

BYU IDAHO

2026 ANNUAL SECURITY AND FIRE SAFETY REPORT

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INTRODUCTION

Prepared by the Office of Compliance, in collaboration with university stakeholders.

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act), Brigham Young University - Idaho presents this comprehensive report. It covers essential information related to campus safety, such as crime reporting; emergency procedures and notification; alcohol and drug use; weapons; sexual violence and relationship violence.; fire safety in student housing facilities; and other safety and security topics. The report includes crime statistics for the past three calendar years, encompassing incidents within the university's Clery geography. This includes on-campus locations, certain off-campus buildings, and university-controlled properties used by students. Additionally, fire statistics for the same period cover incidents occurring in student housing facilities.

Accordingly, the university is committed to creating a campus environment that is safe and that adheres to all federal campus safety laws, including

- The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), 20 U.S.C. § 1092(f)
- Missing Person Procedures, 20 U.S.C. § 1092(j)
- Drug and Alcohol Abuse Prevention, 20 U.S.C. § 1011i(a)(1)

The university's compliance with the above laws constitutes the university's Clery Act compliance program. This report and accompanying policies are adopted as part of the university's Clery Act compliance program.

General policies applicable to all campuses are outlined at the end of the report. Subsequent sections provide campus-specific details.

Clery Act Geography means buildings and property that are part of the university's campus, non-campus buildings and property owned or controlled by BYU-Idaho that are used in direct support of or in relation to BYU-Idaho's educational purposes and are frequently used by students, and public property within or immediately adjacent to and accessible from campus, e.g. sidewalks and streets surrounding the campus.

As mandated by federal law, this report is typically published by October 1 each year. You can access it online here: Office of Compliance | BYU-Idaho (byui.edu). For hard copies, visit the BYU - Idaho Office of Compliance, located at Kimball 290D, on the campus of BYU-Idaho, Rexburg, ID, 83460.

JEANNE CLEARY ACT

The **Jeanne Clery Act** stands as a pivotal piece of legislation, crafted to support campus safety. At BYU-Idaho, our unwavering commitment lies in fostering a secure academic environment for our students, faculty, staff, and patrons. To fortify the well-being of our university community, we wholeheartedly adhere to the stipulations outlined in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (commonly known as the Clery Act).

Within this framework, essential policy statements are meticulously documented. Additionally, our Security Department and Risk Management Department at BYU-Idaho collaboratively develop, implement, and transparently disclose security and fire procedures. These recommendations undergo rigorous scrutiny by the President's Executive Group (PEG) and the President's Council (PC) before being officially adopted as BYU-Idaho policy. Safety is our paramount concern, and we remain steadfast in our commitment to safeguarding all members of our university community.

CRIME STATISTICS

(20 U.S.C. § 1092(f), (i), (j); 34 C.F.R. § 668.46

DAILY CRIME LOG AND FIRE LOG

The BYU-Idaho Security Department maintains a Daily Crime and Fire Log that records all criminal incidents and fires reported within the university's Clery geography.

Entries are made within two business days of receiving the report, unless disclosure is prohibited by law or would:

- Jeopardize an ongoing investigation
- Compromise victim confidentiality

The log includes:

- Nature of the crime
- Date and time reported
- Date and time occurred
- General location
- Disposition (if known)

The Daily Crime and Fire Log is available for public inspection at the Security Office (Kimball 150) during normal business hours. Requests for log entries older than 60 days will be fulfilled within two business days.



HOW WE COMPLILE THESE STATISTICS

BYU-Idaho, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act, is obligated to divulge information regarding crime on and around its campus. Here's how this process unfolds:

1. The Office of Compliance collects Clery crime statistics using various methods.
2. Close collaboration with the Rexburg Police Department ensures accurate data. Crime statistics, involving crimes within the Clery geography that involve BYU-Idaho students, are specifically requested from them for the Annual Security and Fire Safety Report.
3. Although not all agencies respond to statistical requests, any crime incidents reported directly to BYU-Idaho Security (by a victim, witness, CSA, etc.) are promptly recorded in the department's Daily Crime Log. This log is then reviewed to identify Clery-related crimes.
4. Crime definitions and reporting categories are governed by 34 C.F.R. § 668.46(c). BYU-Idaho relies on the U.S. Department of Education's *Handbook for Campus Safety and Security Reporting* for interpretive guidance in applying those regulatory definitions.

Please note: In accordance with this handbook's recommendations in chapter 9, statistics for on-campus student housing facilities are included in the overall on-campus statistics and are also reported separately under the on-campus housing facilities category.

5. Administrators review crime reports to ensure they are appropriately classified in the correct crime category.

For public transparency, the Daily Crime and Fire Log is accessible in the Security Office, Kimball 150 on the BYU-Idaho campus.

All statistics are reviewed by designated university officials for accuracy and classification in accordance with the Clery Act standards.

Crime statistics include reports from:

- Campus Security Authorities
- The Security Department
- Local law enforcement agencies
- Anonymous reporting mechanisms

Brigham Young University-Idaho
2025 Clery Report: 2023-2025 Crime Statistics

CRIMINAL OFFENSES

Type of Offense	Year	On-campus Geography			Non-campus Property	Public Property
		Campus Building	Campus Housing Facilities	Campus Total		
Murder / Non- negligent Manslaughter	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Rape	2023	0	0	0	19	0
	2024	2	1	3	5	0
	2025	0	0	0	13	0
Sexual Assault - Fondling	2023	1	0	1	13	0
	2024	2	1	3	[1]10	0
	2025	0	0	0	5	0
Incest	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0

Robbery	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Aggravated Assault	2023	1	1	2	3	0
	2024	1	0	1	[2]7	0
	2025	0	0	0	0	0
Burglary	2023	0	0	0	2	0
	2024	0	1	1	[3]1	0
	2025	0	0	0	3	0
Motor Vehicle Theft	2023	0	0	0	1	0
	2024	0	0	0	3	0
	2025	1	0	1	[4]2	0
Arson	2023	0	0	0	0	0
	2024	0	0	0	1	0
	2025	0	0	0	0	0

[1]One forcible fondling incident occurred in the lobby of a hotel where BYU–Idaho students were staying. No BYU–Idaho students were involved. This incident is reported as an off-campus offense in accordance with the Clery Act.
[2]Five aggravated assault incidents occurred at off-campus locations and involved five victims; one arrest was made.
[3]A burglary incident occurred at a hotel where BYU–Idaho students were staying. No BYU–Idaho students were involved. This incident is reported as an off-campus offense in accordance with the Clery Act.
[4]One motor vehicle theft occurred at a hotel where BYU–Idaho students were staying. No BYU–Idaho students were involved. This incident is reported as an off-campus offense in accordance with the Clery Act.

VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES

Type of Offense	Year	On-campus Geography			Non-campus Property	Public Property
		Campus Building	Campus Housing Facilities	Campus Total		
Stalking	2023	1	1	2	2	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Domestic Violence	2023	0	0	0	1	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Dating Violence	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0

Beginning in 2025, hazing crimes are included as a reportable category in the Annual Security Report.

Hazing Crimes

2025	0	

ARRESTS AND JUDICIAL REFERRALS

Type of Offense	Year	On-campus Geography			Non-campus Property	Public Property
		Campus Building	Campus Housing Facilities	Campus Total		
Weapons Violations	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Drug Law Violations	2023	0	0	0	6	0
	2024	0	0	0	3	0
	2025	0	0	0	4	0
Liquor Law Violations	2023	0	0	0	0	0
	2024	0	0	0	2	0
	2025	0	0	0	5	0

STUDENT HONOR REFERRALS

Type of Offense	Year	On-campus Geography			Non-campus Property	Public Property
		Campus Building	Campus Housing Facilities	Campus Total		
Weapons Possession - Referrals	2023	0	0	0	0	0
	2024	0	0	0	1	0
	2025	0	0	0	1	0
Drug Law - Referrals	2023	0	0	0	19	0
	2024	1	0	1	12	0
	2025	1	0	1	9	0
Liquor Law - Referrals	2023	0	0	0	26	0
	2024	0	0	0	27	0
	2025	1	0	1	11	0

Hate Crimes

2023	1	Racist verbal comment at a campus event
2024	0	
2025	0	

Unfounded crimes are incidents that have been investigated and determined by sworn or commissioned law enforcement personnel to be false or baseless. In accordance with Clery Act regulations, only law enforcement agencies may unfound a reported crime. Unfounded crimes are not included in the annual crime statistics.

Unfounded Crimes		
2023	1	One unfounded
2024	6	Six off-campus rape reports were determined to be unfounded by the Rexburg Police Department. Not counted in crime data.
2025	0	

REPORTING A CRIME

(20 U.S.C. § 1092(f)(1)(C); 34 C.F.R. § 668.46(b)(4))

BYU-Idaho emphasizes the importance of promptly reporting criminal incidents, accidents, and emergencies. To do so, follow these steps:

- Contact the Security Department by calling 208-496-3000 or visiting Kimball 150, on the BYU-Idaho campus.
- For immediate assistance, **dial 911** to reach the police, fire department, or ambulance services.

These reports play a crucial role in creating timely warning notifications and compiling essential crime data. Your vigilance contributes to a safer campus environment.

VICTIM OR WITNESS CRIME REPORTING
(20 U.S.C. § 1092(f)(1)(A); 34 C.F.R. § 668.46(b)(2)(iv))

A victim or witness of a Clery Act Crime may submit via the university's hotline (https://secure.ethicspoint.com/domain/media/en/gui/17652/index.html) an anonymous report of an alleged Clery Act Crime occurring within the Clery Act Geography for inclusion in the annual disclosure of crime statistics. (See Crime Statistics section above.)

