

Northwest Nazarene University

2024

ANNUAL SECURITY AND FIRE SAFETY REPORT

This is the Annual Security and Fire Safety Report for Northwest Nazarene University Main Campus as well as the campus located in Idaho Falls.

Introduction

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

Policy for Preparing the Annual Report

This report is prepared by the Campus Safety Director in cooperation with local law enforcement authorities and includes information provided by them as well as by the University's campus security authorities and various other elements of the University. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Scott Chandler, Campus Safety Department, 515 S. Ivy St., Nampa, ID 83686, 208-467-8911. The University is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.

General Safety and Security Policies

Campus Security Personnel & Relationship with Local Law Enforcement

The Campus Safety Department is responsible for campus safety at the University's main campus. Campus Safety Officers on campus are not sworn law enforcement officers and do not possess law enforcement authority. NNU's Campus Safety jurisdiction is restricted to the campus and University owned or leased property. As employees of the University, the Campus Safety staff is responsible for the enforcement of University policies. Criminal incidents are referred to the Nampa Police Department.

While the University does not have any written agreement with local law enforcement agencies, it does maintain a close working relationship with the Nampa Police Department. This relationship ensures timely and effective responses to criminal activity. Campus Safety Officers work with law enforcement agencies as appropriate to address violations of state law and federal law. With respect to the University's main campus, Nampa Police Department

operates a substation in the University Facilities Building at 410 E. Florida Ave. The University and Nampa Police have a verbal agreement for use of a part of the facility as a substation, as well as a verbal understanding for the use of communication devices and support when needed. The Campus Safety Department in Nampa meets as needed with the Nampa Police Department Administration. Campus Safety Officers are in direct communication with the Police Department Dispatch Center and Nampa Police Officers.

The University does not have Campus Safety Officers on-site at the Idaho Falls campus and does not have any written agreement with Idaho Falls local law enforcement agencies. Criminal incidents on the Idaho Falls campus are referred to the Idaho Falls Police Department.

Campus Security Authorities

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

- Campus Safety Officer at 208-467-8911
- University Athletic Director at 208-467-8352
- University Title IX Coordinator at 208-467-8062
- Director of Campus Safety at 208-467-8550
- Vice President for Student Life at 208-467-8663
- Associate Vice President for Student Life at 208-467-8311
- Human Resources Director at 208-467-8261

Reporting a Crime or Emergency

The University encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged when the victim of a crime elects to, or is unable to, make such a report.

- Main Campus: All crimes occurring on or near University property should be reported immediately to the Nampa Police Department by dialing 911. Notify afterward the Campus Safety Department. The number to contact is 208-467-8911. An Officer is available between 5 AM and 12:30 AM.
- Idaho Falls Campus: All crimes occurring on the Idaho Falls campus property should be reported immediately to Idaho Falls Police by dialing 911.

- If a crime is in progress or there is some other situation posing imminent danger, local law enforcement can be reached by dialing 911.
- Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a University staff member will assist in making the report to the police.
- While the University does not have an official channel for making general anonymous reports, anonymous reports of sexual assault or sexual harassment can be made online through the link on the University's <u>Title IX webpage</u>.

Confidential Reporting

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

Pursuant to the University's sexual misconduct policy, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator. A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed with the University without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

The University encourages its pastoral and professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics.

Security of and Access to Campus Facilities

Nampa Main Campus

During the fall and spring semesters, academic buildings are open for faculty/staff members and students Monday-Friday 7:00 AM -10:00 PM. On Saturdays, academic buildings with scheduled classes are open for faculty/staff and students from 07:00 AM - 6:00 PM or as needed for special classes or events. On weekends, the Fine Arts building is available 12:00

PM-12:00 AM and the Leah Peterson Learning Commons is available Saturdays from 11:00 AM - 5:00 PM and Sundays from 4:00 PM - 12:00 AM. All academic buildings are secured on school holidays unless a class or event is scheduled in the building.

All academic buildings are secured during the evenings and weekends, except as specified above. When secured, access to the buildings must be approved by assigned administration, immediate supervisor, faculty, or staff. Access will only be granted when Campus Safety is notified in writing or by a phone call from assigned administration, immediate supervisor, faculty, or staff. Summer building hours are contingent on class and special conference and event schedules. However, in general, the campus facilities are accessible Monday-Friday 7:00 AM -6:00 PM. On Saturdays, only facilities being used for classes are available during scheduled class times. The campus is closed on Sundays and for holidays.

All residence hall entrance doors are locked and secured 24 hours a day seven days a week. Access is gained by key card access and is restricted to undergraduate on-campus student residents and approved administrators/faculty/staff from 6:00 AM -12:00 AM. After 12:00 AM residence halls are restricted to assigned residents only and approved administrators/staff. Non-campus residents must make arrangements for access by contacting their student, the resident hall Resident Director, or Resident Assistant, or by calling Campus Safety.

Security Officers perform random "walk-throughs" in residence halls and other campus facilities as well as vehicle patrols of parking lots and surrounding areas at various times both day and night.

The campus community is advised:

- Do not prop doors open or allow strangers into campus buildings that have been secured.
- Do not lend keys or access cards to non-students and do not leave them unattended.
- Do not give access codes to anyone who does not belong to the campus community.

Keys to the offices, laboratories, and classrooms on campus will be issued to employees only as needed and after receiving proper authorization. Each department supervisor is responsible for assuring his/her area is secured and locked.

Employee and student identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission.

All vendors requiring access to residence halls and other campus facilities must register with the Facilities Department. After the vendor is registered, access will be granted during normal business hours and will be supervised by the club organization, department, or employee who arranged for service. After-hours facility access for vendors must be approved by the Facilities Manager, Department Administrator, or by the campus employee who arranged for the service. Campus Safety will only grant access when notified in writing or by a phone call

from the Facilities Manager, Department Administrator, or by the campus employee who arranged for the service. University Administration and Security reserve the right to terminate visitor access to the campus and campus facilities any time deemed necessary.

Idaho Falls Campus

The University leases office space located at 901 Pier View Dr., 105D, Idaho Falls, that is used as classroom space for the graduate social work program. The classroom is open for faculty/staff and students only on Thursdays and Fridays from 3:00 PM - 10:00 PM and Saturdays from 10:00 AM - 2:00 PM. The site administrator has the only University issued key to the site and locks and unlocks the classroom for classes. Vendors requiring access to the classroom are approved and accompanied by the administrator.

Security Considerations in the Maintenance of Facilities

For the Nampa Main Campus, the Campus Safety Department works with the Facilities Department to identify maintenance issues on the main campus that may be safety hazards. Safety checks are completed to identify street or safety lights that are not functioning properly, or to determine if shrubs or other landscaping might need trimming. Maintenance personnel regularly check to ensure there is adequate lighting on pathways and that egress lighting is working in hallways and stairwells.

For the Idaho Falls campus, the Idaho Falls site administrator works with the landlord and/or the Department Chair to identify maintenance issues that might be safety hazards and to correct issues in a timely manner.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The University seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

The University provides information at the beginning of each academic term for students and employees regarding the University's security procedures and practices. This information is in the form of pamphlets, posters and other displays, as well as email blasts. Among other things, it advises students and employees on the importance of reporting criminal activity, to whom crimes should be reported, being responsible for their own safety and the safety of others, and practices regarding timely warnings and emergency notifications.

Crime prevention programs are also presented each semester by Campus Safety and Residential Life. In addition, email blasts are periodically sent out to students and employees

with crime prevention and other safety tips. Pamphlets and videos on crime prevention are available in the Campus Safety Office and Conrad Commons.

Monitoring Off Campus Locations of Recognized Student Organizations

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

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

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

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

Drug and Alcohol Policy

Northwest Nazarene University is an alcohol and drug-free community. Students, faculty, and staff sign a lifestyle agreement that they will not use alcohol or illegal drugs on or off-campus. The possession, use, or distribution of alcoholic beverages is prohibited on the University campus and the University enforces Idaho underage drinking laws. University policies and State laws regarding alcohol and drug use are enforced by Campus Safety, the residence life staff, concerned members of the campus community, the Nampa Police Department, and the Idaho Falls Police Department.

University employees commit to a drug-free, alcohol-free workplace. Employees who violate this policy will be subject to appropriate disciplinary action up to and including termination, or requiring the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purpose.

These policies apply to all full-time and part-time students and all full-time and part-time employees, including faculty, administration, exempt and non-exempt staff.

The University also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the University's activities. Violators of the University's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

Federal Drug Laws (updated 08.05.2024)

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

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

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

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

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

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

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

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

Federal Drug Possession Penalties (21 U.S.C. § 844) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15

days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf.

