR Program defines as a self-propelled vehicle that runs on land surface and not on rails; for example, sport utility vehicles, automobiles, trucks, buses, motorcycles, motor scooters, all-terrain vehicles, and snowmobiles are classified as motor vehicles. Joyriding should be included as Motor Vehicle Theft.

**Note: If a motor vehicle is stolen in conjunction with another offense, each offense must be classified accordingly.**

Examples include:

- Trucks and Buses include the theft of those vehicles specifically designed (but not necessarily used) to commercially transport people and cargo. Pickup trucks and cargo vans, regardless of their use, are included in this category. The UCR Program considers a self-propelled motor home to be a truck.
- Other Vehicles includes all other motor vehicles that meet the UCR definition such as snowmobiles, motorcycles, motor scooters, trail bikes, mopeds, golf carts, all-terrain vehicles, and motorized wheelchairs. Obviously, all situations cannot be covered, so the classifier's decision must be based on UCR standards and the results of law enforcement investigation.

**10. INTIMIDATION (Hate Related Bias Crime):** 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.

Intimidation involves an offender making some type of threat to the victim without actually using or displaying a weapon. Such threats can be made in person, over the telephone, or in writing.

**11. 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 or another, etc.

Include as arson only structural fires determined through investigation to have been willfully or maliciously set. Attempts to burn are included in this offense, but fires of suspicious or unknown origins are not.

**Note: If arson is recorded, the campus is responsible for updating the Fire Safety Report to include arson or any other types of fire.**

Examples include:

- Structural includes single occupancy residential (houses, townhouses, etc.), other residential (apartments, tenements, hotels, etc), storage (barns, garages, etc.), industrial/manufacturing, other commercial (stores, restaurants, offices, etc.), community/public (churches, jails, campuses, schools, etc.), all other structure (out buildings, monuments, buildings under construction, etc.). Structures are further divided into two subcategories: residential and nonresidential.
- Mobile includes motor vehicles (automobiles, trucks, buses, motorcycles, etc.) and other mobile property (trailers, recreational vehicles, airplanes, boats, etc.).
- Other subcategory encompasses arson of all property not classified as structural or mobile. Willful or malicious burnings of property such as crops, timber, fences, signs, and merchandise stored outside structures are included in this category.

Incidents in which persons are killed as a direct result of arson are classified as both criminal homicides and arson. Similarly, the number of persons severely injured during the commission of arson must be reported as aggravated assaults along with the arson.

**12. HATE CRIMES:** In general, “hate” or “bias” crime is often defined as unlawful actions designed to frighten or harm an individual because of his/her race, religion, gender, disability, ethnicity, national origin, or sexual orientation. A hate crime is classified as any occurrence of criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, and any other crime involving bodily injury reported to local law enforcement agencies or a campus security authority, that manifest evidence that the victim was intentionally selected because of the perpetrator’s bias.

An important distinction is required when reporting a hate crime. The mere fact that an offender is biased against a victim’s race, religion, gender, disability, ethnicity, national origin, or sexual orientation is not sufficient to deem the offense a hate crime. Rather, it must be determined that the offender’s criminal act was motivated, in whole or in part, by the offender’s bias.

## **DISCIPLINARY REFERRALS**

The following are the FBI Uniform Crime Report’s definition of crime for which arrests and disciplinary referrals must be reported:

**LIQUOR LAW VIOLATIONS:** Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages (does not include arrests for driving while impaired or under the influence of alcohol).

The campus will report the following in its annual statistics:

1. The number of campus violations
2. The type of sanction for violations
3. The number of arrests
4. The number of fatalities

**DRUG LAW VIOLATIONS:** Violations of state and local laws, specifically those for the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

The campus will report the following in its annual statistics:

1. The number of campus violations
2. The type of sanction for violations
3. The number of arrests
4. The number of fatalities

**WEAPONS POSSESSION:** Defined as a violation of law or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms. Cutting instruments, explosives, incendiary devices or other deadly weapons are included in this category.

If a weapon is utilized during any of the categories above, a separate weapon violation will be recorded in the campus statistics.

