



University  
of Idaho

## **ANNUAL SECURITY AND FIRE SAFETY REPORT 2023**

Main Campus  
Boise Campus  
Coeur d'Alene Campus  
Idaho Falls Campus  
McCall Field Campus

\*Covering statistics from  
2020-2022 and policies for  
academic year 2022-2023



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 Boise Campus  
 Coeur d'Alene Campus  
 Idaho Falls Campus  
 McCall Field Campus

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# Annual Security and Fire Safety Report

## INTRODUCTION

This report has been prepared by the University of Idaho Office of Public Safety and Security in collaboration with various other university stakeholders in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act). It includes important information regarding policies on campus safety and related issues, such as crime reporting; emergency procedures and notification; alcohol and drug use; weapons; sexual violence and relationship violence.; fire safety in on-campus student housing facilities; and other safety and security topics. The report also includes crime statistics for the previous three calendar years covering crimes reported to have occurred within the university's Clery geography (on campus; in certain off-campus buildings and property owned or controlled by the university and used by students; and on public property within or immediately adjacent to and accessible from the campus) and fire statistics for the previous three calendar years covering fires occurring in on-campus student housing facilities.

The report includes information for the University of Idaho Main campus (Moscow Campus) as well as the Boise Campus, Coeur d'Alene Campus, Idaho Falls Campus, and McCall Field Campus. Policies applicable to all campuses are included in the front portion of the report. A separate section for each separate campus outlines policies and statistics specific to that campus.

As required by federal law, this report is generally published by October 1 each year and is available by selecting the link at <https://www.uidaho.edu/-/media/UIdaho-Responsive/Files/infrastructure/PSS/annual-security-fire-safety-report.pdf>. Hard copies of the Annual Security and Fire Safety Report and the Daily Crime Log may be

obtained at the University of Idaho Office of Public Safety and Security, located at Memorial Gym, room 111, Moscow, ID 83844. For more information, please call 208-885-7233.

The University of Idaho is an equal opportunity education institution/ employer and operates without regard to race, sex, color, age, religion, national origin, disability, protected veteran status, sexual orientation, gender identity, or gender expression.

## THE CLERY ACT

In 1990, Congress enacted the Crime Awareness and Campus Security Act. This act requires all public or private postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000, 2008 and 2013. The act was renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (shortened to the Clery Act) in 1998. The Campus Sexual Violence Elimination Act, or Campus SaVE Act, became law in March 2013. The Clery Act requires higher education institutions to develop, implement, and disclose campus security and fire safety policies; alert the campus community through "timely warnings" of a serious or continuing threat to safety; develop and maintain a daily crime and fire log; develop and distribute an annual report that discloses the security and fire policies and three years of crime and fire statistics; and report the statistics to the US Department of Education annually.

## CLERY INCIDENT REPORT

This form is designed for Campus Security Authorities (CSAs). The CSA reporting tool also has required fields so that the Office of Public Safety & Security, Dean of Students Office, Title IX Coordinator, Moscow Police Department and/or other applicable parties may obtain further information to properly report, investigate, and provide the necessary services if needed.



## CAMPUS CRIME LOG

The Office of Public Safety and Security (OPSS) at the University of Idaho receives a daily report from the Moscow Police Department that provides the date, time, case number, report nature, and address of the incident. This data is used to create a daily crime log that is kept on file, without personally identifying information about the victim(s). Any other submissions made by the campus community are also reported through the Office of Public Safety & Security.

\*\*Prior to June 2020, the Office of Civil Rights and Investigations maintained data related to the daily crime log. In June 2020, OPSS took over all Clery reporting duties.

## COLLECTION OF STATISTICS

The collection of data includes: the Moscow Police Department, Campus Security, Moscow Volunteer Fire Department, and Campus Security Authorities.

Requests for crime statistics are submitted to other law enforcement agencies around the state that have jurisdiction over other University of Idaho owned, leased, or controlled locations.

## PREPARATION AND DISTRIBUTION

Policies for preparing the annual disclosure of campus crime statistics: The university coordinates the collection and reporting of crime statistics as specified by federal law. The information is compiled into a report. Each year, enrolled students, faculty, and staff are notified via email of the website where this report can be accessed and reviewed.

Prospective employees may access the report by following the link provided on the Human Resources website or while browsing openings through the “Jobs” web page.

Prospective students may access the report by scrolling to the bottom of Admissions’ home page.

Printed copies are available upon request by contacting: The Office of Public Safety & Security, 875 Perimeter Drive, MS 2427, Moscow, ID 83844 or [campus-security@uidaho.edu](mailto:campus-security@uidaho.edu).

## UNIVERSITY SECURITY AND COMPLIANCE COMMITTEE

FSH 1640.95

The University Security and Compliance Committee (USCC) is charged with ensuring the university’s compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act (Clery Act) and planning and facilitating activities that support a safe and secure living, learning, and working experience. USCC will focus on accurate disclosure (reporting of Clery crime statistics) and implementation of best practices regarding safety policies and procedures. The USCC will conduct an annual review of all reportable crimes prior to submitting crimes statistics to the U.S. Department of Education. The committee will also perform a thorough review of the Annual Security and Fire Safety Report (ASFR) prior to its publication.

## REPORTING CRIMES AND OTHER EMERGENCIES

### ACCURATE AND PROMPT REPORTING

95.15 – Campus Law Enforcement and Crime Reporting

All students, faculty, staff, and visitors are encouraged to promptly and accurately report criminal incidents, accidents, emergencies and non-emergencies. If there is an emergency, call 911. For non-emergencies and other reports, call Campus Security at 208-885-7233.

Two online forms are available from the Office of Public Safety and Security website under “Jeanne Clery Act”. Submitted forms are reviewed during regular business hours.

To report any Title IX violation to the University of Idaho (sexual assault, stalking, domestic violence, and dating violence), contact the Office of Civil Rights and Investigations. [ocri@uidaho.edu](mailto:ocri@uidaho.edu), 208-885-4285, or 530 S Asbury St., suite #5.

## OPTIONS REGARDING INVOLVEMENT OF LAW ENFORCEMENT AND CAMPUS AUTHORITIES FOR VICTIMS

The university works closely with the Moscow Police Department. Sexual misconduct involving UI students will be reported to UI through MPD. The university has an obligation to look into these matters and will contact you for care and concern or additional information. Unless you are merely a witness, you have the option to decline talking to UI, but the university will try to address the concerns to the best of its ability. If victims wish to report an incident to police, there are resources available to facilitate the meeting, whether it be on campus or off-campus. Victims have the option to be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses and may also decline to notify such authorities.

The Silent Witness form is a method of confidential reporting. Students, faculty, staff, or visitors may access this web reporting tool to report crimes or other incidents. The form is submitted electronically to EMSS. There is an option to provide contact information if the person reporting wishes to do so.



There are confidential resources available on and off-campus. The Counseling and Testing Center (CTC) is confidential, as is the Student Health Center. Alternatives to Violence of the Palouse (ATVP) is an off-campus confidential resource that can provide advocacy and support.

The Women’s Center is semi-confidential resource. They must report crime statistics for Clery reporting purposes, but no identifying information is recorded (i.e., names, locations, dates, details, etc.). The Women’s Center can explain all the available options for reporting without pressure, judgment, or expectation. For more information, visit: <https://www.uidaho.edu/diversity/edu/womens-center>

There is also a confidential 24 hour-hotline. If anyone sees or suspects unethical or illegal behavior, they may report their concerns anonymously by calling The Network at 1-800-775-1056.

**PASTORAL AND PROFESSIONAL COUNSELING**

The University Counseling and Testing Center provides a supportive and confidential environment for students to explore their concerns and learn new skills to deal more effectively with problems that may be interfering with their personal well-being and academic goals. Crisis appointments are also available during normal operating hours, and for after-hours crisis intervention, students may call CTC at 208-885-6716. Professional counselors at the university are encouraged, if they deem appropriate, to inform those they counsel of the procedures for reporting crimes voluntarily for inclusion in the annual security and fire safety report.

**MONITORING AND REPORTING OF CRIMINAL ACTIVITY**

The Office of Public Safety and Security (OPSS) receives alerts from the Moscow Police Department on a continuous basis including the time, case number, nature, and location of each incident. OPSS and MPD collaborate to determine relevant Clery information for all calls within the university Clery geography. All other student groups are encouraged to follow instructions provided by the Office of Public Safety & Security and if criminal activity occurs contact the police or sheriff department in the local jurisdiction and submit an incident/accident report to the university.

**IMPORTANT PHONE NUMBERS**

MOSCOW CAMPUS	
EMERGENCY-911	
Moscow Police (Non-Emergency)	208-882-COPS (2677)
24 Hour Crisis Hotline	208-885-6716
Campus Security (24/7)	208-885-SAFE (7233)
Domestic Violence 24 Hour Hotline	208-883-4357
Facilities (Office Hours)	208-885-6246
Facilities (After Hours)	208-885-7054
Campus Security (24/7) alternative number	208-885-7550
SYSTEM-WIDE ASSISTANCE	
University of Idaho Emergency Updates (Active in Emergencies)	208-885-1010
Environmental Health & Safety Hazardous Materials/Lab Safety/ Building Safety/Occupational Safety	208-885-6524
Office of Public Safety & Security	208-885-7233
Office of Civil Rights & Investigations	208-885-4285
Office of Equity and Diversity The University of Idaho's non-discrimination policies, including bias or sexual harassment prevention and response.	208-885-2468
Ombuds Office Confidential, impartial and informal conflict resolution assistance	208-885-7668
Violence Prevention Programs	208-885-6757
Counseling and Testing Center Free and confidential counseling services for students	208-885-6716
Dean of Students/Student Affairs	208-885-6757
Human Resources	208-885-3638
Confidential Hotline – Unethical, illegal or unsafe conduct in workplace	800-775-1056
Behavior of Concern- If you notice behavior of concern in students, staff, faculty or visitors, please seek advice from MPD or campus security.	Campus Security-208-885-7233 MPD-208-882-2677
*Important phone numbers for Boise – see page 78; Coeur d’Alene – see page 84 Idaho Falls – see page 90; McCall Outdoor Science Center – see page 97.	



## CAMPUS LAW ENFORCEMENT AND CRIME REPORTING

### MOSCOW POLICE DEPARTMENT

Police services are provided by Moscow Police Department (MPD) under a contract between the Regents of the University of Idaho and the City of Moscow. MPD has full police authority to investigate, apprehend, and arrest, to enforce state laws and local ordinances on campus. Moscow Police Department has jurisdiction over streets, alleys, and other public areas. Fraternities and sororities are located in the City of Moscow and receive police services from the Moscow Police Department. Moscow Police Department interacts with federal, state, and local law enforcement agencies. There is a Moscow Police Department Sub-Station on the Moscow campus, located in Memorial Gym, room 111.

### CAMPUS SECURITY

There are multiple noncampus properties within the main University of Idaho campus boundary that are monitored and patrolled by Moscow Police Department. Moscow Police record criminal activities by student (and non-students) at all of these locations.

The University of Idaho Campus Security services are managed through the Office of Public Safety & Security. The University of Idaho Office of Public Safety and Security will partner with the campus community to foster student success and ensure the University of Idaho is a safe place to learn, work, and visit. Campus security strives to provide a safe and healthy environment through quality training, effective leadership, and collaboration with MPD as well as other university affiliates. While campus security personnel do not have the arrest authority of a police officer, the non-sworn, unarmed Campus Security team's core duty is to make the university safe by:

- Performing regular visible patrols of the facilities to watch for potential safety hazards and crimes;
- Checking to ensure buildings are secured;
- Documenting problems;
- Reporting issues to the university staff that has responsibility for the area/facility or to the MPD as directed; and
- Providing safe walk services by accompanying students, faculty, and/or staff across campus to make sure they can safely traverse the campus without fear of personal harm. For this service, please call 208-885-SAFE(7233).

### INTERAGENCY PLANNING, TRAINING AND EXERCISES- ENVIRONMENTAL HEALTH AND SAFETY

In addition to the above, Campus Security attends tabling events throughout the year to inform students and employees about campus security procedures and practices to encourage students and employees to be responsible for their own security and the security of others. Campus security provides these services on all University of Idaho owned property at the Moscow campus.

In addition to planning, training, and exercising with the Moscow Police Department, and the Moscow Volunteer Fire Department, the UI Environmental Health and Safety Office has representation on the Latah County Local Emergency Planning Committee (LEPC) and the North Central Healthcare Coalition. In addition, they participate

in the LEPC workshops and in Idaho Bureau of Homeland Security exercises.

### REGISTERED SEX OFFENDERS

In Compliance with the Clery Act of 1998, the University of Idaho is required to provide the campus community with access to the Idaho's public Sex Offender Registry. That national Sex Offender Registry is maintained by the U.S. Department of Justice. A link to the Idaho State Police Sex Offender Registry (SOR) may be accessed from the Jeanne Clery Act Page within the Office of Public Safety and Security website or through ISP's website: Idaho State Police webpage: [https://isp.idaho.gov/sor\\_id/search\\_regnam.html](https://isp.idaho.gov/sor_id/search_regnam.html). The Idaho SOR searches may be conducted by registrant's last name, city, county, zip code or map. In addition, the National Sex Offender Registry may be accessed via their website: <https://www.nsopw.gov/>.

### ADAM WALSH CHILD PROTECTION AND SAFETY ACT OF 2006

The Adam Walsh Child Protection and Safety Act of 2006 was created to protect children from sexual exploitation and violent crime, to prevent child abuse and child pornography, to promote Internet safety, and to honor the memory of Adam Walsh and other child crime victims. For more information, visit: <https://www.congress.gov/bill/109th-congress/house-bill/4472>

### SECURITY AND ACCESS

#### ACCESS CONTROL POLICY – APM 40.28

It is the policy of the University of Idaho that after normal working hours (Monday-Friday 8am-5pm, excluding holidays) all facilities shall be locked and secured to maintain the safety of the facilities and their contents including any faculty, staff and/or students. Building card access systems provide an alternative method of controlling access to a building or area, allow for accountability in building access, and facilitate key management due to the reduced number of keys needed. Keys and cards are issued for entry to university facilities for the purpose of conducting university related business only. The most effective security happens when all university employees and students share in the responsibility of ensuring the safety and integrity of all campus facilities.

Contractors working on university projects are required to meet with the Facilities AES department to obtain authorization for access. They are then issued the appropriate keys and card access on a temporary basis to the required areas for their work. Contractors are responsible for the security of the keys/access, their proper use, and the spaces they unlock. Access and keys issued are for official authorized University of Idaho business use only and are the property of the University of Idaho. Keys are to be returned to Facilities when the project requiring the keys/access ends or upon request. Project retention will not be released until all keys are returned. Some funding is typically retained from contractors, attempting to ensure all punch list and manuals, etc. are completed before final payout of contract. Misuse and or loss of the keys/access issued could result in severe disciplinary action up to and including prosecution and/or restitution to re-key all affected areas.



**RESIDENTIAL HOUSING ACCESS**

Access to residential buildings is operated by Housing and Residence Life (HRL) and is restricted to residents, their guests, and applicable staff. The Residence Hall Handbook, and Apartment Procedures and Policies Handbook contain information on access to dormitories and on campus apartments. Access can be gained by card and/or key. Students will be issued a room key or room/suite access on their Vandal Card when they check in to the residence halls as well as Vandal Card access to the exterior building doors.

Residence Hall students must use their Vandal Card to enter a residence hall and their card access is restricted to their specific residence hall building and community areas.

HRL requires that students living in the residence halls escort guests in and out of the buildings at all times. Students may not have a guest stay more than three (3) consecutive nights during the semester, or seven (7) nights per semester. Residents are not allowed to give card access to their guest.

At no time is a student allowed to loan or give a key or student ID card to another person or use a key or student ID to admit an unescorted person or non-resident.

Any resident who is locked out of their room or building may go to the Living Learning Community (LLC) Information Desk and check out a spare key or temporary access card. Lock out keys not returned

within 24 hours may result in room locks being changed and the student being charged for parts and labor.

Moscow Police Department officers are members of the university community and are regularly in the residence halls for community-oriented policing, educational programming and to address community concerns as they arise.

HRL works with Campus Security to provide hall walk-throughs, safety checks and a 24-hour campus “Safe Walk” program.

**Timely Warnings and Emergency Notifications**

**VANDAL ALERT APM 95.24**

A-1. Vandal Alert System: Vandal Alert is an institution-wide, multi-modal (e-mail, voice, text message) emergency notification system. All university employees and students are enrolled automatically through employee/student database modules. Contact data/membership in Vandal Alert is updated daily through an automated process to ensure accurate membership. Students and employees are encouraged to update their Vandal Alert contact information through the Vandal Web application. Members of the greater Moscow community may also be enrolled in Vandal Alert. The Office of Public Safety and Security has overall management responsibility for Vandal Alert.

A-2. Emergency Notification (Clery Act Requirement): An alert issued to the campus community triggered by an event that is currently occurring on or imminently threatening the UI campus. UI will initiate emergency notification procedures for any significant emergency or dangerous situation occurring on campus that represents an immediate threat to the health or safety of students or employees.

A-3. Timely Warning (Clery Act Requirement): An alert issued to the campus community triggered by Clery Act crimes that have already occurred but represent an ongoing threat. UI will initiate Timely Warning procedures when a Clery Act crime is committed on university property that is reported to campus security authorities or law enforcement authorities and is considered to represent a serious or continuing threat to students and employees.

A-4. Adverse Weather Notification: An alert issued to the campus community when projected or existing severe or adverse weather conditions may impact university operations requiring delays or cancellation of classes or events and/or the closure of a university facility, site or campus (see APM 95.21, University Closures).

A-5. Informational Notification: A notification issued to the campus community that does not meet the criteria for either an emergency notification or timely warning but may be of significant interest to the university community.

B-5. Vandal Alert System Testing. The University Emergency Manager will test the Vandal Alert System on an annual basis. Test messages may be broadcast using a single mode or may combine multiple modes of the system. Test messages will clearly state in the subject line that there is no actual threat or emergency and that the purpose of the notification is to test the system and/or response plans and capabilities. To the extent possible, system tests will be combined with emergency response drills and will include follow-up assessment and review.



## EMERGENCY NOTIFICATION

B-1. Emergency Notification. In compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)), Emergency Notifications will be broadcast when the university receives a *confirmed* report from a cognizant authority (i.e. a law enforcement authority), that a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, staff or visitors is occurring on campus. In those instances, the Executive Director of Public Safety or designee will, without delay, and taking into account the safety of the community, determine the content of the notification and broadcast the notification, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Emergency Notifications will include instructions to the UI community for protective action. When the threat no longer exists, an “all clear” alert will be broadcast. The Executive Director of Public Safety and Security or designee has the authority to broadcast Emergency Notifications to the university community using the Vandal Alert System. When appropriate, Emergency Notifications may be broadcast through other communication methods (web pages, press releases, printed and/or social media, etc.)

## TIMELY WARNING

B-2. In compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)), Timely Warnings will be broadcast when a report of murder, sex offense, robbery, aggravated assault, burglary, motor vehicle theft, manslaughter, or arson (Clery Act Crimes) is received by campus security authorities and, in the judgment of the institution, the crime at issue poses a serious or continuing threat to students and employees. The Executive Director of Public Safety or designee will broadcast Timely Warnings using the Vandal Alert system in a manner that is timely and will aid in the prevention of similar crimes, unless issuing a warning will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the threat. The intent of a timely warning is to enable people to protect themselves and/or their property. Timely Warnings will be issued as soon as pertinent information is available. Timely Warnings may also be made for other crimes (non-Clery) that pose a serious or continuing threat to the campus community. The Executive Director of Public Safety and Security or designee has the authority to broadcast Timely Warnings to the university community. When appropriate, Timely Warnings may be broadcast through other communication methods (web pages, press releases, printed and/or social media, etc.) Emergency and Evacuation Procedures

## EVACUATION PROCEDURES

35.22. The Environmental Health & Safety Office has developed general emergency evacuation procedures and each department should supplement these procedures with departmental specific information. It is recommended that these procedures be posted in every department and distributed to all building occupants. Evacuation procedures for all residential buildings is under University Housing and can be found in the fire safety section of this report.



## EMERGENCY SITUATIONS

Emergencies range from severe weather to building evacuations to campus closures. The university has a wide variety of methods to communicate with students, faculty, staff, visitors, and the public in the event of these possible emergencies. Depending on the situation, the university may use some or all of the following tools.

## VANDAL ALERT

Used to contact the University of Idaho community by email, text messaging and/or voice in the event of an emergency. If a timely warning or an emergency notification is sent, the Office of Public Safety & Security will utilize the Vandal Alert System to communicate pertinent information, which may include but may not be limited to, a description of the incident, location, and appropriate protective action to take.

The Vandal Alert system will be tested on an annual basis by the Office of Public Safety and Security.

When a report of an emergency is reported to the university, the Office of Public Safety and Security works with internal constituents as well as emergency services to collect information regarding the reported emergency. Information will be evaluated by the Clery Compliance Officer, Executive Director of OPSS, and, at times, with other internal constituents who may have relevant information. In certain circumstances, the Office of Public Safety and Security will use a decision matrix to determine if a Vandal Alert should be sent.

The Office of Public Safety and Security has the ability to send notifications to all university students and employees, and also has the ability to segment the messages to particular university campuses in the event the emergency is isolated to one area.

The Office of Public Safety & Security Website is updated with information during actual emergencies or campus closures. The University of Idaho website platform also includes a system-wide notification message at the top of every web page in the event of an emergency or campus closing

## UNIVERSITY OF IDAHO EMERGENCY UPDATE LINE - (208) 885-1010

Students, Faculty, and Staff Members may call this number for information and status updates on emergencies and campus closures. This line is a recorded update only.

## TELEPHONE TREES

University units maintain and update telephone trees of contacts that are activated during emergencies.

## LOCAL NEWS MEDIA

University Communications and Marketing sends press releases and communicates with local media. Because our students, staff and faculty have varying schedules, the university depends greatly on broadcast media to communicate important emergency information to our campus community before or during their commutes.

## UNIVERSITY OF IDAHO EMERGENCY RESPONSE FRAMEWORK

The Emergency Response Framework (ERF) is with applicable provisions of the National Response Framework (NRF) and the National Incident Management System (NIMS). As such the ERF will serve as a tool to improve coordination and strengthen relationships between university, local, state, and federal entities which operate under the NRF and NIMS provisions.

Purpose: The purpose of the Emergency Response Framework is to:

- Help prepare UI Employees to respond successfully to an emergency situation.

- Define clear roles, responsibilities, and authorities for those involved in managing emergencies;

- Ensure the consequences of emergencies are adequately and expediently assessed from an internal and external perspective;

- Have a clear, rapid, and coordinated system of internal and external communication in emergency situations;

- Have effective coordination between the emergency management organizations and the university and local, state, and federal authorities;

- Promote a culture throughout the university that both enables effective response in an emergency and helps prevent them through an open exchange of information about potential emergencies.

## Missing Students Policy APM 95.34

This policy was created to comply with the Jeanne Clery Act which requires the university to disclose the policy on reporting a missing student, how students can designate an emergency contact and how the emergency contact information will be used.

Any member of the university community who has reason to believe that a student who resides in on-campus University housing is missing should notify Campus Security at their 24/7 number of (208) 874-7550.

Any Campus Security Authority (CSA) who receives a report that a student who resides in on-campus university housing is missing should immediately notify Campus Security by calling (208) 874-7550.

In addition to registering a general emergency contact, each student residing in on-campus university housing has the option to register a confidential emergency contact person to be notified in the event that the student is determined to be missing for 24 hours. Students wishing to register a confidential emergency contact may do so on Vandal Web.

If a student has identified a confidential emergency contact person, the university will notify that individual no later than 24 hours after the student is determined to be a Missing Student.

The university will also notify the parent or legal guardian of any Missing Student under the age of 18 that is not emancipated.

The confidential emergency contact person information will only be shared with authorized university officials and law enforcement personnel in furtherance of a Missing Student investigation.

The university will notify the Moscow Police Department (MPD) within 24 hours of the determination that a student is a Missing Student.

