

**Ensign College**  
**Annual Campus Security Report**  
**– 2021 –**



*95 North 300 West*  
*Salt Lake City, UT 84101*

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**Table of Contents**

Resource Phone Numbers ..... 5

    Police and Church Security..... 5

    Alcohol and Drug Abuse Counseling ..... 5

    Counseling and Victim Assistance ..... 5

    Health Care ..... 5

    Other Hazards ..... 6

Annual Security Report..... 6

    Introduction to the Clery Act ..... 6

    Annual Security Report Preparation ..... 6

Collecting Crime Data and Reporting Procedures ..... 6

    Reported Crime Statistics..... 7

    Crime Log ..... 7

Crime Statistics Tables..... 8

Federal Crime Definitions..... 11

State Crime Definitions Relating to Sexual Harassment ..... 14

Reporting Emergencies and Crimes..... 16

    Church Security Department..... 16

    Salt Lake City Police Department..... 16

    EthicsPoint Compliance Hotline..... 17

    Emergency Telephone and Communication Stations ..... 17

    Campus Security Authorities (CSAs) ..... 17

    Pastoral and Professional Counselors ..... 17

Timely Warning Policy..... 18

Security of Campus Facilities ..... 19

    Student Housing..... 19

Crime Prevention and Awareness Programs..... 19

Alcohol, Tobacco, and Drugs ..... 20

Sexual Assault..... 20

    Procedures to Follow if a Sex Offense Occurs ..... 21

Sexual Harassment..... 21

General Sexual Harassment Policy Statement .....	21
General Sexual Harassment Grievance Policy Statement.....	22
Other Sex Offenses .....	22
Other Sexual Assault Information.....	23
Counseling and Student Services for Victims of Sex Offenses .....	23
Registered Sex Offenders.....	23
Emergency Response and Evacuation .....	23
Testing.....	24
Evacuation Drills .....	24
Missing Student Notification Policy and Procedure .....	24
Crimes and Other Situations .....	25
Active Shooter .....	25
Assault.....	25
Child Abuse .....	25
Domestic Violence.....	25
Pornography and Indecent Material.....	26
Suspicious Packages or Letters .....	27
Theft.....	27
Graduation Rates.....	28
Appendices.....	29
A. Sexual Harassment Policy.....	29
B. Sexual Harassment Grievance Policy.....	35
C. Legal Sanctions for Unlawful Possession or Distribution of Drugs and Alcohol .....	49
Table 1—Federal Penalties for Illegal Drug Manufacturing or Distribution—Drug Specific.....	49
Table 2—Federal Penalties for Illegal Drug Manufacturing or Distribution—All Drugs .....	51
Table 3—Federal Penalties for Illegal Possession of Drugs—All Drugs .....	52
Table 4—Utah State Penalties for Possession, Use, or Distribution of Illegal Drugs .....	53
Table 5—Utah State Penalties for Unlawful Possession, Use, or Distribution of Alcohol .....	54
Table 6—Utah State Penalties for Driving Under the Influence of Alcohol .....	55
Table 7—Health Risks of Drug and Alcohol Use.....	56
D. Drug-Free School Policy.....	61
Drug Prevention Program .....	61
Disciplinary Sanctions for Drug Violations.....	61

Available Drug Counseling and Treatment.....	62
Biennial Drug-Free School Program Review .....	63
E. Drug-Free Workplace Policy.....	64
Policy .....	64
Procedures.....	64
Drug Prevention Assistance .....	64

## Resource Phone Numbers

### Police and Church Security

All Emergency Calls .....	911
Church Security Department Emergency Line .....	(801) 240-2771
Church Security Department Non-Emergency Dispatch .....	(801) 240-2661
Highway Patrol .....	(801) 887-3800
Homeland Security (Utah Office).....	(801) 538-3400
Salt Lake City Police Non-Emergency Dispatch.....	(801) 799-3000

### Alcohol and Drug Abuse Counseling

Alcoholics Anonymous of Central Salt Lake .....	(801) 484-7871
Alcoholism Treatment Center – House of Hope.....	(801) 487-3276
Beacon Health (Employee Assistance Program) .....	(844) 280-9629

### Counseling and Victim Assistance

Child Abuse Reporting 24 Hour .....	(800) 678-9399
Church of Jesus Christ of Latter-day Saints Family Services.....	(801) 422-7620
Crime Victim Reparation.....	(801) 238-2360
Domestic Violence Information.....	(800) 897-5465
Ensign College Counseling Office.....	(801) 524-1936
Ensign College Title IX Office .....	(801) 524-8158
Family Support Center (Salt Lake County) .....	(801) 487-7778
Valley Mental Health (Emergency) .....	(801) 483-5444
Rape Recovery Center .....	(801) 467-7273
Suicide Prevention Hotline .....	(801) 483-5444
Women’s Resource Center .....	(801) 581-8030
YWCA Battered Women’s Shelter.....	(801) 537-8600

### Health Care

Alta View Hospital .....	(801) 501-2600
Intermountain Medical Center .....	(801) 507-7000
Jordan Valley Medical Center .....	(801) 561-8888
Lakeview Hospital .....	(801) 299-2200
Lone Peak Hospital.....	(801) 545-8000
LDS Hospital .....	(801) 408-1100
University Medical Center.....	(801) 581-2121
Riverton Hospital.....	(801) 285-4000
Salt Lake Regional Hospital .....	(801) 350-4111
St. Mark’s Hospital .....	(801) 268-7111

## Other Hazards

Poison Control Center.....	(800) 222-1222
Utah Road Conditions.....	(866) 511-8824

## Annual Security Report

### Introduction to the Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act—known as the Clery Act—is named for Jeanne Clery, a nineteen-year-old Lehigh University student who was raped and killed in her dorm room in 1986. The law was originally enacted in 1990 as the Crime Awareness and Campus Security Act (Title II of Public Law 101–542), which amended the Higher Education Act of 1965 (HEA). The Clery Act requires all postsecondary educational institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. Specifically, higher education institutions subject to the law must do the following:

- Collect, report, and disseminate crime data.
- Develop policy statements regarding campus safety.
- Prepare and distribute an annual security report.
- Issue timely warnings and emergency notifications to the campus community.
- Submit crime statistics to the Department of Education.

The Clery Act has been amended many times to include additional requirements. Amendments in 2013 require institutions to report incidents of domestic violence, dating violence, and stalking. The Act is intended to provide students and their families, as higher education consumers, with accurate, complete, and timely information about safety on campus so that they can make informed decisions about where to attend school.

### Annual Security Report Preparation

This document is designed to provide students and employees with information concerning personal safety and college policies and to comply with federal law. The college director of human resources prepares and publishes the report annually by compiling updated policy information and relevant crime data maintained by the Church Security Department, reported by campus security authorities, and provided by local law enforcement. For additional information, or to submit changes and corrections to this report, please contact the director of human resources, Brady Kimber, at (801) 524-8171 or email to [bkimber3@ensign.edu](mailto:bkimber3@ensign.edu).

### Collecting Crime Data and Reporting Procedures

The Clery Act requires colleges and universities to annually disclose statistics for certain reported crimes in certain areas and categorize them based on the following criteria: the person who received the crime report, the type of crime reported, the year in which the crime was reported, and the geographic location where the reported crimes occurred. For purposes of

the Clery Act, relevant geographic locations include campus, public property within or immediately adjacent to campus, and non-campus buildings or property that are owned or controlled by Ensign College (Clery Geography).

## Reported Crime Statistics

Statistics are collected from the following sources:

- Salt Lake City Police Department
- Title IX Office
- Honor Code Office
- Church Security Department
- Campus Security Authorities
- EthicsPoint compliance hotline

The crime statistics in the following tables, which are categorized using the Federal Bureau of Investigation's (FBI's) National Incident-Based Reporting System (NIBRS) definitions, contain the number of crimes *reported* for each category of criminal offenses for a three-year period. These categories include hate crimes, Violence Against Women Act (VAWA) offenses, arrests, and disciplinary referrals. Together the crimes in these four categories are referred to as Clery Act Crimes. Appendix B contains the definitions for all Clery Act Crimes.

Although the Clery Act requires institutions to use the NIBRS for defining and classifying crimes, it does not require Clery Act crime reporting to meet all NIBRS standards. The reported crime statistics may or may not reflect the number of crimes actually *committed* on campus; however, they do accurately record the number of crimes *reported* to CSAs and to local law enforcement.

## Crime Log

In addition to requiring the disclosure of crime statistics in the annual security report, the Clery Act also requires the college to record all criminal incidents and alleged criminal incidents that are reported to Church Security. To comply with this requirement, the Church Security Department maintains a daily crime log of reported incidents that includes the nature, date, time, general location, and disposition, if known, of crimes that occur within the Clery Geography. This log can be obtained by making a request to the director of human resources, Brady Kimber, at (801) 524-8171 or email to [bkimber3@ensign.edu](mailto:bkimber3@ensign.edu). Criminal activity reported to Church Security is entered in the crime log within two business days of receiving a report. To ensure the confidentiality of victims, the crime log does not include personally identifiable information.

More information about Church Security, reporting a crime, preventing crimes, criminal situations, emergencies, notifications, procedures, safety considerations, and victim resources can be found throughout this report.

The following pages contain data tables describing the reported Clery Act Crimes for Ensign College's Clery Geography for the previous three full calendar years (not the current year). Clery Act reported crime information is confidential. Crimes included in the annual security report statistics are anonymous and do not contain any personally identifiable information.

## Crime Statistics Tables

The following Crime Statistics tables fully comply with the Clery Act’s crime disclosure requirements:

<b>Criminal Offenses – On Campus</b>	Total Occurrences On Campus		
	<b>2018</b>	<b>2019</b>	<b>2020</b>
a. Murder/Non-Negligent Manslaughter	0	0	0
b. Negligent Manslaughter	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory Rape	0	0	0
g. Robbery	0	0	0
h. Aggravated Assault	0	0	0
i. Burglary	0	1	0
j. Motor Vehicle Theft	0	0	0
k. Arson	0	0	0

<b>Criminal Offenses – Public Property</b>	Total Occurrences on Public Property		
	<b>2018</b>	<b>2019</b>	<b>2020</b>
a. Murder/Non-Negligent Manslaughter	0	0	0
b. Negligent Manslaughter	0	0	0
c. Rape	1	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory Rape	0	0	0
g. Robbery	0	0	0
h. Aggravated Assault	1	0	1
i. Burglary	0	0	0
j. Motor Vehicle Theft	1	0	0
k. Arson	0	0	0

### **Criminal Offenses – Non-Campus Property**

Total Occurrences on Public Property  
**2018                      2019                      2020**

There is no data for non-campus property because Ensign College does not own or control any properties or facilities that fall under this geographic category.

<b>Hate Crimes – On Campus</b>	Total Occurrences On Campus		
	<b>2018</b>	<b>2019</b>	<b>2020</b>
a. Murder/Non-Negligent Manslaughter	0	0	0
b. Negligent Manslaughter	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0

e. Incest	0	0	0
f. Statutory Rape	0	0	0
g. Robbery	0	0	0
h. Aggravated Assault	0	0	0
i. Burglary	0	0	0
j. Motor Vehicle Theft	0	0	0
k. Arson	0	0	0
l. Simple Assault	0	0	0
m. Larceny/Theft	0	0	0
n. Intimidation	0	0	0
o. Destruction/Damage/Vandalism of Property	0	0	0

**Hate Crimes – Public Property**

Total Occurrences on Public Property

	2018	2019	2020
a. Murder/Non-Negligent Manslaughter	0	0	0
b. Negligent Manslaughter	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory Rape	0	0	0
g. Robbery	0	0	0
h. Aggravated Assault	0	0	0
i. Burglary	0	0	0
j. Motor Vehicle Theft	0	0	0
k. Arson	0	0	0
l. Simple Assault	0	0	0
m. Larceny/Theft	0	0	0
n. Intimidation	0	0	0
o. Destruction/Damage/Vandalism of Property	0	0	0

\*Hate Crime Categories: Disability [D]; Ethnicity [E]; Gender [G]; Gender Identity [GI]; National Origin [N]; Race [RA]; Religion [RE]; Sexual Orientation [S]

**Hate Crimes – Non-Campus Property**

Total Occurrences on Public Property

2018                      2019                      2020

There is no data for non-campus property because Ensign College does not own or control any properties or facilities that fall under this geographic category.

**VAWA Offenses – On Campus**

Total Occurrences On Campus

2018                      2019                      2020

a. Domestic Violence	0	0	0
b. Dating Violence	0	0	0
c. Stalking	0	1	0

**VAWA Offenses – Public Property**

Total Occurrences on Public Property

	<b>2018</b>	<b>2019</b>	<b>2020</b>
a. Domestic Violence	0	0	0
b. Dating Violence	0	0	0
c. Stalking	0	0	0

**VAWA Offenses – Non-Campus Property**

Total Occurrences on Public Property

**2018                      2019                      2020**

There is no data for non-campus property because Ensign College does not own or control any properties or facilities that fall under this geographic category.

**Arrests – On Campus**

Total Occurrences On Campus

	<b>2018</b>	<b>2019</b>	<b>2020</b>
a. Weapons; Carrying, Possessing, etc.	0	0	0
b. Drug Abuse Violations	0	0	0
c. Liquor Law Violations	0	0	0

**Arrests – Public Property**

Total Occurrences on Public Property

**2018                      2019                      2020**

	<b>2018</b>	<b>2019</b>	<b>2020</b>
a. Weapons; Carrying, Possessing, etc.	0	0	1
b. Drug Abuse Violations	1	1	2
c. Liquor Law Violations	0	0	0

**Arrests – Non-Campus Property**

Total Occurrences on Public Property

**2018                      2019                      2020**

There is no data for non-campus property because Ensign College does not own or control any properties or facilities that fall under this geographic category.

**Disciplinary Actions – On Campus**

Total Occurrences On Campus

	<b>2018</b>	<b>2019</b>	<b>2020</b>
a. Weapons; Carrying, Possessing, etc.	0	0	0
b. Drug Abuse Violations	0	0	0
c. Liquor Law Violations	0	0	0

**Disciplinary Actions – Public Property**

Total Occurrences on Public Property

**2018                      2019                      2020**

	<b>2018</b>	<b>2019</b>	<b>2020</b>
a. Weapons; Carrying, Possessing, etc.	0	0	0
b. Drug Abuse Violations	0	0	0
c. Liquor Law Violations	0	0	0

Total Occurrences on Public Property

**Disciplinary Actions – Non-Campus Property**

**2018**

**2019**

**2020**

There is no data for non-campus property because Ensign College does not own or control any properties or facilities that fall under this geographic category.

**Unfounded Crimes**

Total Occurrences of Unfounded Crimes

**2018**

**2019**

**2020**

a. Total Unfounded Crimes

| 0

| 0

| 0

**Federal Crime Definitions**

The Crime Statistics table reflects specific crimes and arrests reported to the sources identified in the Collecting Crime Reports and Statistics Procedures Section. Per the Clery Act, these crimes are classified based on the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting Handbook (UCR). For sex offenses only, the definitions are from the FBI’s National Incident-Based Reporting System (NIBRS) edition of the UCR. Hate crimes are defined according to the FBI’s Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection. Although the law states that institutions must use the UCR for defining and classifying crimes, it does not require Clery Act crime reporting to meet all UCR standards. This Crime Statistics Report may or may not reflect the actual number of crimes committed on campus; however, it does accurately represent the number of the following defined crimes reported to the aforementioned entities.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, the personal property of another, etc.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim

under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Drug Law Violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. This includes the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance, as well as any arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. Included in this classification are the following: all drugs, without exception, that are illegal under local or state law; and all illegally obtained prescription drugs.

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

**Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

**Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

**Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

**Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

**National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

**Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

**Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

**Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

**Illegal Weapons Possession:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Included in this classification are the following: the manufacture, sale, or possession of deadly weapons; carrying deadly weapons,

concealed or openly; using, manufacturing, etc., silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages—not including driving under the influence and drunkenness. The following are included in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; and drinking on a public conveyance.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. For reporting purposes, this definition includes all cases where automobiles are taken by persons not having lawful access—even if the vehicles are later abandoned (including joyriding).

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

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

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control, of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

**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.

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

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Stalking:** Engaging in a course of conduct [two or more acts such as following, monitoring, observing, surveilling, threatening, communicating or interfering] directed at a specific person that would cause a reasonable person to—(A) Fear for the person’s safety or the safety of others; or (B) Suffer substantial emotional distress.

## State Crime Definitions Relating to Sexual Harassment

Ensign’s educational programs to prevent and raise awareness about consent, dating violence, domestic violence, sexual assault, and stalking include and refer to the following state law definitions.