## **SEX OFFENDERS**

The Campus Sex Crimes Prevention Act requires schools to disclose to its students the location of sex offender registries and the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The act also requires registered sex offenders to provide a notice of any campus of higher education in which the offender is employed, carries on a vocation, or is a student to state officials.

Students who are subject to an involuntary civil commitment, after completing a period of incarceration for a forcible or nonforcible sexual offense, are ineligible to receive a Federal Pell Grant.

Any member of the campus community who wishes to obtain further information regarding sexual offenders in the area may refer to <http://www.sexoffender.com> for the national registry or reference the state specific sites:

Texas

[https://records.txdps.state.tx.us/dps\\_web/sor/index.aspx](https://records.txdps.state.tx.us/dps_web/sor/index.aspx)

Arizona

<http://az.gov/webapp/offender/main.do>

New Mexico

<http://www.nm.mex.offender.dps.state.nm.us>

Florida

<http://offender.fdle.state.fl.us/offender/search.jsp>

Oklahoma

[http://docapp8.doc.state.ok.us/servlet/page?\\_pageid=190&\\_dad=portal30&\\_schema=PORTAL30](http://docapp8.doc.state.ok.us/servlet/page?_pageid=190&_dad=portal30&_schema=PORTAL30)

## **SEX OFFENSES**

In order to prevent the occurrence of rape, acquaintance rape, and other forcible and non-forcible sex offenses, ATI's policy includes the following:

- In conjunction with the campus security bi-annual in-services, the campus will address awareness and prevention of rape and sex offenses. These in-service programs may be conducted by local law enforcement

officials twice a year or other qualified individuals. Notice of the programs is provided to current faculty, employees, and students by posting bulletins in common areas at the campus.

- If a sex offense occurs, the victim should immediately notify the campus authorities and local police. Any evidence that may support the offense should be meticulously preserved for police identification. To preserve evidence, you should not bathe or change clothes or do any cleaning up in any manner prior to receiving medical assistance.
- Students have the option to report rape or sex offenses to the proper law enforcement authorities. The campus staff will assist the student in reporting these offenses at the student's request.
- The campus will assist students with on- and off-campus counseling, mental health services, and other student services for victims of sex offenses upon request by the student. Information may be obtained from the Campus Executive Director.

Upon request by a victim of a sex offense, the campus will change that victim's academic schedule if the change is reasonably available. The campus has adopted a Procedure for Processing Complaints of Unlawful Discrimination (the "Non-Harassment Policy") which applies in the event of an accusation of a sex offense. A copy of the Non-Harassment Policy can be found in the school's catalog. An objective investigation will be conducted with consideration to each person's desire for privacy; however, no student or employee is guaranteed complete confidentiality and/or anonymity during an investigation. Decisions reached during the proceedings, other than referral to legal authorities, may be appealed using the school's Grievance Resolution policy also found in the school catalog.

## **DISCIPLINARY PROCEEDINGS**

The Higher Education Opportunity Act (HEOA) requires schools to disclose, upon written request, to the alleged victim of a crime of violence or a non-forcible sex offense, the results of any disciplinary hearing related to the offense conducted by the campus against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the campus must provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

## **DRUG-FREE CAMPUS AND WORKPLACE**

### **ALCOHOL & DRUG POLICY**

The campus and all associated campus areas are designated as "Drug-Free". The possession, sale or the furnishing of alcohol or illegal drugs of any kind on campus is governed by the Student Conduct found in the catalog. The Student Conduct states that "students will not bring alcohol or illegal drugs of any kind onto school premises, or be under the influence of alcohol or illegal drugs while on school premises". The National Minimum Drinking Age Act of 1984 required all states to raise their minimum purchase and public possession of alcohol to age 21.

A student committing this violation is subject to disciplinary action up to and including dismissal from school, criminal prosecution, fine and/or imprisonment. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws.