Drug and Alcohol State Laws

	Any person who possesses marijuana in excess of 3 ounces is guilty of a
fi o p § fo	felony and may be subject to penalties of imprisonment up to 5 years and a fine of up to \$10,000. Idaho Code § 37-2732(e). Possession of under three bunces of marijuana, which is a Schedule I drug, is a misdemeanor with a penalty of imprisonment up to 1 year and a fine of up to \$1,000. Idaho Code § 37-2732(c)(3); Idaho Code § 37-2705(d). There are even harsher penalties for manufacturing and distribution. Idaho Code § 37-2732(a). Medical marijuana is not legal in Idaho.
Controlled Substances W Substances Substance	It is illegal to be in possession of any amount of a controlled substance without a prescription under Idaho law. Idaho Code § 37-2732(c). A first offense, for a nonnarcotic drug, is a misdemeanor, and a person convicted may be imprisoned for not more than one year and fined not more than \$1,000. <i>Id.</i> Drugs classified in higher schedules carry stronger penalties. <i>Id.</i> A court may require a substance abuse evaluation. Idaho Code § 37-2738. Distribution to persons under age 18 or distribution while children are present may carry higher penalties. Idaho Code § \$ 37-2737, 37-2737A. It is unlawful for any person to manufacture or deliver, or possess with intent to manufacture or deliver, controlled substances. Idaho Code § 37-2732(a). Violation of this law is a misdemeanor or a felony, depending on the substance, and can result in fines up to \$100,000 and a prison term up to life imprisonment. <i>Id.</i> ; Idaho Code § 37-2732B(a)(3). The court may order restitution costs, and aggravating factors may increase penalties. Idaho Code § \$ 37-2732(k), 37-2739B. It is unlawful to deliver, or possess or manufacture with intent to deliver, drug paraphernalia. Violation of this law results in imprisonment up to nine (9) years and a fine of not more than \$30,000. Idaho Code. § 37-2734B. Criminal sanctions do not apply to the use of peyote when used by persons of native American descent during a bona fide native American religious ceremony. Idaho Code § 37-2732A. Additionally, a person acting in good faith who seeks medical assistance for any person experiencing a drug-related emergency shall not be prosecuted if the evidence for the charge was obtained as a result of seeking medical assistance. Idaho Code § 37-2739C.

It is a felony to unlawfully store anhydrous ammonia in a container that does not meet state and federal guidelines. Idaho Code § 37-2734C.

It is unlawful for any person to be under the influence of a controlled substance on public property and doing so can result in imprisonment up to 6 months and a fine of up to \$1,000 in addition to possible restitution payments. Idaho Code § 37-2732C.

Alcohol and Minors

A person under 21 years of age who purchases, attempts to purchase, consumes, or otherwise possesses any alcoholic beverage shall be guilty of a civil infraction, punishable by a fine of \$300. A subsequent conviction constitutes a misdemeanor, punishable by a fine of not more than \$2,000 and up to 30 days in jail. A third conviction results in a fine of up to \$3,000 and up to 60 days in jail. In addition, a conviction can result in required alcohol treatment and a loss of driving privileges. *See* Idaho Code §§ 23-604, 18-1502.

Any person who is 18 years of age or older who shall sell, give, or furnish, or cause to be sold, given, or furnished, an alcoholic beverage, including any distilled spirits, beer or wine, to a person under the age of 21 years shall be guilty of a misdemeanor and may be punished by a fine of at least \$500 and up to \$1,000 per violation and up to 1 year in jail. Idaho Code § 23-603. Second or subsequent violations result in a fine of at least \$1,000 and up to \$2,000 per violation and up to 1 year in jail. *Id*.

It is unlawful for any person to fraudulently misrepresent their age to any dispenser of intoxicating or alcoholic beverages or to falsely procure an identification card, or to alter any of the statements contained in the identification card, or to manufacture, produce, sell, offer for sale, or transfer to another person any document purporting to be a certificate of birth or identification card. Idaho Code § 49-2446. This is punishable by up to 6 months in jail and a fine of up to \$1,000. Idaho Code § 18-113.

It is unlawful for anyone under 21 to sell, serve, or dispense alcoholic beverages, unless the person is 19 or over and is doing so in the course of employment. Idaho Code § 23-949.

Driving Under the Influence (DUI)

Idaho law makes it illegal for a person to drive while having a blood alcohol concentration of .08% or higher. In Idaho, it is illegal for a person under the age of 21 years who has a blood alcohol concentration of at least .02% but less than .08% to operate a motor vehicle. Idaho Code § 18-8004.

A person under 21 with at least .02% but less than .08% blood alcohol concentration who operates a vehicle shall be fined an amount not to exceed \$1,000 and shall have their driving privileges suspended for a period of 1 year for a first offense. Idaho Code § 18-8004A. Penalties increase with subsequent offenses. Id. Others found guilty of driving under the influence may be sentenced to jail for a term not to exceed 6 months, may be fined up

to \$1,000, and will have their license suspended for a period of 30 days. Idaho Code § 18-8005. Penalties increase with subsequent offenses. <i>Id.</i>
Idaho law also makes it illegal to drive under the influence of drugs or any other intoxicating substances. Idaho Code § 18-8004.

Drug and Alcohol Abuse Prevention Program

The University has a drug and alcohol abuse and prevention program and conducts a biennial review of this program to evaluate its effectiveness. For more information, see below.

- Student alcohol/drug policy: NNU Student Handbook
- Employee alcohol/drug policy: <u>NNU Faculty and Staff Policy Manuals</u> (Log in to the NNU Portal, go to the Employee Tab and in the right-hand column you can access "Links"/"Policy Manuals.")
- Alcohol/drug information: Drug Free Schools & Communities Act of 1989
- Biennial Review of the University's drug and alcohol abuse prevention program: NNU Biennial Review

Prevention, Intervention, and Assistance Programs are available to all members of the NNU Community to combat and cope with problems stemming from chemical use and abuse. Students are encouraged to contact the Wellness Center (208-467-8466) if they themselves or a friend are affected by chemical use or abuse. Programs are also available for University employees through the Employee Assistance Program (EAP) which offers confidential assessment, referral, and counseling resources.

Alcohol and Drug Awareness education is provided to the campus community at various times throughout the year by the Wellness Center and Student Life with assistance provided by Student Peer Counselors, Student Peer Health Educators, and Campus Safety.

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

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

- Title IX Sexual Misconduct Policy: https://nnu.edu/campus-spiritual-life/student-services/title-ix/
- NNU Student Handbook: https://nnu.edu/campus-spiritual-life/student-services/student-handbook/

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

Primary Prevention and Awareness Program:

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

Crime Definitions

Crime Type (Idaho Code Annotated)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that Idaho law does not define the term dating violence.
Domestic Violence	 Idaho law defines domestic violence in both its criminal statues and protective order statutes. Domestic Violence (Idaho Code Ann. § 18-918): Any household member who in committing a battery as defined in Section 18-903 [see below] inflicts a traumatic injury on any other household member is guilty of a felony. A household member who commits an assault [see below] against another household member which does not result in traumatic injury is guilty of a misdemeanor domestic assault. For the purpose of this section: (a) "Household member" means a person who is a spouse, former spouse, or a person who has a child in common, regardless of whether they have been married, or a person with whom a person is cohabiting, whether or not they have married or have held themselves out to be husband or wife; and (b) "Traumatic injury" means a condition of the body, such as a wound or external or internal injury, whether of a minor or serious nature, caused by physical force. The following definitions from the Idaho Code apply to the statutes above: Assault (Idaho Code Ann. § 18-901): An assault is: (a) An unlawful attempt, coupled with apparent ability, to commit a violent injury on the person of another; or (b)

- An intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent.
- Battery (Idaho Code Ann. § 18-903): A battery is any:

 (a) Willful and unlawful use of force or violence upon the person of another; or (b) Actual, intentional and unlawful touching or striking of another person against the will of the other; or (c) Unlawfully and intentionally causing bodily harm to an individual.
- Attempted Strangulation (Idaho Code Ann. § 18-923): (1) Any person who willfully and unlawfully chokes or attempts to strangle a household member, or a person with whom he or she has or had a dating relationship, is guilty of a felony punishable by incarceration for up to fifteen (15) years in the state prison. (2) No injuries are required to prove attempted strangulation. (3) The prosecution is not required to show that the defendant intended to kill or injure the victim. The only intent required is the intent to choke or attempt to strangle.
- Definitions in Idaho's Domestic Violence Crime Prevention Statute (Idaho Code Ann. § 39-6303):
 - O "Domestic violence" means the physical injury, sexual abuse or forced imprisonment or threat thereof of a family or household member, or of a minor child by a person with whom the minor child has had or is having a dating relationship, or of an adult by a person with whom the adult has had or is having a dating relationship.
 - "Dating relationship," for the purposes of this chapter, is defined as a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The nature of the relationship; (b) The length of time the relationship has existed; (c) The frequency of interaction between the parties; and (d) The time since termination of the relationship, if applicable.
 - o "Family member" means spouses, former spouses and persons related by blood, adoption or marriage.
 - "Household member" means persons who reside or have resided together, and persons who have a child in common regardless of whether they have been married or have lived together at any time.

Stalking

• Stalking in the First Degree (Idaho Code Ann. § 18-7905). A person commits stalking in the first degree if the person violates section 18-7906, Idaho Code (defined below), and: a) The actions constituting the offense are in violation of a temporary restraining order, protection order, no contact order or injunction, or any combination thereof; or b) The actions constituting the offense are in violation of a condition of probation or parole; or c) The victim

is under the age of sixteen (16) years; or d) At any time during the course of conduct constituting the offense, the defendant possessed a deadly weapon or instrument; or e) The defendant has been previously convicted of a crime under this section or section 18-7906, Idaho Code, or a substantially conforming foreign criminal violation within seven (7) years, notwithstanding the form of the judgment or withheld judgment; or f) The defendant has been previously convicted of a crime, or an attempt, solicitation or conspiracy to commit a crime, involving the same victim as the present offense under any of the following provisions of Idaho Code or a substantially conforming foreign criminal violation within seven (7) years, notwithstanding the form of the judgment or withheld judgment: assault, battery, crimes against children and vulnerable adults, rape, administering poison with intent to kill, assault with intent to murder, kidnapping, poisoning, forcible sexual penetration by use of foreign object, malicious harassment, or an act of terrorism.