**Consent:** Under Utah law, sexual acts are without consent under any of the following circumstances:

- The victim expresses lack of consent through words or conduct.
- The actor overcomes the victim through physical force or violence.
- The actor overcomes the victim through concealment or by the element of surprise.
- The actor coerces the victim to submit by threatening to retaliate in the future against the victim or any other person and the victim perceives or believes at the time that the actor is able to execute the threat.
- The actor knows that the victim is unconscious, unaware that the act is occurring, or physically unable to resist.
- The actor knows or reasonably should know that the victim has a mental disease or defect that renders the victim unable to understand the nature of the act, or resist it, understand possible consequences to the victim’s health or safety, or understand the nature of the relationship between the parties.
- The actor knows that the victim submits or participates because the victim erroneously believes that the actor is the victim’s spouse.
- 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.
- The victim is younger than fourteen years of age.
- The victim is younger than eighteen 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.
- The victim is fourteen years of age or older, but younger than eighteen 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 force or threat.
- The actor is a health professional or religious counselor and 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 the act was for medically or professionally appropriate diagnosis, counseling, or treatment.

Utah Code Ann. § 76-5-406 (2018).

**Dating Violence:** Under Utah law, dating violence is any criminal offense involving violence or physical harm, or threat of violence or physical harm, when committed by a person against a dating partner. Any attempt, conspiracy, or solicitation to commit such a crime also qualifies as dating violence. Utah Code Ann. § 78B-7-402(4) (2018).

**Domestic Violence:** Under Utah law, domestic violence is any criminal offense involving violence or physical harm (or threat of violence or physical harm) when committed against a person sixteen years of age or older by a cohabitant—someone also sixteen years of age or older who is the person’s current or former spouse (in reality or by appearance), a relative of the person to the second degree (by blood or marriage), the parent of the person’s child (even an unborn child), someone who has resided at the same residence as the person, or in a consensual sexual relationship (currently or formerly) with the person. The definition of domestic violence also includes any attempt, conspiracy, or solicitation to commit a crime of violence or physical harm.

Any of the following crimes committed or attempted by a cohabitant against a cohabitant constitute the crime of domestic violence:

- Aggravated assault
- Assault
- Criminal homicide
- Harassment
- Electronic communication harassment
- Kidnapping, child kidnapping, or aggravated kidnapping
- Mayhem
- Sexual offenses
- Stalking
- Unlawful detention or unlawful detention of a minor
- Violation of a protective order or ex parte protective order
- Any offense against property
- Possession of a deadly weapon with criminal intent
- Discharge of a firearm from a vehicle, near a highway, or in the direction of any person, building, or vehicle
- Disorderly conduct (if a result of a plea agreement where domestic violence was charged)
- Child abuse
- Threatening use of a dangerous weapon
- Threatening violence
- Tampering with a witness
- Retaliation against a witness or victim
- Unlawful distribution of an intimate image
- Sexual battery
- Voyeurism
- Damage to or interruption of a communication device
- Offenses against a child or vulnerable adult (child abandonment; domestic violence in a child's presence; abuse or neglect of a child with a disability; and abuse, neglect, or exploitation of a vulnerable adult)

Utah Code Ann. §§ 77-36-1(1), (4), 78B-7-102(2) (2018).

**Sexual Assault:** Under Utah law, sexual assault is defined as any criminal conduct constituting a sexual offense (including, but not limited to, rape, object rape, sodomy, forcible sexual abuse, sexual abuse of a child, aggravated sexual assault, and other nonconsensual sexual offenses). Utah Code Ann. §§ 26-21b-102(8), 76-5-401 to -406 (2018).

**Stalking:** Under Utah law, stalking occurs when a person intentionally or knowingly engages in a course of conduct (two or more acts) that is directed at a specific person and knows or should know that the course of conduct would cause a reasonable person to fear for their own safety or the safety of a third person or to suffer emotional distress. Intentionally or knowingly violating a stalking injunction also constitutes stalking.

Acts that may constitute stalking in Utah include following, monitoring, observing, photographing, surveilling, threatening, communicating to or about a person, or interfering with a person's property. Stalking may also occur by engaging in any of the following acts or causing someone else to engage in any of these acts:

- Approaching or confronting a person
- Appearing at a person's workplace or residence, or contacting a person's employer, coworkers, or neighbors
- Entering property owned, leased, or occupied by a person

- Sending material by any means to the person
- Sending material to the person's family, household, employer, coworker, friend, or associate for the purpose of obtaining or disseminating information about or communicating with the person
- Placing an object on or delivering an object to property owned, leased, or occupied by a person, or to the person's place of employment with the intent that the object be delivered to the person
- Using a computer, the Internet, text messaging or any other electronic means to commit an act that is a part of the course of conduct

Utah Code Ann. § 76-5-106.5(1)(b), (1)(f), (2), (3) (2018).

## Reporting Emergencies and Crimes

Ensign College encourages accurate and prompt reporting of all crimes to the campus security and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report.

### Church Security Department

The College campus is patrolled twenty-four hours a day, seven days a week by officers of the Church Security Department (CSD). The College contracts with CSD to respond to all emergency situations on campus, including medical. Crimes in progress, suspicious circumstances, medical emergencies, and other campus emergencies should be reported immediately to CSD dispatch or local police dispatch. The Church Security Department is not a law enforcement agency. They do not conduct criminal investigations, nor do they have authority to make arrests. However, CSD officers have authority to conduct internal investigations on campus, and to trespass individuals who are suspected of committing a crime. A CSD officer may make a citizen's arrest under the Utah State law codified as U.C.A § 77-7-3. It is the policy of CSD to immediately contact local police whenever it is believed that a crime has been committed on campus, even when the victim of the alleged crime is unwilling or unable to report the crime.

Dispatch for CSD can be contacted at all hours of every day by dialing (801) 240-2771 from a cell phone. When using a College campus telephone, it is only necessary to dial 2-2771 to reach CSD dispatch. The dispatcher is able to deploy whatever resources the caller may require, including police and Emergency Medical Technician services. The on-call CSD officer may be contacted directly by dialing 4-1911 from any College campus telephone. The CSD campus office is located on the main floor of Triad Building 4 (main campus) in room #110.

### Salt Lake City Police Department

The Salt Lake City Police Department (SLCPD) has jurisdiction over all law enforcement related issues occurring on Ensign College property. The Church Security Department (CSD) involves SLCPD in investigating all crime on campus, including criminal law violations, sexual assault, domestic violence, underage drinking violations, controlled substances violations, weapon law violations, and medical and fire emergencies. There is no formal written agreement or memoranda of understanding between SLCPD and CSD for purposes of investigating alleged crimes on campus. Yet, CSD and SLCPD have a longstanding, close working relationship. The two agencies have always collaborated to investigate alleged crimes committed on campus by pooling resources and sharing evidence and information.

Crimes can be reported to the SLCPD on an emergency basis by dialing 911. Non-emergency crimes can be reported to SLCPD at (801) 799-3000, or by visiting their closest precinct at:

475 South 300 East  
Salt Lake City, UT 84111

### EthicsPoint Compliance Hotline

Ensign College provides an anonymous compliance hotline – EthicsPoint – for reporting non-emergency incidents on a voluntary, confidential basis either by phone or online. Reporters should explain the issue in detail, and they should return to the report, either by internet or phone, to answer questions posed by a College representative. Reporters can also return to the report to receive updates.

**Telephone:** EthicsPoint toll-free 24/7 hotline: 1-888-238-1062

**Online:** EthicsPoint website: <https://secure.ethicspoint.com/domain/media/en/gui/17652/index.html>

### Emergency Telephone and Communication Stations

There are eleven blue code emergency telephone and communication stations located in the parking areas that serve the Ensign College campus. These stations are owned and operated by Peak Alarm Company and are easily identifiable by large blue lights mounted on the stations. The stations are under 24/7 surveillance by Peak Alarm security cameras and have two-way communication capability.

Assistance may be requested at all hours of every day at any of these stations by picking up the station telephone or pressing the button on the station. The person requesting assistance can then communicate with the Peak Alarm command station, located in Triad Building 5 adjacent to the Ensign College building, either by using the phone or the overhead speakers located at the station. The security officer receiving the request can view on the camera the person who is making the request and can immediately dispatch a security officer to that location.

### Campus Security Authorities (CSAs)

Preferably, campus crimes will be reported to the Church Security Department or the Salt Lake City Police Department. However, individuals may also report criminal incidents to Campus Security Authorities, who include individuals responsible for campus security and others who have been designated due to their significant responsibility for students and/or campus activities. Specifically, the following persons may receive reports of criminal offenses:

- Dean of Students
- Director of Human Resources
- Director of Student Success
- Manager of Student Success

College policy states that whenever an alleged crime is reported to a Campus Security Authority, the information must immediately be given to a Church Security Department officer, even when the victim of the alleged crime is unwilling or unable to report the crime directly to local law enforcement or Church Security.

### Pastoral and Professional Counselors

A pastoral or ecclesiastical counselor is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the

scope of that recognition as a pastoral counselor. Ecclesiastical counselors on campus are encouraged to make individuals aware of the EthicsPoint Compliance Hotline as an alternative means of confidentially and anonymously reporting crime.

A professional counselor is a person whose official responsibilities include providing mental health counseling to members of the campus community and who is functioning within the scope of his or her license or certification. Under this definition, the College does not employ or contract with any professional counselors.

The pastoral or professional counselor exemption is intended to ensure that these individuals can provide appropriate counseling services without an obligation to report crimes they may have learned about. This is similar to the privilege provided under certain circumstances to doctors and attorneys when they may learn of crimes from patients or clients. This exemption is intended to protect the counselor-client role. However, even these legally recognized privileges acknowledge some exemptions, such as certain situations in which counselors are in fact under a legal obligation to report a crime.

To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors. An individual who is not yet licensed or certified as a counselor, but is acting in that role under the supervision of an individual who meets the definition of a pastoral or professional counselor, is considered to be one for the purposes of the Clery Act.

An individual who is counseling students and/or employees, but who does not meet the Clery definition of a pastoral or professional counselor, is not exempt from being a Campus Security Authority if they otherwise have significant responsibility for student and campus activities. This includes positions such as the Manager of Advising & Tutoring, the Manager of Counseling, or the Student Development Adviser, etc.

## Timely Warning Policy

The Ensign College Timely Warning Notice Committee consists of the Vice President of Administration, Dean of Students, and Director of Human Resources. This committee meets at the direction of the Vice President of Administration when a serious incident occurs that may pose an imminent and/or continuing threat to students and employees of the College. The Committee evaluates the possible threat, then prepares and disseminates appropriate notifications to the appropriate segments of the campus community using any or all of the following methods:

- Printed notices posted in conspicuous locations throughout the campus building
- Closed-circuit “ECTV” digital signage system
- Emergency audio system
- Email
- Broadcast text messaging
- Campus telephone announcements
- Cellular telephone announcements

The College will communicate with local police to request their cooperation in informing the College about crimes reported to them that may warrant a timely warning.

## Security of Campus Facilities

The Church's Headquarters Facilities (HQF) Department maintains College buildings and grounds with a focus on safety and security. The HQF Department regularly inspects the grounds and structures for needed repairs or hazards. They also respond twenty-four hours a day to reports of potential safety and/or security hazards. Representatives from the Salt Lake City Fire Department, the Church Security Department, and the HQF Department periodically inspect the entire campus to review lighting and environmental safety concerns.

Ensign College is an "open campus with restrictions." Most campus areas are open to the public during the day and evening hours when classes are in session. When areas of the campus have been secured for the night, for holidays, etc., only employees and authorized students with proper identification are admitted. Several areas on campus, including all exterior doors, are equipped with an electronic card-access security system.

## Student Housing

Ensign College does not own or operate any housing facilities. Therefore, by definition, all students live in off-campus housing. Many students live in privately owned off-campus rental units adjacent to the campus. The College cannot and does not guarantee or represent that owners and managers of rental units always comply with health and safety standards established by Ensign College, the County, and the State. Students bear the responsibility to choose safe and secure off-campus living arrangements. Local law enforcement agencies are responsible for policing off-campus student residences. The Church Security Department, as the agency responsible for campus security, maintains a strong working relationship with local law enforcement agencies.

## Crime Prevention and Awareness Programs

Ensign College is committed to helping visitors, students, and employees remain safe and secure while on campus. The policies and information provided herein can be a valuable resource, but good personal safety habits are essential. The College is located in downtown Salt Lake City with close proximity to Temple Square, Abravanel Hall, Energy Solutions Arena, Clark Planetarium, and The Gateway and City Creek shopping centers. The College's close proximity to entertainment and shopping centers is a great convenience. However, being in a metropolitan area also has its potential dangers. Individuals on campus should always be aware of their surroundings. Ensign College encourages students and employees to be responsible for their own security and the security of others.

***New Student Orientation:*** Representatives of the Church Security Department take part in the New Student Orientation program and help to educate students in crime prevention and response behaviors.

***New Employee Orientation:*** As part of the onboarding process new employees are given a copy of the College Emergency Action Plan. The Emergency Action Plan outlines ways to mitigate and respond to emergency situations. New employees also receive site-specific training on emergency preparedness and response at the department level.

***Crime Prevention & Personal Safety Training:*** Upon request, Church Security officers provide lectures, facilitate exercises, and conduct other types of training for either students or employees. Each year, College employees test certain aspects of the Emergency Action Plan by conducting at least two exercises facilitated by the Church Security Department and the Facilities Management Department.

**Building Security:** The campus building is secured during non-business hours by the Church Security Department. Public access doors are electronically locked and unlocked at appropriate times. The campus building and surrounding area is patrolled 24 hours per day, every day of the year by CSD officers. The internal parking structure is under camera surveillance at all hours by Peak Alarm Company. Many of the areas of the campus building, including the parking structure, are controlled by an electronic card access system.

**ECTV System:** The College maintains and operates a closed-circuit TV system consisting of large flat-screen TV monitors located at high traffic areas on each floor of the campus building. This system is known as “ECTV” and is used for disseminating information of interest to the Ensign community, including when needed, timely warning notices and other information pertinent to security issues.

## Alcohol, Tobacco, and Drugs

Ensign College encourages and sustains an academic environment that promotes the health, safety, and welfare of all College members. Thus, it is the long-standing policy of the College that employees and students completely abstain, whether on or off campus, from the use of tobacco and from the possession, use, or distribution of any illegal drug or alcohol and also abstain from the use of any controlled legal substance without specific medical authorization. In addition, possession or consumption of illegal drugs, alcoholic beverages, or tobacco on campus by anyone is contrary to College policy. Personnel or students known to be possessing, using, or distributing illegal drugs or possessing and using alcohol or tobacco are subject to College disciplinary action and, if appropriate, legal sanctions pursuant to local, state, and federal law.

Through this annual Clery Act Campus Security Report, all personnel and students are provided annually with a copy of the College’s Drug-Free School and Drug-Free Workplace Policies, included at the end of this report as Appendix D and E, respectively. Appendix C details College and legal sanctions for inappropriate drug use, as well as known health risks associated with drug use.

By providing these policies and explanation of known health risks, the College hopes to encourage elimination of all forms of substance abuse, to help those who currently may be involved to stop such use and get appropriate help, and to assist in stopping the spread of substance abuse at the college and in society as a whole.

## Sexual Assault

The Ensign College Honor Code requires all College members to respect the personal rights of others and to obey the law. Any violation of another individual's right to be free from forcible and non-forcible sex offenses constitutes a serious violation of the Honor Code that may result in termination of employment, suspension, or dismissal from the College. The following crimes, according to the definitions listed in the definitions section, are serious crimes and punishable by imprisonment: forcible sex offenses, including sexual assault, rape, forcible sodomy, sexual assault with an object, and forcible fondling; and non-forcible sex offenses, include incest and statutory rape.

Consider the following as ways of helping to stay safe:

- Be assertive and strong when dealing with those who are trying to draw you into behaviors with which you are not comfortable. Be clear and forceful in saying “NO.”

- Always attend events and activities with groups of friends and keep track of each other.
- Keep others informed as to your whereabouts and who you are with.
- Give trusted friends and roommates your cell phone number and information about where you plan to be and when you plan to return.
- Avoid those who use drugs and alcohol and avoid using drugs and alcohol yourself. Never be in a social situation when you are impaired in any way, including legitimate medications and excessive fatigue.
- Be in control of your situation at all times. If you begin feeling uncomfortable, threatened, or pressured to participate in anything against your will, do not be afraid to immediately leave or to demand your freedom. Trust your instincts and always listen to the Spirit.
- Date with other couples and only those who you know and trust. Never date those who you do not know. Avoid Internet dates.
- The National Sex Offender Registry lists offenders by name and by address. This information may be valuable when selecting living accommodations or in other ways. This is available online at [www.familywatchdog.us](http://www.familywatchdog.us).