In conjunction with the campus security bi-annual in-services, the campus will address the Drug & Alcohol Prevention program that was implemented to determine the following:

- 1) The number of drug and alcohol-related violations and fatalities that occur on the campus or as part of any of the campus activities must be reported to campus officials, and
- 2) The number and type of sanctions that are imposed by the campus as a result of drug and alcohol-related violations and fatalities on the campus or as part of any of the campus activities.

Note: Additional information is available within the Employee Handbook for campus personnel.

The campus must provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties in a separate clean, and conspicuous written notice that notifies the student of the loss of eligibility and advises the student of the ways in which to regain eligibility. If the student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with criteria established by the Secretary he may be eligible to regain eligibility of Federal funds.

## *DESCRIPTION OF HEALTH RISKS ASSOCIATED WITH ALCOHOL*

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood the driver will be involved in an accident. Low-to-moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate-to-high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics than other youngsters.

## *DESCRIPTION OF HEALTH RISKS ASSOCIATED WITH DRUG USE*

<b>Drugs</b>	<b>Physical Dependence</b>	<b>Psychological Dependence</b>	<b>Possible Effects</b>
<b>Narcotics</b>			
<b>Heroin</b>	High	High	<ul style="list-style-type: none"> <li>• Euphoria</li> <li>• Drowsiness</li> <li>• Respiratory Depression</li> <li>• Constricted Pupils</li> <li>• Nausea</li> </ul>
<b>Morphine</b>	High	High	
<b>Codeine</b>	Moderate	Moderate	
<b>Hydrocodone</b>	High	High	
<b>Hydromorphone</b>	High	High	
<b>Oxycodone</b>	High	High	
<b>Methadone &amp; LAAM</b>	High	High	
<b>Fentanyl &amp; Analogs</b>	High	High	
<b>Other Narcotics</b>	High-Low	High-Low	
<b>Depressants</b>			
<b>Chloral Hydrate</b>	Moderate	Moderate	<ul style="list-style-type: none"> <li>• Slurred Speech</li> <li>• Disorientation</li> <li>• Drunken Behavior Without Odor of Alcohol</li> </ul>
<b>Barbiturates</b>	High-Moderate	High-Moderate	
<b>Benzodiazepines</b>	Low	Low	
<b>Glutethimide</b>	High	Moderate	
<b>Other Depressants</b>	Moderate	Moderate	
<b>Stimulants</b>			

<b>Cocaine</b>	Possible	High	<ul style="list-style-type: none"> <li>• Increases Alertness</li> <li>• Euphoria</li> <li>• Increased Pulse Rate &amp; Blood Pressure</li> <li>• Excitation</li> <li>• Insomnia</li> <li>• Loss of Appetite</li> </ul>
<b>Amphetamine/ Methamphetamine</b>	Possible	High	
<b>Methylphenidate</b>	Possible	High	
<b>Other Stimulants</b>	Possible	High	
<b>Cannabis</b>			
<b>Marijuana</b>	Unknown	Moderate	<ul style="list-style-type: none"> <li>• Euphoria</li> </ul>
<b>Tetrahydrocannabinol</b>	Unknown	Moderate	<ul style="list-style-type: none"> <li>• Relaxed Inhibitions</li> </ul>
<b>Hashish &amp; Hashish Oil</b>	Unknown	Moderate	<ul style="list-style-type: none"> <li>• Increased Appetite</li> <li>• Disorientation</li> </ul>
<b>Hallucinogens</b>			
<b>LSD</b>	None	Unknown	
<b>Mescaline &amp; Peyote</b>	None	Unknown	
<b>Amphetamine Variants</b>	Unknown	Unknown	<ul style="list-style-type: none"> <li>• Illusions &amp; Hallucinations</li> </ul>
<b>Phencyclidine &amp; Analogs</b>	Unknown	High	<ul style="list-style-type: none"> <li>• Altered Perception of Time &amp; Distance</li> </ul>
<b>Other Hallucinogens</b>	None	Unknown	
<b>Anabolic Steroids</b>			
<b>Testosterone (Cypionate, Enanthate)</b>	Unknown	Unknown	<ul style="list-style-type: none"> <li>• Virilization</li> <li>• Acne</li> </ul>
<b>Nandrolone (Decanoate, Phenpropionate)</b>	Unknown	Unknown	<ul style="list-style-type: none"> <li>• Testicular Atrophy</li> <li>• Gynecomastia</li> <li>• Aggressive Behavior</li> </ul>
<b>Oxymetholone</b>	Unknown	Unknown	<ul style="list-style-type: none"> <li>• Edema</li> </ul>