## Notice of Non-Discrimination

The University of Idaho has a policy of nondiscrimination on the basis of race, color, religion, national origin, sex, age, sexual orientation, gender identity/expression, disability, genetic information, or protected veteran or military status. This policy applies to all programs, services, and facilities. It includes—but is not limited to—applications, admissions, access to programs and services, employment, and advancement. Questions or concerns about the content and application of these laws, regulations, or University policy may be directed to the Director of the Office of Civil Rights and Investigations (208-885-4285); Director of the Center for Disability Access and Resources (208-885-6307); the Idaho Human Rights Commission (208-334-2873); Regional Office for Civil Rights, U.S. Department of Education in Seattle (206-220-7900); Equal Employment Opportunity Commission, Seattle District Office (206-220-6883); or Seattle Regional Office of Federal Contract Compliance Programs, U.S. Department of Labor (206-398-8000).

## SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, & STALKING

The University of Idaho, through its Student Code of Conduct (FSH 2300 Article II) and the Rule of Ethical Conduct for University Employees (FSH 3170 B-2), prohibits dating violence, domestic violence, sexual assault, and stalking. Any accommodations or protective measures provided by the university to a victim are protected by FERPA and the university's policies governing student records, and are therefore maintained as confidential, unless the confidentiality would impair the ability of the university to provide the accommodations or protective measures, or Title IX or Due Process requirements mandate their disclosure. The Office of Public Safety and Security maintains a daily Clery log of all incidents that occur on University of Idaho property. The log does not include personally identifying information about any victims and is publicly available upon request.

**DEFINITIONS**

- Sexual Assault - Any offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) Program.
- Sex Offenses - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- 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.
- Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest - Sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.
- Statutory Rape - Sexual intercourse with a person who is under the statutory age of consent.

From UI's Student Code of Conduct: FSH 2300; A-1. Consent: as used in this code, is informed, freely given, and mutually understood. Consent requires an affirmative act or statement by each participant. If coercion, intimidation, threats and/or physical force are used, there is no consent. If a person is mentally or physically incapacitated or impaired so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption or being asleep or unconscious. Whether one has taken advantage of a position of influence over another may be a factor in determining consent. Consent to any one form of sexual activity does not imply consent to any other form of sexual activity.

**DOMESTIC VIOLENCE**

Idaho Statute: Idaho law, for purposes of criminal law, defines "domestic violence" in Idaho Code 18-918 as an assault or battery committed by one household member against another household member. A "household member" is "a person who is a spouse, former spouse, or a person who has a child in common regardless of whether they have been married or a person with whom a person is cohabiting, whether or not they have married or have held themselves out to be husband or wife".

**UNIFORM CRIME REPORTING DEFINITION (UCR):**

- A felony or misdemeanor crime of violence committed:
- (a) by a current or former spouse or intimate partner of the victim;
  - (b) by a person with whom the victim share a child in common;
  - (c) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;

- (d) 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
- (e) by any other person against an adult or youth victim who is protected from that person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**DATING VIOLENCE**

Idaho Statute: "Dating Violence" is not defined in Idaho law. However, a person in a "dating relationship" who is subjected to "physical injury, sexual abuse or forced imprisonment or the threat thereof" by the other partner in that dating relationship can file a petition with the court requesting a court issued protection order. A "dating relationship" is defined in Idaho law as a "social relationship of a romantic nature." Idaho law lists four factors for a court to use to determine if a relationship is dating relationship:

- 1) the nature of the relationship;
- 2) the length of time the relationship has existed;
- 3) the frequency of interaction between the parties; and
- 4) the time since termination of the relationship, if applicable.

**UNIFORM CRIME REPORTING DEFINITION (UCR):**

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 with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purpose of this definition,

- (a) dating violence includes sexual or physical abuse or the threat of such abuse.
- (b) dating violence does not include acts covered under the definition of domestic violence.

**STALKING**

Idaho Statute: "Stalking" is defined in Idaho law as "a course of conduct that seriously alarms, annoys or harasses the victim and is such as would cause a reasonable person substantial emotional distress" or "a course of conduct such as would cause a reasonable person to be in fear of death or physical injury, or in fear of the death or physical injury of a family or household member." Idaho law defines "course of conduct" as "repeated acts of nonconsensual contact involving the victim or a family or household member of the victim," but not including constitutionally protected activity. Idaho law further defines "nonconsensual contact" as "any contact with the victim that is initiated or continued without the victim's consent, that is beyond the scope of the consent provided by the victim, or that is in disregard of the victim's expressed desire that the contact be avoided or discontinued." Examples of nonconsensual contact contained in the law include, but is not limited to:

- 1) following the victim or maintaining surveillance on the victim;
- 2) contacting the victim in a public place or on private property;
- 3) appearing at the workplace or residence of the victim;
- 4) entering onto or remaining on property owned, leased or occupied by the victim;
- 5) contacting the victim by telephone or causing the victim's telephone to ring repeatedly or continuously regardless of whether a conversation occurs;
- 6) sending mail or electronic communications to the victim; or
- 7) placing an object on, or delivering an object to, property owned, leased or occupied by the victim.

**UNIFORM CRIME REPORTING DEFINITION (UCR):**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- (a) fear for his or her safety or the safety of others; or
- (b) suffer substantial emotional distress.

Procedures to Follow in the Event of a Sexual Assault, Relationship Violence, and/or Stalking

Get to Safety – Get to a safe place and ask a friend to stay with you

Write Down Details – Try to write down, or have a friend write down, everything you can remember about the incident including a physical description of the perpetrator, their identity if you know it, and the use of threats or force

Preserve Evidence – Preserving physical evidence can play an important role in prosecuting a sexual assault suspect and providing supportive measures. Try to preserve all evidence of the assault. Avoid drinking, bathing, showering, douching, brushing your teeth or changing your clothes. Evidence can be collected at an emergency room and you can decide later whether or not you want to pursue a criminal investigation. Collecting physical evidence must occur within 96 hours (4 days).

Call Help – Call the 24-hour helpline (208) 883-HELP (4357) to speak with an advocate for confidential and anonymous support. This advocate can help walk you through the process of seeking medical help, preserving evidence and reporting the crime, based on what you are comfortable with.

Get Medical Attention – Your personal health is most important! Visit an emergency room or medical facility to be checked out. This includes testing for HIV and other sexually transmitted infections (STIs), as well as receiving preventative treatments (medications to prevent STIs and pregnancy and protect against HIV transmission may be offered). A nurse who is a specially trained Sexual Assault Nurse Examiner (SANE) will help you and collect evidence.

Victims have the right to seek protection, restraining or other similar lawful orders issued by a court. The university can issue “no-contact” orders between individuals and enforce those no contact orders through the university’s disciplinary procedures. University issued no-contact orders cannot be enforced by law enforcement. Further, the university cannot enforce court orders; however, for every lawfully issued court order the institution has knowledge of, the institution will take every reasonable step to ensure that the university does not cause either party to intentionally violate the order.

For assistance on obtaining no-contact orders, contact Moscow Police Department (208-882-2677) or Latah County Sheriff (208-882-2216).

**RESOURCES**

Violence Prevention Programs (208) 885-6757 - If you or someone you know has experienced a sexual assault or is in an abusive relationship, we are here to help. We are here to listen, support, and provide resources and options – you should not have to face an abusive situation alone.

Alternatives to Violence of the Palouse\*\* (208) 883-4357 – If you need a confidential advocate to talk you through the process of getting the help you need regarding sexual assault, domestic violence or stalking, contact ATVP.

For a list of additional resources available to students and employees, visit: <https://www.uidaho.edu/ocri/resources>

**RISK REDUCTION**

The Office of Civil Rights and Investigations (OCRI) offers touchstone trainings to departments, units, student groups or any other organization desiring to further their knowledge in these areas. Trainings are typically conducted by the director of OCRI, collaborating with other content experts as needed. The lecture-style trainings are interactive and engaging, and attendees will leave with knowledge and resources they can apply in everyday scenarios. Available trainings: Sexual Misconduct Disclosure Procedures/Mandatory Reporter, Sexual Harassment: Identify and Prevent, Title IX Overview, ADA: Supervisor and Employee Roles and Responsibilities, Appropriate Interpersonal Relationships, Consent: The Real Deal, The Complaint Process: Title IV, Title VII, Title IX, ADA, Retaliation, Service Animals and Emotional Support Animals, and Faculty Responsibilities under the ADA.

**ON-CAMPUS**

Vandal Health Clinic\*\* (208) 885-6693 – In the event of a sexual assault, if you need information on how to obtain emergency contraception or STD testing, call the Student Health Clinic to set up an appointment.

Counseling and Testing Center\*\* (208) 885-6716 – To meet with a counselor on campus, please contact or Counseling and Testing Center to schedule an appointment.

Women’s Center\* (208) 885-2777

**OFF-CAMPUS**

Moscow Police Department (208-882-COPS) – To report sexual assault, domestic violence or stalking, please contact MPD

National Sexual Assault Hotline (800) 656-HOPE (4673)

Gritman Medical Center\*\* (208) 882-4511

\*Semi Confidential - These locations do not disclose information that does not amount to a “Clery Crime” and did not occur on campus. Even if what you do report is a Clery Crime that occurred on campus, your name and specific disclosure is not reported. All that is reported is what the crime was and where it occurred.

\*\*Confidential - These reporting locations do not disclose the information you share to the university, the police or anyone else without your permission or extenuating circumstances (e.g., imminent threat of harm). Please note: Gritman Medical Center will contact police and advocacy agencies, but it is your decision if you want to speak with an agency representative.

## CHANGES IN ACADEMIC AND LIVING SITUATION

Whenever the university receives a report of sexual misconduct or sexual assault, complainants who are members of the university community may be referred to an advocate from the Violence Prevention Program who can serve as a resource person to the complainant to identify, explain and navigate the complainant's reporting options and the available support services. This may include but is not limited to referrals to counseling, educational support, medical treatment, and information about university processes, criminal processes, and legal assistance. The advocate may also aid in rearranging class schedules, extracurricular activities, and on-campus housing/dining arrangement (for reasons including avoiding contact with the accused student).

The advocate may also assist the complainant with working with appropriate offices to make reasonable accommodations such as but not limited to: issuing written instructions to the accused student restricting them from making contact with the complainant; temporarily moving the complainant – if living in university housing – to other living arrangements; or making alternative instructional arrangements for the accused student.

## Sexual Assault, Stalking and Substance Abuse Policies

### AMNESTY POLICY FSH 2310

The fear of repercussions through the Student Code of Conduct may prevent students from seeking assistance in crisis situations. To address this fear, in 2013, the University of Idaho created this policy with student health and safety as its primary concern.

#### A. General.

This policy aims to remove the barriers that may prevent any student from seeking emergency medical attention by providing an opportunity for the university to intervene in a caring and non-punitive manner. The goal is to reduce the potential risk of alcohol and/or drug-related injuries or deaths and increase the likelihood that students will seek medical attention in crisis situations.

#### B. Policy.

B-1. A student who seeks emergency medical attention (or who has emergency medical attention sought on his/her behalf) for drug or alcohol related consumption, will not be sanctioned for violating drug and alcohol consumption prohibitions found in the Student Code of Conduct related to that incident, as long as the student completes the following requirements:

- participates in an initial meeting with the Dean of Students, or designee, and,
- completes all recommendations from the Dean of Students, or designee, and
- submits proof of completion of all recommendations, within the time frame designated by the Dean of Students, or designee, at the initial meeting.

B-2. A bystander student who has engaged in drug or alcohol consumption and who seeks emergency medical attention for someone else or tries to actively engage in assistance for someone else for that person's drug or alcohol related consumption, will not be sanctioned for violating drug and alcohol consumption prohibitions found in the Student Code of Conduct related to his/her own consumption, but will be invited to meet with the Dean of Students.

B-3. The university will not pursue any disciplinary action related to any drug or alcohol consumption against any student who has been sexually assaulted or sexually harassed for their use of drugs or alcohol at the time of the sexual assault or sexual harassment.

B-4. Section B-1 and B-2 of this policy will only apply to a student who seeks emergency medical attention before police or university employees, or agents take any official action or intervention related to the drug or alcohol consumption.

B-5. The policy does not preclude disciplinary action regarding other violations of the Student Code of Conduct.

B-6. The policy only applies to the university's student disciplinary system for violations of the Student Code of Conduct (FSH 2300). This policy does not apply to any criminal, civil or other legal consequence for violations under Federal, State or local law.

B-7. The policy is not designed to protect or shield those students who repeatedly violate the Student Code of Conduct. The Dean of Students may assess each situation on a case-by-case basis, denying the safeguards of the Amnesty Policy if serious or repeated incidents prompt a higher degree of concern or response, which may include disciplinary action under the Student Code of Conduct.

## STUDENT CODE OF CONDUCT FSH 2300

### ARTICLE I - INTRODUCTION.

The University of Idaho is committed to creating and maintaining a productive living-and-learning community that fosters the intellectual, personal, cultural, and ethical development of its students. Self-discipline and respect for the rights and privileges of others are essential to the educational process and to good citizenship.

#### A. Definitions:

A-1. Consent: as used in this code, is informed, freely given, and mutually understood. Consent requires an affirmative act or statement by each participant. If coercion, intimidation, threats

and/or physical force are used, there is no consent. If a person is mentally or physically incapacitated or impaired so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption or being asleep or unconscious. Whether one has taken advantage of a position of influence over another may be a factor in determining consent. Consent to any one form of sexual activity does not imply consent to any other form of sexual activity.

A-2. DOS: the Office of the Dean of Students, which is responsible for the administration of the Student Code of Conduct and includes the Dean of Students and his/her designees.

A-3. Disciplinary action: any sanction imposed for misconduct pursuant to FSH [2400](#).

A-4. Educational Setting: refers to all the academic, educational, extracurricular, athletic, and other programs of the University of Idaho, whether those programs take place in a university facility, at a university class or training program, or elsewhere.

A-5. Policy: the written regulations of the university as found in, but not limited to, the Student Code of Conduct, Residence Hall Handbook, the Apartment Handbook, the university web pages and computer use policy, and Graduate/Undergraduate Catalogs.

A-6. Student: includes all persons admitted to the university, either full-time or part-time, to pursue undergraduate, graduate, or professional studies, and includes non-degree seeking students. The following persons are also considered "students":

- a. Persons who withdraw after allegedly violating the Student Code of Conduct;
- b. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the university;
- c. Individuals participating in the American Language and Culture Program; and
- d. Individuals participating in Independent Study of Idaho sponsored by the University of Idaho or taught by a University of Idaho instructor.

A-7. Student Code of Conduct: herein referred to as "Code".

A-8. University Official: includes any person employed or contracted by the university performing assigned duties.

**B. Standards of Behavior:**

Attendance at the University of Idaho is optional and voluntary. When students enroll at the university, they voluntarily accept obligations of performance and behavior that are consistent with the university's lawful mission, processes, and functions. In general, these obligations are considered much higher than the obligations imposed by civil and criminal law for all citizens.

By enrolling at the University of Idaho, students voluntarily accept responsibility for compliance with all university policies, including but not limited to this Code. Disciplinary action may

also be taken for any violation of local ordinances, state or federal law, or on or off campus conduct that adversely affects the university community or the pursuit of the university's lawful educational mission, process, or function. The university reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community.

**C. Purpose of the Code.**

The purpose of the Code is to educate students about their civic and social responsibilities as members of the university community. The primary focus of the disciplinary process is on educational and corrective outcomes; however, sanctions such as suspension or expulsion from the university may be necessary to uphold community standards and to protect the campus community. Extensive, organized, serious, or repeated violations of this Code are taken into account when determining sanctions.

**D. Interpretation and Revision.**

Any question of interpretation regarding the Code shall be determined at the discretion of DOS in consultation with General Counsel. The Code shall be reviewed periodically under the direction of DOS.

**E. Affirmative Action and Equal Opportunity.**

Please refer to FSH [3060](#) and [3065](#) for other relevant policies and procedures.

**F. Nondiscrimination.**

Please refer to FSH [3200](#), [3210](#), [3215](#) for other relevant policies and procedures.

**G. Applicability of the University Student Code of Conduct.**

The Code applies to students pursuant to FSH [2100](#).

**ARTICLE II- PROSCRIBED CONDUCT.**

**A. Rules and Regulations.**

The following list describes actions that detract from the effectiveness of a university community and for which students are subject to disciplinary action. Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary process outlined in FSH [2400](#):

A-1. Academic Dishonesty. Academic honesty and integrity are core values at a university and the faculty finds that even one incident of academic dishonesty may merit expulsion. Instructors and students are jointly responsible for maintaining academic standards and integrity in university courses. In addition to any disciplinary sanctions imposed under the Code, additional consequences for academic dishonesty may be imposed by the course instructor, including issuing a grade of "F" in the

course. Any grade issued by the course instructor, whether as a result of academic dishonesty or not, constitutes an academic evaluation and is not disciplinary action. All instructors must report incidents of academic dishonesty to DOS by email or using the reporting form on DOS website. Acts of academic dishonesty include but are not limited to the following:

- a. Cheating includes, but is not limited to, the following:
  - (1) using any unauthorized assistance in, or having unauthorized materials while, taking quizzes, tests, examinations or other assignments, including copying from another's quiz, test, examination, or other assignment or allowing another to copy from one's own quiz, test, examination, or other assignment;
  - (2) using sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
  - (3) acquiring, without permission, tests or other academic material belonging to the instructor or another member of the university faculty or staff;
  - (4) engaging in any behavior prohibited by the instructor in the course syllabus or in class discussion; or
  - (5) engaging in other behavior that a reasonable person would consider to be cheating.
- b. Plagiarism includes, but is not limited to, the following:
  - (1) using, by paraphrase or direct quotation, the published or unpublished work of another person without full and clear acknowledgment;
  - (2) using materials prepared by another person or agency engaged in the selling of term papers or other academic materials without prior authorization by the instructor; or
  - (3) engaging in other behavior that a reasonable person would consider plagiarism.
- c. Furnishing false information or false representations to any university official, instructor, or office. Submission of false information or withholding information at the time of admission or readmission may make an individual ineligible for admission to, or continuation at, the university.
- d. Forging, altering, reproducing, removing, destroying, or misusing any university document, record, or instrument of identification.
- e. Violating any provision of university policy regarding intellectual property and research. All data acquired through participation in university research programs is the property of the university and must be provided to the principal investigator. In addition, collaboration with the Office of Research and Economic Development for the assignment of rights, title, and interest in patentable inventions resulting from the research is also required [see Faculty-Staff Handbook [5400.](#)]

A-2. Misuse of University Resources or Property, or Personal Property of others.

- a. Theft or other abuse of university computer facilities or resources. This includes, but is not limited to, any of the following:
  - (1) Unauthorized entry into, or transfer of, a file;
  - (2) Using another individual's identification and/or password;
  - (3) Using computer facilities or resources:
    - (i) to interfere with the work of another student, faculty member or university official,
    - (ii) to send obscene or abusive messages,
    - (iii) to interfere with the normal operation of the university computing system or resources, or
    - (iv) in violation of copyright laws.
  - (4) Any violation of the [University Computer Use Policy](#).
- b. Attempted or actual theft of or damage to property of the university or of another person.
- c. Unauthorized possession, duplication or use of university keys, computers, lock combinations or other access codes or passwords that can be used to access university property or facilities.
- d. Unauthorized entry into or use of any university building, facility, vehicle, equipment room or area, including, but not limited to, unauthorized entry into any private office or space of a member of the faculty, staff, or student body, heating tunnels, elevator shafts, shops, mechanical rooms, trunk rooms, storerooms, roofs, fire escapes, and other restricted areas identified in APM [35.35.E](#).
- e. Building or setting fire(s) without proper authorization as required by APM 35.25.
- f. Removing or otherwise tampering with fire equipment or fire-alarm systems, or failure to promptly vacate building(s) when a fire alarm sounds.
- g. Possessing or using firearms, explosives, other weapons, projectile or explosive devices, explosive substances, or dangerous chemicals in violation of [APM 95.12](#). [ed. 7-14]

A-3. Threat of Harm or Actual Harm to a Person's Physical or Mental Health or Safety. Living together in a university community requires respect for the rights of fellow members of that community to pursue their academic goals and to participate in lawful campus or university activities. As in any community, certain forms of responsible conduct must be adhered to ensure the physical functioning and safety or security of that community.

- a. Physical violence of any nature against any person, on or off campus. Physical violence includes, but is not limited to,

- (i) fighting;
  - (ii) assault;
  - (iii) battery;
  - (iv) the use of a knife, gun, or other weapon except in reasonable self-defense;
  - (v) physical abuse;
  - (vi) restraining or transporting someone against his/her will; or
  - (vii) any action that threatens or endangers the physical health or safety of any person or causes reasonable apprehension of such harm.
- b. Persistent or severe, verbal abuse, threats, intimidation, harassment, coercion, bullying, derogatory comments, vandalism, or other conduct that threatens or endangers the mental or physical health or safety of any person or causes reasonable apprehension of such harm. A single instance may be considered severe enough to merit sanctions.
- c. Hazing, which includes, but is not limited to, any action or participation in any activity that
- (i) causes or intends to cause physical or mental discomfort or distress,
  - (ii) may demean any person, regardless of location, intent or consent of participants, or
  - (iii) destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are also violations of this rule.
- d. Sexual misconduct, which is a broad term encompassing any non-consensual contact of a sexual nature (see Article I, Section A-1, for the definition of consent). Sexual misconduct may vary in severity, and consists of a range of behavior or attempted behavior including, but not limited to, the following examples of prohibited conduct (see APM [95.20](#) for more information about resources available and procedures for responding to sexual misconduct):
- (1) Unwelcome sexual conduct. This includes, but is not limited to,
    - (i) touching an unwilling or non-consensual person's intimate parts (such as genitalia, groin, breast, buttocks, mouth, or clothing covering the same);
    - (ii) touching an unwilling or non-consensual person with one's own intimate parts;
    - (iii) forcing an unwilling or non-consensual person to touch another's intimate parts;
    - (iv) indecent exposure, which includes, but is not limited to, exposing one's own intimate parts to an unwilling or non-consensual person; and
    - (v) voyeurism, which includes, but is not limited to, any unauthorized use of electronic or other devices to make an audio, video, or photographic record of another person without his/her prior knowledge and without his/her prior consent when such a recording is likely to cause injury or distress to the other person, or involves the other person's intimate parts or sexual conduct.
- (2) Sexual violence, which refers to physical sexual acts perpetrated against another person's will or where another person is incapable of giving consent or is incapacitated. This includes, but is not limited to,
- (i) rape, which includes, but is not limited to, the unwilling or non-consensual penetration of another person's bodily opening with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another person's mental or physical condition (such as intoxication, age, or disability) of which the assailant was aware or should have been aware;
  - (ii) sexual assault, which is the unwilling or non-consensual penetration of any bodily opening of another person with any object or body part;
  - (iii) sexual battery; and
  - (iv) sexual coercion.
- \*\* All acts of sexual violence are also forms of sexual harassment. \*\*
- e. Sexual harassment, which is defined as unwelcome conduct of a sexual nature (see [FSH 3205](#) for the requirements of the consensual relationship policy). It includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct or communication of a sexual nature when:
- (1) Submission to or rejection of such conduct or communication is a term or condition of educational benefits, employment, academic evaluations, or other opportunities;
  - (2) Submission to such conduct or communication has the purpose or effect of substantially interfering with a student's education;
  - (3) Such conduct is sufficiently severe or pervasive as to have the effect of creating an intimidating, hostile



or offensive educational environment or negatively affecting a student's educational opportunities. A single instance may be considered severe enough to merit sanctions.

- f. Gender-based and sexual orientation harassment (see FSH [3215](#)), which is defined as any act of verbal, non-verbal, or physical aggression, intimidation, or hostility based on sex, sex-stereotyping, gender, or gender-stereotyping, even if those acts do not involve conduct of a sexual nature.
- g. Stalking, which includes, but is not limited to, the persistent, severe, or pervasive harassment of another person in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested. This may include, but is not limited to, repeatedly contacting another person through any means (such as in person or by phone, electronic means, text messaging, etc.), following another person, or having others contact or follow another person on your behalf. A single instance may be considered severe enough to merit sanctions.