### Procedures to Follow if a Sex Offense Occurs

Incidents of on-campus assault should be reported to the Salt Lake City Police Department and/or the Church Security Department. Off-campus incidents should be reported to appropriate local law enforcement officials. If the victim desires, Church Security officers will assist him or her in notifying the appropriate law enforcement authorities. Moreover, a victim of sexual assault has the option to decline to notify law enforcement. Prompt reporting helps the victim receive medical assistance, counseling, or other support services and allows for the collection and preservation of crucial evidence. Victims of sexual assault should do the following:

- Escape and go to a safe place as soon as possible
- Preserve all physical evidence (do not bathe, douche, brush teeth, wash hands, or change clothing)
- Use a clean jar to collect any urine
- Notify the police as soon as possible
- Ask the police to assist in getting medical attention
- Find a trusted individual to provide moral support and company
- Use the campus and community resources listed in this publication to aid in recovery

## Sexual Harassment

### General Sexual Harassment Policy Statement

Ensign College is committed to promoting and maintaining a safe and respectful environment for the campus community. The College will not tolerate sexual harassment, sexual violence, domestic violence, dating violence, or stalking (collectively “Sexual Harassment”) perpetrated by or against any College students, College employees, participants in College programs, or visitors to its campus. The Sexual Harassment Policy, in its entirety, is included at the end of this report as Appendix A.

## General Sexual Harassment Grievance Policy Statement

Ensign College has developed procedures designed to facilitate an equitable, fair, prompt, and impartial response to allegations of Sexual Harassment as articulated under the Sexual Harassment Policy. These procedures are contained in the Sexual Harassment Grievance Policy, which are included, in their entirety, at the end of this report as Appendix B.

## Other Sex Offenses

Other behaviors other than rape and sexual assault may be violations of college policy or criminal law. Exhibitionists, voyeurs (peeping toms), and persons who make obscene or harassing phone calls are in violation of the Ensign College Honor Code and of the law. Even though a physical attack may not have been carried out, promptly report all incidents to the police.

***Exhibitionism:*** The act or practice of exposing one's genitalia to another for the purpose of obtaining sexual gratification or stimulation or to shock or be offensive to another.

***Voyeurism:*** The act or practice of obtaining sexual gratification or stimulation by visual means--an example would be a window peeper.

If you encounter an incident of exhibitionism or voyeurism, do the following:

- Stay calm and exhibit no reaction.
- Contact the Church Security Department or local police immediately.
- Note the time and location of the occurrence.
- Note the physical characteristics of the offender.
- Note the direction of travel of the offender.
- Get a description of the vehicle (make, model, color, and license plate number).
- Get the names and phone numbers of other witnesses. Lock all doors and windows.

***Harassing and Obscene Phone Calls:*** Harassing and obscene phone calls are generally intended to shock or intimidate the victim or to sexually gratify the caller. Use the telephone on your terms—not the terms of the caller.

If you encounter a harassing or obscene phone call, do the following:

- Do not give out your name.
- Note the phone number displayed on your caller ID.
- State “Do not call this number again,” and quietly hang up once a caller makes obscene remarks or does not respond to your “hello.”
- Always contact police authorities for these types of calls.
- Keep logs of calls noting the date, time, content, voice characteristics, background noises, etc.
- Be wary of callers conducting surveys.
- Never give personal information to unknown callers (e.g., credit card or social security numbers, etc.)

## Other Sexual Assault Information

*Center for Changing Our Campus Culture* (<http://changingourcampus.org/about-us/not-alone/>) is a government sponsored site assisting victims of sexual assault. This information is for students, schools, and anyone interested in finding resources on how to respond to and prevent sexual assault on college and university campuses and in our schools. Click ‘explore’ to find a crisis service, learn more about your rights and how to file a complaint, and view a map of resolved school-level enforcement activities.

## Counseling and Student Services for Victims of Sex Offenses

The following are services provided by the College or by the surrounding community to facilitate recovery.

Child Abuse Reporting 24 Hour .....	(800) 678-9399
Crime Victim Reparation.....	(801) 238-2360
Domestic Violence Information.....	(800) 897-5465
Ensign College Counseling Office.....	(801) 524-1936
Family Support Center (Salt Lake County) .....	(801) 487-7778
Honor Code Office.....	(801) 524-8157
LDS Hospital .....	(801) 408-1100
Valley Mental Health (Emergency) .....	(801) 483-5444
Rape Recovery Center .....	(801) 467-7273
University Medical Center.....	(801) 581-2121
Women’s Resource Center .....	(801) 581-8030
YWCA Battered Women’s Shelter.....	(801) 537-8600

## Registered Sex Offenders

In accordance with the federal Campus Sex Crimes Prevention Act (CSCPA) and the Utah Sex Offender Registration Act, notice must be given of registered sex offenders to institutions of higher education if the offender is employed, carries on a vocation, or is a student at the institution.

Information regarding registered sex offenders residing within a specific Utah geographic location can be accessed via the Utah Department of Corrections’ website:

[http://www.communitynotification.com/cap\\_office\\_disclaimer.php?office=54438](http://www.communitynotification.com/cap_office_disclaimer.php?office=54438) (click on the tab “Search for Offenders in your area”).

## Emergency Response and Evacuation

Upon confirmation of any significant emergency or dangerous situation involving an imminent threat to the health or safety of the campus community, the following communication resources and procedures will be used.

Personnel within the Church Security Department and/or the Salt Lake City Police Department will confirm the magnitude and scope of an emergency. Upon confirming that an event warrants immediate notification of the campus community, the Timely Warning Notice Committee or the Church Security Department’s Global Security Operations Center (GSOC) will approve the activation of the Informacast emergency notification system. Without delay, unless

mitigating factors warrant a delay, alert, information, and reassurance messages will be streamed to the campus community by the Timely Warning Notice Committee through the Informacast system and the College's web page.

Evacuation and/or shelter-in-place alert directions will be given. If time allows, administrators of the following campus offices may be consulted as to the activation of the Informacast system: Church Risk Management and Security Departments, General Counsel, and College Public Relations. Should the incident or threat impact the larger community, Salt Lake City Police Department will determine whether Salt Lake City residents should be alerted.

## Testing

On a semiannual basis the mass e-mail and personal cell phone elements of the Informacast system will be tested. The test will be unannounced, and the text message sent to the campus community will read as follows: "This is a test of Ensign's emergency notification system. In the event of a real emergency the alert message will tell you what the emergency is and what to do. This message is only a TEST. No actual emergency exists." A record will be made of each test, including a description, the date and time of the test, and whether it was announced or unannounced. The College will publicize its emergency notification procedures in conjunction with the testing of the Informacast system.

## Evacuation Drills

Under the direction of the Church Security and Facilities Management departments, evacuation drills are conducted on an annual basis. A record is made for each drill that includes a description, the location, date, time, and whether the drill was announced or unannounced.

## Missing Student Notification Policy and Procedure

The following policy and procedure has been established to assist in locating students when, based upon facts and circumstances Church Security or local law enforcement has determined a student to be missing:

If you believe a student is missing, you should immediately alert one of the following:

- Church Security Officer,
- Dean of Students,
- Director of Student Development, or
- Campus Security Authority

All missing student reports will be immediately referred to Church Security. Upon determining that a student has been missing for 24 hours, Church Security will work with local law enforcement personnel to initiate emergency contact procedures in accordance with the student's emergency contact information and, if the student is under 18 years of age (and not emancipated), the student's custodial parent or legal guardian will also be contacted. Upon determining that a student is missing, Church Security will hand the investigation over to local law enforcement.

Upon determining that a student is missing, Church Security will notify the following:

- Local law enforcement,
- Director of Student Development, and
- Dean of Students

## Crimes and Other Situations

### Active Shooter

To survive an active shooter incident, one must develop a survival mindset and a course of action. A survival mindset is a protective shield with three components: awareness, preparation, and rehearsal. A course of action may include any or all of the following:

- Figure out the situation;
- Get out to a safer area if you can;
- Call out to the police;
- Hide out if you are unable to get out;
- Keep out the shooter by blocking doorways, etc.;
- Spread out (do not huddle together) and quietly develop a plan of action; and
- Take out the shooter. Assume the shooter's intentions are lethal and be prepared to do whatever it takes (survival mindset) to neutralize the threat.

### Assault

Avoid circumstances that may make you vulnerable to assault. These include jogging at night and walking near dense shrubbery where assailants might hide. You should always stay near well-lighted paths and walkways at night, carry a cell phone and a whistle to summon help, and let friends or family know where you are going and when you will return. Keep windows and doors locked, and keep drapes and blinds closed while dressing.

### Child Abuse

Utah State Law requires any person who has “reason to believe that a child has been subjected to abuse or neglect, or [observes] a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect” to immediately report the incident to the nearest peace officer, law enforcement agency, or applicable office of the state Division of Child and Family Services.

Child abuse includes, but is not limited to the following:

- The endangerment of a child's physical or mental health resulting from a non-accidental harm of a child,
- Threatened harm of a child,
- Sexual exploitation, and
- Sexual abuse.

### Domestic Violence

Domestic violence is a crime in which a person intentionally or knowingly causes or attempts to cause a cohabitant physical harm or intentionally or knowingly places a cohabitant in reasonable fear of imminent physical harm.

*Cohabitant:* An individual who is or was a spouse (or living as a spouse) of the other person, is related by blood or marriage to the other person, has one or more children in common with the other person, is the biological parent of the

other person's unborn child, or resides or has resided in the same residence as the other person (this applies to a roommate setting).

Any of the following crimes committed against a cohabitant constitute the crime of domestic violence:

- Aggravated assault;
- Assault;
- Criminal homicide;
- Harassment;
- Telephone harassment;
- Kidnapping, child kidnapping, or aggravated kidnapping;
- Mayhem;
- Sexual offenses;
- Stalking;
- Unlawful detention;
- Violation of a protective order or ex parte protective order;
- Any offense against property;
- Possession of a deadly weapon with intent to assault;
- Discharge of a firearm from a vehicle, near a highway, or in the direction of any person, building, or vehicle; and
- Child abuse.

Domestic violence is a campaign of control. Some of the more common abuser tactics include control through criticism, isolation, money, mind games, decision making, jealousy, children, blame, verbal threats, sex, physical threats, and/or physical assaults.

#### **What would it take for an abuser to change?**

The abuser would have to admit his or her history of psychological, sexual, and physical abusiveness, and to acknowledge that the behavior was a wrong choice (not a loss of control). The abuser would need to recognize the effects the abuse has had on his or her victims and show empathy. Identifying patterns of controlling behavior and attitudes and replacing them would also be important, as well as reevaluating his or her distorted image of the abused. The abuser would also need to make amends for damages, accept the consequences, and commit to not repeating the abusive behaviors.

#### **Pornography and Indecent Material**

Involvement with pornographic, erotic, obscene, indecent, or other offensive materials, expressions, or conduct that, in the sole discretion and judgment of the College, is inconsistent with the Ensign College Honor Code or with the principles of the College's sponsor, The Church of Jesus Christ of Latter-day Saints, is a serious offense. Such offenses may result in appropriate College sanctions, including termination from College employment, immediate suspension, or dismissal from the College as well as prosecution pursuant to state and federal law. Ensign College believes that an educational and living environment that is consistent with the principles of respecting individual dignity and with the moral virtues encompassed by the gospel of Jesus Christ will assist in discouraging the advent of sexual offenses on campus and within the College community.

## Suspicious Packages or Letters

Suspicious packages and letters can possibly contain an explosive device or biological agent. If you receive a suspicious package or envelope, you should not shake or empty the contents. Do not touch the package. Leave the room, close the door, or secure the area to prevent others from entering, and immediately notify local law enforcement or Church Security.

Certain characteristics can make packages and letters more suspicious. An item that deserves concern might have excessive postage, a handwritten or poorly typed address, incorrect titles, no return address, discolorations, unusual sounds, visual distractions, excessive security material or weight, lopsided or uneven envelope, or a city or state in the postmark that does not match the return address.

### **What to do with a package or envelope with a powdery substance:**

- Do not cleanup or touch the powder.
- Leave the room, close the door, or secure the area to prevent others from entering.
- Wash hands and exposed skin with soap and water to prevent spreading powder to your face.
- Immediately report the incident to the police.
- Remove contaminated clothing as soon as possible and place in a plastic bag or other container. Give it to emergency responders.
- Shower with soap and water as soon as possible.
- Make a list of people that were in the area, especially those who may have had contact with the powder.
- Immediately notify local law enforcement or Church Security.

## Theft

Theft on campus is the most frequently reported crime. As with crimes against persons, the best defense against theft is vigilance. The following suggestions may assist you in protecting your personal property:

- In a public setting, never leave personal belongings unattended even for a minute;
- Keep doors and windows locked;
- Do not keep large amounts of money in your room or on your person;
- On campus, lock your bicycle with a quality lock system in approved bicycle racks;
- Register your bicycle with local police or with Church Security;
- Do not lend your keys, credit cards, or Ensign ID card to anyone;
- Do not attach ID to your keys;
- Engrave ID numbers on personal property (do not use your Social Security number);
- Keep records of your property, including description, make, model, and serial number;
- Do not leave your laundry unattended in public laundry facilities; and
- Always lock your car and remove valuables or place them in the trunk of the car.

## Graduation Rates

Using the 2017 entering cohort (beginning freshmen who entered Ensign summer term and re-enrolled fall semester, plus those who entered fall semester, including only those beginning freshmen who registered for 12 or more credit hours during the fall of 2017, and excluding all who later left to serve a mission for The Church of Jesus Christ of Latter-Day Saints), the graduation rate within three years (2020) of all remaining students was 15% for the men and 15% for the women with a combined rate for both men and women of 30%.

## Appendices

### A. Sexual Harassment Policy

#### STATEMENT OF POLICY:

All forms of sexual harassment, including sexual assault, dating violence, domestic violence, and stalking on the basis of sex are contrary to the teachings of The Church of Jesus Christ of Latter-day Saints and the Church Educational System Honor Code. Ensign College (EC) prohibits Sexual Harassment by its personnel and students, and in all of its education programs or activities.

#### I. DEFINITIONS

Complainant means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Consent means a voluntary agreement to engage in sexual activity and is determined by all the relevant facts and circumstances. An act is without consent of a Complainant under any of the following circumstances:

- the Complainant expresses lack of consent through words or conduct
- the Respondent overcomes the Complainant through the actual application of physical force or violence
- the Respondent is able to overcome the Complainant through concealment or by the element of surprise
- the Respondent coerces the Complainant to submit by threatening to retaliate against the Complainant or any other person and the Complainant believes at the time that the Respondent has the ability to execute this threat
- the Respondent knows the Complainant is unconscious, unaware that the act is occurring, or is physically unable to resist
- the Respondent knows or reasonably should know that the Complainant has a disability that renders the Complainant unable to appraise the nature of the act, resist the act, understand the possible consequences to the Complainant's health or safety, or appraise the nature of the relationship between the Respondent and the Complainant
- the Respondent knows that the Complainant participates because the Complainant mistakenly believes that the Respondent is someone else
- the Respondent intentionally impaired the Complainant's ability to appraise or control his or her conduct by administering any substance without the Complainant's knowledge
- the Complainant is younger than 14 years of age
- the Complainant is younger than 18 years of age and at the time of the alleged act the Respondent was the Complainant's parent, stepparent, adoptive parent, or legal guardian or occupied a position of special trust (such as teacher, coach, counselor or ecclesiastical leader) in relation to the Complainant
- the Complainant is 14 years of age or older, but younger than 18 years of age, and the Respondent is more than three years older than the Complainant and entices or coerces the Complainant to submit or participate
- the Respondent 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 Complainant reasonably believed that the act was for medically or professionally appropriate diagnosis, counseling, or treatment to the extent that resistance by the Complainant could not reasonably be expected to have been manifested

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.

Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship will be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.

Domestic Violence means a violent act committed on the basis of sex 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 similarly situated to a spouse of the Complainant, or by any other person against a victim who is protected from that person's acts under state domestic or family violence laws.

Education Program or Activity means all of a school's operations, and EC's Education Program or Activity includes all locations, events, or circumstances over which the college exercised substantial control over both the Respondent and the context in which the Sexual Harassment occurred.

Locations include both on-campus locations and off-campus buildings owned or controlled by Ensign College. Off-campus locations that are not subject to substantial control by the college, such as Ensign College-contracted off-campus housing, are not within EC's Education Program or Activity. EC will consider factors such as whether the college funded, promoted, or sponsored the event or circumstance in which the alleged off-campus Sexual Harassment occurred in determining whether it occurred in EC's Education Program or Activity.

Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that EC investigate the Sexual Harassment allegation.

Respondent means an individual who is alleged to be the perpetrator of conduct that could constitute Sexual Harassment.

Responsible Employee means a college employee who is obligated to report Sexual Harassment to the Title IX Coordinator. Ensign College has designated employees in the following positions as Responsible Employees: president, vice president, assistant to the president, managing director, director, manager, dean, department chair, program chair, faculty, and all employees with roles and responsibilities pertaining to the administration of Title IX.

