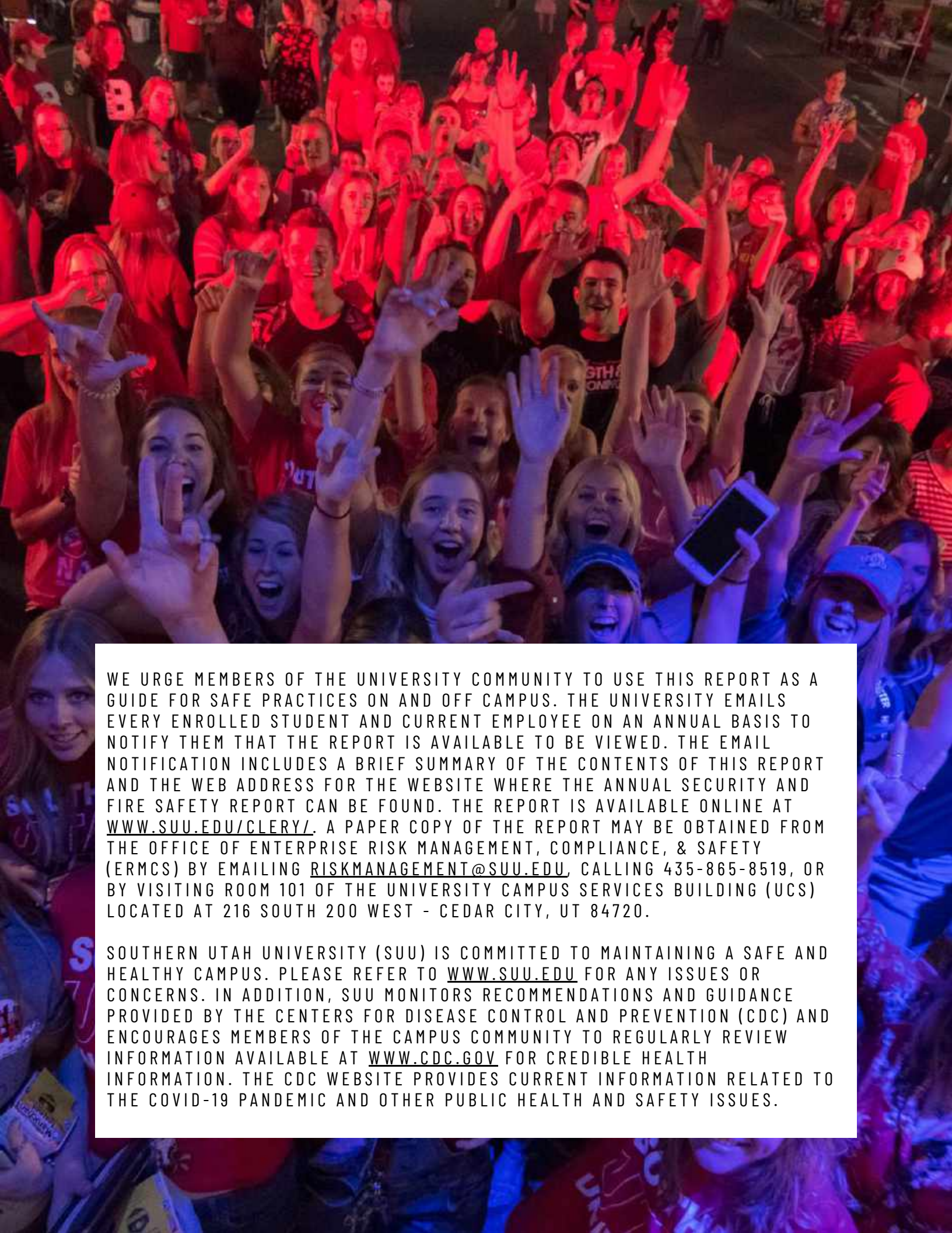


A photograph of the Southern Utah University Bell Tower, a tall, multi-tiered structure with a clock face and a bell. The tower is surrounded by trees and a paved walkway. In the foreground, there is a circular garden bed with various plants and flowers. The sky is clear with some light clouds.

SOUTHERN UTAH UNIVERSITY 2023 ANNUAL SECURITY & FIRE SAFETY REPORT

Containing information for the 2023-2024 academic year in compliance with the Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act. Reported statistics are for calendar years: 2020, 2021, and 2022.



WE URGE MEMBERS OF THE UNIVERSITY COMMUNITY TO USE THIS REPORT AS A GUIDE FOR SAFE PRACTICES ON AND OFF CAMPUS. THE UNIVERSITY EMAILS EVERY ENROLLED STUDENT AND CURRENT EMPLOYEE ON AN ANNUAL BASIS TO NOTIFY THEM THAT THE REPORT IS AVAILABLE TO BE VIEWED. THE EMAIL NOTIFICATION INCLUDES A BRIEF SUMMARY OF THE CONTENTS OF THIS REPORT AND THE WEB ADDRESS FOR THE WEBSITE WHERE THE ANNUAL SECURITY AND FIRE SAFETY REPORT CAN BE FOUND. THE REPORT IS AVAILABLE ONLINE AT WWW.SUU.EDU/CLERY/. A PAPER COPY OF THE REPORT MAY BE OBTAINED FROM THE OFFICE OF ENTERPRISE RISK MANAGEMENT, COMPLIANCE, & SAFETY (ERMCS) BY EMAILING RISKMANAGEMENT@SUU.EDU, CALLING 435-865-8519, OR BY VISITING ROOM 101 OF THE UNIVERSITY CAMPUS SERVICES BUILDING (UCS) LOCATED AT 216 SOUTH 200 WEST - CEDAR CITY, UT 84720.

SOUTHERN UTAH UNIVERSITY (SUU) IS COMMITTED TO MAINTAINING A SAFE AND HEALTHY CAMPUS. PLEASE REFER TO WWW.SUU.EDU FOR ANY ISSUES OR CONCERNS. IN ADDITION, SUU MONITORS RECOMMENDATIONS AND GUIDANCE PROVIDED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) AND ENCOURAGES MEMBERS OF THE CAMPUS COMMUNITY TO REGULARLY REVIEW INFORMATION AVAILABLE AT WWW.CDC.GOV FOR CREDIBLE HEALTH INFORMATION. THE CDC WEBSITE PROVIDES CURRENT INFORMATION RELATED TO THE COVID-19 PANDEMIC AND OTHER PUBLIC HEALTH AND SAFETY ISSUES.

A MESSAGE FROM SOUTHERN UTAH UNIVERSITY LEADERSHIP

Dear SUU Community,

To our current students and employees, we are pleased to welcome you back to campus for another exciting year. For those who are considering SUU as part of your future, whether for working or learning or recreating, we think you will find that our commitment to safety is a top priority for us. Striving to keep our campus safe and well-maintained requires the unceasing effort of many devoted employees, and can only be achieved when you contribute to those efforts. Empower yourself by learning how to report crimes and unsafe conditions and becoming familiar with steps to reduce related risks.

The SUU Police Department is vitally important to our safety initiatives, and they lead our efforts to prevent and respond to crimes and emergencies that impact our campus. That is why they use community-oriented policing to cultivate positive working relationships with faculty, staff, students, and visitors. They truly personify the Department's motto: "Working with you to make our University a safer place to learn." Their collaborations with the SUU Student Association, Staff Association, and Faculty Senate allow them to respond to concerns on campus while collaborating with off-campus agencies such as the Cedar City Police Department, Iron County Attorney's Office, Canyon Creek Services, and a host of others creates streamlined connections to the wider community and its resources.

The SUU Police receive support from several departments including the Dean of Students, University Housing, Health & Wellness, Human Resources, Athletics, the Office of Equal Opportunity, and the Office of Enterprise Risk Management, Compliance, and Safety. To the extent permitted by law, information is shared between these offices to address reports of concerning conduct and plan campus events and public awareness campaigns that keep the campus community well-informed. These networks of communication also enable staff to elevate those concerns to senior leaders for the purpose of coordinating campus-wide responses and procuring resources that continuously improve security and safety.

We hope you will use this report to learn about resources that are here for you and how you can help yourself and others in the event you need them. We appreciate all who remain vigilant and diligent in our campus safety efforts. Together, let's make this an outstanding year.

Go T-Birds!

Mindy Benson
President

Carlos Medina
SUU Chief of Police

Wyatt Robison
Clery Compliance Officer

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Directory

EMERGENCY TELEPHONE NUMBERS

Emergencies - On & Off Campus: Police/Fire/Medical	911
SUU Police	435-586-1911
On-Campus Building Emergencies	435-865-8888
SUU PD Text a Tip: Text "PD" and your Message	32483

IMPORTANT NON-EMERGENCY TELEPHONE NUMBERS

SUU Police Office (voicemail after hours)	435-586-7793
Cedar City Police Department (CCPD)	435-586-2956
Iron County Sheriff's Office	435-867-7500
Utah Highway Patrol	435-865-1970
Cedar City Fire Department	435-586-2964
Cedar City Hospital (Intermountain Healthcare)	435-868-5000
SUU Counseling & Psychological Services (CAPS)	435-865-8621
Office of Vice President for Student Affairs & Dean of Students	435-586-7710
University Housing	435-586-7966
Human Resources	435-865-8572
Office of Equal Opportunity (Title IX)	435-586-5419
Office of Enterprise Risk Management, Compliance, and Safety	435-865-8519



Preparing and Sharing the Annual Security &
Fire Safety Report

Collection and Reporting of Annual Crime Statistics

The University collects statistics of crime reports from the following sources: SUU Police Department (SUUPD), Cedar City Police Department, other local law enforcement agencies, and non-police University officials designated as Campus Security Authorities (CSAs). For annual reporting purposes, crimes disclosed to any of these sources are recorded in the calendar year in which the disclosure/report occurred.

All of the statistics are gathered, compiled, and reported to the University community through this Annual Security & Fire Safety Report, which is published by the Office of Enterprise Risk Management, Compliance, and Safety (ERMCS). The University submits the annual crime statistics published in this report to the U.S. Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website. The preparation of crime statistics and the Annual Security Report is addressed by SUU Policy 5.67 – Clery Act.

Distributing the Annual Security & Fire Safety Report

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* [“Clery Act” - 20 U.S.C. § 1092(f)] is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States that receive federal student financial aid to disclose information about campus security and fire safety on and around their campuses. This requirement is enforced by ED.

Each year the University publishes an Annual Security & Fire Safety Report (ASR/AFSR) with updated crime statistics and information intended to inform the SUU community about the institution’s safety- and security-related policies, procedures, and programs. SUU is required by law to share this important information with all prospective students and employees as well as current students and employees. SUU complies with this requirement in the following ways:

- Current students and employees are sent an email notification containing a direct link to the new Annual Security & Fire Safety Report every year on or before October 1st. Students can find the most recent Annual Security & Fire Safety Report at: <https://www.suu.edu/clery/>.
- Prospective students will find language about this requirement and the link (<https://www.suu.edu/clery/>) in the automated email response they receive from the Admissions Office upon application to SUU. The notice is sent to the email address provided on the prospective students' application.
- Prospective employees will find language about this requirement and the link (<https://www.suu.edu/clery/>) in the automated email response they receive from the Human Resources Office upon application to a job at SUU. The notice is sent to the email address provided on the prospective employees' application

Any person may request a paper copy of the Annual Security & Fire Safety Report from ERMCS by visiting the University Campus Services Building, Room 101; by calling 435-865-8519; or by emailing riskmanagement@suu.edu. The option to obtain a paper copy will be disclosed in all notifications about the ASR/AFSR.





Reporting Criminal Activity and Emergencies
on Campus & Institutional Responses

General Overview of Reporting Policies

The University strongly encourages everyone – students, employees, contractors, and guests/visitors – to report alleged crimes they may learn about or observe when those crimes are related to their participation in university activities or occur at university locations (see [SUU Policy 5.67](#), Section IV.B.). Reports may be made by contacting the SUU Police Department:

- **Phone:** (435) 586-1911
- **Email:** police@suu.edu
- **Text:** "PD+ message" to 32483
- **Online Form:** <https://www.suu.edu/police/reporting-crime.html>
- **In Person:** 36 North 300 West, Cedar City UT 84720

In the event a crime is in progress or at any time there is a risk of harm to persons or property, call 911 or SUU Police at 435-586-1911.

You can also report *non-emergency, Clery-reportable* crimes to the **Office of Enterprise Risk Management, Compliance, and Safety (ERMCS):**

- **Phone:** (435) 865-8519
- **Email:** riskmanagement@suu.edu
- **Online Form:** <https://cm.maxient.com/reportingform.php?SouthernUtahUniv>
- **In Person:** University Campus Services Building Room 101 (216 South 200 W, Cedar City UT 84720)

If you are not sure a crime constitutes a Clery-reportable crime, you may still report it to ERMCS and they will determine if the alleged criminal conduct is consistent with the Clery Act specifications.

Some employees at the University **are required to report** crimes they learn about in their capacity as a university employee. These employees are designated as Campus Security Authorities (CSAs) (see [SUU Policy 5.67](#), Section IV.C). ERMCS maintains a list of university employees who have been designated as CSAs and university policy obligates those employees to report crimes to the Clery Compliance Officer using an online form:

https://cm.maxient.com/reportingform.php?SouthernUtahUniv&layout_id=3

Some offices on campus are more likely to receive reports of crimes because intuitively people rely on these offices to address concerns about behavior that may amount to a crime. Most of the staff in these offices are considered CSAs because people naturally think about sharing information with them:

- **Vice President for Student Affairs (Dean of Students)**

In-Person: Sharwan Smith Student Center (ST) - Suite 201

Phone: (435) 586-7710

Online: <https://www.suu.edu/studentaffairs/contact.html>

- **Human Resources**

In-Person: University Campus Services Building (216 South 200 West - Cedar City, UT 84720)

Phone: (435) 865-8572

Online: <https://www.suu.edu/hr/contact.html>

- **University Housing**

In Person: Eccles Building A (250 South 500 West - Cedar City, UT 84720)

Phone: (435) 586-7966

Email: housing@suu.edu

- **Enterprise Risk Management, Compliance, and Safety**

In-Person: University Campus Services Building (216 South 200 West - Cedar City, UT 84720)

Phone: (435) 865-8519

Email: riskmanagement@suu.edu

- **Equal Opportunity/Title IX**

In-Person: University Campus Services Building (216 South 200 West - Cedar City, UT 84720)

Phone: (435) 586-5419

Email: eoc@suu.edu

Employees and offices that are designated as Campus Security Authorities (CSAs) will report disclosed crimes they learn about to ERMCS/Clery Compliance Officer and SUU Police will be informed so the reported crime can be included in the daily crime log and the annual crime statistics when appropriate.

With regard to reports of dating violence, domestic violence, sexual assault, or stalking – behaviors that are prohibited by Title IX of the Education Amendments of 1972 and the Violence Against Women Act – the University also requires employees known as Officials with Authority (OWAs) to report (see [SUU Policy 5.60](#), Section IV.D). Nearly all of these employees are also Campus Security Authorities (CSAs), but their reporting obligation is to the Title IX Coordinator. The Title IX Coordinator will report disclosures of dating violence, domestic violence, sexual assault, or stalking to the Office of Enterprise Risk Management, Compliance, and Safety to make sure the report is included in annual crime statistics, and also report the disclosure to SUU Police to include in the daily crime log. Reports to SUU Police will not include the identity of the Complainant (or victim) unless the individual consents to have their identity shared with the police. All other students and employees are encouraged to report dating violence, domestic violence, sexual assault, and stalking to the Title IX Coordinator to enable the University to extend supportive measures to victims of these crimes.

As a final note, the University has created a website devoted to reporting information to the University so it can respond in an appropriate way that is consistent with university policies. Please take time to review this website at <https://www.suu.edu/safety/report.html>. It can be useful to help you remember how and to whom you report information.