A-4. Discrimination and Retaliation.

- a. Discrimination, which includes conduct that violates the Board of Regent's or the university's nondiscrimination and antidiscrimination policies contained in FSH 3200, 3210, 3215.
- b. Retaliation, which includes conduct that intimidates, interferes with, threatens, coerces, or otherwise discriminates against any individual because that individual opposes or reports a perceived wrongdoing, inequity, or violation of law or University policy, files a complaint alleging illegal or prohibited discrimination, participates in a grievance or appeals procedure, or participates in dispute resolution.

A-5. Disruption, Obstruction, or Interference with Normal University Activities. Members of the University community have the right to a campus that is free from unreasonable disruption, obstruction, or interference.

- a. Disrupting or obstructing normal University activities, including, but not limited to, all academic activities, University facilities or resources, disciplinary proceedings, University administration, and fire, police, or emergency services
- b. Classroom disruption, which is behavior that a reasonable person would view as significantly or repeatedly interfering with the instructor's ability to teach the class or the ability of other students to benefit from the instructional program.
- c. Failure to comply with directions of University, law enforcement, fire department, or other government officials acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

- d. Obstruction of the free flow of pedestrian or vehicular traffic on campus.
- e. Disorderly conduct, which is behavior that is disorderly, lewd, indecent, or a breach of peace.
- f. Abuse of the student conduct system, which includes, but is not limited to, any of the following:
  - (1) Failure to cooperate with DOS's investigation, except when doing so would require the student to speak against him/herself, where the student failed to notify DOS that the student will not cooperate for this reason;
  - (2) Falsifying, distorting, or misrepresenting information provided to DOS;
  - (3) Disrupting or interfering with DOS's investigation;
  - (4) Making false allegations;
  - (5) Attempting to discourage an individual's proper participation in, or use of, the student conduct system;
  - (6) Harassment (verbal or physical) or intimidation of any person participating in DOS's investigation prior to, during, or after the investigation concludes;
  - (7) Failure to comply with the sanction(s) imposed pursuant to [FSH 2400](#).
- g. Influencing or attempting to influence another person to commit any violation of the Code.
- h. Failure to appear or refusal to speak as a witness, which occurs when a student fails to appear or refuses to speak as a witness at a disciplinary proceeding or review, unless such act would require the student to speak against him/herself, and fails to promptly notify the chair of SDRB that the student will not appear or speak for this reason.

A-6. Housing and Living Groups. Violations of any rules imposed by University Housing or living groups are also violations of the Code.

A-7. Use and Misuse of Substances.

- a. Smoking in violation of APM 35.28.
- b. Using, possessing, manufacturing, cultivating, selling, or distributing any state or federally controlled drug, substance, or paraphernalia, including, but not limited to, marijuana, heroin, narcotics, or other controlled substances, in violation of any applicable law or University policy. Inhaling or ingesting any substance (e.g., nitrous oxide, glue, paint, etc.) that is intended to alter a student's mental state without a prescription is also prohibited. See the University's Drug and Alcohol Abuse Prevention and Education publication (available through the Office of the Dean of Students) for more information.

- c. Consuming, possessing, manufacturing, or distributing alcoholic beverages in violation of any applicable law or University policy (see [APM 80.01](#) for alcohol permit requirements). Alcoholic beverages may not, in any circumstance, be consumed or possessed by, or distributed to, any person under twenty-one (21) years of age. Except at permitted events pursuant to [APM 80.01](#), alcoholic beverages may not be possessed or consumed by any student under any circumstances on campus in areas open to the general public, which areas include, but are not limited to, lounges, student union buildings, recreation rooms, conference rooms, athletic facilities, and other public areas of University-owned buildings or grounds.

- d. Public intoxication.

A-8. Violation of Laws or University Policy.

- a. Any violation of federal law, state law, or local ordinance occurring on campus or on any University property is a violation of the Code.
- b. Any violation of university policy is a violation of the Code.

**B. Violation of Law and University Discipline.**

B-1. University disciplinary action may be instituted against a student accused of conduct that potentially violates both the criminal law and this Code independent of the status of any civil or criminal litigation in court or criminal arrest and prosecution. When allegations include sexual harassment, sexual violence, sexual orientation, or gender-based harassment, University disciplinary action will be carried out promptly. Determinations made or sanctions imposed under this Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of university rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

B-2. When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense also gives rise to university disciplinary action, the University may advise off-campus authorities of the existence of the Code and of how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law and in the conditions imposed by criminal courts for the rehabilitation of student violators provided that the conditions do not conflict with university policies or sanctions. Individual students and other members of the University community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

**DISCIPLINARY PROCESS FSH 2400**

The following information is from University Disciplinary Process for Alleged Violations of Student Code of Conduct – FSH 2400

In 2014 the Dean of Students Office, General Counsel and a sub-committee of the University of Judicial Council and Faculty Senate, conducted a thorough review of all policies related to the Student Code of Conduct. All disciplinary language from FSH 2200 Statement of Student Rights and FSH 2300 Student Code of Conduct was consolidated into this policy and updated removing redundancies in policy. In July 2016, the taskforce was reconvened to review the new process and address some cumbersome processes that arose which were affecting the ability to resolve cases quickly. It was also noted that a complete review was necessary and the task for reconvened. In 2017, the task force provided this complete rewrite that found middle ground between the early 1970’s court trial format and the strong investigative model which had unintentionally created many delays to this less confrontational investigative model. The objective of this policy is to provide a process that allows for fact-finding and decision-making that balances the rights of individual with the legitimate interests of the University.

For definition purposes, a proceeding means all activities related to a noncriminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

**A. INTRODUCTION.**

The purpose of the Student Code of Conduct (Code) is to help protect the safety of the University community and educate students about appropriate and responsible behavior and their civic and social responsibilities as members of the University community, while complying with applicable state and federal laws and institutional policy. The primary focus of the disciplinary process is on educational and corrective outcomes; however, sanctions including suspension or expulsion from the University may be necessary to uphold community standards and to protect the campus community. University discipline is not in the nature of punishment for a crime, and the University’s discipline process is not equivalent to state or federal criminal prosecutions. University disciplinary proceedings for any and all matters encompassed within the Code [FSH 2300] and the Statement of Student Rights [FSH 2200] are addressed under the following rules and regulations.

**B. DEFINITIONS:**

B-1. Advisor: the person of the student’s choosing who has agreed to advise the student during the University disciplinary process and attend scheduled meetings with the student. The Advisor’s role is simply to advise the student, and the Advisor is not permitted to speak during hearings, conferences, or interviews unless allowed by the University official conducting the interview.

B-2. Chief Student Affairs Officer (CSA Officer): the Dean of Students, unless the President appoints a different official to serve as the CSA Officer.

B-3. Code: the Student Code of Conduct, which is currently found in FSH 2300 and FSH 2400.

B-4. Complainant: the person(s) reportedly harmed by the Respondent's alleged violation of the Code.

B-5. Days: days that the university is open for business, not including Saturdays, Sundays, Fall Recess, Winter Recess, Spring Recess, or University holidays.

B-6. Investigator: the person assigned by the University to conduct an investigation into a report of a violation of the Code. In all Title IX cases, the Title IX Coordinator shall assign the investigator. In all other cases, the investigator may be any qualified person assigned by DOS.

B-7. Student Conduct Administrator (Administrator): the official at the University of Idaho who has been designated by the CSA Officer to serve in this role. It shall also include the Administrator's designee.

B-8. DOS: the Office of the Dean of Students at the University of Idaho.

B-9. Hearing Officer: a person appointed by the Administrator to serve as the person presiding over a hearing in accordance with Section G.

B-10. Parties: the Respondent and, in Title IX cases only, the Complainant.

B-11. Respondent: the student who is alleged to have violated the Code.

B-12. Student: includes, but is not limited to, all persons admitted to the University, either full-time or part-time, to pursue undergraduate, graduate, or professional studies, and includes non-degree seeking students. The following persons are also considered "students":

- a. Persons who withdraw after allegedly violating the Code;
- b. Persons who are eligible to enroll for classes without submitting an application for re-admission;
- c. Individuals participating in the American Language and Culture Program, Independent Study of Idaho sponsored by the University of Idaho, the University of Idaho International Student Success Program (UI-ISSP), or any other similar educational program of the University.

B-13. Student Conduct Board (SCB): the body which reviews student disciplinary matters, as set forth in sections D., E., and F., and FSH 1640.83.

B-14. Title IX case: any disciplinary case, investigation, charge, or allegation involving alleged dating violence, domestic violence, sexual assault, sexual harassment, or stalking. The Title IX Coordinator may also designate any other case as a Title IX case.

B-15. University: the University of Idaho, in all of its campus locations, education, outreach and research programs, including extension programs and distance education programs, and at all locations where any of these programs are offered or administered.

**C. INVESTIGATION:**

All investigation proceedings will include a prompt, fair, and impartial process from the initial investigation to the final result; be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability; provide the accuser and the accused with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice; not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties; and require simultaneous notification, in writing, to both the accuser and the accused of investigation proceedings.

C-1. Reporting Alleged Violations. Any member of the University community having knowledge of a potential violation of the Code may report the violation to either DOS or, in Title IX cases, to the Title IX Coordinator. A report should be in writing but may be reported orally to the appropriate University official. A report should be submitted as soon as possible after the event takes place.

C-2. Initial Investigation. The University may conduct an investigation into any report of a violation of the Code. The purpose of the investigation is to determine whether a violation may have occurred and to gather relevant information concerning each allegation of a Code violation.

C-3. Notice of Alleged Violation. The investigator may conduct a preliminary review to determine whether there is sufficient information to engage in a formal investigation. The preliminary review may include interviewing the Complainant, Respondent, and other witnesses. If, after the conclusion of the preliminary review, the investigator decides to engage in a formal investigation, the investigator must notify the Respondent of the allegation.

- a. The notice must be in writing and may be delivered either in person to the Respondent, or by email to the student's official University email account. If the notice cannot be delivered either in person or to the student's official University email account, the notice shall be delivered by any means reasonably likely to reach the student.
- b. The notice shall inform the Respondent of the specific provision(s) of the Code the Respondent is alleged to have violated and include a short description of the basis of the alleged violation.

- c. The notice will include a copy of the University Disciplinary Process for Alleged Violations of the Student Code of Conduct.

C-4. Meeting with Investigator. The investigator must give the Respondent an opportunity to meet with the investigator in person within a reasonable time after the notice of allegation is delivered to the Respondent to give the Respondent an opportunity to respond to the notice, present information in his or her defense, present any information the Respondent would like the investigator to consider, and provide the names of any witnesses the Respondent would like the investigator to contact.

C-5. Investigation. At any time during the investigation, either the Complainant or the Respondent may, but is not required to, provide information to the investigator for the investigator to consider. Such information may include documentary information, the names of witnesses, witness statements, suggested questions to ask the other Party or other witnesses, etc. Only information that is presented to the investigator may be used in a hearing under section D.

C-6. Preliminary Report of Investigation.

- a. At the conclusion of the investigation, the investigator shall draft a Preliminary Report of Investigation (Preliminary Report) setting forth the steps taken during the investigation; a list of witnesses contacted; a detailed summary of any witness interviews; a detailed summary of any interviews of the Respondent and/or Complainant; a detailed summary of any other information considered as part of the investigation; and complete copies of any relevant documentary evidence gathered during the investigation, including copies of documentary information provided by the Respondent and/or the Complainant.
- b. The Preliminary Report shall not include any conclusions, findings, or credibility analysis.
- c. The parties shall be provided an opportunity to review the Preliminary Report and may provide a written response to the Preliminary Report within five days of the review of the report. A party shall be deemed to have waived the right to review the report if the party does not make arrangements with the investigator to review the report within five days of being notified that the report is available to be reviewed. The written response may include requests for additional investigation, additional witnesses to interview, or additional questions to ask any witness.
- d. After the time for submitting a written response to the Preliminary Report has passed, the investigator shall review any responses received and determine whether additional investigation is needed. If additional investigation is deemed appropriate, the investigator shall draft a revised Preliminary Report and shall give the parties an opportunity to review the report, as set forth in section C-6. c., above.

- e. After reviewing any written responses received within the time-period allowed for submitting written responses, the investigator shall either continue the investigation or draft a Final Report of Investigation. The investigator has sole discretion of determining whether sufficient information has been obtained to end the investigation process.

C-7. Final Report of Investigation. The Final Report of Investigation (Final Report) shall contain everything included in the Preliminary Report plus complete copies of any written responses received within the time period allowed for submitting written responses, a credibility analysis, recommended findings, and recommended conclusion (see below) as to whether the Respondent violated the Code. If the Final Report includes a recommended finding that the Respondent violated the Code, the Final Report shall not include recommended sanctions. The Final Report shall be provided to the Administrator. The Administrator shall provide the Final Report simultaneously to the parties in writing.

- a. Credibility Analysis. The Final Report should include an analysis of the statements provided by each party and interviewee, as necessary, to determine whether the statements provided by that person are credible. The analysis may include a description of the person's demeanor during the interview(s), a comparison of statements made to known facts or statements from other witnesses, the person's ability to observe the event described, the person's bias, whether the person was under the influence of a controlled substance or alcohol, and any other information that a reasonable person would use in his or her everyday affairs to determine a person's credibility. Not every case will require a detailed credibility analysis of each interviewee, and the credibility analysis may be part of the particular finding. However, in cases where the credibility of the interviewee is material to the conclusion, there should generally be a separate credibility analysis.
- b. Recommended Findings. The investigator's recommended findings regarding factual issues shall include a description of the basis for each finding. Each finding shall be based on a more likely than not standard and should include information from the interviews, documentary information obtained during the investigation, and, if relevant to that finding, information regarding the credibility of the Respondent, Complainant and/or witnesses.
- c. Recommended Conclusion. In making a recommended conclusion, the investigator must apply the Code to the findings to reach a determination of whether the findings as found by a more likely than not standard constitute a violation of the Code.

**D. HEARING PROCESS.**

D-1. Student Conduct Administrator's Review:

- a. After the Final Report is submitted to the Administrator, the parties may each submit a written response to the Final Report. This response must be provided to the Administrator no later than five days after the Final Report is provided to the parties. The Administrator may meet with the parties, separately, to discuss the Final Report.
- b. A party may request that the matter be referred to the SCB for a hearing. The request must be in writing and must be submitted to the Administrator no later than five days after the Final Report is provided to the parties. If a party timely submits a request for the matter to be referred to the SCB:
  - (i) In non-Title IX cases, the Administrator shall refer matters to the SCB for a hearing if:
    - (1) The Administrator determines that there is sufficient information in the Final Report such that a finding could be made that the Respondent violated the Code; and
    - (2) The Administrator determines that the appropriate sanction could include suspension, expulsion, or the withholding or revoking of a degree.
  - (ii) In Title IX cases, the Administrator shall refer matters to the SCB for a hearing in matters in which the Administrator determines that there is sufficient information in the Final Report such that a finding could be made that the Respondent violated the Code.
  - (iii) In all other cases, the Administrator shall decide whether the Respondent violated the Code.
- c. If a matter is not referred to the SCB for a hearing:
  - (i) The Administrator shall decide whether the Respondent violated the Code. The Administrator shall make the decision based on the information contained in the Final Report, the written responses to the report, if any, submitted to the Administrator by the parties, and, if the Administrator chooses to meet with the parties, the information provided at the meeting to the Administrator by the parties.
  - (ii) The Administrator should adopt the findings and credibility analysis contained in the Final Report, unless the Administrator finds that the findings or credibility analysis are not more likely than not to be true. Any additional or different findings issued by the Administrator must be based on a more likely than not standard.
  - (iii) The Administrator is not required to defer to the recommendation contained in the Final Report as to whether the Respondent violated the Code but is entitled to freely apply the Code to the findings to determine whether the Respondent violated the Code.
  - (iv) If the Administrator determines that the Respondent violated the Code, the Administrator shall determine the appropriate sanction.
  - (v) The Administrator's decision shall be in writing and include the basis for the decision. The written decision shall be simultaneously provided to the parties.
  - (vi) The Administrator's decision may be appealed in accordance with section E.
- d. At any time before the matter is submitted to the SCB, DOS may refer a charge of a violation of the Code to mediation or other forms of appropriate conflict resolution. All parties must agree to participate with DOS in the conflict resolution process. Complaints of physical sexual misconduct or violence shall not be referred for alternative resolution under this paragraph, except in unique circumstances approved by the Title IX Coordinator after consultation with the Office of General Counsel and the CSA Officer.

D-2. Student Conduct Board Hearing:

- a. In matters referred to the SCB, the Administrator (or designee) must send written notice to the SCB and the parties.
  - (i) The notice shall be in writing and may be delivered either in person to the parties, or by email to the student's official University email account. If the notice cannot be delivered either in person or to the student's official University account, the notice may be delivered by any means reasonably likely to reach the student.
  - (ii) The notice must inform the Respondent of the specific provision(s) of the Code the Respondent is accused of violating, and include a short description of the basis of the alleged violation, the date and time for the hearing, and the deadline for submitting written materials to the Administrator.
  - (iii) The written notice shall also include the Final Report and any responses to the Final Report which were timely submitted to the Administrator.
- b. Except in cases referred to a Hearing Officer under Section G, the chair of the SCB shall appoint three to five members of the SCB to serve as a Hearing Panel to review each matter.

- (i) The chair of the SCB shall appoint one of the Hearing Panel members to serve as chair of the panel. A student may not serve as chair of a Hearing Panel.
  - (ii) The Administrator (or designee) shall serve as a non-voting, ex-officio member of every Hearing Panel and may be present and available as a resource during all deliberations. The Administrator is responsible for informing the panel of any previous conduct violations or other relevant disciplinary actions involving the Respondent.
- c. In every case submitted to a Hearing Panel, the parties may submit written materials for the panel to review as part of its decision. To be considered by the Hearing Panel, all written materials must be submitted to the Administrator prior to the deadline set forth in the notice. The Administrator shall ensure that any materials timely submitted are distributed to the parties and the Hearing Panel prior to the hearing. The written materials may only consist of the following:
- (i) Suggested questions for the panel to ask the Respondent or the Complainant;
  - (ii) Written discussion or argument addressing the information contained in the Final Report;
  - (iii) Information (as opposed to a discussion of the information contained in the report) that was not considered by the investigators in the Final Report only if the information was not available prior to the completion of the Final Report or if the information was provided to the investigator prior to the completion of the investigation but the information was not included in the Final Report.

D-3. Hearing Procedures:

- a. The hearing shall be held at the time and place listed in the notice. The hearing shall be held no less than five days after the notice is provided to the parties.
- b. All hearings are closed to the public. The only people allowed to be present during the hearing are the parties, each individual party's Advisor, the investigator(s), the Administrator, the Title IX Coordinator (or designee) in Title IX cases, one or more attorneys from the Office of General Counsel, and the members of the Hearing Panel. The panel chair may give permission for others to attend the hearing in the panel chair's discretion, after consultation with the Administrator.
- c. The only witnesses at the hearing shall be the investigator(s), the Complainant, and the Respondent. In non-Title IX cases, the Complainant may only be present during the portion of the hearing where the Hearing Panel questions the Complainant, unless the chair determines in appropriate cases that the Complainant may remain

for the entire hearing. In extraordinary circumstances, if the investigator is unable to be present at the hearing, the DOS may designate a representative to be there in the place of the investigator. Neither the Complainant nor the Respondent is required to say anything at the hearing.

The panel chair, in consultation with the Administrator, may call additional witnesses if the panel chair determines that the additional witnesses are necessary for the Hearing Panel to properly resolve the case. This discretion should be used sparingly. The intention of the Code is that the Final Report, in the vast majority of cases, should provide a sufficient basis for the Hearing Panel's decision, recognizing that the parties may speak in person to the Hearing Panel and to respond to the Final Report.

- d. It is each party's responsibility to inform the panel chair and the Administrator of scheduling conflicts no less than three days prior to the scheduled hearing. The Administrator shall have the sole discretion as to whether to reschedule the hearing. Except in cases of grave or unforeseen circumstances, if either party fails to appear, the hearing will proceed as scheduled.
- e. If a report of a violation of the Code involves more than one Respondent, the Hearing Panel shall conduct a joint hearing with all Respondents. However, the panel chair may permit the hearing pertinent to each Respondent to be conducted separately. In joint hearings, separate determinations of responsibility shall be made for each Respondent.
- f. Only the chair of the Hearing Panel may ask questions during the hearing and doing so is at the sole discretion of the chair. However, the chair may seek input from panel members on areas for questioning. The parties may submit suggested questions in writing as long as the questions are received prior to the deadline for submitting written materials contained in the notice. Questions based on information that arises during the hearing may be submitted in writing during the hearing at the discretion of the panel chair.
- g. For complaints involving sexual misconduct, discrimination, or other complaints of a sensitive nature, the panel chair, in consultation with the Title IX Coordinator and the Administrator, may allow the Complainant to attend the hearing, answer questions, and make a statement from behind a partition or from another room or location through audio/video technology.
- h. The panel chair has discretion as to how to conduct the hearing. Generally, however, the hearing should be conducted as follows:
  - (i) Opening statement by the Respondent addressing the Final Report and the allegations that the Respondent violated the Code;

- (ii) In Title IX cases, opening statement by the Complainant addressing the Final Report and the allegations that the Respondent violated the Code;
  - (iii) Questions, if any, by the panel chair of the investigator(s), Respondent, and/or Complainant;
  - (iv) Final statements by the Respondent and, in Title IX cases, the Complainant.
- i. In making its decision, the Hearing Panel shall consider all relevant information from the following sources:
- (i) the Final Report, including the findings and conclusions contained in the report;
  - (ii) any written information provided by the parties as provided above; and
  - (iii) the information received at the hearing.
- j. In Title IX cases involving allegations of sexual misconduct, the past sexual history or sexual character of either party shall not be considered by the Hearing Panel except in extremely unusual cases where the panel chair determines that the information is critical to a proper understanding of the specific facts of the case at hand. Demonstration of pattern, repeated, and/or predatory behavior, in the form of previous findings in any legal or campus proceeding, or in the form of good faith allegations, may be considered in making the findings and, if a violation of the Code is found, the sanction.
- k. There shall be a single record, such as an audio recording, for all hearings. Deliberations shall not be recorded. Failure to record the hearing for any reason is not to be considered a procedural error that substantially impacts the decision and will not be grounds for appeal or reversal of the Hearing Panel's decision.

D-4. Hearing Panel Decision.

- a. The Hearing Panel shall issue a written decision, which should be issued within ten days after completing deliberations. The panel chair shall provide the written decision to the Administrator, who shall then simultaneously provide the decision to the parties
- b. The Hearing Panel should adopt the findings and credibility analysis contained in the Final Report, unless the Hearing Panel finds that the information presented at the hearing warrants a different finding or the Hearing Panel finds that the findings or credibility analysis are not more likely than not to be true. Any findings issued by the Hearing Panel must be based on a more likely than not standard.
- c. The Hearing Panel is not required to defer to the recommendation contained in the Final Report as to whether the Respondent violated the Code, but is entitled to freely apply the Code to the findings to determine whether the Respondent violated the Code.

- d. Unless the panel chair is a Hearing Officer appointed to serve as chair without a vote, the panel chair shall participate in all votes, and all Hearing Panel decisions shall be made by a majority vote.
- e. If the Hearing Panel determines that the Respondent violated the Code, the Hearing Panel shall determine the appropriate sanction(s). The Administrator shall serve as a resource to the Hearing Panel to help ensure that sanctions are reasonably consistent among similar cases.
- f. The Hearing Panel may return the matter for additional investigation if the Hearing Panel determines that:
  - (i) The investigator failed to properly investigate the allegation and the failure was both substantial and to the student's detriment; or
  - (ii) There is new information that could substantially affect the outcome and the new information could not have been discovered before the issuance of the Final Report.

D-5. Either party may appeal a Hearing Panel's decision.

D-6. Sanctions imposed by the Hearing Panel shall generally not go into effect until either the time period for an appeal has expired and no appeal has been filed or until the decision is upheld on appeal. However, the CSA Officer may impose any sanction imposed by the Hearing Panel as an interim action pending the appeal.