## **ADDENDUMS**

### **FEDERAL SANCTIONS**

Campuses are required to notify current/perspective students and employees of the federal legal sanctions associated with the possession or trafficking of a controlled substance. Refer to the *Federal Sanctions* addenda for a detailed listing.

### **STATE LEGAL SANCTIONS**

Campuses are required to notify current/perspective students and employees of the state legal sanctions associated with the possession or trafficking of a controlled substance. Refer to the separate *State Sanctions* addenda for a detailed listing.

### **LOCAL COUNSELING, TREATMENT, AND REHABILITATION PROGRAMS**

Campuses are required to notify current/perspective students and employees of local counseling, treatments, and rehabilitation programs for possession and trafficking of a controlled substance. Refer to the *Local Counseling, Treatment, and Rehabilitation Programs* addendum.

### **CAMPUS CRIME STATISTICS**

The addenda labeled *Campus Crime Statistics* contain the criminal offenses and disciplinary instances as reported to the campus or the local law enforcement as occurring on campus, off campus, or on public property within close proximity of the campus. The Campus Crime Statistics include the number of offenses or instances for the last three completed calendar years.

### **EMERGENCY RESPONSE and EVACUATION PLAN**

The addenda labeled *Campus Security Authority Chart* details personnel who are responsible for carrying out the Emergency Response and Evacuation Plan.

# Federal Sanctions

## Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

- 1<sup>st</sup> Conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000 or both
- After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years, and fined at least \$2,500 but not more than \$250,000, or both
- After 2 or more drug convictions: At least 90 days in prison, not to exceed 3 years, and fined at least \$5,000 but not more than \$250,000 or both
- Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years, and fined up to \$250,000, or both if:
  - 1<sup>st</sup> convictions and amount of crack possessed exceeds 5 grams.
  - 2<sup>nd</sup> crack conviction and the amount of crack possessed exceed 3 grams.
  - 3<sup>rd</sup> or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.
- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year of imprisonment. (See special sentencing provisions re: crack.)
- Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.
- Civil fine of up to \$10,000 (pending adoption of final regulations)
- Denial of federal benefits such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense and up to 5 years for second and subsequent offenses.
- Ineligible to receive or purchase a firearm.
- Revocation of certain federal licenses and benefits (e.g. pilot licenses, public housing tenancy, etc.) are vested within the authorities of individual federal agencies.

## Federal Trafficking Penalties for Illegal Distribution of a Controlled Substance

- **Methamphetamine (10-99 gm, or 100-199 gm mixture)**
  - **Heroin (100-999 gm mixture)**
  - **Cocaine/Cocaine Base (500-4,999 gm mixture (Cocaine)/5-49 gm mixture (Cocaine Base))**
  - **Phencyclidine (PCP) (10-99 gm or 100-999 gm mixture)**
  - **LSD (1-10 gm mixture)**
  - **Fentanyl/Fentanyl Analogue (40-399 gm mixture (Fentanyl)/10-99 gm mixture (Fentanyl Analogue))**
  - **Marijuana (Mixture containing detectable quantity)(100-1,000 kg; or 100-999 plants)**
1. First Offense: Not less than 5 years; not more than 40 years. If death or serious injury, not less than 20 years; not more than life. Fine of not more than \$2 million individual, \$5 million other than individual.
  2. Second Offense: Not less than 10 years; not more than life. If death or serious injury, not less than life. Fine of not more than \$4 million individual, \$10 million other than individual.
- **Methamphetamine (100 gm or more, or 1 kg or more mixture)**
  - **Heroin (1 kg or more mixture)**
  - **Cocaine/Cocaine Base (5 kg or more mixture (Cocaine)/50 gm or more mixture (Cocaine Base))**
  - **Phencyclidine (PCP) (100 gm or more, or 1 kg or more mixture)**
  - **LSD (10 gm or more mixture)**
  - **Fentanyl/Fentanyl Analogue (400 gm or more mixture (Fentanyl)/100 gm or more mixture (Fentanyl Analogue))**
  - **Marijuana (Mixture containing detectable quantity) (1,000 kg or more; or 1,000 or more plants)**