Crime Reports that Warrant a Timely Warning

When the university receives a report of a Clery-reportable crime that indicates there is a serious or continuing threat to members of the campus community, a timely warning will be distributed to members of the campus community (see [SUU Policy 5.67](#), Section IV.R). Timely warnings are intended to provide relevant and important information so people can take precautionary actions to reduce the likelihood they will be impacted by the threat or risk that is presented by the reported crime.

Clery-reportable crimes that may constitute a serious or continuing threat are evaluated by the SUU Police Chief and/or the Clery Compliance Officer. When the circumstances make it possible, reports are evaluated collaboratively by the Chief and the Clery Compliance Officer. However, there may be circumstances when either the Chief or the Clery Compliance Officer need to make the determination for a timely warning without collaboration. When the Chief and/or Clery Compliance Officer determine a serious or continuing threat is present, the university will make a timely warning to the campus community using the emergency notification system and its communication channels. Timely warnings typically contain (1) a description of crime that necessitated the warning, (2) location(s) or time(s) that seem determinative in the commission of the crime, (3) information about characteristics of the alleged actor that could help people identify them, (4) strategies that campus community members can take to reduce the risk of victimization, and (5) resources for reporting and receiving support.

Aggregating Crime Reports for Annual Disclosure of Crime Statistics

The University's Office of Enterprise Risk Management, Compliance, and Safety is home to the University's Clery Compliance Officer. The Clery Compliance Officer is assigned the duty of preparing information for the University's Annual Security Report which includes the disclosure of crime statistics (see [SUU Policy 5.67](#), Section IV.Q.1.a). Preparation of the annual crime statistics is a collaborative effort that includes professional staff members from the SUU Police Department, Dean of Students' Office, University Housing, and Title IX (Section IV.Q.1.b). These officials meet periodically to review incoming reports and to classify them according to the definitions established by the Clery Act Regulations (See [34 C.F.R. § 668.46](#)). They also perform an audit during the summer months in preparation for publishing the Annual Security Report. Questions about the process of preparing the annual crime disclosures can be submitted to the Office of Enterprise Risk Management, Compliance, and Safety by email at wyttribison@suu.edu.

Reporting on a Voluntary, Confidential Basis

University policies permit individuals – that are neither Campus Security Authorities (CSAs) under the Clery Act (see [SUU Policy 5.67](#), Section IV.C.1) or Officials with Authority (OWAs) under Title IX (see [SUU Policy 5.60](#), Section IV.D.2) – to choose whether they will report crimes, unless they are otherwise required to report under SUU Policy 5.0, Threat Management and Safety Intervention. Outside those obligations, reporting is voluntary but it is encouraged by the University. When individuals choose to report, the information they share is considered confidential by the University, and only those individuals that need to know receive the information for a University business purpose. In this regard, reports of crimes are confidential because information about the identity of the person reporting is only shared on a need-to-know basis.

University policies on reporting can be reviewed with the following references:

- [University Policy 5.67](#) – Clery Act: Sections IV.C.6 & IV.G
- [University Policy 5.60](#) – Sexual Misconduct: Sections IV.D.3 and IV.E.2
- [University Policy 5.0](#) – Threat Management and Safety Intervention: Section IV.C

University Policies 5.67 and 5.60 demonstrate that individuals maintain the choice to report and request confidentiality so that their identity is not revealed in any source of published information such as the daily crime log, Annual Security Report, or other published statistics related to Clery statistics or Title IX data.

Confidentiality is different from anonymity. A person who shares information anonymously cannot be identified which is an assurance their identity can't be disclosed. However, anonymous reports may contribute to duplication in annual statistics because the University cannot rule out reports that seem similar but are not the same because the source of information is different. The University would prefer that victims and witnesses of crimes report with their identity available and recognize that this information will be treated confidentially. However, the University makes it possible to report crimes anonymously using online reporting forms:

- <https://cm.maxient.com/reportingform.php?SouthernUtahUniv>
- <https://secure.ethicspoint.com/domain/media/en/gui/48435/index.html>

As a final matter, the State of Utah has adopted a law ([UCA 53B-28-303](#)) that requires institutions to keep confidential from off campus law enforcement agencies any reports of sexual violence as defined by the law. This includes sexual assault, dating violence, domestic violence, and stalking. The institution can notify the SUU Police Department because it is not an off-campus law enforcement agency, and it maintains the University's Daily Crime Log which documents reports of criminal activity on or near campus. Reports to SUU PD that allege sexual violence and are included in the daily crime log will not identify the victim.

Reports Shared with Pastoral and Professional Counselors

Pastoral Counselors may be employees of an institution that are associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling, and who is functioning within the scope of that recognition as a pastoral counselor. Professional Counselors are employees of an institution whose official responsibilities include providing psychological counseling and who is functioning within the scope of his or her license or certification.

Campus "Pastoral Counselors" and "Professional Counselors" when acting as such, are not considered campus security authorities and are not required to report crimes for inclusion in the annual disclosure of crime statistics (see SUU Policy 5.67, Section IV.C.1.e). Pastoral and professional counselors at SUU are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis to SUUPD for inclusion in the annual statistics, especially if the incident is part of a continuous threat to the campus community (see SUU Policy 5.67, Section IV.M.2). SUUPD, as well as campus officials, will assist students with notification to the proper law enforcement authorities, if appropriate.

Persons wanting to make a confidential and anonymous report of a Clery Reportable Crime to be included in the ASR may make the report via the University's reporting system (currently EthicsPoint or Maxient). If submitting the report through the Maxient Incident Reporting Form, the person completing the form should withhold their identity and select "Alleged Crime or Criminal Activity" in the field titled "Nature of this Report." Persons making such reports should be aware that the University may have to respond to the information reported, but also may be limited in its ability to manage risk or take other steps if reporters are anonymous. Filing an anonymous report also may limit the ability of SUU Police to provide specific assistance or to investigate or solve a crime. It may also contribute to double counting some crimes if other people observed or knew about the crime and also chose to report it. Without an identity, the University often cannot eliminate duplicate reports of the same incident in some cases.

Pastoral and professional counselors may elect to report crimes they learn about in their counseling capacity, as long as they are able to describe the nature of the crime and the location of the crime with sufficient specificity for the Clery Compliance Officer or SUU Police Chief to classify/categorize the crime. It may be possible to achieve this without disclosing the identity of the reported victim. In those circumstances, pastoral and professional counselors may report to the Clery Compliance Officer or the Chief of Police for the purpose of including the reported crime in the University's annual crime statistics (see SUU Policy 5.67, Section IV.M.1). Pastoral and professional counselors can submit their voluntary reports using the CSA reporting form available online at <https://www.suu.edu/safety/report.html>.



Access and Maintenance of Campus Buildings



Access to University Buildings

During business hours (8:00 AM to 5:00 PM Mountain Time), the University (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests and invitees subject to University policies and consistent with the University's mission and purposes (see SUU Policy 5.13 - Facility Utilization and Rental).

Outside of normal business hours, access to campus facilities varies. The corresponding Dean or Director/Department Head is responsible for determining access to the facilities under their control. Employees may receive brass keys, electronic key fobs, or electronic access through a key card/ID by completing a key request that is approved by their respective Director or Dean. The process of receiving access to University buildings is established in SUU Policy 5.17.

It is unlawful for any person to trespass on the grounds of any State of Utah institution of higher education or to damage or deface any of the buildings, statues, monuments, memorials, trees, shrubs, grasses, or flowers on the grounds of such institutions.

SUUPD conducts patrols throughout campus on a regular basis. These patrols include the campus residential facilities which are staffed with live-in Resident Assistants and Community Coordinators who maintain rotating on-call schedules whenever students are living in the residence halls.

Southern Utah University's Board of Trustees and/or its authorized representatives may refuse to allow persons having no legitimate business to set foot on or enter property under the board's control when doing so is reasonable under the circumstances (See UCA 53B-3-103(4)).

Persons who, upon request, refuse to leave peaceably may be removed from the property. Identification may be required of any person on property owned or operated by Southern Utah University.





Maintenance of University Buildings

The Facilities Management department maintains all University buildings across campus except for the University's residential facilities which are the responsibility of University Housing. Maintenance includes custodial services, grounds, the repair shop, lock shop, and utility systems.

Non-residential Maintenance Concerns

Members of the University community are encouraged to report maintenance problems in person to the nearest departmental office, by submitting a work order online at <https://wrsuu.upturnhost.com>, or by calling Facilities Management at 435-865-8735. If the deficiency is discovered after hours, contact should be made with the University Call Center at 435-865-8888. If the condition is an emergency or safety concern, a Call Center representative will contact the University's on-call maintenance representative. If the concern does not need to be addressed immediately, a work order will be submitted to be completed during normal business hours.

Southern Utah University's Facilities Management department takes security service needs as its highest priority. Facilities Management personnel respond as soon as possible to reports of inoperable doors, burned-out lights, malfunctioning smoke-fire alarms, broken windows and screens and requests from SUUPD.

Police and security personnel closely monitor any security-related maintenance problems after hours and report their findings to the appropriate University official. If necessary, they will stand-by until the problem is corrected.

Residential Maintenance Concerns

All residence hall maintenance needs should be reported through University Housing. They can be reached at 435-586-7966 or a work order can be submitted online through the Housing Portal.





Overview of Police Services & Policies Concerning Campus Law Enforcement

Police Department Overview

The Southern Utah University Police Department (SUUPD or the department) provides law enforcement and security services to all components of Southern Utah University to include the academic campus, the Utah Shakespeare Festival, and the Utah Summer Games.

The department has seven (7) full-time state-certified police officers, eight (8) state-certified reserve officers, five (5) student guards, one administrative assistant, and two student assistants.

To provide a safe campus community, the department has uniformed officers on patrol 24 hours a day, 7 days a week. Unarmed student guards work closely with our full-time officers patrolling University property and responding to security needs.

Patrol is the core function of SUUPD. Officers answer calls for service, respond to alarms, and enforce state criminal and traffic laws. Specialized assignments including Crime Prevention, Special Weapons and Tactics (SWAT) and Bicycle Patrol are assumed by officers depending on their individual interest and credentials.

Developing positive relationships with the community and providing excellent service are vital to achieving the department's overall mission of ensuring a safe and secure campus. The quality of our service depends in part on feedback received from the community served. Please help to improve the department by bringing your concerns and compliments to the attention of the department through one of the following options:

- In person by scheduling an appointment with the Chief of Police: 435-586-7793
- In writing to SUUPD: 36 N 300 W, Cedar City, UT 84720
- Via email: police@suu.edu

Authority & Jurisdiction of SUU Police

SUUPD is the primary police authority for Southern Utah University. The department's officers are fully trained and certified Utah Peace Officers, and have the same arrest, detention and police authority as any other police officer in Utah (see UCA. §53-13-101, et. seq.). Additionally, SUUPD officers have the authority to enforce Southern Utah University regulations (see UCA § 53B-3-105).

The primary jurisdiction of SUUPD officers includes all property which is owned, leased, rented or otherwise under the control of Southern Utah University.

Relationship with State and Local Police Agencies

SUUPD is computer linked to city, state, and federal criminal justice agencies, which provide access to criminal records, wanted persons, stolen property, and vehicle information. All crimes reported to SUUPD are thoroughly investigated and are referred for prosecution through the Iron County Attorney's or Cedar City Attorney's office when appropriate. Local police reports are reviewed for students attending the University, including student organizations with off-campus housing facilities, for involvements in any activity that is addressed in the student conduct code.

SUUPD maintains excellent working relationships with all local law enforcement agencies including the Cedar City Police Department, Iron County Sheriff's Department, Brian Head Police Department, Utah Highway Patrol, Enoch Police Department and the local field office of the Federal Bureau of Investigation and Homeland Security. These working relationships are maintained through periodic communications among agency administrators and by frequent contacts between line officers and investigators cooperating on specific cases. This network of local law enforcement agencies enhances SUU Police reach and effectiveness on campus and into the surrounding community. All law enforcement agencies are encouraged to report all concerns regarding members of the campus community to SUUPD. Local agencies assist SUUPD with the monitoring and recording of criminal activity by students at non-campus locations of student organizations officially recognized by the institution, including student organizations with non-campus housing facilities.

As specified in the Utah Criminal and Traffic Code Section 76-8-707, if the chief officer of any institution of higher education, or in the judgment of any officer or employee designated by him to maintain order on a campus or related facility, determines that the law enforcement agency of that institution lacks sufficient personnel to deal effectively with any condition of unrest existing or developing on a campus or related facility of the institution, they may call for assistance from any surrounding law enforcement agency.

The department's officers have the same arrest, detention and police authority as any other police officer in Utah (see UCA. §53-13-101, et. seq.).

SUUPD does not have memoranda of understanding/agreement with local law enforcement agencies. SUUPD maintains verbal mutual aid agreements with other local, state and federal law enforcement agencies.

Reporting Crimes to SUU Police

Community members, students, faculty, staff, and guests are encouraged to accurately and promptly report all crimes, emergencies and public safety related incidents to the SUUPD. This publication focuses primarily on SUUPD because it patrols the University campus.

Any criminal offense or suspected criminal activity should be reported directly to SUUPD by telephone, in person, by e-mail or by using one of the fifteen emergency blue light telephones located throughout campus. Campus elevators are also equipped with emergency phones.

To contact SUUPD by telephone, please call 435-586-1911. When a call is received, on-duty officers are contacted directly and dispatched as necessary. The SUUPD office is located at 36 N 300 W, Cedar City, Utah 84720. The SUUPD e-mail address is police@suu.edu.

SUUPD will respond as quickly as possible to any request for assistance. Response time is based on current activity and severity of the call. Crimes in progress, alarms, traffic accidents with injuries and medical assists may have higher priority than other types of calls. How contact is made should be determined, in part, by the nature of the incident.

Crimes should be reported to SUUPD for purposes of assessing the crime for distributing a potential timely warning notice or emergency notification and for the disclosure in the annual crime statistics.

We cannot overemphasize the importance of prompt and accurate crime reports, no matter when it occurs. If a crime is not promptly reported, evidence can be destroyed or the potential to apprehend the suspect may be minimized by the delay. Without timely and accurate reports, leads could be overlooked and investigations misguided. If you witness a crime or emergency, promptly report it to SUUPD and be prepared to answer questions as accurately as you can. The subsequent investigation can only be as thorough as the information received. If you are the victim of a crime, have seen or received information of criminal activity or witnessed an emergency situation, please contact SUUPD immediately. SUUPD also encourages the accurate and prompt reporting of all crimes to SUUPD or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

The University and SUUPD will assist and respond appropriately to all reports, however, it is important to remember that all members of the University community must assume responsibility for their own personal safety and the security of their personal property. Tips on personal safety tactics are provided in the crime prevention section of this security report.

Programs Designed to Prevent Crime & Educate about Security Procedures & Practices



Southern Utah University is committed to creating a safe and secure campus where students can pursue their educational goals and employees can grow professionally without having to worry they are at risk. The University has a strong record on campus safety, and that is, in part, due to the efforts of multiple departments in educating the campus about strategies they can use to prevent crime and increase their personal safety. Education programs focus on informing participants about the definition of crimes, risk factors that contribute to crime, precautionary actions that can reduce risk, and techniques for safely intervening in situations that are problematic. Additionally, educational programs introduce participants to campus-based and community resources that can aid them in taking responsibility for their own security and the security of others.