**E. APPEALS.**

E-1. Any party may appeal the Administrator's or Hearing Panel's final decision. Appeals must be submitted in writing to the Administrator and must set forth the grounds for the appeal. The appeal must be filed no later than five days after the decision is delivered to the parties. The Administrator shall ensure that the parties receive a copy of the appeal.

E-2. Appeals are limited to the following grounds:

- a. A procedural error occurred in the investigation process that significantly impacted the outcome of the hearing;
- b. New information, unavailable during the investigation or hearing, that could substantially impact the original finding or sanction has been presented in the appeal documents;
- c. The sanctions imposed are substantially disproportionate to the severity of the violation (the imposition of an administrative fee is not a sanction, and therefore cannot be appealed); or
- d. The decision is not based on substantial information. A decision is based on substantial information if there are facts in the case that, if believed by the fact finder, are sufficient to establish that a violation of the Code occurred.

E-3. An appeal shall be limited to a review of the decision, the Final Report, any written material considered in the decision, the recording of the hearing held before the Hearing Panel, and any written materials submitted with the appeal. Where an appeal is based on the discovery of new information, the new information may be considered only to determine whether the information was unavailable at the time of the decision and whether the new information could substantially impact the original finding or sanction.

E-4. Appeal Panel Procedures:

- a. The chair of the SCB shall appoint three to five members of the SCB to serve on the Appeal Panel, and shall designate one member to serve as chair of the Appeal Panel. Any member who served on a Hearing Panel shall not serve on the Appeal Panel on the same case. A student may not serve as chair of an Appeal Panel.
- b. In Title IX cases, the non-appealing party may file a response to the appeal within five days of the filing of the appeal.
- c. The Appeal Panel shall issue a written decision. The decision should be issued within fifteen days of receiving the appeal. The chair of the Appeal Panel shall provide the written decision to the Administrator, who will then simultaneously provide the decision to the parties.

E-5. Results of the Appeal Panel. The Appeal Panel may:

- a. uphold the Administrator's or Hearing Panel's decision;
- b. uphold the finding that the Respondent violated the code, but revise the sanction(s);
- c. return the matter for reconsideration; or
- d. return the matter for additional investigation.

E-6. Unless the case is returned for reconsideration or to the investigator for additional investigation, the decision of the Appeal Panel is the final institutional decision. If the decision upholds the findings that the Respondent violated the Code, the sanctions imposed shall go into effect immediately.

**F. Student Conduct Board.**

F-1. The description and make-up of the SCB can be found in FSH 1640.83.

F-2. A member of the SCB shall not serve on any Hearing Panel or Appeal Panel in any case where the member has a conflict of interest or bias for or against either party.

F-3. If procedures call for the appointment of three or more members to serve on a Hearing Panel or Appeal Panel, the chair of the SCB should endeavor to appoint at least one student to the Hearing Panel or Appeal Panel. A student may not serve as chair of the Hearing Panel or Appeal Panel. In disciplinary cases involving allegations of academic misconduct, a majority of the Hearing Panel or Appeal Panel should ordinarily be faculty members.

F-4. All members of the SCB must receive annual training as determined by DOS, the Title IX Coordinator, and/or the Office of General Counsel. A member cannot serve on either a Hearing Panel or Appeal Panel until the member has completed this training.

F-5. Proceedings before the SCB, whether before a Hearing Panel or Appeal Panel, are confidential and protected by the Family Educational Rights and Privacy Act (FERPA). In specific disciplinary cases, members of the SCB must protect the confidentiality of the information they receive in fulfilling their duties as members of the SCB. Panel members must not discuss specific cases or share any information regarding specific disciplinary cases or their deliberations with anyone other than the SCB Chair, the Office of General Counsel, the Administrator, or fellow panel members appointed to the same panel in that specific case, and in all such instances, the discussion or sharing of information must be reasonably necessary for the panel's consideration of the specific case.

**G. USE OF A HEARING OFFICER.**

G-1. In any case requiring a hearing before a panel of the SCB, the University may use a Hearing Officer to conduct that hearing.

G-2. The decision as to whether to appoint a Hearing Officer shall be made by the Administrator. The decision as to whether to appoint a Hearing Officer may not be appealed and may not be challenged on appeal as a procedural error.

G-3. The Hearing Officer may be appointed to serve as follows:

- a. As a non-voting chair of the Hearing Panel whose duties are to run the hearing and ensure all proper procedures are followed;
- b. As a voting chair of the Hearing Panel whose duties are to run the hearing, ensure that all proper procedures are followed, and to have a vote on the decision; or
- c. As the chair and only member of the Hearing Panel whose duties are to run the hearing, ensure that all proper procedures are followed, and to issue the decision. When the Hearing Officer serves as the sole decision-maker, the Hearing Officer's decision shall be treated for all purposes the same as the decision of a Hearing Panel under the Code.
- d. In cases involving allegations of academic dishonesty, a Hearing Officer may only be appointed as a non-voting chair of the Hearing Panel, but may not be appointed as a voting member of the Hearing Panel or as the chair and only member of the Hearing Panel.

G-4. The Administrator shall appoint the Hearing Officer from a list of Hearing Officers approved by the Office of General Counsel. The Hearing Officer must not have a conflict of interest or bias for or against either party.

G-5. The Office of General Counsel shall determine the appropriate qualifications for a person to serve as a Hearing



Officer and shall make a list of approved Hearing Officers available to the Administrator.

**H. INTERIM ACTION.**

H-1. At any time before a final institutional decision, the CSA Officer, or designee, may impose restrictions on a student and/or separate the student from the University community pending the final institutional decision. If circumstances allow, the CSA Officer (or designee) should meet with the student prior to imposing the interim action.

H-2. Other than issuance of no contact orders, an interim action issued prior to a hearing before the Hearing Panel may only be imposed when the CSA Officer determines that the student represents a threat of serious harm to any person; the student is facing allegations of serious criminal activity; the action is necessary to preserve the integrity of the investigation; the action is necessary to preserve University property; and/or the action is necessary to prevent disruption of, or interference with, the normal operations of the University. After the Hearing Panel's decision, pending an appeal of the decision, the CSA Officer may impose a sanction issued by a Hearing Panel as an interim action at the discretion of the CSA Officer.

H-3. In any Title IX case, the investigator, in consultation with DOS, may issue a no contact order prohibiting the Respondent and/or the Complainant from contacting the other. A no contact order should be routinely issued in Title IX cases and there need not be a specific determination made as provided above.

H-4. Interim actions may include, but are not limited to, the following:

- a. Suspension from the University pending a final institutional decision;
- b. Issuance of a no contact order;
- c. Exclusion from University property;
- d. Removal from the residence halls;
- e. Removal from extracurricular activities, including participation on athletics teams;
- f. Withholding the award of a degree pending the conclusion of the investigation and hearing process; or
- g. Any other action deemed necessary and appropriate by the CSA Officer to maintain orderly and appropriate University operations.

H-5. Where a student is suspended from the University, or directed to not attend certain classes, alternative coursework options may be pursued, with the approval of the CSA Officer and the appropriate college dean, to ensure as minimal an impact as possible on the responding student.

H-6. An interim action must be made in writing and is effective when the CSA Officer delivers the Notice of Interim Action to the responding student either in person or by email sent to the student's official University of Idaho email account.

H-7. The Respondent may appeal the imposition of any interim action by filing an appeal with the CSA Officer. There are no formal procedures for this appeal, and the interim sanctions remain in effect unless overturned by the CSA Officer.

H-8. A violation of the provisions of an interim action shall be considered a violation of the Code.

**I. SANCTIONS.**

I-1. The following sanctions may be imposed upon any student determined to have violated the Code:

- a. Warning: a written notice to the student.
- b. Probation: a written reprimand accompanied by a probationary period during which the student must not violate the Code in order to avoid more severe disciplinary sanctions.
- c. Loss of Privileges: denial of specified privileges for a designated period of time.
- d. Restitution: compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- e. Educational Sanctions: completion of work assignments, essays, service to the University, community service, workshops, or other related educational assignments.
- f. Housing Suspension: separation of the student from University Housing for a definite period of time, after which the student is eligible to return. Conditions for return may be specified.
- g. Housing Expulsion: permanent separation of the student from University Housing.
- h. University Suspension: separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for return may be specified.
- i. University Expulsion: permanent separation of the student from the University.
- j. Revocation of Admission and/or Degree: admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- k. Withholding Degree: the University may withhold awarding a degree otherwise earned until the completion of all sanctions imposed.

I-2. More than one of the sanctions listed above may be imposed for any single violation.

I-3. A student who fails to comply with the sanction(s) imposed shall have a disciplinary hold placed on his/her record until the student complies with all sanctions imposed.

I-4. Disciplinary sanctions other than suspension, expulsion or revocation or withholding of a degree shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Such sanctions shall be expunged from the student's disciplinary record seven (7) years after final disposition of the case.

I-5. The student shall be responsible for administrative and educational costs of any and all sanctions imposed for alcohol related violations.

**J. MISCELLANEOUS.**

J-1. Agreement: At any point during the disciplinary process prior to a final institutional decision, the Administrator and the parties may agree to an appropriate resolution without further investigation, hearing, or appeal. The agreed upon resolution may include the use of appropriate alternative dispute resolution methods.

J-2. Role of an Advisor: In accordance with the educational purpose of the Code, all students, including Respondents and Complainants, are expected to speak for themselves at all stages of proceedings under the Code, including, but not limited to, during the investigation, hearing, and any appeal. Any student may have an Advisor present at any time during any interview, meeting, or proceeding under the Code, but the Advisor's role is to advise the student, not to speak for the student or make any presentation on behalf of the student. The student may, at any time and for a reasonable period of time, confer with the Advisor. If the University official conducting the proceeding determines at any time that the Advisor is acting outside of these parameters, the Advisor may be required to leave the proceeding at the official's discretion. In appropriate circumstances, at the sole discretion of the University official conducting the proceeding, the University official may allow the Advisor to speak on behalf of the student and/or make a presentation on behalf of the student.

J-3. Fee: Any time a student is found to have violated the Code, DOS may charge the student an administrative fee of \$150. This is not considered a sanction and may not be appealed.

J-4. Parent Notification: The University may notify parents of students under the age of 21 when a student has been found to have committed a drug or alcohol-related violation. This is not considered a sanction, and the decision as to whether to notify the parents or not rests entirely within the discretion of DOS.

J-5. Training: All members of the SCB, the Administrator, the Title IX Coordinator, and the investigators shall receive annual training in accordance with the requirements of the policies of the Board of Regents of the University of Idaho and the Idaho State Board of Education (said policy is currently found at Section I, Subsection T), the Clery Act and implementing regulations (see, e.g., 34 C.F.R. § 668.46(k)(2)(ii)), and Title IX.

J-6. Timeframe: With the exception of the deadlines for filing an appeal (see section E) or for requesting a hearing before the SCB (see section D-1.b.), all other timeframes contained in the Code are suggested timeframes. While the timeframes

should be followed absent exceptional circumstances, the failure to conduct any action within a designated timeframe is not grounds for appeal or reversal of any decision.

J-7. Interpretation: Any question of interpretation regarding the Code or these procedures will be referred to the CSA Officer or his/her designee for final determination.

J-8. Disclosure: The University will, upon written request, disclose to the alleged victim of any crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

J-9. Review by President: Any decision or action taken under the Code may be reviewed by the President at the President's discretion.

J-10. Review by Board of Regents: Appeals of a final institutional decision to the Board of Regents must be made in accordance with Idaho State Board of Education Governing Policies and Procedures Section III.P.18.

**SEXUAL HARASSMENT**

**FSH 3220 SEXUAL HARASSMENT**

**A. Policy.**

A-1. The university must maintain a learning and work environment for students and employees that is fair, humane, and responsible. Sexual discrimination, including sexual harassment, interferes with the educational process and with the productivity of the faculty and staff; thus, it is inimical to the university.

A-2. Like discrimination on the basis of race, color, national origin, religion, sex, age, disability, or status as a Vietnam-era veteran, sexual harassment violates federal and state laws and the policies of the Board of Regents of the University of Idaho. It is, therefore, the policy of the University of Idaho to condemn sexual harassment.

**FSH 6100 TITLE IX SEXUAL HARASSMENT**

**PREAMBLE: FSH 6100 IS A TEMPORARY EMERGENCY POLICY ADOPTED PURSUANT TO FSH 1460 C-3 ON AUGUST 12, 2020.**

**A. STATEMENT OF PURPOSE**

A-1. The core purpose of this policy is the prohibition of all forms of sexual harassment.

A-2. This policy is designed to treat all parties equally. All provisions of this policy must be interpreted as applying equally to both parties.

A-3. The University presumes that the respondent is not responsible for any conduct alleged in a report or formal complaint until a determination regarding responsibility is made at the conclusion of this grievance process.

**B. APPLICABILITY**

This policy applies to sexual harassment occurring in a university education program or activity and against a person while in the United States. Allegations of sexual harassment to which this policy applies can only be addressed through this policy and may not be addressed by any other University policy. To the extent this policy conflicts with any other University policy, this policy shall control. Other sexual misconduct is addressed under other University policies.

**C. VIOLATION**

Sexual harassment, as defined in this policy, is prohibited.

**D. DEFINITIONS**

D-1. Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the University's Title IX Coordinator or any University official who has authority to institute corrective measures on behalf of the University. The University officials with authority to institute corrective measures on behalf of the University include the president, provost, vice presidents, vice provosts, associate vice presidents, associate vice provosts, Dean of Students, director of Housing and Residence Life, director of Fraternity and Sorority Life, executive director of Public Safety and Security, Title IX Coordinator, senior executive in Human Resources, deans, associate deans, department chairs, Athletic Director, Associate Athletic Director for NCAA compliance, Center executive officers, Chief Diversity Officer, and the Internal Auditor.

D-2. Advisor means a person chosen by a party or appointed by the University to accompany the party to meetings, hearings, or interviews related to the grievance process and to conduct cross-examination for the party at the hearing, if any.

D-3. Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. If the complainant is under 18 years of age, the complainant's parent or guardian may also be considered a complainant.

D-4. Consent is knowing, voluntary, and clear permission by word or action to engage in sexual activity. Consent can be withdrawn at any time.

D-5. Dating violence is violence on the basis of sex committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on a consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.

D-6. Day(s) means a business day that the university is open for normal operation, not including Saturdays, Sundays, fall recess, winter recess, spring recess, or University holidays.

D-7. Domestic violence is violence committed by a current or former spouse or intimate partner of the complainant; by a person with whom the complainant shares a child in common; by a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner; by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Idaho; or by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family laws of Idaho.

D-8. Education program or activity includes locations, events, or circumstances over which the University exercises substantial control over both the respondent and the context in which the sexual harassment occurred, and includes any building owned or controlled by a student organization that is officially recognized by the University.

D-9. Formal complaint means a document filed with the Title IX Coordinator in accordance with section [E-2] alleging sexual harassment against a respondent and requesting that the University investigate the allegation of sexual harassment.

D-10. Good cause, when referring to the extension of any deadline, may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

D-11. Hearing administrator. The hearing administrator shall be responsible for ensuring that the administrative duties relating to the live hearing process are carried out in accordance with this policy. The hearing administrator shall be the senior executive of Human Resources in cases in which the respondent is an employee, and the Dean of Students in all other cases.

D-12. Investigator means the person or persons charged by the University with investigating a formal complaint and drafting the final investigative report.

D-13. Party means either the complainant(s) or respondent(s). Parties includes the complainant(s) and respondent(s), collectively.

D-14. Relevant evidence means any evidence that tends to make a fact more or less probable than it would be without the evidence.

- a. Questions and evidence about the complainant's sexual predisposition or prior sexual behaviors are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- b. Relevant evidence does not include a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their professional or paraprofessional capacity, or assisting in the capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party gives voluntary written consent to use the records in the grievance process and hearing.

D-15. Remedies means any measures implemented after a finding of responsibility that is designed to restore or preserve the complainant's equal access to the University's education program or activity. Such remedies may include the same measures implemented as supportive measures, but may be disciplinary or punitive in nature, and may burden the respondent.

D-16. Report of sexual harassment means any situation in which the University has actual knowledge of an alleged incident of sexual harassment occurring in an education program or activity.

D-17. Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. If the respondent is under 18 years of age, the respondent's parent or guardian may also act on behalf of the respondent.

D-18. Sexual assault means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, including the following:

- a. Rape: The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
- b. Sodomy: Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
- c. Sexual assault with an object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
- d. 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 or her age or because of his or her temporary or permanent mental or physical incapacity.

- e. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- f. Statutory rape: Sexual intercourse with a person who is under the statutory age of consent.

D-19. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- a. A University employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
- b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- c. Sexual assault, dating violence, domestic violence, or stalking.

D-20. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

D-21. Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter sexual harassment.

D-22. Title IX Coordinator means at least one official designated by the University to ensure compliance with Title IX and the University's Title IX program. References to the Title IX Coordinator may also encompass a designee of the Title IX Coordinator for specific tasks.

**E. RESPONSE TO REPORT OF SEXUAL HARASSMENT**

E-1. Receipt of Report. Upon receipt of a report of sexual harassment the Title IX Coordinator will:

- a. Promptly contact the complainant to:
  - (1) Discuss the availability of supportive measures;
  - (2) Consider the complainant's wishes with respect to supportive measures by engaging in a meaningful dialogue with the complainant to determine which supportive measures may restore or preserve equal access to the University's education program or activity without unreasonably burdening the respondent;
  - (3) Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and

- (4) Explain to the complainant the process for filing a formal complaint.
- b. Implement appropriate supportive measures for both the respondent and complainant. Supportive measures may be implemented with or without the filing of a formal complaint.
  - (1) Supportive measures must be designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party. Supportive measures may be designed to protect the safety of all parties or the University's educational environment, or deter sexual harassment. Supportive measures may include:
    - (a) Referral to counseling, medical, or other healthcare services;
    - (b) Extensions of deadlines or other course-related adjustments;
    - (c) Modifications of work or class schedules;
    - (d) Provision of campus escort services;
    - (e) Mutual restrictions on contact between the parties;
    - (f) Changes in work or housing arrangements;
    - (g) Leaves of absence;
    - (h) Referral to community-based providers;
    - (i) Student financial aid counseling;
    - (j) Education of the institutional community or community subgroup(s);
    - (k) Safety planning;
    - (l) Increased security and monitoring of certain areas of the campus; and
    - (m) Other similar measures deemed appropriate by the Title IX Coordinator.
  - (2) The Title IX Coordinator has sole authority to determine what supportive measures are to be implemented. The Title IX Coordinator must document the reasons for approving or denying supportive measures.
  - (3) The University must keep confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining confidentiality would not impair the ability of the University to provide the supportive measures.
- c. If the complainant decides not to file a formal complaint, the Title IX Coordinator will determine whether or not to file a formal complaint. In determining whether to file a formal complaint, the Title IX Coordinator may consider, among other things, whether there is a pattern of alleged

misconduct involving the same respondent; whether a complainant's allegations involved violence, use of weapons, or similar factors; or whether the safety of the University community requires the filing of a formal complaint.

#### E-2. Filing of Formal Complaint

- a. Only the complainant or the Title IX Coordinator may file a formal complaint.
- b. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the University's education program or activity.
- c. A formal complaint may be filed by any of the following methods:
  - (1) Completing and submitting the online complaint form available at [www.uidaho.edu/report](http://www.uidaho.edu/report);
  - (2) Downloading and completing the complaint form available at [www.uidaho.edu/report](http://www.uidaho.edu/report), or by requesting it from the Title IX Coordinator, and returning the form to the Title IX Coordinator in person, by mail, or through email to [TitleIX@uidaho.edu](mailto:TitleIX@uidaho.edu); or
  - (3) 3. By sending a document to the Title IX Coordinator in person, by mail, or through email to [TitleIX@uidaho.edu](mailto:TitleIX@uidaho.edu). The document must:
    - (a) Indicate the complainant's desire to file a formal complaint;
    - (b) Contain the basic allegations of the respondent's conduct that allegedly constitutes sexual harassment; and
    - (c) Contain the complainant's physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint.

#### E-3. Confidentiality

- a. The University must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness.
- b. This confidentiality requirement does not apply when disclosure is:
  - (1) Permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99; or
  - (2) Required by law; or

- (3) Required to carry out the purposes of this policy or 34 CFR Part 106, including the conduct of any investigation, hearing, or judicial proceeding.

- (1) The conduct alleged in the formal complaint would not constitute sexual harassment as defined in section D-19 even if proven; or
- (2) The conduct did not occur in a University of Idaho education program or activity; or
- (3) The conduct did not occur against a person in the United States.

**F. FORMAL COMPLAINT**

F-1. Notice of Allegations

- a. Upon receipt of a formal complaint the Title IX Coordinator must provide a notice of allegations to the known parties.
- b. The Title IX Coordinator may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.
- c. This notice must be written and sent simultaneously to all known parties, with the following information:
  - (1) The University of Idaho's grievance process, including any informal resolution process;
  - (2) The allegations of potential sexual harassment, which shall include the following details:
    - (a) Identities of the parties involved in the incident, if known;
    - (b) The conduct allegedly constituting sexual harassment; and
    - (c) The date and location of the alleged incident, if known;
  - (3) The right to an advisor of their choosing, who may be a friend, colleague, attorney, family member, advocate or other person;
  - (4) The right to inspect and review evidence;
  - (5) A statement that the respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will not be made until the conclusion of the grievance process; and
  - (6) A statement that knowingly providing false statements or knowingly submitting false information during the grievance process violates University policy and may subject the person to disciplinary action outside of this grievance process.
- d. If, during the course of an investigation, the University decides to investigate additional allegations that are not in the initial notice of allegations, an amended notice of allegations must be provided to the parties whose identities are known.

F-2. Dismissal of Formal Complaint

- a. A formal complaint must be dismissed without investigation if:

- b. A formal complaint may be dismissed at any point in time during the investigation if:
  - (1) The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations in the formal complaint; or
  - (2) The respondent is no longer enrolled or employed by the University of Idaho; or
  - (3) Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations in the formal complaint.
- c. If a formal complaint is dismissed, the Title IX Coordinator shall send the parties written simultaneous notice of the dismissal, which will include the reason(s) for the dismissal.
- d. A dismissal of a complaint under this policy does not preclude action under another University policy.

F-3. Meeting with Parties.

Each party will be given an opportunity to meet with the investigator(s) within a reasonable period of time after the notice of allegations is provided to the parties. The investigator should contact each party no later than five days after the notice of allegation is provided to the parties in order to schedule the meeting. A party is not required to meet with an investigator. Prior to the meeting, the investigator shall provide the party with written notice of the date, time, location, names of participants, and the purpose of the meeting. The written notice must give the party sufficient time to prepare to participate in the meeting. A separate written notice must be provided prior to each meeting with the parties.

F.4. Investigation

- a. Parties may, but are not required to, provide information for investigators to consider at any point in time during the investigation, prior to the dissemination of the final investigative report. The information may include, but is not limited to:
  - (1) The names of potential witnesses to interview;
  - (2) Suggested questions to ask the other party or other witnesses;
  - (3) Written information relevant to the allegations, including, but not limited to text messages, police

reports, witness statements, medical records, and social media posts or messages;

- (4) Video or audio recordings;
  - (5) A written response to the notice of allegations;
  - (6) Expert witnesses and/or expert witness reports; and
  - (7) Any other inculpatory or exculpatory information the party would like the University to consider.
- b. Investigators will conduct their own inquiry to gather relevant information, including, but not limited to:
    - (1) Documentary information;
    - (2) Inculpatory evidence;
    - (3) Exculpatory evidence;
    - (4) Names of witnesses, including fact and expert witnesses;
    - (5) Witness interviews;
    - (6) Suggested questions to ask the other party or witnesses.
  - c. Without the voluntary written consent of the person to whom the records pertain, the University cannot access, consider, disclose, or otherwise use a person's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their professional or paraprofessional capacity, or assisting in that capacity, and which are made and maintained in connection with the person's treatment.
  - d. The University shall not prohibit the parties from discussing the allegations under investigation, nor shall the University prohibit parties from conducting their own investigation.
  - e. All parties and witnesses will be provided a written summary of their respective meeting(s). A party or witness may submit comments on the summary within two days of receipt of the summary.