Sexual Assault means any sexual act directed against the Complainant without the Complainant's Consent. Sexual Assault includes fondling, incest, rape, sexual assault with an object, sodomy, and statutory rape.

Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

- an EC employee or faculty member conditions the provision of an aid, benefit, or service of Ensign College on an individual's participation in unwelcome sexual conduct
- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to EC's Education Program or Activity
- Sexual Assault, Dating Violence, Domestic Violence, or Stalking
- Stalking means engaging in a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress. Both in-person and electronic stalking are prohibited.

Supportive Measures means non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant or a Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Supportive Measures are measures designed to restore or preserve equal access to EC's Education Program or Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the college's educational environment, or deter Sexual Harassment. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, changes in work locations, deferments, increased security and monitoring of certain areas of the campus, and other similar measures.

Title IX Coordinator means the person authorized by EC to coordinate the college's efforts to comply with its responsibilities under Title IX and to institute corrective measures on behalf of the college.

## **II. REPORTING**

A Sexual Harassment report may be made by any person who believes that Sexual Harassment may have occurred that requires EC's response. The person reporting need not be the Complainant.

A Responsible Employee who receives a report of Sexual Harassment should inform the reporting individual that the employee must report the incident to the Title IX Coordinator, and the employee must then promptly make the report. A Responsible Employee who fails to report relevant information to the Title IX Coordinator may be subject to disciplinary action. A Responsible Employee who receives the information as part of a confidential communication in the context of a professional or otherwise privileged relationship (e.g., the Responsible Employee was the reporting person's physician, therapist, lawyer, ecclesiastical leader, or spouse) does not have a reporting obligation under this policy.

### **Where to Report**

To ensure that the college has the information necessary to respond appropriately to Title IX complaints, reports of Sexual Harassment must be made to the Title IX Coordinator. EC has actual knowledge of alleged Sexual Harassment only when its Title IX Coordinator receives a report. Reports may be made in person, by mail, by telephone, or by electronic mail, at the following locations:

Ensign College Title IX Office 932  
95 N 300 W  
Salt Lake City, UT 84101  
(801)524-8158  
titleix@ensign.edu

This information is also located on the Title IX Office's website. Reports may be made at any time, including during nonbusiness hours, although in-person reports may be made only during regular business hours. In addition, individuals may submit reports, including anonymous reports, through EthicsPoint, the college's 24-hour hotline provider, by telephone at 888-238-1062, or by submitting information online here.

### **Timing**

Reports of Sexual Harassment should be made to the Title IX Coordinator as soon as possible. However, Supportive Measures are available to Complainants regardless of when a report is made.

### **III. COLLEGE RESPONSE TO SEXUAL HARASSMENT**

As part of the college's response to any report of Sexual Harassment, the Title IX Coordinator will promptly contact the Complainant to discuss and provide written notice of the availability of Supportive Measures, with or without the filing of a Formal Complaint, and will discuss and provide written notice of the Formal Complaint process. The college will maintain as confidential any Supportive Measures provided to the Complainant, to the extent that maintaining such confidentiality would not impair the ability of the college to provide the Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures for the Complainant and, as appropriate, for the Respondent.

If a Complainant elects to file a Formal Complaint against a Respondent, the Title IX Coordinator will also notify the Respondent and provide the Complainant and Respondent with a written explanation of the grievance resolution processes used for institutional disciplinary actions. The college will not impose any disciplinary sanctions or other actions against a Respondent that are not Supportive Measures prior to making a determination regarding responsibility under the applicable resolution process.

The Title IX Coordinator will follow the Sexual Harassment Grievance Procedures to respond to Formal Complaints of Sexual Harassment against a person in the United States who is participating in or attempting to participate in the college's Education Program or Activity, as required by federal regulations promulgated under Title IX of the Education Amendments Act of 1972. Other Formal Complaints received by the Title IX Coordinator—such as complaints alleging Sexual Harassment in an Ensign College Education Program or Activity outside the United States, complaints of Sexual Harassment perpetrated by EC students or employees against individuals not participating or attempting to participate in EC's Education Program or Activity, or complaints that combine allegations of Sexual Harassment with allegations of other forms of discrimination or harassment may be deferred to other campus departments and process to ensure the college provides an appropriate response.

### **IV. CONFIDENTIALITY, NON-RETALIATION, AMNESTY, and LENIENCY**

EC exists to provide an educational environment consistent with the ideals and principles of the restored gospel of Jesus Christ. The Church Educational System Honor Code and its observance by the campus community are essential components of EC's mission. The college will not tolerate Sexual Harassment, and anyone found to have committed Sexual Harassment is not entitled to amnesty.

Being a victim of Sexual Harassment is never a violation of the Church Educational System Honor Code. The college strongly encourages the reporting of all incidents of Sexual Harassment to the Title IX Coordinator so that Supportive Measures can be offered to Complainants and Sexual Harassment can be prevented and addressed.

#### **Confidentiality**

The college recognizes that Complainants or witnesses of Sexual Harassment might be hesitant to report an incident to college officials if they fear the discovery of honor code violations, such as alcohol use, drug use, or consensual sexual activity outside of marriage. To help address this concern and to encourage the reporting of Sexual Harassment, the Title IX Office will not share the identity of a Complainant or witness with the Honor Code Office unless requested by such person or a person's health or safety is at risk.

Further, the college will keep confidential the identity of 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 Sexual Harassment, any Respondent, and any witness; except as required by law, as necessary to carry out this policy, or as may be permitted by the Access to Student Records Policy.

### **Non-retaliation**

EC prohibits retaliation by anyone, including any college disciplinary office. Retaliation means intimidation, a threat, coercion, or discrimination—including discipline of an individual for honor code violations that do not involve Sexual Harassment but arise out of the same facts or circumstances as a report of Sexual Harassment—for the purpose of interfering with any right or privilege secured by this policy or because the individual has made a report or complaint, testified, or assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. However, the college may discipline a Responsible Employee who fails or refuses to forward a complaint of Sexual Harassment or provide any relevant information to the Title IX Office in violation of this policy.

Any materially adverse action or course of conduct taken against a person could be the basis for a retaliation claim if the conduct would deter a reasonable person from complaining about Sexual Harassment, but normally, petty slights, minor annoyances, and simple lack of good manners will not create that deterrence and are insufficient to establish a retaliation claim.

EC students and personnel agree to be honest as part of their commitment to live by the Church Educational System Honor Code. Making a materially false statement in bad faith during a grievance proceeding is grounds for discipline. Imposing discipline, or filing reports seeking to impose discipline, for such a false statement does not constitute retaliation prohibited under this policy. However, a college determination that the Respondent was or was not responsible for Sexual Harassment, alone, is not sufficient to conclude that any party made a materially false statement in bad faith. For example, the fact that a Respondent who denies his or her responsibility for Sexual Harassment is determined to be responsible for the Sexual Harassment does not necessarily mean that the Respondent has made a materially false statement in bad faith. Likewise, a determination that a Respondent is not responsible for Sexual Harassment, as alleged by the Complainant, does not necessarily mean that the Complainant's allegation was a materially false statement made in bad faith.

Individuals who feel that they have been subjected to retaliation under this policy should report the incident to the Title IX Coordinator who will follow the Sexual Harassment Grievance Procedures to investigate and address complaints of retaliation.

### **Amnesty**

Anyone, including a Complainant, who reports an incident of Sexual Harassment will not be disciplined by the college for any related honor code violations arising out of the same facts or circumstances as the report unless a person's health or safety is at risk. Students may be entitled to additional amnesty under certain circumstances, as provided by the Utah Campus Sexual Violence Act. However, with Complainants or witnesses who have violated the honor code, the college may offer and encourage support, counseling, or education efforts to help students and benefit the campus community.

### **Leniency**

To encourage the reporting of Sexual Harassment, the college will also offer leniency to Complainants and witnesses for other honor code violations that are not related to the incident but which may be discovered as a result of the investigatory

process. Such violations will generally be handled so that the student can remain in school while appropriately addressing these concerns.

In applying these principles, the college may consider the facts and circumstances of each case, including the rights, responsibilities, and needs of each of the involved individuals.

## **V. TRAINING**

The college is committed to educating members of the campus community on Sexual Harassment prevention and response. Training on this policy will be required for all personnel. All supervisors are responsible to ensure that personnel within their areas of stewardship are properly trained on their obligations under this policy and applicable laws.

## **VI. DISCLOSING RELATIONSHIPS**

To avoid the possibility or appearance of Sexual Harassment, personnel and students should avoid dating, romantic, or amorous relationships where a power differential exists. Examples of these relationships include, but are not limited to, a professor or teaching assistant involved in a relationship with his or her student, or a supervisor involved in a relationship with a subordinate employee. If such a relationship exists and both parties want to continue the relationship, the supervisor(s) of both parties must be informed of the relationship, must document the disclosure of the relationship, and must confirm with each of the parties independently that the relationship is voluntary and not unwelcome to either party. However, as a general rule, dating, romantic, or amorous relationships should not be entered into or continued while one individual in the relationship has the power to either reward or penalize the other in work or in school.

## **APPLICABILITY**

This policy applies to all students and personnel of EC (including staff, administration, faculty, administrative and staff employees, and volunteers), and all visitors to the college (including, but not limited to, independent contractors, vendors, visiting lecturers, and visiting students) participating in or facilitating an EC program or activity.

## B. Sexual Harassment Grievance Policy

Ensign College (EC) prohibits Sexual Harassment. The following procedures describe the college's equitable, fair, prompt, and impartial response to allegations of Sexual Harassment prohibited under the Sexual Harassment Policy. These procedures apply only to reports made to the Title IX Coordinator alleging Sexual Harassment of a person in the United States who is participating in or seeking to participate in an EC Education Program or Activity.

The college will respond to allegations of Sexual Harassment by offering Supportive Measures designed to restore or preserve a Complainant's equal access to Ensign College Education Programs and Activities. The college will also follow the grievance process outlined in these procedures before imposing any disciplinary sanctions or other actions against a Respondent that are not Supportive Measures.

### I. INFORMAL REPORTS AND SUPPORTIVE MEASURES

#### Informal Reports of Sexual Harassment

An informal report of Sexual Harassment may be made to the Title IX Coordinator by any person who believes that Sexual Harassment may have occurred that requires EC's response. The person reporting need not be the individual who is alleged to be the victim of Sexual Harassment (Complainant). To ensure the college has the information necessary to respond appropriately to Title IX complaints, reports of Sexual Harassment must be made to the Title IX Coordinator. Reports, including anonymous reports, may be made at any time, including during nonbusiness hours, as provided in the Sexual Harassment Policy. An informal report of Sexual Harassment will not, however, initiate any kind of grievance process, nor will an informal report result in any disciplinary action against an individual who is alleged to be the perpetrator of Sexual Harassment (Respondent). Only a Formal Complaint filed by a Complainant or the Title IX Coordinator as outlined below will initiate a process that could result in discipline against a Respondent.

#### Supportive Measures

Upon receiving an informal report of Sexual Harassment, the Title IX Coordinator will promptly contact the Complainant identified in the report to discuss and provide written information about the availability of Supportive Measures; consider the Complainant's wishes with respect to Supportive Measures; inform the Complainant that Supportive Measures are available with or without the filing of a Formal Complaint; and explain the process for filing a Formal Complaint, including possible sanctions the college may impose after determining the Respondent's responsibility for Sexual Harassment.

Capitalized terms in these Procedures are defined in the Sexual Harassment Policy or as indicated herein

If the report includes allegations of Sexual Assault, Dating Violence, Domestic Violence, or Stalking, the Title IX Coordinator will also provide the Complainant with written information about the following:

- the importance of preserving evidence as may be necessary to prove a crime or obtain a protective order
- law enforcement options, including the Complainant's option to (a) notify local police, with the assistance of the Title IX Office if the Complainant so chooses; or (b) decline to notify law enforcement authorities
- the Complainant's rights regarding protective orders or similar orders issued by a criminal or civil court
- existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community

Supportive Measures will be offered to both the Complainant and Respondent as the Title IX Coordinator deems appropriate and as such measures are reasonably available. The college will maintain as confidential any Supportive Measures provided, to the extent that maintaining such confidentiality would not impair its ability to provide the Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

The college may remove a Respondent from its Education Program or Activity on an emergency basis if it determines that an immediate threat to the physical health or safety of any student or other individual arising from the Sexual Harassment allegations justifies immediate removal pending further investigation and disposition. In such cases, the college will conduct an individualized safety and risk analysis and will provide the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

Human Resource Services may also place an employee (non-student employee) Respondent on administrative leave during the pendency of a formal or informal grievance process under these procedures.

## **II. FORMAL COMPLAINTS OF SEXUAL HARASSMENT**

The grievance process is initiated by the Complainant filing a Formal Complaint document with the Title IX Coordinator, alleging Sexual Harassment by a Respondent and requesting that EC investigate the Sexual Harassment allegation, or by the Title IX Coordinator signing and issuing a Formal Complaint.

The Formal Complaint should clearly and concisely describe the incident(s), including the identities of the Parties involved in the incident, if known; the conduct allegedly constituting Sexual Harassment; and the date and location of each alleged incident constituting Sexual Harassment, if known.

### **Filed by Complainants**

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by mail, or by email, using the following contact information:

Ensign College Title IX Office 932  
95 N 300 W  
Salt Lake City, UT 84101  
(801)524-8158  
titleix@ensign.edu

This information is also located on the Title IX Office's website. Reports may be made at any time, including during nonbusiness hours, although in-person reports may be made only during regular business hours. In addition, individuals may submit reports, including anonymous reports, through EthicsPoint, the college's 24-hour hotline provider, by telephone at 888-238-1062, or by submitting information online here.

Unlike informal reports of Sexual Harassment, Formal Complaints may not be filed anonymously. A Complainant's Formal Complaint must contain the Complainant's physical or digital signature or otherwise indicate that the Complainant is the person filing the Formal Complaint. When filing a Formal Complaint, a Complainant must be participating in or attempting to participate in a EC Education Program or Activity.

### **Signed by Title IX Coordinator**

Generally, the college will honor a Complainant's request that the college not conduct an investigation. However, if the Complainant is unwilling to file a Formal Complaint and the Title IX Coordinator determines that a failure to investigate would prevent the college from meeting its responsibility to provide students and employees with an environment free from Sexual Harassment, the Title IX Coordinator may initiate an investigation by signing a Formal Complaint. The Title IX Coordinator will inform the Complainant prior to signing a Formal Complaint, and the college will provide the Complainant with all notices required under these procedures. But, the Complainant is not required to respond or participate in any manner. However, if the Complainant refuses to submit to cross-examination during the live hearing, the college may not rely on any statement of the Complainant in reaching a determination as to whether the Respondent is responsible for Sexual Harassment ("Determination Regarding Responsibility").

When the Title IX Coordinator initiates a grievance by signing a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a Party under these procedures and must comply with the impartiality requirements and all other standards required of individuals involved in administering this grievance process ("Grievance Administrators") under these procedures.

### **III. INVESTIGATION**

The college will conduct an investigation of the allegations in a Formal Complaint as follows:

#### **Selection of the Investigator**

Upon receiving or signing a Formal Complaint of Sexual Harassment, the Title IX Coordinator will promptly deliver the Formal Complaint to an employee or independent contractor selected by the Title IX Coordinator to investigate the allegations in the Formal Complaint ("Investigator"). The Title IX Coordinator will ensure that any individual selected as an Investigator has received training in the previous 12 months on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as provided in these procedures, and meets all other standards required of Grievance Administrators under these procedures.

#### **Notice of Allegations**

Upon receipt of a Formal Complaint, the Investigator will promptly collect the information necessary to prepare a written "Notice of Allegations" and will provide the notice to the known Parties at least five business days prior to the Respondent's initial interview. The Notice of Allegations will include the following:

- notice of the allegations potentially constituting Sexual Harassment, including the identities of the Parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of each alleged incident constituting Sexual Harassment (if known)
- notice of the college's formal and informal grievance resolution processes
- a statement that the Respondent is presumed not responsible for the alleged conduct and that the Determination Regarding Responsibility will be made only after the grievance process is complete
- notice to the Parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney
- notice to the Parties that they may inspect and review evidence
- the names of the individuals assigned to serve as the Investigator and to make the Determination Regarding Responsibility ("Decision-makers") in the formal resolution process

- notice prohibiting any Party from knowingly making false statements or knowingly submitting false information during the grievance process, and informing the Parties that providing any such false statements or information constitutes a material violation of the CES Honor Code commitment to “be honest”
- notice prohibiting any Party from engaging in retaliation (see Sexual Harassment Policy).