- Stalking in the Second Degree (Idaho Code Ann. § 18-7906): 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.
- The following definitions apply to the above stalking crimes:
 - "Course of conduct" means repeated acts of nonconsensual contact involving the victim or a family or household member of the victim, provided however, that constitutionally protected activity is not included within the meaning of this definition.
 - "Family or household member" means: (i) A spouse or former spouse of the victim, a person who has a child in common with the victim regardless of whether they have been married, a person with whom the victim is cohabiting whether or not they have married or have held themselves out to be husband or wife, and persons related to the victim by blood, adoption or marriage; or (ii) A person with whom the victim is or has been in a dating relationship, as defined in section 39-6303, Idaho Code; or (iii) A person living in the same residence as the victim.
 - "Nonconsensual contact" means any contact with the victim that is initiated or continued without the victim's consent, that is beyond the scope of the consent provided by the victim, or that is in disregard of the victim's expressed desire that the contact be avoided or discontinued. "Nonconsensual contact" includes, but is not limited to: (i) Following the victim or maintaining surveillance, including by electronic means, on the victim;

	 (ii) Contacting the victim in a public place or on private property; (iii) Appearing at the workplace or residence of the victim; (iv) Entering onto or remaining on property owned, leased or occupied by the victim; (v) Contacting the victim by telephone or causing the victim's telephone to ring repeatedly or continuously regardless of whether a conversation ensues; (vi) Sending mail or electronic communications to the victim; or (vii) Placing an object on, or delivering an object to, property owned, leased or occupied by the victim. o "Victim" means a person who is the target of a course of
Sexual Assault	conduct. The institution has determined, based on good-faith research, that Idaho law does not define the term Sexual Assault. Idaho generally prosecutes such offenses under its Sexual Battery statutes. See Idaho Code Ann. § 18-924, et. seq. (defined below).
Rape, Fondling, Incest, Statutory Rape	For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Idaho law are as follows: Rape (Idaho Code Ann. § 18-6101): Rape is defined as the penetration, however slight, of the oral, anal or vaginal opening with a penis accomplished under any one (1) of the following circumstances: Where the victim is under the age of sixteen (16) years, the perpetrator is eighteen (18) years of age or older, and the victim is not lawfully married to the perpetrator. Where the victim is sixteen (16) or seventeen (17) years of age, the perpetrator is three (3) years or more older than the victim, and the victim is not lawfully married to the perpetrator. Where the victim is incapable, through any unsoundness of mind, due to any cause including, but not limited to, mental illness, mental disability or developmental disability, whether temporary or permanent, of giving legal consent. Where the victim resists but the resistance is overcome by force or violence. Where the victim is prevented from resistance by the infliction, attempted infliction, or threatened infliction of bodily harm, accompanied by apparent power of execution; or is unable to resist due to any intoxicating, narcotic, or anesthetic substance. Where the victim is prevented from resistance due to an objectively reasonable belief that resistance would be futile or that resistance would result in force or violence beyond that necessary to accomplish the prohibited contact. Where the victim is at the time unconscious of the nature of the act. As used in this section, "unconscious of the nature of the act" means incapable of resisting because the victim meets one (1) of the following conditions: (a) Was unconscious or

- asleep; (b) Was not aware, knowing, perceiving, or cognizant that the act occurred.
- 8. Where the victim submits under the belief that the person committing the act is the victim's spouse, and the belief is induced by artifice, pretense or concealment practiced by the accused, with intent to induce such belief.
- 9. Where the victim submits under the belief that the person committing the act is someone other than the accused, and the belief is induced by artifice, pretense or concealment practiced by the accused, with the intent to induce such belief.
- 10. Where the victim submits under the belief, instilled by the actor, that if the victim does not submit, the actor will cause physical harm to some person in the future; or cause damage to property; or engage in other conduct constituting a crime; or accuse any person of a crime or cause criminal charges to be instituted against the victim; or expose a secret or publicize an asserted fact, whether true or false, tending to subject any person to hatred, contempt or ridicule.
- Fondling: The institution has determined, based on good-faith research, that Idaho law does not define the term fondling outside of the context of sexual exploitation of a child.
- Incest (Idaho Code Ann. § 18-6601): (1) Any person who willfully marries or engages in sexual intercourse with another person known to be within the degrees of consanguinity within which marriages are declared by law to be incestuous and void under section 32-205, Idaho Code, is guilty of a felony. (2) For the purposes of this section, "sexual intercourse" means genital-genital, oral-genital, anal-genital, oral-anal, manual-anal, or manual-genital penetration between persons of the same or opposite sex.
- Statutory Rape: The institution has determined, based on goodfaith research, that Idaho law does not define the term statutory rape.

Other crimes under Idaho law that may be classified as a "sexual assault" include the following:

Other "sexual assault" crimes

- Sexual Battery (Idaho Code Ann. § 18-924): Sexual battery is any willful physical contact, over or under the clothing, with the intimate parts of any person, when the physical contact is done without consent and with the intent to degrade, humiliate or demean the person touched or with the intent of arousing, appealing to or gratifying the lust, passion or sexual desires of the actor or any other person. For purposes of this section, "intimate parts" means the genital area, groin, inner thighs, buttocks or breasts.
- Aggravated sexual battery (Idaho Code Ann. § 18-925):
 Aggravated sexual battery is sexual battery as defined when the forbidden contact occurs under the circumstances described in section 18-907 (aggravated battery defined), Idaho Code.
- Sexual abuse and exploitation of a vulnerable adult (Idaho Code Ann. § 18-1505B): (1) It is a felony for any person, with the intent

- of arousing, appealing to or gratifying the lust, passion or sexual desires of such person, a vulnerable adult or a third party, to: (a) Commit any lewd or lascivious act or acts upon or with the body or any part or member thereof of a vulnerable adult including, but not limited to: genital-genital contact, oral-genital contact, analgenital contact, oral-anal contact, manual-anal contact or manualgenital contact, whether between persons of the same or opposite sex;(b) Involve a vulnerable adult in any act of bestiality or sadomasochism as defined in section 18-1507, Idaho Code; or (c) Cause or have sexual contact with a vulnerable adult, not amounting to lewd conduct as defined in paragraph (a) of this subsection.
- Sexual Abuse of a Child under the Age of Sixteen Years (Idaho Code Ann. § 18-1506): It is a felony for any person eighteen (18) years of age or older, with the intent to gratify the lust, passions, or sexual desire of the actor, minor child or third party, to: (a) Solicit a minor child under the age of sixteen (16) years to participate in a sexual act; (b) Cause or have sexual contact with such minor child, not amounting to lewd conduct as defined in section 18-1508, Idaho Code; or (c) Induce, cause or permit a minor child to witness an act of sexual conduct.
- Lewd Conduct with Minor Child under Sixteen (Idaho Code Ann. § 18-1508): Any person who shall commit any lewd or lascivious act or acts upon or with the body or any part or member thereof of a minor child under the age of sixteen (16) years, including but not limited to, genital-genital contact, oral-genital contact, anal-genital contact, oral-anal contact, manual-anal contact, or manual-genital contact, whether between persons of the same or opposite sex, or who shall involve such minor child in any act of bestiality or sadomasochism as defined in section 18-1507, Idaho Code, when any of such acts are done with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of such person, such minor child, or third party, shall be guilty of a felony and shall be imprisoned in the state prison for a term of not more than life.
- Sexual Battery of a Minor Child Sixteen or Seventeen Years of Age (Idaho Code Ann. § 18-1508A): (1) It is a felony for any person at least five (5) years of age older than a minor child who is sixteen (16) or seventeen (17) years of age, who, with the intent of arousing, appealing to or gratifying the lust, passion, or sexual desires of such person, minor child, or third party, to: (a) Commit any lewd or lascivious act or acts upon or with the body or any part or any member thereof of such minor child including, but not limited to, genital-genital contact, oral-genital contact, anal-genital contact, oral-anal contact, manual-anal contact or manual-genital contact, whether between persons of the same or opposite sex, or who shall involve such minor child in any act of explicit sexual conduct as defined in section 18-507, Idaho Code; or (b) Solicit such minor child to participate in a sexual act; or (c) Cause or have sexual contact with such minor child, not amounting to lewd

genital or anal opening of any person, by any object, instrument or device: (a) Against the victim's will by: (i) Use of force or violence; or (ii) Duress; or (iii) Threats of immediate and great bodily harm, accompanied by apparent power of execution; or Where the victim is incapable, through any unsoundness of min whether temporary or permanent, of giving legal consent; or (c) Where the victim is prevented from resistance by any intoxicatin narcotic or anesthetic substance; or (d) Where the victim is at the time unconscious of the nature of the act because the victim: (i) Was unconscious or asleep; or (ii) Was not aware, knowing, perceiving or cognizant that the act occurred. [] (3) The provision of this section shall not apply to bona fide medical, health care, or hygiene procedures. Consent (as it The institution has determined, based on good-faith research, that
relates to sexual Idaho law does not define the term consent (as it relates to sexual
activity) activity).

University Definition of Consent

The University uses the following definition of consent in its sexual misconduct policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

Consent means words or overt actions by a person clearly communicating that a particular sexual contact or sexual activity is welcome. If the sexual contact or sexual activity constitutes unwelcome conduct as described above, consent is not present.

Words or overt actions clearly communicate consent when a reasonable person in the circumstances would believe those words or actions indicate a willingness to participate in a mutually agreed-upon sexual contact or sexual activity. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and obtaining consent. It is the responsibility of the person initiating the specific sexual activity or sexual contact to obtain consent for that contact or activity.

