



## 2023 ANNUAL SECURITY REPORT



Striving to provide a safe and secure environment conducive to promoting a respectful and educational atmosphere for all members and guests of the Campus community.

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# **Columbia College - Salt Lake**

## **2023 ANNUAL SECURITY REPORT**

### **Introduction**

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of Columbia College ("College") with information on: the College's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the College will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

### **Policy for Preparing the Annual Report**

This report is prepared by the Sr. Director of Campus Safety in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Columbia College Office of Campus Safety 1001 Rogers St. Columbia, MO 65216, (573) 875-7315. The College is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.

### **General Safety and Security Policies**

#### **Campus Security Personnel & Relationship with Local Law Enforcement**

The College does not have a campus security or police department.

While the College does not have any written agreements with local law enforcement agencies, it does maintain a close working relationship with local police.

#### **Campus Security Authorities**

The College has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the College's annual report of crime statistics. The campus security authorities to whom the College would prefer that crimes be reported are listed below.

- Student Conduct Officer at (573) 875-7877
- Title IX Coordinator at (573) 875-7898
- Director - Columbia College Salt Lake City at (801) 281-6677
- Chief Human Resources Officer at (573) 875-7495
- Dean for Student Affairs at (573) 875-7400
- Senior Director of Campus Safety in Columbia, Missouri at (573) 875-7304
- Assistant Vice President at 573-875-1375

## **Reporting a Crime or Emergency**

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

- Situations that pose imminent danger or while a crime is in progress should be reported to local law enforcement by calling 911 from any campus phone or cell phone. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred.
- Students, staff, and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of College staff will assist a student in making the report to the police.
- Anonymous incident reports can also be made as described in the next section.

## **Confidential Reporting**

The College will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Pursuant to the College's Title IX and Sexual Harassment Policy, any person may report sexual harassment (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), to the Title IX Coordinator or Deputy Title IX Coordinator upon receiving such information. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator or Deputy Title IX Coordinator receiving the person's verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours. In addition to reporting to the Title IX Coordinator or Deputy Title IX Coordinator, any person may report sexual harassment to a College Reporting Official. A list of College Reporting Officials can be found at <https://www.ccis.edu/about/policies/title-ix-sexual-harassment>. College reporting officials are required to forward such a report promptly to the Title IX Coordinator or Deputy Title IX Coordinator.

Anonymous complaints will be accepted by the College, although it is often difficult to gather facts and conduct a thorough investigation via anonymous complaints. To make an anonymous complaint, access the Electronic Reporting Option at <https://www.ccis.edu/student-life/report-an-incident>, identify your relationship to Columbia

College and then write in “Anonymous” under the “Your Name” and “Your Email” fields. Employees cannot fulfill their obligations as responsible employees under this policy using this anonymous reporting option. These confidential reports are counted and disclosed in the annual crime statistics for the College.

Any individual may submit an electronic report online at <https://www.ccis.edu/student-life/report-an-incident>. The person submitting the report will be asked to identify her or his relationship to the College and will then be directed to complete the form with additional information.

A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the College disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim’s request, a report of the details of the incident can be filed with the College without revealing the victim’s identity. Such a confidential report complies with the victim’s wishes, but still helps the College take appropriate steps to ensure the future safety of the victim and others. With such information, the College can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the College.

The College does not employ any pastoral or professional counselors and thus does not have procedures for these positions to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

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

On the Columbia College - Salt Lake campus, most buildings are open only when classes are in session or during regular business hours. Employees who have a key to a campus building and plan to work after normal working hours are encouraged to contact the appropriate administrator and notify them of their presence on campus. Persons who do not have a key and need access must follow the appropriate procedures as established by the campus administration.

An authorized individual entering or leaving a locked building must not allow any unauthorized individual to enter that building. Authorized personnel may have guests with them as long as the guest stays near the faculty or staff members who have an assigned key. The authorized individual assumes full responsibility for their presence. Any staff member entering or leaving a secured building shall be responsible for checking the door to ensure that it is secured.

The theft or loss of assigned keys should be reported immediately to the person who issued the keys. Campus keys must not be "lent" to anyone unless properly authorized. The person to whom the keys have been assigned is solely responsible for those keys.

Employees must adhere to policies regarding unauthorized access to school facilities, theft of, or damage to, school property, or other criminal activity. In particular, rendering inoperable or abusing any fire prevention or detection equipment is prohibited. Violation of these

policies may lead to disciplinary action, up to and including termination and the filing of charges with law enforcement authorities.

## **Security Considerations in the Maintenance of Facilities**

Maintenance of all facilities is the responsibility of the campus administration, facility owner or a contracted service provider. Fire safety systems (fire sprinkler systems, fire doors, fire extinguishers, etc.) are inspected regularly by the campus administration, facility owner or a contracted fire protection service provider. The campus administration is responsible for ensuring all egress lighting, pathways and mechanical rooms are inspected on a regular basis. The campus administration will address reports of any malfunctions or mechanical problems, including street or safety lights that are not functioning properly, or shrubs or other landscaping that may be overgrown, observed that would create an unsafe situation. Campus community members are encouraged to report maintenance or safety problems to the campus administration.

## **Educational Programs Related to Security Awareness and Prevention of Criminal Activity**

The College seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs 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 and to inform them about the prevention of crimes. These programs are discussed below.

- The College provides information at the beginning of each academic term for students and employees regarding the College's security procedures and practices. This information may be in the form of posters, e-mail blasts, and social media posts. Among other things, it advises students and employees of the importance of reporting criminal activity, to whom crimes should be reported, being responsible for their own safety and the safety of others and practices regarding timely warnings and emergency notifications.
- Columbia College - Salt Lake City does not provide continuing crime prevention programs, but any questions or concerns can be directed to the office of the campus director, the Senior Director of Campus Safety at the main campus, or to local law enforcement.

Students and employees are asked to be alert and to not circumvent practices and procedures that are meant to preserve their safety and that of others. The following list includes various methods of crime prevention:

- Be aware of your surroundings and what is going on around you.
- Keep a list of campus phone numbers with you or in your phone.
- Do not prop open doors.
- Do not leave personal property unattended.
- Report suspicious individuals to college officials.
- Walk with a friend or in a group.
- Stay on main walkways.
- Become familiar with the campus.
- Remove valuables from your vehicle and secure the doors.

- Mark your valuables with personalized identification information.
- Always carry your identification.

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

### **Monitoring Off Campus Locations of Recognized Student Organizations**

The College does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

### **Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense**

Upon written request, the College will disclose to the alleged victim of a 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 College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim 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 the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

## **Drug and Alcohol Policy**

Columbia College is committed to creating and maintaining an environment that is free of alcohol abuse. The College prohibits the manufacture, possession, use, distribution, and sale of alcoholic beverages, regardless of age, on College-owned property and at College sponsored or supervised events or activities, unless an exception is granted pursuant to applicable policy, and the College enforces the state's underage drinking laws.