The following is a list of the titles of each person or organization to whom students and employees should report Clery Act Crimes for the purposes of making Timely Warnings and the annual disclosure of crime statistics:

1. BYU-I Security Department
2. Dean of Students
3. Emergency Manager
4. Chief Compliance Office

Encouragement, Not Requirement: While university officials encourage reporting, it is not mandatory. Individuals are encouraged to report crimes to the appropriate police agency.

Online Reporting System: The university offers an **online reporting system** accessible through this link www.byui.edu/report-a-concern.

Remember, your vigilance plays a crucial role in maintaining campus safety!

CAMPUS SECURITY AUTHORITIES
(34 C.F.R. § 668.46(a))

BYU-Idaho Security is the primary point of contact for reporting campus crimes and handling emergency and dangerous criminal or non-criminal incidents. However, students and employees can also report criminal incidents to Campus Security Authorities (CSAs). These CSAs are individuals responsible for campus security or significant aspects of student life, including student housing, discipline, and judicial proceedings. The list of designated CSAs may change from year to year as individual responsibilities evolve.

If a student wishes to report a Clery Act Crime to a CSA, they can contact the following individuals. When a Campus Security Authority receives a report of a Clery Act Crime, they must inform BYU-Idaho Security. This allows the university to include the crime in its daily crime log and decide whether to issue a timely warning to the campus community. The following positions are currently designated as CSAs:

- Campus Security Officers
- Director Housing & Student Life
- Title IX Office Staff
- Student Honor Office Staff
- Honor Office Staff
- Director Counseling Center
- Director Student Health Center
- Risk Manager
- Safety Officer
- Chief Compliance Officer
- Human Resources Office
- Department Heads & VPs

Remember that in emergencies, always dial 911, and for non-emergency assistance you can reach BYU-Idaho Security at (208) 496-3000. Additionally, if you need help after hours, contact the Security Dispatch Center at 3000.

All Campus Security Authorities (CSAs) receive annual training regarding their Clery Act responsibilities, including:

- Identifying Clery Act crimes
- Reporting obligations
- Timely submission of crime reports

CSAs are required to report all Clery Act crimes promptly to the BYU-Idaho Security Department for inclusion in the Daily Crime Log and consideration for Timely Warnings and annual statistical disclosure.

MISSING STUDENT NOTIFICATION POLICY (SUMMARY)
(20 U.S.C. § 1092(j); 34 C.F.R. § 668.46(h))

The university has established a Missing Student Notification Policy for students who reside in on-campus housing.

Each student residing in on-campus housing has the option to designate a confidential contact person to be notified within 24 hours if the student is determined to be missing. This contact information is registered confidentially and is accessible only to authorized university officials and law enforcement.

If a student is determined to be missing for 24 hours, the university will:

- Notify the student's designated confidential contact (if one has been provided)
- Notify the parent or legal guardian if the student is under 18 years of age and not emancipated
- Notify the appropriate law enforcement agency

The determination that a student is missing will be made by the Security Department in collaboration with appropriate university officials.

The full Missing Student Notification Policy is included in Appendix E of this report.

PASTORAL, MEDICAL, AND PROFESSIONAL COUNSELING
(34 C.F.R. § 668.46(a))

Ecclesiastical leaders, as well as personnel from the Health Center and Counseling Center, are encouraged to share information about the procedures for confidentially and voluntarily reporting crimes. As a result, this report may contribute to the Annual Security and Fire Safety Report, but certain exemptions may apply. When they deem it appropriate, they can inform those they counsel and treat about these important procedures.

TIMELY WARNING & EMERGENCY NOTIFICATIONS

(20 U.S.C. § 1092(f)(1)(J); 34 C.F.R. § 668.46(e), (g))

The university is committed to providing timely and accurate information to the campus community regarding crimes and emergencies that may pose a threat to the safety of students and employees.

Timely Warnings

The university will issue a Timely Warning for Clery Act crimes that:

- Occur within Clery geography, and
- Are reported to Campus Security Authorities or local law enforcement, and
- Are considered by the institution to represent a serious or continuing threat to students and employees.

The decision to issue a Timely Warning is made on a case-by-case basis by the Mass Communication Committee (or designee) in consultation with the Security Department and, when appropriate, local law enforcement.

Timely Warnings may be distributed using one or more of the following methods:

- Campus email notifications
- Text message alerts
- University website postings
- Other communication systems deemed appropriate

The content of a Timely Warning will include available information that promotes safety and aids in prevention, while withholding identifying information about victims.

Emergency Notifications

The university will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on-campus.

The Security Department, in coordination with the Emergency Management team, will:

- Confirm the existence of an emergency
- Determine the appropriate segment(s) of the campus community to notify

- Determine the content of the notification
- Initiate the notification system

Emergency notifications may be issued through:

- Text messaging systems
- Email alerts
- Fire alarm systems
- Public address systems
- Website or social media

The university will, without delay and taking into account the safety of the community, distribute emergency notifications unless issuing the notification would compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency.

SECURITY ACCESS AND MAINTANCE TO CAMPUS FACILITIES

(20 U.S.C. § 1092(f)(1)(B) – (C); 34 C.F.R. § 668.46(b)(3) – (b)(4))

Access to campus facilities, housing, and grounds is a privilege extended to students, faculty, staff, and authorized guests. The university fosters an open environment while maintaining reasonable protection for all community members. Here are the key points:



1. **Nightly Locking Doors**: Security personnel lock all doors on-campus during the night.
2. **Door Prop Alarms**: Campus buildings are equipped with door prop alarms. These alarms promptly notify Security's dispatch if a door is left propped open. Dispatch then reviews building access and sends officers to assess the situation.
3. **Gender Restrictions**: Center Square and off-campus housing units are off limits to individuals of the opposite sex from 12:00 midnight through 10:00 a.m. daily.
4. **Routine Lighting Checks**: Security conducts routine lighting checks during their assigned patrols on-campus. They work with Facilities Management to correct any deficiencies found.
5. **Reporting Deficiencies**: Students, employees and community members are encouraged to report lighting deficiencies to Facilities Management. These staff members are available 24/7 to address unsafe facility conditions or personal safety hazards. You can reach them by calling Security at 208-496-3000.

Tenants are strongly encouraged to keep their doors locked. Residents of campus approved housing units are informed of the policy against propping exterior doors. To safeguard individuals and property on-campus, the university employs a multilayer approach that includes controlled building access, premise surveillance, intrusion alarms, and fire alarms. Additionally, community members are urged to take personal responsibility for their own safety and the safety of others.

The university maintains a working relationship with the Madison County and Rexburg Police Departments and monitors criminal activity occurring at off-campus locations of student organizations and other university-affiliated properties through communication and data-sharing agreements.

The university encourage fostering a safe and respectful campus environment!

CRIME PREVENTION PROGRAMS

(20 U.S.C. § 1092(f)(1)(I); 34 C.F.R. § 668.46(b)(5))

The university provides ongoing programs to promote the awareness of campus security and to prevent crime.

These programs include:

- New student and employee orientation sessions
- Active threat and emergency preparedness training
- Theft prevention and personal safety awareness campaigns
- Dating safety and healthy relationship notices and instruction to all students
- Fire safety training and drills

Programs are offered on a regular and ongoing basis throughout the academic year and are designed to:

- Encourage accurate and prompt reporting of crimes
- Promote personal safety and risk reduction
- Increase awareness of institutional policies and resources

BYU-IDAHO SECURITY – Legal Authority

(20 U.S.C. § 1092(f)(1)(C); 34 C.F.R. § 668.46(b)(4))

The BYU-Idaho Security Department is dedicated to maintaining a peaceful, secure, and safe campus environment. Located in the Kimball Building 150 in Rexburg, Idaho, the department plays a crucial role in campus safety and security. Patrol officers, who are professionally trained and equipped, actively patrol the campus 24/7, ensuring safety.

These officers derive their authority to enforce campus regulations from the BYU-Idaho Board of Trustees. To maximize coverage, they patrol on foot, bicycles, and patrol vehicles. The department offers a range of services, including:

- A 24-hour dispatch center
- Patrolling all buildings and campus grounds
- Providing Safe Walk escort services
- Conduct crime prevention and safety training programs
- Monitoring and responding to fire and intrusion alarm
- Managing Parking Services and Bike Registration

Additionally, the Rexburg Police Department collaborates with BYU-Idaho through a written memorandum of understanding. They communicate about crimes involving students at off-campus locations, including approved housing units. While the BYU-Idaho Security Department is not a commissioned police force, it plays a vital role in preventing and detecting crime on-campus, despite lacking the authority to make arrests or enforce the law.



IMPORTANT NUMBERS

208 496 3000

911

REGISTER FOR TEXT MESSAGE ALERTS!

To receive important notifications via text messages, follow these steps:

- Log in to **myBYUI**
- Navigate to the "**Profile**" tab
- In the "**Personal Phone Numbers**" section, add you cellphone # to ensure you receive emergency alerts.

