POLICY MANUAL

GENERAL

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Covered Individuals: USU Employees, Students, Visitors
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533.1 POLICY

The purpose of the Public Safety, Response, and Reporting policy is to provide the framework for creating a safe and secure environment for students, faculty, staff, and campus visitors. This policy also outlines the University’s response to reports of crime and defines reporting guidelines, while complying with federal laws regarding safety on campus.

533.2 REFERENCES

- 20 USC § 1092(f), Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)
- FBI UCR Program - National Incident-Based Reporting System
- Higher Education Opportunity Act (Public Law 110-315) (HEOA)
- Utah Code Ann. § 76-5-106, Harassment, Assault and Related Offenses
- Utah Code Ann. § 76-5-406, Sexual offenses against the victim without Consent of victim
- Utah Code Ann. § 76-9-702.1, Sexual, Offences Against Public Order and Decency Battery
- Utah Code Ann. § 77-36-1, Definitions, Cohabitant Abuse Procedures Act
- Utah Code Ann. § 78B-7-402, Definitions, Dating Violence Protection Act,
- USU Student Code Article II-1, Responsibility of Students
- USU Student Code Article II-3, Confidential Resources and Requests for Confidentiality
- USU Student Code Article II-4, Amnesty for Seeking Medical Attention and Reporting Sexual Misconduct
• USU Student Code Article V, Section V-3, University Standards of Student Conduct
• USU Policy 305, Discrimination Complaints
• USU Policy 311, Corrective Action
• USU Policy 313, Drug and Alcohol-Free Workplace; Drug and Alcohol Testing
• USU Policy 321, Employee Rights

533.3 DEFINITIONS

3.1 Annual Security Report (ASR): The annual report of crime statistics and other campus information that must be prepared and distributed in accordance with the Clery Act.

3.2 Business Day: Monday through Friday, excluding any day when the University is closed.

3.3 Bystander Intervention: A bystander is an individual who observes violence or witnesses the conditions that perpetuates violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. Bystander intervention includes interrupting situations that could lead to injury or harm to another person, before it happens or during an incident, speaking out against social norms that support sexual assault, domestic violence, dating violence, stalking, and other crimes; and having skills to be an effective and supportive ally to survivors.

3.4 Campus: Any building or property owned or controlled by the University and within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University’s educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the University but controlled by another person, is frequently used by students, and supports University purposes (such as a food or other retail vendor).

3.5 Campus Security Authority (CSA): Any employee of the University’s Public Safety Department.

Any individual or individuals who have responsibility for campus security but who are not employees of the Public Safety Department under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrance into University property.

Any individual or organization specified in section 4.1 of this policy as individuals to which students and employees should report criminal offenses.
An official of the University who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a Campus Security Authority when acting as a Pastoral or Professional Counselor.

3.6 **Clery Geography:** For the purposes of collecting statistics on the crimes required for submission to the U.S. Department of Education and inclusion in the University’s Annual Security Report, Clery geography includes:

1) Buildings and property that are part of the University’s Campus;
2) The University’s non-campus buildings and property; and
3) Public property within or immediately adjacent to and accessible from the campus.

For the purposes of maintaining the crime log, Clery geography includes, locations identified in paragraph (1) of this definition and areas within the patrol jurisdiction of the Public Safety Department.

3.7 **Coercion:** The act of pressuring another person into doing something against his or her will without physical force, whether through manipulation, intimidation, or the use of alcohol and drugs.

3.8 **Consent:** For purposes of University policy, Consent means affirmative and freely given permission to engage in sexual activity. A person can express Consent, or lack of Consent, through words or conduct. A person has not given Consent when incapacitated due to alcohol or other drugs. Under Utah law, Consent is not given where the perpetrator overcomes the victim by application of force, violence, concealment, or surprise. A person has not given Consent where the perpetrator intentionally impairs the victim by administering any substance without the victim’s knowledge. A person has not given Consent when he or she is unconscious, unaware that the act is occurring, or is physically unable to resist. Individuals under the age of 14 cannot consent to sexual activity. For a non-exhaustive list of situations in which consent has not been given, see Utah Code Ann. § 76-5-406.

3.9 **Daily Crime Log:** A log maintained by campus police that records reported criminal activity in accordance with the Clery Act.

3.10 **Dating Violence:** 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.
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.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting under this Policy; though criminal prosecution of crimes must meet the definition of Utah law. Under Utah law, dating violence includes any criminal offense involving violence or physical harm, or threat of violence or physical harm, when committed by a person against a dating partner of the person; or any attempt, conspiracy, or solicitation by a person to commit a criminal offense involving violence or physical harm against a dating partner of the person.