The College also enforces federal and state drug laws. The manufacture, possession, use, distribution, and sale of illegal drugs is prohibited under both state and federal laws. Violators of the College's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

### **Federal Drug Laws (updated 08.01.2023)**

**Denial of Federal Benefits (21 U.S.C. § 862)** A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

**Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853)** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may

be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties (21 U.S.C. § 841)** Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally-defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, “liquid ecstasy”), or flunitrazepam (or, “rohypnol”), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (**21 U.S.C. § 860**) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

**Federal Drug Possession Penalties (21 U.S.C. § 844)** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at [www.campusdrugprevention.gov/sites/default/files/2022-07/Federal\\_Trafficking\\_Penalties\\_Chart\\_6-23-22.pdf](http://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf).

## Drug and Alcohol State Laws

Category	Summary (Utah Code Annotated)
Possession of Marijuana	A person possessing less than 100 pounds of marijuana is guilty of a Class B misdemeanor and may be sentenced to a term not exceeding six months



Category	Summary (Utah Code Annotated)
	in prison in addition to a fine of up to \$1,000. Utah Code Ann. §§ 58-37-8(2)(b)(1), 58-37-8(2)(d), 76-3-204(2), 76-3-301(1)(d).
Controlled Substances	<p>Utah statutes cover a wide range of offenses related to controlled substances. §§ 58-37-3 (incorporating by reference all substances listed in the federal Controlled Substances Act, 21 U.S.C. § 812); 58-37-4; 58-37-4.2. Prohibited acts and penalties are enumerated in § 58-37-8. Penalties for the possession and delivery of illegal drugs include prison sentences and monetary fines. These vary widely based on substance, amount confiscated, number of previous offenses by, and whether the individual intended to manufacture, sell, or use the drug.</p> <p>For example, a person convicted of producing, manufacturing, or distributing a substance or counterfeit substance classified in Schedule I or II (i.e., psilocybin, heroin, opium, or hydrocodone) is guilty of a second-degree felony punishable by imprisonment for not less than one year and not more than fifteen years. § 58-37-8(1)(b). A person convicted of producing, manufacturing, or distributing marijuana or a substance or counterfeit substance classified in Schedule III or IV is, upon first offense, guilty of a third-degree felony punishable by not more than five years in prison. § 58-37-8(1)(b)(ii).</p>
Alcohol and Minors	<p>It is unlawful for a minor to purchase, consume, attempt to purchase, or solicit another person to purchase an alcoholic product. Penalties include various screenings, assessments, and educational series. § 32B-4-409(1). If a minor is found in violation of the law, the court may order the minor to complete a screening, an assessment based on the results of the screening, and an educational series or substance use disorder treatment. § 32B-4-409(4). If the minor in violation is between the ages of 18 and 21, the court shall order the suspension of their driving privileges. § 32B-4-409(5)(a). It is also illegal for a minor to misrepresent his/her age for the purposes of purchasing or otherwise obtaining an alcoholic product. § 32B-4-409(2). The first violation of this law is a class B misdemeanor (punishable by up to six months in jail and up to \$1,000 in fines or compensatory service) and the second violation is a class A misdemeanor (punishable by up to 364 days in jail and up to \$2,500 in fines). §§ 32B-4-411(2)(a)(i)-(ii); 76-3-S204(1)-(2). 76-3-301(c)-(d). It is unlawful for a minor to attempt to or gain admittance to a tavern or bar licensee and violations are a class C misdemeanor, punishable by up to 90 days in jail and up to \$750 in fines. §§ 32B-4-410(1)-(2); 76-3-S204(3); 76-3-301(e).</p> <p>It is a class C misdemeanor for an individual to lend or knowingly permit another individual to use his/her license certificate or to display or represent as the individual's own license certificate a license certificate not issued to the individual. §§ 53-3-229(1), § 53-3-810(1). It is a class A misdemeanor for a person to transfer his/her proof of age to another person to help that person obtain alcohol. § 32B-1-403(1)(a)-(b). A person may not sell, offer for sale, or furnish an alcoholic product to a minor. § 32B-4-403(1). A person is guilty of a class B misdemeanor if the person negligently or recklessly fails to determine whether the recipient of the alcoholic product is a minor. § 32B-4-403(2).</p>



Category	Summary (Utah Code Annotated)
Driving Under the Influence (DUI)	A person may not operate a vehicle if they have a blood or breath alcohol concentration of 0.05 grams or greater. § 41-6a-502(1). A first offense is a class B misdemeanor or a class A misdemeanor in the event of certain aggravating circumstances. §§ 41-6a-503(1)-(2); 76-5-102.1(5). Mandatory penalties include: (1) a jail sentence of not less than two days or a compensatory-service work program for not less than 48 hours; (2) participation in a screening; (3) participation in an assessment, if appropriate; (4) participation in educational programs; and (5) a fine of not less than \$700 as well as fees. § 41-6a-505(1)(a). The court also may order additional penalties, such as substance abuse treatment or probation. § 41-6a-505(1)(b).

## **Drug and Alcohol Abuse Prevention Program**

In compliance with the Drug Free Schools and Communities Act, the College has a drug abuse and prevention program and conducts a biennial review of this program to evaluate its effectiveness and ensure sanctions are being consistently enforced. As part of this prevention program, an annual notification is sent to all students and employees covered certain drug/alcohol-related topics (such as possible legal sanctions, health risks, etc.). More information about the program, including the College's drug and alcohol policies, can be located at: <https://www.ccis.edu/about/policies/alcohol-drugs>. In addition, you can contact the Department of Human Resources or Division of Student Affairs for more information about, or a copy of, the College's biennial review.

## **Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

Consistent with applicable laws, the College prohibits dating violence, domestic violence, sexual assault, and stalking. The College's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Title IX and Sexual Harassment Policy: <https://www.ccis.edu/about/policies/title-ix-sexual-harassment>
- Student Behavioral Misconduct Policy and Procedures: <https://www.ccis.edu/about/policies/student-behavioral-misconduct>
- Non-Discrimination and Equal Opportunity Policy and Complaint Resolution Procedures : <https://www.ccis.edu/about/policies/non-discrimination-equal-opportunity>

The following sections of this report discuss the College's educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses, and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

### **Primary Prevention and Awareness Program:**

The College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the College prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