Awareness and prevention programming is a collaborative endeavor, and many departments on campus work together to reach unique audiences when it comes to increasing campus safety. The following list of programs is subdivided by the Department primarily accountable for their delivery:

Southern Utah University Police Department (SUUPD)

- **Personal safety awareness** – Students and employees are encouraged to provide for their own safety by engaging in various safe practices including, but not limited to, being aware of one's surroundings, avoiding walking around at night, avoiding the use of headphones when walking, having keys in hand upon approach to a vehicle and educating oneself in prevention tactics. Members of the community are also encouraged to look out for themselves and one another. Students and employees are informed on these topics at various events throughout the academic school year.
- **Personal property engraving "Identification Program"** – Continual service provided to the public in which valuable property can be engraved for identification purposes (with owner's recognized names or numbers such as a driver license number). Property items can also be registered with SUUPD, which increases the chances of identifying and recovering those items in the event they were stolen.
- **Donuts with a cop** – Officers provide free donuts at an event during finals week of each semester to interact with students and employees. Topics discussed include school progress, safety tips and the activities that the police engage in on campus.
- **Safe Passage Escort Service** – A safety-escort service by a police officer that is available after regular business hours or upon request, seven days a week to students, staff, faculty and visitors by calling 435-586-1911.
- **Drug and alcohol awareness presentations** – an opportunity for SUUPD officers to share with our community the legal and physical implications of underage consumption of alcohol and the use of illegal and non-prescribed drugs. Provided at various events throughout the academic year.
- **Red Riot/Thunder U education workshops** – Officers provide incoming students at orientation for the new academic year with information about campus safety/security and University police response/procedures.
- **Residential facilities programming** – Educational presentations in cooperation with the housing staff (resident assistants) provided throughout the academic year to residents. Each semester Resident Assistants are also trained on how to identify drug usage and the procedures that are to be followed in the case that drug usage or possession is suspected in on-campus housing.
- **Resident Assistant training** – University Housing trains all Resident Assistants on emergency response procedures and crisis situations including use of fire extinguishers, their locations and the PASS method each year.
- **Training for SUU employees** – Officers from the police department provide safety trainings to employees upon request and before various events. For example, safety training is given to ushers prior to working an event that SUU is hosting. SUU employees are encouraged to remain vigilant to protect their own safety and the safety of others. Officers also present at Welcome Back Week for Faculty in August once faculty resume their contract time. Police also hold "active shooter" training throughout the year.
- **Drunk driving course** – A course offered twice per year in which students may attempt to drive a side-by-side through a set of cones while wearing goggles that give the driver a sense of impaired vision. This course attempts to prevent driving under the influence by showing participants the dangers of doing so.
- **Brown bag luncheons/'Crunch and Munch"** – During the lunch hour, officers and/or other public safety officials give a presentation to students and employees on various topics about safety. These take place at various times each academic year at least semi-annually.

Health & Wellness Program (Student Affairs)

- **Resource Fairs** – At the beginning of each fall and spring semester, Health & Wellness in collaboration with the Southern Utah University Student Association (SUUSA) organizes campus departments to tables with information about their respective resources for students. Health & Wellness presents information about mental health self-care, suicide prevention, AOD risk reduction, safe spring breaks, and healthy relationships.
- **Alternative Late Night Events** – Health & Wellness will facilitate a late night event in the Campus Recreation Center or Student Center to encourage students to participate in a variety of activities without substances. The intent of these events is to give students an alternative to partying with alcohol and drugs. These occur once or twice every semester.
- **Panel Discussions** – Health & Wellness will coordinate with campus and community experts to present information on a particular topic that is of interest to students and identifies ideas, concepts, and strategies for safety. Panel discussion have been hosted at least once a semester, and address topics such Relationship Health, Sex Education, Suicide Prevention, and Stress Reduction.
- **De-stress Activities at End of Term** – There are typically a week's worth of activities that offer students an opportunity to relax, manage stress in healthy ways, and experience joy. These activities include de-stress kits, puzzle completion, guided meditation, emotional support animals, etc.
- **Suicide Prevention** – There are a series of resources and programs related to personal safety and include distributing gun locks, informing students about safe gun storage through SUUPD, combination pill boxes, and bystander intervention programs like Mental Health First Aid and QPR (Question, Persuade, Refer). Tabling is a common way to inform the campus of these programs and they occur frequently during each semester. This constitutes ongoing awareness and prevention.
- **Sexual Assault Awareness Month (Occurs in April)** – Health & Wellness co-sponsor a Week of events with Canyon Creek Services for students to engage topics related to consent, empathic and supportive response. Events include The Clothesline Project, Denim and Teal days, StART by Believing Day, and Chalk about Consent. These programs constitute Primary Prevention efforts focused on sexual assault.
- **Domestic Violence Awareness Month (Occurs in October)** – Health & Wellness co-sponsors a Week of events with Canyon Creek Services for students to engage topics related to intimate partner violence. This has included a Walk to End Violence, Lauren McCluskey Pledge, panel discussions, and concerts. These programs constitute Primary Prevention efforts focused on intimate partner violence.
- **Invited Workshops** – The Health & Wellness Coordinator is regularly invited to classes, student leadership groups, or club meetings to present on a topic of interest to that group. With regard to safety those topics have included suicide prevention, Bystander Intervention, and Healthy Relationships. These are forms of Ongoing Programs for awareness and prevention.

University Housing & Residence Life

- **Passive Programming** – Resident Assistants will create public awareness campaigns on their respective floors using posters, bulletin boards, or door decks to communicate important information about a subject related to safety. During fall semesters common topics include Alcohol Risk Reduction (“Rethink Your Drink”), Title IX Supportive Resources, Be Smart Safety Tips.
- **Resident Palooza** – A fall activity fair for residential students that include booths and activities related to safety and involve many campus partners include SUUPD and Health & Wellness.
- **Floor Programs** – Resident Assistants have the option to program an activity around any topic of interest to them and their residents. Floor programs have involved Police, Health & Wellness, and the Title IX staff historically.



Equal Opportunity (Title IX)

- **Safe Colleges Online Training** – Students complete a yearly 45-minute workshop on the Campus SaVE Act covering awareness and prevention of dating violence, domestic violence, sexual assault, and stalking. Employees complete a yearly 28-minute workshop related to Title IX that focuses on awareness of sexual misconduct, reporting requirements, and response to those who disclose. This online training constitutes Primary Prevention programming for students and employees.
- **Customized Training** – The Title IX Coordinator will present customized training on dating violence, domestic violence, sexual assault, stalking, and sexual harassment to classes (International Student Acculturation, Criminal Justice, Education, etc.), employment supervisors, and academic leaders. These trainings occur at a minimum each semester but can occur more frequently – weekly and monthly. Customized training is a form of Ongoing/Continuous Programming.

Enterprise Risk Management, Compliance, and Safety with Human Resources

- **SUU Emergency Notifications Flyers** - Hand out SUU Emergency Notifications flyers during the first week of Fall semester. Flyers may be handed out at other times, but a push is made for the beginning of the school year. The flyers contain information about basic safety resources on campus and information (on the flyers and via a QR code) on how to sign up for the SUU Emergency Notifications system.
- **Facilities Management Student Employee Guidelines** - All Facilities Management Student Employees are required to read and agree to the Student Employee Guidelines before starting their work duties. The Student Employee Guidelines reference SUU policies such as Policy 5.27 on Anti-Harassment and Policy 11.2 on the Student Code of Conduct warning against the misuse of building keys. Students are also advised that theft of any kind is not tolerated and is grounds for immediate termination. These Guidelines are provided to the student when they start work and whenever there is a violation of said Guidelines.

These programming efforts strive to employ research that has demonstrated best practices in primary prevention and bystander intervention. Content is derived from external sources such as the Centers for Disease Control (CDC), Rape, Abuse, and Incest National Network (RAINN), Utah Domestic Violence Coalition (UDVC), the JED Foundation, Vector Solutions, and the American College Health Association (ACHA). In addition, all of these programs identify University resources and procedures about how to engage resolution procedures or report concerns.

Tips for Property Protection

- When you leave your residence hall room or office, close and lock the door.
- Secure your valuables in a locked desk or cabinet while out of the office.
- Promptly report the presence of strangers in buildings and residence halls. University rule prohibits disabling or propping open doors. Do not allow strangers to follow you into buildings and residence halls.
- Do not leave your property unattended and unsecured while you are away.
- Do not leave your property unattended beside the court or along the sidelines during your participation in activities in a recreational facility or on a sports field.
- Record the number and contact information of all personal credit and/or debit cards. If lost or stolen, promptly report and cancel your credit cards and debit cards to prevent unauthorized use.
- Do not leave your laptops or other mobile devices unattended or unsecured.
- Do not leave your property in plain view in your parked vehicle. Remove and store the items securely in the trunk or remove them for safekeeping.
- Bicycles are a prime target of the opportunistic thief. Our crime prevention personnel encourage everyone to record the color, make, model, serial number and speed of the bicycle. Keep all records in a safe place.
- Always lock the whole bicycle to the bicycle rack; making sure it is secured in a manner to prevent the removal of the frame or tires.
- Always report suspicious activity you may see near bicycle racks.

Theft Prevention Programming

Although the statistical reporting of theft offenses is not required by the Clery Act, our department believes the University community should be aware of and guard against the theft of their property.

It is important for everyone to understand their role in the reduction of crime. A lesson taught to all crime prevention practitioners is often referred to as the "Crime Triangle." For any crime to occur three elements must be present: desire, ability and opportunity. Members of the University community easily recognize there is little that can be done to control the criminal's desire and ability. The University community's greatest strength in the prevention of crime is our initiative to reduce or eliminate the opportunity for a crime to occur

Protect Your Property

Being more aware and observant during daily activities is critical. If you feel the actions of a person appear suspicious, take the time to notify the police. We would much rather receive the call and determine later there was no problem, than to learn a preventable crime has been committed.

We invite you to participate in the "Identification Program." You may bring your personal items to our department where we will engrave them with personal information upon request, helping to ensure easy identification if items turn up missing. If you are victimized, this information can be entered in the state and national database of stolen property. SUUPD personnel can assist you in the engraving of your property. Additionally, we recommend that you record the make, model and serial number of all items of value and keep the record in a safe place. This will aid in any investigation and help you file a claim with your insurance company if you are covered.



Policies Related to Alcohol & Drugs on Campus

Overview of Drug & Alcohol Policies

Southern Utah University's general policy regarding alcohol is that "possession and consumption are generally prohibited on campus; however, there may be times when alcohol consumption is permitted on campus for ceremonies, receptions, fundraisers, and/or private events sponsored by clients who rent University facilities" (see [SUU Policy 5.40](#) Alcoholic Beverages). Furthermore, "alcohol consumption is not permitted in any residential facility owned or operated by the University" (see [SUU Policy 5.40](#), Section IV.E.2) nor is consumption permitted in classrooms ([SUU Policy 5.40](#), Section IV.E.3). In addition to these general geographic limitations, the University also restricts possession and consumption for students and employees through policies that establish standards of conduct while learning or working.

The University strictly and categorically prohibits the possession, use, and distribution of illegal drugs on campus or as part of any University program or activity regardless of location (see [SUU Policy 5.9](#), and [SUU Policy 11.2](#)).



Student Policies

The University's Student Code of Conduct makes punishable the "use, possession, or distribution of alcoholic beverages in an unlawful manner or otherwise in violation of a University Policy" (see [SUU Policy 11.2](#), Section IV.B.14). The [Resident Handbook for University Housing](#) establishes a community standard that prohibits "alcohol beverage containers of all types...This prohibition includes, but is not limited to shot glasses, empty beer cans, beer and liquor bottles or kegs of any size. This includes containers used for decorative purposes." The combination of these policies essentially limit the possession and consumption of alcoholic beverages by students to only when they are over the age of twenty-one (21) and are in attendance at an authorized University event where a third-party vendor is serving drinks consistent with University policy and state law ([Utah Code, Title 32B](#) Alcoholic Beverage Control Act).

The SUUPD also enforces state laws and city ordinances that make underage possession and consumption illegal (see [UCA § 32B-4-409](#)) & Cedar City Ordinance: SECTION 27-7).

The Code of Conduct also prohibits the "use, possession, or distribution of a controlled substance in an unlawful manner or otherwise in violation of a University Policy ([SUU Policy 11.2](#), Section IV.B.15), and SUUPD enforces state and federal laws regarding the possession and use of controlled substances (see [UCA § 58-37-8](#). Prohibited acts -- Penalties. Controlled Substances Act).

Employee Policies

The University's Drug-Free Workplace policy establishes that "it is the policy of Southern Utah University to maintain a drug and alcohol-free workplace" ([SUU Policy 5.9](#), Section IV.C.1). This policy expects "employees to report to any work assignment unimpaired and in condition to perform their duties safely, efficiently, and inoffensively," and prohibits "The unlawful manufacture, distribution, dispensing, possession, or use of controlled substances and/or the unauthorized and/or unlawful manufacture, use, sale, dispensing, or possession of alcohol in the workplace is expressly prohibited" ([SUU Policy 5.9](#), Section IV.C.2-3). Non-Academic Staff Employees are prohibited from "us[ing] alcohol or drugs, or being under the influence thereof while working" (see [SUU Policy 8.3.5](#), Section IV.A.3.i).

These policies have been adopted for the purpose of creating a safe and healthy environment where students can learn and employees can work without fear or unnecessary complication. By adopting these policies, the University is also complying with the Drug-Free Schools and Communities Act of 1989 (DFSCA).

Local & State Laws Related to Alcohol & Drugs

The following table provides a quick and easy reference for state laws and local ordinances that are enforced by the SUUPD with regard to alcohol and illegal drugs:

<p>UCA § 32B-4-409 Unlawful purchase, possession, consumption by minor -- Measurable amounts in body.</p>	<p>(1) Unless specifically authorized by this title, it is unlawful for a minor to:</p> <ul style="list-style-type: none">(a) purchase an alcoholic product(b) attempt to purchase an alcoholic product(c) solicit another person to purchase an alcoholic product(d) possess an alcoholic product(f) consume an alcoholic product; <p>or</p> <ul style="list-style-type: none">(e) have measurable blood, breath, or urine alcohol concentration in the minor's body. <p>It is unlawful for the purpose of purchasing or otherwise obtaining an alcoholic product for a minor for:</p> <ul style="list-style-type: none">(a) a minor to misrepresent the minor's age; or(b) any other person to misrepresent the age of a minor.
<p>32B-4-415. Unlawful bringing onto premises for consumption.</p>	<p>(1) Except as provided in Subsection (4) and Section 32B-5-307, a person may not bring an alcoholic product for on-premise consumption onto the premises of:</p> <ul style="list-style-type: none">(d) an establishment open to the general public;
<p>32B-4-419. Unlawful permitting of intoxication.</p>	<p>(1) A person may not permit another person to become intoxicated or an intoxicated person to consume an alcoholic product in:</p> <ul style="list-style-type: none">(a) Premises of which the person is the owner, tenant, or occupant...