PREVENTING SEX CRIMES

The university offers programs to prevent Sex Crimes and to promote awareness of Sex Crimes. These programs include:

- training for employees and all individuals involved in administering the Sexual Harassment Grievance Procedures, as required by the Sexual Harassment Policy
- training for students and new employees on
    - the university's prohibition on Sex Crimes (see the Sexual Harassment Policy)
    - the definitions of Dating Violence, Domestic Violence, Sexual Assault, and Stalking
    - the definition of "consent" in reference to sexual activity in Idaho
    - a description of safe and positive options for bystander intervention
    - information on risk reduction, or options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence
    - the Sexual Harassment Policy and the Sexual Harassment Grievance Procedures
- awareness programs, which means events, initiatives, and strategies that aim to share information and resources to prevent violence, promote safety, and reduce the occurrence of Sex Crimes
- ongoing prevention and awareness campaigns, which means marketing or outreach efforts that aim to prevent and raise awareness of Sex Crimes
- primary prevention programs, which means events, initiatives, and strategies that aim to foster healthy and safe relationships and thereby prevent Sex Crimes

RESPONDING TO SEX CRIMES

(20 U.S.C. § 1092(f)(8)(A)(ii), (B)(iv); 34 C.F.R. § 668.46(b)(11)(ii), (vi); 34 C.F.R. § 668.46(k))

University employees respond to allegations of Sex Crimes that involve members of the campus community or participants in university programs or activities or that occurred within the Clery Act Geography in accordance with university policies, including the following: (policies can be found by going to the University's Policy Library)

1. Church Educational System Honor Code
2. Youth Protection Policy
3. Nondiscrimination Policy
4. Sexual Harassment Policy

VICTIMS OF SEX CRIMES

(20 U.S.C. § 1092(f)(8)(B)(iii); 34 C.F.R. § 668.46(b)(11)(ii))

A victim of a recent Sex Crime should (a) preserve evidence and (b) report the Sex Crime.

Preserve Evidence
Preserving evidence may assist law enforcement agencies investigating reports of Sexual Assault and may be helpful in obtaining protective orders.

A victim of a Sex Crime who intends to report it to law enforcement should not bathe, shower, or use toothpaste or mouthwash after the incident and should not wash clothing, bed sheets, pillows, or other potential evidence until contacting law enforcement.

Report The Sex Crime
A victim of a Sex Crime who chooses to report the Sex Crime should report to law enforcement and campus authorities as detailed in the Sexual Harassment Policy.

The university protects the confidentiality of victims of Sex Crimes and other necessary parties as described in the Sexual Harassment Policy. The university completes publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim. The university maintains as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

When a student or employee reports to the Title IX Office that the student has been a victim of a Sex Crime, whether the offense occurred on or off campus, the Title IX Office provides the student a written explanation of the student's rights or options, including:

- information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community; and
- options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The university makes such accommodations or provides such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

RISK REDUCTION AND SAFETY SUGGESTIONS

To stop, prevent, and remedy acts of sexual harassment requires the commitment of every person throughout the BYU-Idaho community. While you can make choices that may reduce the risk of you being a victim of sexual harassment, remember that a victim of sexual harassment is a victim. Sexual harassment is caused by the unrighteous and unlawful acts of the perpetrator of the harassment and is not caused by the victim or the victim's choices. If you have been the victim of sexual harassment, please remember that you are not to blame! Consider the following counsel and safety suggestions to reduce your risk of being impacted by sexual harassment:

- Choose dates and activities that feel comfortable and allow you to get to know someone gradually.
- Exercise good judgment if you use popular dating apps (Mutual, Tinder, etc.).
- Don't take everything you see online at face value—some people may not have honest intentions.
- Stand firm in your values and comfort level—your voice matters in every decision.
- Arrange group or double dates, when possible, to give yourself time to get to know someone.
- Meet in public, well-lit places. If someone insists on a private location, consider that a red flag. A busy daytime location may not seem the ideal setting for a first date, but others will be around if an unsafe situation arises.

- Tell at least one friend where you are going and who you are meeting. Getting your date's full name is a good idea.
- Make your own travel arrangements to and from a first date whenever possible.
- Avoid situations where alcohol or drugs are present. If you ever feel unsafe or uncomfortable, leave immediately and, if possible, take your friends with you.
- Do not hesitate to leave a situation that makes you feel nervous or afraid, even if leaving early might feel awkward or rude. Above all, trust your instincts.

If you have any questions or concerns, would like to learn more, or need help for you or a friend, please contact the Title IX Office by calling 208-496-9209, visiting us in the Kimball Building, room 290, or going to our website at www.byui.edu/titleix.

BYSTANDER INTERVENTION

There are no "quick-fix" cures to solve the problem of sexual harassment impacting our country and the same is true at BYU-Idaho. Our efforts to stop, prevent, and remedy sexual harassment at BYU-Idaho will take the collective efforts of us all, so we invite you to be an influence for good in this area—to be a voice of courage, change, and compassion, and to be anxiously engaged within your own corner of our campus.

During your life you may see, hear, or witness things that contribute to a culture that excuses sexual harassment, demeans the role of women, or devalues the sanctity of marriage and sexual intimacy. What you choose to do or not do in such a situation might seem like a small thing or insignificant, but the costs of NOT doing something are too high to take that risk.

You may have heard the term "bystander intervention"—an engaged bystander is one who intervenes in a positive way before, during, or after a situation or event in which they see or hear behaviors that promote sexual harassment in any of its forms. The following are things for you to consider should you find yourself in a position to be an engaged bystander—

- **Notice the Event**: It is easy to miss something you are not looking for. People are busy, distracted, on their phones, talking, texting, or plugged in and tuned out in countless ways—all of which divert our attention from what is happening around us. Be aware of your surroundings and remain committed to intervene when you observe something concerning.
- **Determine whether the Event is a Problem**: It is not always easy to tell if someone needs help but trust your instincts and do not be afraid to investigate the situation further. Ask questions, see what others think, and err on the side of caution.
- **Take Personal Responsibility**: Do not assume someone else will do something. Engage the assistance of other bystanders to help when appropriate, but do not rationalize away the need for personal responsibility when you are part of a crowd. If a situation does not seem right, do something to deal with it, and seek assistance if needed.
- **Know How to Help**: Many times, people want to help but they either do not know what to do in a particular situation or how to do it. Intervention can be direct — asking the people involved to stop what they are doing, stepping in and separating the people involved in a non-combative manner, or using a distraction to focus peoples' attention on someone or something else. If you are concerned that direct intervention could put you in harm's way, intervention can also be indirect—you could notify BYU-Idaho Security, the Title IX Office, Dean of Students office or 911 in an emergency.

- **ACT**! There are always costs involved—the costs could be something as basic as time if you are in a hurry, but costs could also be a fear of retaliation/confrontation; you don't want to embarrass yourself, you don't want to get yourself in trouble, you are afraid the help you could offer will be ineffective, the situation appears dangerous, etc. But consider the costs of NOT intervening—it may be more costly to not intervene if you passed on the opportunity to prevent an act of sexual harassment.

SEX OFFENDER REGISTRY
(Section 1601 of Public Law 106-386)

The federal Campus Sex Crimes Prevention Act mandates that higher education institutions provide a statement informing the campus community about where to access information related to registered sex offenders. In Idaho, this information is available on the Idaho State Police website at: www.isp.idaho.gov/sor_id/. BYU-Idaho Security maintains a list of registered sex offenders who are students or employees at the university. You can access this information at the Security office, located in Kimball 150 on the BYU-Idaho campus.

CAMPUS RESOURCES

TITLE IX OFFICE
The Title IX Coordinator is available to address reported violations of the Sexual Harassment Policy, provide information and training, and answer questions about University policies and grievance procedures or other concerns about any form of sex harassment at the university or any of its programs. 208-496-9209, Kimball Building 290

DEAN OF STUDENTS OFFICE
Encourages student development, addresses student issues and needs, and helps connect you with important resources on-campus. 208-496-9200, Kimball Building 290

COUNSELING CENTER
Provides confidential counseling for individuals, couples (pre-marital and marital), groups, and assistance for any student crisis. Counseling is available at no cost for full-time students. 208-496-9370, or 208-496-4357 after business hours, Student Health Center 200

STUDENT HEALTH CENTER
Provides comprehensive health care services EXCLUDING sexual assault examinations—which are available at Madison Memorial Hospital. 208-496-9330, Student Health Center 100

SECURITY
Security operates a 24-hour dispatch center, patrols campus grounds, provides Safe Walk escort services, and responds to emergencies. 208-496-3000, Kimball Building 150

ACADEMIC SUPPORT CENTER
Supports students academically underperforming. 208-496-4270, David O. McKay Library 272

INTERNATIONAL STUDENT SERVICES
Provides information regarding student visas and can direct individuals in need of additional assistance to resources that are able to help with other types of visas and immigration status issues. 208-496-1320, Manwaring Center 276

FINANCIAL AID AND SCHOLARSHIPS
Provides information concerning discontinuance or withdrawal from classes and the effects that such action may have on financial aid and scholarships. 208-496-1600, Kimball Building 100

ACCESSIBILITY SERVICES
Provides services for classroom and other university-related activities for students with qualifying disabilities. 208-496-9210, Manwaring Center 181

OFF-CAMPUS RESOURCES

REXBURG POLICE DEPARTMENT
Investigate reported acts of sexual harassment. Available to assist with orders of protection, no-contact orders, and restraining orders. General information regarding court orders is available on the Idaho Courts website ourtseluelp.idaho.gov. 208-359-3008 or 911, 25 E Main St., Rexburg, ID

FAMILY CRISIS CENTER
Services include a 24-hour crisis line, crisis counseling, women's support groups, victim advocacy, referrals to receive legal assistance, safety planning, and care coordination within the community. 24-Hour Sexual Assault Hotline: 800-962-5601 or 208-356-0065, 16 E. Main St., Rexburg, ID

THE NATIONAL DOMESTIC VIOLENCE HOTLINE
Provides confidential support, crisis intervention, and information on ways to secure a victim's immediate safety. 1-800-799-7233, www.thehotline.org

IDAHO COALITION AGAINST SEXUAL AND DOMESTIC VIOLENCE
An organization that collaborates with Idaho's domestic and sexual violence programs and service providers to prevent and respond to gender violence in all its forms, including domestic violence, sexual assault, and stalking, idahocoalition.org

DOMESTIC VIOLENCE LEGAL ADVICE LINE
Provides services for victims of domestic violence who need legal advice and help with legal problems, including protection orders. 1-877-500-2980

RAINN (RAPE ABUSE & INCEST NATIONAL NETWORK)
RAINN is the largest anti-sexual assault organizations in the United States and provides extensive support to sexual assault victims. 24-Hour Crisis Line: 1-800-656-4673, rainn.org

DEPARTMENT OF JUSTICE
Resources for responding to sexual assault. www.justice.gov/ovw/sexual-assault

MADISON MEMORIAL HOSPITAL
Performs sexual assault examination, which include assessments and documentation of injury, collection of evidence, and treatment to prevent sexually transmitted diseases. 208-359-6900, 450 E Main St, Rexburg, ID

IDAHO STATE BAR
Answers questions about how to contact attorneys who can provide you with legal advice and service. 208-334-4500, www.isb.idaho.gov

IDAHO LEGAL AID
Provides quality civil legal services to low-income and vulnerable persons, including victims of domestic violence, sexual assault, and stalking. 208-524-3660 (Idaho Falls location), www.idaholegalaid.org

EMERGENCY EVACUATION PROCEDURE

(20 U.S.C. § 1092(f)(1)(J)(i); 34 C.F.R. § 668.46(b)(13); 34 C.F.R. § 668.46(g)(2), (5), (6).)