3.11 **Dating Partner:** A person who is:

1) An emancipated person under Section 15-2-1 or Title 78A, Chapter 6, Part 8, Emancipation; or
2) 18 years of age or older;

And is, or has been, in a dating relationship with the other party.

Dating partner does not include an intimate partner, as defined herein.

3.12 **Dating Relationship:** A social relationship of a romantic or intimate nature, or a relationship, which has romance or intimacy as a goal by one or both parties, regardless of whether the relationship involves sexual intimacy. Dating relationship does not mean casual fraternization in a business, educational, or social context. In determining, based on a totality of the circumstances, whether a dating relationship exists, all relevant factors shall be considered, including:

1) whether the parties developed interpersonal bonding above a mere casual fraternization;
2) the length of the parties' relationship;
3) the nature and the frequency of the parties' interactions, including communications indicating that the parties intended to begin a dating relationship;
4) the ongoing expectations of the parties, individual or jointly, with respect to the relationship;
5) whether, by statement or conduct, the parties demonstrated an affirmation of their relationship to others; and
6) whether other reasons exist that support or detract from a finding that a dating relationship exists; and it is not necessary that all, or a particular number, of the factors described herein are found to support the existence of a dating relationship. (*Utah Code Ann. § 78B-7-402*).
3.13 **Disciplinary Referral:** The referral of any person to a campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

3.14 **Domestic Violence:** A felony or misdemeanor crime of violence committed—

1) By a current or former spouse or intimate partner of the victim;
2) By a person with whom the victim shares a child in common;
3) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
5) 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.

Under Utah law, any criminal offense involving violence or physical harm or threat of violence or physical harm, or any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical harm, when committed by one cohabitant against another. Domestic violence also means commission or attempt to commit, any of the following offenses by one cohabitant against another: aggravated assault, assault, criminal homicide, harassment, electronic communication harassment, kidnapping, child kidnapping, or aggravated kidnapping, mayhem, sexual offenses, stalking, unlawful detention, violation of protective order, any offense against property, or possession of a deadly weapon with intent to assault, or discharge of a firearm. (*Utah Code Ann. § 77-36-1(4)*).

3.15 **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.

3.16 **Hate Crime:** A crime reported to local police agencies or to a Campus Security Authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For the purposes of this section, the categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

3.17 **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

3.18 **Non-Campus Building or Property:**
1) Any building or property owned or controlled by an officially recognized student organization, or

2) Any building or property owned or controlled by the University that is used in direct support of, or in relation to, the University's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the university.

3.19 Pastoral Counselor: A person, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

3.20 Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the University's community and who is functioning within the scope of the counselor’s license or certification.

3.21 Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

3.22 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.

3.23 Retaliation: An action taken by an accused individual or an action taken by a third party against any person because that person has opposed any practices forbidden under this policy or because that person has filed a complaint, assisted or participated in any manner in an investigation or proceeding under discrimination/harassment policies. This includes action taken against a bystander who intervened to stop or attempt to stop any crime or potential crime including discrimination and/or harassment. Retaliation includes intimidating, threatening, coercing or in any way discriminating against an individual because of the individual’s complaint or participation. An action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by the University. USU will take immediate and responsive action to any report of retaliation and may pursue disciplinary action as appropriate.

3.24 Reasonable Person: A Reasonable Person is an individual who is under similar circumstances and has similar identities to the victim.

3.25 Sexual Assault:

1) An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting System. Any sexual act
directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

2) Any incident meeting this definition is considered a crime for purposes of Clery Act reporting, though criminal prosecution of crimes must meet the definition of Utah law.

3) Under Utah law, a person is guilty of sexual battery (also called sexual assault) if the person, under circumstances not amounting to rape, sodomy, forcible sex abuse, aggravated sexual abuse, intentionally touches, whether or not through the clothing, the anus, buttocks, or any part of the genitals of another person, or the breast of a female person, and the person’s conduct is under circumstances the person knows or should know will likely cause affront or alarm to the person touched. (*Utah Code Ann. § 76-9-702.1*)

3.26 Stalking:

1) Intentionally or knowingly engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
2) Fear for the person’s safety or the safety of others; or
3) Suffer substantial emotional distress.
4) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
5) A person is guilty of Stalking who intentionally or knowingly violates a stalking injunction issued pursuant to Utah Code section 77-3a, or a permanent criminal stalking injunction issued pursuant to Utah Code section 76-5-106.