### Crime Definitions

<b>Crime Type (Utah Code Annotated)</b>	<b>Definitions</b>
Dating Violence	The institution has determined, based on good-faith research, that Utah law does not define the term dating violence.
Domestic Violence (Utah Code Ann. § 77-36-1)	<p>“Domestic violence” or “domestic violence offense” means any criminal offense involving violence or physical harm or threat of violence or physical harm, or any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical harm, when committed by one cohabitant against another. “Domestic violence” or “domestic violence offense” also means commission or attempt to commit:</p> <ul style="list-style-type: none"> <li>a. aggravated assault, as described in Section 76-5-103;</li> <li>b. aggravated cruelty to an animal, as described in Subsection 76-9-301(4), with the intent to harass or threaten the other cohabitant;</li> <li>c. assault, as described in Section 76-5-102;</li> <li>d. criminal homicide, as described in Section 76-5-201;</li> <li>e. harassment, as described in Section 76-5-106;</li> <li>f. electronic communication harassment, as described in Section 76-9-201;</li> <li>g. kidnapping, child kidnapping, or aggravated kidnapping, as described in Sections 76-5-301, 76-5-301.1, and 76-5-302;</li> <li>h. mayhem, as described in Section 76-5-105;</li> <li>i. sexual offenses, as described in Title 76, Chapter 5, Part 4, Sexual Offenses, and sexual exploitation of a minor and aggravated sexual exploitation of a minor, as described in Sections 76-5b-201 and 76-5b-201.1;</li> <li>j. stalking, as described in Section 76-5-106.5;</li> <li>k. unlawful detention or unlawful detention of a minor, as described in Section 76-5-304;</li> <li>l. violation of a protective order or ex parte protective order, as described in Section 76-5-108;</li> <li>m. any offense against property described in Title 76, Chapter 6, Part 1, Property Destruction, Title 76, Chapter 6, Part 2, Burglary and Criminal Trespass, or Title 76, Chapter 6, Part 3, Robbery;</li> <li>n. possession of a deadly weapon with criminal intent, as described in Section 76-10-507;</li> <li>o. discharge of a firearm from a vehicle, near a highway, or in the direction of any person, building, or vehicle, as described in Section 76-10-508;</li> <li>p. disorderly conduct, as defined in Section 76-9-102, if a conviction or adjudication of disorderly conduct is the result of a plea</li> </ul>

<b>Crime Type (Utah Code Annotated)</b>	<b>Definitions</b>
	<p>agreement in which the perpetrator was originally charged with a domestic violence offense otherwise described in this Subsection (4), except that a conviction or adjudication of disorderly conduct as a domestic violence offense, in the manner described in this Subsection (4)(p), does not constitute a misdemeanor crime of domestic violence under 18 U.S.C. Sec. 921, and is exempt from the federal Firearms Act, 18 U.S.C. Sec. 921 <i>et seq.</i>;</p> <p>q. child abuse, as described in Section 76-5-114;</p> <p>r. threatening use of a dangerous weapon, as described in Section 76-10-506;</p> <p>s. threatening violence, as described in Section 76-5-107;</p> <p>t. tampering with a witness, as described in Section 76-8-508;</p> <p>u. retaliation against a witness or victim, as described in Section 76-8-508.3;</p> <p>v. unlawful distribution of an intimate image, as described in Section 76-5b-203, or unlawful distribution of a counterfeit intimate image, as described in Section 76-5b-205;</p> <p>w. sexual battery, as described in Section 76-9-702.1;</p> <p>x. voyeurism, as described in Section 76-9-702.7;</p> <p>y. damage to or interruption of a communication device, as described in Section 76-6-108; or</p> <p>z. an offense described in Subsection 78B-7-806(1).</p>
Stalking (Utah Code Ann. § 76-5-106.5)	(2) An actor commits stalking if the actor intentionally or knowingly: (a) engages in a course of conduct directed at a specific individual and knows or should know that the course of conduct would cause a reasonable person: (i) to fear for the individual's own safety or the safety of a third individual; or (ii) to suffer other emotional distress.
Sexual Assault	UT ST § 26B–4–501(23): “Sexual assault” means any criminal conduct described in Title 76, Chapter 5, Part 4, Sexual Offenses, that may result in a pregnancy.
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Utah law are as follows:</p> <ul style="list-style-type: none"> <li>• Rape (Utah Code Ann. § 76-5-402): (2) (a) An actor commits rape if the actor has sexual intercourse with another individual without the individual's consent. (b) Any sexual penetration, however slight, is sufficient to constitute the relevant element of a violation of Subsection (2)(a). (c) This section applies whether or not the actor is married to the individual.</li> <li>• Object Rape (Utah Code Ann. § 76-5-402.2): (2) An actor commits object rape if: (a) the actor: (i) acts without an individual's consent; (ii) causes the penetration, however slight, of the genital or anal opening or the individual by: (A) a foreign object; (B) a substance; (C) an instrument; (D) a device; or (E) a part of the human body other than the mouth or genitals; and (iii) (A) intends to cause</li> </ul>

<b>Crime Type (Utah Code Annotated)</b>	<b>Definitions</b>
	<p>substantial emotional or bodily pain to the individual; or (B) intends to arouse or gratify the sexual desire of any individual; and (b) the individual described in Subsection (2)(a)(i) is 14 years old or older.</p> <ul style="list-style-type: none"> <li>• Fondling: The institution has determined, based on good-faith research, that Utah law does not define the term fondling.</li> <li>• Incest (Utah Code Ann. § 76-7-102): An actor is guilty of incest when, under circumstances not amounting to rape, rape of a child, or aggravated sexual assault, the actor knowingly and intentionally engages in the following conduct: (i) sexual intercourse between the actor and a person the actor knows has kinship to the actor as a related person; (ii) the insertion or placement of the provider's seminal fluid into the vagina, cervix, or uterus of a related person by means other than sexual intercourse; (iii) providing or making available his seminal fluid for the purpose of insertion or placement of the fluid into the vagina, cervix, or uterus of a related person by means other than sexual intercourse; (iv) a woman 18 years of age or older who: (A) knowingly allows the insertion of the seminal fluid of a provider into her vagina, cervix, or uterus by means other than sexual intercourse; and (B) knows that the seminal fluid is that of a person with whom she has kinship as a related person; or (v) providing the actor's sperm or human egg that is used to conduct in vitro fertilizations, or any other means of fertilization, with the human egg or sperm of a person who is a related person. <ul style="list-style-type: none"> <li>○ “Related person” means a person related to the provider or actor as an ancestor, descendant, brother, sister, uncle, aunt, nephew, niece, or first cousin, and includes: (i) blood relationships of the whole or half blood, regardless of whether the relationship is legally recognized; (ii) the relationship of parent and child by adoption; and (iii) the relationship of stepparent and stepchild while the marriage creating the relationship of a stepparent and stepchild exists.</li> </ul> </li> <li>• Statutory Rape: The institution has determined, based on good-faith research, that Utah law does not define the term statutory rape. However, Utah law does define the following: <ul style="list-style-type: none"> <li>○ Rape of a Child (Utah Code Ann. § 76-5-402.1): (2) (a) An actor commits rape of a child if the actor has sexual intercourse with an individual who is younger than 14 years old. (b) Any touching, however slight, is sufficient to constitute the relevant element of a violation of Subsection (2)(a).</li> <li>○ Object Rape of a Child (Utah Code Ann. § 76-5-402.3): (2)(a) An actor commits object rape of a child if: (i) the actor causes the penetration or touching, however slight, of the genital or anal opening of the individual, except as</li> </ul> </li> </ul>