BYU-Idaho's University Emergency Committee (UEC) plays a pivotal role in shaping and maintaining the university's emergency preparedness. Procedures for an evacuation will be coordinated by the UEC and are as follows:

1. Ensure that emergency response services and the Security and Risk Management Offices are notified for all building emergency evacuations as appropriate.
2. Direct Security officer(s) to report to the evacuation assembly point and act as a liaison with responding emergency response services.
3. Receive status reports from area Building Coordinators.
4. Provide information about the building layout, systems, processes, and special hazards to emergency response personnel.
5. Coordinate with key building administrators on building occupation and operation issues.
6. Assign Building Coordinators or other assigned personnel, as needed, to be stationed by all building entrances to prevent unsuspecting personnel from reentering the building.
7. Issue an all-clear order stating that the general public may reenter the building.

For more specific information about BYU-Idaho's University Emergency Plan, please contact the BYU-Idaho Emergency Management Coordinator at 208-496-5605.

ANNUAL FIRE SAFETY REPORT

The Annual Fire Safety Report is prepared each year and contains the following information for all on-campus and approved housing units:

- Three years' worth of fire statistics
- A description of the fire safety system
- The number of fire drills held the previous calendar year
- The institution's policies or rules on portable electrical appliances, smoking, and open flames
- Procedures for evacuation
- Policies for fire safety education and training programs for students and staff
- Identify each person or organization to which individuals should report that a fire has occurred
- Plans for future improvements in fire safety
- Fire safety practices and standards

The Annual Fire Safety Report details all information required by law as it relates to BYU-Idaho. The report is available online https://www.byui.edu/security/safety-information or a paper copy of the report is available upon request through Security Kimball 150, Rexburg ID, 83460-1630.

COLLECTION AND DISCLOSURE OF FIRE STATISTICS

BYU-Idaho's Risk Management Department will maintain and compile an Annual Fire Statistics Report that includes:

- The number of fires and the cause of each fire
- The number of deaths related to the fire
- The number of injuries related to the fire that resulted in treatment at a medical facility
- The value of property damage related to the fire

For purposes of including a fire in the statistics in the Annual Fire Safety Report, students and employees should report when a fire occurs immediately to BYU-I Security by calling (208) 496- 3000 who will in turn notify Madison Fire (if not already done) and the Fire Protection Officer in Rigby Hall 162 at 208-496-5603, or email at hartjas@byui.edu and johnsonsp@byui.edu.



POLICIES RELATED TO FIRE SAFETY MEASURES

Building Evacuation Maps: Every occupied building has posted Emergency Evacuation Maps which identify directions for clearing all residents, faculty, staff, and visitors from the building, including procedures for people with disabilities.

Decorative Candles and Open Flames: BYU-I prohibits the use of open flame candles and other open flames, including incense, in campus residential housing.

Smoking: Smoking is not allowed on-campus or residence facilities in any form.

Electrical Safety Guidelines: Residents of on-campus residential housing must comply with the published electrical safety guidelines posted on the Fire Prevention website. This policy addresses the use of multiple outlet adapters, power strips, and overloading wall outlets with electric appliances.

Barbeques: Charcoal barbeques are not permitted throughout residential on-campus housing areas. The use of propane barbeques is limited to those locations where at least ten (10) feet of clearance between the barbeque and combustibles can be maintained.

Emergency Evacuations for People with Disabilities: Each on-campus residential housing building must have an Emergency Action Plan with evacuation procedures for residents to safely exit the building.

Residents who will need special assistance are pre-identified so that arrangements can be made in advance to meet their needs.

PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY

Whenever feasible, we will enhance fire prevention education, which includes continuous training for students, faculty, and staff on the proper use of fire extinguishers.

Additionally, whenever facility upgrades occur, we thoroughly assess the fire suppression and notification systems to ensure compliance with current codes and standards.

RESOURCES

The following resource materials can be found at:

https://www.byui.edu/risk-management (then click Fire Safety)

- Fire Prevention Plan
- Emergency Action Plan
- Building Evaluation Procedures
- Emergency Phone Location and Operation
- Fire Extinguisher Operation
- Potential Ignition Sources
- Building Coordinators
- Link to the Fire Prevention website
- Open Flame Policy and Permit Application

FIRE SAFETY AND EVACUATION

If a fire occurs in a student housing unit, residents should promptly evacuate through the nearest exit. As they leave, they should close doors and activate the fire alarm system (if available). Once safely outside the building, it is essential to contact 911 and BYU-I dispatch at 208-496-3000. **REMEMBER**: closing doors or activating the alarm should never delay the exit from the building.

Before the Fall Semester begins, Housing Managers receive fire safety training. Additionally, students, faculty, and staff can request Fire Safety Training, which includes practical experience using fire extinguishers. Evacuation route maps are posted in on-campus residential buildings for residents to follow. During move-in each semester, residents become familiar with these maps.

The Risk Management personnel install, maintain, and monitor on-campus fire and building security systems. The Fire Safety Officer ensures that the University adheres to the National Fire Code and local regulations.

STUDENT HOUSING FIRE PROTECTION SYSTEMS

Student Housing Units may be equipped with early detection and warning systems, including fire alarm pull stations, audible and visual alarms, and fire sprinkler systems. The chart below indicates both on-campus residential housing units have fire sprinkler systems.

ON-CAMPUS HOUSING	Address	SPRINKLER SYSTEM	FIRE EXTINGUISHERS	SMOKE DETECTORS
University Village	111 W 7th S	Yes	Yes	Yes
Centre Square	650 S 1st W	Yes	Yes	Yes

Certain on-campus and approved housing units at BYU-Idaho feature built-in fire suppression systems. These systems include water flow and valve tamper switches, which are monitored by a Fire Alarm Control Unit (FACU) within the building and at a constantly attended remote location. Additionally, fire extinguishers are located in each apartment or housing unit.

Regular testing of fire alarms in on-campus residential housing is conducted in accordance with the International Fire Code and National Fire Protection Association requirements. Students residing in these housing units receive instructions on evacuating a building when a fire alarm is activated and participate in exercises to ensure their familiarity with the evacuation process.

Residents are encouraged to promptly report any mechanical issues related to this equipment to housing managers, who then relay the necessary information to University Housing. If residents detect the odor of smoke before a smoke detector or other early warning device activates, they should contact University Security at 208-496-3000 or 911. Reporting the exact fire location and, if known, the material burning is essential.

All on-campus apartments at BYU-Idaho are equipped with fire safety education, training, and fire extinguishers. The extinguishers at Centre Square (Single Student Housing) are monitored by staff and

managers, while those at University Village (Married Student Housing) are overseen by the residents. Both complexes undergo annual inspections by the Risk Management Department, including physical checks of alarm systems and extinguishers.

FIRE STATISTICS

2025						
On-Campus Housing	**Address**	**Number of Reported Fires**	**Cause of Fire**	**Injuries from Fire**	**Deaths from Fire**	**Estimated Value of Property Damage**
University Village	111 W 7th S	0	0	0	0	0
Centre Square	650 S 1st W	1	Cooking; oil	0	0	$0-99

2024						
On-Campus Housing	**Address**	**Number of Reported Fires**	**Cause of Fire**	**Injuries from Fire**	**Deaths from Fire**	**Estimated Value of Property Damage**
University Village	111 W 7th S	0	0	0	0	0
Centre Square	650 S 1st W	0	0	0	0	0

2023						
On-Campus Housing	**Address**	**Number of Reported Fires**	**Cause of Fire**	**Injuries from Fire**	**Deaths from Fire**	**Estimated Value of Property Damage**
University Village	111 W 7th S	1	Cooking; grease fire	0	0	$100-$999
Centre Square	650 S 1st W	0	0	0	0	0

APPENDIX A: CLERY DEFINITIONS (CFR 66.46)

The following definitions are drawn from 34 C.F.R. § 668.46. References to the U.S. Department of Education's Clery Handbook are included for interpretive guidance.

Murder/Non-Negligent Manslaughter: *(34 C.F.R. § 668.46(c)(1)(i))* the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: *(34 C.F.R. § 668.46(c)(1)(ii))* the killing of another person through gross negligence.

Robbery: *(34 C.F.R. § 668.46(c)(1)(ii))* the taking or attempting to take anything from value of the care, custody, or control of a person(s) by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault: *(34 C.F.R. § 668.46(c)(1)(ii))* 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 using 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 or probably would result in a serious potential injury if the crime were successfully completed.