1. First Offense: Not less than 10 years; not more than life. If death or serious injury, not less than 20 years; not more than life. Fine of not more than \$4 million individual, \$10 million other than individual
  2. Second Offense: Not less than 20 years; not more than life. If death or serious injury, not less than life. Fine of not more than \$8 million individual, \$20 million other than individual.
- **Marijuana (Less than 50 kg)**
  - **Hashish/Hashish Oil (Less than 10 kg (Hashish)/less than 1kg (Hashish Oil))**
1. First Offense: Not more than 5 years. Fine of not more than \$250,000 individual, \$1 million other than individual.
  2. Second Offense: Not more than 10 years. Fine of not more than \$500,000 individual, \$2 million other than individual.
- **Marijuana (50-100 kg; or 50-99 plants)**
  - **Hashish/Hashish Oil (10-100 kg (Hashish)/1-100 kg (Hashish Oil))**
1. First Offense: Not more than 20 years. If death or serious injury, not less than 20 years; not more than life. Fine of no more than \$1 million individual, \$5 million other than individual.
  2. Second Offense: Not more than 30 years. If death or serious injury, not less than life. Fine of no more than \$2 million individual, \$10 million other than individual.

## Legal Sanctions For the Unlawful Possession or Distribution of Illicit Drugs and Alcohol

The penalties for even the most minor of violations of the Liquor Control Act can include fines of up to \$300, confiscation of property and imprisonment for up to seven months. More serious violations carry greater penalties, with larger fines and longer imprisonment.

Driving or using machinery after drinking or using drugs creates the risk that the user may injure or kill someone. This can result in homicide charges. License revocation and vehicle impoundment are also possible results of driving while under the influence of liquor or drugs. The minimum blood alcohol levels at which drivers' licenses are revoked in New Mexico are: .02% for those under 21, and .08% for those 21 and over. All drivers in New Mexico are presumed to be intoxicated at the .08% level.

In drug-related cases a court can permanently suspend eligibility for federal benefits, including financial aid. A criminal record can seriously hurt educational and career opportunities.

Penalties for illegal drug use can include significant fines and imprisonment. Penalties for the illegal sale of drugs are greater, and may include property confiscation. Alternative penalties for illegal drug or alcohol use may also include mandatory community service. Violation of laws by a foreign national may result in deportation.

As required by federal regulations, the following charts detail the federal and state sanctions for the unlawful possession or distribution of illicit drugs:

### FEDERAL DRUG TRAFFICKING PENALTIES

DRUG/ SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 – 4999 gms mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs, & not more	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, & not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs, & not more than life. If death or serious injury, life in prison. Fine of not more than \$8 million if
Cocaine Base (Schedule II)	5 - 49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1- 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 – 499 gms mixture		50 gms or more pure, or 500 gms or more mixture	
PCP (Schedule II)	10-99 gms pure or	100 gm or more		

New Mexico State Sanctions

	100 – 999 gms mixture	than life. If death or serious injury, life in prison. Fine of not more than \$4 million if an individual, \$10 million if not an individual.	pure, or 1 kg or more mixture	an individual, \$20 million if not an individual.  <b>2+ Prior Offenses:</b> Life in prison
<b>DRUG/ SCHEDULE</b>				
<b>QUANTITY</b>				
<b>PENALTIES</b>				
Other Schedule I & II Drugs (& any product containing Gamma Hydroxybutyric Acid)	Any amount			<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual.
Flunitrazepam (Schedule IV)	1 gm or more			<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
Other Schedule III drugs	Any amount			<b>First Offense:</b> Not more than 3 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
Flunitrazepam (Schedule IV)	30 – 999 mgs			<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.
All other Schedule IV drugs	Any amount			
Flunitrazepam (Rohypnol) (Schedule IV)	Less than 30 mgs			
All schedule V drugs	Any amount			