3.27 Statutory Rape: Sexual intercourse with a person who is under the statutory age of Consent.

3.28 University Emergency Team: A team consisting of the University President, Provost, Vice President for Business and Finance, Public Relations Director, General Counsel, University Police Chief and designees as appointed by the President.

533.4 POLICY

4.1 Reporting of Crimes and Other Emergencies

4.1.1 Student Reporting of Crimes

Students and others who become aware of criminal actions or other emergencies on campus should report these activities for assistance, to prevent crime, to help the University to make timely warning reports, to improve safety, and for
purposes of including the activities in the ASR. Reports may be in any form desired, including via phone, in writing, or in person.

1) To report a crime or emergency, individuals should call the University Police at (435) 797-1939 or 911. In addition, individuals may report an emergency or a crime using any emergency phone, located in select parking lots and public areas on campus, or in person at the University Police located at 1250 North 850 East, Logan, Utah. University Police respond to reports in accordance with law enforcement protocol. University Police may make disciplinary referrals to other organizations of the University when appropriate.

2) Criminal actions and other prohibited conduct may also be reported to the individuals or offices listed below.

- Office of Student Affairs
- Department of Human Resources
- University Housing
- Campus Security Authorities (CSA)
- Affirmative Action/Equal Opportunity (AA/EO) (Title IX) Office

Information for how to report to these offices can be found online or by contacting each office directly. Reports made to these persons or offices, and not made to the University Police, may be included in the statistical report in the ASR but may not necessarily be investigated by the police.

3) Although the University strongly encourages all members of the University community to report crimes to law enforcement, it is the victim’s choice whether or not to make such a report and the victim has the right to decline involvement with the police or other campus officials, subject to the reporting requirements in section 4.1.2. The University will assist any victim with notifying the police, if they so desire.

4.1.2 Campus Security Authority’s Responsibility to Report

Any Campus Security Authority who becomes aware of an alleged or actual crime that is required to be reported under the Clery Act and which occurs within the Clery Geography must report all information known about the crime to the University Police, in accordance with his/her Clery Act obligations.

4.1.3 Reporting Crimes on a Voluntary, Confidential Basis

To the extent possible, the University desires to support individuals who have been the victim of, or witnessed a crime, and are concerned about identifying information being shared with others. In particular, the University encourages those who have been the victim of sexual violence and other crimes to talk to someone about what happened in order to get needed support. However, certain
policies and laws prevent the University from guaranteeing confidentiality in some instances, as more fully described below.

1) Under USU Policies 305 Discrimination Complaints and 339 Sexual Harassment, unless specifically exempted, all employees are Responsible Employees and are required to report information to the AA/EO Office regarding discriminatory harassment, which includes reports of sexual assault, dating violence, domestic violence, stalking, etc.

2) All employees who are Campus Security Authorities, as defined herein, must report criminal activities in accordance with this policy and the Clery Act.

3) University Police, the AA/EO Office, and other University authorities must comply with applicable law in determining whether certain crimes must be investigated or disclosed further to others. The University may be required to disclose information beyond the University under federal law, state law, or court order.

4) Disclosure of information is always limited to those who need to know in order to keep the campus community safe and to comply with applicable law.

5) Individuals who witness or are the victim of a crime, but who are concerned about identifying information being shared with others should make those concerns known prior to reporting to a University employee. Employees responsible for reporting such information should alert individuals of their reporting responsibilities as soon as possible. If the employee is required to make a report to other University officials, such employees should communicate the desires of the witness or victim regarding confidentiality.

6) Even if confidentiality or no action on a report of crime is requested, the occurrence of the crime (but not identifying information) will be included in the University's Annual Security Report and the information available will be evaluated to determine if there is a pattern of crime with regard to a particular location, method, or suspect. In appropriate circumstances, University Police will alert the campus community of the occurrence of the crime (but not identifying information) pursuant to section 4.7 of this policy.

7) Individuals may file an anonymous report of a crime. However, such anonymous reports are not considered notice by the University and may limit the ability of the University Police to provide specific assistance, or to investigate, or solve a crime.