Burglary: *(34 C.F.R. § 668.46(c)(1)(ii))* 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 a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: *(34 C.F.R. § 668.46(c)(1)(ii))* The theft or attempted theft of a motor vehicle.

Arson: *(34 C.F.R. § 668.46(c)(1)(ii)* The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind. All the evidence for any fire not known to be accidental will be considered by the Madison County Fire Marshal to make such determinations.

Consent: *(The Handbook For Campus Safety and Security Reporting, 2016 Edition)* (in reference to sexual activity): The affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter.

1. An individual who is asleep, or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or who was under duress, threat, coercion, or force, would not be able to consent.
2. One is not able to infer consent under circumstances in which consent is not clear, including but not limited to the absence of ‘‘no’’ or ‘‘stop’’ or the existence of a prior or current relationship or sexual activity.

Sexual Assault: *(34 C.F.R. § 668.46(a))* An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program and included in Appendix A of the subpart to 34 CFR 668.46.

1. **Rape:** The penetration, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ of another person, without the consent of the victim. For more information regarding the crime of rape in the state of Idaho, please see the following website Section 18-6101 – Idaho State Legislature.
2. **Fondling:** The touching of the private 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. 34 CFR § A_to_subpart_D_of_part_668
3. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
4. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence: *(34 C.F.R. § 668.46(a))*

(i) A felony or misdemeanor crime of violence committed—

(A) By a current or former spouse or intimate partner of the victim;

(B) By a person with whom the victim shares a child in common;
(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
(D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
(E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

(ii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Dating Violence: *(34 C.F.R. § 668.46(a))* Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

(i) 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.
(ii) For the purposes of this definition—
(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
(B) Dating violence does not include acts covered under the definition of domestic violence.
(iii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking: *(34 C.F.R. § 668.46(a))*

(i) Engaging in a course of conduct 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.
(ii) For the purposes of this definition—
(A) ***Course of conduct*** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
(B) ***Reasonable person*** means a reasonable person under similar circumstances and with similar identities to the victim.
(C) ***Substantial emotional distress*** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
(iii) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Idaho Code 18-7906: (1) A person commits the crime of stalking in the second degree if the person knowingly and maliciously: (a) Engages in a course of conduct that seriously alarms, annoys, or harasses the victim and is such as would cause a reasonable person substantial emotional distress: or (b) Engages in a course of conduct such as would cause a reasonable person to be in fear of death or physical injury, or in fear of the death or physical injury of a family or household member.

Weapon Law Violations: *(The Handbook For Campus Safety and Security Reporting, 2016 Edition)* The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Drug Abuse Violations: *(The Handbook For Campus Safety and Security Reporting, 2016 Edition)* Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: *(The Handbook For Campus Safety and Security Reporting, 2016 Edition)* The violation of laws or ordinance prohibiting: the manufacture, sale, transforming, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Hate Crimes: *(34 C.F.R. § 668.46(c)(4))* 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.

Larceny: *(The Handbook For Campus Safety and Security Reporting, 2016 Edition)* The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Vandalism: *(The Handbook For Campus Safety and Security Reporting, 2016 Edition)* To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Intimidation: *(The Handbook For Campus Safety and Security Reporting, 2016 Edition)* 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.

Simple Assault: *(The Handbook For Campus Safety and Security Reporting, 2016 Edition)* 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.

APPENDIX B: DRUG AND ALCOHOL POLICY

(20 U.S.C. § 1092(f)(1)(H); 34 C.F.R. § 668.46(b)(8); 20 U.S.C. § 1092(f)(1)(H); 34 C.F.R. § 668.46(b)(9); 20 USC § 1092(i)(1)(D); 34 C.F.R. § 668.49(b)(6))

Statement Of Policy

As a condition of employment or enrollment BYU-Idaho requires all university personnel and students to completely abstain from the possession, use, manufacture, or distribution of alcohol, and illegal drugs or controlled substances on or off campus without specific medical authorization. Violation of this policy will result in the discharge of employees or suspension of students from the university and may result in criminal prosecution. Individuals who self-report their problem and seek professional or ecclesiastical help in overcoming the problem will be reviewed on a case-by-case basis.

For more information about the BYU-Idaho Drug Free School policy refer to the Dean of Students Biennial Report of Institutional Compliance with the Drug-Free Schools and Campuses Act.

Substance Abuse Prevention Programs

The university supports participation in programs that advocate the prevention of the inappropriate use of illicit drugs, controlled substances and tobacco or alcohol abuse. Resources are available through the university for those seeking help with drug or alcohol programs. Sources of help include the Counseling Center, Student Honor Office, ecclesiastical leaders, and academic programs.

The BYU-Idaho Counseling Center provides students with confidential assistance with drug and alcohol abuse problems through health information, preliminary evaluation, and counseling or referral for outside clinical assistance. Students may receive more information about and/or enter the university program through the Counseling Center or by calling 208-496-9370.

The university hopes to eliminate all forms of substance abuse and to provide help to those who are currently working to stop such use.

The Employee Assistance Program (EAP), offered through Deseret Mutual Benefit Administrators, provides employees with confidential assistance related to substance abuse, mental health, goal achievement, and more. Staff can seek assistance from EAP by calling 1-844-280-9629 or visiting https://myeaphelper.mybeaconwellbeing.com/.

Disciplinary Sanctions for Drug Violations

Employees or students found knowingly in possession of, using, manufacturing, or distributing illegal drugs, alcohol, or tobacco are subject to university 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 alcohol, tobacco, vaping, and substance abuse in the Honor Code will be subject to applicable disciplinary sanctions up to and including dismissal from the university or termination of employment.

The university 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 alcohol or tobacco use, vaping, or substance abuse; (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. In applicable cases, discipline may involve referral to local law enforcement for criminal prosecution.

Individuals involved in the inadvertent misuse of prescription drugs are not subject to the sanctions stated in this policy, but rather are encouraged to seek assistance from the university's services.

Health Risks Associated with Drug and Alcohol Use

Substance	Short-term Health Risks	Long-term Health Risks
Alcohol	Impaired judgment, coordination, and reaction times; slurred speech; drowsiness; nausea and vomiting; headaches; blackouts; increased risk of accidents and injuries.	Liver damage; heart disease; stroke; cancer; pancreatitis; brain damage; mental health issues (e.g., depression, anxiety); social problems (e.g., relationship issues, job loss).

Substance	Short-term Health Risks	Long-term Health Risks
Marijuana	Altered senses; changes in mood; impaired body movement; difficulty with thinking and problem-solving; impaired memory.	Respiratory issues; mental health problems (e.g., anxiety, depression, psychosis); potential for addiction.
Opioids (e.g., heroin, prescription painkillers)	Drowsiness; confusion; nausea; constipation; euphoria; slowed breathing leading to death; overdose risk.	Addiction (e.g., tolerance, physical dependence); respiratory depression leading to death; increased risk of infectious diseases (if injected); chronic constipation; liver damage.
Stimulants (e.g., cocaine, amphetamines)	Increased wakefulness; decrease appetite; rapid heart rate; irregular heartbeat; elevated blood pressure; risk of heart attack or stroke; paranoia; restlessness.	Insomnia; violent behavior; heart disease; respiratory issues; neurological effects (e.g., seizures, headaches); mental health problems (e.g., anxiety, paranoia); potential for addiction.
Hallucinogens (e.g., LSD, psilocybin)	Panic attacks and psychosis; flashbacks and persistent perceptual changes; impaired memory and concentration.	Potential for dangerous behavior due to altered perceptions.
Inhalants (e.g. smoking, vaping)	Shortness of breath; coughing; increased heart rate; elevated blood pressure; reduced sense of taste and smell; increased risk of respiratory infections; nausea; vomiting; potential for nicotine poisoning.	Irreversible lung damage, increased risk of respiratory diseases (e.g., asthma, bronchitis, COPD); reduced lung function; lung cancer; heart disease; stroke; potential for addiction; premature aging.

APPENDIX C: SEXUAL HARASSMENT POLICY

(20 U.S.C. § 1092(f)(8)(B)(v) – (vii), (C); 34 C.F.R. § 668.46(b)(11)(iii) – (v), (vii); 20 U.S.C. § 1092(f)(8)(C))

Statement Of Policy

Sexual harassment is contrary to the teachings of The Church of Jesus Christ of Latter-day Saints and the Church Educational System Honor Code. Brigham Young University-Idaho prohibits sexual harassment by its employees and students and in all of its education programs or activities.

Definitions

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

Consent is the affirmative, voluntary agreement by word or action to engage in specific sexual activity.

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.

An individual who is asleep, or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or who was under duress, threat, coercion, or force, or was otherwise incapable of consenting under applicable law, would not be able to consent.

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 BYU-Idaho's operations and includes all locations, events, or circumstances over which the university 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 BYU-Idaho. If the Sexual Harassment allegedly occurred in another off-campus location, BYU- Idaho will consider factors such as whether the university funded, promoted, or sponsored the event or circumstance in which the alleged Sexual Harassment occurred in determining whether it occurred in a BYU-Idaho 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 BYU-Idaho investigate the Sexual Harassment allegation.

Responsible Employee means an employee of the university who is obligated to report Sexual Harassment to the Title IX Coordinator. BYU-Idaho has designated employees in the following positions as Responsible Employees: president; vice president; associate vice president; assistant vice president; assistant to the president; dean; associate dean; department chair; director; managing director; and Title IX Office employees.

