

NEUMONT UNIVERSITY
ANNUAL SECURITY & FIRE SAFETY REPORT
May 2017

Table of Contents

INTRODUCTION.....	3
CAMPUS SAFETY AND SECURITY SURVEY INFORMATION	3
CLERY GEOGRAPHIES	4
Clery Geography - Campus.....	4
Clery Geography - Public Property.....	4
Clery Geography - Noncampus	4
PROCEDURES FOR REPORTING INCIDENTS / CONTACT INFORMATION	5
CAMPUS SECURITY AND LAW ENFORCEMENT	7
Tracking of Crime Statistics and Crime Log	8
EMERGENCY RESPONSE	8
Timely Warnings.....	8
Emergency Notifications	9
Shelter-in-Place Procedures.....	10
EMERGENCY EQUIPMENT LOCATIONS	11
ACCESS TO FACILITIES	11
MAINTENANCE OF CAMPUS FACILITIES.....	12
INFORMATIONAL PROGRAMS	12
PREVENTION AND AWARENESS PROGRAMS.....	12
PROCEDURES FOR SEXUAL HARASSMENT, SEXUAL VIOLENCE, DATING VIOLENCE, AND STALKING	13
Sexual Violence and Stalking Programs and Procedures	14
Bystanders / Witnesses.....	17
Risk Reduction.....	18
COMBINED ILLEGAL DRUGS AND ALCOHOL POLICIES	18
REGISTERED SEX OFFENDERS.....	19
MISSING-STUDENT NOTIFICATION	19
FIRE SAFETY.....	20
Fire Response.....	20
Evacuation.....	20
Fire Safety: On-campus Housing	20
GLOSSARY OF TERMS.....	22
General.....	22
Crime Definitions.....	23
MISCELLANEOUS.....	27
APPENDIX A - CAMPUS SAFETY AND SECURITY SURVEY DATA FOR 2013-2015	28
APPENDIX B - CAMPUS FIRE SURVEY DATA FOR 2015.....	31
APPENDIX C - FIRE SAFETY SYSTEMS IN ON-CAMPUS HOUSING FACILITIES.....	32

INTRODUCTION

The safety of students, faculty, staff, and visitors is an important concern of Neumont University. This document has been prepared by the Director of Student Affairs to increase your awareness of campus security programs and to provide information to protect your safety.

Administration and supervisory personnel are responsible for the incorporation of the security principles and procedures. Each member of the faculty, staff and student body is responsible for carrying out campus regulations and shall comply with federal, state and local laws related to conducting institutional business.

Annually, the University publishes this campus security report in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. It includes security policies/procedures, campus crime statistics, fire safety policies/procedures, and fire statistics for on-campus housing. This information is available from Student Affairs and on the Neumont University website.

CAMPUS SAFETY AND SECURITY SURVEY INFORMATION

Student Affairs maintains logs that include descriptions of all crimes and fire-related incidents that occur on-campus and in the Neumont University coordinated housing program. These logs are available for viewing, upon request, with the Director of Student Affairs.

Statistics for the following primary offenses are included in tracked/reported crime statistics:

- Criminal homicide
 - Murder and non-negligent manslaughter
 - Manslaughter by negligence
- Sex offenses
 - Rape
 - Fondling
 - Incest
 - Statutory rape
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson

Additionally,

- Statistics for the following arrests and referrals for disciplinary action are included in tracked/reported crime statistics:
 - Liquor law violations, drug law violations, and illegal weapons possession
- Hate crimes
 - Any of the primary crimes and/or incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that were motivated by hate (See the definition of “hate crimes” in the glossary)
- Violence Against Women (VAWA) crimes
 - Dating violence
 - Domestic violence
 - Stalking

Campus/housing crime statistics are updated each year by October 1st. The data is available on the University website (www.neumont.edu) to comply with *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act* and to inform the Neumont community about the prevalence and nature of crimes occurring on-campus, in the public property immediately adjacent to campus, and in the coordinated housing program.