<p>32B-4-421. Unlawful consumption in public place.</p>	<p>(1) A person may not consume liquor in a public building, park, or stadium, except as provided by this title.</p>
<p>32B-4-423. Immunity regarding alcohol consumption offenses when seeking emergency aid for another person.</p>	<p>(1) A law enforcement officer may not cite or arrest a person solely because of a person's violation of a provision under Subsection (2) if the officer came into contact with the person because:</p> <ul style="list-style-type: none"> (a) the person had requested or acted in concert with another person to request emergency medical assistance for a third party who reasonably appeared to be in need of medical care due to the consumption of alcohol; (b) the officer was responding to the request for emergency medical assistance; (c) the person provided to the officer the person's name and identifying information as requested by the officer; (d) the person remained at the location where the third party was located until emergency medical response personnel arrived at the location; and (e) the person cooperated with the emergency medical assistance personnel and law enforcement officers at the location.
<p>58-37-8. Prohibited acts -- Penalties. Controlled Substances Act</p>	<p>Prohibited acts A – Penalties and reporting:</p> <ul style="list-style-type: none"> (a) Except as authorized by this chapter, it is unlawful for a person to knowingly and intentionally: <ul style="list-style-type: none"> (i) produce, manufacture, or dispense, or to possess with intent to produce, manufacture, or dispense, a controlled or counterfeit substance;

(ii) distribute a controlled or counterfeit substance, or to agree, consent, offer, or arrange to distribute a controlled or counterfeit substance;

(iii) possess a controlled or counterfeit substance with intent to distribute; or

(iv) engage in a continuing criminal enterprise where:

(A) the person participates, directs, or engages in conduct that results in a violation of Chapter 37, Utah Controlled Substances Act, Chapter 37a, Utah Drug Paraphernalia Act, Chapter 37b, Imitation Controlled Substances Act, Chapter 37c, Utah Controlled Substance Precursor Act, or Chapter 37d, Clandestine Drug Lab Act, that is a felony; and

(B) the violation is a part of a continuing series of two or more violations of Chapter 37, Utah Controlled Substances Act, Chapter 37a, Utah Drug Paraphernalia Act, Chapter 37b, Imitation Controlled Substances Act, Chapter 37c, Utah Controlled Substance Precursor Act, or Chapter 37d, Clandestine Drug Lab Act, on separate occasions that are undertaken in concert with five or more persons with respect to whom the person occupies a position of organizer, supervisor, or any other position of management

	<p>Prohibited acts B – Penalties and reporting:</p> <p>(a) It is unlawful:</p> <p>(i) for a person knowingly and intentionally to possess or use a controlled substance analog or a controlled substance, unless it was obtained under a valid prescription or order, directly from a practitioner while acting in the course of the person's professional practice, or as otherwise authorized by this chapter;</p> <p>(ii) for an owner, tenant, licensee, or person in control of a building, room, tenement, vehicle, boat, aircraft, or other place knowingly and intentionally to permit them to be occupied by persons unlawfully possessing, using, or distributing controlled substances in any of those locations; or</p> <p>(iii) for a person knowingly and intentionally to possess an altered or forged prescription or written order for a controlled substance.</p>
<p>58-37a-5. Unlawful acts. Utah Drug Paraphernalia Act</p>	<p>(1) (a) It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce a controlled substance into the human body in violation of this chapter.</p>

	<p>(2) (a) It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, any drug paraphernalia, knowing that the drug paraphernalia will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce a controlled substance into the human body in violation of this act.</p>
<p>Cedar City Ordinance: SECTION 27-7. Possession of Alcoholic Beverages by Person Under Twenty-One Years of Age: Misdemeanor.</p>	<p>Any person under the age of 21 years who has any alcoholic beverage in his possession, or who consumes an alcoholic beverage is guilty of a misdemeanor. This section does not apply to possession by a person under the age of 21 years making a delivery of any alcoholic beverage in pursuance of the order of a parent or in the course of his employment.</p>

Educational Programs and Substance Use Prevention & Risk-Reduction

On an annual basis, the Drug-Free Schools & Communities Act requires institutions of higher education to disseminate information related to their Drug and Alcohol Abuse Prevention Program (DAAPP). The DAAPP will provide the following information:

1. A written statement about its standards of conduct that prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees;
2. A written description of legal sanctions imposed under federal, state and local laws and ordinances for unlawful possession or distribution of illicit drugs and alcohol;
3. A description of the health risks associated with the use of illicit drugs and alcohol abuse;
4. A description of any drug or alcohol counseling, treatment and rehabilitation/reentry programs that are available to students and employees; and
5. SUU's statement on disciplinary sanctions that may be imposed on students and employees for violations of the University's policies on Alcohol and Other Drug Abuse.

SUU conducts and publishes a biennial review of our DAAPP to ensure the growth of our program and its effectiveness. The DAAPP can be found online by visiting <https://www.suu.edu/health/daapp/>.

Weapons on Campus

In accordance with Utah Criminal Code (see [UCA § 76-10-5](#)), a person may not possess any dangerous weapon, firearm, or sawed-off shotgun, as those terms are defined by law (see [UCA § 76-10-501](#)), at a place that the person knows, or has reasonable cause to believe, is on or about school premises. Use of a dangerous weapon in offenses committed on or about school premises enhances the penalties.

Threatening with or using a dangerous weapon in a fight or quarrel is also unlawful (see UCA §§ [76-10-505.5](#) and [76-3-203.2](#)). It is recommended to contact SUUPD regarding these and other codes regarding weapons to clarify compliance. The SUU Police Department also provides a document that addresses [Frequently Asked Questions](#) about possessing a firearm on campus and how to do so in a manner that is consistent with State law.

University's Response to Dating Violence, Domestic Violence, Sexual Assault, and Stalking (broadly referred to as Sexual Misconduct)



Overview

Southern Utah University is committed to preventing as many instances of sexual misconduct as it can through educational programs that raise awareness, teach bystander intervention skills, and describe precautionary practices that may reduce the risks of dating violence, domestic violence, sexual assault, and stalking. Despite these prevention efforts, some individuals may experience sexual misconduct, and when that happens the University strives to provide support for individuals who have been victimized while also facilitating prompt, fair, and equitable resolution procedures to hold actors accountable for misconduct.

Educational Programming to Promote Awareness & Prevent Misconduct

The University uses educational programs and public health campaigns to raise awareness about the prevalence, causes, impacts, and prevention strategies related to dating violence, domestic violence, sexual assault, and stalking. Awareness and prevention efforts are a collaborative initiative that involve the following campus departments:

- Student Affairs
- Student Health & Wellness
- Athletics
- SUU Police Department
- Title IX Staff
- Canyon Creek Services (a community agency and University partner)
- Enterprise Risk Management, Compliance & Safety
- Human Resources

All students and employees, with particular emphasis on new employees and first-time students, are expected annually to complete an online educational workshop that is developed by Vector Solutions. Students complete Sexual Violence Awareness (Campus SaVE Act) Full Course which is 43 minutes in length and includes 7 modules that address laws, precautionary activities, bystander intervention, reporting and services, and resolution proceedings. The training culminates in a 15-question quiz that requires students to earn an 80% to demonstrate comprehension. Employees complete Title IX and Sexual Harassment Full Course which is 28 minutes in length and includes two modules. This training culminates in a 12-question quiz that requires an 80% to demonstrate comprehension. These online educational programs constitute Primary Prevention programs.

In addition to the online component of awareness education, University departments also host in-person educational sessions, host campus information fairs, panel discussions, and emphasize awareness and prevention during particular months of the year (e.g., October, January, and April). The following list are common Ongoing and Continuing programs that are offered each academic year, but were specific to 2022:

- Sexual Assault Awareness Month - free therapy support group for survivors of domestic violence and sexual assault starting on April 1, 2022, called Personal Growth & Empowerment Following Traumatic Experiences
- Canyon Creek Services SAAM (Sexual Assault Awareness Month) Jam (April 2022)
- Teal and Denim Days (April 2022)
- StART by Believing Day (April 2022)
- Chalk About Consent (April 2022)
- SUUSA Mental Health Resource Fair (December 2022)

It is also typical for violence prevention experts and staff to present to classes such as the International Student Acculturation Course, sociology courses, criminal justice courses, and many others. University Housing will also emphasize violence prevention and campus safety in their programming for residents. These programs seek to aid individuals in being able to identify situations where risks are evident, what to do to intervene safely, and how to access supportive resources.

Procedures to Follow if Victimized

SUU strives to support individuals who have been subjected to or experienced dating violence, domestic violence, sexual assault, and stalking. In the midst of violence, or after, it can be difficult to know what to do next. The University encourages individuals that have been victimized to consider these steps in seeking support or initiating procedures to hold an offender or Respondent accountable. When appropriate, the information below will cross reference sections of University policy that are applicable to that content.

Preserving Evidence

It is important to preserve evidence that may assist in proving that an alleged criminal offense occurred or be helpful in obtaining a protection order. As time passes, physical evidence may become more difficult to detect and collect, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection orders related to the incident more difficult. Even if an individual that has been victimized chooses not to make a complaint, they should consider speaking with SUU Police or local law enforcement to learn how to preserve evidence in the event they later decide filing a complaint is in their best interest.

There are several ways that a person can preserve evidence:

- If sexually assaulted, try to avoid washing your body, brushing your teeth, using the toilet, or changing your clothes immediately after.
- If sexually assaulted, seek to have a medical examination conducted by a Sexual Assault Nurse Examiner (SANE) at the Cedar City Hospital as soon as practical after the assault;
- If you are physically injured by a violent partner, seek medical care for the injuries and permit the care provider to photograph and document the nature and extent of injuries;
- If you do change clothes after an assault, place your clothes in a paper bag;
- If you have access or control of the location where the assault occurred, avoid rearranging or cleaning things because police can document the location;
- Store and record communications that may have occurred before, during, or after an incident. Try not to delete text messages or voicemails. Screen shot social media messages and make sure they're time stamped. Keep emails.
- If you are able to recall people who may have been present at the time of an incident, write down their names to aid you later if you're interviewed.

University staff will encourage you to preserve evidence and remind you about the importance of preserving evidence if you choose to notify them. By policy, individuals that report to the Title IX Coordinator "shall be instructed to provide and preserve all corroborating or potentially relevant evidence in any format..." ([SUU Policy 5.60, Section IV.H.4.b](#)). Individuals that are identified to the Title IX Coordinator also receive email outreach that includes a reminder to preserve evidence.

Reporting the Incident to the University

Individuals who have experienced dating violence, domestic violence, sexual assault, and/or stalking have several options with regard to reporting an incident for the purpose of obtaining support from the University and/or initiating a university disciplinary process or law enforcement investigation. The following options are available:

NON-CONFIDENTIAL OPTIONS

Title IX Coordinator (in the Office of Equal Opportunity)

Individuals may report to the Title IX Coordinator in the following ways:

1. Online Reporting Form: <https://cm.maxient.com/reportingform.php?SouthernUtahUniv>
2. Walk-in/In-person Appointments – Room 101 of the University Campus Services (UCS) building (at the corner of 200 S and 200 W)
3. Email: title9@suu.edu
4. Phone: 435-586-5419 (cannot accept text messages)

The Title IX Coordinator is not a confidential source. The Title IX Coordinator can maintain some level of confidentiality for information that is shared, but in order to initiate some supportive measures or resolution proceedings, a reporting party's identity and details about the incident may need to be shared. To the extent law and policy permit, the Title IX Coordinator can keep a reporting party's identity confidential.

Officials with Authority (OWAs) [NOT CONFIDENTIAL]

Some employees at the University are required to report incidents of dating violence, domestic violence, sexual assault, and stalking to the Title IX Coordinator. These individuals are identified in University policy (see [SUU Policy 5.60, Section IV.D.2](#)). They include senior leaders at the University, senior leaders within Student Affairs, College Deans, and employment supervisors when a person reporting is a subordinate of the supervisor.

To report to an OWA, a person can email, telephone, or speak in person to the OWA. OWAs cannot keep any information shared with them confidential. They will report to the Title IX Coordinator.

Campus Security Authorities (CSAs) [NOT CONFIDENTIAL]

Much like OWAs, Campus Security Authorities are university employees that have particular roles which make them more likely to receive reports about crimes, including dating violence, domestic violence, sexual assault, and stalking (see SUU Policy 5.67, Section IV.C). CSAs include SUU Police employees, many student affairs employees, athletic coaches and staff members, resident assistants, student Leads, ACES, and Presidential Ambassadors. CSAs include Human Resource employees. In essence, if an employee has a "significant responsibility for student and campus activities" they are likely to serve as a CSA. CSAs cannot keep information confidential. They must report what they know about an alleged crime to the Clery Compliance Officer. If a reporting party speaks to a University employee that is a CSA, the CSA will communicate that information so it is known to the Clery Compliance Officer and the Title IX Coordinator.

To report to a CSA, a person can email, telephone, or speak in person to the CSA.

SUU Police Department [NOT CONFIDENTIAL]

Many people initially think to report dating violence, domestic violence, sexual assault, and stalking to the police. This is an appropriate instinct and can be achieved by any of the following ways:

- Online Report Form: <https://www.suu.edu/police/reporting-crime.html>
- Walk-In/Appointments: 36 North 300 West
- Email: police@suu.edu
- Phone: 435-586-1911
- Text: "PD + message" to "32483"

Reports of dating violence, domestic violence, sexual assault, and stalking that are made to SUU Police will be shared with the Title IX Coordinator.

CONFIDENTIAL OPTIONS

Individuals may want to report an incident or experience and not want the University or law enforcement to know about it. There are options for reporting an incident or an experience to a confidential source, and they have the ability to withhold information from the University or law enforcement by virtue of legal privileges.

SUU Counseling & Psychological Services [CONFIDENTIAL]

Students may speak with a licensed mental health professional at CAPS about dating violence, domestic violence, sexual assault and/or stalking without the counselor sharing information with the Title IX Coordinator or law enforcement. Counselors at CAPS are knowledgeable about Title IX and Clery requirements, and they can confidentially educate clients about these requirements and processes. CAPS counselors may also report an incident that occurred on campus or within the University's Clery Geography without disclosing the victim's identity so the crime can be included in the Daily Crime Log and Annual Security Report statistics.

For more information about the legal privilege that assures confidentiality please see UCA 58-60-114.

Canyon Creek Services - Victim Advocacy [CONFIDENTIAL] [OFF CAMPUS]

The University works closely with a community-based, victim-services agency by the name of Canyon Creek Services. Canyon Creek employs victim advocates who serve individuals that have experienced dating violence, domestic violence, sexual assault, and/or stalking. To contact and report an incident to Canyon Creek you can use any of the following methods:

- Online: <https://canyoncreekservices.org>
- Walk-In/Appointments: 297 N Cove Drive - Cedar City, UT 84720
- Phone: 435-233-5732

Victim Advocates at Canyon Creek are knowledgeable about the University's Title IX and Clery obligations and can educate clients about how to engage these processes. For more information about the legal privilege that assures confidentiality please see [UCA 77-38-405](#).

Involving Law Enforcement

University policy encourages individuals who have been victimized or experienced dating violence, domestic violence, sexual assault, and/or stalking to report incidents to law enforcement. However, the individual retains choice whether or not to involve law enforcement (see [SUU Policy 5.67, Section IV.G](#)). To support individuals in whatever choice they make, the University's Clery Compliance Officer or Title IX Coordinator or their designee will do any of the following:

1. Provide contact information for SUU Police or local law enforcement agencies so the individual can, at a time of their choosing, report the incident.
2. Accompany the individual to the location so the individual can make a report to law enforcement.
3. Facilitate communication by phone or email with law enforcement if the individual chooses that option.

An individual may decline any of the foregoing options at any time for any reason. They may also change their mind and subsequently request any of the options identified above.

Seeking Protective Orders or “No Contact Agreements”

Individuals that have been victimized through an incident of dating violence, domestic violence, sexual assault, or stalking may be able to obtain a protection order from Utah State Courts or a mutual no-contact agreement (MNCA) from the University. These instruments are used to limit the contact between an individual who has been victimized (Complainant) and the person who victimized them (Respondent). There are important distinctions between what the Courts can provide and what the University can provide.

University-issued No Contact Agreements or Directives

Under the University’s sexual misconduct policy (SUU Policy 5.60, Section III.S and Section IV.H.3.e) both complainants and respondents have a right to supportive measures, one of which is “mutual restrictions on contact between the Parties.” These No Contact Agreements/Directives can be requested by an individual through the Title IX Coordinator, and the Dean of Students will issue the agreement or directive. No Contact Agreements are only enforceable on campus or within or during University programs and activities wherever they may occur. Additionally, University-issued no-contact agreements are enforced by the Dean of Students through the University Code of Conduct (SUU Policy 11.2) or the Assistant Vice President for Human Resources if the parties are employees (SUU Policy 8.3.5).

Violating a No Contact Agreement would be viewed as Failure to Comply under the Student Code of Conduct (SUU Policy 11.2, Section IV.B.11).

Violating a No Contact Agreement would be viewed as Insubordination under the Termination of non-Academic Staff Employees and Disciplinary Sanctions (SUU Policy 8.3.5, Section IV.A.3).

Court-issued Protection Orders

The Fifth District of the Utah Courts may issue one of three types of protective orders (dating violence, domestic violence, or sexual assault) or a civil stalking injunction. These court orders are enforceable by law enforcement and the courts. Violating a court order subjects the violator to criminal penalties. Protective Orders and Civil Stalking Injunctions can be enforced on-campus and off-campus depending on where the violation occurs.