<b>Crime Type (Utah Code Annotated)</b>	<b>Definitions</b>
	<p>provided in Subsection (2)(b): (A) a foreign object; (B) a substance; (C) an instrument; or (D) a device; (ii) the actor: (A) intends to cause substantial emotional or bodily pain to the individual; or (B) intends to arouse or gratify the sexual desire of any individual; and (iii) the individual described in Subsection (2)(a)(i) is younger than 14 years old. (b) Subsection (2)(a) does not include penetration or touching by a part of the human body.</p>
Other "sexual assault" crimes	<p>Other crimes under Utah law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> <li>• Sexual Battery (Utah Code Ann. § 76-9-702.1): A person is guilty of sexual battery if the person, under circumstances not amounting to an offense under [Utah's other sexual assault statutes], intentionally touches, whether or not through clothing, the anus, buttocks, or any part of the genitals of another person, or the breast of a female person, and the actor's conduct is under circumstances the actor knows or should know will likely cause affront or alarm to the person touched.</li> <li>• Sodomy (Utah Code Ann. § 76-5-403): An actor commits sodomy when the actor engages in any sexual act with an individual who is 14 years old or older involving the genitals of one individual and mouth or anus of another Individual.</li> <li>• Forcible Sodomy (Utah Code Ann. § 76-5-403): (2)(a) An actor commits forcible sodomy when the actor commits sodomy upon another individual without the other individual’s consent. (b) Any touching, however slight, is sufficient to constitute the relevant element of a violation of Subsection (2)(a).</li> <li>• Sodomy on a Child (Utah Code Ann. § 76-5-403.1): (2)(a) An actor commits sodomy on a child if: (i) the actor engages in any sexual act upon or with another individual; (ii) the individual is younger than 14 years old; and (iii) the sexual act involves the genitals or anus of the actor or the individual and the mouth or anus of either the actor or individual. (b) Any touching, even if accomplished through clothing, is sufficient to constitute the relevant element of a violation of Subsection (2)(a).</li> <li>• Forcible sexual abuse (Utah Code Ann. § 76-5-404): (2)(a) (a) ... an actor commits forcible sexual abuse if: (i) without the consent of the individual, the actor: (A) touches the anus, buttocks, or any part of the genitals of another individual; (B) touches the breast of another individual who is female; or (C) otherwise takes indecent liberties with another individual; (ii) the actor intends to: (A) cause substantial emotional or bodily pain to any individual; or (B) arouse or gratify the sexual desire of any individual; and (iii) the individual described in Subsection (2)(a)(i)(A), (B), or (C) is 14 years old or older. (b) Any touching, even if accomplished through</li> </ul>

Crime Type (Utah Code Annotated)	Definitions
	<p>clothing, is sufficient to constitute the relevant element of a violation of subsection (2)(a).</p> <ul style="list-style-type: none"> <li>• Sexual abuse of a child (Utah Code Ann. § 76-5-404.1): (2)(a) . . . an actor commits sexual abuse of a child if the actor: (i) (A) touches the anus, buttocks, pubic area, or genitalia of any child; (B) touches the breast of a female child; or (C) otherwise takes indecent liberties with a child; and (ii) the actor's conduct is with intent to: (A) cause substantial emotional or bodily pain to any individual; or (B) to arouse or gratify the sexual desire of any individual.</li> <li>• Aggravated sexual abuse of a child (Utah Code Ann. § 76-5-404.3): (2)(a)...an actor commits aggravated sexual abuse of a child if, in conjunction with the offense described in Subsection 76-4-404.1(2)(a), any of the following circumstances have been charged and admitted or found true in the action of the offense: (i) the actor committed the offense: (A) by the use of a dangerous weapon; (B) by force, duress, violence, intimidation, coercion, menace, or threat of harm; or (C) during the course of a kidnapping; (ii) the actor caused bodily injury or severe psychological injury to the child during or as a result of the offense; (iii) the actor was a stranger to the child or made friends with the child for the purpose of committing the offense; (iv) the actor used, showed, or displayed pornography or cause the child to be photographed in a lewd condition during the course of the offense; (v) the actor, prior to sentencing for this offense, was previously convicted of any sexual offense; (vi) the actor committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; (vii) the actor committed, in Utah or elsewhere, more than five separate acts, which if committed in Utah would constitute an offense described in this chapter, and were committed at the same time, or during the same course of conduct, or before or after the instant offense; (viii) the actor occupied a position of special trust in relation to the child; (ix) the actor encouraged, aided, allowed, or benefitted from acts of prostitution or sexual acts by the child with any other individual, sexual performance by the child before any other individual, human trafficking, or human smuggling; or (x) the actor caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth. (b) Any touching, even if accomplished through clothing, is sufficient to constitute the relevant element of a violation of Subsection (2)(a).</li> <li>• Aggravated sexual assault (Utah Code Ann. § 76-5-405): (2) An actor commits aggravated sexual assault if: <ul style="list-style-type: none"> <li>○ in the course of a rape, object rape, forcible sodomy, or forcible sexual abuse, the actor: (i) uses, or threatens another individual with the use of, a dangerous weapon; (ii)</li> </ul> </li> </ul>

Crime Type (Utah Code Annotated)	Definitions
	<p>compels, or attempts to compel, another individual to submit to rape, object rape, forcible sodomy, or forcible sexual abuse, by threat of kidnaping, death, or serious bodily injury to be inflicted imminently on any individual; or (iii) is aided or abetted by one or more persons;</p> <ul style="list-style-type: none"> <li>○ in the course of an attempted rape, attempted object rape, or attempted forcible sodomy, the actor: (i) causes serious bodily injury to any individual; (ii) uses, or threatens the individual with the use of, a dangerous weapon; (iii) attempts to compel the individual to submit to rape, object rape, or forcible sodomy, by threat of kidnapping, death, or serious bodily injury to be inflicted imminently on any individual; or (iv) is aided or abetted by one or more persons; or</li> <li>○ in the course of an attempted forcible sexual abuse, the actor: (i) causes serious bodily injury to any individual; (ii) uses, or threatens the individual with the use of a dangerous weapon; (iii) attempts to compel the individual to submit to forcible sexual abuse, by threat of kidnaping, death, or serious bodily injury to be inflicted imminently on any individual; or (iv) is aided or abetted by one or more persons.</li> </ul> <ul style="list-style-type: none"> <li>• Unlawful sexual activity with a minor (Utah Code Ann. § 76-5-401): (2)(a) Under circumstances not amounting to an offense listed in [Utah’s other sexual assault statutes], an actor 18 years old or older commits unlawful sexual activity with a minor if the actor: (i) has sexual intercourse with the minor; (ii) engages in any sexual act with the minor involving the genitals of an individual and the mouth or anus of another individual; or (iii) causes the penetration, however slight, of the genital or anal opening of the minor by a foreign object, substance, instrument, or device, including a part of the human body, with the intent to cause substantial emotional or bodily pain to any individual or with the intent to arouse or gratify the sexual desire of any individual. (b) Any touching, however slight, is sufficient to constitute the relevant element of a violation of Subsection (2)(a)(ii). (For purposes of this section, a “minor” is a person who is 14 years of age or older, but younger than 16 years of age, at the time the sexual activity described in this section occurred.)</li> <li>• Sexual abuse of a minor (Utah Code Ann. § 76-5-401.1): (2)(a) Under circumstances not amounting to an offense listed in [Utah’s other sexual assault statutes], an actor commits sexual abuse of a minor if the actor: (i) is four years or more older than the minor; and (ii) with the intent to cause substantial emotional or bodily pain to any individual, or with the intent to arouse or gratify the sexual desire of any individual: (A) touches the anus, buttocks, pubic area, or any part of the genitals of the minor; (B) touches the</li> </ul>