If, in the course of an investigation, the Investigator decides to investigate Sexual Harassment allegations about the Complainant or Respondent that are not included in the Notice of Allegations, the Investigator must provide all known Parties with a supplemental Notice of Allegations as to the additional allegations.

#### Dismissal

The college will investigate the allegations in a Formal Complaint and will dismiss the Formal Complaint with regard to any alleged conduct that

- would not constitute Sexual Harassment, even if proved;
- did not occur in an EC Education Program or Activity; or
- did not occur against a person in the United States.

Dismissal for any of the foregoing reasons precludes any subsequent Formal Complaint alleging the same factual allegations. However, a Complainant may file another Formal Complaint against the same Respondent based on new or additional factual allegations. Dismissal of a Formal Complaint does not preclude action against the Respondent under the Church Educational System Honor Code, or other college policies applicable to the conduct.

The Title IX Coordinator may dismiss the Formal Complaint or any of its allegations or may suspend an investigation if at any time during the investigation or hearing

- a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- the Respondent is no longer enrolled at or employed by EC; or
- specific circumstances prevent the Investigator from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Upon a dismissal required or permitted pursuant to this subsection, the Title IX Coordinator will promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the Parties. A determination to dismiss allegations of a Formal Complaint may be appealed as provided in these procedures. If a Formal Complaint is dismissed because the Respondent withdraws before the investigation’s completion, the college may reopen the investigation if the Respondent enrolls, reenrolls, reapplies, or applies for work at the college or any organization owned, controlled, or sponsored by The Church of Jesus Christ of Latter-day Saints. If a Formal Complaint is reopened, the Title IX Coordinator will promptly notify the Parties, and the Parties will be entitled to the same rights and responsibilities as set out in these procedures.

#### **Consolidating Complaints**

Where the Sexual Harassment allegations arise out of the same facts or circumstances, the Title IX Coordinator may consolidate Formal Complaints against more than one Respondent, by more than one Complainant against one or more Respondents, or by one Party against the other Party.

## **Information Gathering**

The Investigator will provide an equal opportunity for the Parties to identify witnesses, including fact and expert witnesses, and to provide other information, whether such information tends to show the Respondent's responsibility for Sexual Harassment or tends to show the Respondent is not responsible. The Investigator may ask the Parties to provide this information in a written statement and/or through live interview(s). The Investigator will not restrict the ability of either Party to discuss the allegations under investigation with others or to gather and present relevant information, but the Parties are reminded that such discussions may not violate any protective orders then in force and must not include intimidation, threats, coercion, or discrimination against any person for the purpose of interfering with any right or privilege secured by the Sexual Harassment Policy or these procedures.

The Investigator will presume that the Respondent is not responsible for the alleged conduct until a Determination Regarding Responsibility is made at the conclusion of the grievance process. The Investigator will seek to collect information sufficient for the Decision-makers to reach a Determination Regarding Responsibility based on the preponderance of the evidence (i.e., evidence sufficient to show that the determination is more likely than not to be true).

The Investigator will consider all relevant information—including information tending to show the Respondent's responsibility for Sexual Harassment and information tending to show the Respondent is not responsible—from the Parties or from other sources, including college records. However, the Investigator will not interview a Party's ecclesiastical leader, physician, psychiatrist, psychologist, lawyer, or other professional or paraprofessional acting or assisting in that capacity; nor will the Investigator access, consider, disclose, or otherwise use records that are made or maintained in connection with the confidential communication with or treatment by any such person, unless the Investigator obtains that Party's voluntary, written consent to do so for a grievance process under these procedures. The Investigator will not intentionally require, allow, rely on, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the Party holding such privilege has waived the privilege.

## **Investigation Record**

The Investigator will create a record ("Investigation Record") consisting of all information obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, regardless of whether the Investigator thinks the information is relevant. Prior to completing the investigative report, the Investigator will send the investigation record to each Party and the Party's advisor, if any, through a file-sharing platform that provides the Parties with read-only access and maintains the confidentiality of the transmitted data.

Each Party and advisor must maintain the confidentiality of all information shared with them during the proceedings, must use such information only for purposes of these procedures, and must not further distribute or disclose this information. The college may restrict further access to the Investigation Record and seek appropriate sanctions against a Party or an advisor who violates a confidentiality obligation under these procedures. The Investigation Record will remain available to the Parties and their advisors until a final Determination Regarding Responsibility is made at the conclusion of the grievance process.

## **Final Written Response**

After the Investigator sends the Investigation Record to the Parties, they will have 10 business days to submit a written response, which the Investigator will consider prior to completing the investigative report. Any written response and any

additional evidence provided in connection with a Party's final written response will be added to the Investigation Record.  
Investigative Report

At the conclusion of the investigation, the Investigator will create an investigative report ("Investigative Report") that

- identifies the allegations potentially constituting Sexual Harassment and the Respondent's responses to each allegation;
- describes the procedural steps taken from the receipt of the Formal Complaint through the conclusion of the investigation, including notifications to the Parties, interviews with Parties and witnesses, site visits, and methods used to gather other evidence;
- impartially summarizes the relevant evidence;
- makes any recommendations the investigator deems appropriate; and
- provides the name and contact information of the Decision-makers.

The Investigator will simultaneously send the Investigative Report to the Title IX Coordinator and to each Party and the Party's advisor, if any, and will include the Investigative Report as part of the Investigation Record.

The Investigator will, in good faith, attempt to conclude the investigation and issue an Investigative Report within 60 calendar days of receiving the Formal Complaint of Sexual Harassment. If, as a result of the complexity of a case or other good cause—including considerations such as the absence of a Party, a Party's advisor, or a witness; ongoing law enforcement activity; or the need for language assistance or accommodation of disabilities—the investigation cannot reasonably be concluded within the 60-day period, the Investigator will provide the Complainant and the Respondent with written notice of the delay and the reason for the delay or extension.

#### **IV. Hearing**

After receiving the Investigative Report, the Title IX Coordinator will schedule a live hearing and will provide written notice of the time and place of the hearing to each Party and the Party's advisor, if any. The hearing must take place at least 10 business days after the Investigative Report is delivered to the Parties and should take place within 45 calendar days after the Investigative Report is delivered unless it is delayed by unavoidable circumstances, such as the unavailability of the Parties, Decision-makers, Investigator, or key witnesses.

#### **Live Hearings**

The Decision-maker(s) will ensure that the hearing is conducted impartially. Live hearings will normally be conducted with all Parties physically present in the same room. However, at the request of either Party or the Decision-maker(s), the Title IX Coordinator will provide for the live hearing to occur with the Parties located in separate rooms with technology enabling the Decision-makers and Parties to simultaneously see and hear the Party or the witness answering questions. At the discretion of the Decision-maker(s), witnesses and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. In these circumstances, the Decision-maker(s) may impose conditions on the person appearing virtually to ensure the integrity of the process.

Any Party wishing to be physically separated from the other Party during the hearing, or any Party requesting that any witness be permitted to appear virtually at a live hearing, must submit their written request to the Title IX Coordinator at least 10 business days before the date of the hearing so the Title IX Coordinator can make the appropriate arrangements.

The Title IX Office will arrange for an audio or audiovisual recording, or transcript, of the hearing to be made and will make the recording or transcript available within the Investigation Record for the Parties' inspection and review after the hearing.

### **Decision-makers**

The hearing will be held before a Decision-maker, or panel of Decision-makers, as designated by the Title IX Coordinator. Neither the Title IX Coordinator nor the Investigator may serve as a Decision-maker. Generally, the Dean of Students will act as the Decision-maker for a student Respondent who can impose all sanctions provided under these procedures. For an employee Respondent, generally the Director of Human Resources will act as the Decision-maker to impose all sanctions provided under these procedures. The Title IX Coordinator may designate a different Decision-maker, or a panel of Decision-makers as needed. In the case of a panel designation, the following will apply:

- the Title IX Coordinator will designate a Presiding Decision-maker who may independently decide questions of relevance or other procedural questions.
- the Decision-makers must unanimously agree on all points in the written Determination Regarding Responsibility, however, the Presiding Decision-maker may independently decide questions of relevance or other procedural questions.

The Title IX Coordinator will ensure that any individual designated as a Decision-maker receives training or has received training in the previous 12 months on 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—and meets all other standards required of Grievance Administrators under these procedures.

### **Written Submissions**

After receiving the investigative report and no fewer than 10 business days before the hearing, the Parties must provide a written submission to the Decision-maker(s) that includes the following:

- the Party's written response, if any, to the Investigative Report
- the name and contact information of any witnesses the Party intends to call at the hearing and the substance of the witnesses' anticipated statements
- the name and contact information of the Party's chosen advisor for the hearing

If any Party does not identify their chosen advisor in their written submission, the Title IX Coordinator will, without fee or charge to the Party, appoint an advisor for that Party and, at least five working days prior to the hearing, provide the advisor's name and contact information to the Parties.

The Decision-maker(s) will review the Parties' written submissions and, at least five business days prior to the hearing, forward the written submissions to the other Party.

### **Opening and Closing Statements**

The Decision-maker(s) may ask the Complainant and the Respondent to make a brief statement at the opening and/or closing of the hearing. The Decision-maker(s) may limit the time for these statements but will give each Party an equal opportunity to make any statements at the hearing.

## **Investigation Record**

The Investigation Record will be available to the Decision-maker(s) and the Parties during the hearing, and each Party will be given equal opportunity to refer to information in the Investigation Record during the hearing, including for purposes of cross-examination. Physical or documentary information not included in the Investigation Record will not be admissible during the hearing unless the Presiding Decision-maker determines that the information was not reasonably available to the Party seeking its admission during the investigation.

## **Witnesses**

The Decision-maker(s) and the Parties may ask the Investigator and any witness who has provided a statement to the Investigator in the Investigation Record to answer questions at the hearing. The college will make reasonable allowance for EC students and employees to participate in a Sexual Harassment hearing, if necessary, during regular school or work hours. However, the college will not compel any Party or witness to participate in a hearing.

If a Party or witness does not attend or does not submit to cross-examination at the hearing, the Decision-maker must not rely on any statement of that Party or witness in reaching a Determination Regarding Responsibility. However, the Decision-makers cannot draw an inference about the Determination Regarding Responsibility based solely on a Party's or witness's absence from the hearing or refusal to answer cross-examination or other questions, including any inference that a Respondent's absence or refusal to answer questions implies his or her responsibility for the Sexual Harassment alleged or that a Complainant's absence or refusal to answer implies that the Respondent is not responsible for the Sexual Harassment alleged by the Complainant.

## **Direct and Cross-examination of Parties and Witnesses**

The Decision-maker(s) may ask any relevant questions of any Party or witness at the hearing, including the Investigator. The Decision-maker(s) will permit each Party's advisor to ask the Parties and any witnesses all relevant questions and follow-up questions, including questions challenging credibility. Any cross-examination at the live hearing will be conducted directly, orally, and in real time by the Party's advisor and never by a Party personally. If a Party does not have an advisor present at the live hearing, the college, without fee or charge to that Party, will provide an advisor of the college's choice to conduct cross-examination on behalf of that Party.

## **Relevance**

Only relevant questions may be asked of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Presiding Decision-maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant and may not be asked, unless 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.

## **Determination Regarding Responsibility**

The Decision-maker(s) will objectively evaluate all evidence relevant to the allegations in the Notice of Allegations—including both information tending to show the Respondent's responsibility for Sexual Harassment and information

tending to show the Respondent is not responsible—and must unanimously determine, based on the preponderance of the evidence (i.e., whether it is more likely than not), whether the Respondent is responsible for Sexual Harassment. The Decision-maker(s) will not require, allow, rely on, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived it. The Decision-maker(s) will presume that the Respondent is not responsible for the alleged conduct until a Determination Regarding Responsibility is made at the conclusion of the grievance process and will not base any credibility determinations on a person's status as a Complainant, Respondent, or witness. It is the responsibility of the Decision-maker(s) to ensure that the burden of proof is met with regard to any Determination Regarding Responsibility of Respondent.

Within 10 business days of the hearing, the Decision-maker(s) will issue a written Determination Regarding Responsibility to the Parties. The Determination Regarding Responsibility must include the following:

- identification of the allegations potentially constituting Sexual Harassment and the Respondent's responses to each allegation
- description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and hearings held
- findings of fact supporting the determination
- conclusions regarding the application of the Sexual Harassment Policy to the facts
- a statement of, and rationale for, the result as to each allegation, including
- a Determination Regarding Responsibility
- any disciplinary sanctions the college imposes on the Respondent
- whether remedies designed to restore or preserve equal access to EC's Education Program or Activity will be provided to the Complainant
- the procedures and permissible bases for the Complainant and Respondent to appeal and the date the determination becomes final

Remedies provided by the Decision-maker(s) may include Supportive Measures and any of the following disciplinary sanctions against the Respondent.

- "Possible sanctions for a student Respondent include warning, probation, suspension withheld, short-term suspension, suspension, expulsion, and a ban from campus. Any disciplinary sanction imposed on a student Respondent and the reason for the sanction may also be noted on the student's academic transcript and Honor Code file. Excluding expulsion and ban, any sanction imposed on a student Respondent should include an educational action plan prescribed and administered through the Honor Code Office. Failure to complete the terms and conditions of the educational action plan may result in placing a hold on registration, re-admission, and/or graduation. Student Respondents who receive disciplinary actions of suspension withheld, short-term suspension, and suspension will not be allowed to attend any other CES institution until the hold is removed. Likewise, in certain instances, student Respondents placed on probation may not be allowed to attend other CES institutions. If the Respondent is a student employee, possible sanctions include all sanctions applicable to students and all sanctions applicable to employees.
- Possible sanctions for an employee Respondent include verbal counseling, written warning, probation, reassignment, demotion, reduction in pay, termination of employment, and a ban from campus. Any disciplinary

sanction imposed on an employee Respondent and the reason for the sanction may also be noted on the employee's employment record.

The Title IX Coordinator is responsible for effectively implementing any remedies in conjunction with college units and management personnel authorized to implement such remedies.

The Presiding Decision-maker will promptly and simultaneously send a copy of the written Determination Regarding Responsibility to the Parties and their advisors and will provide copies to the Title IX Coordinator and the Investigator. The Determination Regarding Responsibility becomes final 31 calendar days after it is delivered to the Parties, unless an appeal is filed within 30 calendar days of the Parties receiving the written determination. If an appeal is timely filed, the Determination Regarding Responsibility becomes final on the date that the appeal decision is provided to the Parties. The Parties' access to the Investigation Record will terminate as soon as the Determination Regarding Responsibility becomes final, and any further access will be only as permitted by the Access to Student Records Policy or as required by law.

## **V. Appeal**

Either Party may appeal from a Determination Regarding Responsibility and from the dismissal of a Formal Complaint or any of its allegations.

The appealing Party must submit a written appeal to the Title IX Office within 10 business days of receiving the Determination Regarding Responsibility. The written appeal is limited to five pages, exclusive of exhibits, and must identify at least one of the following grounds as the basis for the appeal:

- A procedural irregularity affected the outcome of the matter.
- 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. This new evidence and an explanation of both why it was unavailable at the time the determination and its potential impact must be included in the appeal.
- The Title IX Coordinator, Investigator, or any Decision-maker had a conflict of interest, a bias for or against Complainants or Respondents generally, or a preexisting bias against the individual Complainant or Respondent that affected the outcome of the matter.

The Title IX Coordinator will send a copy of the written appeal to the other Party, who may file a written opposition to the appeal. The opposition must be sent to the Title IX Office within 10 business days of receiving the written appeal and is limited to five pages, exclusive of exhibits.

The Title IX Coordinator will send a copy of the opposition to the appealing Party for reference, as no further opposition or statements will be accepted.

The Title IX Coordinator will send the Determination Regarding Responsibility, written appeal, and any written opposition to a designated appeal reviewer ("Reviewer") for review and will provide the Reviewer with access to the Investigation Record. Neither the Title IX Coordinator nor any person designated as an Investigator or Decision-maker in a matter may be designated as a Reviewer of the same matter. The Reviewer will be determined as follows:

- The Reviewer of a determination involving a student Respondent, including a student employee, will generally be the vice president of student services. However, if the vice president of student services was a Decision-maker or

if a conflict of interest exists, the Title IX Coordinator will designate another member of the President's Executive Council (PEC) to act as the Reviewer.

- The Reviewer of a determination involving an employee Respondent will generally be the vice president of operations. However, if the vice president of operations was a Decision-maker or if a conflict of interest exists, the Title IX Coordinator will designate another member of the PEC to act as the Reviewer.

The Reviewer will not interview the Parties or consider any information outside the Investigation Record and the written appeal and opposition of the Parties.

Within 30 business days of receiving the appeal, the Reviewer will simultaneously provide the Parties and the Title IX Coordinator with a written Determination Regarding Responsibility upholding, reversing, or amending all or part of the original Determination Regarding Responsibility and providing the Reviewer's rationale for the result. If the Reviewer cannot reasonably consider and resolve the appeal within 30 calendar days, the Reviewer will advise the Parties as to when the appeal decision will be provided. The Reviewer's Determination Regarding Responsibility is final, and no further review will be allowed.