The Utah Courts has a very helpful website that can aid individuals in applying or petitioning for a protective order or injunction.

https://www.utcourts.gov/abuse/protective_orders.html

This site contains all of the forms that a person must complete in order to obtain a protective order. In addition, Canyon Creek Services will assist individuals in completing the forms. To contact a victim advocate and Canyon Creek Services please call 435-233-5732. Canyon Creek is a community-based agency located off campus. The victim advocates are not employees of the University.

Information Management & Protection

Generally speaking, information that is reported to the University that presents allegations of dating violence, domestic violence, sexual assault, and stalking are considered confidential. The University has defined confidentiality as:

“Restricting information to persons with a need to know. Confidentiality is not the same as anonymity, where an individual is not named or personally identified. The University treats Complaints and the Review Process as Confidential. The University will instruct employees and students about the requirement not to disclose confidential information.” (SUU Policy 5.27, Section III.H)

When students disclose they have been victimized or participate in a resolution process, the documented information is protected by Policy 5.60, Section IV.E.2 which sets limits on who may know of their identity. More broadly, the records developed related to sexual misconduct are deemed disciplinary records which are a subset of educational records under FERPA (see SUU Policy 11.3). Thus, the University must safeguard this information pursuant to both policies.

When employees disclose they have been victimized or participate in a resolution process, the documented information is protected by Policy 5.60, Section IV.E.2 which sets limits on who may know of their identity. More broadly, the records developed related to sexual misconduct are deemed disciplinary records which are a subset of personnel and employment records (see SUU Policies 5.19 & 5.39). Privacy and confidentiality are not absolute, but these policies place strict safeguards on the information.

Publicly-Available Records of Reports

The University’s policy on reporting information for the purpose of Clery Act compliance, particularly when it is available to the public, is to refrain from including personally identifying information (see SUU Policy 5.67, Section IV.J). Clery has several public reporting obligations such as the Daily Crime Log (SUU Policy 5.67, Section III.K), statistics in the Annual Security Report, and Timely Warnings (SUU Policy 5.67, Section IV.R). In each of these depositories of crime information, the University will not disclose personally identifying information for or about victims.

Other University policies also require confidentiality with regard to reports of dating violence, domestic violence, sexual assault, and stalking. For example, the University’s sexual misconduct policy establishes that:

“The University must keep confidential the identity of any individual who has made a report or complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of Sexual Harassment, any Respondent, and any witness, except as may be permitted by the federal Family Educational Rights and Privacy Act, its regulations, or as required by Utah Government Records and Management Act (GRAMA), the federal Health Information Portability and Accountability Act (HIPAA) or other law, or to carry out the purposes of Title IX, including the conduct of any investigation, hearing, or judicial proceeding arising under Title IX.”

(SUU Policy 5.60, Section IV.E.2)

To carry out the purposes of Title IX, there may be times when the University shares the identity of a party to facilitate the delivery of a supportive measure or to provide due process to a party under the resolution procedures. With regard to the latter, respondents and witnesses may receive the identity of a complainant or reporting party. However, individuals participating in the resolution process are reminded about the importance of maintaining as confidential information they learn from participating in the resolution process.

Sharing Information to Facilitate Protective & Supportive Measures

The University has adopted a policy regarding the design and delivery of accommodations and protective measures that establishes confidentiality for both victims and the accused (see SUU Policy 5.60, Section III.S & Section IV.E). Federal law requires that the confidentiality be extended to both Complainants (victims) and Respondents participating in the University’s resolution procedures for sexual misconduct as a matter of equity.

Notifying Individuals about Victim Services & Supportive Resources

Any report of dating violence, domestic violence, sexual assault, or stalking that is received by the Office of Equal Opportunity (the home of the Title IX Coordinator) is subjected to a preliminary review and outreach to the individual(s) subjected to misconduct (see SUU Policy 5.60, Section IV.H.2.a). As part of that preliminary review and outreach, victims receive electronic copies of the policy, a resource guide for complainants, and a Rights & Options document. These documents reference resources of health, counseling, victim advocacy, visa and immigration assistance, student financial aid and legal services. Copies of these documents are available in the Office of Equal Opportunity. Additionally, when students elect to meet with the Title IX Coordinator, these resources are reviewed so Complainants may ask questions.

Information about these services is also available on the SUU Police Departments webpage (<https://www.suu.edu/police/victim-resources.html>) and the Equal Opportunity webpage (<https://www.suu.edu/eoc/resources.html>).

In addition to resources and services available on campus and in the community, the University will design and deliver supportive measures (see SUU Policy SUU Policy 5.60, Section III.S & Section IV.E) that enable both Complainants and Respondents to make alterations, modifications, and adjustments to their academic, living, transportation, working situations or protective measures. Written notification occurs through outreach correspondence from the Title IX Coordinator, or designee, and includes attachments known as a Complainant Resource Guide and Rights & Options document. These documents review information about supportive measures, and if Complainants (victims) elect to meet with the Title IX Coordinator pursuant to SUU Policy 5.60, Section IV.H.2.a, the documents are reviewed in detail. Supportive measures are also described on the Equal Opportunity webpage at <https://www.suu.edu/eoc/resources.html>.

The logo for Southern Utah University is a red, irregularly shaped graphic. Inside the red shape, the letters "SUU" are written in a large, white, serif font. To the right of "SUU", the words "SOUTHERN", "UTAH", and "UNIVERSITY" are stacked vertically in a smaller, white, sans-serif font.

SUU SOUTHERN
UTAH
UNIVERSITY

To make sure that students who experience VAWA or Title IX-related misconduct, the University provides the following information about Resources:

Supportive Measures: Federal regulations define supportive measures as “non- disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the [parties] before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the [recipients] educational environment, or deter sexual harassment.” 34 C.F.R. § 106.30.

The University may provide individualized services regarding course enrollment, course-specific modifications, workplace modifications, residence hall reassignments, and security accompaniment, advising, advocacy, or counseling.

Supportive measures are implemented with confidentiality – only those University employees that need to know about the measure are informed so as to effectively implement or monitor the measure.

Supportive Measures can be requested through the Title IX Coordinator by emailing title9@suu.edu.

Preserving Evidence for Investigations: It is important that the parties preserve and retain information about the allegations. This includes physical evidence that may be available such as medical examinations, articles of clothing, artifacts from the location of the incident(s) (e.g., bed sheets, towels, etc.), or photographs. Additionally, holding on to or obtaining emails, social media messages, text messages, or other communications between the parties or witnesses. Identify locations where surveillance video or electronic access records are kept (e.g., key cards).

Advocacy Services: The University can refer parties to advocacy services. For complainants, there are community-based advocates through Canyon Creek Services or advocates embedded with the Police and Iron County Attorney. Advocates serving individuals who have been victimized (victim advocate) have a legal privilege to protect communications between advocate and client [See [UCA. § 77-38-405 \(2018\)](#) also Utah Court Rule 512]

Respondents can receive a referral to a process advisor who is a campus professional with knowledge and familiarity of University policies and practices. Communications between a respondent and their University-appointed process advisor are not privileged nor confidential, but records created as a result of these communications are protected by the Family Educational Rights and Privacy Act (FERPA).

Orders of Protection & No Contact Agreements: Individuals who have been impacted by sexual misconduct may seek a protective order from the Utah Courts. Protective orders are enforced by local law enforcement agencies (LEAs) and are enforceable on campus and off campus. The Utah Courts have a useful website that describes the types of orders available and the application materials required to request one:

https://www.utcourts.gov/abuse/protective_orders.html

On campus, and only enforceable on campus, the University can issue and enforce Mutual No Contact Agreements (MNCAs). MNCAs apply to both the Complainant and Respondent. They are enforceable through the University's Student Code of Conduct ([Policy 11.2](#)). You may request a MNCA through the Title IX Coordinator and they will work with the Dean of Students to issue and enforce the agreement.

Counseling Services: The University provides free access to mental health counseling for all parties. Students may engage Counseling and Psychological Services (435-865-8621). Employees may engage the Employee Assistance Program (1-800-280-3782 + CODE SUU).

Legal Services: Parties may be able to obtain low-cost or free legal services (or at least consultation) depending on their income. Locally, parties may seek these services at the Southern Utah Bar Association (SUBA) Talk to a Lawyer Clinic. To learn whether you may be eligible for legal services call 435-628-1604, extension 3662.

Immigration and Visa Services: Students and employees who are at the University on a government issued visa may consult with the Office of International Students and Scholar Services (ISSS). They are located in the Sharwan Smith Student Center Suite 169. Call 435-586-1995 to schedule an appointment. There may also be immigration support through one of several statewide immigration law clinics. These clinics rely on Zoom to do consultations virtually/remotely.

Financial Aid: The University may be able to assist students in managing financial complications that may result from experiencing sexual misconduct. Financial assistance may include (1) counseling about the potential of having to return Title IV (grants and loans) funds when students drop or withdraw from courses, (2) seeking waivers or exceptions to scholarship requirements, and (3) exploring the option to raise a student's cost of attendance to address unforeseen expenses related to recovering from sexual misconduct. There may be options for emergency funding through Financial Wellness.

Students can work with a Financial Aid Counselor in the [Office Financial Aid and Scholarships](#) or seek support in the [Financial Wellness](#) program.

Accommodation Requests: The parties may request an accommodation for a disability to the EOC representative, and that request will be shared with the Director of the Disability Resource Center (students) or the Director of Human Resources (employees) depending on the context of the allegations.

Medical Care (Emergency and Non-emergency)

Cedar City Hospital – Intermountain Healthcare
1303 N Main Street
Cedar City UT 84721
Phone: (435) 868-5000
Web: <https://intermountainhealthcare.org/locations/cedar-city-hospital/>

The hospital provides access to Sexual Assault Examinations conducted by certified Sexual Assault Nurse Examiners (SANE). The hospital has the ability to provide emergency contraception, testing for sexually transmitted infections (STIs), and treatment for injuries sustained during a violent incident.

Planned Parenthood – St. George Regional Office

(approximately 50 miles south of Cedar City)
595 South Bluff Street, Suite 1
St. George, UT 84770

Planned Parenthood provides testing for sexually transmitted infections (STIs) and emergency contraception. For assistance obtaining transportation please contact title9@suu.edu or call 435-586-5419.

University Procedures for Facilitating Disciplinary Action

Procedural Overview

Southern Utah University is obligated to resolve allegations of dating violence, domestic violence, sexual assault, or stalking in manner that is consistent with federal law, specifically the Title IX regulations that became effective on August 14, 2020 (34 C.F.R. Part 106, Subpart D). To implement these regulations, the University adopted SUU Policy 5.60 – Sexual Misconduct. This University policy contains provisions that fulfill the Title IX regulations and the Clery Act’s regulations pertaining to dating violence, domestic violence, sexual assault, or stalking (34 C.F.R. § 668.46(k)).

Generally speaking, there are two resolution frameworks identified in SUU Policy 5.60: (1) Informal Resolution (Policy 5.60, Section IV.I) and (2) Investigation & Hearing (Policy 5.60, Sections J thru O). Informal resolutions are party-driven agreements that do not produce a disciplinary outcome, though they may include provisions that bind a party to complete an action that is similar to a sanction. For example, a party may agree to complete an educational workshop rather than be compelled to complete as a sanction after being found responsible for violating University policy. In essence, informal resolutions do not produce findings that a party violated University policy. For this reason, the emphasis of this section of the Annual Security Report is on the procedures that the University follows to conduct an investigation and hearing.

The University will not pursue an investigation until a Complainant (a.k.a. victim) or the Title IX Coordinator files a formal complaint (Section IV.H.4) that is within the University’s authority to act on (i.e., the University has jurisdiction). The University has jurisdiction under Title IX if the complaint alleges misconduct that (1) occurred in the United States, (2) within the University’s educational program and activity, (3) constitutes dating violence, domestic violence, sexual assault, or stalking; and (4) the University has the authority to discipline the accused person. When any of these four conditions are not satisfied, the Title IX Coordinator must dismiss the complaint under the University’s Title IX jurisdiction (see SUU Policy 5.60, Sections IV.A. & IV.H.6).

However, even though the University may lack jurisdiction under Title IX, it may still pursue some incidents of dating violence, domestic violence, sexual assault, or stalking under the off-campus jurisdiction of the University's Student Code of Conduct (SUU Policy 11.2). Essentially, the Title IX Coordinator may borrow authority under the Code of Conduct to implement its sexual misconduct procedures outlined in SUU Policy 5.60. To borrow that authority, the following factors (SUU Policy 11.2, Section III.L.3.g) must be evaluated and considered in their totality:

- the Reported conduct is/was directed at or toward another Student, Employee, or Visitor of the University;*
- the Reported conduct, if true, would be severe enough to potentially warrant a suspension or dismissal as a Student and/or from University employment;*
- the impact/effect of the conduct would logically and foreseeably create a material impediment to another Student, Employee, or Visitor's access or participation on campus (generally, mere presence of the Respondent on University Premises or within University Programs alone is insufficient);*
- evidence of the Reported conduct can be gathered without inordinate expense, effort, or delay, such as due to geographic location and the University connection (or lack thereof) to property, among others;*
- Reported conduct occurs in a context that a reasonable person would expect the University would have an interest in (maintains a workplace in that location, is part of its geographic service area, would not supersede or conflict with another entity's authority/responsibility, among others).*

If the Title IX Coordinator determines to proceed under the Code's off-campus jurisdiction, the procedures of Policy 5.60 will still be used.

With jurisdiction to resolve the alleged misconduct, the University can initiate an investigation by sending written notice to the Complainant and Respondent (i.e., the accused person). Both parties receive a notice of allegations and investigation. The notice explains important rights and next steps. Once the notice has been sent, the University's investigator(s) may begin to gather evidence related to the allegations. The investigation process includes interviews with the parties and witnesses, receiving documents, reviewing video footage if available, querying key logs or online logins, and similar sources of evidence.

Once all of the relevant and available evidence has been gathered, the Investigator organizes the evidence into a draft investigative report. The report summarizes the available evidence, proposes findings of fact, and outlines the procedural steps that have been taken during the investigation. The parties are then provided an opportunity to review the draft investigative report and comment on its contents. Following the comment period, the Investigator(s) finalize the report and deliver it to the Title IX Coordinator.

The Title IX Coordinator identifies a Hearing Officer or hearing panel to conduct a live hearing wherein the evidence obtained during the investigation is subjected to rigorous testing and evaluation. Parties and witnesses are able to speak about the available evidence, make persuasive statements, and question the Investigator(s), one another, and any participating witnesses. The purpose of the live hearing is to enable the Hearing Officer or panel to evaluate the credibility of evidentiary claims and decide for themselves, independently the extent to which the available evidence supports or refutes the occurrence of a policy violation.

The culmination of the investigation and hearing process is a written determination that outlines findings of fact, policy conclusions, and if needed, sanctions for the Respondent/accused person. The written determination is simultaneously sent to both parties with an opportunity to appeal the determination.

The following sections of the Annual Security Report detail specific components of the resolution process, to be sure that readers of the ASR are aware of essential features that will enable them to be informed about what to expect from the resolution process.