8) Professional and pastoral counselors are not required to report crimes disclosed to them for inclusion in the annual disclosure of crime statistics. However, professional and pastoral counselors are encouraged, if and when they deem it appropriate, to inform the persons they are counseling of how to
report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

4.1.4 Preservation of Evidence

It is important to preserve evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order. As time passes, evidence may dissipate, become lost, or unavailable, thereby making investigations, possible prosecutions, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the University Police or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

4.1.5 False Accusations

Individuals who intentionally and knowingly make false accusations of criminal activity or provide false information to University officials in connection with an accusation and/or investigation of criminal activity, are subject to discipline under University policy as well as criminal and/or civil penalties under applicable law.

4.2 Daily Crime Log and Annual Security Report

4.2.1 Daily Crime Log

University Police shall keep a Daily Crime Log in accordance with the requirements of the Clery Act.

4.2.2 The Annual Security Report (ASR)

In order to comply with the Clery Act, the University Police Chief or appointed designee will fill the role of Clery Compliance Officer and shall prepare, and distribute the ASR that includes a disclosure of crime statistics, disciplinary referrals, and other information required by the Clery Act for the three most recent calendar years. This report is prepared in cooperation with the University Police, Campus Security Authorities, and local law enforcement agencies.

The Clery Compliance Officer will carefully analyze all crimes reported. All crimes subject to the Clery Act will be accurately reported and published on an annual basis in the ASR. The ASR will include statistics by location for the three most recent calendar years that occurred on the University’s Clery geography.

4.2.2.1 Collection of Statistics from Local Law Enforcement Agencies

Prior to the preparation of the ASR, the Clery Compliance Officer will undertake a good faith effort to collect crime statistics from any law enforcement agency in the vicinity of the University’s Clery geography.
enforcement agency having jurisdiction over Non-Campus Property that is subject to reporting under the Clery Act. This includes any criminal activity by students at Non-Campus locations of student organizations officially recognized by the University, including student organizations with non-campus housing.

4.2.2.2 Distribution of the Annual Security Report (ASR)

The Clery Compliance Officer shall distribute the ASR and Annual Fire Safety report annually in accordance with the requirements of the Clery Act. Appropriate notice will be provided to current students and employees, incoming students and employees, and prospective students and employees.

4.3 Security of and Access to Campus Facilities Building Access

Utah State University manages building access according to the building type and purpose and considers security in maintenance of campus facilities. Residence halls are locked twenty-four hours per day except for some common areas that are open to the general public. Access to the residence halls is restricted to residents, their guest(s), and other approved members of the campus community.

4.4 Campus Law Enforcement

4.4.1 Enforcement Authority

University Police officers are fully trained and certified Utah peace officers, and have the same arrest, detention, and police authority as any other police officer in Utah. (Utah Code Ann. §53-13-101, et. seq.) Additionally, University Police officers have the authority to enforce Utah State University regulations. (Utah Code Ann. § 53B-3-105)

4.4.2 University Police and Other Law Enforcement Agencies’ Relationship

University Police maintains a close working relationship with the Logan City, North Park, Smithfield, Price, Carbon County, and Cache County law enforcement agencies. University Police have primary jurisdiction on Utah State University campuses, including University housing and various events centers. University Police share responsibility with the Logan City Police for roadways adjoining campus. Off-campus offices, clinics, and remote campus sites receive police services from the local jurisdictions in which the sites are located. The University endeavors, where possible, to enter into Memoranda of Understanding with state and local police agencies regarding reporting and investigation of alleged criminal offenses.

4.5 Alcoholic Beverages and Illegal Drugs
Possession, use, and sale of alcoholic beverages by students and employees are addressed in USU Student Code and USU Policy 313 Drug and Alcohol-Free Workplace; Drug and Alcohol Testing. University Police enforces state alcohol laws, including those regarding underage drinking, and federal and state drug laws.

4.6 **Emergency Response and Evacuation**

First responders, the first responders' on-duty supervisor, the Chief of Police, and/or University Communications are responsible for carrying out the actions described in the Public Safety Emergency Response & Evacuation procedures located in the Public Safety building.

4.6.1 **Confirmation Process**

In the event of a significant emergency or dangerous situation on campus involving an immediate threat to the health or safety of students or employees, those with immediate information regarding the event ("first responders") will contact the Chief of Police or designee, who will confirm the existence of the emergency situation. In consultation with first responders as needed, the Chief of Police or designee will determine the appropriate segment or segments of the campus community to receive a notification and will determine the content of the notification.

4.6.2 **Campus Alerts**

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, the University will utilize multiple avenues for alerting the campus community. These may include contacting media, posting alerts on the University homepage (http://www.usu.edu), other websites, electronic bulletin boards on campus, and/or sending alerts through phone, email, and text messaging via Code Blue.