**F.5. Preliminary Investigative Report**

- a. Once investigators conclude the investigation, investigators will draft a preliminary investigative report. This preliminary investigative report will be provided to all parties (either in hardcopy or electronically) to inspect and review. The preliminary investigative report must include a summary of all relevant information gathered during the Investigation including, but not limited to:
  - (1) A summary of the complainant's interview(s);
  - (2) A summary of the respondent's interview(s);
  - (3) A list of witnesses contacted;
  - (4) A summary of witness interviews; and

(5) All other evidence obtained as part of the investigation that is relevant to the allegations, including evidence upon which investigators do not intend to rely.

- b. The investigator shall provide a preliminary investigative report and all evidence gathered by the investigator that is directly related to the allegations to both parties and their advisors for review and inspection.
- c. Parties will have ten days to submit a written response to the preliminary investigative report. This response may include requests for additional investigation, additional witnesses to be interviewed, or additional questions to ask of witnesses. Requests for extensions will be granted at the discretion of the Title IX Coordinator for good cause. Written notice of the extension of the deadline will be provided to all parties and will apply equally to all parties.
- d. Investigators will consider any timely written response submitted by a party prior to completing the final investigative report. If investigators determine additional investigation is appropriate, investigators will conduct the additional investigation and then draft a revised preliminary investigative report and provide the parties an additional ten days to review and provide a written response.

**F.6. Final Investigative Report**

- a. Upon conclusion of the investigation, taking into consideration the timely written response of the parties, if any, investigators will create a Final Investigative report that includes all information provided in the preliminary investigative report as well as:
  - (1) The timely responses from the parties to the preliminary investigative report;
  - (2) A list of necessary witnesses who should be requested to appear at the live hearing; and,
  - (3) As necessary, an assessment of the credibility of the parties and relevant witnesses, provided however that the investigator shall not make a determination as to whether a party or witness is credible or not credible.
- b. The final investigative report shall not include any recommended findings or conclusions.

**G. LIVE HEARING PROCESS**

**G-1. Final Investigative Report Submission**

- a. Once a final investigative report is complete, the Title IX Coordinator will forward the final investigative report to the hearing administrator.
- b. Upon receipt of the final report, the hearing administrator shall forward the report to each party simultaneously using the party's official University of Idaho shall forward the report to each party simultaneously in writing using

the party's email address or through any other electronic means reasonably calculated to provide immediate access to the report. The hearing administrator shall also provide a notice of hearing to the parties at the same time as the final investigative report. The notice of hearing shall include the following information:

- (1) A statement that a live hearing will be convened for the purpose of determining whether the respondent is responsible for violating this policy;
  - (2) The date, time, and location for a live hearing. If the hearing will be held electronically, the notice shall include instructions on how to participate in the live hearing;
  - (3) A copy of or a link to the hearing procedures contained in this section;
  - (4) A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made after the conclusion of the hearing;
  - (5) A statement that the parties may have an advisor of their choice who may be, but is not required to be, an attorney, and that if they do not have an advisor, the University will provide an advisor to the party for the sole purpose of assisting with cross-examination;
  - (6) A statement that if a party needs an accommodation on account of a disability to participate in the hearing, the party should contact Human Resources if the party is an employee and the Center for Disability Access and Resources if the party is a student or anyone other than an employee;
  - (7) A list of the witnesses that were identified in the final investigative report as necessary witnesses and a statement that the hearing administrator will attempt to contact these witnesses and arrange for their presence at the hearing;
  - (8) The deadlines referenced in section G-1 c; and
  - (9) The name of the hearing officer and the names of those appointed to serve on the hearing panel.
- c. No later than five days after the notice of hearing and final investigative report are provided to the parties, each party must, if desired, submit the following information to the hearing administrator:
- (1) Any written statements or arguments for the hearing panel to consider in making the decision of responsibility;
  - (2) The identity of the advisor the party will bring to the live hearing or, if the party will not provide an advisor, a request for the University to provide an advisor for the party at the live hearing;

- (3) The identity of any additional witness the party requests to have present at the hearing, provided, however, that if the witness was not interviewed during the investigation, the witness may not appear at the hearing. The parties shall be reminded that the University cannot force anyone to be present at the hearing or to give any statements at the hearing. The parties are encouraged, but are not required, to have the hearing administrator contact the witnesses to request their presence. Each party may contact witnesses directly to request their presence at the hearing as long as there is not a no-contact order prohibiting the party from contacting a specific witness; and
- (4) If desired, a request to participate in the live hearing in a separate room through virtual technology.

#### G-2. Hearing Administrator Duties

- a. Prior to the live hearing, the hearing administrator shall:
  - (1) Appoint a hearing officer to preside over the live hearing from the list of approved hearing officers;
  - (2) Notify the chair of the Title IX hearing board of the need to convene a hearing panel for a live hearing and request the chair to appoint a hearing panel;
  - (3) Schedule a date and time for the live hearing. The live hearing shall be held no earlier than ten days after the delivery of the final investigative report, and no later than twenty days after delivery of the final investigative report. The hearing administrator may extend the date of the hearing at the request of a party or otherwise for good cause, provided that written notice is provided to the parties of the delay and the reasons for the delay;
  - (4) Attempt to contact the witnesses identified in the final investigative report as necessary witnesses and any witness identified by the parties, in order to request the witnesses' presence at the hearing; provided, however, that the University cannot force anyone to be present at the hearing or to give any statements at the hearing;
  - (5) Schedule and arrange for a room or rooms in which to hold the hearing;
  - (6) Make arrangements for any technology, such as recording equipment and video conference technology and equipment, necessary to hold the hearing;
  - (7) Prepare a hearing packet and provide the hearing packet to the hearing officer, the members of the hearing panel, and the parties at least three days prior to the hearing. The hearing packet shall consist of the final investigative report; copies of the notice of allegation(s); copies of any written statements the parties provided in response to the



final investigative report which were submitted prior to the submission deadline; and copies of the notice of hearing.

- b. The hearing administrator shall be responsible for ensuring that an audio or audio/video recording is made of the hearing.
- c. The hearing administrator shall be present during the hearing panel's deliberations, but shall not vote on the decision regarding responsibility.

G-3. Hearing Officer

a. Qualifications

- (1) The senior executive of Human Resources, Dean of Students, provost, and General Counsel shall determine the appropriate qualifications for a person to serve as a hearing officer and shall make a list of approved hearing officers available to the hearing administrator.
- (2) Each person approved to serve as a hearing officer must, prior to being appointed to serve as a hearing officer in any case, shall complete the training specified in section L.
- (3) The hearing officer must not have a conflict of interest or bias for or against either party specifically; or, generally for or against complainants or respondents.

b. Duties

- (1) The hearing officer shall preside over the live hearing in accordance with the procedures set forth in this section and shall serve as chair of the hearing panel, but shall only vote in determining whether the respondent is responsible for violating the sexual harassment policy and on determining the appropriate sanctions, if any, in the event of a tie vote among the other members of the hearing panel.
- (2) The hearing officer may be physically present at the location of the parties or may conduct the hearing virtually through technology that enables all participants to see and hear each other simultaneously. If the hearing officer is not physically present at the same location as the parties, the parties and their advisors shall be in separate rooms and shall participate in the hearing virtually.
- (3) The hearing officer shall ensure that a written decision is drafted and finalized no later than ten days after the conclusion of the live hearing.

G-4. Title IX Hearing Board

- a. The Student Conduct Board, as set forth in FSH 1640.83 will make up the Title IX Hearing board.

- b. When the hearing administrator notifies the chair of the Title IX Hearing Board of the need to convene a hearing panel, the chair shall appoint either three or five members of the Title IX Hearing Board to serve as a hearing panel in each case. The chair shall notify the hearing administrator of the names of those appointed as soon as possible in order to allow the hearing administrator to provide the names of the hearing panel members to the parties in the notice of hearing.
- c. A member of the Title IX Hearing Board shall not serve on any hearing panel or appeal panel in any case where the member has a conflict of interest or bias for or against either party specifically, or generally for or against complainants or respondents.
- d. Prior to being appointed to serve on any hearing panel, each member of the Title IX Hearing Board shall complete training on the definition of sexual harassment; the scope of the University's education program or activity; the University's investigation and grievance process; how to conduct hearings; how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; any technology to be used at a live hearing; and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.
- e. The chair of the Title IX Hearing Board may only appoint a student to serve on hearing panels in cases in which all parties are students.
- f. Proceedings before the Title IX Hearing Board, whether before a hearing panel or appeal panel, are confidential and protected by state and federal law. In specific disciplinary cases, members of the Title IX Hearing Board must protect the confidentiality of the information they receive in fulfilling their duties as members of the Title IX Hearing Board. Panel members must not discuss specific cases or share any information regarding specific disciplinary cases or their deliberations with anyone other than the Title IX Hearing Board chair, the Office of General Counsel, the hearing administrator, or fellow panel members appointed to the same panel in that specific case, and in all such instances, the discussion or sharing of information must be reasonably necessary for the panel's consideration of the specific case.

G-5. Live Hearing Process

- a. All parties, witnesses, advisors and other participants should be present in the same physical location for the hearing. However, either party, at the request of the party, or any other participant at the discretion of the hearing administrator or hearing officer, may appear at the live hearing virtually, with technology enabling participants to simultaneously see and hear each other. Participation by audio only shall be prohibited.

- b. All hearings are closed to the public. The only people allowed to be present during the hearing are the parties; each individual party's advisor; the investigator(s); the hearing administrator; the Title IX Coordinator (or designee); one or more attorneys or support staff from the Office of General Counsel; the hearing officer; members of the hearing panel appointed to hear the case; and the witnesses, provided that each witness shall only be present while the witness is answering questions. In rare cases, the hearing officer may allow someone not on this list to attend the hearing, after consulting with the Title IX Coordinator and the Office of General Counsel to ensure compliance with all applicable confidentiality requirements.
- c. The live hearing shall be recorded either by audio or by audio/video.
- d. Order of proceedings. The live hearing shall proceed in the following manner to the extent possible, provided that the hearing officer may allow deviations from this order in the hearing officer's discretion:
  - (1) Opening Statements. Each party may, but is not required to, make an opening statement. The party's advisor is not allowed to make the opening statement on behalf of the party.
  - (2) Witnesses
    - (a) The hearing officer shall call each witness and party to answer questions in the following order: 1) complainant, 2) respondent, 3) non-party witnesses in any order determined by the hearing officer.
    - (b) Only witnesses who were previously interviewed as part of the investigation may appear at the hearing.
    - (c) Prior to asking any questions of a witness or party, the hearing officer shall read the following statement to each party and witness. The statement need not be read verbatim but shall consist substantially of the following: "You are hereby advised that you are not required to answer any questions posed to you during this hearing. However, if you refuse to answer any relevant question, none of your statements made at any time to any person may be considered by the hearing panel in deciding whether the respondent is responsible for violating the University of Idaho's Title IX sexual harassment policy. If you choose to answer the questions, you must answer the question truthfully. If you knowingly provide false information you may be disciplined by the University of Idaho. This hearing is being recorded. Do you have any questions?"
- (d) The hearing officer shall ask the following questions of each party and witness prior to cross-examination. The hearing officer may, but is not required to, ask additional questions of any party or witness at any time during the hearing. The following questions need not be asked verbatim, but shall be substantially as follows:
  - (i) "Have you had a chance to review the summary of your statements contained in the final investigation report?"
  - (ii) "Does the summary accurately reflect your knowledge of the facts at issue in this case?" If the answer is no, the hearing officer shall ask the witness or party to identify the parts of the summary are not accurate.
  - (iii) "Is there anything contained in that summary that you would like to expand upon or clarify?"
  - (iv) To be asked only of the complainant and the respondent: "Is there anything else you would like to tell me regarding the facts of the situation? If so, please do so now."
- (e) Neither a party nor a party's advisor is allowed to conduct direct examination of any party or witness.
- (3) Cross-Examination. After the hearing officer asks the initial questions, each party shall thereafter be given the opportunity to conduct cross-examination of the witnesses and other party, but cross-examination is not required. Under no circumstances shall a party be allowed to directly cross-examine a party or witness; rather, all cross-examination must be conducted by the party's advisor. A party's advisor is not allowed to cross-examine the party they are advising. If an advisor is also a witness, neither the party nor the advisor/witness may cross-examine the party's own advisor/witness. However, a party is allowed to provide additional information after cross-examination is complete in order to address questions asked during cross-examination.
- (4) Prior to any cross-examination, each witness, including each party, shall be instructed not to answer the question asked until the hearing officer makes a determination regarding the relevance of the question asked. Before the witness or party answers the question, the hearing officer must first determine whether the question is relevant. The hearing officer may, but is not required to, allow each party's advisor to make a brief argument regarding the relevance of the question. If the hearing officer determines that the question is not relevant, the hearing officer must exclude the

question and direct the witness or party to not answer the question. The hearing officer must also provide a brief explanation for the decision to exclude the question. The hearing officer may provide a more detailed explanation in the written decision if necessary or desired. If the question is relevant, the hearing officer shall allow the witness to answer the question.

(5) Closing Statement. At the conclusion of the presentation of evidence, each party may, but is not required to, make a closing statement to the hearing officer. The party's advisor is not allowed to make the closing statement on behalf of the party.

(a) Written evidence may not be provided at the live hearing, except written evidence which is already included in the final investigative report.

**G-6. Decision**

a. The hearing officer shall provide to the hearing administrator a written decision regarding responsibility and sanctions within ten days after the conclusion of the live hearing. The hearing administrator shall simultaneously provide the written decision to the parties and their advisors.

b. In making the decision, the hearing panel shall consider and objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, contained in the hearing packet and the oral evidence presented at the live hearing. In making the decision, the hearing panel may not rely on any statement of a party or witness who, after being requested to attend the hearing by the hearing administrator, does not submit to cross-examination at the live hearing. The hearing panel may not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

c. The hearing panel shall determine whether the respondent violated the Title IX sexual harassment policy using a preponderance of the evidence standard.

d. The written decision must include the following:

- (1) Identification of the allegations alleged to be in violation of the University's sexual harassment policy;
- (2) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- (3) Findings of fact supporting the determination;
- (4) Where necessary to the decision, a credibility determination of the parties and witnesses, provided

however that a credibility determination may not be based on a person's status as a complainant, respondent, or witness;

(5) Conclusions regarding the application of the University's Title IX sexual harassment policy;

(6) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;

(7) If the respondent is found responsible, the sanctions imposed on the respondent, including a statement of the sanctions and rationale for the sanctions.

(8) Whether remedies designed to restore or preserve equal access to the University's programs will be provided to the complainant; and

(9) The procedures and permissible bases for either party to appeal the decision.

e. Should the hearing panel find that the respondent is responsible for violating this policy, prior to determining the appropriate sanction to be imposed, the hearing administrator shall disclose to the panel any appropriate previous disciplinary history regarding the respondent. The hearing administrator shall also serve as a resource to the hearing panel to help the panel determine appropriate sanctions that are reasonably consistent among similar cases.

f. All hearing panel decisions shall be by majority vote.

(1) The hearing panel may return the matter for additional investigation if the hearing panel determines that: The investigator(s) failed to properly investigate the allegation and the failure was both substantial and to the party's detriment; or

(2) There is new information that could substantially affect the outcome and the new information could not have been discovered before the issuance of the final investigative report.

g. Sanctions imposed by the hearing panel shall not go into effect until either the time period for an appeal has expired and no appeal has been filed or until the decision is upheld on appeal. If the sanctions for an employee respondent includes termination of employment, the sanction shall not go into effect until reviewed and approved by the President.

**H. ROLE OF ADVISORS**

H-1. Parties may have an advisor of their choice present with them for all meetings and interviews if they so choose. The parties may select whomever they wish to serve as their advisor. While it is not recommended to choose an advisor who is also a witness in the process, should a party decide to do so, any bias or conflict of interest of the witness may negatively affect the credibility of the witness and/or party.

H-2. All advisors are subject to the same limitations, whether they are attorneys or not. The advisor may not make a presentation and may not speak on behalf of the party to the investigators or other decision-makers except to conduct cross-examination during the live hearing, as described below.

H-3. The parties are expected to ask and respond to questions on their own behalf throughout the investigation. While the advisor generally may not speak on behalf of a party, a party may request a break to speak privately with the party's advisor, may consult quietly with the party's advisor, and/or may quietly pass notes during any meeting or interview, as long as they do not unreasonably disrupt the process. For longer or more involved discussions, the party and the party's advisor should ask for breaks to step out of meetings to allow for private consultation. If breaks become disruptive to the process, such requests may be denied or the meeting rescheduled.

H-4. Advisors may be given an opportunity to meet with the administrative officials conducting interviews/meetings in advance of the interviews or meetings. This pre-meeting allows advisors to clarify any questions they may have and allows the University an opportunity to clarify the role the advisor is expected to take. This pre-meeting is intended only to allow the advisor to inquire about the advisor's role and the process, to minimize procedural discussion during the interview, and is not an opportunity for the advisor to discuss the case specifics.

H-5. Advisors are expected to refrain from interference with the University's investigation and resolution. Advisors who step out of their role will be warned only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave the meeting or hearing. If the advisor's continued interference occurs at the live hearing, the University will provide the party with an advisor to conduct cross-examination. If the advisor's continued interference occurs at any other meeting, the meeting may then be rescheduled to allow the party to obtain a different advisor.

H-6. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by university. The University may exclude any advisor who fails to abide by these expectations. Each party is responsible for ensuring that the party's advisor abides by these restrictions and may be subject to discipline for the advisor's failure to comply with these restrictions.

H-7. A party may elect to change advisor during the investigation and is not obligated to use the same advisor throughout. The parties are expected to inform the investigators of the identity of their advisors at least one (1) day before the date of their first meeting with investigators (or as soon as possible if a more expeditious meeting is necessary or desired). The parties are expected to provide timely notice to investigators if they change advisors at any time. Changing advisors does not delay the investigation, interview, meeting, or hearing process.

H-8. University-provided advisors

- a. In the event any party appears at a live hearing without an advisor, the University will provide an advisor to the party without charge for the sole purpose of conducting cross-examination during the live hearing. The University-provided advisor may not assist the party in anything other than conducting cross-examination.
- b. The Title IX Coordinator shall be responsible for recruiting and training university employees to serve as advisors and shall ensure that advisors assigned to a party do not have an impermissible bias or conflict of interest.

## I. APPEALS

I-1. Any party may appeal a decision to dismiss the formal complaint and the hearing panel's decision. Appeals must be submitted in writing to the hearing administrator and must set forth the grounds for the appeal. The appeal must be filed no later than five days after the decision is delivered to the parties. The hearing administrator shall ensure that all parties and their advisors receive a copy of the appeal and any response to the appeal submitted by the non-appealing party(ies).

I-2. Appeals are limited to the following grounds:

- a. Procedural irregularity that affected the outcome of the matter;
- b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter;
- c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent that affected the outcome of the matter;
- d. The sanctions imposed are substantially disproportionate to the severity of the violation (the imposition of an administrative fee is not a sanction, and therefore cannot be appealed); or
- e. The decision is not based on substantial information. A decision is based on substantial information if there are facts in the case that, if believed by the decision-maker, are sufficient to establish that the decision is correct.

I-3. An appeal shall be limited to a review of the decision, the hearing packet (if any), any written material considered in the decision, the recording of the live hearing (if one was held), any written materials submitted with the appeal, and any response to the appeal submitted by the non-appealing party(ies). Where an appeal is based on new evidence, the new evidence may be considered only to determine whether the information was reasonably available at the time of the decision and whether the new evidence could affect the outcome of the matter.

I-4. Appeal Panel Procedures

- a. The chair of the Title IX Hearing Board shall appoint three or five members of the Board to serve on the appeal panel and shall designate one member to serve as chair of the appeal panel. Any member who served on a hearing panel shall not serve on the appeal panel on the same case. A student may not serve as chair of an appeal panel, and may not serve on an appeal panel unless all parties are students.
- b. Any non-appealing party may file a response to the appeal in support of, or challenging, the outcome. The written response must be provided to the hearing administrator within five days after notice of the appeal is provided to the party.
- c. The appeal panel shall issue a written decision. The decision should be issued within ten days of receiving all appeal materials. The written decision shall describe the result of the appeal and the rationale for the result. The chair of the appeal panel shall provide the written decision to the hearing administrator, who will then simultaneously provide the decision to the parties.

I-5. Results of the Appeal Panel. The appeal panel may:

- a. Uphold the decision;
- b. Uphold the finding that the respondent violated this policy, but revise the sanction(s);
- c. Return the matter for reconsideration; or
- d. Return the matter for additional investigation.

I-6. Unless the case is returned for reconsideration or to the investigator for additional investigation, the decision of the appeal panel is the final institutional decision. If the decision upholds the findings that the respondent is responsible for violating this policy, the sanctions imposed shall go into effect immediately. Provided, however, that if the sanction for an employee respondent includes termination of employment, the sanction shall not go into effect until reviewed and approved by the President.

**J. POSSIBLE SANCTIONS AND REMEDIES**

J-1. The sanctions which may be imposed upon any employee determined to have violated this policy range from a written warning to termination, and may include one or more of the following:

- a. Written warning;
- b. Letter of reprimand;
- c. No-contact directive;
- d. Reassignment of position and/or location;
- e. Modification of duties;
- f. Withholding of pay increase;

- g. Pay decrease;
- h. Demotion;
- i. Suspension without pay;
- j. Termination.

J-2. The sanctions which may be imposed upon any student determined to have violated this policy range from a warning to expulsion, revocation of degree, or withholding of degree, and may include any of the following:

- a. Warning;
- b. Probation;
- c. No-contact directive;
- d. Community service;
- e. Loss of privileges;
- f. Restitution;
- g. Educational sanctions;
- h. On-campus housing suspension;
- i. On-campus housing expulsion;
- j. Suspension, which may include the imposition of conditions that must be fulfilled before the student may re-enroll;
- k. Expulsion;
- l. Revocation of admission;
- m. Revocation of degree;
- n. Withholding of degree;
- o. Trespass from some or all University property.

J-3. The sanctions which may be imposed upon any other person over whom the University exercises substantial control determined to have violated this policy may include any of the following:

- a. Warning;
- b. Loss of privileges;
- c. Trespass from some or all University property;
- d. Termination or suspension of affiliation with the University;
- e. Exclusion from participating in any University program or activity.

J-4. The range of remedies which may be provided to any complainant, after the respondent is found responsible for violating this policy, includes, but is not limited to, the following:

- a. Relocation of the respondent's or complainant's work location, residence hall or apartment assignment;
- b. Issuance or continuation of a no-contact order;

- c. Changing the respondent's and/or complainant's supervisor, or supervisory chain;
- d. Approval of flex-time or flex-place work arrangements;
- e. Course modification;
- f. Changing the complainant's or respondent's class schedule;
- g. Modifying academic guidelines or requirements;
- h. Prohibiting respondent from entering some or all University buildings or property;
- i. Any supportive measures provided to the parties;

**K. EMERGENCY MEASURES**

K-1. Emergency removal.

- a. The University may remove a respondent from any education program or activity on an emergency basis if, after undertaking an individualized safety and risk analysis, the University determines that the respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment, and that threat justifies removal.
- b. The following persons shall be responsible for making the determination of whether the respondent poses an immediate threat: For student respondents, the Dean of Students; for faculty respondents, the Provost; for non-faculty employees, the Vice-President for Finance and Administration; for all other respondents, the Executive Director for Public Safety and Security.
- c. The Threat Assessment and Management Team should be consulted in making the determination of whether a respondent poses an immediate threat if it can be convened in a timely manner.
- d. Immediately following the decision to remove the respondent from an education program or activity, the person making the determination shall deliver notice of the decision to the respondent. The respondent may appeal the decision within five days of being notified of the decision by submitting a written statement to the person making the determination. The respondent may, however, request a modification based on changed circumstances at any time prior to the final institutional decision regarding whether the respondent violated this policy.