Quick Reference Guide for Disciplinary Proceedings

	Informal Resolution (Policy 5.60 - Section IV.I.)	Investigation & Hearing (Policy 5.60 Sections IV J - P)
Proceeding Description	<p>Informal resolution (IR) is a voluntary process for the parties to negotiate an agreement that mutually resolves the allegations in a way that satisfies their respective interests. Informal resolutions take on the form of shuttle mediation where the Title IX Coordinator or designee alternates between the parties – without simultaneous or contemporaneous presence of the parties – discussing the acceptability of proposals. Informal Resolution produces an agreement that does not result in a final determination of wrongdoing unless that is a provision of the agreement.</p>	<p>Investigation and hearing is a required process by policy as the default type of proceeding. It can be preceded by or placed on hold by an informal resolution (IR), but will resume if IR is unsuccessful. A fact-gathering and fact-finding inquiry is facilitated by a trained investigator who collects, organizes, and publishes an investigative report that is reviewed by the parties. Following the parties’ review, a hearing is held before an impartial hearing officer who determines whether the gathered evidence is sufficient to demonstrate a violation of University policy. If a violation is present, a separate University administrator determines commensurate sanctions.</p>
Proceeding Steps	<ol style="list-style-type: none"> 1. Complaint filed 2. Complainants written consent to attempt IR 3. Respondents written consent to attempt IR 4. Shuttle mediation, diplomacy, negotiation 5. Drafted IR Agreement 6. Review and signature by parties 7. Complaint is closed 	<ol style="list-style-type: none"> 1. Complaint is filed 2. Title IX Coordinator establishes authority of University to act on the complaint and assigns investigator(s) 3. Notice of investigation is sent to all parties 4. Investigator conducts fact-gathering activities (e.g. interviews, document collection, etc.) 5. Investigator drafts an investigative report 6. Parties review and comment of the draft investigative report 7. The report is finalized and shared with the parties before any hearing 8. Hearing is scheduled 9. Hearing Officer presides at hearing and drafts a written determination 10. If needed, a University administrator reviews the determination and assigns sanction(s) 11. Both parties are simultaneously notified of the outcome through the written determination 12. Appeal

**Proceeding
Timelines**

The University seeks to complete all informal resolutions within 30 business days (6 weeks). Effort is made to conclude the IR sooner, but complexity or availability of parties may extend the time.

Steps 1 – 3 are typically completed within 10 business days.
Steps 4 – 7 are typically completed within 60 business days.
Steps 8 – 10 are typically completed within 50 business days.
Steps 11 – 12 are typically completed within 30 business days.

Investigation and Hearing is estimated to take 150 business days or 30 weeks to ensure the parties and investigator(s) have adequate time to meet the exacting procedural requirements under the Title IX Regulations (34 C.F.R. §§ 106.44 – 106.45). Every effort is made to reduce the amount of time, but complexity and the availability of parties and witnesses may extend the time.

**Proceeding
Decision-making
Process**

The parties retain significant agency and autonomy in crafting an agreement that works for them. The Title IX Coordinator may assist in brainstorming or shaping a proposal, but the ultimate authority rests with the parties. The Title IX Coordinator will endorse the agreement if it is not plainly unconscionable.

The investigator(s)' responsibility is to gather evidence and find facts related information/evidence to each allegation raised by a complaint and/or counter-complaint. At most, the investigator(s) may recommend a policy conclusion after offering policy analysis. However, an independent and impartial hearing officer or hearing panel must determine independently whether the gathered evidence is sufficient to demonstrate a violation of policy. The Hearing Officer or panel uses the preponderance of the evidence to determine if a policy has been violated.

A separate University administrator known as 'Responsible University Administrator' will determine commensurate sanction(s) if the Hearing Officer or panel concluded a policy was violated. The Responsible University administrator relies on a series of policy criteria or factors to determine the commensurateness of the sanction. They include such things as prior misconduct, the harm caused by the misconduct, the existence of collateral policy violations, and the interests of the University in effectively managing the risk to the campus community.

**Proceeding
Complaint
Requirements**

A complainant must first file a complaint that is consistent with SUU Policy 5.60, Section IV.H.4.b. The Complaint must be in writing which clearly outlines the alleged misconduct prohibited by Policy 5.60, and be signed by the Complainant. As part of the complaint, the Complainant may signal their desire or interest in pursuing informal resolution, but not required. After the complaint is filed and it is determined to be within the University's authority to act upon, the Title IX Coordinator may encourage or invite the Complainant to consider an informal resolution.

A complainant must first file a complaint that is consistent with SUU Policy 5.60, Section IV.H.4.b. The Complaint must be in writing, with the document clearly outlining alleged misconduct prohibited by Policy 5.60, and be signed by the Complainant. As the default proceeding, the Title IX Coordinator will forward the complaint to the investigator(s) once they have determined the allegations of the complaint are within the authority of the University to act upon.

**Deciding which
Type of
Proceeding to
Use**

The Title IX Coordinator will confer with the Complainant about the suitability for pursuing an informal resolution in lieu of an investigation and hearing. Informal Resolution is suitable if (1) the parties are amenable to it; (2) the conduct does not involve violence; (3) the Respondent has not had prior accusations or findings against them; and (4) the risk to others is within the ability of the University and parties to mitigate by a good faith effort.

If the Complainant and Title IX Coordinator agree that the matter is suitable for informal resolution, the Title IX Coordinator will seek the Respondents consent to participate. Provided both parties are willing to proceed, the Title IX Coordinator or designee will commence with a shuttle mediation or negotiation.

Either party may withdraw from an informal resolution for any reason, and an investigation will commence or resume depending upon when the informal resolution is attempted. Informal resolution may be attempted at any time before a determination of responsibility has been made.

Standard of Evidence in Disciplinary Proceedings

When an individual who has experienced dating violence, domestic violence, sexual assault, or stalking files a formal complaint pursuant to Policy 5.60, Section IV.H.4.b, and that complaint is investigated and forwarded for hearing, the Hearing Officer or panel applies the preponderance of the evidence standard to determine if policy has been violated. The preponderance of the evidence is operationally defined as “more likely than not.” (see SUU Policy 5.60, Section III.K)

Possible Sanctions Imposed thru Disciplinary Proceedings

After a complaint of dating violence, domestic violence, sexual assault, or stalking has been investigated and subject to a live hearing presided over by a Hearing Officer or panel, a written determination is issued. The written determination will describe the findings of fact, and policy conclusions that were established by the Hearing Officer or panel using the preponderance of the evidence. In the event, a policy violation has occurred, the Title IX Coordinator will forward the Hearing Officer/panel’s determination to a Responsible University Administrator for the assignment of sanctions (see SUU Policy 5.60, Section IV.N.2).

The Responsible University Administrator may impose any of the following sanctions outlined in the policy (see Section IV.O):

Employee Sanctions

- verbal counseling,
- written warning,
- probation,
- reassignment,
- transfer,
- demotion,
- reduction in pay,
- suspension,
- termination of employment, and
- an order of no trespassing on campus and/or in University programs, services, and activities

Student Sanctions

- fines,
- restitution,
- interim suspension,
- suspension,
- suspension withheld,
- warning,
- probation,
- expulsion,
- withholding diploma,
- revocation of certificate or degree,
- discretionary sanction,
- organizational sanction, and
- notation on the student’s transcript consistent with the Family Educational Rights and Privacy Act

Sanctions from the above lists may be combined at the discretion of the Responsible University Administrator.

Protective Measures Available During the Pendency of Disciplinary Proceedings

During the pendency of disciplinary proceedings described in SUU Policy 5.60, Section IV.J (Formal Investigation) thru Section IV.P (Appeal), a victim of dating violence, domestic violence, sexual assault, or stalking is entitled to request supportive measures from the Title IX Coordinator.

Supportive Measures are defined as “non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the University’s Education Program or Activity without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or the University’s educational environment, or deter Sexual Harassment.” (see Section III.S).

The range of supportive measures include the following, but can be adapted or augmented to the facts and circumstances of any particular case:

- **Course-related adjustments** (e.g., modified seating charts, extension on assignment deadlines, trigger warnings, flexibility with course attendance policies, assignment substitutions, permission to participate remotely, etc.)
- **Counseling** (emotional/mental health)
- **Course schedule changes** (e.g., transfer course sections, drop/withdraw from course after deadline, course substitutions, course waivers, etc.)
- **Work schedule or location changes**
- **Housing modifications** (e.g., room transfer, roommate reassignment, building transfer, contract cancellation without penalty, etc.)
- **Mutual restrictions on contact between Parties** (i.e., No Contact Directives, Orders, or Agreements)
- **Leave of Absence**
- **Campus accompaniment or escort on campus or adjacent off campus locations**
- **Increased security monitoring**
- **Financial Aid Support** (e.g., an easing of scholarship requirements, endorsement for changes to cost of attendance, course fee adjustments for moving online, etc.)

The Title IX Coordinator may use any combination of these supportive measures to increase the level of safety for a victim.

Timeframes for Resolving Reports

The University endeavors to complete its informal resolutions, investigations, and hearings in a reasonably prompt timeframe. What constitutes reasonably prompt is often dictated by the circumstances and facts of a particular report or case. As the number of allegations and participants increases, more time may be needed. Additionally, depending on the complexity of the allegations, it may require more time to accurately document the evidence related to each allegation. The University is also committed to being thorough and methodical in its process, and this too may require additional time. The Office of Equal Opportunity is committed to keeping individuals participating in its resolution process informed of progress towards completion, and to that end will notify the parties of any delays that are justified by good cause. (see SUU Policy 5.60, Section IV.H.3.b).

The University's timeframes are estimates based on past experience and the probability of having a highly complex set of allegations. With these as guides, the University has proposed an overall timeframe of 30 weeks (~150 business days). Every effort is made to reduce this timeframe, and many cases can be resolved more quickly.

Furthermore, the University's resolution process is designed to meet the requirements of the Clery Act and its implementing regulations (34 C.F.R. §668.46) and Title IX and its implementing regulations (34 C.F.R. §§ 106.44 & 106.45). These regulations call for the process to be fair and impartial with regard to the opportunities extended to the accused and the accuser as well as establishing impartiality among University officials facilitating the process.

Training for Professionals Engaged in Resolving Reports

SUU provides annual training for its personnel that regularly work to resolve allegations of dating violence, domestic violence, sexual assault, and stalking. This includes the Title IX Coordinator, Deputy Coordinators, investigators, decision-makers, and informal resolution facilitators (see SUU Policy 5.60, Section IV.F). University policy identifies the topics on which these individuals are trained and they include such subjects as relevance, evidence evaluation, and due process. The training materials that are used avoid sex stereotypes and strive to aid individuals in managing bias constructively and cover techniques for preserving impartiality. Training materials are posted to the University's website at:

<https://www.suu.edu/titleix/training-and-materials.html>

Significant effort and financial investments are made by the University to keep its staff well-trained, and staff attend trainings throughout the calendar year.

Notification of Rights and Options

Though not codified in a University policy, the practice is to provide any individual who has reported having experienced dating violence, domestic violence, sexual assault, or stalking with information about their rights and options related to supportive measures, campus and community resources, and assistance in seeking justice and resolution of the allegations contained within the reports. Even though there may be times and circumstances when the University lacks the scope and authority to act on a report, the person reportedly impacted by the misconduct is still offered supportive measures and assistance with accessing the criminal justice system. Preliminary Review and outreach occur before any decision about the authority to proceed is rendered. That is why Section IV.H.2.a precedes Sections IV.H.4, 5, and 6 in the procedural sequence of Policy 5.60. The University wants all individuals who have been impacted by misconduct or crime to be informed and supported as they seek to recover and heal. Therefore, regardless of whether an offense occurs on or off campus, individuals reporting victimization receive outreach informing them of their rights and options.

The Opportunity to have an Advisor Present & Involved in the Process

Individuals that participate in the University's resolution process are entitled by policy to have an advisor of their choosing (see SUU Policy 5.60, Section IV.J.1.a.vi). This provision of policy is broad and encompasses "any related meeting or proceeding." When parties receive outreach or are notified of a pending investigation, the written documents they receive inform them of this policy right (see SUU Policy 5.60, Section IV.J.1.b). They are reminded of it when they meet in person with the Title IX Coordinator or investigators.

The above-referenced policy limits the role that advisors play. They cannot actively represent a party or speak for them. However, an advisor is permitted to coach and advise and, more importantly, ask questions on behalf of their party during live hearings (see SUU Policy 5.60, Section IV.L.2). Advisors must conduct all direct examinations and cross examinations of parties and witnesses during a live hearing. This role is so important that the University will assist a person in finding an advisor from among its faculty and staff in the event they cannot find one on their own.

Additionally, advisors are able to receive information about meetings, hearings, and gathered evidence. The parties and their advisors are provided access to all evidence that has been collected during an investigation, and the parties and advisors are able to provide comment and response to investigative materials.

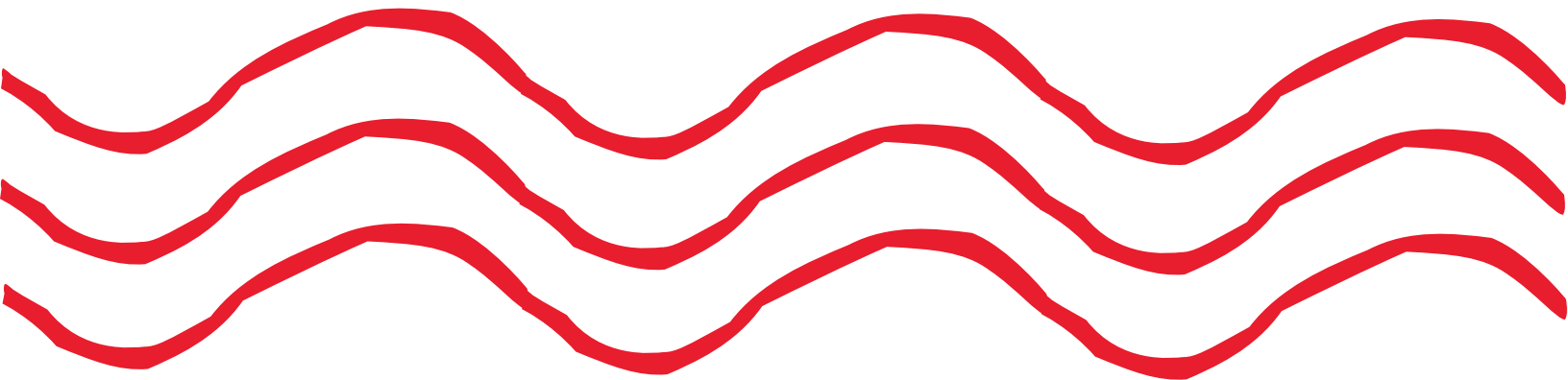
Notification of Results/Outcomes

The culmination of an investigation and hearing is a written determination by a Hearing Officer or hearing panel (see SUU Policy 5.60, Section IV.N). The written determination is a collaborative effort between the Hearing Officer and a Responsible University Administrator (when sanctions are appropriate). Once the written determination is finalized, the Title IX Coordinator sends the determination to both parties and their advisors simultaneously (see SUU Policy 5.60, Section IV.N.4).

Written determinations include six (6) key items of information:

1. A re-statement of the allegations heard;
2. A description of procedural steps that were taken to resolve the allegations;
3. Findings of Fact that support the outcome/determination;
4. Conclusions as to whether policy was violated;
5. A rationale for each conclusion and for any sanctions or remedies imposed; and
6. The procedures and permissible bases for appeal

The written determination explains that finality occurs when either (1) the window for appeal has closed (10 calendar days following the delivery of the written determination) or (2) the appeal process has concluded with a decision from the Appeal Officer. If an appeal is sought and received, the Appeal Officer will also notify the parties and their advisors simultaneously of their final decision (see SUU Policy 5.60, Section IV.P.13 & 14).



State Laws Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Dating Violence

Utah law (UCA 78B- 7 - 102) does not directly define dating violence. It does define the following concepts:

Dating Abuse: intentionally or knowingly causing or attempting to cause another individual physical harm or intentionally or knowingly placing another individual in reasonable fear of imminent physical harm

Dating Partner: an individual who is emancipated; is 18 years old or older; and is, or has been in a dating relationship with the other party. "Dating partner" does not include an intimate partner.

Dating Relationship: a social relationship of a romantic or intimate nature, or a relationship which has romance or intimacy as a goal by one or both parties, regardless of whether the relationship involves sexual intimacy.

Stalking

Utah law (UCA 76 - 5 - 106.5) defines stalking as "intentionally or knowingly engages in a course of conduct directed at a specific person and knows or should know that the course of conduct would cause a reasonable person to fear for the person's own safety or the safety of a third person or to suffer substantial emotional distress. "Course of conduct" means two or more acts directed at or towards a specific person.