<b>Crime Type (Utah Code Annotated)</b>	<b>Definitions</b>
	<p>breast of a female minor; or (C) otherwise takes indecent liberties with the minor. (b) Any touching, even if accomplished through clothing, is sufficient to constitute the relevant element of a violation of Subsection (2)(a). (For purposes of this section, a “minor” is a person who is 14 years of age or older, but younger than 16 years of age, at the time the sexual activity described in this section occurred.)</p> <ul style="list-style-type: none"> <li>• Unlawful sexual conduct with a 16- or 17-year-old (Utah Code Ann. § 76-5-401.2): (2)(a) Under circumstances not amounting to an offense listed under [Utah’s other sexual assault statutes], an actor commits unlawful sexual conduct with a minor if the actor: <ul style="list-style-type: none"> <li>(i) (A) is seven or more years older but less than 10 years older than the minor at the time of the sexual conduct; (B) engages in any conduct listed [below]; and (C) knew or reasonably should have known the age of the minor; or (ii) (A) is 10 or more years older than the minor at the time of the sexual conduct; and (B) engages in any conduct listed [below]. (As used in this section, “minor” means an individual who is 16 years of age or older, but younger than 18 years of age, at the time the sexual conduct occurred.) <ul style="list-style-type: none"> <li>○ As used above, “sexual conduct” refers to when the actor: <ul style="list-style-type: none"> <li>(i) has sexual intercourse with the minor; (ii) engages in any sexual act with the minor involving the genitals of one individual and the mouth or anus of another individual; (iii) (A) causes the penetration, however slight, of the genital or anal opening of the minor by any foreign object, substance, instrument, or device, including a part of the human body; and (B) causes the penetration with the intent to cause substantial emotional or bodily pain to any individual or with the intent to arouse or gratify the sexual desire of any individual; or (iv) with the intent to cause substantial emotional or bodily pain to any individual or with the intent to arouse or gratify the sexual desire of any individual: (A) touches the anus, buttocks, pubic area, or any part of the genitals of the minor; (B) touches the breast of a female minor; or (C) otherwise takes indecent liberties with the minor. (c) (i) Any touching, even if accomplished through clothing, is sufficient to constitute the relevant element of a violation of Subsection (2)(a). (ii) Any penetration, however slight, is sufficient to constitute the relevant element under Subsection (2)(b)(i). (iii) Any touching, however slight, is sufficient to constitute the relevant element under Subsection (2)(b)(ii).</li> </ul> </li> </ul> </li> </ul> </li> </ul>
Consent (as it relates to sexual activity) (Utah	(2) An act of sexual intercourse, rape, attempted rape, rape of a child, attempted rape of a child, object rape, attempted object rape, object rape of a child, attempted object rape of a child, sodomy, attempted sodomy,

<b>Crime Type (Utah Code Annotated)</b>	<b>Definitions</b>
Code Ann. § 76-5-406)	<p>forcible sodomy, attempted forcible sodomy, sodomy on a child, attempted sodomy on a child, forcible sexual abuse, attempted forcible sexual abuse, sexual abuse of a child, attempted sexual abuse of a child, aggravated sexual abuse of a child, attempted aggravated sexual abuse of a child, or simple sexual abuse is without consent of the victim under any of the following circumstances: (a) the victim expresses lack of consent through words or conduct; (b) the actor overcomes the victim through the actual application of physical force or violence; (c) the actor is able to overcome the victim through concealment or by the element of surprise; (d) (i) the actor coerces the victim to submit by threatening to retaliate in the immediate future against the victim or any other person, and the victim perceives at the time that the actor has the ability to execute this threat; or (ii) the actor coerces the victim to submit by threatening to retaliate in the future against the victim or any other person, and the victim believes at the time that the actor has the ability to execute this threat; (e) the actor knows the victim is unconscious, unaware that the act is occurring, or is physically unable to resist; (f) the actor knows or reasonably should know that the victim has a mental disease or defect, which renders the victim unable to: (i) appraise the nature of the act; (ii) resist the act; (iii) understand the possible consequences to the victim's health or safety; or (iv) appraise the nature of the relationship between the actor and the victim; (g) the actor knows that the victim participates because the victim erroneously believes that the actor is someone else; (h) the actor intentionally impaired the power of the victim to appraise or control his or her conduct by administering any substance without the victim's knowledge; (i) the victim is younger than 14 years of age; (j) the victim is younger than 18 years of age and at the time of the offense the actor was the victim's parent, stepparent, adoptive parent, or legal guardian or occupied a position of special trust in relation to the victim as defined in Section 76-5-404.1; (k) the victim is 14 years of age or older, but younger than 18 years of age, and the actor is more than three years older than the victim and entices or coerces the victim to submit or participate, under circumstances not amounting to the force or threat required under Subsection (2)(b) or (d); or (l) the actor is a health professional or religious counselor, the act is committed under the guise of providing professional diagnosis, counseling, or treatment, and at the time of the act the victim reasonably believed that the act was for medically or professionally appropriate diagnosis, counseling, or treatment to the extent that resistance by the victim could not reasonably be expected to have been manifested</p> <p>(3) Consent to any sexual act or prior consensual activity between or with any party does not necessarily constitute consent to any other sexual act. Consent may be initially given but may be withdrawn through words or conduct at any time prior to or during sexual activity.</p>

College Definition of Consent

In addition to the definition of consent under state law, the institution uses the following definition of consent in its Title IX and Sexual Harassment Policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

"Consent" refers to words or actions that a reasonable person in the perspective of the Respondent would understand as unambiguous permission to engage in the sexual conduct at issue. A person who is incapacitated is not capable of giving Consent. A person who is below the statutory age of consent is not capable of giving Consent. Consent must be given voluntarily. It cannot be procured through physical violence, threats, blackmail, or other unreasonable pressure for sexual activity. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Previous relationships or prior consent do not imply consent to future sexual acts. In order to give effective consent, a person must be of legal age.

### Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor "NO" clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating "rape drug" like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
- Don't make assumptions about the other person's consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
- Consider "mixed messages" a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don't take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don't be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

- It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.