New Mexico State Sanctions

DRUG	QUANTITY	1ST OFFENSE	2ND OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	Not less than 10 yrs, not more than life. If death or serious injury, not less than 20 yrs, not more than life. Fine not more than \$4 million if an individual, \$10 million if not an individual.	Not less than 20 yrs, not more than life. If death or serious injury, mandatory life. Fine not more than \$8 million if an individual, \$20 million if not an individual.
Marijuana	100 kg - 999 kg mixture; or 100 – 999 plants	Not less than 5 yrs, or more than 40 yrs. If death or serious injury, not less than 20 yrs, not more than life. Fine not more than \$2 million if an individual, \$5 million if not an individual.	Not less than 10 yrs, not more than life. If death or serious injury, mandatory life. Fine not more than \$4 million if an individual, \$10 million if not an individual.
Marijuana	More than 10 kgs hashish; 50 – 99 kg mix. More than 1 kg of hashish oil; 50 – 99 plants	Not more than 20 yrs. If death or serious injury, not less than 20 yrs, not more than life. Fine \$1 million if an individual, \$5 million if not an individual.	Not more than 30 yrs. If death or serious injury, mandatory life. Fine \$2 million if an individual, \$10 million if not an individual.
Marijuana	1 – 49 plants; less than 50 kg mixture	Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if not an individual
Hashish	10 kg or less		
Hashish Oil	1 kg or less		

**NM DRUG LAWS (30-31-2 NMSA 1978)**

<b>DRUG</b>	<b>CONDITIONS QUANTITY</b>	<b>PENALTY Prison Fines</b>
Methamphetamine PCP Rohypnol, GHB	Possession	18 mos. ≤ \$5,000 (4th degree Felony)
Methamphetamine PCP Rohypnol * GHB	1st Offense Trafficking (to sell, barter, give away, or distribute)	9 yrs. ≤ \$10,000 (2nd degree Felony)
Methamphetamine PCP Rohypnol, GHB	2nd or subsequent Offense Trafficking	18 yrs. \$15,000 (1st degree Felony)
Cocaine/Heroin LSD , Other drugs	Possession	≤1 yr. \$500 – 1,000
Prescription Drugs	Possession	≤1 yr. \$500 – 1,000 (higher for narcotics)
Cocaine/Heroin LSD Other drugs	1st Offense Trafficking (to sell, barter, give away, or distribute)	≤ 3 yrs. ≤ \$5,000 (3rd degree Felony)
Prescription Drugs Cocaine/Heroin LSD, Other drugs	2nd or subsequent Offense Trafficking	9 yrs. \$10,000 (2nd degree Felony)
Marijuana	Possession, <1 oz. 1st offense Possession, 1-8 oz. 1st offense Possession, 8+ oz. 1st offense	≤ 15 dys. \$50-100 < 1 yr. \$100-1,000 18 mos. \$5,000
Marijuana	1st Offense Trafficking (to sell, barter, give away, or distribute)	18 mos. \$5,000 >100 lbs = 3 yrs. \$5,000

**LOCAL COUNSELING, TREATMENT,  
AND REHABILITATION PROGRAMS**

**Albuquerque**

**Rape Crisis Center of Central New Mexico**

**505-266-7711**

**National Sexual Assault Hotline**

**(800) 656-HOPE (4673)**

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Campus Crime Statistics

Crimes reported on campus

CATEGORY	2008*	2009	2010
<b>Criminal Homicide:</b>			
Murder and Non- Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses:</b>			
Forcible	0	0	0
Non-forcible	0	0	0
<b>Assault:</b>			
** Simple Assault	0	0	0
Aggravated Assault	0	1	2
<b>Robbery:</b>	0	0	1
**Larceny-Theft:	0	0	1
<b>Burglary:</b>	0	1	0
**Vandalism:	0	0	0
<b>Motor Vehicle Theft:</b>	1	1	1
**Intimidation:	0	0	0
<b>Arson:</b>	0	0	0
<b>Arrests For:</b>			
Liquor Law Violation			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
# of arrests	0	0	0
# of fatalities	0	0	0
Drug-Related Violations			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
# of arrests	0	0	0
# of fatalities	0	0	0
Weapons Possession	0	0	1
<b>Disciplinary Referrals:</b>			
Liquor Law Violation			
# of campus violations	0	0	1
Type of sanctions for violations	0	0	DIS
Drug-Related Violations			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
Weapons Possession	0	0	0