Domestic Violence

Utah's law criminalizing domestic violence (UCA § 77 - 36 - 1) offers a general definition and then includes twenty-six (26) different offenses that qualify as domestic violence when the context surrounding the crime is indicative of a domestic relationship:

"Domestic Violence means any criminal offense involving violence or physical harm or threat of violence or physical harm, or any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical harm, when committed by one cohabitant against another. "Domestic violence" or "domestic violence offense" includes commission or attempt to commit, any of the following offenses by one cohabitant against another"

A domestic relationship is defined as one where the individuals are co-habitants, and the law (UCA §78B - 7 - 102(5)) explains there are seven circumstances that are consistent with co-habitancy: "Cohabitant" means an emancipated individual under Section 15-2-1 or an individual who is 16 years old or older who:

- Is or was a spouse of the other party;
- Is or was living as if a spouse of the other party;
- Is related by blood or marriage to the other party as the individual's parent, grandparent, sibling, or any other individual related to the individual by consanguinity or affinity to the second degree;
- has or had one or more children in common with the other party;
- Is the biological parent of the other party's unborn child;
- resides or has resided in the same residence as the other party; or
- Is or was in a consensual sexual relationship with the other party."

Sexual Assault

The term sexual assault is a broad term that encompasses several types of non-consensual sexual conduct. To understand these violations, it is important to be aware of Utah's approach to defining consent. Utah law (UCA § 76 - 5 - 406) does not define the word "consent" but does describe twelve (12) circumstances where consent is presumptively absent. Utah Courts have explained that even though the Statute does not define the term consent, the "common, ordinary meaning" of the word may be used (*State v. Mottaghian*, 504 P.3d 773 (Utah App. Ct. 2022)). The following criminal offenses in Utah are viewed as non-consensual conduct that correspond to crimes defined in the Clery Act:

- **Rape:** "An actor commits rape if the actor has sexual intercourse with another individual without the individual's consent. Any sexual penetration, however slight, is sufficient to constitute the relevant element of a violation... This section applies whether or not the actor is married to the individual." (UCA § 76 - 5 - 402)
- **Sodomy:** "An actor commits forcible sodomy when the actor commits sodomy upon another individual without the other individual's consent. Any touching, however slight, is sufficient to constitute the relevant element of a violation... "sodomy" means engaging in any sexual act with an individual who is 14 years old or older involving the genitals of one individual and the mouth or anus of another individual." (UCA § 76 - 5 - 403)
- **Sexual Assault with an Object:** An actor commits object rape if (1) the actor acts without an individual's consent; (2) causes the penetration, however slight, of the genital or anal opening of the individual by a foreign object, a substance, an instrument, a device, or a part of the human body other than the mouth or genitals; and (3) intends to cause substantial emotional or bodily pain to the individual, or intends to arouse or gratify the sexual desire of any individual; and (4) the individual described is 14 years or older."(UCA § 76 - 5 - 402.2)
- **Sexual Battery (Fondling):** "A person is guilty of sexual battery if the person, under circumstances not amounting to an offense under Subsection (2), intentionally touches, whether or not through clothing, the anus, buttocks, or any part of the genitals of another person, or the breast of a female person, and the actor's conduct is under circumstances the actor knows or should know will likely cause affront or alarm to the person touched." (UCA § 76 - 9 - 702.1)
- **Incest:** Under Utah law (UCA § 76 - 7 - 102) incest is sexual intercourse with a related person that is not rape, rape of a child, or aggravated assault. An actor must knowingly and intentionally engage in "sexual intercourse between the actor and a person the actor knows has kinship to the actor as a related person." A related person is "an ancestor, descendant, brother, sister, uncle, aunt, nephew, niece, or first cousin." The law makes clear that these relationships can be established through "whole or half blood," "adoption," or "the relationship of stepparent and stepchild while the marriage creating the relationship...exists."
- **Statutory Rape:** Under the Utah law (UCA § 76 - 5 - 406) that establishes circumstances where consent is absent, sexual activity with a person under the age of fourteen (14) is always non-consensual. Additionally, when "the victim is 14 years of age or older, but younger than 18 years of age, and the actor is more than three years older than the victim and entices or coerces the victim to submit or participate, under circumstances not amounting to the force or threat required under Subsection (2)(b) or (d)" an actor has committed statutory rape.

Sex Offender Registry

The "Campus Sex Crimes Prevention Act" is a federal law enacted on October 28, 2000 that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus. This act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that Act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders and requires the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.

The Utah Department of Public Safety (DPS) is the official Utah internet source for Sex Offender Registration information. The Sex Offender Registration open record information is extracted from the DPS Sex Offender Registration Database. The DPS maintains files based on registration information submitted by criminal justice agencies and represents, a statewide source of information on sex offenders required by law to register. A link to The DPS public web page can be found on the SUUPD website at <https://www.suuu.edu/police/links.html>.

Information may also be obtained from:

Iron County Attorney's Office	435-865-5310
Utah Department of Corrections	801-545-5500

Emergency Response and Evacuation

As stated in SUU Policy 5.67, Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, the University shall notify the campus community using the procedures found at www.suu.edu/ad/em. The University shall determine the appropriate segment or segments of the campus community to receive a notification, determine the content of the notification, and initiate the notification system. The University shall, without delay and considering the safety of the community, determine the content of the notification and initiate the notification system, unless responsible authorities determine that such notification will compromise efforts to contain, respond to, or otherwise mitigate the emergency.

The University shall biannually test the University's emergency response and evacuation procedures, which can be found at www.suu.edu/ad/em under emergency procedures. The following dates were test dates specific to 2022:

- January 25th, 2022 (approximately 1:50 PM MST)
- September 8th, 2022 (approximately 2:55 PM MDT)

These tests were unannounced and provided campus community members with notification messages to employee's office phones, employee and student emails, and personal cell phones via text message.

#TBIRD
NATION



REPORTING A MISSING STUDENT

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify SUUPD at 435-586-1911. SUUPD will generate a missing person report and initiate an investigation. Throughout the course of the investigation SUUPD may request assistance from nearby law enforcement agencies that have jurisdiction outside of campus. After investigating a missing person report, should SUUPD determine that the student has been missing for 24 hours, SUUPD will notify the student's confidential contact person no later than 24 hours after the student is determined to be missing. ([SUU Policy 5.67](#))



Members of the University community that have reason to believe that a student who resides in on-campus housing is missing may also notify University Housing officials at 435-586-7966. In addition, students may contact any housing official, such as a resident assistant or community coordinator. Additional phone numbers, including on-call resident assistants per building, are listed on the University Housing webpage and are posted in each residence building. These persons or offices are required to immediately refer any missing student report to SUUPD.

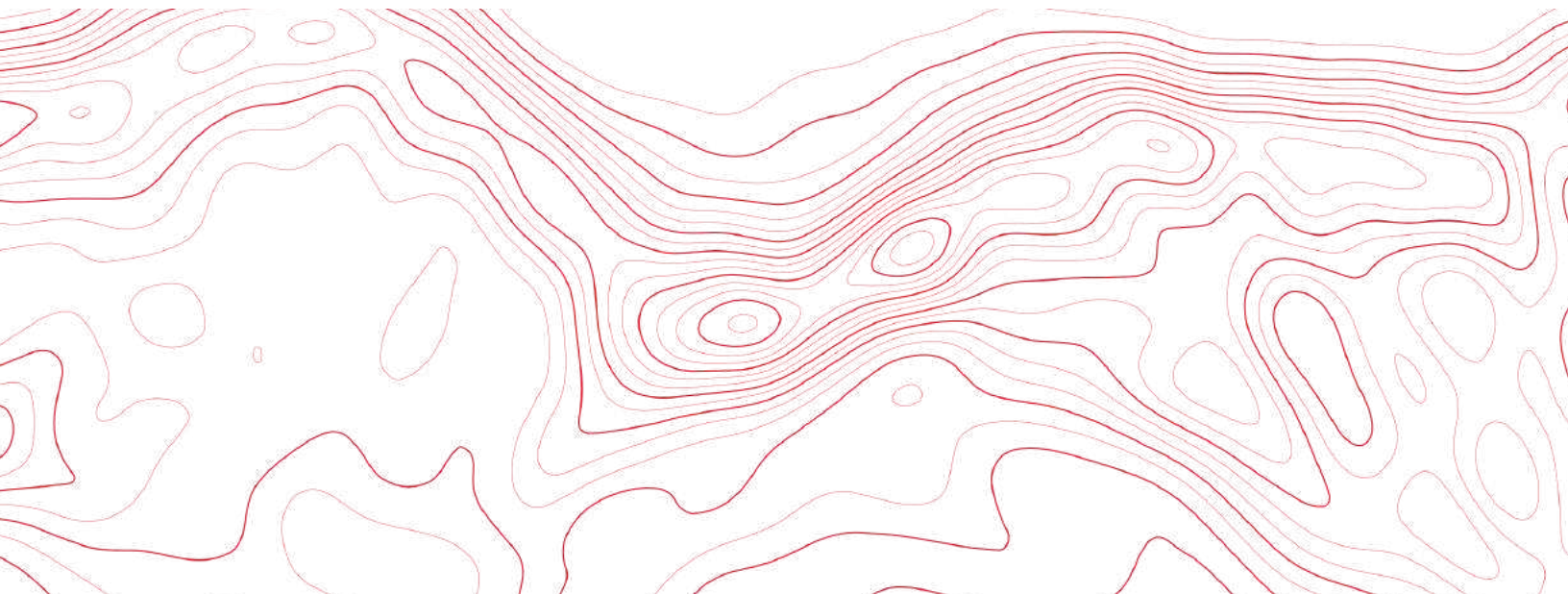


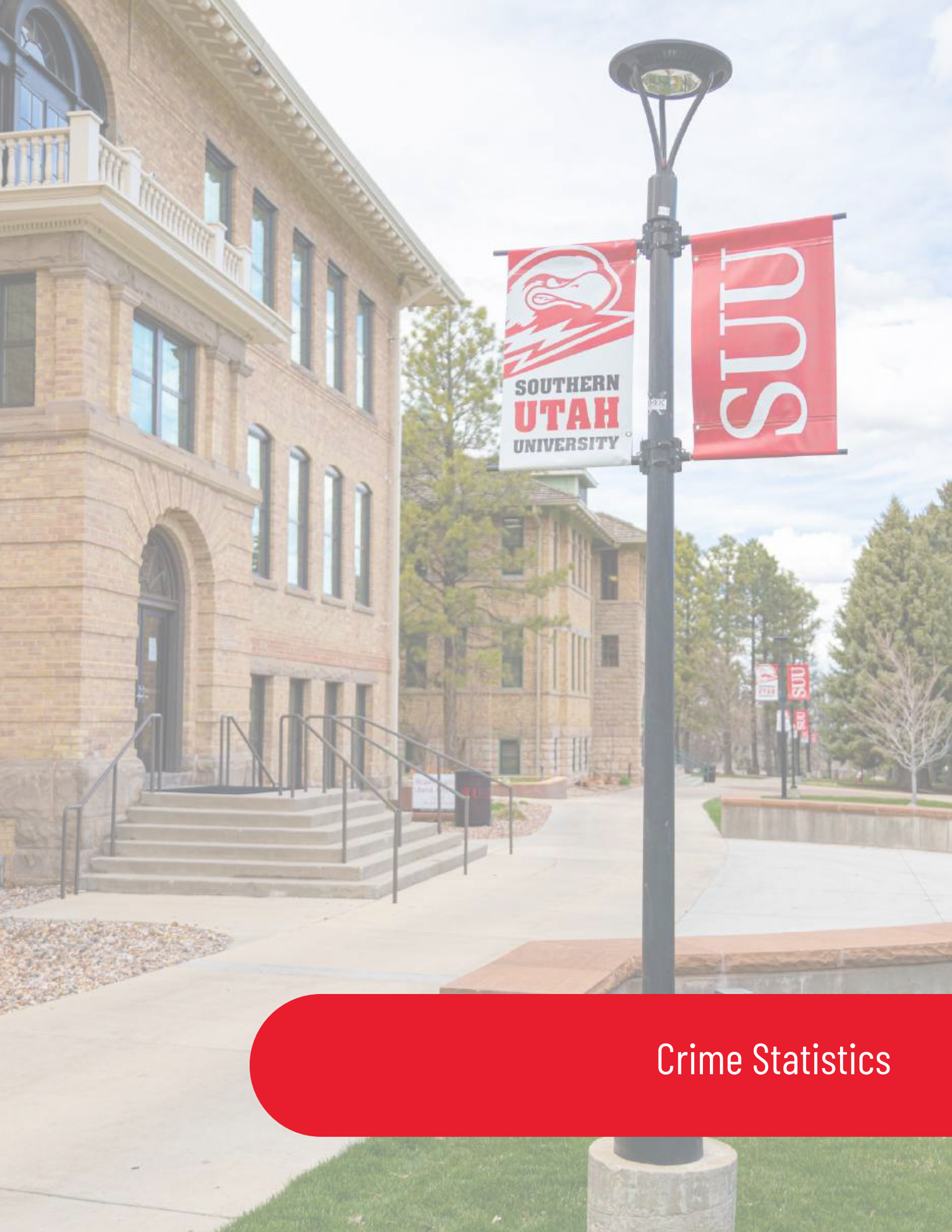
EMERGENCY CONTACT FOR ON-CAMPUS STUDENT HOUSING

The Clery Act requires Southern Utah University to present every residential student with the option and a method to provide the name and phone number of a confidential contact person to be notified in the event the student is reported missing. The confidential contact person may or may not be the same as the student's emergency contact person. The confidential contact person's information will only be accessible to authorized campus officials and law enforcement if the student is deemed missing. Regardless of whether the student names a contact person, unless the local law enforcement agency was the entity that made the determination that the student is missing, the University will notify local law enforcement that the student is missing within 24 hours of the time of the initial report. Residential students are provided an opportunity to complete the Confidential Contact form during housing registration at the start of each semester. At any time, a student or employee may list a confidential contact person by following these steps: 1) log in to your My SUU portal, 2) click on Emergency Contacts under the Banner options, 3) click New Contact, 4) fill out the contact's information, and 4) choose "Missing Person Contact" as the relationship.

STUDENTS UNDER 18

If the student is under 18 and not emancipated, the University must notify the custodial parent or guardian in addition to the confidential contact person within 24 hours of the determination that the student is missing. The University will notify Southern Utah University Police (SUUPD) when any student who lives in on-campus housing has been determined to be missing for 24 hours.





Crime Statistics

Preparing and Reporting the Annual Disclosure of Crime Statistics

The Office of Enterprise Risk Management, Compliance & Safety (ERMCS) prepares this report in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and SUU Policy 5.67. This report is prepared in cooperation with SUUPD, local law enforcement agencies and University officials. The included crime statistics are from the three most recent calendar years. The University submits the annual crime statistics published in this report to the Department of Education (ED). The statistical information gathered by ED is available to the public through the ED website.

Campus crime, arrests and referral statistics include those reported to SUUPD, campus officials designated as Campus Security Authorities (CSA), and local law enforcement agencies. As required by law, all campus security authorities are asked if they are aware of any crimes that occurred on campus in the previous year that were not reported to SUUPD. If they know of unreported campus crimes that are reportable under the Clery Act, they are required to provide the necessary information to the Clery Compliance Officer for data reporting purposes and, if appropriate, for further investigation.

"Campus security authority" is a Clery Act-specific term that encompasses four groups of individuals and organizations associated with an institution.

- A campus police department or a campus security department of an institution. If your institution has a campus police or security department, all individuals who work for that department are campus security authorities. A security department can be as small as one person.
 - Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property). This includes individuals such as those who provide security at a campus parking kiosk, monitor access into a campus facility, act as event security, such as for sporting events or large, registered parties, or escort students around campus after dark (including other students).
 - Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
 - An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.
-

Geography

Disclosed crimes in this report are reported according to geography. The following geographical categories are defined below:

- The **“on-campus”** category includes any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls. This also includes any building or property that is within or reasonably contiguous to the geographic area that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or other retail vendors).
- The **“residence halls”** category includes any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.
- The **“non-campus”** category includes any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. This also includes any building or property owned or controlled by a student organization that is officially recognized by the institution.
- The **“public property”** category includes all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.