## **VI. Informal Resolution**

The Parties may resolve the grievance through an informal resolution process that allows the Parties to forego all or some of the formal grievance process. The goal of informal resolution is to conclude the matter to the satisfaction of the Parties quickly and confidentially and to protect the safety of all Parties and the college's educational environment.

Either Party may ask the Title IX Coordinator to facilitate an informal resolution process at any time before a Determination Regarding Responsibility becomes final; however, the Title IX Office will not offer or facilitate an informal resolution process until

- a Formal Complaint has been filed;
- all Parties have received a written Notice of Allegations; and
- all Parties have provided their voluntary, written consent to the informal resolution process.

Informal resolution may encompass a broad range of conflict resolution strategies, including but not limited to arbitration, mediation, restorative justice, or any other process acceptable to the Parties and the college.

Participation in an informal resolution process is never required as a condition of enrollment or employment or as a precondition to any Party's right to an investigation and adjudication of Sexual Harassment allegations or any other right provided as part of the formal resolution provisions set forth in these procedures. At any time prior to signing a written agreement of informal resolution, the Complainant or Respondent may withdraw from the informal resolution process and resume the Formal Complaint resolution process described in these procedures. The college will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Parties who reach an informal resolution must sign a written agreement documenting the terms and conditions for dismissing the Complainant's Formal Complaint and releasing the Parties' claims against each other and against the college based on the allegations in the Formal Complaint and Notice of Allegations. The written agreement of informal resolution must also be approved and signed by the Title IX Coordinator or by her or his designee.

The Title IX Coordinator will ensure that any person who facilitates an informal resolution process meets all standards required of Grievance Administrators under these procedures.

## **VII. GENERAL PROVISIONS Standards Required of Grievance Administrators**

Grievance Administrators—including the Title IX Coordinator, Investigators, Decision-makers, Reviewers, or any person designated to facilitate an informal resolution process—will presume the Respondent is not responsible for the alleged conduct until a Determination Regarding Responsibility is made at the conclusion of the grievance process. Grievance Administrators will strive to objectively evaluate all relevant evidence, including both information tending to show the Respondent’s responsibility for Sexual Harassment and information tending to show the Respondent is not responsible. No Grievance Administrator may participate in the grievance process if he or she has a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. Determinations regarding any person’s credibility may not be based on the person’s status as a Complainant, Respondent, or witness.

The Title IX Coordinator will ensure that all Grievance Administrators receive training on the definition of Sexual Harassment in the Sexual Harassment Policy; the scope of EC’s Education Program or Activity; how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, as applicable; and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Materials used to train Grievance Administrators must not rely on sex stereotypes and must promote impartial investigations and adjudications of Formal Complaints of Sexual Harassment.

### **Confidentiality**

Parties to the investigation of a Formal Complaint are not restricted from discussing the allegations under investigation, especially as necessary to gather and present relevant evidence. However, given the sensitive nature of Sexual Harassment allegations and the potential for damage to the Parties’ personal reputations, all participants in the grievance process, including individuals who have made a report of Sexual Harassment, Complainants, Respondents, advisors, and witnesses, are requested to keep the allegations and investigation proceedings confidential insofar as possible. Any use or dissemination of information relating to the allegations or investigation that is intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by the Sexual Harassment Policy or these procedures is prohibited retaliation.

The college will keep confidential the identity of all participants, except under the following circumstances: as required by law, as necessary to carry out the purposes of the Sexual Harassment Policy and these Sexual Harassment Grievance Procedures (including the conduct of any investigation, hearing, or judicial proceeding arising hereunder), or as permitted by the Access to Student Records Policy. Further, the Title IX Office will not share the identity of a Complainant or witness with the Honor Code Office unless requested by such a person or a person’s health or safety is at risk.

Records kept by the college relating to Sexual Harassment allegations are not publicly available, but in the event the college is required to make any records publicly available, any identifying information about the Parties will be redacted, to the extent permissible by law, to protect the Parties’ confidentiality.

### **Advisors**

An investigation under these Procedures is an internal college student or employment disciplinary matter. Nevertheless, Parties may invite an advisor of their choice to accompany them to any meeting or proceeding related to the investigation

or resolution of a Formal Complaint. The advisor may be a friend, mentor, family member, attorney, or any other person selected by the individual to provide advice and support. The college will not typically change scheduled meetings to accommodate an advisor's inability to attend. Individuals may elect to change their advisor during the investigative process and are not required to use the same advisor throughout the process.

An advisor may attend for purposes of observation but will not be permitted to represent a Party, to respond to questions posed to the Party they advise, or to otherwise participate in any meeting or proceeding that may take place under these procedures, except during live hearings as provided in these procedures. Advisors are subject to campus rules and are expected to refrain from interference with the college investigation and resolution. Advisors are not permitted to contact or ask the other Party or any witness questions other than as permitted during the live hearing.

While all Parties have the same opportunity to have an advisor present during any grievance proceeding, the college cannot guarantee equal advisory rights when it comes to advisors (e.g., if one Party selects an attorney as their advisor, but the other Party does not have or cannot afford an attorney, the college is not obligated to provide one). However, if a Party does not have an advisor present at the live hearing, the college will provide, without fee or charge to that Party, an advisor of the college's choice to conduct cross-examination of the other Party and witnesses on behalf of that Party. If the advisor provided by the college is an attorney, he or she will not have an attorney-client relationship with the Party, and their communications will not be subject to an attorney-client privilege. However, the college will treat the communications as confidential.

#### **Notice, Delivery of Documents, and Extensions of Time**

Grievance Administrators will provide any Party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the Party to prepare to participate.

Delivery of notice occurs when a Party receives documents in person, when they are sent by email to the Party's email address on file with the college, or three days after they are posted by U.S. Mail to the Party's residential address on file with the college.

A Party may ask the Title IX Coordinator or designee for an extension of any deadline imposed by these procedures. The Title IX Office will grant the extension only for good cause with written notice to the other Party of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a Party, a Party's advisor, or a witness; ongoing law enforcement activity; or the need for language assistance or accommodation of disabilities.

#### **Concurrent Investigations or Processes**

An investigation or resolution of a Formal Complaint under these procedures will not be suspended pending the conclusion of a criminal investigation or any other investigation, including another college investigation. However, the fact-finding portion of the investigation may be delayed temporarily to comply with a law enforcement request for cooperation (e.g., to allow for criminal evidence collection) when the criminal charges are based on the same allegations that are being investigated under these procedures. In addition, if the college determines the issues raised in a Formal Complaint may be relevant to its determination in another investigation or another process that is simultaneously pending at the college, the other investigation or process may be suspended until this process and any appeal are concluded.

Although the findings and conclusions of one investigation will not determine the outcome of any other, any information or findings developed in any college or non-college investigation may be shared with and considered in any other college investigation.

### **Record Keeping**

The college will maintain the following records for a period of at least seven years:

- records of any actions, including any Supportive Measures, taken in response to a report or Formal Complaint of Sexual Harassment. In each instance, the college must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its Education Program or Activity. If the college does not provide a Complainant with Supportive Measures, then the college must document the reasons why the response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the college in the future from providing additional explanations or detailing additional measures taken.
- records of any informal resolution, including any written agreement of informal resolution
- records of each Sexual Harassment investigation, including any Determination Regarding Responsibility and any audio or audiovisual recording or transcript created during the live hearing, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to EC's Education Program or Activity
- records of any appeal and the result therefrom
- all materials used to train Grievance Administrators (The college will make its training materials publicly available on the Title IX website.)

### **APPLICABILITY**

This policy applies to all students and personnel of EC (including staff, administration, faculty, administrative and staff employees, and volunteers), and all visitors to the university (including, but not limited to, independent contractors, vendors, visiting lecturers, and visiting students) participating in or facilitating an EC program or activity.

**C. Legal Sanctions for Unlawful Possession or Distribution of Drugs and Alcohol**

The following tables show sanctions for illegal possession, distribution, or consumption of drugs or alcohol.

- Table 1—Federal Penalties for Illegal Drug Manufacturing or Distribution—Drug Specific
- Table 2—Federal Penalties for Illegal Drug Manufacturing or Distribution—All Drugs
- Table 3—Federal Penalties for Illegal Possession of Drugs—All Drugs
- Table 4—Utah State Penalties for Possession, Use, or Distribution of Illegal Drugs
- Table 5—Utah State Penalties for Unlawful Possession, Use, or Distribution of Alcohol
- Table 6—Utah State Penalties for Driving Under the Influence of Alcohol

**Table 1—Federal Penalties for Illegal Drug Manufacturing or Distribution—Drug Specific<sup>1</sup>**

Below are federal penalties for the manufacture, distribution, or dispensing of *specific* illegal drugs. See 21 U.S.C. § 841.

Drug (CSA Schedule)	Quantity	Penalties		
		First Offense	Second Offense	Third+ Offense
Heroin (I & II)	100–999 gm mixture	Penalty 1	Penalty 7	Penalty 7
	1 kg+ mixture	Penalty 2	Penalty 8	Penalty 13
Cocaine (I & II)	500-4,999 gm mixture	Penalty 1	Penalty 7	Penalty 7
	5 kg+ mixture	Penalty 2	Penalty 8	Penalty 13
Cocaine Base (I & II)	28–279 gm mixture	Penalty 1	Penalty 7	Penalty 7
	280 gm+ mixture	Penalty 2	Penalty 8	Penalty 13
PCP (I & II)	10–99 gm pure or 100-999 gm mixture	Penalty 1	Penalty 7	Penalty 7
	100 gm+ pure or 1 kg+ mixture	Penalty 2	Penalty 8	Penalty 13
LSD (I & II)	1–9 gm mixture	Penalty 1	Penalty 7	Penalty 7
	10 gm+ mixture	Penalty 2	Penalty 8	Penalty 13
Fentanyl (I & II)	40–399 gm mixture	Penalty 1	Penalty 7	Penalty 7
	400 gm+ mixture	Penalty 2	Penalty 8	Penalty 13
Fentanyl Analogue (I & II)	10–99 gm mixture	Penalty 1	Penalty 7	Penalty 7
	100 gm+ mixture	Penalty 2	Penalty 8	Penalty 13
Marijuana <sup>2</sup> (I & II)	Less than 50 kg or 50-99 plants	Penalty 3	Penalty 9	Penalty 9
	100–999 kg mixture or 100–999 plants	Penalty 1	Penalty 7	Penalty 7
	1,000 kg+ mixture or 1,000+ plants	Penalty 2	Penalty 8	Penalty 13
Methamphetamine (I & II)	5–49 gm pure or 50–499 gm mixture	Penalty 1	Penalty 7	Penalty 7
	50 gm+ pure or 500 gm+ mixture	Penalty 2	Penalty 8	Penalty 13
Any Schedule I or II Controlled Substance Not Otherwise Identified (I & II)	Any amount	Penalty 4	Penalty 10	Penalty 10
Gamma Hydroxybutyric Acid (I & II)	Any amount	Penalty 4	Penalty 10	Penalty 10
Flunitrazepam (I & II)	1 gm	Penalty 4	Penalty 10	Penalty 10
Hashish (I & II)	Less than 10 kg	Penalty 3	Penalty 9	Penalty 9
Hashish Oil (I & II)	Less than 1 kg	Penalty 3	Penalty 9	Penalty 9
All Schedule III Controlled Substances (III)	Any amount	Penalty 5	Penalty 11	Penalty 11

<sup>1</sup> On the following page are descriptions for each of the above referenced penalties.

<sup>2</sup> “[D]istributing a small amount of marihuana for no remuneration shall be treated as” simple possession.

Drug (CSA Schedule)	Quantity	Penalties		
		First Offense	Second Offense	Third+ Offense
All Schedule IV Controlled Substances (IV)	Any amount	Penalty 3 (except only one year of supervised release)	Penalty 9 (except only two years of supervised release)	Penalty 9 (except only two years of supervised release)
All Schedule V Controlled Substances (V)	Any amount	Penalty 6	Penalty 12	Penalty 11

**Description of Penalties for Table 1**

**Penalty 1:** (1) Imprisoned at least 5 to 40 years, but if there is death/serious injury, then 20 years to life (no parole and supervised release for at least 4 years after any prison term); (2) fined no more than \$5 million (individual) or no more than \$25 million (not an individual); or (3) both imprisoned and fined.

**Penalty 2:** (1) Imprisoned 10 years to life, but if there is death/serious injury, then 20 years to life (no parole and supervised release for at least 5 years after any prison term); (2) fined no more than \$10 million (individual) or no more than \$50 million (not an individual); or (3) both imprisoned and fined.

**Penalty 3:** (1) Imprisoned no more than 5 years (supervised release for at least 2 years after any prison term); (2) fined no more than \$250,000 (individual) or no more than \$1 million (not an individual); or (3) both.

**Penalty 4:** (1) Imprisoned up to 20 years, but if there is death/serious injury, then 20 years to life (no parole and supervised release for at least 3 years after any prison term); (2) fined no more than \$1 million (individual) or no more than \$5 million (not an individual); or (3) both imprisoned and fined.

**Penalty 5:** (1) Imprisoned up to 10 years, but if there is death/serious injury, then up to 15 years (supervised release for at least 2 years after any prison term); (2) fined no more than \$500,000 (individual) or no more than \$2.5 million (not an individual); or (3) both imprisoned and fined.

**Penalty 6:** (1) Imprisoned up to 1 year; (2) fined is no more than \$100,000 (individual) or no more than \$250,000 (not an individual); or (3) both imprisoned and fined.

**Penalty 7:** (1) Imprisoned 10 years to life, but if there is death/serious injury, then life (no parole and supervised release for at least 8 years after any prison term); (2) fined no more than \$8 million (individual) or no more than \$50 million (not an individual); or (3) both imprisoned and fined.

**Penalty 8:** (1) Imprisoned 20 years to life, but if there is death/serious injury, then life (no parole and supervised release for at least 10 years after any prison term); (2) fined no more than \$20 million (individual) or no more than \$75 million (not an individual); or (3) both imprisoned and fined.

**Penalty 9:** (1) Imprisoned up to 10 years (supervised release for at least 4 years after any prison term); (2) fined no more than \$500,000 (individual) or no more than \$2 million (not an individual); or (3) both.

**Penalty 10:** (1) Imprisoned up to 30 years, but if there is death/serious injury, then life (no parole and supervised release for at least 6 years after any prison term); (2) fined no more than \$2 million (individual) or no more than \$10 million (not an individual); or (3) both imprisoned and fined.

**Penalty 11:** (1) Imprisoned up to 20 years, but if there is death/serious injury, then up to 30 years (supervised release for at least 4 years after any prison term); (2) fined no more than \$1 million (individual) or no more than \$5 million (not an individual); or (3) both imprisoned and fined.

**Penalty 12:** (1) Imprisoned up to 4 years (supervised release up to 1 year after any prison term); (2) fined no more than \$200,000 (individual) or no more than \$500,000 (not an individual); or (3) both.

**Penalty 13:** Imprisoned for life (no parole) and fined no more than \$20 million (individual) or no more than \$75 million (not an individual).

**Table 2—Federal Penalties for Illegal Drug Manufacturing or Distribution—All Drugs**

Below are the federal penalties for crimes related to the manufacture or distribution of any illegal drug.

Citation	Summary	First Offense	Second Offense	Third Offense
21 U.S.C. §§ 859(a)-(b), 841(b)(1)(A)	Distribution to persons under 21 years of age by someone of at least 18 years of age.	Twice the maximum penalties described in Table 1 and at least twice any authorized term of supervised release. Unless a greater minimum sentence is otherwise provided, a term of imprisonment not less than 1 year. This does not apply to offenses involving 5 gm or less of marijuana.	Three times the maximum penalties described in Table 1 and at least three times any authorized term of supervised release. Unless a greater minimum sentence is otherwise provided, a term of imprisonment not less than 1 year.	Mandatory life imprisonment without release. Fined in accordance with their previous sentence.
21 U.S.C. § 860(a)-(b)	Distribution, possession with intent to distribute, or manufacture of a controlled substance in or within one thousand feet of a school (including elementary schools and universities), playground, or public housing facility or within 100 feet of a youth center, public swimming pool, or video arcade.	Twice the maximum penalties described in Table 1 and at least twice any authorized term of supervised release. Unless a greater minimum sentence is otherwise provided, a term of imprisonment not less than 1 year. This does not apply to offenses involving 5 gm or less of marijuana.	Imprisonment not less than 3 years and not more than life or three times the maximum punishment described in Table 1. At least three times any term of supervised release described in Table 1. A fine up to three times any fine described in Table 1. Unless a greater minimum sentence is otherwise provided, a term of imprisonment not less than 3 years.	Mandatory life imprisonment without release. Fined in accordance with their previous sentence.
21 U.S.C. 860(c)	Employing or coercing children to distribute drugs near schools or playgrounds, or to assist in avoiding detection or apprehension for violating drug laws.	Imprisonment, fine, or both, up to triple those described in Table 1.	Imprisonment, fine, or both, up to triple those described in Table 1.	Imprisonment, fine, or both, up to triple those described in Table 1.
21 U.S.C. § 855	In lieu of an otherwise authorized fine, a defendant who derives profits from an offense may be fined not more than twice the gross proceeds.	N/A	N/A	N/A

Citation	Summary	First Offense	Second Offense	Third Offense
21 U.S.C. § 862(a)	Conviction for distribution of a controlled substance.	Ineligible for federal benefits for up to 5 years. <sup>3</sup>	Ineligible for federal benefits for up to 10 years. <sup>3</sup>	Permanent ineligibility for federal benefits. <sup>3</sup>

**Table 3—Federal Penalties for Illegal Possession of Drugs—All Drugs**

Below are the federal penalties for crimes related to the possession of any illegal drug.