K-2. Administrative leave. Administrative leave may be used at any time for non-student employees, in accordance with University policy, and is not considered to be an emergency removal. Before a student employee may be placed on administrative leave arising out of an allegation of sexual harassment, the University must use the above procedures for an emergency removal.

**L. TRAINING REQUIREMENTS**

L-1. The University will train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process on the following matters:

- a. The definition of sexual harassment;
- b. The scope of the University's education program or activity;
- c. How to conduct an investigation;
- d. How to conduct the University's grievance process including hearings, appeals, and informal resolution processes; and
- e. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

L-2. In addition to training on the matters in section L-1, the University will train decision-makers and hearing officers on:

- a. The technology to be used at a live hearing; and
- b. Issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

L-3. In addition to training on the matters in section L-1, the University will train investigators on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

L-4. All training materials used must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

L-5. The University must make the training materials publicly available on its website and available upon request for inspection by members of the public.

**M. RECORD KEEPING.**

The University must maintain the following records for a period of seven years:

- M-1. Each sexual harassment investigation, including any determination regarding responsibility and the recording or transcript of the hearings, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant;
- M-2. Any appeal and the result therefrom;
- M-3. Any informal resolution and the result therefrom; and
- M-4. All training materials.

*\*Note: The University of Idaho is committed to protecting the confidentiality of victims and other necessary parties and will complete publicly available record keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim, as defined in section 40002(a) (20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)); maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.*

**N. INFORMAL RESOLUTION PROCESS**

N-1. At any time prior to a determination regarding responsibility, the University and the parties may participate in an informal resolution process whereby the parties agree to an appropriate resolution without further investigation, hearing, or appeal. The agreed-upon resolution may include the use of alternative dispute resolution methods.

N-2. The informal resolution process can only be offered when:

- a. A formal complaint is filed,
- b. The Title IX Coordinator determines that an informal resolution process is appropriate,
- c. Both parties agree in writing to the informal resolution process and procedures, and
- d. The formal complaint does not include allegations that an employee sexually harassed a student.

N-3. Prior to engaging in an informal resolution process, the parties will receive written notice with the following information:

- a. A copy of the Notice of Allegations provided in accordance with section F-1;
- b. The procedures to be used to reach the agreement; and
- c. The information contained in section N-4 currently.

N-4. Informal resolution process requirements

- a. All parties must agree to a resolution under the informal resolution process. If all parties are unable to reach a mutually agreeable outcome, the formal investigation process will resume.
- b. A party may submit a written request to withdraw from the informal resolution process and resume the formal grievance process at any time prior to a signed informal resolution agreement.
- c. After all parties sign a written agreement, the parties are precluded from resuming the formal complaint process arising from the same allegations.
- d. All records of the informal resolution process will be maintained with the records of the complaint, but will not be included in the final investigative report should the informal resolution process fail to result in a written agreement.
- e. All disciplinary sanctions, remedies, supportive measures or alternative outcomes are available to use in the informal resolution process.

N-5. All informal resolution agreements must be approved by the University. For student respondents, the Dean of Students has the authority to approve the agreement. For faculty respondents, the Provost has the authority to approve the agreement. For all other respondents, the Vice-President for Finance and Administration has the authority to approve the agreement.



N-6. Any executed informal resolution agreement is the final institutional decision and cannot be appealed.

**O. RETALIATION**

O-1. Retaliation is prohibited.

- a. No person may intimidate, threaten, coerce, or discriminate against any individual:
  - (1) for the purpose of interfering with any right or privilege secured by Title IX or this policy, or
  - (2) because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.
- b. Intimidation, threats, coercion, or discrimination, including charges against an individual for policy violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

O-2. The exercise of rights protected under the First Amendment does not constitute retaliation.

O-3. Charging an individual with a policy violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation. However, -a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

O-4. Complaints alleging retaliation under this policy may be filed as set forth in section E.

**P. OTHER**

P-1. Amnesty. The provisions of FSH 2310 shall apply to reports and formal complaints of sexual harassment under this policy and shall be extended to all parties regardless of their status or affiliation with the University.

P-2. All documents required under this policy shall be delivered either in person or by email to the person's official University email account, if possible; otherwise, the document shall be delivered by any means reasonably likely to reach the person. If the document is sent by email to the person's official University of Idaho email address, the document is deemed received upon delivery to the person's email inbox.

P-3. Any reference to a University official by title shall include any equivalent University official should that title no longer exist and includes that official's designee

## Prevention and Awareness Programs

The Dean of Students, Office of Civil Rights and Investigations, and the Office of Equity and Diversity oversee these programs.

### AWARENESS AND BYSTANDER INTERVENTION



**I GOT YOUR BACK**

"I got your back" is a campus-wide campaign that promotes Vandals taking care of each other to maintain a safe and inclusive community. The program offers a variety of trainings, events and interventions to educate students, faculty and staff on how to safely and effectively care for each other, step in when something isn't

right, and offer appropriate resources. The website provides more comprehensive list of programs under the "I Got Your Back" initiative.



**GREEN DOT**

In contrast to historical approaches to violence prevention that have focused on victims and perpetrators, the Green Dot strategy is predicated on the belief that individual safety is a community responsibility and shifts the lens away from victims/perpetrators and onto

bystanders. The overarching goal is to mobilize a force of engaged and proactive bystanders that can step in and speak up when they witness potentially harmful situations.



**SAFE ZONE**

Safe Zone is a program at the University of Idaho which identifies faculty, staff, and students who can provide support and resources for lesbian, gay, bisexual, transgender, questioning, and asexual (LGBTQA) students, faculty, and staff. A Safe Zone

sign indicates that the person who posted it is a person who will be understanding, non-judgmental, and trustworthy. Individuals will know that they can come to this person for help, advice, or just talk with someone who is supportive of their sexual orientation or gender identity. Safe Zone training is offered twice a semester to campus faculty, staff, and students who wish to establish a Safe Zone in their area. Also, Safe Zone training can be provided for any department and location.

**PRESENTATIONS**

The Violence Prevention Programs Office also offers a variety of presentations relating to interpersonal violence, often presented in partnership with Alternatives to Violence of the Palouse, our local community non-profit victim advocacy organization. Presentations on a variety of topics can be customized for classrooms, living groups, organizations, and events.



Violence Prevention Programs partners closely with the ASUI Executive Branch Director of Safety & Wellness. This student position helps inform and take leadership in various prevention efforts.

**Prevent Support Respond**

**What will you do to make a safer campus?**



The required online safety program for first year undergraduates helps new students examine the interconnected issues of substance abuse, sexual violence, and hazing, as well as the power of inclusivity. Provided through Get Inclusive's online platform, Voices for Change covers topics such as alcohol and other drugs, preventing sexual violence, building a community where all people belong, and bystander intervention. The covered topics combine to take an advanced harm-reduction approach that resonates with students and empowers them to make healthy choices. All first year and transfer undergraduate students at the University of Idaho under the age of 24 are required to complete the online safety program by the second week of classes.





**MOBILIZING MEN**

An outgrowth of the University of Idaho’s DOJ Campus Grant is the Mobilizing Men Committee. Violence Prevention Programs and the Women’s Center collaborate across campus with male identified faculty & staff to develop and conduct discussions on masculinity with male and masculine-identified students in an effort to shift norms that can lead to constructions of masculinity that contribute to gender-based violence.

**OFFICE OF EQUITY AND DIVERSITY**

The Equity and Diversity Unit offers many workshops, trainings, and events which explore various diversity issues, strive to break down social justice barriers and stereotypes, and celebrate differences and commonalities among all people and cultures. Trainings available to departments and units include:

<p><b>Creating Inclusive Classrooms/Campus Environments</b> is designed for faculty members who wish to improve their cultural competence and learning strategies for effective intercultural communication.</p>	<p><b>Many Nations, One Family</b> aims to increase knowledge and understanding of the complex and rich backgrounds of the vast American Indian Nations.</p>	<p><b>More than Tequila &amp; Tacos</b> examines the history behind Cinco de Mayo and will address stereotypes created by the misconceptions of Mexican Culture.</p>
<p><b>Respectful Communication</b> provides advice about how to engage in controversy with civility. This training will address how to express different points of views without becoming polarized.</p>	<p><b>Safe Zone</b> promotes the understanding and inclusion of lesbian, gay, bisexual, transgender, queer, questioning, asexual, and ally people on campuses nationwide.</p>	
<p><b>Transgender 101</b> provides an introduction to transgender identities and best tips and practices for creating an inclusive campus environment for transgender and gender non-conforming students, staff, and faculty.</p>	<p><b>Stop the Hate</b> aims to develop and implement campus-wide strategies to reduce hate crimes and acts of bias.</p>	

An annual events calendar is available on the Office of Equity and Diversity web page: <https://www.uidaho.edu/diversity/edu>.



## Training for Faculty and Staff

### CAMPUS SECURITY AUTHORITY TRAINING

APM 95.14

A-2. Arrests: for Clery Act purposes are persons processed by arrest, citation, or summons.

A-3. Campus Security Authority (CSA): 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, and to whom crimes are most likely to be reported. Campus security authorities for the University of Idaho include the following:

- (i) faculty advisers to student organizations,
- (ii) athletic team coaches,
- (iii) the Director of Athletics,
- (iv) the Senior Associate Athletics Director – Administration,
- (v) the Chair of the Department of Movement Sciences,
- (vi) the Assistant Vice President for Student Affairs,
- (vii) the Dean of Students, (viii) the Director of Greek Life,
- (viii) Campus Recreation Operations Supervisor,
- (ix) Campus Security Department,
- (x) the Executive Director of Public Safety and Security,
- (xi) the Director of Emergency Management and Security Services,
- (xii) the Risk Management Officer,
- (xiii) the Director of Housing,
- (xiv) resident advisors, and

(xv) the Associate Vice Presidents of the Coeur d'Alene, Boise, and Idaho Falls Higher Education Centers.

Campus Security Authorities are obligated by federal law to report Clery Act Crimes. UI's online training program for Campus Security Authorities (CSA's) is updated annually. The updated training is available to anyone who has an active UI account and completions are recorded through Professional Development and Learning's training management system, as well as through the Clery Compliance Coordinator. (Link to training: <https://www.webpages.uidaho.edu/pdl/CSAT/Output/story.html>)

The Clery Compliance Coordinator works with College Deans, Associated Students and various stakeholders of the University of Idaho to identify CSA's who are advisors to student groups or organizations. Annually, the Clery Compliance Coordinator will notify all CSAs by email of their duties and the requirements to take CSA computer-based training course.

C. Clery Crime Reporting Process. CSA's will immediately report all Clery Crimes that they either have first-hand knowledge of or that have been reported to them by following the process outlined below in C-1, C-2, and C-3. CSA's should not wait to report such Clery Crimes for any reason. A CSA's only duty is to report what they observe or what has been reported to them. CSA's do not investigate the reported Clery Crime or assess the validity of the reported Clery Crime. A CSA must provide as much information about the incident as possible. If a CSA is in doubt on whether to report an incident or not, they should err on the side of caution and report the incident. Where appropriate, OPSS will issue a Timely Warning or Emergency Notification to the campus community – students, staff, faculty, and possibly visitors.

C-1. A Resident Advisor shall:

a. In an Emergency:

- (i) call 911.
- (ii) immediately call to notify the resident supervisor on staff at (208) 669-1156.
- (iii) the resident advisor will then enter the information into the PAVE system for reporting incidents and crimes.

b. In Non-Emergencies:

- (i) immediately call to notify the resident supervisor on staff at (208) 669-1156.
- (ii) the resident advisor will then enter the information into the PAVE system for reporting incidents and crimes.

C-2. The Resident Supervisor shall immediately notify OPSS of all Clery Crimes reported to them by calling Campus Security's 24/7 number: (208) 874-7550. [rev. 2-15]

C-3. All other CSAs shall:

- a. In an Emergency:
  - (i) call 911.
  - (ii) immediately notify OPSS by calling Campus Security's 24/7 number: (208) 874-7550.
  - (iii) complete an online Report a Crime form accessible from the OPSS website: <http://www.uidaho.edu/public-safety-and-security/emergency-management>, or call Campus Security's 24/7 number at 208-874-7550. [rev. 2-15]
- b. In Non-Emergencies:
  - (i) immediately complete an online Report a Crime form, found at <http://www.uidaho.edu/public-safety-and-security/emergency-management> or call Campus Security's 24/7 number at 208-874-7550. [rev. 2-15]

4. Continue to Evaluate, Monitor and follow-up with the person of concern.

Membership on the Vandal CARE team includes the Dean of Students, Director of the Counseling & Testing Center, Associate Dean of Students, Office of Civil Rights & Investigations, representatives from University Housing & Residence Life and Fraternity & Sorority Life, and partners such as the Moscow Police Department, Campus Security and other University staff and faculty as needed.

## VANDAL CARE TEAM

The CARE team is an interdisciplinary group of trained professionals who collaborate with campus departments, faculty, and staff to help distressed individuals.

The Vandal CARE Team functions as part of the Division of Student Affairs.

Task of the CARE Team:

1. Educate the Campus Community about the function of the CARE Team and provide venues to communicate with the CARE team about students, faculty, and staff of concern.
2. Assess individuals of concern.
  - a) Gather information to assess the situation.
  - b) Centralize the collection and assessment of concerning behavior.
3. Coordinate the Response to distressed students, faculty, and staff. Ensure that services, support, and resources are deployed effectively. Possible responses might include:
  - a) Consultation with University personnel about how to intervene with the person of concern.
  - b) Care and concern outreach by the CARE Team or other designated faculty or staff.
  - c) Refer and connect students, faculty and staff with appropriate campus and community resources.
  - d) Completion of suicide behavior reporting form.
  - e) Referral to campus Threat Assessment Team

## THREAT ASSESSMENT AND MANAGEMENT TEAM

The University of Idaho is committed to a safe and nonviolent workplace for students, faculty, staff and community members. The University of Idaho has developed a comprehensive Violence Prevention Policy that charges the Threat Assessment Team with evaluating potential threats to the campus community and developing a progressive engagement plan to mitigate the risk of violence. The Threat Assessment Team evaluates information provided to it and utilizes specific criteria in assessing risk. These criteria reflect best practices within the threat assessment field and sources include the research literatures on violence risk assessment as well as reports issued by the U. S Secret Service, Federal Bureau of Investigation and Department of Homeland Security.

The Threat Assessment Team activates a case based on a review of all the available information at the time of the evaluation. This evaluation includes analysis of the activation criteria as well as a determination of the legitimacy and imminence and evaluation of the risk posed to an individual and/or the campus community. The criteria outlined below are factors that elevate risk and the presence of any one criterion by itself does not necessarily result in activation of a case. Once an individual has been activated based upon an assessment of the behavioral information available to the Team then a standardized procedure is followed as outlined in the Violence Prevention Policy.

## CRIME PREVENTION PROGRAMS

### PUBLIC PROGRAMS – MPD

In 2022, the Moscow Police Department partnered with the University of Idaho to provide 108 public programs aimed at crime prevention to various groups on campus including fraternities and sororities.

Deterrence – The Campus Security Team is on patrol 24 hours a day, 7 days a week, including holidays and academic breaks. The Campus Security Team:

- a. Provides crime deterrence through random patrols and watching for potentially hazardous situations and criminal activity.
- b. Works in collaboration with Moscow Police Department, Moscow Fire Department, and EMS Paramedics.
- c. Partners with the University's Facilities Department and Building Services: reporting maintenance issues, property damage and physical security concerns.



The Team provides complimentary services like:

- Campus Information
- Campus SAFEWALKs
- Jump Starts
- Assistance with after-hour building and office lockouts.

## ALCOHOL AND OTHER DRUGS PROGRAM

The University of Idaho added an Alcohol and Other Drugs (AOD) Program Coordinator in 2014, and the AOD Program is currently managed by Vandal Health Education (VHE). The position's main objectives are to reduce high-risk substance use and reduce substance-use related harms.

### Educational Workshops

Using a peer education model, outreach workshops are offered to living groups, classes, and student clubs and organizations. Each workshop includes relevant U of I National College Health Assessment data used for normative re-education and incorporates components of motivational interviewing to support the harm reduction approach implemented on the U of I campus. Workshops included Alcohol 101, I Got Your Back: Alcohol Bystander Intervention, How to Help a Friend, Marijuana & Other Drugs, House Party, or other presentations. During the 2022-2023 school year, 832 students attended these programs.

Additionally, "Vandals In The Know" is an orientation session for new students, which includes discussion about reducing risks related to substance use and other wellness issues. All new students who attend orientation participate in this safety programming.

### **CHOICES ALCOHOL EDUCATION PROGRAM**

The AOD program facilitates the CHOICES program for students who receive an alcohol-related sanction through the Dean of Students Office. This group program is a two-session, evidence-based Alcohol Skills Training Program coordinated by Vandal Health Education and co-facilitated by Counseling & Mental Health Center staff. The program engages students in self-reflection and discussion about

the effects of alcohol, risks, and norms associated with alcohol while equipping them with the information, strategies, and skills to make informed decisions.

### **REQUIRED SAFETY PROGRAM**

The first semester on any college campus is traditionally a high-risk time and presents risks for new students when it comes to substance abuse and sexual assault. To help mitigate this risk, all first-year, undergraduate U of I students under the age of 24 as of the first day of classes, are required to complete the Required Safety Program (RSP), at the start of the semester. During the 2022-2023 academic year, the RSP was Voices for Change offered by Everfi/Get Inclusive. Voices for Change addresses substance use, sexual assault, and hazing prevention as well as a module on identities. In 2022-2023, 2325 students completed Voices for Change, and 75 student athletes completed a tailored Student Athlete module.

### **SCREENINGS AND OUTREACH**

The AOD Program also hosts and promotes e-CHECKUP TO GO, a brief, anonymous, web-based alcohol and/or cannabis screening that provides personalized feedback, with 242 completions in 2022-2023. The AOD Program consistently partners with the Counseling & Mental Health Center to offer alcohol and cannabis screenings with brief interventions throughout the year, reaching 289 students in 2022-2023. The AOD Program promotes additional harm reduction efforts such as Prescription Drug Take-Back Days, in which the AOD Program, in partnership with the Moscow Police Department, collects any leftover or unused prescription drugs for safe disposal.

The AOD Program also helps promote a nicotine and Tobacco Free Campus, and contributes to offering more late-night programming, which serve as alternative activities to substance use. Through the Idaho State Liquor Division and the Vandals After Dark Mini Grant opportunity, funds were awarded to student groups to host substance-free late-night programming. Vandals After Dark events included: Monster Match Climbing Competition, Tabletop Gaming Night, Cardboard Castle Building Competition, Ice Skating Night, Beak Bonk E-Sports Competition, and Grocery Bingo.

**COMMITTEES AND COALITIONS**

The Alcohol and Other Drugs Advisory Committee is a network of campus and community partners that ensures the campus maintains compliance with the Drug Free Schools & Communities Act as well as sets strategic goals for the campus to address high-risk substance use. The University of Idaho is also a member of the Idaho College of Health Coalition (IHC) which works to improve prevention efforts regarding alcohol and prescription drug misuse across the state of Idaho. In 2022-2023, IHC funding was available for staff at the University of Idaho to be trained in Motivational Interviewing, complete a grant writing training, attend a national conference, and to fund peer educators to do prevention programming. Additional IHC funding was used to create informational materials for families of incoming students around conversations with their student about alcohol.

**21<sup>ST</sup> BIRTHDAY PROGRAM**

Around their 21st birthday, a traditionally high-risk time for alcohol-related harm, students are emailed an invitation to receive personalized feedback regarding their alcohol or cannabis use through the online, evidence-based eCheckUpToGo tool. After completing the screening, students receive a signature “UI 21” water bottle; in 2022-2023, 102 students completed the program.

**VANDALS FOR RECOVERY**

Vandal Health Education, Counseling & Mental Health Center, and Latah Recovery Center partner to offer events, resources, and programs for students in or seeking recovery. Exact opportunities, support groups, and roles can be found online at [www.uidaho.edu/recovery](http://www.uidaho.edu/recovery). Additionally, VHE offers training to campus community members regarding how to support someone who is in or seeking recovery through the Recovery Ally training program.

For more information, read the Alcohol & Other Drugs Policy, available on the Dean of Students website, or learn about the Alcohol & Other Drugs Program at [uidaho.edu/aod](http://uidaho.edu/aod).

**NEW STUDENT ORIENTATION**

“Vandals In The Know” is an orientation session for new students, which includes discussion on substance abuse and wellness issues. For more information, read the Alcohol & Other Drugs Policy, available on the Dean of Students website, or learn about the alcohol & Other Drugs Program at [uidaho.edu/aod](http://uidaho.edu/aod).



## Crime Statistics – Moscow

As part of UI's ongoing commitment to accuracy and transparency, we would like to make you aware that the University is restating its crime-related statistics from previous years as found in this annual report. The revisions follow an in-depth analysis of our campus crime statistics conducted by national campus safety experts, and are indicative of the University's continued efforts to assure the most accurate information is available in adherence to the law and spirit of the Clery Act.

CRIME STATISTICS – MOSCOW							
Crime Category	Crime	Year	On Campus	On Campus Student Housing	Noncampus	Public Property	Unfounded
Primary Crimes	Murder/Non-Negligent Manslaughter	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Negligent Manslaughter	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Robbery	2020	0	0	1	0	0
		2021	4	4	0	0	0
		2022	3	1	0	0	0
	Aggravated Assault	2020	0	0	0	0	0
		2021	0	0	2	0	0
		2022	0	0	3	1	0
	Burglary	2020	1	1	0	0	0
		2021	6	3	2	0	0
		2022	0	0	1	0	0
	Motor Vehicle Theft	2020	0	0	1	0	0
		2021	4	0	0	0	0
		2022	1	0	1	0	0
	Arson	2020	1	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0

CRIME STATISTICS - MOSCOW							
Crime Category	Crime	Year	On Campus	On Campus Student Housing	Noncampus	Public Property	Unfounded
Sex Offenses	Rape	2020	1	0	1	0	0
		2021	3	3	10	0	0
		2022	0	0	3	0	0
	Fondling	2020	0	0	3	0	0
		2021	0	0	1	0	0
		2022	0	0	4	1	0
	Incest	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Statutory Rape	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
VAWA Offenses	Dating Violence	2020	2	0	0	0	0
		2021	4	4	1	0	0
		2022	1	1	0	0	0
	Domestic Violence	2020	0	0	1	0	0
		2021	0	0	0	0	0
		2022	6	5	1	0	0
	Stalking	2020	10	0	0	0	0
		2021	6	4	0	0	0
		2022	6	2	0	0	0
Arrests	Liquor Law Violations	2020	13	4	1	14	0
		2021	31	8	1	34	0
		2022	35	0	3	15	0
	Drug Abuse Violations	2020	10	2	5	1	0
		2021	12	6	5	2	0
		2022	20	6	16	4	0
	Illegal Weapons Possession	2020	0	0	0	0	0
		2021	0	0	2	0	0
		2022	1	0	1	0	0
Disciplinary Referrals	Liquor Law Violations	2020	16	13	0	6	0
		2021	21	15	6	4	0
		2022	44	30	5	7	0
	Drug Abuse Violations	2020	7	7	0	2	0
		2021	18	16	0	0	0
		2022	10	10	1	0	0
	Illegal Weapons Possession	2020	2	0	0	0	0
		2021	0	0	0	0	0
		2022	1	1	0	0	0

**NOTES:**

1) One hate crime was reported in 2020 (larceny based on sexual orientation, occurred in on campus student housing). No hate crimes reported for 2021. One hate crime was reported in 2022 (intimidation based on national origin, occurred on public property).

## Boise Campus

### UI CENTERS FOR HIGHER EDUCATION

The University of Idaho's Boise Center for Higher Education is located at the Idaho Water Center, 322 East Front Street, Boise, Idaho. The Boise Center does not have campus residences.

### BOISE CAMPUS REPORTING PROCEDURES

#### REPORTING EMERGENCIES AND CRIMES

##### STEP 1: DIAL 911.

In most cases, such as fire, hazardous materials release, terrorist/criminal activity, or earthquake, the appropriate number to call is 911.