Crime Log

The purpose of the daily crime log is to record all criminal incidents and alleged criminal incidents that are reported to SUUPD. Crime log entries include all crimes reported to SUUPD for the required geographic locations, not just Clery Act crimes. The required elements are the date the crime was reported, the date and the time that the crime occurred, the nature of the crime, the general location of the crime, and the disposition of the complaint, if known. The fire log is combined with the crime log and is included in the same document. The fire log includes information on all reported fires (including already extinguished and those still burning) that occur in on-campus student housing.

The crime log for the most recent 60-day period is open to public inspection, free of charge, upon request, during normal business hours. Any portion of the log that is older than 60 days is available within two business days of a request for public inspection. To make a request to view the crime log contact SUUPD at 435-586-7793 or in person at 36 N 300 W, Cedar City, UT 84720.

Definitions of Crimes Reportable under the Clery Act

Criminal Offenses

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

Manslaughter by Negligence – The killing of another person through gross negligence.

Rape – Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Sodomy – Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

Sexual Assault with an Object - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity

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

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

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

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

Aggravated Assault - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.

Burglary - The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses.

Motor Vehicle Theft - The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on the surface and not on rails. Specifically excluded from this category are watercraft, construction equipment, airplanes, bulldozers, and farming equipment.

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

Drug, Liquor, and Weapon Violations

Liquor Law Violations – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence or drunkenness.

Drug Abuse Violations – The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Weapons Law Violations – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

Violence Against Women Act (VAWA) Offenses

Domestic Violence – A felony or misdemeanor crime of violence committed by: a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; and, any person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the person involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence.

Stalking – Engaging in a course of conduct (two or more direct or indirect acts) directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress.

Hate Crimes

Is "a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim" (2016 Handbook 3-25). Bias-is "a preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, ethnicity, [national origin], gender, or gender identity" (FBI, 2015, p.31).

Larceny-theft - The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Larceny- Theft must be reported if associated with a hate crime.

Simple Assault - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. Simple Assault must be reported if associated with a hate crime.

Intimidation - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack. Intimidation must be reported if associated with a hate crime.

Destruction/Damage/Vandalism of Property - To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it. Destruction/Damage/Vandalism of Property must be reported if associated with a hate crime

Unfounded Crimes

Clery Act crimes that are reported to Law Enforcement that have been fully investigated and determined to be unfounded. Based on the results of the full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "**unfounded**".

Crime Statistics

2020

2021

2022

CRIMINAL OFFENSES	2020				2021				2022			
	ON-CAMPUS	RES. HALLS	NON-CAMPUS	PUB. PROPERTY	ON-CAMPUS	RES. HALLS	NON-CAMPUS	PUB. PROPERTY	ON-CAMPUS	RES. HALLS	NON-CAMPUS	PUB. PROPERTY
MURDER/ NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	0	0	0	0	0	0	0
RAPE	2	1	0	0	0	0	0	0	4	4	0	0
FONDLING	3	0	3	0	0	0	0	0	5	5	0	0
INCEST	0	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
ROBBERY	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	1
BURGLARY	2	0	0	0	4	1	0	0	2	0	0	0
MOTOR VEHICLE THEFT	1	0	0	0	1	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS												
WEAPONS	0	0	0	0	0	0	0	0	0	0	0	0
DRUG ABUSE VIOLATIONS	5	4	0	4	5	1	0	3	2	1	3	0
LIQUOR LAW VIOLATIONS	10	10	0	0	13	4	0	2	19	10	0	1
DISCIPLINARY REFERRALS												
WEAPONS	0	0	0	0	0	0	0	0	0	0	0	0
DRUG ABUSE VIOLATIONS	2	0	0	0	1	1	0	0	8	8	0	0
LIQUOR LAW VIOLATIONS	1	1	0	0	29	27	0	0	12	12	0	0
VAWA OFFENSES												
DATING VIOLENCE	0	0	0	0	0	0	0	0	5	1	0	0
DOMESTIC VIOLENCE	0	0	1	0	0	0	0	0	3	0	0	0
STALKING	3	0	0	0	1	0	0	0	10	2	0	0

HATE CRIMES

UNFOUNDED CRIMES

2020- One (1) on-campus intimidation incident characterized by racial bias
 2021- No Hate Crimes Reported
 2022- No Hate Crimes Reported

2020- One (1) report of public property crime was unfounded
 2021- One (1) report of on-campus fondling was unfounded
 2022- One (1) report of non-campus fondling was unfounded



Annual Fire Safety Report

Overview

Southern Utah University publishes this fire safety report as part of its annual compliance with the Clery Act. This report contains information regarding the fire safety practices and standards for Southern Utah University, including statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire and the value of the property damage caused by a fire. The report is available online at <https://www.suu.edu/clery/>. A copy of the report can also be obtained from the Office of Enterprise Risk Management, Compliance & Safety at 216 S 200 W, Cedar City, UT 84720 – The University Campus Services Building, Room 101. You may request to have a copy mailed to you by calling 435-865-8519 or email riskmanagement@suu.edu.

Fire Drills

Each year the University conducts evacuation drills in on-campus housing facilities in which residents, students, and staff are required to follow the evacuation procedures listed in this document and posted in each building.

For 2022, those drills occurred on **January 19, 2022** and **September 8, 2022**.

Fire Log

The fire log is included in the daily crime log. To make a request to view the crime log contact the SUUPD at 435-586-7793 or in person at 36 N 300 W, Cedar City, UT 84720. Historical logs can be reviewed at <https://www.suu.edu/police/monthly.html>.

Policies on Portable Electronic Devices, Smoking, and Open Flames

Any item deemed to be a safety or security concern may be confiscated or required to be removed immediately. The following items are not permitted in the residence halls under any circumstances. The list of prohibited items includes, but is not limited to:

- **Candles:** Since candles, incense, and the like constitute an extreme fire hazard they are not permitted within the residence halls. This includes, but is not limited to, candles or similar devices (e.g., Scentsy candles, candle warmers, etc.) that have not been lit previously, have had the wick removed or trimmed, or have been given as gifts, and are being used for decorative purposes only.

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- **Electric Heaters and Personal Air Conditioners:** Electric heaters and personal air conditioners (e.g., window fans) are not permitted in the residence halls. Each residence hall has a fully operational heating and cooling system. If you find that the system is not operating as you expect, please submit an online maintenance request (available at <https://wrsuu.upturnhost.com>) and consult your RA if the problem continues.
 - **Explosives, Firearms, and Other Weapons:** Except as expressly permitted by law, University Housing strictly prohibits the use, possession and storage of explosives (including fireworks, firecrackers, and other incendiaries), firearms, and other weapons on campus.
 - **Fuels and Hazardous Chemicals:** Any combustible fuel or material (e.g., propane or kerosene) or hazardous chemical is strictly prohibited and subject to confiscation.
 - **Open Heating Elements:** Any appliance or device typically used at home or in an office environment that has an open heating element and does not have an automatic shutoff feature is prohibited. Common items in this category are: hot plates; toaster ovens and electric woks. You may bring small countertop appliances (i.e., coffeemakers, toasters, crock pots, rice cookers, tea boilers, etc.) that do not disrupt the academic environment, have an automatic shut-off feature engaged at all times, and meet approval of your RA and/or CC. These kitchen-type appliances may only be used in units with kitchens and are prohibited from use in bedrooms.

Smoking and any form of open flame is prohibited at all times within University housing.

The resident handbook provides the residents with the following statement:

“Tampering with or removing any fire safety device such as a smoke detector, sprinkler head, or relevant signage is strictly prohibited. Nothing may be attached to or hung from any fire safety device. All permitted electrical appliances must meet UL (Underwriters Laboratory) safety standards. Substandard equipment will be required to be removed.”

For more information about these and other safety related policies, please review the [University Housing Community Standards](#).

Procedures for Evacuation

University Housing's primary responsibility is to protect the lives of the residents, guests and staff in their facilities. As such, University Housing will educate residents and staff on fire safety, prevention topics and the orderly evacuation, response and follow-up in the event of a fire.

In case of a fire, call 911 and then report the occurrence to SUUPD at 435-586-1911 or University Housing at 435-586-7966. On-call Resident Assistants (RAs) may also be contacted to report a fire. Their phone numbers are posted in each residence building. RAs will notify SUUPD of any fire.

When a building alarm is activated (automatically or manually), University Housing staff must:

1. Evacuate the building immediately.

- a. **Staff should make every effort to inform others of the alarm and ensure that others evacuate, but should primarily be concerned with their safety.**
- b. **If possible, emergency materials and information should be collected and taken outside.**
- c. **All resident's guests and staff are required to evacuate the building.**

2. Call 911.

3. Give specific information about the building (i.e., physical address), your name, contact phone number, your location, and your role (i.e., job title).

Students should meet in the designated meeting points listed on the fire evacuation chart, according to which housing location they are in. Emergency response and evacuation procedures are posted in each campus building, campus meeting room and residence hall. Students and employees are encouraged to review the procedures to better prepare themselves in case of an emergency.



Fire Safety Education and Training Program

Resident Assistants provide programming events around fire safety for all residents each school year. University Housing trains all Resident Assistants on emergency response procedures and crisis situations including use of fire extinguishers, their locations and the PASS method. SUUPD, University Housing officials and Cedar City Fire Department participate in a training event once each semester in which various safety topics are taught. Topics include drunk driving, fire safety tactics and procedures and how to use a fire extinguisher. The [Resident Handbook for University Housing](#) also contains information regarding fire safety and training at the University.

Fire Statistics

University Housing staff and residents will report all fires, which is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. Reports will be made to the University Fire Marshal and SUUPD. This includes any fire that is extinguished by residents or staff. Examples include: trash can fire, oven or microwave fire, burning oven mitt on a stove, grease fire on a stovetop, flame coming from electric extension cord, burning wall hanging or poster, and fire in an overheated bathroom vent fan.

Future Improvements in Fire Safety

The University continues to assess and upgrade fire safety equipment to ensure that all equipment meets National Fire Safety standards. Future improvements will be made as needed as part of the ongoing assessment process.



THE FOLLOWING TABLES CONTAIN A DETAILED LIST OF STATISTICS REGARDING FIRES THAT OCCURRED IN THE SUU RESIDENTIAL FACILITIES OVER THE PAST THREE YEARS.

Statistics and Related Information Regarding Fires in Residential Facilities for 2022

Facility Name	Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Cedar Hall North	645 W 200 S Bldg. A	0	N/A	N/A	N/A	N/A	N/A
Cedar Hall South	645 W 200 S Bldg. B	0	N/A	N/A	N/A	N/A	N/A
Eccles A	242 S 500 W Bldg. A	1	20220395	Cooking Fire	0	0	\$225
Eccles B	242 S 500 W Bldg. B	0	N/A	N/A	N/A	N/A	N/A
Eccles C	242 S 500 W Bldg. C	0	N/A	N/A	N/A	N/A	N/A
Ponderosa Terrace	200 S Dewey Ave	0	N/A	N/A	N/A	N/A	N/A
Founders Hall	224 S 300 W	0	N/A	N/A	N/A	N/A	N/A
Renaissance Apartments	40 N 300 W	0	N/A	N/A	N/A	N/A	N/A
Windsor Court	2 S 100 W	0	N/A	N/A	N/A	N/A	N/A
The Cottages East	141 W Shakespeare Lane	0	N/A	N/A	N/A	N/A	N/A
MacBeth Manor	265 W Harding Ave	0	N/A	N/A	N/A	N/A	N/A

The fire reported in Eccles A was an unintentional fire that resulted from negligently placing a hot cooking pan/pot on a carpeted floor. There were no intentional or undetermined fires reported during the 2022 calendar year.

Statistics and Related Information Regarding Fires in Residential Facilities for 2021

Facility Name	Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Cedar Hall North	645 W 200 S Bldg. A	0	N/A	N/A	N/A	N/A	N/A
Cedar Hall South	645 W 200 S Bldg. B	0	N/A	N/A	N/A	N/A	N/A
Eccles A	242 S 500 W Bldg. A	0	N/A	N/A	N/A	N/A	N/A
Eccles B	242 S 500 W Bldg. B	1	S21-0014	Burned food	0	0	\$0-99
Eccles C	242 S 500 W Bldg. C	0	N/A	N/A	N/A	N/A	N/A
Ponderosa Terrace	200 S Dewey Ave.	0	N/A	N/A	N/A	N/A	N/A
Founders Hall	224 S 300 W	0	N/A	N/A	N/A	N/A	N/A
Renaissance Apartments	40 N 300 W	0	N/A	N/A	N/A	N/A	N/A
Windsor Court	2 S 100 W	0	N/A	N/A	N/A	N/A	N/A

There were no intentional or undetermined fires reported during the 2021 calendar year.

Statistics and Related Information Regarding Fires in Residential Facilities for 2020

Facility Name	Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Cedar Hall North	645 W 200 S Bldg. A	0	N/A	N/A	N/A	N/A	N/A
Cedar Hall South	645 W 200 S Bldg. B	0	N/A	N/A	N/A	N/A	N/A
Eccles A	242 S 500 W Bldg. A	0	N/A	N/A	N/A	N/A	N/A
Eccles B	242 S 500 W Bldg. B	0	N/A	N/A	N/A	N/A	N/A
Eccles C	242 S 500 W Bldg. C	0	N/A	N/A	N/A	N/A	N/A
Ponderosa Terrace	200 S Dewey Ave.	0	N/A	N/A	N/A	N/A	N/A
Founders Hall	224 S 300 W	0	N/A	N/A	N/A	N/A	N/A
Renaissance Apartments	40 N 300 W	0	N/A	N/A	N/A	N/A	N/A
Windsor Court	2 S 100 W	0	N/A	N/A	N/A	N/A	N/A

There were no unintentional, intentional, or undetermined fires reported during the 2020 calendar year.

Fire Safety Systems in Residential Facilities

The following table contains a detailed list of fire safety systems that are located in the SUU Residential facilities. Partial sprinkler systems are sprinkler systems that cover designated areas of the building. Full sprinkler systems are sprinkler systems that cover the whole area of the building. SUU contains no partial sprinkler systems.

Facility Name	Facility Address	Fire Alarm Monitoring Done On-Site (by Call Center)	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Number of Evacuation Drills Each Calendar Year
Cedar Hall North	645 W 200 S Bldg A	X		X	X	X	X	2
Cedar Hall South	645 W 200 S Bldg B	X		X	X	X	X	2
Eccles A	242 S 500 W Bldg A	X		X	X	X	X	2
Eccles B	242 S 500 W Bldg B	X		X	X	X	X	2
Eccles C	242 S 500 W Bldg C	X		X	X	X	X	2
Ponderosa Terrace	200 S Dewey Ave				X	X	X	1
Founders Hall	224 S 300 W	X		X	X	X	X	2
Renaissance Apartments	40 N 300 W				X	X	X	0
Windsor Court	2 S 100 W				X	X	X	0
The Cottages East	141 W Shakespeare Lane			X	X	X	X	1
The Cottages West	151 W Shakespeare Lane			X	X	X	X	1
MacBeth Manor	265 W Harding Ave				X	X	X	0

Renaissance Apartments, Windsor Court, and MacBeth Manor did not hold evacuation drills in 2022 because they did not have a centralized alarm system. Ponderosa Terrace has one evacuation drill due to the building becoming inactive halfway through the 2022 calendar year. The Cottages East and The Cottages West had one evacuation drill due to becoming active halfway through the 2022 calendar year. The Cottages West was acquired for student housing, but did not house students in the 2022 calendar year. Fire alarm monitoring for the Cottages East and the Cottages West is done off-site by Mountain Alarm.