The definition of consent is subject to the following:

- Consent can only be given if one is of legal age. In Idaho, the legal age of consent is 16
- Consent to one form of sexual activity does not, by itself, constitute consent to any other forms of sexual activity.
- Consent can be withdrawn at any time. When consent is withdrawn, the sexual activity for which consent was initially provided must stop.
- Consent is active, not passive. Silence or the absence of resistance or saying "no," in and of themselves, cannot be interpreted as consent.
- Whether an individual actively and willingly participates in conduct may be a factor in determining whether there was consent.
- Previous relationships or previous consent do not, by themselves, constitute consent to future sexual acts. In cases of prior relationships, the manner and nature of prior communications between the parties and the context of the relationship may be factors in determining whether there was consent.
- An existing sexual, romantic, or marital relationship does not, by itself, constitute consent.
- Prior sexual activity with other individuals does not imply consent.
- Consent cannot be procured, expressly or implicitly, by use of force, intimidation, threats, or coercion, as that term is defined in the University's Title IX Sexual Misconduct Policy.
- An individual known to be—or who should be known to be—incapacitated, as
 defined in the University's Title IX Sexual Misconduct Policy, cannot consent to
 sexual activity initiated by another individual.
- Use of alcohol or other drugs will never function to excuse behavior that violates the University's Title IX Sexual Misconduct Policy.

Risk Reduction

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

- Trust your instincts. If a situation feels unsafe or uncomfortable, leave. Find a safe
 place. Don't worry about whether others will think you are overreacting. Your
 personal safety comes first.
- Stay alert. Don't make yourself vulnerable. Know the people you are with. Agree with a friend that you will watch out for each other. With technology, music, and texting, it's easy to be distracted. It's important to be aware of your surroundings.
- Use your phone. Make sure your cell phone is charged and that you call on friends if you need assistance. Because phones lose power, or coverage may be lost, have a backup plan.
- Be careful when leaving status updates on social media sites. Leaving information, such as details about your whereabouts, can make you vulnerable. Use common

sense. Don't post personal information that you would have reservations about giving to a stranger.

- Be assertive. Your personal safety is too important to worry about what others may think of you or whether you may hurt someone's feelings. If you're in a situation that makes you uncomfortable, getting out should be your main priority.
- Use the buddy system. Stay with friends. Agree that you'll keep an eye out for each other. If you're going to be separated, tell your friend where you are going and make plans for checking in. If a friend's safety seems compromised, help them move to a safe place.
- If you believe you or a friend has been drugged, call 911 immediately.

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

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

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

Bystander Intervention

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person. We strive to create an environment where students feel a sense of responsibility to their fellow

students and other members of our community. The goal of bystander intervention is to stop sexual violence before it occurs. This entails knowing both when and how to safely intervene.

- Realize that it is important to intervene to help others.
- Don't assume that because others are present, that someone else will intervene.
- Assess whether intervention may be appropriate by identifying interactions that could raise red flags. Pay attention to conduct of a sexual nature that is or may be unwelcomed.
- In determining how to best intervene, the witnesses will want to assess:
 - o What resources are available counseling service, campus security
 - The risks of taking action can you intervene without risking your own personal safety, and
 - Whether there is someone else who is in a better position to act maybe a close friend.
- Treat everyone respectfully. Less confrontational approaches are often effective.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand or if your safety is at risk, don't hesitate to contact the police.

Other Information Covered by the PPAP

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

Ongoing Prevention and Awareness Campaign:

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

PPAP and OPAC Programming Methods:

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

New Students:

- All incoming freshmen are required to take the online training, Speak Up: Understanding and Preventing Sexual Violence. The training provides education on the prevention of dating violence, domestic violence, sexual assault, and stalking. It also helps students identify sexual violence, know how to protect themselves and others, understand the bystander effect and bystander intervention, and understand how to get help and report violations of the University's Sexual Misconduct Policy.
- Incoming freshmen receive additional information and in-service on alcohol education, healthy relationships, and healthy dating during orientation week and throughout the year in resident hall meetings.

Continuing Students:

- Traditional undergraduate students, non-traditional undergraduate students, and graduate students are provided the online Speak Up: *Understanding and Preventing Sexual Violence* training and are asked to complete the training within two weeks after classes begin.
- Residential students receive additional information and in-service on alcohol education, healthy relationships, and healthy dating during orientation week and throughout the year in resident hall meetings.

New employees, including student employees:

- New employees, including student employees, are required to complete the employee version of the Speak Up: Understanding and Preventing Sexual Violence training as part of the employee onboarding process. The training provides education on the prevention of dating violence, domestic violence, sexual assault, and stalking. It also helps employees identify sexual violence, know how to protect themselves and others, understand the bystander effect and bystander intervention, understand how to get help, and understand the reporting obligations of all employees as responsible employees.
- In-person training for new employees provided at new employee orientation meetings and is also available upon request.

Current employees, including current student employees:

All employees are required to complete the employee version of the Speak Up
training each academic year. The training helps employees identify sexual violence,
know how to protect themselves and others, understand the bystander effect and
bystander intervention, understand how to get help, and understand the reporting
obligations of all employees as responsible employees.

- The Title IX coordinator participates in employee orientations and workshops as requested to provide additional information on the University's Title IX policy and process.
- In-person training is available for current employees.
- On-campus first responders, including confidential resources, campus safety personnel, coaches, and resident directors and assistants, receive additional training related to their roles.

Awareness and Prevention Campaigns:

- Bystander training is provided to student athletes each academic year.
- Bystander training is offered to resident assistants and other groups on campus as requested.
- Campus offices, dorm facilities, and restrooms have brochures and posters with information about the University's sexual misconduct policy, how to report policy violations, the resolution process, available support measures, and on and off-campus resources.
- Healthy relationship programming is provided through the Wellness Center and Peer Mentors throughout the year.
- Annual campus alcohol awareness programming and related programming are available through Student Life and the Wellness Center.
- Domestic violence awareness programs through a relationship with the Family Justice Center (a local community resource for victims of domestic violence and sexual assault).
- Sexual assault, domestic and dating violence, and stalking awareness programs throughout the year (e.g., "What Were You Wearing" live art exhibit, partnership with Nampa Family Justice Center with "No More" campaign, domestic violence awareness in conjunction with freshman Cornerstone class project).
- Potty notes: covering important campus issues including healthy relationships, mental health education, drug and alcohol use, and safe dating.

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

If someone is a victim of sexual assault, dating violence, domestic violence or stalking, the individual should take the following steps:

Nampa Campus: Go to a safe place and call 911 or call the Campus Safety Department at 208-467-8911.

Idaho Falls Campus: Go to a safe place and call 911 or Idaho Falls Police dispatch at 208-529-1200.

Individuals may also report to the following:

Title IX Coordinator:

Sheila Bryant

Emerson Administration, Room 208

Phone: 208-467-8062

Email: sheilabryant@nnu.edu or TitleIX@nnu.edu

Deputy Title IX Coordinators:

Kylee Ball

Associate Vice President for Student Life Conrad Student Commons, Room 133

Phone: 208-467-8311 Email: kyleeball@nnu.edu

Alison Larson

Associate Athletic Director for Compliance and Student Affairs

Johnson Sports Center, Main Athletic Office

Phone: <u>208-467-8629</u> Email: <u>alisonlarson@nnu</u>

Andrea Morgan

Director of Human Resources

Emerson Administration, Room 104

Phone: <u>208-467-8261</u>

Email: andreamorgan@nnu.edu

You can get additional assistance and support from:

Other On-Campus Resources:

NNU Wellness Center

518 E. Dewey Ave.

Nampa, ID 83686

(Next to College Church)
Website: Wellness Center
Phone: 208-467-8466

Email: wellnesscenter@nnu.edu

University Chaplains

Grant Miller

Conrad Student Commons, Room 136

Phone: 208-467-8665
Email: gtmiller@nnu.edu

Ashley Gage

Conrad Student Commons, Room 134

Phone: <u>208-467-8636</u> Email: <u>agage@nnu.edu</u>

University Chaplain for Graduate and Adult Program Students

Fred Fullerton

University Mission & Ministry

Phone: 208-467-8530

Email: gradchaplain@nnu.edu

Off-Campus Resources:

Nampa Resources

Nampa Family Justice Center

1305 3rd Street South

Website: Nampa Family Justice Center

Phone: 208-475-5700

WCA Rape Crisis Center
Website: www.wcaboise.org

Phone: 208-345-7273

Idaho Falls Resources

Domestic Violence and Sexual Assault Center 1050 Memorial Dr., Idaho Falls, ID 83402

Website: https://www.dvsacac.org/ 24-Hour Crisis: 208-253-2414

To make an appointment: 208-529-4352

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

- 1. To whom and how the alleged offense may be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
- 2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
- 3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police, as applicable; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.