Crime statistics are collected from Salt Lake City Police Department (Eastside Apartments, City Station Apartments, Mercer Apartment, Elevate on 5th Apartments, campus, and public property from July 1, 2013, through the present); the South Jordan City Police Department (Four Seasons at Southtowne Apartments and campus prior to July 2013), Draper City Police Department (Adagio at Corner Canyon Apartments, for October 5, 2012, through June 28, 2013, only). Disciplinary referrals for campus and noncampus, as well as reports received from Campus Security Authorities, are tracked and reviewed by the Neumont University Director of Student Affairs. These are the sources of published crime statistics listed later in this report.

Each year, Neumont University students and staff receive an e-mail to notify them of the availability of the *Annual Security and Fire Safety Report* and included crime statistics. Students and staff members may request a paper copy of this report by contacting Student Affairs.

CLERY GEOGRAPHIES

Clery Geography - Campus

For the purpose of reporting crime statistics (for crimes that occurred prior to July 2013), the Neumont University public property was defined as: 10701 S. River Front Parkway, South Jordan, Utah, 84095.

Neumont relocated its campus in late June 2013. Subsequent to July 2013, Campus is defined as the building located at 143 South Main Street in Salt Lake City, Utah, 84111.

Clery Geography - Public Property

For the purpose of reporting crime statistics (for crimes that occurred prior to July 8, 2013), the Neumont University public property was defined as:

- Western border: Jordan River
- Eastern border: River Front Parkway
- Northern border: South Jordan Parkway (10600 South)
- Southern border: 10920 S. River Front Parkway

Neumont relocated its campus in 2013, with the first day of class in the new facility occurring on July 8. From July 2013 forward, Neumont University public property, for Clery purposes, is defined as:

- Sidewalks on the west and east sides of Main Street, between the southern and northern boundaries of the Neumont campus building
- Main Street, between the southern and northern boundaries of the Neumont campus building
- The unnamed alley located on the east side of the Neumont campus building, between the southern and northern boundaries of the Neumont campus building

Clery Geography - Noncampus

The Neumont University offsite housing program apartments located at the following addresses are classified as “noncampus” (not part of campus, but under the control of, and an essential part of the educational mission for, Neumont University) in the crime statistics report:

- *September 2009 through June 28, 2013: **Four Seasons at Southtowne*** apartment complex (420 West Cadbury, South Jordan, Utah, 84095), and
- *From October 5, 2012, through June 28, 2013: **Adagio at Corner Canyon*** (13343 Minuteman Drive, Draper, Utah, 84020), and
- *From May 25, 2013, through the present: **Eastside Apartments*** (350 South 600 East, Salt Lake City, Utah, 84102), and
- *From September 27, 2013, through the present: **644 City Station*** (644 W. North Temple, Salt Lake City, Utah, 84116), and
- *From August 7, 2015, through the present: **Mercer Apartments*** (556 E. 300 South, Salt Lake City, Utah 84102), and
- *From September 16, 2016, through the present: **Elevate on 5th Apartments*** (343 S. 500 East, Salt Lake City, Utah 84102)

Crime statistics are reported only for apartments at each facility that are controlled by Neumont University (under lease); crime statistics for housing-facility common areas and common access areas (e.g. hallways, stairwells) are also included, if known.

These apartment complexes are classified as noncampus housing in this and previous editions of the *Annual Security and Fire Safety Report*. However, based on updates in the 2016 edition of *The Handbook for Campus Safety and Security Reporting* published by the United States Department of Education, which now define on-campus housing as housing facilities that are reasonably contiguous to the campus (generally defined as within one mile), Neumont University is considering changing the classification for these facilities from “noncampus housing” to “on-campus housing” in the 2017 version of this *Annual Security and Fire Safety Report*. Although our housing facilities, other than The Tower (located in the campus building), are located more than a mile from campus, consideration of their classification as “noncampus housing” is warranted.