The University Emergency Team, without delay, and taking into account the safety of the community, will determine the content of the notification and initiate the campus alert systems, unless issuing such a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

4.6.3 **Disseminating Information to the Larger Community**

The University may disseminate emergency information to the larger community in a variety of ways. Some non-university organizations located in close proximity to the University may receive notifications sent via the campus alert
systems. Additionally, information received by University Police Dispatch may be shared with Cache Dispatch Services. The University may also place information about emergencies online at www.usu.edu. University Public Relations may disseminate information to various news media outlets.

4.6.4 Follow-up Messages/Notifications

Follow-up messages/notifications will be disseminated in the same manner the original message/notification was administered. Follow-up notifications will take place during the emergency and when the emergency is terminated.

4.6.5 Testing Emergency Response and Evacuation Procedures

On at least an annual basis, the University will test the emergency response and evacuation procedures. The University will publicize its emergency response and evacuation procedures in conjunction with this test, and will document, for each test, a description of the exercise, the date and time of the exercise, and whether the exercise was announced or unannounced. The documentation will be published with the ASR. Emergency response and evacuation procedures are published in the Public Safety procedures contained in the Public Safety building.

4.7 Timely Warning

The University shall provide timely warnings to the campus community when certain crimes (as defined by federal law) are reported to Campus Security Authorities or local police agencies, considered by the University to represent a threat to students and employees, and where notification will aid in the prevention of similar crimes. Anyone with information warranting a timely warning should report the circumstances to University Police. The University may issue these warnings via postings on campus, through the campus alert systems, through local news media, or in other ways. Timely warnings will withhold personally identifying information (i.e., names and identifying information of victims).

Determinations regarding the need for a timely warning will be made by the Chief of Police or designee, on a case-by-case basis. The Chief of Police will create procedures to guide when and how timely warnings are made. Timely warnings may not need to be made when the University follows its emergency notification procedures, as described herein, regarding the same circumstances. The University will provide adequate follow-up information to the community as needed.

4.8 Missing Student Notification

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify University Police at 435-797-1939. University Police will generate a missing
person report and initiate an investigation. If someone believes that a student living in off-campus housing is missing, they should notify local authorities.

### 4.8.1 Reporting a Missing Student

When a student has been missing for 24 hours, students, employees, and other individuals must report this to University Police at (435) 797-1939. Any person to whom a missing student report is made should immediately refer the matter to University Police.

### 4.8.2 Emergency Contact

Students who reside in on-campus student housing facilities may designate an emergency contact of their choice. The University will notify this contact person within twenty-four hours of the disappearance of the student. This emergency contact is confidentially registered and accessible only to authorized campus officials and law enforcement personnel in furtherance of a missing person investigation.

### 4.8.3 Students Under 18

If a student is under 18 years of age and not emancipated, the law requires the University to notify a custodial parent or guardian within twenty-four hours of the determination that the student is missing. In addition to the custodial parent or guardian notice, the University will notify any contact person designated by the student.

### 4.9 Fire Safety Policies

The University has created fire safety education and training programs for students and employees, including procedures that students and employees should follow in the case of a fire. Fire safety policy and procedures are located in the Public Safety Department and in the Housing and Resident Life buildings.

The University Fire Marshal and Housing/Residence Life staff provide training to employees and housing residents regarding emergency evacuation procedures, general fire safety, and conduct fire drills or fire safety programs. When requested/mandated, all occupants must immediately evacuate a residence hall. Interfering with or noncompliance may result in disciplinary action, including monetary fine. Employees and on-campus residents are also required by the fire marshal to keep hallways, stairwells, and balconies clear of obstructions at all times to facilitate proper access and egress.

### 4.10 Dating Violence, Domestic Violence, Sexual Assault, Stalking

#### 4.10.1 Procedures for Reporting a Complaint
Reports of Dating Violence, domestic violence, sexual assault, and stalking should be reported as described above, and the complainant should consider seeking medical attention and other help as needed. Reports of dating violence, domestic violence, sexual assault, and stalking should also be reported to the AA/EO Office.

4.10.2 Written Explanation of Procedures

When dating violence, domestic violence, sexual assault, or stalking is reported to the University, whether the offense occurred on-campus or off campus, the University will provide the student or employee a written explanation of the reporting options, services, and accommodations that may be available for victims and procedures for University disciplinary action, if applicable.