4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at:

Nampa Main Campus

St. Alphonsus Medical Center

Garrity Location:

4402 E. Flamingo Ave.

Nampa, ID 83687

Phone: <u>208-463-5000</u>

Website: Saint Alphonsus Medical Center in Nampa Idaho I84 & Garrity (cphostaccess.com)

12th Avenue Location:

1510 12th Ave. Rd. (Emergency Room)

Nampa, ID 83686 Phone: <u>208-205-0700</u>

Emergency Room Website: Nampa Emergency Room - 12th Ave - Saint Alphonsus

St. Luke's Nampa Medical Plaza

9850 W. St. Luke's Dr.

Nampa, ID 83687

Phone: 208-505-2000

Website: St. Luke's Nampa Medical Center (stlukesonline.org)

Nampa Family Justice Center

Confidential Support, Advocacy, Counseling, Legal Assistance, and SAFE Exams

1305 3rd Street South

Nampa, ID

Website: Nampa Family Justice Center

Phone: 208-475-5700

WCA Rape Crisis Center Website: www.wcaboise.org

Phone: 208-345-7273

Nampa Police Department 820 2nd Street South

Phone: 208-465-2257

Idaho Falls Campus

Domestic Violence and Sexual Assault Center 1050 Memorial Drive

Idaho Falls, ID

24-Hour Crisis: 208-235-2412 Website: www.dvsacac.org

To make an appointment: <u>208-529-4352</u>

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

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

Security/Law Enforcement & How to Make a Police Report

- NNU Campus Safety Phone: 208-467-8911
- Nampa Police Department 820 2nd Street So.
 Nampa, ID

Phone: <u>208-465-22</u>57

To make a police report, contact Nampa Police Dispatch at <u>208-465-2257</u>. Dispatch will take your information and a police officer will be assigned to contact you to complete the report.

 Idaho Falls Police Department 605 N. Capital Ave.
 Idaho Falls, ID

Phone: 208-529-1200

To make a police report, call Idaho Falls Police Dispatch at <u>208-529-1200</u>. Dispatch will take your information and an officer will be assigned to contact you to complete the report.

Information about Legal Protection Orders

Individuals who would like to avoid contact with another individual have several options available to them, including seeking a protective order from a civil court, a criminal nocontact order from a criminal court, or requesting a no-contact directive from the University.

Protective orders and criminal no-contact orders are legal orders issued by a state court which forbid someone from making contact with another.

Civil Protective Order: A protective order is issued by a state civil court. Any victim of domestic violence can obtain a civil protective order by going to the clerk of court and asking for the form for protective orders. It is not required that the person who committed the assault be arrested in order to obtain a civil protective order. The University does not issue protective orders, but one can be obtained through making an application to the Canyon County District Court.

Nampa Campus: Applications for a protective order can be obtained from the Canyon County Court Assistance Office or online:

Canyon County Court Assistance Office

Canyon County Courthouse 1115 Albany St., Room 334

Caldwell ID 83605

Website: www.canyonco.org; Civil | Canyon County (id.gov)

Email: cao@canyonco.org
Phone: 208-454-7455

Forms Available Online: Idaho Court Assistance Office

Idaho Falls Campus: Applications for a protective order can be obtained from the Bonneville County Court House or online:

Bonneville County Court House

605 N. Capital Ave. Idaho Falls, ID 83402

Website: 7th Judicial District Court Assistance Office | Courts | Bonneville County

Email: cao@co.bonneville.id.us

Phone: 208-529-1375

Forms Available Online: Idaho Court Assistance Office

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

Nampa Campus:

Nampa Family Justice Center Confidential Support, Advocacy, Counseling, Legal Assistance, and SAFE Exams 1305 3rd Street South

Nampa, ID

Website: Nampa Family Justice Center

Phone: 208-475-5700

Link to Order of Protection Forms: Idaho Court Assistance Office

Idaho Falls Campus:

Domestic Violence and Sexual Assault Center 1050 Memorial Drive Idaho Falls, ID

24-Hour Crisis: 208-235-2412 Website: www.dvsacac.org

To make an appointment: 208-529-4352

Criminal No-Contact Order: A criminal no-contact order is issued by a state criminal court as part of a criminal case, when a person has been arrested and charged with a crime. Criminal no-contact orders are generally issued in criminal cases of assault, aggravated assault, battery, aggravated battery, assault or battery with intent to commit a serious felony, domestic assault and battery (misdemeanor and felony), rape, sexual abuse of a minor, lewd conduct, and phone harassment. These criminal no-contact orders are requested by the county attorney at the time of the defendant's first appearance before a judge.

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

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

No-Contact Directive: A no-contact directive is a University-issued directive that prohibits one or both parties from communication or contact with another. No-contact directives may be mutual or one-sided. Generally, no-contact directives issued prior to the conclusion of the complaint resolution process will be mutual and serve as notice to both parties that they must not have verbal, electronic, written, or third-party communication with one another. To

request a no-contact directive from the University, individuals should contact the Title IX Coordinator:

Sheila Bryant

Emerson Administration, Room 208

Phone: <u>208-467-8062</u>

Email: sheilabryant@nnu.edu or TitleIX@nnu.edu

The institution may also issue a "no trespass warning" if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a no trespass warning may be arrested and criminally charged.

The University is responsible for honoring requests for information about available options for protective orders and no contact orders and has a responsibility to comply with and enforce such orders. To request additional information about available options for protective orders and no-contact orders, contact the Title IX Coordinator. A protective order or no-contact order can be enforced by contacting local law enforcement. A University no-contact directive may be enforced by contacting Campus Safety or the Title IX Coordinator. The University will fully cooperate with any protective order and/or no-contact order issued by a criminal, civil, or tribal court.

Available Victim Services:

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

NNU Wellness Center 518 E. Dewey Ave. (Next to College Church)

Website: wellnesscenter.nnu.edu

Phone: 208-467-8466

Email: wellnesscenter@nnu.edu

Student Financial Aid – Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired.

NNU Financial Aid Office:

Emerson Administration, Room 1B

Phone: 208-467-8638

Website: Financial Aid - Northwest Nazarene University (nnu.edu)

NNU International Student Programs Office:

Richard Vasquez

Principle Designated School Official/Responsible Officer

Phone: 208-467-8499

Email: <u>rrvasquez@nnu.edu</u>

USCIS (US Citizenship and Immigration Services)

USCIS Application Support Center

7180 Potomac Dr. Boise, ID 83704

Website: Home | USCIS

State/Local Resources

Medical and Mental Health Care Options

Sexual Assault Forensic Examiners (SAFE Nurses) available at area hospitals and through the Nampa Family Justice Center listed below:

Nampa

St. Alphonsus Medical Center

Garrity Location:

4402 E. Flamingo Ave.

Nampa, ID 83687

Phone: 208-463-5000

Website: Saint Alphonsus Medical Center in Nampa Idaho I84 & Garrity (cphostaccess.com)

12th Avenue Location:

1510 12th Ave. Rd. (Emergency Room)

Nampa, ID 83686 Phone: 208-205-0700

Emergency Room Website: Nampa Emergency Room - 12th Ave - Saint Alphonsus

St. Alphonsus Behavioral Health Center (Boise)

131 N. Allumbaugh St.

Boise ID 83704

Phone: 208-302-0900

Website: Behavioral Health Counseling and Therapy Services (saintalphonsus.org)

St. Luke's Nampa Medical Plaza

9850 W. St. Luke's Dr.

Nampa, ID 83687 Phone: 208-505-2000

Website: St. Luke's Nampa Medical Center (stlukesonline.org)

Idaho Falls:

Eastern Idaho Regional Medical Center

3100 Charming Way Idaho Falls, ID 83404 Phone: 208-529-7910

Website: eirmc.com

Off-Campus Confidential Resources and Support

Nampa:

Nampa Family Justice Center

Confidential Support, Advocacy, Counseling, Legal Assistance, and SAFE Exams

1305 3rd Street South

Nampa, ID

Website: Nampa Family Justice Center

Phone: 208-475-5700

WCA Rape Crisis Center

Website: www.wcaboise.org

Phone: <u>208-345-7273</u>

Idaho Legal Aid Services Nampa

212 12th Ave Rd

Nampa, ID

Website: Idaho Legal Aid Nampa

Phone: <u>208-476-7541</u>

Idaho Falls:

Domestic Violence and Sexual Assault Center

1050 Memorial Drive

Idaho Falls, ID

24-Hour Crisis: 208-235-2412

To make an appointment: 208-529-4352

Website: www.dvsacac.org

Idaho Legal Aid Services Idaho Falls 482 Constitution Way, Ste. 101 Idaho Falls, ID

Website: Idaho Legal Aid Idaho Falls

Phone: 208-524-3660

National Resources

• National Domestic Violence Hotline: 1-800-799-7233

- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): https://www.rainn.org/
- US Dept. of Justice Office on Violence Against Women: https://www.justice.gov/ovw
- National Coalition Against Domestic Violence: http://www.ncadv.org/
- National Sexual Violence Resource Center: http://www.nsvrc.org/
- U.S. Citizenship and Immigration Services: https://www.uscis.gov/
- Immigration Advocates Network: https://www.immigrationadvocates.org/

Accommodations and Protective Measures:

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

Requests for accommodations or protective measures should be made to the Title IX Coordinator at <u>208-467-8062</u>, or by email at <u>titleix@nnu.edu</u>. The Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

The Title IX Coordinator will consider whether accommodations or protective measures are reasonably necessary or appropriate to protect the parties and the broader University community. Accommodations or protective measures will be available without fee or charge to the parties and others adversely impacted by the complaint resolution process, if requested and reasonably available. Such measures will be designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment or to deter sexual harassment.

Examples of possible supportive/interim measures include:

- Establishing a "no contact" directive prohibiting the parties involved from communicating with each other;
- Changing an individual's on-campus residency, dining, or transportation arrangements;
- Special parking arrangements;
- Assistance in finding alternative housing;
- Changing an individual's student or employee status or job responsibilities;
- Changing an individual's work or class schedule;
- Providing academic accommodations or providing assistance with academic issues;
- Providing security escorts;
- Providing a temporary cell phone;
- · Access to counseling and medical services;
- Making information about protective orders and criminal no contact orders available and providing assistance with respect to obtaining and enforcing such orders;
- Assistance in identifying an advocate to help secure additional resources or assistance, including off-campus and community advocacy, support, and services, legal assistance, visa and immigration assistance, and student financial aid.