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

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:

1. A BYU-Idaho employee or faculty member conditions the provision of an aid, benefit, or service of BYU-Idaho on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to BYU-Idaho's Education Program or Activity; or

3. Sexual Assault, Dating Violence, Domestic Violence, or Stalking.

Sexual Violence means Sexual Assault, Dating Violence, Domestic Violence, or Stalking.

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

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.

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

Procedures

I. Reporting

A Sexual Harassment report may be made by any person who believes that Sexual Harassment may have occurred that requires BYU-Idaho's response under this policy. 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, and the employee must then promptly make the report to the Title IX Coordinator. A Responsible Employee who fails to report relevant information 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 university has the information necessary to respond appropriately to Title IX complaints, reports of Sexual Harassment must be made to the Title IX Coordinator. BYU-Idaho 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:

BYU-Idaho Title IX Office
290 Kimball Building
Rexburg, ID 83460
208-496-9209

titleix@byui.edu

This information is also located on the Title IX Office's website: https://www.byui.edu/titleix/contact.

Reports may be made at any time, including during non-business hours, although in-person reports may be made only during regular business hours. In addition, reports (including anonymous reports) may be submitted online at any time at https://web.byui.edu/studentlife/conduct/report/sexual-misconduct/anonymity.

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.

II. University Response to Sexual Harassment

As part of the university'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 university 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 university 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 the 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 university 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 university's Education Program or Activity, as required by federal regulations promulgated under Title IX of the Education Amendments Act of 1972.

Other Formal Complaints of Sexual Harassment received by the Title IX Coordinator—such as complaints alleging Sexual Harassment in a BYU-Idaho Education Program or Activity outside the United States, complaints of Sexual Harassment perpetrated by BYU-Idaho students or employees against individuals not participating or attempting to participate in BYU-Idaho's Education Program or Activity, or complaints that combine allegations of Sexual Harassment with allegations of other forms of discrimination or misconduct—will be jointly evaluated by the Title IX Coordinator and appropriate university officials to ensure the university provides an appropriate response under other applicable policies and procedures of the university.

III. Confidentiality, Non-retaliation, Amnesty, and Leniency

Brigham Young University-Idaho 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 BYU- Idaho's mission. The university 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 university 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.

A. Confidentiality. The university recognizes that Complainants or witnesses of Sexual Harassment might be hesitant to report an incident to university 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 who reports Sexual Harassment with the Student Honor Office unless requested by such person or a person's health or safety is at risk.

Further, the university 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, as necessary to protect an individual's health or safety, or as may be permitted by the Access to Student Records Policy.

B. Non-retaliation. BYU-Idaho prohibits retaliation by anyone, including any university 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 or Formal Complaint 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, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. However, the university 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 such deterrence and are insufficient to establish a retaliation claim.

BYU-Idaho students and employees agree to be honest as part of their commitment to live by the CES Honor Code and Personnel Conduct Policy. 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 university 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.

An individual who feels that they have been subjected to retaliation under this policy should report the incident to the Title IX Coordinator, who will address the report in accordance with the applicable university procedures.

C. Amnesty. Anyone, including a Complainant, who reports an incident of Sexual Harassment will not be disciplined by the university 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. However, with Complainants or witnesses who have violated the honor code, the university may offer and encourage support, counseling, or education efforts to help students and benefit the campus community.

D. Leniency. To encourage the reporting of Sexual Harassment, the university will also offer leniency to Complainants and witnesses for 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 university may consider the facts and circumstances of each case, including the rights, responsibilities, and needs of each of the involved individuals.

IV. Training

The university is committed to educating members of the campus community on Sexual Harassment prevention and response. Training on this policy will be required for all employees.

All administrators, deans, chairs, directors, managers, and supervisors are responsible to ensure that employees within their areas of stewardship are properly trained on their obligations under this policy and applicable laws.

V. Disclosing Relationships

To avoid the possibility or appearance of Sexual Harassment, employees and students should avoid dating, romantic, or amorous relationships where a power differential exists. Examples of such 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.

APPENDIX D: SEXUAL HARASSMENT GRIEVANCE PROCEDURES

Procedures

Brigham Young University-Idaho prohibits Sexual Harassment.[1] The following procedures describe the university'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 a BYU-Idaho Education Program or Activity.

The university will respond to allegations of Sexual Harassment by offering Supportive Measures designed to restore or preserve a Complainant's equal access to BYU-Idaho Education Programs and Activities and by following the grievance process outlined in these Procedures before imposing any disciplinary sanctions or other actions against a Respondent that are not Supportive Measures.

I. Reports and Supportive Measures

Reports of Sexual Harassment

A 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 BYU-Idaho's response. The person reporting need not be the individual who identifies as the victim of Sexual Harassment (Complainant) to such a report. Reports, including anonymous reports, may be made at any time, including during non-business hours, as provided

in the Sexual Harassment Policy, although in-person reports may only be made during regular business hours.

A report of Sexual Harassment may be made to the Title IX Coordinator in person, by telephone, by email, or by mail, using the following contact information:

BYU-Idaho Title IX Office
290 Kimball Building
Rexburg, ID 83460
208-496-9209
titleix@byui.edu

In addition, reports (including anonymous reports) may be submitted online at any time at https://web.byui.edu/studentlife/conduct/report/sexual-misconduct/anonymity.

A report of Sexual Harassment will not, however, initiate any kind of grievance process. Nor will a report result in any disciplinary action against an individual who is alleged to be the perpetrator of Sexual Harassment, or 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 for Sexual Harassment.

Supportive Measures

Upon receiving a report of Sexual Harassment, the Title IX Coordinator will promptly contact the Complainant identified in the report to discuss 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 university may impose after determining whether the Respondent is responsible for Sexual Harassment.

If the report includes allegations of Sexual Violence, the Title IX Coordinator will also provide the Complainant with information about:

- The importance of preserving evidence as may be necessary to prove a Sexual Violence crime or obtain a protective order.
- Law enforcement options, including the Complainant's option to (a) notify law enforcement with the assistance of the university 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, 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 university 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 university 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 allegations of Sexual Harassment justifies immediate removal pending further investigation.

In such cases, the university 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 Resources may also place a staff, administrative non-student employee, or faculty member 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 with the Title IX Coordinator, alleging Sexual Harassment by a Respondent and requesting that BYU-Idaho investigate the Sexual Harassment allegation, or by the Title IX Coordinator signing and issuing such 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

Unlike reports of Sexual Harassment, Formal Complaints may not be filed anonymously. A Formal Complaint must contain the Complainant's physical or digital signature or otherwise indicate that the Complainant is the person filing the Formal Complaint. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in an Education Program or Activity of BYU-Idaho. To ensure that the university has the information necessary to respond appropriately, a Formal Complaint must be made to the Title IX Coordinator.

A Formal Complaint may be filed any time online at www.byui.edu/titleix. A Formal Complaint may also be filed in person during business hours, by email, or by mail with the Title IX Coordinator at:

BYU-Idaho Title IX Office
290 Kimball Building
Rexburg, ID 83460
titleix@byui.edu

Signed by Title IX Coordinator

Generally, the university will honor a Complainant's request that the university 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 university 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 university 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 university may not rely on any statement of the Complainant in reaching a 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[2] 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 university 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 assign 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.

The Investigator will make a good faith effort to conclude the investigation and issue an Investigative Report within 30 business days of receiving the Formal Complaint of Sexual Harassment. If, as a result of the complexity of a case or other good cause the investigation cannot reasonably be concluded within the 30-day period, the Investigator will communicate regularly with the parties to update them on the progress and timing of the investigation.

Notice of Allegations

Upon receipt of a Formal Complaint, the Title IX Coordinator will promptly collect the information necessary to prepare a written "Notice of Allegations" and will provide such notice to the known Parties 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 university's formal and informal grievance resolution processes.
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will only be made 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 name of the individual assigned to serve as the Investigator in the formal grievance 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 BYU-Idaho Honor Code commitment to "be honest."
- Notice prohibiting any Party from engaging in retaliation.

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

Dismissal

The university will investigate the allegations in a Formal Complaint, and the Title IX Coordinator will dismiss the Formal Complaint with regard to any alleged conduct that

- Would not constitute Sexual Harassment, even if proved;
- Did not occur in a BYU-Idaho Education Program or Activity; or
- Did not occur against a person in the United States.

Dismissal for any of the foregoing reasons prevents 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 prevent action against the Respondent under other university policies applicable to the conduct.

The Title IX Coordinator may permanently 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 or employed by BYU-Idaho; 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 university may re-open the investigation if the Respondent enrolls, re-enrolls, re-applies, or applies for work at the university or any organization owned, controlled, or sponsored by The Church of Jesus Christ of Latter-day Saints. If a Formal Complaint is re-opened, 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 as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party.

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 such discussions should not violate any protective orders or No Contact Directives 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 Notice of Outcome is delivered at the conclusion of the grievance process. The Investigator will seek to collect information sufficient for the Decision-maker 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 university 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 upon, 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 in writing.

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 completion of the Investigative Report ("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, use such information only for purposes of these Procedures, and must not further distribute or disclose this information. If a Party or advisor violates a confidentiality obligation under these procedures, the university may restrict further access to the Investigation Record and take appropriate disciplinary action against a Party or limit an advisor's current or future participation in proceedings. The Investigation Record will remain available to the Parties and their advisors until a Notice of Outcome is delivered 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 completion of 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 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; and
- Makes any recommendations that the investigator deems appropriate.

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.

IV. Hearing

After receiving the Investigative Report, the Title IX Coordinator will schedule a live hearing and will provide written notice 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 conclusion of the investigation unless all parties and the Decision-maker agree to an expedited timeline, which would amend the timelines below on a case-specific basis.