Citation	Summary	First Offense	Second Offense	Third+ Offense
21 U.S.C. § 844(a)	Prohibits possession or purchase of a controlled substance without a prescription or registration.	Term of imprisonment no more than 1 year, minimum fine of \$1,000, or both.	Term of imprisonment no less than 15 days and no more than 2 years and a minimum fine of \$2,500.	Term of imprisonment no less than 90 days and no more than 3 years and a minimum fine of \$5,000.
21 U.S.C. § 844(a); 28 C.F.R. § 76.3(a)	An individual in possession of a controlled substance can face a civil fine of up to \$11,000 for each violation.	N/A	N/A	N/A
21 U.S.C. §§ 853(a)(1)-(2), 881(a)(7)	If the drug offense is punishable by more than 1 year of imprisonment, an individual must forfeit any real property, as well as personal property obtained as the result of a violation or used (or intended to be used) to possess or to facilitate possession of a controlled substance.	N/A	N/A	N/A
21 U.S.C. § 862(b)(1)	An individual is denied federal benefits if he/she is convicted of any federal or state offense involving the possession of a controlled substance.	Ineligibility for federal benefits for up to 1 year. <sup>4</sup> Successful completion of an approved drug treatment program, which includes periodic testing. Performance of appropriate community service. Any combination of the above is appropriate.	Same options as first offense, except ineligibility for federal benefits is up to 5 years. The court may require that the completion of the conditions listed in the first offense be required for the reinstatement of federal benefits.	Same as second offense.
21 U.S.C. § 881(a)	An individual convicted of possessing illegal drugs must forfeit vehicles, boats, aircrafts, or any other conveyance used (or intended to be used) to transport or conceal a controlled substance, as well as other property	N/A	N/A	N/A

<sup>3</sup> Denied benefits exclude federal benefits relating to long-term drug treatment programs. Ineligibility can be suspended for being successfully rehabilitated.

<sup>4</sup> Penalties can be waived if the person submits to a long-term treatment program for addiction. Ineligibility can be suspended for being successfully rehabilitated.

Citation	Summary	First Offense	Second Offense	Third+ Offense
	(books, records, research, raw materials, etc. used to violate drug laws).			
18 U.S.C. § 922(g)	An individual convicted of a crime punishable by imprisonment for more than one year, or who is an unlawful user of—or addicted to—any controlled substance is ineligible to transport, possess, or receive a firearm.	N/A	N/A	N/A

**Table 4—Utah State Penalties for Possession, Use, or Distribution of Illegal Drugs**

Below are the Utah penalties for crimes related to the possession, use, or distribution of illegal drugs. (See UTAH CODE ANN. §§ 58-37-8; 76-3-203, -204, -205, -301.)

Violation	Controlled Substance Category	Classification
Production, manufacture, or distribution of (or possession with the intent to produce, manufacture, dispense, or distribute) a controlled substance.	Schedule I or II, a controlled substance analog, or Gamma Hydroxybutyric Acid	Second-degree felony—first conviction
		First-degree felony—second or subsequent conviction
	Schedule III or IV, or marijuana	Third-degree felony—first conviction
		Second-degree felony—second or subsequent conviction
	Schedule V	Class A misdemeanor—first conviction
		Third-degree felony—second or subsequent conviction
Unlawful possession or use of a controlled substance.	Marijuana (100 lbs. or more)	Second-degree felony
	Schedule I or II, or a controlled substance analog	Class A misdemeanor—first or second conviction
		Third-degree felony—third or subsequent conviction
	Any other controlled substance	Class B misdemeanor—first or second conviction
		Class A misdemeanor—third conviction
Third-degree felony—fourth or subsequent conviction		
Possession of an altered or forged prescription or written order for a controlled substance.  For an owner, tenant, licensee, or person in control of any building: knowingly or intentionally permitting building occupants to unlawfully possess, use, or distribute controlled substances in the location.	All controlled substances	Class B misdemeanor—first conviction
		Class A misdemeanor—second conviction
		Third-degree felony—third or subsequent conviction

**Description of Penalties for Table 4**

**Class B Misdemeanor:** Imprisonment not more than 6 months; fine not to exceed \$1,000

**Class A Misdemeanor:** Imprisonment not more than 1 year; fine not to exceed \$2,500

**Third-Degree Felony:** Imprisonment not more than 5 years; fine not to exceed \$5,000

**Second-Degree Felony:** Imprisonment not less than 1 year nor more than 15 years; fine not to exceed \$10,000

**First-Degree Felony:** Imprisonment not less than 5 years and which may be up to life; fine not to exceed \$10,000

*Table 5—Utah State Penalties for Unlawful Possession, Use, or Distribution of Alcohol*

Below are some of the Utah penalties for crimes related to the unlawful possession, use, or distribution of alcohol.

Category and Violation	Classification
Possession by Minors—Possession, purchase, attempt to purchase (by themselves or soliciting another), consumption, or having measurable levels of alcohol in their body by a person less than 21 years of age. (UTAH CODE ANN. § 32B-4-409)	Class B misdemeanor
Selling to Minors—Selling, offering to sell, or giving alcoholic products to persons less than 21 years of age. (UTAH CODE ANN. § 32B-4-403)	Class A misdemeanor—if the person who furnishes the alcohol knows the recipient is a minor
	Class B misdemeanor—if the person who furnishes the alcohol negligently or recklessly fails to determine the age of the recipient
Incorrect Proof of Age for Minors—Unlawful use of proof of age to procure an alcoholic product, gain admittance to a restricted area, or obtain employment otherwise prohibited by the Alcoholic Beverage Control Act. (UTAH CODE ANN. §§ 32B-1-403(2), 32B-4-411)	Class B misdemeanor—first offense
	Class A misdemeanor—second offense
	Class A misdemeanor with additional penalties—third or subsequent offense
Consumption in Public Places—Drinking liquor in a public building, park, or stadium. (UTAH CODE ANN. § 32B-4-421)	Class C misdemeanor
Intoxication—A person is guilty of intoxication if the person is under the influence of alcohol, a controlled substance, or any substance having the property of releasing toxic vapors to a degree that the person may endanger the person or another in a public place or in a private place where the person unreasonably disturbs other persons. (UTAH CODE ANN. § 76-9-701)	Class C misdemeanor
Unlawfully Permitting Intoxication—No person shall permit anyone to become intoxicated as described above in any premises of which the person is the owner, tenant, or occupant, or in a chartered bus or limo of which the person is the owner or operator. (UTAH CODE ANN. § 32B-4-419)	Class C misdemeanor
Unlawful Sale or Supply to Intoxicated Person—A person may not sell, offer to sell, or furnish any alcoholic product to any person who is actually or apparently intoxicated or to any person who, given the circumstances, the person knows or should know is intoxicated. (UTAH CODE ANN. § 32B-4-404)	Class B misdemeanor—if committed negligently or recklessly
	Class A misdemeanor—if committed knowingly
Unlawful Purchase by an Intoxicated Person—A person may not purchase an alcoholic product if the person is intoxicated. (UTAH CODE ANN. § 32B-4-412)	Class B misdemeanor
Unlawful Transfer of Identification Card—It is unlawful for the owner of an identification card to transfer or loan the card to any other person in order to help that person (1) procure alcoholic products, (2) gain admittance to a place where alcohol is consumed or sold, or (3) obtain any employment that requires the employee to handle alcoholic products. (UTAH CODE ANN. § 32B-1-403(1))	Class B misdemeanor

**Description of Penalties for Table 5**

**Penalty for Class C Misdemeanor:** Imprisonment not more than 90 days; fine not exceeding \$750

**Penalty for Class B Misdemeanor:** Imprisonment not more than 6 months; fine not to exceed \$1,000

**Penalty for Class A Misdemeanor:** Imprisonment not more than 1 year; fine not to exceed \$2,500

**Penalty for Class A Misdemeanor with Additional Penalties:** Imprisonment not more than 1 year; fine not to exceed \$5,000. The court may also impose substance abuse treatment, an educational series, community service, fees for restitution and treatment costs, defensive driver education courses, or a combination of these penalties.

***Table 6—Utah State Penalties for Driving Under the Influence of Alcohol***

Below are some of the Utah penalties for crimes related to driving under the influence of alcohol.

Category and Violation	Classification
No Drinking in Vehicle—A person may not drink any alcoholic beverage while in a motor vehicle, whether that vehicle is moving, stopped, or parked, on any highway or waters of the state. (Utah Code Ann. § 41-6a-526(2))	Class C misdemeanor
No Open Containers—A person may not keep, carry, transport, or possess in the passenger compartment of a vehicle any container of an alcoholic beverage that has been opened, has its seal broken, or has its contents partially consumed when the vehicle is on any highway <sup>5</sup> or waters of the state. (Utah Code Ann. § 41-6a-526(3))	Class C misdemeanor
DUI—It is unlawful for any person to operate or be in actual physical control of a vehicle within this state if the person’s blood or breath alcohol level is above a concentration of 0.08gm or greater, or if a person is under the influence of alcohol and/or other drugs to a degree which renders the person incapable of safely operating a vehicle. (Utah Code Ann. § 41-6a-502, -503)	Class B misdemeanor—first or second offense
	Third-degree felony—third or subsequent offense
Negligent DUI with Injury—The penalties for a DUI are stricter when bodily injury is inflicted upon another person. (Utah Code Ann. §§ 41-6a-502, -503)	Class B misdemeanor—first or second offense
	Class A misdemeanor—first or second offense and if the person (1) has inflicted bodily injury upon another as a result of operating the vehicle negligently, (2) had a passenger under 16 years of age in the vehicle at the time of the offense, or (3) was 21 years of age or older and had a passenger under the age of 18 at the time of the offense
	Third-degree felony—third or subsequent offense
Automobile Homicide—Automobile homicide occurs when a person operates a motor vehicle in a negligent manner, causing the death of another and either has a blood or breath alcohol concentration of 0.08 gm or is under the influence of alcohol and/or any drug that renders a person incapable of safely operating a vehicle. (Utah Code Ann. § 76-5-207)	Third-degree felony
	Second-degree felony—if subsequent to a previous DUI conviction or if the behavior is found to be “criminally negligent”

**Description of Penalties for Table 6**

**Class C Misdemeanor:** Imprisonment not more than 90 days; fine not to exceed \$750

**Class B Misdemeanor:** Imprisonment not more than 6 months; fine not to exceed \$1,000

<sup>5</sup> “Highway” means any public place authorized for vehicular traffic. (UTAH CODE ANN. § 41-6a-102)

**Class A Misdemeanor:** Imprisonment not more than 1 year; fine not to exceed \$2,500

**Third-Degree Felony:** Imprisonment not more than 5 years; fine not to exceed \$5,000

**Table 7—Health Risks of Drug and Alcohol Use**

All information, unless otherwise noted, is derived from the National Institute on Drug Abuse’s Commonly Abused Drugs charts. Click [here](#) to view detailed information.

Substance Name (Drug Type)	Commercial and Street Names	DEA Schedule	Acute Effects and Health Risks
Alcohol	N/A	N/A	Mood changes, inability to think clearly, lack of coordination, cardiomyopathy, arrhythmias, stroke, high blood pressure, steatosis, alcoholic hepatitis, fibrosis, cirrhosis, pancreatitis, several types of cancer, and weakened immune system
Anabolic Steroids	Nandrolone, Oxandrolone, Oxymetholone, Stanozolol, Testosterone Cypionate, Juice, Gym Candy, Pumpers, Roids	III	Short-term: acne, fluid retention, oily skin, yellowing of the skin and whites of the eyes, infection at the injection site Long-term: kidney damage or failure; liver damage; high blood pressure, enlarged heart, or changes in cholesterol, leading to increased risk of stroke or heart attack, even in young people; aggression; extreme mood swings; anger; extreme irritability; delusions; impaired judgment; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
Ayahuasca (Hallucinogen, Dissociative Drug)	Aya, Yagé, Hoasca	I	Short-term: strong hallucinations, including perceptions of otherworldly imagery and altered visual and auditory perceptions; increased blood pressure; vomiting Long-term: unknown
Barbiturates (Prescriptive Sedative)	Pentobarbital, Barbs, Phennies, Red Birds, Reds, Tooies, Yellow Jackets, Yellows	II, III, IV	Short-term: drowsiness, slurred speech, poor concentration, confusion, dizziness, problems with movement and memory, lowered blood pressure, slowed breathing Long-term: unknown; HIV, hepatitis, and other infectious diseases from shared needles
Bath Salts (Synthetic Cathinone)	Bloom, Cloud Nine, Cosmic Blast, Flakka, Ivory Wave, Lunar Wave, Scarface, Vanilla Sky, White Lightning	I	Short-term: increased heart rate and blood pressure; euphoria; increased sociability and sex drive; paranoia, agitation, and hallucinations; psychotic and violent behavior; sweating; nausea, vomiting; insomnia; irritability; dizziness; depression; suicidal thoughts; panic attacks; reduced motor control; cloudy thinking Long-term: death; HIV and hepatitis from shared needles
Benzodiazepines (Prescriptive Sedatives)	Alprazolam, Chlorodiazepoxide, Diazepam, Lorazepam, triazolam, Candy, Downers, Sleeping Pills, Tranks	IV	Short-term: drowsiness, slurred speech, poor concentration, confusion, dizziness, problems with movement and memory, lowered blood pressure, slowed breathing Long-term: unknown; HIV, hepatitis, and other infectious diseases from shared needles
Cocaine (Stimulant)	Blow, Bump, C, Candy, Charlie, Coke, Crack, Flake, Rock, Snow, Toot	II	Short-term: narrowed blood vessels; enlarged pupils; increased body temperature, heart rate, and blood pressure; headache; abdominal pain and nausea; euphoria; increased energy and alertness; insomnia and restlessness; anxiety; erratic and violent behavior, panic attacks, paranoia, and psychosis; heart rhythm problems and heart attack; stroke, seizure, and coma Long-term: loss of sense of smell, nosebleeds, nasal damage, and trouble swallowing from snorting; infection and death of bowel tissue from decreased blood flow; poor nutrition and weight loss from decreased appetite; lung damage from smoking; HIV and hepatitis from shared needles