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

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

The University will maintain as confidential any accommodations or protective measures provided to an individual, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures. The University will only disclose information necessary to provide the accommodations or protective measures in a timely manner to individuals who need to know the information in order to effectively provide the accommodations or protective measures. The Title IX Coordinator will determine what information about an individual should be disclosed and to whom this information will be disclosed based on the facts and circumstances of the specific situation and the accommodation to be provided. The University will inform the individual before sharing personally identifying information that the University believes is necessary to provide an accommodation or protective measure. The University will tell the individual which information will be shared, with whom it will be shared, and why it will be shared. Additionally, any public release of information, including information to comply with Clery Act provisions (e.g., Campus Crime Log, Annual Security Report, issuing campus alerts, etc.), will not include the names of victims or information that could easily lead to a victim's

identification. Privacy of the records specific to an investigation is maintained in accordance with Idaho law and the Family Educational Rights and Privacy Acts of 1974 ("FERPA"), as well as any other applicable law or regulation.

Procedures for Disciplinary Action:

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

The University's resolution process distinguishes between sexual assault, domestic violence, dating violence, and stalking that falls under the Title IX regulations and sexual assault, domestic violence, dating violence, and stalking that falls outside of the Title IX regulations:

- <u>Title IX Sexual Assault, Domestic Violence, Dating Violence, and Stalking</u> when such conduct occurs (1) in the University's education program or activity and (2) against a person in the United States).
- Non-Title IX Sexual Assault, Domestic Violence, Dating Violence, and Stalking when such conduct occurs (1) outside the University's education program or activity and (2) against a person outside of the United States.

The procedures in the formal process for all cases of Sexual Misconduct are the same through the investigation phase. Prior to providing access to information, the Title IX Coordinator will make a final determination as to the procedures that will apply to the access to information phase and the adjudication phase

Reporting to the University

Reports of sexual misconduct should be made to one of the following individuals:

Title IX Coordinator

Sheila Bryant

Emerson Administration, Room 208

Phone: 208-467-8062

Email: sheilabryant@nnu.edu; TitleIX@nnu.edu

Deputy Title IX Coordinators

Kylee Ball

Associate Vice President for Student Life Conrad Student Commons, Room 133

Phone: 208-467-8311 Email: kyleeball@nnu.edu Alison Larson

Associate Athletic Director for Compliance and Student Services

Johnson Sports Center, Main Athletic Office

Phone: <u>208-467-8629</u>

Email: alisonlarson@nnu.edu

Andrea Morgan

Director of Human Resources

Emerson Administration, Room 104

Phone: 208-467-8261

Email: andreamorgan@nnu.edu

Reports may be made at any time, including non-business hours by phone, email, mail, or using the University's <u>online reporting form</u> located on the <u>University's Title IX</u> <u>webpage</u>. Individuals also have the option to file an anonymous report using the online reporting form. Reports to the University should include as much information as possible, including the names of the complainant, respondent, and other involved individuals, and the date, time, place, and circumstances of the incidents, to enable the University to respond appropriately.

Once the Title IX Coordinator receives a report, the Title IX Coordinator will promptly contact the complainant to assess the nature and circumstances of the allegation, address the needs of the complainant and the campus, notify the complainant of their rights, provide information about on and off campus resources, discuss procedural options, including how to file a formal complaint and the complaint resolution process, and explain the University's policy prohibiting retaliation.

The filing of a formal complaint typically begins the complaint resolution process. Once the Title IX Coordinator has received a formal complaint, he or she will assess the Formal Complaint and, if the formal complaint alleges sexual misconduct, the Title IX Coordinator will provide written notice of allegations to the parties. The written notice will include, notice of the University's complaint resolution process, including the informal resolution process, notice of the allegations, a statement that the respondent is presumed not responsible and a determination of responsibility is made at the conclusion of the complaint resolution process, notice that parties have the right to an advisor who may but are not required to be an attorney, notice that parties have the right to inspect evidence, and notice of policy provisions that prohibit knowingly making false statements or knowingly submitting false information during the complaint resolution process.

The Title IX Coordinator will also meet with the respondent and will notify the respondent of the complaint and alleged policy violations, provide an explanation of the complaint resolution process, including the informal resolution process, notify the respondent of any supportive measures that are in place as well as measures that are available to the respondent, provide information about on and off campus resources, and explain the University's policy prohibiting retaliation.

The university will strive to complete the review of formal complaint and notice of allegations to the parties within ten (10) calendar days.

Informal Resolution Process

Once a formal complaint is received and at any time prior to reaching a determination regarding responsibility, the University may facilitate an informal resolution process. Participation in informal resolution is voluntary, and the complainant and respondent have the option to discontinue the informal process and request a formal complaint resolution process at any time prior to reaching an agreed upon resolution. In cases involving allegations of Sexual Assault or more serious Sexual Misconduct, informal resolution may not be appropriate. In addition, in cases involving allegations that an employee engaged in Title IX Sexual Harassment against a student, informal resolution is not appropriate. The informal resolution process ends when a resolution has been reached or when the complainant, the respondent, or the University terminates the process. A successful informal resolution results in a binding agreement between the parties and no appeal is available.

Formal Resolution Process

• The Investigation Phase

After receiving the formal complaint, the Title IX Coordinator will designate one or more investigators to conduct a prompt and equitable investigation. The complainant and respondent will have the opportunity to advise the investigator(s) of any witnesses they believe should be interviewed, other evidence they believe should be reviewed by the investigator(s), and questions they believe the investigator(s) should ask the other party or witnesses, including questions challenging credibility. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available.

At the conclusion of the investigation, the investigator(s) generally will compile an investigation report that fairly summarizes the relevant evidence. The investigation report may consist of any information, documents, data, or other evidence that will be provided to the Title IX Hearing Panel/adjudicators. At the investigator's discretion, such information may include, as applicable: the formal complaint; the notice of allegations; any other evidence obtained during the investigation; and the investigator's report of the investigation. The investigation report will be forwarded to the Title IX Coordinator. The University strives to complete the investigation within fifty (50) calendar days.

• The Access to Information Phase

As noted above, the procedures in the formal process for all cases of Sexual Misconduct are the same through the investigation phase. Prior to providing the parties access to information, the Title IX Coordinator will make a final determination as to the procedures that will apply to the access to information phase and the adjudication phase of the process.

 Procedure for Allegations of Title IX Sexual Assault, Domestic Violence, Dating Violence, and Stalking

For formal complaints involving allegations of Sexual Assault, Dating Violence, Domestic Violence, or Stalking, under the Title IX regulations, the parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint. After the parties' opportunity to review the directly related evidence, the Title IX Coordinator will send the investigation report to each party and each party's advisor at least ten (10) days prior to the live hearing and the parties will have a five (5) calendar day period to review the investigation report, prepare a written response to the report, and submit the response to the Title IX Coordinator.

The university will strive to complete the access of information phase within twenty- two (22) calendar days.

 Procedure for Allegations of Non-Title IX Sexual Assault, Domestic Violence, Dating Violence, and Stalking

For formal complaints involving allegations of Sexual Assault, Dating Violence, Domestic Violence, or Stalking, occurring outside of Title IX, the investigation report will be made available for review by the complainant and respondent. The complainant and respondent will have the opportunity to review the investigation report and prepare a written response to the investigation. The parties will have an opportunity to review the Written Response Statement submitted by the other party and submit a rebuttal statement. The parties will have an opportunity to review the Written Rebuttal Statement submitted by the other party; no further responses are permitted by either party.

The University strives to complete the access to information phase within ten (10) calendar days.

• The Adjudication Phase

Upon completion of the investigation and access to information stage, the Title IX Coordinator will compile the adjudication file which will be shared with the Title IX Hearing Panel or adjudicators.

 Adjudication Process for Allegations of Title IX Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Upon completion of the investigation in cases involving allegations of Title IX Sexual Harassment, the matter will be submitted to a Title IX Hearing Panel to hold a live hearing and to make a determination regarding responsibility and, if appropriate, sanctions. At the live hearing, each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. All evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint will be made available at the hearing. At the conclusion of the hearing, the respondent will be

deemed responsible for a policy violation only if the Title IX Hearing Panel concludes that there is sufficient evidence, by a "preponderance of evidence," to support a finding that the respondent engaged in sexual assault, domestic violence, dating violence, or stalking. If the Title IX Hearing Panel determines that the respondent is responsible for a policy violation, the Title IX Hearing Panel will then determine what sanctions and remedies are warranted.

The University will strive to complete the adjudication phase within twenty-five (25) calendar days

 Adjudication Process for Allegations of Non-Title IX Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Upon completion of the investigation in matters involving allegations of Sexual Misconduct that do not fall under the Title IX regulations, the Title IX Coordinator will designate a panel of three adjudicators to review the adjudication file and determine whether there is sufficient evidence, by a "preponderance of evidence," to support a finding that the respondent engaged in sexual assault, domestic violence, dating violence, or stalking. If the adjudicators determine that the respondent is responsible for a policy violation, they will then determine what sanctions and remedies are warranted.

The University will strive to complete the adjudication phase within twenty-five (25) calendar days

Notice of Determination

At the end of the adjudication phase, in both the Title IX and Non-Title IX cases, the complainant and respondent will simultaneously receive a written notice of the determination of the formal complaint.