OR, if it is a utility failure or utility problem, call University of Idaho Boise Facilities and Operations Manager at 208-364-6137 or 208-364-6157 or the property manager, Cody Barlow with Oppenheimer Development Corporations 208-514-9367.

##### STEP 2: NOTIFY BOISE'S CEO AND OPERATIONS MANAGER AT THE NUMBERS BELOW.

Boise Center – CEO 322 E. Front St., STE. 350	208-364-4041
Facilities & Operations Manager 322 E. Front St., STE 324	208-364-6137



### BOISE CENTER LAW ENFORCEMENT

The agency providing law enforcement services to the Boise Center is the Boise Police Department. The Boise Police Department has full police authority to investigate, apprehend and arrest, and to enforce applicable laws and ordinances at the center. The university does not have a contract with the Boise Police Department for law enforcement services.

If minor offenses involving university rules and regulations are committed by a university student, the police may also refer the individual to the disciplinary division of Student Affairs.

**Also available to the University of Idaho community in Boise:** Two online forms are available under Security Services on the Public Safety and Security website.

- **Silent Witness:** Anyone can submit a report through the Silent Witness form. The submitter has the option to remain anonymous.
- **Clery Incident Report:** This form is designed for Campus Security Authorities (CSAs). The CSA reporting tool also has required fields so that the Office of Public Safety and Security, Dean of Students Office, Title IX Coordinator, Law Enforcement and/or other applicable parties may obtain further information to properly report, investigate, and provide necessary services if needed.





## IMPORTANT PHONE NUMBERS - BOISE CAMPUS

Emergency Help	911	
Chemical Spills		
Fire/Ambulance		
REPORTING CRIMES		
Boise City Police Department	333 N. Mark Stall Place, Boise, ID	208-377-6790
Idaho State Police **ISP has authority over the Idaho Law and Justice Center	700 S. Stratford Dr., Meridian, ID	208-884-700
BOISE CENTER		
CEO Boise	322 E. Front St., Ste. 350, Boise, ID	208-364-4002
Facilities & Operations Manager	322 E. Front St., Ste. 324 Boise, ID	208-364-6137
FOR MEDICAL TREATMENT		
St. Alphonsus Regional Medical Center	1055 N. Curtis Rd. Boise, ID	208-367-3221
St. Luke's Boise Medical Center	190 E. Bannock St. Boise, ID	208-381-2222
Treasure Valley Hospital	8800 W. Emerald St. Boise, ID	208-373-5000
REPORTING ASSISTANCE		
Women's & Children's Alliance, 720 W. Washington St., Boise, ID	24-hour Rape Crisis Hotline	208-345-7273
	24-hour Domestic Abuse Crisis Hotline	208-343-7025
EMPLOYEE ASSISTANCE PROGRAM		
Crisis Services 24-hour Line	800-833-3031	
Monday-Friday 8:00 a.m. – 5:00 p.m.	800-999-1077	
OTHER UNIVERSITY OF IDAHO, MOSCOW PHONE NUMBERS		
University of Idaho Emergency Updates (Active in Emergencies)	208-885-1010	
Environmental Health & Safety Hazardous Materials/Lab Safety/ Building Safety/Occupational Safety	208-885-6524	
Office of Public Safety & Security	208-885-2254	
Office of Civil Rights & Investigations	208-885-4285	

Office of Equity and Diversity The University of Idaho's non-discrimination policies, including bias or sexual harassment prevention and response.	208-885-2468
Ombuds Office Confidential, impartial and informal conflict resolution assistance	208-885-7668
Violence Prevention Programs	208-885-6757
Counseling and Testing Center Free and confidential counseling services for students	208-885-6716
University of Idaho Boise Students have access to Boise State Student Services through an MOU with BSU. Information can be found following this link: <a href="http://www.uidaho.edu/boise/boise-academics/student-services/health-wellness">http://www.uidaho.edu/boise/boise-academics/student-services/health-wellness</a>	
Dean of Students/Student Affairs	208-885-6757
Human Resources	208-885-3638
Confidential Hotline – Unethical, illegal or unsafe conduct in workplace	800-775-1056
Behavior of Concern If you see something, say something! If you notice behavior of concern in students, staff, faculty, or visitors, please seek advice from Public Safety & Security and/or Campus Security	208-885-2254
Behavior of Concern – Call Boise Police Department	208-377-6790





## Boise Water Center Emergency Response Plan

### IDAHO WATER CENTER EMERGENCY HANDBOOK – SEPTEMBER 2016

The sections of this manual describe the procedure of handling emergency situations. Most emergencies can be avoided, and it is the responsibility of every occupant of the building to help reduce the likelihood of an emergency from ever occurring.

Procedures are listed in the handbook for the following emergency situations:

- Fire and Other Incidents
- Bomb Threat
- Civil Disorder
- Crime and Security
- Earthquake
- Elevator Failure

The Idaho Water Center is equipped with certain systems which operate only in the event of an emergency. They are tested on a continuing basis to ensure the systems will function properly in an emergency. Emergency systems include automatic reporting of fire alarms, training on emergency equipment, emergency power generator, emergency lighting, elevator recall, emergency exit hardware, fire alarm pull boxes, fire extinguishers, HVAC and fire alarms, smoke and heat detectors and fire sprinkler systems.



## Crime Statistics – Boise

CRIME STATISTICS – BOISE						
Crime Category	Crime	Year	On Campus	Noncampus	Public Property	Unfounded
Primary Crimes	Murder/Non-Negligent Manslaughter	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Negligent Manslaughter	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Robbery	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Aggravated Assault	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Burglary	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Motor Vehicle Theft	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
Arson	2020	0	0	0	0	
	2021	0	0	0	0	
	2022	0	0	0	0	
Sex Offenses	Rape	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Fondling	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Incest	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
Statutory Rape	2020	0	0	0	0	
	2021	0	0	0	0	
	2022	0	0	0	0	

CRIME STATISTICS – BOISE						
Crime Category	Crime	Year	On Campus	Noncampus	Public Property	Unfounded
VAWA Offenses	Dating Violence	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Domestic Violence	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Stalking	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
Arrests	Liquor Law Violations	2020	0	0	0	0
		2021	1	0	0	0
		2022	0	0	0	0
	Drug Abuse Violations	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Illegal Weapons Possession	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
Disciplinary Referrals	Liquor Law Violations	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Drug Abuse Violations	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Illegal Weapons Possession	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
<p>NOTES:                      1) No Residential facilities on property.                      2) No hate crimes reported for 2020, 2021, or 2022.</p>						

## Coeur d'Alene Campus

*The University of Idaho's Coeur d'Alene Center for Higher Education is located at 1031 North Academic Way, Coeur d'Alene, Idaho. The Coeur d'Alene Center does not have any campus residences.*

### COEUR D'ALENE CENTER LAW ENFORCEMENT

The agency providing law enforcement services to the Coeur d'Alene Center is the Coeur d'Alene Police Department. The Coeur d'Alene Police Department has full police authority to investigate, apprehend and arrest and to enforce applicable laws and ordinances on the campus. The university does not have a contract with the Coeur d'Alene Police Department for law enforcement services.

If minor offenses involving university rules and regulations are committed by a university student, the police may also refer the individual to the disciplinary division of Student Affairs.

### COEUR D'ALENE REPORTING PROCEDURES

In the event of an Emergency or Life-Threatening Incident dial 911 at any time during the day or night for immediate assistance. After reporting the incident to the police, the incident should be reported to the appropriate university officials. For Coeur d'Alene Center contact AVP/CEO of Northern Idaho at 208-667-2588 or 1031 N. Academic Way, Ste. 242, Coeur d'Alene, ID.

Also available to the University of Idaho community in Coeur d'Alene: Two online forms are available under Security Services on the Public Safety and Security website.

- **Silent Witness:** Anyone can submit a report through the Silent Witness form. The submitter has the option to remain anonymous.
- **Clery Incident Report:** This form is designed for Campus Security Authorities (CSAs). The CSA reporting tool also has required fields so that the Office of Public Safety and Security, Dean of Students Office, Title IX Coordinator, Law Enforcement and/or other applicable parties may obtain further information to properly report, investigate, and provide necessary services if needed.



## COEUR D'ALENE CENTER EMERGENCY RESPONSE PLAN

### UI COEUR D'ALENE HARBOR CENTER EMERGENCY RESPONSE PLAN – JULY 2008

The University of Idaho Coeur d'Alene Emergency Response Plan is an adjunct to the University of Idaho (Comprehensive) Emergency Management Plan, as are the other unit plans. Together they provide the overall emergency plan for the entire campus. The University of Idaho (Comprehensive) Emergency Management Plan establishes an emergency leadership and organizational structure.



Follow these important steps when there is an emergency:

- Confirm and evaluate conditions.
- Report the incident immediately.
- Follow instructions from emergency staff precisely.
- Follow this emergency response plan.
- Issue clear and consistent emergency notifications. Use all available communication tools.

If there is no power and/or telephone systems are not functioning, emergency communications will be profoundly restricted, and the University of Idaho will use messengers, radios, and cellular phones.



**IMPORTANT PHONE NUMBERS – COEUR D'ALENE CAMPUS**

Emergency Help	911	
Chemical Spills		
Fire/Ambulance		
REPORTING CRIMES		
Coeur d'Alene City Police	3818 Schreiber Way, Coeur d'Alene, ID	208-769-2320
Coeur d'Alene Center		
AVP/CEO of Northern Idaho	1031 N. Academic Way, Ste. 242 Coeur 'Alene	208-667-2588
For Medical Treatment		
Kootenai Medical Center	2003 Kootenai Health Way Coeur d'Alene, ID	208-625-4000
REPORTING ASSISTANCE		
Safe Passage Violence Prevention Center 850 N. 4th St. Coeur d'Alene, ID	24-hour Rape Crisis Hotline	208-664-9303
EMPLOYEE ASSISTANCE PROGRAM		
Crisis Services 24-hour Line		800-833-3031
Monday-Friday 8:00 a.m. – 5:00 p.m.		800-999-1077

**OTHER UNIVERSITY OF IDAHO, MOSCOW PHONE NUMBERS**

University of Idaho Emergency Updates (Active in Emergencies)	208-885-1010
Environmental Health & Safety Hazardous Materials/Lab Safety/ Building Safety/Occupational Safety	208-885-6524
Office of Public Safety & Security	208-885-2254
Office of Civil Rights & Investigations	208-885-4285
Office of Equity and Diversity The University of Idaho's non-discrimination policies, including bias or sexual harassment prevention and response.	208-885-2468
Ombuds Office Confidential, impartial and informal conflict resolution assistance	208-885-7668
Violence Prevention Programs	208-885-6757
Counseling and Testing Center <i>Free and confidential counseling services for students</i>	208-885-6716
Dean of Students/Student Affairs	208-885-6757
Human Resources	208-885-3638
Confidential Hotline – Unethical, illegal or unsafe conduct in workplace	800-775-1056
Behavior of Concern <i>If you see something, say something! If you notice behavior of concern in students, staff, faculty or visitors, please seek advice from Public Safety &amp; Security and/or Campus Security.</i>	208-885-2254



## Crime Statistics – Coeur d’Alene

CRIME STATISTICS – COEUR D'ALENE						
Crime Category	Crime	Year	On Campus	Noncampus	Public Property	Unfounded
Primary Crimes	Murder/Non-Negligent Manslaughter	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Negligent Manslaughter	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Robbery	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Aggravated Assault	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Burglary	2020	0	0	0	0
		2021	2	0	0	0
		2022	1	0	0	0
Motor Vehicle Theft	2020	0	0	0	0	
	2021	0	0	0	0	
	2022	0	0	0	0	
Arson	2020	0	0	0	0	
	2021	0	0	0	0	
	2022	0	0	0	0	
Sex Offenses	Rape	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Fondling	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Incest	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
Statutory Rape	2020	0	0	0	0	
	2021	0	0	0	0	
	2022	0	0	0	0	

CRIME STATISTICS - COEUR D'ALENE						
Crime Category	Crime	Year	On Campus	Noncampus	Public Property	Unfounded
VAWA Offenses	Dating Violence	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Domestic Violence	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Stalking	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
Arrests	Liquor Law Violations	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Drug Abuse Violations	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Illegal Weapons Possession	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
Disciplinary Referrals	Liquor Law Violations	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Drug Abuse Violations	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Illegal Weapons Possession	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0

**NOTES:**

- 1) No Residential facilities on property.
- 2) No hate crimes reported for 2020, 2021, or 2022.



## Idaho Falls Campus

*The Idaho Falls Center for Higher Education is located at 1776 Science Center Drive, Suite 306, Idaho Falls, and is part of the Idaho State University/University of Idaho Center for Higher Education at University Place. The Idaho Falls Center does not have campus residences for University of Idaho students.*



Idaho Falls Center – AVP/CEO 1776 Science Center Dr., Idaho Falls, ID	208-757-5402
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- **Silent Witness:** Anyone can submit a report through the Silent Witness form. The submitter has the option to remain anonymous.
- **Clery Incident Report:** This form is designed for Campus Security Authorities (CSAs). The CSA reporting tool also has required fields so that the Office of Public Safety and Security, Dean of Students Office, Title IX Coordinator, Law Enforcement and/or other applicable parties may obtain further information to properly report, investigate, and provide necessary services if needed.

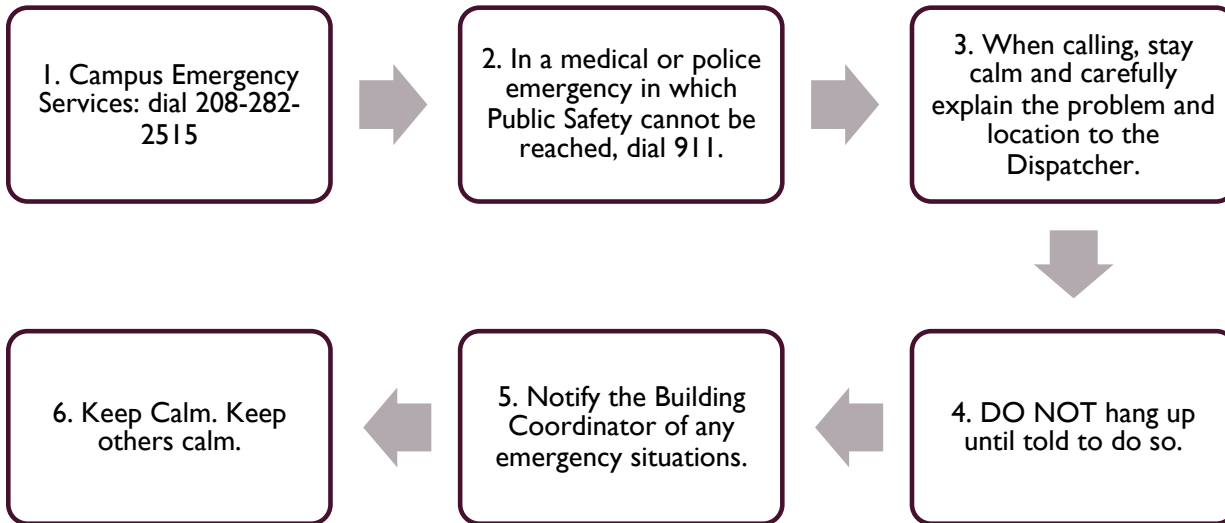
### IDAHO FALLS CENTER LAW ENFORCEMENT

The agency providing law enforcement services to the Idaho Falls Center is the Idaho Falls Police Department. The Idaho Falls Police Department has full police authority to investigate, apprehend and arrest, and to enforce applicable laws and ordinances on the campus. The university does not have a contract with the Idaho Falls Police Department for law enforcement services.

If minor offenses involving university rules and regulations are committed by a university student, the police may refer the individual to the disciplinary division of Student Affairs.

Unique to Idaho Falls, on-site non-police or emergency security is also provided by Idaho State University Public Safety. Idaho State University's Public Safety employees do not possess the arrest authority of a police officer.

### IDAHO FALLS REPORTING PROCEDURES



Procedures at the Idaho Falls Center for Higher Education are official procedures of Idaho State University (ISU). Per an agreement with ISU and UI, UI employees report crimes to ISU's Public Safety Office.

Also available to the University of Idaho community in Idaho Falls: Two online forms are available under Security Services on the Public Safety and Security website. University of Idaho, Idaho Falls location also reports crimes to the Idaho State University Public Safety through an agreement with ISU/UI.

**IMPORTANT PHONE NUMBERS – IDAHO FALLS**

Emergency Help	911	
Chemical Spills		
Fire/Ambulance		
REPORTING CRIMES		
Idaho Falls Police Department	605 North Capital Avenue Idaho Falls, ID	208-529-1200
IDAHO FALLS CENTER		
AVP/CEO of Idaho Falls	1776 Science Center Dr., Suite 306 Idaho Falls, ID	208-757-5402
Public Safety for Idaho Falls Center		208-282-2515
FOR MEDICAL TREATMENT		
Eastern Idaho Regional Medical Center	3100 Channing Way Idaho Falls, ID	208-529-6111
EMPLOYEE ASSISTANCE PROGRAM		
Crisis Services 24-hour Line		800-833-3031
Monday-Friday 8:00 a.m. – 5:00 p.m.		800-999-1077
REPORTING ASSISTANCE		
Family Services Alliance	24-hour Crisis Hotline	208-251-4357

**OTHER UNIVERSITY OF IDAHO, MOSCOW PHONE NUMBERS**

University of Idaho Emergency Updates (Active in Emergencies)	208-885-1010
Environmental Health & Safety Hazardous Materials/Lab Safety/ Building Safety/Occupational Safety	208-885-6524
Office of Public Safety & Security: Moscow	208-885-2254
ISU's Office of Public Safety	208-282-2515
Office of Civil Rights & Investigations	208-885-4285
Office of Equity and Diversity The University of Idaho's non-discrimination policies, including bias or sexual harassment prevention and response.	208-885-2468
Ombuds Office Confidential, impartial and informal conflict resolution assistance	208-885-7668
Violence Prevention Programs	208-885-6757
Counseling and Testing Center Free and confidential counseling services for students	208-885-6716
Dean of Students/Student Affairs	208-885-6757
Human Resources	208-885-3638
Confidential Hotline – Unethical, illegal or unsafe conduct in workplace	800-775-1056
Behavior of Concern If you see something, say something! If you notice behavior of concern in students, staff, faculty or visitors, please seek advice from Public Safety & Security and/or Campus Security.	208-885-2254 (UI) 208-282-2515 (ISU)





## EMERGENCY RESPONSE POLICIES AND PROCEDURES

Policies and procedures for emergency response at University Place in Idaho Falls (which includes both UI and ISU) is under ISU's Department of Public Safety as provided for in the ISU/UI Agreement. This comprehensive Emergency Response Plan is available on the ISU website.

The purpose of University Place's Emergency Response Plan (coordinated by ISU with collaboration from the Idaho Falls Emergency Management team) is to develop a simple emergency management capability that can take immediate steps to respond to the effects of an emergency, preserve life, protect property, provide assistance, and coordinate the university's continuity of academic and business operations.

The overall objective is to ensure the effective management of emergency efforts involved in preparing for and responding to situations associated with emergencies. Specifically this will include:

- Overall managing and coordinating of emergency operations includes on-scene Incident management;
- Coordinating or maintaining liaisons with appropriate federal, state, and other local governmental agencies and appropriate private sector organizations;
- Requesting and allocating resources and other related support;
- Establishing priorities, and adjudicating conflicting demands for support;
- Coordinating inter-jurisdictional mutual aid;
- Activating and using communication systems;
- Preparing and disseminating emergency public information;
- Disseminating community warnings and alerts;

- Managing the movement and reception of persons in the event an evacuation is ordered;
- Collecting, evaluating and disseminating damage information and other essential data;
- Responding to requests for resources and other support;
- Restoring essential services.

## EVACUATION DRILL POLICY

1. Evacuation drills shall be conducted at least once every year at unexpected times and under varying conditions to simulate the unusual conditions that occur should an evacuation be necessary. These drills may be obstructed, (having various means of exit made temporarily unavailable) in order to familiarize occupants with secondary routes of evacuation, or unobstructed.
2. The Building Coordinator and Public Safety will schedule evacuation drills at least one week prior to the drill.
3. Evacuation drills shall involve all occupants. Everyone shall leave the building when the fire alarm sounds. Exceptions are strongly discouraged. It may be advisable to notify anyone needing special assistance prior to the planned evacuation drills.
4. In the conduct of drills, emphasis shall be placed upon orderly evacuation under proper discipline rather than upon speed. The Building Coordinator and Floor Proctors are expected to perform their assigned duties as if in an actual emergency.
5. Provisions should be made for timing and evaluating the orderliness of each drill. The Public Safety Department will provide Evacuation Drill Report forms.

## Crime Statistics – Idaho Falls

CRIME STATISTICS - IDAHO FALLS							
Crime Category	Crime	Year	On Campus	Noncampus	Public Property	Unfounded	
Primary Crimes	Murder/Non-Negligent Manslaughter	2020	0	0	0	0	
		2021	0	0	0	0	
		2022	0	0	0	0	
	Negligent Manslaughter	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Robbery	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Aggravated Assault	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Burglary	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0	0	
	2021	1	0	0	0	0	
	2022	0	0	0	0	0	
Arson	2020	0	0	0	0	0	
	2021	0	0	0	0	0	
	2022	0	0	0	0	0	
Sex Offenses	Rape	2020	0	0	0	0	
		2021	0	0	0	0	
		2022	0	0	0	0	
	Fondling	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Incest	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0	
	2021	0	0	0	0	0	
	2022	0	0	0	0	0	

CRIME STATISTICS - IDAHO FALLS						
Crime Category	Crime	Year	On Campus	Noncampus	Public Property	Unfounded
VAWA Offenses	Dating Violence	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Domestic Violence	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Stalking	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
Arrests	Liquor Law Violations	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Drug Abuse Violations	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Illegal Weapons Possession	2020	0	0	0	0
		2021	1	0	0	0
		2022	0	0	0	0
Disciplinary Referrals	Liquor Law Violations	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Drug Abuse Violations	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0
	Illegal Weapons Possession	2020	0	0	0	0
		2021	0	0	0	0
		2022	0	0	0	0

**NOTES:**

- 1) No Residential facilities on property.
- 2) No hate crimes reported for 2020, 2021, or 2022.

## McCall Field Campus

**The McCall Field Campus is located at 1800 University Lane, McCall, ID 83638. The McCall Center for Higher Education has seven (7) Residential facilities.**

### MCCALL FIELD CAMPUS LAW ENFORCEMENT

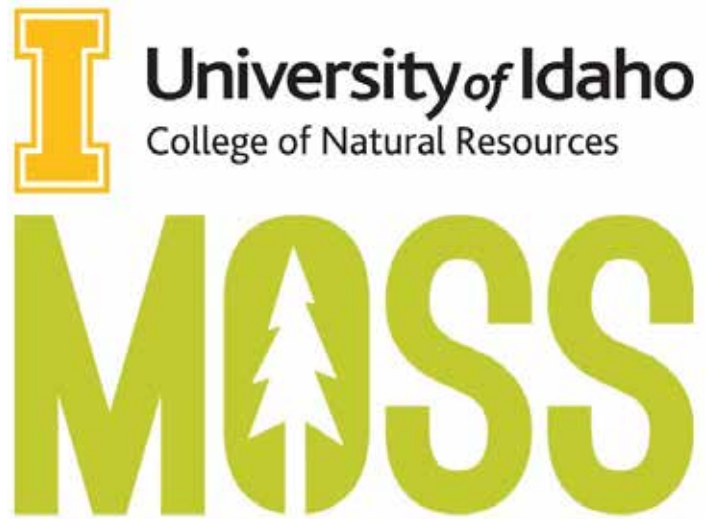
The agency providing law enforcement services to the McCall Field Campus and McCall Outdoor Science Center is McCall Police Department. McCall Police Department has full police authority to investigate, apprehend and arrest and to enforce applicable laws and ordinances on campus. The university does not have a contract with the McCall Police Department for law enforcement services.

If minor offenses involving university rules and regulations are committed by a university Student, the police may also refer the individual to the disciplinary division of Student Affairs.

### MCCALL FIELD CAMPUS REPORTING PROCEDURES

After the immediate threats have been addressed and 911 or another appropriate form of emergency medical dispatch has been reached, staff and students should follow this communication tree.