Substance Name (Drug Type)	Commercial and Street Names	DEA Schedule	Acute Effects and Health Risks
Codeine (Prescription Opioid)	Captain Cody, Cody, Lean, Schoolboy, Sizzurp, Purple Drank, Doors and Fours (with glutethimide), Loads, Pancakes and Syrup	II, III, V	Short-term: pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death Long-term: increased risk of overdose or addiction if misused; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
DMT (Hallucinogen, Dissociative Drug)	Dimitri	I	Short-term: intense visual hallucinations, depersonalization, auditory distortions, an altered perception of time and body image, hypertension, increased heart rate, agitation, seizures, dilated pupils Long-term: unknown
DXM (Over-the-Counter Cough/Cold Medicine)	Robotripping, Robo, Triple C	N/A	Short-term: euphoria; slurred speech; increased heart rate, blood pressure; dizziness; nausea; vomiting; Long-term: unknown
Fentanyl (Prescription Opioid)	Apache, China Girl, China White, Dance Fever, Friend, Goodfella, Jackpot, Murder 8, Tango and Cash, TNT	II	Short-term: pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death Long-term: increased risk of overdose or addiction if misused; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
Flunitrazepam (Prescription Sedative, Club Drug)	Rohypnol, Circles, Date Rape Drug, Forget Pill, Forget-Me Pill, La Rocha, Lunch Money, Mexican Valium, Mind Eraser, Pingus, R2, Reynolds, Rib, Roach, Roach 2, Roaches, Roachies, Roopies, Roachas Dos, Roofies, Rope, Rophies, Row-Shay, Ruffies, Trip-and-Fall, Wolfies	IV	Short-term: drowsiness, sedation, sleep; amnesia, blackout; decreased anxiety; muscle relaxation, impaired reaction time and motor coordination; impaired mental functioning and judgment; confusion; aggression; excitability; slurred speech; headache; slowed breathing and heart rate Long-term: unknown
GHB (Depressant)	G, Georgia Home Boy, Goop, Grievous Bodily Harm, Liquid Ecstasy, Liquid X, Soap, Scoop	I	Short-term: euphoria, drowsiness, confusion, memory loss, nausea, vomiting, unconsciousness, seizures, slowed heart rate and breathing, lower body temperature, coma, death Long-term: unknown
Heroin	Brown Sugar, China White, Dope, H, Horse, Junk, Skag, Skunk, Smack, White Horse, Cheese (with cold medicine and antihistamine)	I	Short-term: euphoria; dry mouth; analgesia; itching; nausea, vomiting, slowed breathing and heart rate Long-term: collapsed veins; abscesses; infection of the lining and valves in the heart; constipation and stomach cramps; liver or kidney disease; pneumonia; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
Hydrocodone or Dihydrocodeinone (Prescription Opioid)	Vike, Watson-387	II	Short-term: pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death Long-term: increased risk of overdose or addiction if misused; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
Hydromorphone (Prescription Opioid)	D, Dillies, Footballs, Juice, Smack	II	Short-term: pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death Long-term: increased risk of overdose or addiction if misused; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
Ketamine (Hallucinogen, Dissociative Drug)	Cat Valium, K, Special K, Vitamin K	III	Short-term: problems with attention, learning, and memory; dreamlike states, hallucinations; sedation; confusion; loss of memory; raised blood pressure; unconsciousness; slowed breathing that can lead to death Long-term: ulcers and pain in bladder; kidney problems; stomach pain; depression; poor memory; risk of HIV and hepatitis from shared needles

Substance Name (Drug Type)	Commercial and Street Names	DEA Schedule	Acute Effects and Health Risks
Khat (Stimulant)	Abyssinian Tea, African Salad, Catha, Chat, Kat, Oat	I	Short-term: euphoria, increased alertness and arousal, increased blood pressure and heart rate, depression, paranoia, headaches, loss of appetite, insomnia, fine tremors, loss of short-term memory. Long-term: gastrointestinal disorders such as constipation, ulcers, stomach inflammation, and increased risk of upper gastrointestinal tumors; cardiovascular disorders such as irregular heartbeat, decreased blood flow, and heart attack
Kratom (Hallucinogen, Stimulant)	Herbal Speedball, Biak-biak, Ketum, Kahuam, Ithang, Thom	N/A	Short-term: nausea, dizziness, itching, sweating, dry mouth, constipation, increased urination, loss of appetite Long-term: anorexia, weight loss, insomnia, skin darkening, dry mouth, frequent urination, constipation, hallucination with long-term high doses Lower dosages may result in additional symptoms
LSD (Hallucinogen)	Acid, Blotter, Blue Heaven, Cubes, Microdot, Yellow Sunshine	I	Short-term: rapid emotional swings; distortion of a person's ability to recognize reality, think rationally, or communicate with others; raised blood pressure, heart rate, body temperature; dizziness; loss of appetite; tremors; enlarged pupils Long-term: frightening flashbacks; ongoing visual disturbances, disorganized thinking, paranoia, and mood swings
Marijuana (Cannabis)	Marijuana: Blunt, Bud, Dope, Ganja, Grass, Green, Herb, Joint, Mary Jane, Pot, Reefer, Sinsemilla, Skunk, Smoke, Trees, Weed Hashish: Boom, Gangster, Hash, Hemp	I	Short-term: enhanced sensory perception and euphoria followed by drowsiness/relaxation; slowed reaction time; problems with balance and coordination; increased heart rate and appetite; problems with learning and memory; anxiety; Long-term: mental health problems, chronic cough, frequent respiratory infections
MDMA (Stimulant, Hallucinogen)	Ecstasy, Molly, Adam, Clarity, Eve, Lover's Speed, Peace, Uppers	I	Short-term: lowered inhibition; enhanced sensory perception; increased heart rate and blood pressure; muscle tension; nausea; faintness; chills or sweating; sharp rise in body temperature, leading to kidney failure or death Long-term: long-lasting confusion, depression, problems with attention, memory, and sleep; increased anxiety, impulsiveness; less interest in sex
Meperidine (Prescription Opioid)	Demmies, Pain Killer	I	Short-term: pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death Long-term: increased risk of overdose or addiction if misused; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
Mescaline/Peyote (Hallucinogen)	Buttons, Cactus, Mesc	I	Short-Term: enhanced perception and feeling; hallucinations; euphoria; anxiety; increased body temperature, heart rate, blood pressure; sweating; problems with movement Long-term: unknown
Methadone (Prescription Opioid)	Amidone, Fizzies, Chocolate Chip Cookies (with MDMA)	II	Short-term: pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death Long-term: increased risk of overdose or addiction if misused; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
Methamphetamine (Stimulant)	Desoxyn, Crank, Chalk, Crystal, Fire, Glass, Go Fast, Ice, Meth, Speed	II	Short-term: increased wakefulness and physical activity; decreased appetite; increased breathing, heart rate, blood pressure, temperature; irregular heartbeat Long-term: anxiety; confusion; insomnia; mood problems; violent behavior; paranoia; hallucinations; delusions; weight loss; severe dental problems; intense itching leading to skin sores from scratching; increased risk of HIV, hepatitis, and other infectious diseases from shared needles

Substance Name (Drug Type)	Commercial and Street Names	DEA Schedule	Acute Effects and Health Risks
Morphine (Prescription Opioid)	M, Miss Emma, Monkey, White Stuff	II, III	Short-term: pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death Long-term: increased risk of overdose or addiction if misused; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
Tobacco (Nicotine)	N/A	N/A	Short-term: increased blood pressure, breathing, and heart rate Long-term: Greatly increased risk of cancer, chronic bronchitis, emphysema, heart disease, leukemia, cataracts, pneumonia
Oxycodone (Prescription Opioid)	O.C., Oxycet, Oxycotton, Oxy, Hillbilly Heroin, Percs	II	Short-term: pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death Long-term: increased risk of overdose or addiction if misused; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
Oxymorphone (Prescription Opioid)	Biscuits, Blue Heaven, Blues, Mrs. O, O Bomb, Octagons, Stop Signs	II	Short-term: pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death Long-term: increased risk of overdose or addiction if misused; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
PCP (Hallucinogen, Dissociative Drug)	Angel Dust, Boat, Hog, Love Boat, Peace Pill	I, II	Short-term: delusions, hallucinations, paranoia, problems thinking, a sense of distance from one's environment, anxiety Long-term: memory loss, problems with speech and thinking, loss of appetite, anxiety, risk of HIV and hepatitis from shared needles Lower dosages may result in additional symptoms
Prescription Stimulants	Amphetamine: Adderall, Bensedrine, Bennies, Black Beauties, Crosses, Hearts, LA Turnaround, Speed, Truck Drivers, Uppers Methylphenidate: Concerta, Ritalin, JIF, MPH, R-ball, Skippy, The Smart Drug, Vitamin R	II	Short-term: increased alertness, attention, energy; increased blood pressure and heart rate; narrowed blood vessels; increased blood sugar; opened-up breathing passages; increased body temperature, irregular heartbeat, and seizures when high doses taken Long-term: heart problems; psychosis; anger; paranoia; increased risk of HIV, hepatitis, and other infectious diseases from shared needles
Psilocybin (Hallucinogen)	Little Smoke, Magic Mushrooms, Purple Passion, Shrooms	I	Short-term: hallucinations, altered perception of time, inability to tell fantasy from reality, panic, muscle relaxation or weakness, problems with movement, enlarged pupils, nausea, vomiting, drowsiness Long-term: risk of flashbacks and memory problems
Salvia (Hallucinogen, Dissociative Drug)	Salvia divinorum, Magic Mint, Maria Pastora, Sally-D, Shepherdess's Herb, Diviner's Sage	N/A	Short-term: short-lived but intense hallucinations; altered visual perception, mood, body sensations; mood swings, feelings of detachment from one's body; sweating Long-term: unknown
Sleep Medications (Prescription Sedatives)	Eszopiclone, Zaleplon, Zolpidem, Forget-Me Pill, Mexican Valium, R2, Roche, Roofies, Roofinol, Rope, Rophies	IV	Short-term: drowsiness, slurred speech, poor concentration, confusion, dizziness, problems with movement and memory, lowered blood pressure, slowed breathing Long-term: unknown; HIV, hepatitis, and other infectious diseases from shared needles
Solvents, Aerosols, and Gases Found in Household Products (Inhalants)	Poppers, Snappers, Whippets, Laughing Gas	N/A	Short-term: confusion; nausea; slurred speech; lack of coordination; euphoria; dizziness; drowsiness; disinhibition, lightheadedness, hallucinations/delusions; headaches; sudden sniffing; death due to heart failure; death from asphyxiation, suffocation, convulsions or seizures, coma, or choking Long-term: liver and kidney damage; bone marrow damage; limb spasms due to nerve damage; brain damage from lack of oxygen that can cause problems with thinking, movement, vision, and hearing

Substance Name (Drug Type)	Commercial and Street Names	DEA Schedule	Acute Effects and Health Risks
Synthetic Cannabinoids	K2, Spice, Black Mamba, Bliss, Bombay Blue, Fake Weed, Fire, Genie, Moon Rocks, Skunk, Smacked, Yucatan, Zohai	I	Short-term: increased heart rate; vomiting; agitation; confusion; hallucinations, anxiety, and paranoia; increased blood pressure and reduced blood supply to the heart; heart attack Long-term: unknown

## D. Drug-Free School Policy

### Policy

Ensign College (the “College”) encourages an academic environment that promotes the health, safety, and welfare of all College members. As a condition of enrollment or employment, the College requires that all students and personnel abide by a personal commitment to the [Church Educational System Honor Code](#) (“Honor Code”), which includes abstaining from the possession, use, or distribution of illegal drugs or alcohol, and abstaining from the intentional misuse or distribution of any prescription or legal drugs without specific medical authorization. These prohibitions apply both on and off campus.

The Drug-Free Schools and Communities Act Amendments of 1989 provides that, as a condition of receiving federal funds under any federal program, a higher education institution must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of drugs and alcohol by students and personnel.<sup>6</sup> To comply with this law and further its commitment to support society’s effort to eliminate drug and alcohol abuse, the College has adopted this Drug-Free School Policy to supplement the Honor Code. If there is a conflict between this policy and the Honor Code, the Honor Code will be the controlling document.

This Drug-Free School Policy should not be confused with the College’s Drug-Free Workplace Policy, which is designed to comply with the Drug-Free Workplace Act of 1988 and which governs the workplace environment of College personnel engaged in research sponsored by the federal government.

### *Drug Prevention Program*

The College has adopted and implemented a drug prevention program for its students and College personnel. This program includes annual distribution in writing to each student— regardless of the length of the student’s program of study—and to all personnel the following information: (1) the standard of conduct expected of students and personnel in relation to the possession, use, or distribution of drugs and alcohol; (2) the standard of conduct related to the misuse of prescription drugs, alcohol, and tobacco; (3) a description of the applicable legal sanctions under state and federal law that may arise from the unlawful possession or distribution of drugs; (4) a description of the health risks associated with the use of illegal drugs; (5) a description of the College’s substance abuse counseling and treatment resources available to students and personnel; and (6) a clear statement of the disciplinary sanctions that may be imposed upon students and personnel for violations of the College’s Drug-Free School Policy.

### *Disciplinary Sanctions for Drug Violations*

Personnel or students found to be knowingly possessing, using, or distributing illegal drugs, alcohol, or tobacco are subject to College disciplinary action and, if applicable, to legal sanctions pursuant to federal, state, or local law. A student or employee who violates this policy or the related prohibitions on drug, alcohol, and tobacco use in the Honor Code will be subject to applicable disciplinary sanctions up to and including dismissal from the College or termination of employment.

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<sup>6</sup> See 20 U.S.C. § 1011i; 34 C.F.R. § 86.1.

The College will determine the appropriate sanction(s) on a case-by-case basis and may consider all of the circumstances involved, including, but not limited to, the following factors: (1) whether the violation constitutes a first offense; (2) the scope and duration of the individual's drug, alcohol, or tobacco use; (3) whether the individual has requested assistance to obtain substance abuse treatment; and (4) any other efforts the individual has undertaken to correct the misconduct, such as counseling with an ecclesiastical leader about the drug, alcohol, or tobacco use. In applicable cases, discipline may involve referral to local law enforcement for criminal prosecution.

Individuals involved in the unintentional misuse of prescription drugs are not subject to the sanctions stated in this policy, but rather are encouraged to seek assistance through professional resources.

### ***Available Drug Counseling and Treatment***

The College supports student and personnel participation in programs to prevent the abuse of illegal drugs, prescription drugs, alcohol, and tobacco. The College's counseling office is available for students and can help refer them to professionals in the community for long-term assistance.

The general College prevention program of information dissemination, consultation, and referral is available as follows:

- The College will educate students and personnel about the detrimental effects of illegal drugs, misuse of prescription drugs, alcohol, and tobacco through the College's annual Clery Act Campus Security Report ("Security Report") publication and distribution. Additional educational training for those who request the service may consist of College sponsored workshops, seminars, and lectures as determined appropriate by the Dean of Students and approved by College administration.
- A description of the health risks associated with any particular drug (i.e., physical and psychological addiction; physical, psychological, and spiritual deterioration; disease; and death) may be obtained from the College's annual Security Report, which is available online or can be requested in hard-copy form from Director of Human Resources.
- The College recognizes that potential legal sanctions may accompany an individual's use of drugs. The applicable legal sanctions under federal, state, or local law may include significant fines and imprisonment. A summary of applicable legal sanctions from the unlawful use of drugs may be obtained from the College's annual Security Report, which is available online or can be requested in hard-copy form from the Clery Officer.
- Students involved in the intentional use of drugs, alcohol, or tobacco may seek counseling from the [Manager of Counseling](#) for possible referral to an outside medical provider. All discussions will be handled in a confidential manner to the extent permitted by law.

The College supports the premise that personnel and students should cooperatively help one another to solve alcohol and substance abuse problems. Persons aware of those with substance abuse problems enrolled at or employed by the College are encouraged to act responsibly by consulting with the Dean of Students, Human Resources Director, or by submitting a report through the [Compliance Hotline](#). Remaining silent or waiting until a situation has escalated is unwise and often dangerous.

***Biennial Drug-Free School Program Review***

In conjunction with the submission of the College's annual security disclosure report, the Director of Human Resources and the Dean of Students review the College's substance abuse prevention program to determine its effectiveness, implement changes to the program as needed, and confirm that appropriate disciplinary sanctions are consistently enforced against students and personnel who violate this policy.

## E. Drug-Free Workplace Policy

### *Policy*

Ensign College (the “College”) absolutely prohibits the unlawful manufacture, use, dispensing, possession, or distribution of controlled substances by any employee, student, volunteer, or other individual participating in the university workplace (collectively referred to in this policy as “workforce participant(s)”).

As a condition of employment or participation in the university workplace, the College requires all workforce participants, to abide by this Ensign College Drug-Free Workplace Policy. The [Church Educational System Honor Code](#) also addresses workforce participants’ use of controlled substances or abuse of medically prescribed substances. In addition to the requirement to abide by this policy, all workforce participants are also required to adhere to the more restrictive prohibitions outlined in the [Church Educational System Honor Code](#).

### *Procedures*

All workforce participants at the College will receive a copy of the Drug-Free Workplace Policy at least annually.

Any workforce participant at the College convicted of violating a criminal drug statute inside OR outside of the workplace must notify his or her immediate supervisor or the principal investigator (in the case of federal research grant or contract) of the conviction, in writing, no later than five calendar days after the conviction. The immediate supervisor or principal investigator is responsible to immediately notify the College’s Director of Human Resources.

If any workforce participant violates this policy, the Director of Human Resources, in consultation with the appropriate unit management, will take appropriate personnel action against the individual, up to and including termination of employment, consistent with the requirements of the Rehabilitation Act of 1973 (29 U.S.C. § 794), as amended.

The affected individual may be subject to criminal penalties under applicable federal and state law. Required disclosures associated with the College’s drug-free workplace responsibilities are available in the Clery Act Campus Security Report available at <https://www.ensign.edu/clery-report>.

### *Drug Prevention Assistance*

By adopting this policy, the College hopes to encourage elimination of all forms of substance abuse, to help those who currently may be involved to stop such use and get appropriate help, and to assist in stopping the spread of substance abuse at the college and in society as a whole. Employees needing assistance with substance abuse may contact Beacon Health at (844) 280-9629 for free counseling.