The notice will contain:

- The date, time, and location of the hearing;
- The name of the Decision Maker scheduled to attend the hearing, with an invitation to object to the Decision Maker on the basis of demonstrated bias or a relationship that creates a conflict. Such an objection must be raised with the Title IX Coordinator at least five business days prior to the hearing;
- Notification that the parties may have the assistance of an advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask;
- An explanation that a party must notify the Title IX Coordinator if they do not have an advisor so the university may appoint one. Each party must have an advisor present during the hearing—there are no exceptions;
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least five business days prior to the hearing; and
- An invitation to provide the Title IX Coordinator with a Written Submission as explained below, which will be included in the materials the Decision Maker is provided prior to the hearing.

Live Hearings

The Decision-maker 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, the Title IX Coordinator will provide for the live hearing to occur with the Parties located in separate rooms with technology enabling the Decision-maker and Parties to simultaneously see and hear the Party or the witness answering questions. In the Decision-maker's discretion, 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 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 five 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-maker

The hearing will be held before a Decision-maker designated by the Title IX Coordinator. Neither the Title IX Coordinator nor the Investigator may serve as a Decision-maker.

The university 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, within 10 business days the Parties may provide a written submission to the Decision-maker that may include

- 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; and
- 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 provide the advisor's name and contact information to the Party.

Opening and Closing Statements

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

Investigation Record

The Investigation Record created by the Investigator will be available to the Decision-maker 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 Decision-maker determines that such information was not reasonably available to the Party seeking its admission during the investigation.

Witnesses

The Decision-maker 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 university will make reasonable allowance for BYU-Idaho students and employees to participate in a Sexual Harassment hearing, if necessary, during regular school or work hours. However, the university 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-maker 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 may ask any relevant questions of any Party or witness at the hearing, including the Investigator. The Decision-maker 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.

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 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.

V. Determination Regarding Responsibility

The Decision-maker 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 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 will not require, allow, rely upon, 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 will presume that the Respondent is not responsible for the alleged conduct until a Notice of Outcome is delivered 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 to ensure that the burden of proof is met with regard to any determination regarding responsibility of the Respondent.

Within 10 business days of the hearing, the Decision-maker will issue a written Notice of Outcome to the Parties. The Notice of Outcome must include the following:

- Identification of the allegations potentially constituting Sexual Harassment and the Respondent's responses to each allegation.
- A 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 university imposes on the Respondent; and
    - Whether remedies designed to restore or preserve equal access to BYU-Idaho's Education Program or Activity will be provided to the Complainant; and
- The procedures and permissible bases for the Complainant and Respondent to appeal and the date the Notice of Outcome becomes final.

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

- Possible sanctions for a student Respondent include notice, warning, probation, suspension withheld, suspension, restriction on officially representing the university, 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 Student Honor file. Any sanction imposed on a student Respondent should include an educational action plan prescribed and administered through the Student Honor Office. If the Respondent is a student-employee, possible sanctions include all sanctions applicable to students and all sanctions applicable to employees.

Possible sanctions for a faculty, staff, or administrative employee Respondent include verbal counseling, written warning, final written warning, probation, reassignment, demotion, reduction in pay, suspension, restriction on officially representing the university, 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 effective implementation of any remedies in conjunction with university departments authorized to implement such remedies.

The Decision-maker will promptly and simultaneously send a copy of the written Notice of Outcome to the Parties and their advisors and will provide copies to the Title IX Coordinator and the Investigator. The Notice of Outcome becomes final 11 business days after it is delivered to the Parties, unless an appeal is filed within 10 business days of the Parties receiving the Notice of Outcome. If an appeal is timely filed, the Notice of Outcome 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 Notice of Outcome becomes final, and any further access will be only as permitted by the Access to Student Records Policy, or other applicable university policy.

VI. Appeal

Either Party may appeal from a Notice of Outcome 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 five business days of receiving the Notice of Outcome. 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 Notice of Outcome or dismissal was delivered, 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 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 response to the appeal. The response must be sent to the Title IX Office within five business days of receiving the written response and is limited to five pages, exclusive of exhibits. The Title IX Coordinator will send a copy of the response to the appealing Party for reference, as no further response or statements will be accepted.

The Title IX Coordinator will send the Notice of Outcome, written appeal, and any written response 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.

Except as provided in the Faculty Discipline and Termination Policy for the appeal and hearing of a decision terminating the employment of a CFS or CFS-track faculty member, the Reviewer will not interview the Parties or consider any information outside the Investigation Record and the written appeal and response of the Parties.

Within 10 business days of receiving the appeal, the Reviewer will simultaneously provide the Parties and the Title IX Coordinator with a written Notice of Outcome upholding, reversing, or amending all or part of the original Notice of Outcome and providing the Reviewer's rationale for the result. If the Reviewer cannot reasonably consider and resolve the appeal within 10 business days, it will advise the Parties as to when its appeal decision will be provided. The Reviewer's Notice of Outcome is final, and no further review will be allowed.

VII. 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 university's educational environment.

Either Party may request that the Title IX Coordinator facilitate an informal resolution process at any time before a Notice of Outcome 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 university.

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 of allegations of Sexual Harassment 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 university 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 the dismissal of Complainant's Formal Complaint and releasing the Parties' claims against each other and against the university 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.

VIII. General Provisions

Standards Required of Grievance Administrators

Grievance Administrators—including the Title IX Coordinator, Investigator, Decision-maker, Reviewer, or any person designated to facilitate an informal resolution process—will presume that the Respondent is not responsible for the alleged conduct until a Notice of Outcome is disseminated at the conclusion of the grievance process. Grievance Administrators will strive to make an objective evaluation of 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 university will ensure that all Grievance Administrators receive training on the definition of Sexual Harassment in the Sexual Harassment Policy, the scope of BYU-Idaho'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 prohibited 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 as much 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 university 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 proceeding arising hereunder), or as permitted by the Access to Student Records Policy. Records kept by the university relating to Sexual Harassment allegations are not publicly available, but in the event that the university 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 university 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 university 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, 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 university 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 university 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 university is not obligated to provide one). However, if a Party does not have an advisor present at the live hearing, the university will provide, without fee or charge to that Party, an advisor of the university's choice to conduct cross-examination of the other Party and witnesses on behalf of that Party. If the advisor provided by the university 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.

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 university, or three days after they are posted by U.S. Mail to the Party's residential address on file with the university.

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 university 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 university 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 university, 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 university or non-university investigation may be shared with and considered in any other university investigation.

Record Keeping

The university 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 university 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 university does not provide a Complainant with Supportive Measures, then the university must

document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the university 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 Notice of Outcome 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 the BYU-Idaho Education Program or Activity.
- Records of any appeal and the result therefrom all materials used to train Grievance Administrators. The university will make its training materials publicly available on the Title IX website.

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[1] Capitalized terms in these Procedures are defined in the Sexual Harassment Policy or as indicated herein.
[2] The Complainant and the Respondent are sometimes referred to individually as a "Party" and collectively as the "Parties" in these Procedures.

APPENDIX E: MISSING STUDENT NOTIFICATION POLICY

(20 U.S.C. § 1092(j)(1)(A); 34 C.F.R. § 668.46(h)(1)-(2))

Statement Of Policy

This policy, with its accompanying procedures, establishes a framework for cooperation among the members of the university community aimed at locating and assisting students who are reported missing. A student will be considered missing if they have been absent from the university for more than 24 hours without explanation, and their whereabouts cannot be determined by the Dean of Students.

PROCEDURES

All reports of missing students shall be directed to University Security which, in consultation with the Dean of Students, shall investigate each report and make a determination whether the student is missing in accordance with this policy. All students shall have the opportunity to identify an individual to be contacted by the university in case a student is determined to be missing. After a determination has been made that a student is missing, the Dean of Students will notify the parent or guardian for any student under the age of 18 and not emancipated within 24 hours, regardless of whether the parent or guardian is listed as the student's emergency contact. University Security will also notify the Rexburg City Police as soon as it is determined that a student is missing.

Notification

Any report of a missing student, from whatever source, should immediately be directed to University Security.

When a student is reported missing University Security and the Dean of Students shall:

1. Initiate an investigation to determine the validity of the missing person report.

2. Make a determination as to the status of the missing student.

3. After making a determination that a student is missing, notify the Rexburg City Policy and the student's emergency contact as soon as possible.

Student Contact Information

Students shall be given the opportunity to designate emergency contact information on the university website.

Student notification of this policy

1. Link to policy provided on Security webpage, Housing webpage, and Dean of Student webpage.

2. Discussed during beginning semester/block mandatory Housing meetings.

3. Included in the annual Campus Security Report.

4. Sent to students by university e-mail.

APPENDIX F: FIREARMS AND WEAPON VIOLATION

(34 CFR 668.46(b)(11))

Statement Of Policy

BYU-Idaho strictly prohibits possession or use of personal firearms and weapons on university property, including approved housing and off-campus programs. This applies to both concealed and unconcealed firearms and weapons, with or without concealed weapon permits, unless authorized by university officials. Only law enforcement officers, BYU-Idaho Security Department officers, ROTC members, and designated university personnel may carry firearms on-campus. ROTC members are authorized for official functions in compliance with military regulations.

Definitions

- "Firearm" refers to pistols, revolvers, shotguns, rifles, short-barreled firearms, or explosive-propelled devices and more. "Weapon" encompasses items capable of causing serious harm or death, including knives, tasers, airsoft guns, clubs, and more.

Prohibited Items

Prohibited weapons include, but are not limited to:

- guns of any size or strength including airsoft, pellet, and BB guns or any firearm facsimile
- knives with a blade longer than 3 ½ inches or that have more than one sharp edge
- electronic incapacitation devices which temporarily immobilize or incapacitate persons by means of electric pulse or current
- clubs and night sticks
- swords and daggers
- nunchucks
- metal knuckles
- archery equipment or slingshots
- any form of simulated weapon that might be used for Live Action Role Playing (LARP) to create mock combat situations on-campus, with the exception of those used for academic productions.