4.10.3 University Policies and Processes

Acts of violence, including sexual assault, dating violence, domestic violence, stalking, and other violent, threatening, or destructive acts may violate one or more University policies, including USU Policies 303 Affirmative Action/Equal Opportunity, 305 Discrimination Complaints, 339 Sexual Harassment, 342 Violence in the Workplace, and 407 Academic Due Process: Sanctions and Hearing Procedures. These policies set standards of conduct for students, faculty, and staff and describe the processes for responding to claims that violate these standards.

When it is complained that acts are motivated by discriminatory intent (animus based on sex/gender/sexual orientation/gender identity, race/ethnicity, religion, age, disability, and other protected classifications), rights and processes described in USU Policies 303 Affirmative Action/Equal Opportunity, 305 Discrimination complaints, 339 Sexual Harassment, 342 Violence in the Workplace, and 407 Academic Due Process: Sanctions and Hearing Procedures are applied regardless of the status of the accused as staff, faculty, or student, with appeal rights through the policies described above. In all instances, informal procedures may be used, but, ultimately, formal hearings are available to resolve these disputes. The steps involved, including how to make a complaint, anticipated timelines, and decision-making processes are described in said policies.

In addition, standards of review, timeframes, protective measures and accommodations, individual protective orders, resources, and retaliation process and procedures related dating violence, domestic violence, sexual assault, and stalking are found within USU Policies 303 Affirmative Action/Equal Opportunity, 305 Discrimination Complaints, 339 Sexual Harassment, 342 Violence in the Workplace, and 407 Academic Due Process: Sanctions and Hearing Procedures.
4.11 Education and Prevention Programs

The University will make available educational programs and campaigns regarding campus security that are designed to prevent domestic violence, dating violence, sexual assault, and stalking, in accordance with the Clery Act, on a regular basis, and at a minimum annually. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees as described by the Clery Act. These programs and campaigns will be designed to:

1) Inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others;
2) Inform students and employees about the prevention of crimes;
3) Identify and promote awareness of domestic violence, dating violence, sexual assault, and stalking as prohibited conduct;
4) Define what behavior constitutes domestic violence, dating violence, sexual assault, and stalking according to federal and state law;
5) Define what behavior and actions constitute consent to sexual activity;
6) Describe safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
7) Provide information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks;
8) Provide an overview of information contained in the Annual Security Report in compliance with the Clery Act; and
9) Describe procedures the University will follow when dating violence, domestic violence, sexual assault, and stalking are reported, rights and options regarding procedures victims should follow, confidentiality, services, and accommodations that may be available for victims, and procedures for University disciplinary action, if applicable.

4.12 Sex Offender Registry

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires convicted sex offenders to register with the jurisdiction in which they reside. Offenders are required to submit to the registry if they are working, volunteering or attending Utah State University. For additional information relating to the sex offender registry provided by the Utah Department of Correction is available at: https://corrections.utah.gov/index.php/victim-resources/sex-offender-kidnap-offender-registry.

533.5 RESPONSIBILITY
5.1 All University Police, individuals responsible for campus security, individuals officially designated as those to whom students and employees should report criminal offenses, officials who have significant responsibility for student and campus activities, including student housing, student discipline, and campus judicial proceedings

Responsible for reporting to University Police all information known to them when they become aware of an alleged or actual crime that is required to be reported under the Clery Act and which occurs on Clery geography. Responsible for assisting any victim with notifying the University Police, if they so desire.

5.2 University Police

Responsible to follow, report, and coordinate all obligations related to the Clery Act and within the timeframe provided by law.

5.3 Office of Student Affairs, Department of Human Resources, University Housing, Campus Security Authority (CSA), AA/EO Office

Responsible for coordinating applicable criminal actions reported to the individuals or offices are included in the statistical report in the ASR even if criminal actions were not investigated by the University Police. Responsible for assisting any victim with notifying the University Police, if they so desire.

5.4 University Community

Responsible for reporting crimes to the University Police or other CSA’s and assist any victim with notifying the University Police, if they so desire. It is the victim’s choice whether or not to make such a report and the victim has the right to decline involvement.

5.5 Victims

Responsible for reporting crimes to respective assistance units including University Police, Office of Student Affairs, Department of Human Resources, University Housing, Campus Security Authority (CSA), or AA/EO Office. It is the victim’s choice whether or not to make such a report and the victim has the right to decline involvement with the University Police or other campus officials.