### Bystander Intervention

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don’t hesitate to contact the police.

### Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

### **Ongoing Prevention and Awareness Campaign:**

The College also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

### **PPAP and OPAC Programming Methods:**

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the College. Methods include, but are not limited to: online presentations, online training programs, distribution of written materials, periodic email blasts, and guest speakers. Past programming and currently planned programming includes the following:

- Not Anymore for Non-Traditional Students: An online training program focused on the needs of non-traditional students that is offered to all students enrolled in evening, graduate, and Columbia College Global venues. The program educates students on

consent, sexual assault, stalking, domestic/dating violence, bystander intervention, sexual harassment, risk reduction, and more. Campus definitions and policies are provided as well as state-specific definitions (*used during the 2017-2022 academic years*).

- Not Anymore for Employees: An online training program created in partnership with Juliette Grimmett, MPH, of the Chrysalis Network meant to empower employees to provide effective and caring responses to students or colleagues who disclose they may have been affected by interpersonal violence. Additionally, topics such as why people perpetrate, federal requirements for campuses, the power of primary prevention, sexual harassment and sexual discrimination, how to be an active bystander, Title IX and what it means, reporting obligations, trauma-informed response, and campus policies and resources are reviewed. This is provided to all faculty and staff (*used during the 2017-2022 academic years*).
- New Employee Training – Overview of Title IX and DFSCA: Overview of Title IX and related requirements as a Responsible Employee. Additionally, information about DFSCA requirements and expectations are discussed.
- New Director Training: The Title IX Coordinator partners with the Division of Columbia College Global to provide training to all new campus directors regarding Title IX, VAWA, duties as a responsible employee, and bystander intervention strategies.
- Legal Issues in Higher Education: Presentation at the Director’s Conference regarding common legal issues faced in higher education, to include Title IX, alcohol and other drugs, and accessibility concerns.
- CHOICES & Step UP: New Student Orientation program presented by the Columbia College Prevention Coalition challenging perceptions through the use of social norms and interactive activities about alcohol usage, drug usage, and relationship norms. Additionally, bystander intervention is discussed in depth.
- Title IX Overview and Bystander Intervention Training: Training on Title IX/VAWA and bystander intervention specifically tailored for student leaders.
- Responding to Title IX Situations: Training specific to responding to possible Title IX/VAWA related situations that are brought to the attention of Residential Life staff.
- Healthy Relationships Month: Poster and social media campaign during the month of February, to include direct email with director(s) of individual campus locations.
- Sexual Assault Awareness Month: Poster and social media campaign during the month of April.
- Relationship Violence Awareness Month: Poster and social media campaign during the month of October with a focus on the red flags of interpersonal violence.
- Step Up! and Title IX: On demand video available to all employees discussing Title IX and bystander intervention.
- SafeColleges Title IX and Sexual Harassment training provided to employees and new hires through online SafeColleges module.

- SafeColleges Title IX: Roles of Employees training provided to all employees and new hires.

## **Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:**

If you are a victim of sexual assault, domestic violence, dating violence, or stalking, go to a safe place and call 911 or the Senior Director of Campus Safety at (573) 875-7315. At the earliest opportunity, you may also contact the College's Title IX Coordinator at (573) 875-7898 or via email at [titleixcoordinator@ccis.edu](mailto:titleixcoordinator@ccis.edu).

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

### *Preservation of Evidence & Forensic Examinations*

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at Medical Center, 5121 Cottonwood St., Murray, UT 84107, (801) 357-7688.

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

### *Security/Law Enforcement & How to Make a Police Report*

- N/A
- Murray Police Department, (801) 264-2673, 5025 State St., Murray, UT 84107
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as

possible, including name, address, and when and what occurred, to the best of the victim's ability.

### Information about Legal Protection Orders

In Utah, victims may obtain a Protective Order, which provides protective relief for victims of domestic violence, stalking, or sexual assault. Information about Protective Orders may be found at: <https://www.utcourts.gov/resources/forms/protectorder/information.html>.

A protection order may be obtained by filing a petition with the court. Courts can generally issue two types of orders: (1) Temporary Orders, which act as a temporary emergency order to protect a victim, and (2) General Protective Orders, which may be issued for up to two years. Additional information about the orders may be found at: <https://www.utcourts.gov/howto/proorder/>.

- A Petition for Protective Orders should be filed for in the Matheson Courthouse, Salt Lake City, UT. The address is: 450 South State Street, Salt Lake City, UT 84414. The phone number is (801) 238-7300. More information is available here: <https://www.utcourts.gov/directory/courthouse.cgi?county=18&type=3>.
- Information about obtaining a Protective Order in Utah can be found here: [http://www.utahlegalservices.org/public/legal\\_problem-en-us/domestic-violence/protective-orders/questions-answers](http://www.utahlegalservices.org/public/legal_problem-en-us/domestic-violence/protective-orders/questions-answers).
- The circuit court clerk's office can provide the necessary forms and may assist in completing the forms. Forms may also be found online at: <https://www.utcourts.gov/ocap/>. A victim should be prepared to present documentation and/or other forms of evidence when filing for an order of protection.

Victims may contact local domestic violence and sexual assault advocates for assistance in obtaining a protection order.

When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.

The institution will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the institution will take all reasonable and legal action to implement the order.

The institution does not issue legal orders of protection. However, as a matter of institutional policy, the institution may impose a no-contact order between individuals in appropriate circumstances. The institution may also issue a "no trespass warning" if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

### **Available Victim Services:**



Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the College and in the surrounding community. Those services include:

Resources available include the following:

- Title IX Coordinator - (573) 875-7898
- Employee Assistance Program - (800) 386-7055
- Student Financial Aid: If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The College's financial aid website can be found at: <https://www.ccis.edu/offices/financialaid.aspx>.
- Local City/County Health Department –(385) 468-4111
- Local Police Department – (801) 264-2673
- Local Hospital - (801) 357-7688
- National Suicide Prevention Lifeline - (800) 273-TALK
- Boys & Girls Town National Hotline - (800) 448-3000
- Rape, Abuse & Incest National Network (RAINN) Hotline - (800) 656-HOPE
- National Domestic Violence Hotline - (800) 799-SAFE
- Military Safe Helpline - (877) 995-5247
- Immigration Advocates Network - <https://www.immigrationadvocates.org>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov>
- Utah Legal Services - <http://www.utahlegalservices.org/>

### **Accommodations and Protective Measures:**

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or protective measures should be made to the Title IX Coordinator at (573) 875-7898 or via email at [titleixcoordinator@ccis.edu](mailto:titleixcoordinator@ccis.edu), and the Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the College may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The College will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the College's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the College in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the College will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

### **Procedures for Disciplinary Action:**

Allegations of domestic violence, dating violence, sexual assault or stalking will be processed through the College's Title IX and Sexual Harassment Policy and the related complaint resolution procedures. The procedures are utilized whenever or wherever a complaint is made, regardless of the status of the complainant and the respondent.