1. Get a clear understanding of the situation. When in doubt, call your supervisor, or team leader and pass it up the chain.
2. Contact a MOSS Program Coordinator: 208-885-1085
  - Beth Kochevar
  - Leslie Dorsey
3. A program coordinator will contact the MOSS Risk Manager
  - Gary Thompson
4. The Risk Manager will contact the next appropriate person in the MOSS/U of I Administration.
  - Greg Fizzell, MOSS Program Director
  - Karla Eitel, MOSS Executive Director



5. When in doubt you always have access to support from the University of Idaho Office of Public Safety and Security.
  - <http://www.uidaho.edu/infrastructure/pss>
  - Office: 208-885-7179
  - Active in Emergency Hotline: 208-885-1010
  - Email: [emergency@uidaho.edu](mailto:emergency@uidaho.edu)
6. Once the incident and its initial response is over, the Risk Manager or next available staff will coordinate with witnesses to make sure an accurate and timely incident report is filled out.

At no point should a MOSS faculty or staff member speak with the public or a parent regarding an incident without coordination with the Risk Manager, U of I Administration and/or the College of Natural Resources.



Emergency Help		
Chemical Spills	911	
Fire/Ambulance		
<b>FOR MEDICAL TREATMENT</b>		
	St. Luke's McCall Medical Center	1000 State St. McCall, ID 83638  208-634-2221
<b>REPORTING CRIMES</b>		
McCall Police Department (Non-Emergency)	216 East Park Street McCall, ID 83638	208-634-7144
		208-382-5160 (After Hours)
<b>REPORTING ASSISTANCE</b>		
Counseling and Testing Center	1210 Blake Ave. Moscow, ID	208-885-6716
U of I Women's Center	UI Memorial Gym Suite 109	208-885-2777
<b>EMPLOYEE ASSISTANCE PROGRAM</b>		
Crisis Services 24-hour Line	800-833-3031	
Monday-Friday 8:00 a.m. – 5:00 p.m.	800-999-1077	



OTHER UNIVERSITY OF IDAHO, MOSCOW PHONE NUMBERS	
Poison Control	
University of Idaho Emergency Updates (Active in Emergencies)	208-885-1010
StateComm	208-846-7610
Environmental Health & Safety <i>Hazardous Materials/Lab Safety/ Building Safety/Occupational Safety</i>	208-885-6524
Office of Public Safety & Security; Moscow	208-885-2254
Poison Control	800-222-1222
Office of Civil Rights & Investigations	208-885-4285
Office of Equity and Diversity <i>The University of Idaho's non-discrimination policies, including bias or sexual harassment prevention and response.</i>	208-885-2468
Ombuds Office <i>Confidential, impartial and informal conflict resolution assistance</i>	208-885-7668
Violence Prevention Programs	208-885-6757
Counseling and Testing Center <i>Free and confidential counseling services for students</i>	208-885-6716
Dean of Students/Student Affairs	208-885-6757
Human Resources	208-885-3638
Risk Management	208-885-7177
Confidential Hotline – Unethical, illegal or unsafe conduct in workplace	800-775-1056
Behavior of Concern <i>If you see something, say something! If you notice behavior of concern in students, staff, faculty or visitors, please seek advice from Public Safety &amp; Security and/or Campus Security.</i>	208-885-2254 (UI)

## Emergent Situations

In general, if nothing else, you can use the Emergency Response Quick Guide (ERQP) to provide you with some options to address an emergent situation. The ERQP will be posted on the doors of residences and program buildings.

The air horn is the primary means of campus wide notification of an emergency situation. The air horns can be found in the front office, dining lodge and maintenance shop.

Many events may cause for a campus evacuation. In case of such an event the air horn will issue a series of three long blasts, each one lasting for five (5) seconds. This will signal the need to evacuate campus and relocate to predetermined location, either the MOSS parking lot or the parking lot at the Ponderosa State Park Visitors Center, where groups will be sorted by housing accommodations and counted.

## Crime Statistics – McCall Field Campus

CRIME STATISTICS - MCCALL FIELD CAMPUS							
Crime Category	Crime	Year	On Campus	On Campus Student Housing	Noncampus	Public Property	Unfounded
Primary Crimes	Murder/Non-Negligent Manslaughter	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Negligent Manslaughter	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Robbery	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Aggravated Assault	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Burglary	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Motor Vehicle Theft	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
Arson	2020	0	0	0	0	0	
	2021	0	0	0	0	0	
	2022	0	0	0	0	0	
Sex Offenses	Rape	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Fondling	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Incest	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0	
	2021	0	0	0	0	0	
	2022	0	0	0	0	0	



CRIME STATISTICS – MCCALL FIELD CAMPUS							
Crime Category	Crime	Year	On Campus	On Campus Student Housing	Noncampus	Public Property	Unfounded
VAWA Offenses	Dating Violence	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Domestic Violence	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Stalking	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
Arrests	Liquor Law Violations	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Drug Abuse Violations	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Illegal Weapons Possession	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
Disciplinary Referrals	Liquor Law Violations	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Drug Abuse Violations	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
	Illegal Weapons Possession	2020	0	0	0	0	0
		2021	0	0	0	0	0
		2022	0	0	0	0	0
<b>NOTES:</b> 1) No hate crimes reported for 2020, 2021, or 2022.							

# Fire Safety Report

## FIRE SAFETY – POLICIES AND PROCEDURES

### UNIVERSITY HOUSING FIRE SAFETY REGULATIONS

#### RESIDENT HANDBOOKS

All students signing a lease agreement with university housing receive a handbook for their residence hall or on-campus apartment.

#### ALARMS AND SMOKE DETECTORS

The Building Alarms alert the Fire Department. The Moscow Fire Department will respond automatically when an alarm sounds. Vandalism or tampering with alarms or any life-safety equipment is against the law. ALL violators will be prosecuted.

Smoke detectors are intended for room occupant notification only. The alarm will not alert the rest of the building of a fire situation. It should be kept in an operable condition and tested monthly by students. If it is found to be inoperable, notify maintenance immediately for repair or replacement by submitting a service request online through your Vandal Web account. McConnell Hall has battery-powered smoke detectors which must be kept in operable condition and tested monthly by students. Each residence hall is equipped with a building fire alarm system that sense fire and/or smoke. The system can also be activated manually when there is a fire. The alarm stations are located within the hallways at points of exit, such as doorways to stairwells, exterior exit doors, etc. Residents should familiarize themselves with the manual pull station locations within their residence.

#### REPORTING

All fires, or false alarms should be reported immediately to the Moscow Fire Department (Emergency: 911, Non-emergency: 208-882-2677) and University of Idaho Environmental Health and Safety office (208-885-6524 or [safety@uidaho.edu](mailto:safety@uidaho.edu))

#### PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY

The University of Idaho is working on changing communications from landline telephone to voice network and cell phone backup.

#### STUDENT RESPONSIBILITY

##### RESIDENCE HALLS

Students living in the Residence Halls agree to the following:

- Compliance with University officials and police on campus.
- Students who verbally abuse or fail to cooperate with the reasonable request of a university official (including all members of the Housing & Residence Life staff) acting in performance of their duties may face judicial action.
- Moscow Police Officers are members of the University community and are regularly in the residence halls for community-oriented policing, educational programming and to address community concerns as they arise.

## FIRE SAFETY

Protecting the university community against fire is a major concern. It is the intent of the university to provide a reasonably safe environment for students, faculty, and staff. To accomplish this, certain safeguards must be strictly adhered to, and a certain level of responsible conduct must be maintained. Fire safety regulations in force at the university are accepted standards for the State of Idaho and are not optional. Everyone within the university community is subject to the rules and regulations of the fire codes. To achieve compliance and thereby provide a reasonably safe, hazard-free living environment, the university requires each student to follow some basic safety rules. With your cooperation, the threat of fire can be greatly reduced.

- Students should read and understand the fire safety procedures posted on the back of room doors.
- Do not obstruct or damage these instructions in any way. Students will be billed to replace instructions that are defaced or removed.
- Students should locate all exits from their floor, memorize their locations, and become familiar with any “landmarks” that would aid evacuation if visibility were reduced by smoke.
- Students should locate all fire alarm pull stations on their floor and familiarize themselves with their correct operation. Students should become familiar with these regulations and the evacuation procedures.
- Fire exits, specifically marked, should not be used for any other reason except evacuation during a fire.
- At the first sound of a fire alarm, students are expected to leave the building immediately.



## EVACUATION PROCEDURES

Idaho Fire code (Adopted International fire code) requires fire drills within 10 days of the school year on a quarterly basis. Two drills are to be conducted during normal business hours and two drills are to be conducted during evening or very early morning hours per the code. Tests may be announced or unannounced and the Fire Safety Director for the university documents a description, date, and time of the exercise.

- In the event of an emergency, sound the alarm if it is not engaged.
- Prepare to exit. Turn off equipment, close doors, and take only necessary items as you leave the building. Remind others to exit swiftly.
- Evacuate the building. As you leave, check doors, hallways, and stairwells for heat and smoke. Do not open doors that are hot. Remain where you are and attempt to block smoke from entering. Call 911 and report your location.
- Use Stairs. Never use elevators when exiting due to a fire alarm. If you are unable to use the stairs, locate a safe area (or area of refuge) and call 911.
- Report to the assembly point outside the building.

For students living in a Living Learning Community (LLC), you must evacuate to a location off the LLC block. All sidewalks within the neighborhood as well as perimeter must be clear for emergency vehicles. All residents and visitors are required to evacuate the building immediately when a fire alarm sounds.

## ON CAMPUS APARTMENTS

Residents are expected to vacate their apartment when instructed by University, Police, or Fire personnel. Elmwood Apartment residents vacate their apartment and proceed to the opposite side of the street in event of a fire alarm.

## FIRE NOTIFICATION REPORTING PROCEDURES

- During a fire alarm the housing staff member must act as a liaison for the fire department.
- The housing staff liaison will then notify the on-call housing supervisor.
- The University Housing staff member assesses the situation and notifies the Director of University Housing.
- Any additional notifications are made by the Housing director.
- The staff member on call completes a fire report.
- The Assistant to the Director is responsible for getting fire reports to Security Services.

## FIRE SAFETY – TRAINING

The Department of Environmental Health and Safety trains University Housing’s resident directors at the beginning of the academic year. The resident directors are responsible for training their resident assistant staff.

Mandatory floor meetings are held in each residence hall at the beginning of the academic year. Fire safety information is included in the agenda for each of these meetings.



## RESIDENCE HALL POLICIES

Residence Hall Handbook policies pertaining to portable electrical appliances, smoking and open flames:

### 5. Appliances

- a. Possessing items in student rooms/suites used to cook food or to create heat that do not have an automatic shut off is prohibited.
- b. The following items are strictly prohibited regardless of automatic shut off in all interior spaces and buildings, including, but not limited to: toaster, pressure cooker, deep fryer, hot plate/heating element, open flame or gas grill of any size or kind, etc.

### 18. Fire Safety

- a. Tampering with, altering, damaging, disabling, or inappropriately utilizing any fire safety equipment or creating such condition that could create a potential fire hazard, including false fire alarms and failure to evacuate during a fire alarm is prohibited.
- b. Unless approved by Housing & Residence Life staff, the following items are prohibited: Live trees, wreaths, or garlands in student spaces; Any live trees in community spaces must have approval from Professional Housing staff; Open flame items (even if not lit) including: candles, incense, punks, lanterns, etc.; Flammable liquids, gases, oil, etc.; motor vehicles of any type (including but not limited to Hoverboards, Segway, IO Hawks, Skywalkers, and similar devices), or associated parts for maintenance, repair, or storage; Student construction, made of wood, not coated with two coats of fire retardant paint.

- c. Cords placed under carpets or doors are prohibited.
- d. Students will not set a fire, pull or call in a false alarm, discharge or remove a fire extinguisher or hose, tamper with smoke detector, break the safety glass on the fire extinguisher case, prop fire doors, and/or leave an area through the locked fire door.

### 34. Smoking

- a. Smoking any product that produces smoke/vapor, including but not limited to cigarettes, cigars, pipes, or electronic cigarettes in any Housing & Residence Life facility or on the University of Idaho campus is strictly prohibited.

### 35. Weapons, Firearms, Fireworks and Explosives

- a. Possessing, using, or storing firearms, explosives, weapons, projectile, explosive devices, or explosive substances within Residence Hall premises is prohibited.

## Fire Safety – Systems and Equipment

RESIDENCE HALLS LOCATIONS	FIRE ALARM SYSTEM	IN ROOM SMOKE DETECTORS	CORRIDOR SMOKE DETECTION	FIRE ALARM MONITORED	FIRE SPRINKLER SYSTEM	EVACUATION DRILLS
Wallace Complex- (Sprinklers in basement, kitchen, and dining areas) 1080 W 6th ST	Yes	Yes	Yes	Yes	Partial*	3
Theophilus Tower- (Sprinklers in basement) 1001 Paradise Creek ST.	Yes	Yes	Yes	Yes	Partial*	3
McConnell Hall 1020 W. 6th St.	Yes	Yes	Yes	Yes	Full	3
Living & Learning Community 901 Paradise Creek Street Building 1-3	Yes	Yes	Yes	Yes	Full	3
Living & Learning Community 901 Paradise Creek Street Building 4	Yes	Yes	Yes	Yes	Full	3
Living & Learning Community 901 Paradise Creek Street Building 5	Yes	Yes	Yes	Yes	Full	3
Living & Learning Community 901 Paradise Creek Street Building 6	Yes	Yes	Yes	Yes	Full	3
Living & Learning Community 901 Paradise Creek Street Building 7	Yes	Yes	Yes	Yes	Full	3
Living & Learning Community 901 Paradise Creek Street Building 8	Yes	Yes	Yes	Yes	Full	3

ON CAMPUS FRATERNITIES/SORORITIES	FIRE ALARM SYSTEM	BEDROOM AREA SMOKE DETECTORS	CORRIDOR SMOKE DETECTION	FIRE ALARM MONITORED	FIRE SPRINKLER SYSTEM	MFD INSPECTIONS	EVACUATION DRILLS
Alpha Gamma Rho 745 Nez Perce Drive	Yes	Yes	Yes	Yes	Yes	2	4
Sigma Chi 735 Nez Perce Drive	Yes	Yes	Yes	Yes	Yes	2	4
Alpha Gamma Delta 727 Nez Perce Drive	Yes	Yes	Yes	Yes	Yes	2	4
Alpha Kappa Lambda 701 Nez Perce Drive	Yes	Yes	Yes	Yes	No	2	4
Farmhouse 1101 Blake Ave	Yes	Yes	Yes	Yes	Yes	2	4
Kappa Delta 514 Sweet Ave	Yes	Yes	Yes	Yes	Yes	2	4
Kappa Alpha Theta 630 Elm Street	Yes	Yes	Yes	Yes	Yes	2	4
Delta Zeta 706 Elm Street	Yes	Yes	Yes	Yes	Yes	2	4
Theta Chi 620 Elm Street	Yes	Yes	Yes	Yes	Yes	2	4
<p>In 2023, the following residences were changed from “On Campus” property to “Non-campus” property to adhere to Clery guidelines: Alpha Gamma Rho (745 Nez Perce Dr.), Sigma Chi (735 Nez Perce Dr.), Alpha Gamma Delta (727 Nez Perce Dr.), Alpha Kappa Lambda (701 Nez Perce Dr.), and Farm House (1101 Blake Ave).</p>							

ON CAMPUS APARTMENTS & MARRIED STUDENT HOUSING	FIRE ALARM SYSTEM	BEDROOM AREA SMOKE DETECTORS	LIVING AREA SMOKE DETECTORS	FIRE EXTINGUISHER	FIRE ALARM MONITORED
Elmwood Apartments – 627 Elm Street	Yes	Yes	Yes	Yes	No
South Hill Apartments – 418 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 426 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 430 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 458 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 464 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 486 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 492 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 506 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 510 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 514 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 518 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 524 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 528 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 1011 Deakin Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 1012 Deakin Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 1016 Deakin Avenue	No	Yes	Yes	Yes	No
South Hill Apartments – 1020 Deakin Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. - 301 Sweet Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. – 303 Sweet Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. – 307 Sweet Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. – 311 Sweet Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. – 315 Sweet Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. – 319 Sweet Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. – 334 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. – 342 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. – 350 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. – 354 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. – 374 Taylor Avenue	No	Yes	Yes	Yes	No
South Hill Vista Apts. – 380 Taylor Avenue	No	Yes	Yes	Yes	No

# Fire Safety – Statistics

## FIRE STATISTICS – RESIDENCE HALLS AND APARTMENTS

FIRE STATISTICS RESIDENCE HALLS LOCATIONS	NUMBER OF FIRES			CAUSE OF FIRE			INJURIES			DEATHS			VALUE OF PROPERTY DAMAGED		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Wallace Complex 1080 West 6th Street	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Theophilus Tower 1001 Paradise Creek St.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
McConnell 1020 West 6th Street	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Living and Learning Community 901 Paradise Creek Street – Building 1-3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Living and Learning Community 901 Paradise Creek Street – Building 4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Living and Learning Community 901 Paradise Creek Street – Building 5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Living and Learning Community 901 Paradise Creek Street – Building 6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Living and Learning Community 901 Paradise Creek Street – Building 7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Living and Learning Community 901 Paradise Creek Street – Building 8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



FIRE STATISTICS APARTMENT LOCATIONS	NUMBER OF FIRES			CAUSE OF FIRE			INJURIES			DEATHS			VALUE OF PROPERTY DAMAGED		
	YEAR	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021
Elmwood Apartments 627 Elm Street	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 418 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 426 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 430 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 458 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 464 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 486 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 492 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 506 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 510 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 514 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 518 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 524 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 528 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 1011 Deakin Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 1012 Deakin Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 1016 Deakin Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Apartments 1020 Deakin Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Vista Apts. 301 Sweet Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Vista Apts. 303 Sweet Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Vista Apts. 307 Sweet Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Vista Apts. 334 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Vista Apts. 342 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Vista Apts. 311 Sweet Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

FIRE STATISTICS APARTMENT LOCATIONS	NUMBER OF FIRES			CAUSE OF FIRE			INJURIES			DEATHS			VALUE OF PROPERTY DAMAGED		
	YEAR	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021
South Hill Vista Apts. 315 Sweet Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Vista Apts. 319 Sweet Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Vista Apts. 350 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Vista Apts. 354 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Vista Apts. 374 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Hill Vista Apts. 380 Taylor Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**FIRE STATISTICS – ON CAMPUS FRATERNITY AND SORORITIES**

FIRE STATISTICS ON CAMPUS FRATERNITY AND SORORITIES LOCATIONS	NUMBER OF FIRES			CAUSE OF FIRE			INJURIES			DEATHS			VALUE OF PROPERTY DAMAGED		
	YEAR	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021
Alpha Gamma Rho 745 Nez Perce Drive	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sigma Chi 735 Nez Perce Drive	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Alpha Gamma Delta 727 Nez Perce Drive	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Alpha Kappa Lambda 701 Nez Perce Drive	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Farm House 1101 Blake Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kappa Delta 514 Sweet Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kappa Alpha Theta 630 Elm Street	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Delta Zeta 706 Elm Street	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Theta Chi 620 Elm Street	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

In 2023, the following residences were changed from “On Campus” property to “Non-campus” property to adhere to Clery guidelines: Alpha Gamma Rho (745 Nez Perce Dr.), Sigma Chi (735 Nez Perce Dr.), Alpha Gamma Delta (727 Nez Perce Dr.), Alpha Kappa Lambda (701 Nez Perce Dr.), and Farm House (1101 Blake Ave).



## Fire Safety Report – McCall Field Campus

### FIRE SAFETY MCCALL FIELD CAMPUS – POLICIES AND PROCEDURES

All Graduate Students at the McCall Field Campus are required to follow all University of Idaho Residence Hall Handbook policies pertaining to portable electrical appliances, smoking and open flames as stated above.

#### STUDENT RESPONSIBILITY

Graduate Students living on the McCall Field Campus are required to follow all University of Idaho Residence Hall Handbook policies pertaining to Student Responsibilities as well as special agreement to the following:

#### COMPLIANCE WITH UNIVERSITY OFFICIALS

Students who verbally abuse or fail to cooperate with the reasonable request of a university official (including all members of the Housing & Residence Life staff) acting in performance of their duties may face judicial action.

- Review risk management program and complete all trainings.
- Manage risk for K12 activities and programming in accordance with best practices of the organization.
- Maintain WFA/CPR certification while working in the field with K12 programs. If certification has expired, must have a plan to recertify.
- Disaster Procedures – Fire (On Campus)
- On the discovery of a fire, instructors and chaperones should first be sure all students and staff are out of the building; individuals should not stop to collect belongings. (If a chaperone or instructor was not present when the fire was discovered, he/she will make sure that the building is vacated, either through questioning of students/staff/etc., or by a visual check.)

- After ensuring that the building is vacated, staff/chaperones should report the fire to the program director.
- After (1) and (2) are done, staff may make efforts to fight the fire if this can be done without unreasonable risk of injury to self. Students may not be involved in firefighting. Fire extinguishers are located by the door in each building. If fighting the fire will endanger anyone it should be left alone.

The Program Coordinator or other designated person(s) will be in charge of notifying the McCall Fire Department if needed; Staff and chaperones will make sure students are clear of the fire and any access roads/points needed by the fire department.

#### FOREST FIRES

In the event of knowledge of a threatening forest fire the program director will make the decision as to whether or not campus should be evacuated.

- If an evacuation is chosen the horn will be blown as per normal emergency.
- Students and staff will assemble in the parking lot and be accounted for.
- The Program Coordinator will coordinate the use of vehicles to evacuate campus. He will be responsible for organizing the orderly assignment of student groups to vehicles.
- Once all persons on campus are loaded into assigned vehicle, they should proceed to the designated area of safety.
- If the campus is not to be evacuated, all students and staff should be organized under the program director's discretion until the emergency is passed.
- The Program Coordinator will be responsible for coordinating contact and gathering information from the appropriate response agencies.

## Fire Safety – Systems and Equipment

ON CAMPUS CABIN/YURT HOUSING	FIRE ALARM SYSTEM	BEDROOM / LIVING AREA SMOKE DETECTORS	FIRE EXTINGUISHER	FIRE ALARM MONITORED	FIRE SPRINKLER SYSTEM	EVACUATION DRILLS
Brundage 1800 University Lane; McCall, ID 83638	Yes	Yes	Yes	No	None	**
Goose 1800 University Lane; McCall, ID 83638	Yes	Yes	Yes	No	None	**
Hazard 1800 University Lane; McCall, ID 83638	Yes	Yes	Yes	No	None	**
Loon 1800 University Lane; McCall, ID 83638	Yes	Yes	Yes	No	None	**
Maki 1800 University Lane; McCall, ID 83638	Yes	Yes	Yes	No	None	**
Sargents 1800 University Lane; McCall, ID 83638	Yes	Yes	Yes	No	None	**
SnowSlide 1800 University Lane; McCall, ID 83638	Yes	Yes	Yes	No	None	**
<p>**McCall Field Campus reviews fire drill procedures once a week and talks through the fire drill procedures with all guests. Do not physically practice fire drills.</p>						

## Fire Safety – Statistics

FIRE STATISTICS MCCALL FIELD CAMPUS CABIN LOCATIONS	NUMBER OF FIRES			CAUSE OF FIRE			INJURIES			DEATHS			VALUE OF PROPERTY DAMAGED		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Brundage 1800 University Lane McCall, ID 83638	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Goose 1800 University Lane McCall, ID 83638	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hazard 1800 University Lane McCall, ID 83638	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Loon 1800 University Lane McCall, ID 83638	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Maki 1800 University Lane McCall, ID 83638	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sargents 1800 University Lane McCall, ID 83638	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Snowslide 1800 University Lane McCall, ID 83638	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Snowslide 1800 University Lane McCall, ID 83638	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
*McCall Field Campus became a separate campus for Clery Act Purposes in 2017.															
**All Fires reported on McCall Field Campus occurred after June 27, 2017. For crimes occurring before this date they will be included in Moscow Non-Campus location.															



University  
of Idaho