<b>Hate Crimes</b>			
Should a hate crime be reported, it will be identified by the bias category.			
CATEGORY	2008*	2009	2010
<b>Criminal Homicide:</b>			
Murder and Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses:</b>			
Forcible	0	0	0
Non-forcible	0	0	0
<b>Assault:</b>			
Simple Assault	0	0	0
Aggravated Assault	0	0	0
<b>Robbery:</b>	0	0	0
<b>Larceny-Theft:</b>	0	0	0
<b>Burglary:</b>	0	0	0
<b>Vandalism:</b>	0	0	0
<b>Motor Vehicle Theft:</b>	0	0	0
<b>Intimidation:</b>	0	0	0
<b>Arson:</b>	0	0	0

<b>Bias Categories</b>	
Race	Gender
Religion	Disability
Ethnicity/National Origin	Sexual Orientation

\* Data collection from 8/14/08-12/31/08 per the Higher Education Opportunity Act (HEOA)

\*\* Crimes that occurred on campus not motivated by bias

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Campus Crime Statistics

Off-campus / Public property (reported to local authorities)

CATEGORY	2008*	2009	2010
<b>Criminal Homicide:</b>			
Murder and Non- Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses:</b>			
Forcible	0	0	0
Non-forcible	0	0	0
<b>Assault:</b>			
**Simple Assault	0	0	1
Aggravated Assault	0	3	0
<b>Robbery:</b>	0	0	0
<b>**Larceny-Theft:</b>	0	0	3
<b>Burglary:</b>	0	0	0
<b>**Vandalism:</b>	0	0	1
<b>Motor Vehicle Theft:</b>	7	2	0
<b>**Intimidation:</b>	0	0	0
<b>Arson:</b>	0	0	0
<b>Arrests For:</b>			
Liquor Law Violation			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
# of arrests	0	0	0
# of fatalities	0	0	0
<b>Drug-Related Violations</b>			
# of campus violations	2	0	1
Type of sanctions for violations	ARR	0	ARR
# of arrests	2	0	1
# of fatalities	0	0	0
Weapons Possession	0	0	0
<b>Disciplinary Referrals:</b>			
Liquor Law Violation			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
<b>Drug-Related Violations</b>			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
Weapons Possession	0	0	0

<b>Hate Crimes</b>			
Should a hate crime be reported, it will be identified by the bias category.			
CATEGORY	2008*	2009	2010
<b>Criminal Homicide:</b>			
Murder and Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses:</b>			
Forcible	0	0	0
Non-forcible	0	0	0
<b>Assault:</b>			
Simple Assault	0	0	0
Aggravated Assault	0	0	0
<b>Robbery:</b>	0	0	0
<b>Larceny-Theft:</b>	0	0	0
<b>Burglary:</b>	0	0	0
<b>Vandalism:</b>	0	0	0
<b>Motor Vehicle Theft:</b>	0	2	0
<b>Intimidation:</b>	0	0	0
<b>Arson:</b>	0	0	0

<b>Bias Categories</b>	
Race	Gender
Religion	Disability
Ethnicity/National Origin	Sexual Orientation

\* Data collection from 8/14/08-12/31/08 per the Higher Education Opportunity Act (HEOA)

\*\* Crimes that occurred off-campus not motivated by bias

# Campus Security Authority Chart Albuquerque Campus

Main Phone: 505-903-7055

Individuals to contact in case of an emergency:

1. Campus Executive Director
2. Director of Education
3. Director of Financial Aid