Appeals

Both parties have an equal opportunity to appeal the determination by filing a written appeal of the Title IX Hearing Panel's/adjudicators' decision regarding responsibility.

Grounds for appeals are as follows:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or Title IX Hearing Panel/adjudicator(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter;

- The sanction or other response by the University is substantially disproportionate to the findings;
- The determination violated academic freedom.

Appeals must be submitted to the Title IX Coordinator in writing within two (2) calendar days following the date of the Notice of Determination sent to the parties. The written appeal must state the grounds for appeal. If the Title IX Coordinator determines that the appeal states a permissible ground for appeal, the non-appealing party will be notified of the appeal and provided an opportunity to review the appeal statement and submit a written response in support of the outcome. The Title IX Coordinator generally will compile an appeal file, which may consist of any information, documents, or other evidence that is provided to the appeal officers. The appeal file will be made available for review by the complainant and respondent.

Appeals will be considered by a panel of three appeal officers designated by the Title IX Coordinator. The appeal officers will not rehear the case, but will review the appeal file and consider whether it is more likely than not that the above-listed grounds for appeal have been satisfied. The appeal officers have the authority to affirm the findings or remand the findings for reconsideration. If the appeal officers grant an appeal finding the imposed sanction substantially disproportionate to the findings, the appeal officers have the discretion to modify the sanctions determination or to remand the matter to the Title IX Hearing Panel/adjudicators for a new sanctions determination. If the appeal officers modify the sanctions determination, the appeal officers' sanction decision will be subject to an appeal pursuant to this section. If the appeal officers determine there is insufficient evidence to conclude that it is more likely than not that one or more grounds for appeal have been satisfied, the appeal officers will dismiss the appeal.

The appeal officers will simultaneously issue a written decision to the parties describing the result of the appeal and the appeal officers' rationale for the result.

The University strives to complete the appeal phase within twenty (20) calendar days.

Rights of the Parties in an Institutional Proceeding:

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

- 1. A prompt, fair and impartial process from the initial investigation to the final result.
 - A prompt, fair and impartial process is one that is:
 - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
 - Conducted in a manner that:
 - Is consistent with the institution's policies and transparent to the accuser and the accused.

- Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
- Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
- Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - Such training addresses topics such as the definition of Title IX Sexual Harassment; the scope of the University's education program or activity; how to conduct an investigation and complaint resolution process, including hearings, appeals, and informal resolution processes, as applicable; how to serve impartially, including by avoiding prejudgment of the facts at interest, conflicts of interest, and bias; issues related to sexual harassment, sexual assault, domestic violence, dating violence, stalking; and how to conduct an investigation and decision-making process that protects the safety of all and promotes accountability. Investigators will receive training on issues of relevance to create an investigation report that fairly summarizes relevant evidence. Title IX Hearing Panel members will receive training on any technology to be used at a live hearing and 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. The training is free of bias such as sex stereotypes or generalizations, promotes impartial investigations and adjudications, and includes the following topics, as applicable: relevant evidence and how it should be used, proper techniques for questioning witnesses, basic rules for conducting proceedings, avoiding actual or perceived conflicts of interest, and the University's policies and procedure.

The following annual training programs have been, or will soon be, completed by University officials:

TITLE IX COORDINATOR

- Advanced Title IX Coordinators and Deputy Coordinators Training under the 2020 Title IX Regulations
- New Title IX Coordinators and Deputy Coordinators Training under 2020 Title IX Regulations
- Conducting an Informal Resolution Under Title IX/VAWA
- Title IX/VAWA Investigator Training under the 2020 Title IX Regulations
- Conducting a Grievance Process Under 2020 Title IX Regulations

- Conducting a Live Hearing Under Title IX/VAWA
- Trauma-Informed Training for First Responders, Confidential Resources, and Campus Safety

DEPUTY TITLE IX COORDINATORS

- Advanced Title IX Coordinators and Deputy Coordinators Training under the 2020 Title IX Regulations
- New Title IX Coordinators and Deputy Coordinators Training under 2020 Title IX Regulations

INVESTIGATORS

 Title IX/VAWA Investigator Training under the 2020 Title IX Regulations

ADJUDICATORS

- Conducting a Grievance Process Under 2020 Title IX Regulations
- Conducting a Live Hearing Under Title IX/VAWA

APPEALS OFFICERS

- Title IX/VAWA Appeal Officer Training
- 3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
- 4. Have the outcome determined using the preponderance of the evidence standard.
- 5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, "result" means "any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters" and must include the rationale for reaching the result and any sanctions imposed.

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

Following a final determination in the University's disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the University may impose a sanction depending on the mitigating and aggravating circumstances involved. Individuals who are found responsible may face sanctions as appropriate for students, employees, visitors, or others, including the following sanctions. Each of these sanctions and other sanctions may be imposed alone or in combination:

- Required assessment, education, or training;
- Probation:
- Warnings;
- Loss of privileges;
- Fines:
- Restitution;
- Behavioral contracts;
- Community service hours;
- Campus housing suspension, ranging from 2 weeks to 5 years, with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at University events;
- Temporary or permanent restricted access to areas of campus, and campus events, activities, organizations, or courses;
- Conditions upon presence on campus or at University events;
- No trespass or no-contact orders;
- Removal or non-renewal of scholarships or honors;
- Suspension from the University, ranging from 2 weeks to 5 years, with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at University events;
- Expulsion from the University;
- Withholding of diploma or degree for a defined period of time or until the completion of assigned sanctions;
- Temporary or permanent revocation of degree;
- Revocation of admission to the University;
- Loss of salary or benefit such as sabbatical or research or travel funding;
- Suspension of promotion and salary increases, ranging from 2 weeks to 5 years, with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at University events;
- Suspension or withdrawal of faculty privileges, ranging from 2 weeks to 5 years, with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at University events;
- Transfer or change of job or responsibilities;
- Reassignment or removal from an elected or appointed position;
- Formal censure:
- Revocation of tenure;
- Demotion: and/or
- Termination of employment.

When an investigation reveals that a campus organization (such as a student club, athletic team, campus academic department, or staff/faculty committee) has committed or promoted

behavior involving Sexual Misconduct, the organization may be sanctioned. Sanctions to the organization may include loss of University privileges (including, but not limited to, prohibition on the organization's participation in certain activities and the use of University facilities), educational requirements for organization members, required additional oversight of organization activities, temporary loss of funding and/or loss of recognition by the University, and permanent loss of organization recognition, in addition to individual members of the organization who are determined responsible for a Policy violation being subject to the sanctions listed above. All campus organizations/departments are responsible for the actions of its members when they are operating on behalf of the organization/department.

In addition, the University can make available to the victim a range of protective measures. They include, without limitation:

- A mutual or one-sided no-contact order;
- Prohibiting an individual involved from being on University property;
- Prohibiting an individual involved from participating in University-sponsored events;
- Changing an individual's on-campus residency, dining, or transportation arrangements, or prohibiting an individual from residing in a University residence;
- Special parking arrangements;
- Assistance in finding alternative housing;
- Changing an individual's student or employee status or job responsibilities;
- Changing an individual's work or class schedule;
- Providing academic accommodations or providing assistance with academic issues;
- Providing security escorts;
- Providing a temporary cell phone;
- · Access to counseling and medical services;
- Making information about protective orders and criminal no-contact orders available to a complainant; and/or
- Assistance identifying an advocate to help secure additional resources or assistance, including off-campus and community advocacy, support, and services.

Publicly Available Recordkeeping:

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

Victims to Receive Written Notification of Rights:

When a student or employee reports to the University that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred

on or off campus, the University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

Sex Offender Registration Program:

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Campus Safety Director, Scott Chandler, 208-467-8550, scottchandler@nnu.edu. The State of Idaho registry of sex offender information may be accessed at the following link: Idaho State Police Sex Offender Registry

Timely Warnings and Emergency Response

Timely Warnings

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

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

- Campus Safety Department, 208-467-8911
- Director of Human Resources, 208-467-8036
- Vice President for Student Life, 208-467-8663

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

Emergency Response

The University has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on

campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The University has communicated with local police requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response.

Students, staff and visitors are encouraged to notify the Campus Safety Department at <u>208-467-8911</u> of any emergency or potentially dangerous situation.

The Campus Safety Director will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other University departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the NNU Executive Administration will consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

The Campus Safety Director in collaboration with the Vice President for Student Life and other appropriate personnel, will determine who should be notified, the Office of Marketing and Communications will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

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

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also, as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

Methods for Issuing Timely Warnings and Emergency Notifications

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

Method	Sign Up Instructions
Blackboard Connect (Text, Email, a voice messages).	Students: From the NNU Portal (my.nnu.edu) under the Student Tab, go to the menu on the left side of the page, under STUDENT, select "Emergency Contact Update" and provide your contact information. Employees: From the NNU Portal (my.nnu.edu) under the Employee Tab, go to the menu on the right side of the page, under the Communication section, select "Emergency Notification Preferences" and provide your contact information.
Posts on on-campus bullet boards	n/a
Local media resources, including student newspaper/social media news resources	n/a
Banner on University webpage (www.nnu.edu)	n/a
University Email	Employees and students are automatically assigned a University email upon employment or enrollment.