The following housing facility is classified as “on campus housing.”

- From June 24, 2013, through the present: **The Tower Suites** (143 South Main Street, Salt Lake City, Utah, 84111, floors five through 11)

Additionally, “noncampus” classroom space was used from February 10, 2015 - March 17, 2015, at 222 S. Main Street, Salt Lake City, Utah, 84111. The classroom was located on the third floor of the building in room 300, an area controlled by Willis Towers Watson. Class was held Monday-Friday from 10:30-11:50 a.m. Students typically accessed this classroom area by elevator. Security personnel in the lobby of the building limit access and grant access only to authorized employees and guests; students were given temporary access. (At the time this facility was used, it met the definition of noncampus; per updates to *The Handbook for Campus Safety and Security Reporting* published by the United States Department of Education, which now define campus as facilities that are reasonably contiguous to the campus (generally defined as within one mile), the classroom space outlined here would be classified as campus.)

PROCEDURES FOR REPORTING INCIDENTS / CONTACT INFORMATION

All victims of crimes that occur on the campus or persons observing crimes to property or persons, suspicious activities or accidents should report these incidents to the Student Affairs Department. Victims of a crime may decline to report the crime to law enforcement and/or Neumont University.

The phone numbers for the Student Affairs department are:

Staff Member	Contact Information
Corrine Padilla, <i>Director of Student Affairs</i> Title IX Coordinator	801.302.2857 Room 103 corrine.padilla@neumont.edu
Alice Nguyen, <i>Registrar</i>	801.302.2845 Room 315 alice@neumont.edu
John Peppinger, <i>Senior Student Life Coordinator</i>	801.302.2841 Room 107 jpeppinger@neumont.edu
Cody Garrison, <i>Student Life Coordinator</i>	801.302.2896 Room 106 cody.garrison@neumont.edu
Michael Michaud, <i>Strategic Initiatives & Student Success Manager</i> <i>Clery Coordinator</i>	801.302.2864 Room 104 michael.michaud@neumont.edu
Emily Renda, <i>Residence Life Coordinator</i>	801.302.2813 Room 108 emily.renda@neumont.edu
Student Affairs on-call phone	801.783.8177
Resident Advisor on-call phone	801.634.5462

In emergencies, students and employees should first call 911. To contact the Salt Lake City Police Department for non-emergency matters, call 801.799.3000.

Telephones are located in the following areas (you must dial 9 to access an outside line):

- Main floor reception desk
- Any faculty or staff member’s office
- All classrooms

The Student Affairs Department encourages any victim of a crime that occurs on campus or in Neumont's coordinated housing facilities to report incidents promptly and accurately to the police. If a victim declines to report the matter to the local police, the incident may still be handled as an institutional matter. The institution reserves the right to treat an offense as a disciplinary matter whether or not it is being investigated by a law enforcement agency, though the victim's wishes are heavily weighted in decisions to pursue or not pursue a disciplinary matter.

In addition to reporting crimes to the police, students are encouraged to promptly and accurately report crimes or other safety information to the campus Director of Student Affairs (see table above for contact information). In the event of an urgent situation in which the Director of Student Affairs is not immediately available, students should report information to any member of the Student Affairs staff (see table on page 5 for contact information).

Students and employees are strongly encouraged to report crimes to the Student Affairs department (preferably the Director of Student Affairs) AND to Salt Lake City Police Department (or other police department, depending on the location of a crime). Reporting crimes allows the University and law enforcement to investigate the incident and respond accordingly; it also allows the victim to receive support and resources. People are strongly encouraged to report all crimes, especially:

- any situation or incident on campus or in the coordinated housing program; and/or
- any situation or incident that involves a student, regardless of location; and/or
- any situation that involves a significant emergency or dangerous situation, or that may involve an immediate or ongoing threat to the health and safety of students and/or employees; and/or
- any situation or incident in which the victim is unable to report the crime themselves; and/or
- any situation in which a victim wishes to report a crime to the University and/or Salt Lake City Police or other law enforcement agency.