Procedures

Storage and Handling of Weapons for Authorized Personnel

Authorized individuals are required to adhere to guidelines for proper storage and responsible handling of firearms and weapons when on university premises. Firearms must be securely stored when not in use. Firearms must be used responsibly and in good judgment.

Reporting of Unauthorized Weapons

All members of the university community are responsible for promptly reporting any sighting or discovery of unauthorized firearms or weapons on-campus to the Security Department office or to local law enforcement authorities.

APPENDIX G: TIMELY WARNINGS AND EMERGENCY NOTIFICATION POLICY

(20 U.S.C. § 1092(f)(1)(A); 34 C.F.R. § 668.46(b)(2)(i))

Statement Of Policy

BYU-Idaho is committed to complying with its obligations to issue Timely Warnings and Emergency Notifications under the Clery Act.

Definitions

Timely Warnings (crime alerts): Communication issued when Clery crimes reported to a campus Security Department officer or local law enforcement pose a serious or ongoing threat to the campus community.

Timely Warning Committee (Committee): Committee consisting of the University Relations Managing Director, Dean of Students, Title IX Coordinator, Chief Compliance Officer and Security Director, or an appropriate replacement in their absence. This committee will meet as Timely Warning alerts arise.

Emergency Notifications (urgent warnings): Life threatening or immediate warnings – weather, active shooter, chemical, other.

University Emergency Council (UEC): UEC consists of University Relations Managing Director, Risk Management Manager, University Operations Managing Director, and Security Director, or an appropriate replacement in their absence. The UEC will meet as Emergency alerts arise.

Procedures

Timely Warnings

The Committee will issue timely warnings for allegations of Clery Act Crimes within Clery Act Geography that are reported to the BYU-I Security Department and represent a serious or continuing threat to faculty, staff, and students. The Committee will assess whether the situation poses a serious or ongoing threat to students and employees based on the crime and the continued danger to the campus community and will then determine the warning's content. Timely warnings may be disseminated through various communication methods, including mass email, the campus phone system, personal cell phones, the BYU-I Security Department webpage, the university’s webpage, and local news stations. The content of a timely warning will aim to avoid compromising law enforcement efforts and will maintain victim confidentiality, while providing enough information to help prevent similar incidents.

If a quorum of the Committee cannot be convened, the Security Department Director is authorized to issue a timely warning and determine its content without a committee meeting. Additionally, BYU-I Security Department officers are empowered to issue a timely warning and decide on the content of the warning in urgent situations.

Emergency Notifications

The UEC will issue an emergency notification to students and employees upon confirming a significant emergency or dangerous situation on-campus that poses an immediate or impending threat to health or safety. The UEC will assess the immediacy of the threat, identify the affected campus segment, determine the notification's content, and disseminate it using one or more of the following methods: emergency notification text messages, mass email, campus phone system, personal cell phones, the BYU-I Security webpage, the university's webpage, the fire alarm system, and local news stations. An emergency notification will not be issued if it will compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The university will not issue a timely warning for the same event if an emergency notification has already been released.

Should the UEC be unable to reach a quorum, the University Relations Managing Director, Risk Management Manager, University Operations Managing Director, Security Director, and BYU-I Security Department officers are authorized to issue an emergency notification and determine its content in urgent situations.

The following acts as a guide for differentiating between a Timely Warning and an Emergency Notification:

Timely Warnings		**Emergency Notifications**
Scope	Only required in the event of a Clery crime.	In an event of any significant emergency or dangerous situation, which may include (but is not limited to) Clery crimes.
When Issued	As soon as pertinent information is available about a reported **Clery crime on Clery geography** that represents an ongoing threat to the safety of students or employees.	Immediately upon the confirmation of a **significant emergency or dangerous situation** occurring **on-campus** and involving an immediate threat to the heath and safety of students or employees.
Geographic Scope	Anywhere on the University's Clery geography.	On the university's campus only.
Examples	Rash of burglaries or motor vehicle thefts; multiple instances of date rape drugs being used; sexual assault or robbery where perpetrator is unknown/not immediately apprehended.	Outbreak of serious illness; approaching significant weather event; bomb threat; etc.

To Whom Issued	**All** students and employees.	Any **segment** of the campus population determined to be **at risk**.
Purpose	To allow students & employees to protect themselves against a serious or continuing criminal threat; to aid in the prevention of similar crimes.	To allow campus community members to protect themselves against an imminent threat to their health and safety.

APPENDIX H: CAMPUS FIRE SAFETY ACT POLICY AND PROCEDURE

(20 U.S.C. § 1092(f) and 34 C.F.R. § 668.49)

STATEMENT OF POLICY

No Smoking or Open Flames in On-Campus Housing: Smoking and open flames are prohibited in on-campus student housing facilities. Portable electrical appliances are regulated as follows:

- Portable electrical appliances are regulated by the university and may be restricted in on-campus student housing unless provided by the university
- Space heaters and refrigerators are not permitted in on-campus apartments unless provided by the university

Fire Safety Systems in On-Campus Housing: On-campus student housing facilities are equipped with fire safety systems designed to provide early detection and warning in the event of a fire. These systems may include, as applicable by facility:

- Fire alarm systems
- Smoke detection devices
- Fire extinguishers
- Automatic sprinkler systems

Fire safety systems are inspected and maintained in accordance with applicable codes and standards.

Fire Evacuation Procedures: The university maintains written procedures outlining how students, employees, and other occupants should respond to fire emergencies and fire alarms in on-campus student housing. These procedures emphasize prompt evacuation and coordination with emergency responders.

Procedures for Reporting a Fire: Any fire that occurs in an on-campus student housing facility must be reported, regardless of size or whether the fire was extinguished. Fires may be reported by:

- Calling 911, and/or
- Notifying the university through campus security, residence life staff, or another designated university official

Reported fires are documented in the university's fire log and included, as required, in annual fire statistics.

Fire Safety Education and Training Programs: The university provides fire safety education and training programs to all students living in on-campus housing.

PLANS FOR FUTURE FIRE SAFETY IMPROVEMENTS: The university evaluates fire safety systems, equipment, policies, and procedures on an ongoing basis. Any plans for future fire safety improvements to on-campus student housing facilities will be disclosed in the university's Annual Security and Fire Safety Report, as applicable.

ANNUAL SECURITY AND FIRE SAFETY REPORT: In compliance with federal law, the university publishes an Annual Security and Fire Safety Report that includes fire safety policies, fire statistics, and fire log information for on-campus student housing facilities. The report is made available annually to current and prospective students and employees.

For more information about the university's fire safety program, visit https://www.byui.edu/risk-management/fire-safety.

PROCEDURES

Response to Fire Emergencies and Fire Alarms

Creating or Encountering a Fire: When a fire occurs in on-campus student housing, individuals should prioritize personal safety and follow evacuation and emergency response procedures consistent with university guidance. Emergency response personnel should be notified by calling 911.

Hearing a Fire Alarm: When a fire alarm sounds in an on-campus student housing facility, occupants should:

1. 1. Evacuate the building immediately using the nearest safe exit.
2. Use a stairway rather than elevators.
3. Remain outside the building until authorized university staff or emergency responders indicate it is safe to re-enter.

APPENDIX I: CAMPUS STOP HAZING POLICY

20 U.S.C. § 1092(f)

STATEMENT OF POLICY

BYU-Idaho is committed to putting policies in place to prevent hazing and to promote a safe and respectful environment for students. Hazing is strictly prohibited and will not be tolerated. Hazing violates the principles of the CES Honor Code. Any student organization or individual found to be involved in hazing activities will face disciplinary actions, which may include expulsion for individuals and permanent loss of recognition for student organizations. Additionally, anyone who plans or assists in hazing, regardless of their presence during the activity, will be held accountable.

DEFINITIONS

Hazing: any intentional, knowing, or reckless act committed by a person, whether individually or in concert with others, against another person or persons, regardless of their willingness to participate, that:

1. Is committed during an initiation into, affiliation with, or maintenance of membership in a student organization.

2. Causes or creates a risk of physical or psychological harm beyond what is reasonably expected during participation in the institution or the organization.

Examples of conduct that causes or creates such a risk can be found at (Hazing Examples)

PROCEDURES

Reporting Hazing Incidents:

- Hazing incidents should be reported to the Student Honor Office (270 Kimball Building or here.
- Alternatively, incidents may be reported by contacting campus security office, to local law enforcement, or anonymously through the university's online reporting system (EthicsPoint - Brigham Young University)

Investigation Process:

- Reports of hazing will be investigated through the Student Honor Investigation e process.

Prevention and Awareness Programs:

- The university conducts periodic research-based, campus-wide prevention programs to educate students about the dangers of hazing and promote a culture of respect and safety.
- These programs may include workshops, seminars, and informational campaigns aimed at raising awareness about hazing and its consequences.
- This policy is publicized through the Student Academic Societies Handbook.

Annual Security Report:

- The university will include hazing statistics in its annual security report *(starting in October 2026)*, detailing incidents reported to the Honor Office, campus security or local law enforcement.

Campus Hazing Transparency Report:

If a hazing incident occurs, the university will compile and publish a Campus Hazing Transparency Report (CHTR) on the university's website.

The report will summarize findings concerning any student organization found to be in violation of the institution's standards of conduct related to hazing. It will include:

- The name of the student organization.
- A general description of the violation.
- Related dates (the date of the alleged incident, the date of the initiation of the investigation, the date the investigation ended with a finding, and the date the institution provided notice to the student organization of the finding).