Testing & Documentation

The University tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the Emergency Management Team will meet to train and test and evaluate the University's emergency response plan. The purpose of these evacuation exercises and emergency tabletop drills is to test emergency response procedures, practice the coordination efforts involved in emergency response, and prepare building occupants for an orderly evacuation in case of fire or another emergency. The training and test plans would include table-top drill exercises with the Nampa Police Department and on occasion the FBI. Announcing these types of training is by invitation through email. The purpose of the tabletop drill is to generate discussion of various issues regarding an exercise scenario and to facilitate mental understanding, identify strengths, and areas for improvement, and/or achieve changes in perceptions.

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

Missing Student Policy

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to Associate Vice-President of Student Life at 208-467-8311 or Campus Safety at 208-467-8911. Any University employee receiving a missing student report should immediately notify Campus Safety so that an investigation can be initiated.

Students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University only in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that individual no later than 24 hours after the student is determined to be missing. The option to identify a contact person in the event the student is determined missing is in addition to identifying a general emergency contact person, but they can be the same individual for both purposes. A student's confidential contact information will be accessible only by authorized campus officials, and it will only be disclosed to law enforcement personnel in furtherance of a missing student investigation.

A student who wishes to designate a confidential contact may do so through the Student Life Office.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, the University will notify local police authorities unless it was local law enforcement that made the determination that the student is missing. If the missing student is under the age of 18 and is not emancipated, the University will also notify that student's custodial parent or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

Crime Statistics

The statistical summary of crimes for the Nampa campus at 623 S. University Blvd, Nampa, ID, over the past three calendar years follows:

	On Campus		On Campus Housing		Non-Campus		Public Property					
Crime	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021
Murder/Non-Negligent	0	0	0	0	0	0	0	0	0	0		
Manslaughter	0	0	0	0	U	0	0	U	U	0	0	0
Manslaughter by	0	0	0	0	0	0	0	0	0	0	0	0
Negligence	0	U	U	0	U	U	U	U	U	U	U	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	1	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0

	On Campus		On Campus Housing		Non-Campus			Public Property				
Crime	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	1	1	0	1	1	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Liquor Law Violation	0	1	0	0	0	0	0	0	0	0	1	0
Arrest - Drug Abuse Violation	0	1	0	0	0	0	0	0	0	0	1	0
Arrest - Weapon Violation	1	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Liquor Law Violation	5	2	0	5	0	0	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Weapon Violation	0	0	2	0	0	2	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	1	2	0	0	1	0	0	0	0	0	0	0

Hate crimes:

2023: No hate crimes reported.2022: No hate crimes reported.2021: No hate crimes reported.

Crimes unfounded by the University:

2023: 0 unfounded crimes. 2022: 0 unfounded crimes. 2021: 0 unfounded crimes.

Statistics for unfounded crimes provided by law enforcement agencies:

2023: 0 unfounded crimes. 2022: 0 unfounded crimes. 2021: 0 unfounded crimes.

The statistical summary of crimes for the second campus location, Snake River Landing, 901 Pier View Dr. #105D, Idaho Falls, ID, for the calendar year 2023, is below. The site first met

the criteria as a second campus in October of 2020. The site does not have on-campus housing.

	Oı	n Can	npus	H	On ampus ousina (N/A)	No	n-Car	mpus		Public ropert	
Crime	2023	2022	2021			2023	2022	2021	2023	2022	2021
Murder/Non-Negligent Manslaughter	0	0	0			0	0	0	0	0	0
Manslaughter by Negligence	0	0	0			0	0	0	0	0	0
Rape	0	0	0			0	0	0	0	0	0
Fondling	0	0	0			0	0	0	0	0	0
Statutory Rape	0	0	0			0	0	0	0	0	0
Incest	0	0	0			0	0	0	0	0	0
Aggravated Assault	0	0	0			0	0	0	0	0	0
Burglary	0	0	0			0	0	0	0	0	0
Robbery	0	0	0			0	0	0	0	0	0
Motor Vehicle Theft	0	0	0			0	0	0	0	0	0
Arson	0	0	0			0	0	0	0	0	0
Arrest - Liquor Law Violation	0	0	0			0	0	0	0	0	0
Arrest - Drug Abuse Violation	0	0	1			0	0	0	0	0	0
Arrest - Weapon Violation	0	0	0			 0	0	0	0	0	0
Disciplinary Referral- Liquor Law Violation	0	0	0			0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	0	0	0			0	0	0	0	0	0

Hate crimes:

2023: No hate crimes reported.2022: No hate crimes reported.2021: No hate crimes reported.

Crimes unfounded by the University:

2023: 0 unfounded crimes. 2022: 0 unfounded crimes. 2021: 0 unfounded crimes.

Statistics for unfounded crimes provided by law enforcement agencies:

2023: 0 unfounded crimes. 2022: 0 unfounded crimes. 2021: 0 unfounded crimes.

Data from law enforcement agencies:

- The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the University's Clery Geography.
- The University was provided with some crime data from law enforcement agencies for which it cannot be determined whether any of the statistics apply to or include the University's Clery Geography.
- Certain law enforcement agencies did not comply with the University's request for crime statistics.

Annual Fire Safety Report

Housing Facilities and Fire Safety Systems

The University maintains on-campus housing for its students. Below is a description of fire safety systems and the number of fire drills conducted during the previous calendar year.

Campus: Northwest Nazarene University, 623 Holly St, Nampa, ID 83686-5897

Facility	Fire Alarm Monitoring Done on Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of evacuation (fire) drills in previous calendar year
Corlett Hall, 500 E Colorado Ave	X		X	X	X	X	2
Culver Hall/Dorm, 714 E Bird Ave	X		X	X	Х	X	2
Dooley Hall/Dorm, 801 E Amity Ave	X		X	X	Х	X	2
Ford Residence Hall, 811 S Holly St	X		X	X	Х	X	2
Kirkiede Apartments, 501-509 E Colorado Ave		X		X	X	X	2
Maple 5-plex, 520-526 S Maple & 306 E Dewey Ave				X	X		0
Olsen Apartments (A- F), 908 S Locust St				X	Х	X	2
Student Housing - Sheridan House, 604 E Sheridan Ave				X			0
Sutherland Hall/Dorm, 820 E Dewey St	X		X	X	X	X	2

Idaho Falls Campus: Snake River Landing, 901 Pier View Dr. #105D, Idaho Falls, ID, does not have on-campus housing.

Policies on Portable Appliances, Smoking and Open Flames

The use of open flames, such as candles, and the burning of such things as incense, and smoking are prohibited in campus housing. Only surge-protected extension cords are permitted. Only the following portable cooking appliances are permitted to be used in campus housing: Small appliances (i.e., coffee pots, popcorn poppers) are allowed when used with extreme caution. Microwave ovens, small refrigerators, and micro-fridge combinations are allowed. However, please keep in mind the residential hall wiring systems are not intended for items that place a heavy load on the electrical system. Also, tampering with fire safety systems is prohibited and any such tampering may lead to appropriate disciplinary action.

The University reserves the right to make periodic inspections of campus housing to ensure fire safety systems are operational and that the policy on prohibited items is being complied with. Prohibited items, if found, will be confiscated and donated or discarded without reimbursement.

Fire Evacuation Procedures

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is nearby) as they leave. If circumstances permit at the time of the alarm, additional instructions will be given regarding where students and/or staff are to relocate.

Fire Education and Training Programs

Fire safety education programs for all residents of on-campus student housing and all employees with responsibilities related to that housing are held at the beginning of each semester. Their purpose is to: familiarize everyone with the fire safety system in each facility, train them on procedures to follow if there is a fire and inform them of the University's fire safety policies. Information distributed includes maps of each facility's evacuation route and any fire alarms and fire suppression equipment available in the facility. Attendees are advised that participation in fire drills is mandatory and any student with a disability is given the option of having a "buddy" assigned to assist him or her.

Reporting Fires

The University is required to disclose each year statistical data on all fires that occurred in on-campus student housing. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. If you encounter a fire that presents an emergency situation, ensure your own safety and then please call 911.

There may also be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the Campus Safety Department at Campus Safety Department. When

providing notification of a fire, give as much information as possible about the location, date, time and cause of the fire.

Plans for Future Improvements

As a result of the University's most recent review of its fire safety protections and procedures, we have determined that the following improvements will be made, subject to the availability of funding: 1) Continue to update signage communicating building evacuation and assembly points in all university residential facilities, in particular focusing on additional signage per apartment unit in those facilities. 2) Continue education for fire evacuations per new buildings. 3) Continue to monitor and review the locations of fire extinguishers ensuring they are in the best locations. 4) Installing updated smoke detectors and fire suppression control panels.

Fire Statistics

Northwest Nazarene University

2023 Reported Fires

Residential Facility	Total Number Fires
Culver Hall/Dorm	1

Additional Information about Reported Fires

Residential Facility	Cause of Fire(s)	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Culver Hall/Dorm	Unintentional Fire/Someone placed a plate with food and a plastic bag in the microwave and turned it on until it produced enough heat to burn. The food contained inside the microwave was burned. No flame was seen outside of the microwave. There	0	0	\$0-99

Residential Facility	Cause of Fire(s)	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
	were red embers			
	of charred			
	residual food			
	inside the			
	microwave. The			
	area was filled			
	with smoke from			
	the heated items.			

<u>2022</u>

Reported Fires

Residential Facility	Total Number Fires
Sutherland Hall/Dorm	1

Additional Information about Reported Fires

Residential Facility	Cause of Fire(s)	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Sutherland Hall/Dorm	Unintentional Fire/Water leak on the electrical box causing a fire.	0	0	\$50,000-99,999

<u>2021</u>

No fires were reported in 2021.