The complaint resolution procedures are invoked once a report is made to one of the following individuals:

#### **Title IX Coordinator**

Becky Fisher

Title IX and Equity Coordinator

(573) 875-7182

Email [titleixcoordinator@ccis.edu](mailto:titleixcoordinator@ccis.edu)

#### **Deputy Title IX Coordinator**

Patty Fischer

Chief Human Resources Officer

(573) 875-7255

123 Missouri Hall

Email [pafischer@ccis.edu](mailto:pafischer@ccis.edu)

An electronic form available at <https://www.ccis.edu/student-life/report-an-incident> can also be used to file a report.

Once a formal complaint is made, the Title IX Coordinator will provide notice to the parties of the investigation, including a description of the process to be utilized, the identities of the parties, the conduct at issue, and the date and location of the alleged incident.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses, including both fact and expert witnesses, and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. Prior to the conclusion of the investigation, both parties will be provided an opportunity to review the evidence gathered during the investigation that is directly related to the allegations raised in the formal complaint.

Upon completion of the investigation, both parties will be given a copy of an investigation report and a live hearing will be conducted to make a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. During the hearing, each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions including those bearing on credibility. The decision maker(s) will issue a written determination of responsibility, a statement of any disciplinary sanctions and whether any remedies will be provided to the complainant, and a description of the procedures and permissible grounds for appeal. The parties will be notified of this determination in writing within three (3) days of it being made. The institution strives to complete investigations of this nature within ninety (90) calendar days.

Both parties have an equal opportunity to appeal the determination by submitting a written appeal within seven (7) days of being notified of the outcome of the investigation to the Title IX Coordinator who will refer it to the President or designee, who will act as appeal officer. The non-appealing party will be notified of the appeal and permitted to submit a written statement in response to the appeal within seven (7) days. The President or designee will strive to resolve the appeal within twenty-one (21) days of receiving it, and may take any and all actions that he/she determines to be in the interest of a fair and just decision.

If the conduct alleged in the formal complaint falls outside the scope of the Title IX and Sexual Harassment Policy, then the Title IX Coordinator must dismiss the Title IX complaint. At that time, the Title IX Coordinator can refer the subject matter of the formal complaint to other College officials, as appropriate.

A referral may be made to the Student Conduct Officer if the subject matter is a possible violation of the Student Behavioral Misconduct Policy and Procedure. The respondent receives written notice of alleged violations from the Student Conduct Officer. An investigation is conducted into alleged conduct. The respondent and complainant are allowed to present all evidence and potential witnesses they would like considered during the investigation. At the end of the investigation, the Student Conduct Officer will make a determination and will notify respondent, in writing, of the outcome of the investigation and, if appropriate, the corresponding disciplinary action. The respondent has the right to accept the finding of fact and the recommended disciplinary action, at which time the matter is closed; or, the respondent may appeal the decision and the disciplinary action to the Dean for Student Affairs in writing within three (3) business days of the written outcome of the

investigation issued by the Student Conduct Officer. The Dean for Student Affairs will review the request for an appeal and notified respondent in writing if the appeal request will proceed. The Dean for Student Affairs or designee will adjudicate the appeal. The Dean or designee will consider all material discovered by the Student Conduct Officer and may consider any additional information the complainant or respondent would like to be considered. The Dean or designee will notify the respondent in writing of the appeal decision. The Dean or designee will strive to resolve the appeal within twenty-one (21) days of receiving it, and may take any and all actions that he/she determines to be in the interest of a fair and just decision.

A referral may be made to the appropriate College official if the subject matter is a possible violation of the Non-Discrimination and Equal Opportunity Policy and Complaint Resolution Procedures. A qualified College official will be designated an investigator to investigate the report. During the investigation, both the complainant and respondent will have the opportunity to identify witnesses and evidence. Investigations will be handled discreetly, with information shared only with those persons who need to know the information in order for there to be a full and fair investigation. The College may impose interim protective measures during the pendency of the investigation to protect and separate the parties.

The investigator will prepare a written notification that summarizes the results of the investigation. If the complaint is substantiated, the investigator will determine what remedial measures will be taken to address the misconduct, including discipline for the respondent or initiation of disciplinary proceeding pursuant to other applicable College policies. Substantiated incidents of prohibited conduct can lead to discipline up to and including dismissal and termination. The complainant or respondent may appeal the outcome under certain circumstances. Appeals must be filed with the designated Appellate Officer within ten (10) College business days of receipt of the written notice determining the outcome. The Appellate Officer will resolve the appeal within then (10) College business days of receiving it and may take any and all actions that they determine to be in the interest of a fair and just decision. The decision of the Appellate Officer is final. The College strives to resolve complaints of discrimination, harassment, or retaliation within 60 days of a report.

### **Rights of the Parties in an Institutional Proceeding:**

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
  - A prompt, fair and impartial process is one that is:
    - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
    - Conducted in a manner that:
      - Is consistent with the institution's policies and transparent to the accuser and the accused.
      - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
      - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.

- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings 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.

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Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest.

The following are some of the trainings that have been attended by College officials:

- 2020 Title IX Regulations Training - Husch Blackwell (January 2021)
  - Advanced Title IX Training – Husch Blackwell (March 2021)
  - The Ever-Evolving Status of Title IX Regulations – Spencer Fane (May 2021)
  - Title IX Training Series – Thompson Coburn (June 2021)
  - Annual Title IX and Sexual Harassment Response Training – Husch Blackwell Law Firm (July 2021)
  - Title IX Regulations: Biden Administration Update – Tueth Keeney Law Firm (August 2021)
  - Title IX Informal Resolution Training – Husch Blackwell Law Firm (August 2021)
  - Back to Campus: Back to Title IX Training – Employee Law Alliance (September 2021)
  - Annual Title IX Training for Investigators and Title IX Team Members – Husch Blackwell (February 2022)
  - Annual Title IX Training for Coordinators, Investigators and Title IX Team Members – Husch Blackwell (July 2022)
3. 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. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
4. Have the outcome determined using the preponderance of the evidence standard .

5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

### **Possible Sanctions or Protective Measures that the College May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:**

Following a final determination in the College's disciplinary proceedings that domestic violence, dating violence, sexual assault, or stalking has been committed, the College may impose a sanction. Sanctions can include other remedial measures to correct the effects of such conduct on the complainant and others to prevent the recurrence of discrimination, harassment, and/or retaliation.

The possible sanctions include written formal warning, suspension, and dismissal depending on the severity of the incident and taking into account any previous disciplinary infractions. A determination that sexual violence occurred may result in permanent dismissal or termination from the College.

If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Chief Human Resources Officer. Following a suspension, the individual will be required to meet with the Dean of Student Affairs (student) or Chief Human Resources Officer (employee) to discuss re-entry and expectations going forward.

Protective measures that could be implemented may include no-contact orders, classroom reassignment, the provision of counseling or other support services, and/or training, separating the parties in their living or working environments, and placing limitations on contact between the parties.

### **Publicly Available Recordkeeping:**

The College will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the College to the extent permitted by law.

### **Victims to Receive Written Notification of Rights:**

When a student or employee reports to the College that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the College will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

### **Sex Offender Registration Program:**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by

the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Senior Director of Campus Safety at (573) 875-7315. State registry of sex offender information may be accessed at the following link:[https://corrections.utah.gov/index.php?option=com\\_content&view=article&id=906&Itemid=191](https://corrections.utah.gov/index.php?option=com_content&view=article&id=906&Itemid=191)

## **Timely Warnings and Emergency Response**

### *Timely Warnings*

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Director - Columbia College Salt Lake City constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- Senior Director of Campus Safety, (573) 875-7315
- Director - Columbia College Salt Lake City, (801)281-6677

The College has communicated with local law enforcement asking them to notify the College if it receives reports or information warranting a timely warning.

### *Emergency Response*

The College has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. To ensure emergency information is provided in the most efficient method, Columbia College has incorporated an emergency alert system known as CC Cougar Alert. The system, specifically used to send emergency notifications of any event or situation that may present a danger to the campus community, is capable of delivering notification to the student, faculty or staff member's Columbia College email address and personal mobile phone. The system is tested frequently to ensure operational integrity.

Such situations that would warrant use of the CC Cougar Alert system include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The College has communicated with local police requesting their cooperation in informing the College about situations reported to them that may warrant an emergency response.



Students, staff and visitors are encouraged to notify the Campus Director at Campus Director of any emergency or potentially dangerous situation.

In response to a dangerous situation that may present an immediate threat to the health and safety of the campus community, campus authorities will, without delay, confirm there is a significant emergency. The Campus Director or another campus official will make the appropriate calls to verify the information is valid. Verification of the information will be completed by contacting the local authorities or the initial reporting person. If verification has not been successful, the information will be considered valid. The appropriate authorities will be requested to respond to all valid emergencies.

Once the emergency is confirmed and based on its nature, the campus director will consult with other appropriate College officials to determine the appropriate segment or segments of the College community to be notified. Notifications will be sent to the entire campus in the event of an emergency unless it is determined only a segment of the College community should receive the notification.

The Campus Director in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the CC Cougar Alert notification system (LiveSafe), 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. In the absence of the campus director, an administrative staff member under the authority of the Campus Director or other appropriate College official, may activate the system.

Depending on the segments of the campus the notification will target, the content of the notification may differ. Initial notifications are pre-set or pre-recorded in the CC Cougar Alert system (LiveSafe). When appropriate, the content of the notification will be determined in consultation with local authorities. Also, as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The Campus Director will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

Authorities may establish a designated command center to notify (if they are not already aware) and coordinate with local law enforcement, communicate with the campus community members and distribute information to the larger community through media and other means.

#### Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the College issues a timely warning or emergency notification to the campus community.

<b>Method</b>	<b>Sign-Up Instructions</b>
Campus email	Individuals are automatically enrolled

<b>Method</b>	<b>Sign-Up Instructions</b>
CC Cougar Alert Mass Notification System (LiveSafe)	Individuals are automatically enrolled - additional information is available on myPortal

### Testing & Documentation

Evaluating response and evacuation procedures is a vital element in ensuring a safe and secure environment on campus. The campus director facilitates an annual assessment of those procedures by conducting an annual scheduled test during each school year. The test includes a coordinated exercise of activities designed to increase awareness of emergency procedures and allow evaluation of performance capabilities. The primary goal is to prepare the campus community for proper reaction to an emergency and provide the Campus Director information necessary to improve any deficiencies.

Emergency response and evacuation procedures are described in the Columbia College Crisis Response Plan. Frequent “small group” tests of the CC Cougar Alert emergency notification system (LiveSafe) will be conducted by the Senior Director of Campus Safety or designated campus official to ensure operational integrity.

The Campus Director maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute to its students and employee’s information to remind them of the College’s emergency response and evacuation procedures.

### **Crime Statistics**

The statistical summary of crimes for this College over the past three calendar years follows:

<b>Crime</b>	<b>On Campus</b>			<b>Non Campus / NA</b>			<b>Public Property</b>		
	<b>2022</b>	<b>2021</b>	<b>2020</b>	<b>2022</b>	<b>2021</b>	<b>2020</b>	<b>2022</b>	<b>2021</b>	<b>2020</b>
Murder/Non-Negligent Manslaughter	0	0	0	N/A	N/A	N/A	0	0	0
Manslaughter by Negligence	0	0	0	N/A	N/A	N/A	0	0	0
Rape	0	0	0	N/A	N/A	N/A	0	0	0
Fondling	0	0	0	N/A	N/A	N/A	0	0	0
Statutory Rape	0	0	0	N/A	N/A	N/A	0	0	0
Incest	0	0	0	N/A	N/A	N/A	0	0	0
Aggravated Assault	0	0	0	N/A	N/A	N/A	0	0	0
Burglary	0	0	0	N/A	N/A	N/A	0	0	0
Robbery	0	0	0	N/A	N/A	N/A	0	0	0
Motor Vehicle Theft	0	0	0	N/A	N/A	N/A	0	0	0
Arson	0	0	0	N/A	N/A	N/A	0	0	0
Arrest - Liquor Law Violation	0	0	0	N/A	N/A	N/A	0	0	0
Arrest - Drug Abuse Violation	0	0	0	N/A	N/A	N/A	0	0	0
Arrest - Weapon Violation	0	0	0	N/A	N/A	N/A	0	0	0
Disciplinary Referral - Liquor Law Violation	0	0	0	N/A	N/A	N/A	0	0	0

Crime	On Campus			Non Campus / NA			Public Property		
	2022	2021	2020	2022	2021	2020	2022	2021	2020
Disciplinary Referral - Drug Abuse Violation	0	0	0	N/A	N/A	N/A	0	0	0
Disciplinary Referral - Weapon Violation	0	0	0	N/A	N/A	N/A	0	0	0
Domestic Violence	0	0	0	N/A	N/A	N/A	0	0	0
Dating Violence	0	0	0	N/A	N/A	N/A	0	0	0
Stalking	0	0	0	N/A	N/A	N/A	0	0	0

\* The College does not have on-campus student housing facilities.

**Hate crimes:**

2022: No hate crimes reported.  
 2021: No hate crimes reported.  
 2020: No hate crimes reported.

**Crimes unfounded by the College:**

2022: 0 unfounded crimes.  
 2021: 0 unfounded crimes.  
 2020: 0 unfounded crimes.

**Statistics for unfounded crimes provided by law enforcement agencies:**

2022: 0 unfounded crimes.  
 2021: 0 unfounded crimes.  
 2020: 0 unfounded crimes.

**Data from law enforcement agencies:**

- The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the College’s Clery Geography.