This information should be reported to the campus Director of Student Affairs (see table on page 5 for contact information), or, if unavailable, any member of the Student Affairs Department, as well as Salt Lake City Police by calling 911 or 801.799.3000 (non-emergency number).

If you are the victim of a crime and do not want to pursue action within the university or criminal justice systems, you may still want to consider making a confidential report. With your permission, the Director of Student Affairs or a designee can file a report on the details of the incident without revealing your identity; in this case, no personally-identifiable information would be included in information shared with the campus community or public, or in records available to the campus community or public. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents on or near campus / in Neumont-controlled properties; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are included and disclosed in the annual crime statistics for the institution.

Neumont University does not employ pastoral counselors and does not operate a counseling center. However, the University does facilitate access to third-party counseling services for students. That is, students may, under certain conditions, obtain counseling services through licensed counselors not employed by the University, but at the University's expense. These counselors are not campus security authorities and are bound by HIPAA and other confidentiality requirements of their Utah licensure; unless a reporting student gives the provider written permission to do so, crimes reported to these counselors will not be disclosed to the University and therefore will not be included in the annual crime statistics for the institution. Counselors are asked (by the Director of Student Affairs by e-mail) to, at their discretion, encourage Neumont-student patients to report crimes to the Director of Student Affairs and the local police department.

Neumont University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the accused student of the crime or offense. If the alleged victim is deceased because of the crime or offense, Neumont will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Personally-identifiable information includes name, address, contact information, student ID and other numbers, any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to

identify any individual. The campus *Title IX* Coordinator makes determinations about which information is personally-identifiable, and which information is to be made available to the public. To make a determination, the *Title IX* Coordinator will assess the ability of the university to accommodate the victim without releasing personally-identifiable information. They will also evaluate the ability to warn the community of a possible threat without disclosing personally-identifiable information: If such a warning can be made without that information, it will be excluded; if, however, a warning would be incomplete or inadequate without such information, personally-identifiable information, only to the extent needed to adequately warn the community, may be included in reports to the public. In the event the *Title IX* Coordinator determines that releasing some information to the public is necessary to provide accommodations to a victim and/or provide protective measures for the community, the victim will be notified in advance, when possible; in such cases, the victim will generally be made aware of which information will be shared, with whom it will be shared, and why.

CAMPUS SECURITY AND LAW ENFORCEMENT

Neumont University recognizes that laws and rules are necessary for society to function and supports the enforcement of law by governmental agencies and rules by officials of the University. All persons on the campus are subject to these laws and rules at all times. While the University is private property, law enforcement officers may enter the campus to conduct business as needed.

Salt Lake City Police Department personnel have been involved with the creation of safety policies for the Neumont University campus.

The Student Affairs Department or designee provides security support and information for the institution. Student Affairs provides information in the areas of parking, traffic control, fire prevention, safety and enforcement of all applicable regulations. The University cooperates with outside law enforcement agencies and exchanges criminal offense information with the U.S. Department of Education, though no written “memorandum of understanding” is in place with any law-enforcement agency. The University has requested that Salt Lake City Police notify the University in the event of a potential or actual health or safety threat to the Neumont community (campus or housing facilities) and was informed that no such system is in place at this time.

Students, faculty, staff and visitors are encouraged to report, in a timely and accurate manner, criminal offenses to the local police department *in addition to reporting them to Student Affairs*. Reports are handled by Student Affairs in a prompt manner. Salt Lake City Police, state agencies, and federal law enforcement agencies have criminal jurisdiction on this campus and in Neumont coordinated housing facilities.

There is security personnel on the Neumont campus Monday through Friday from 8:00 a.m.-5:00 p.m. The 644 City Station, Mercer, Elevate on 5th, and Eastside apartment complexes currently employ security personnel, though the security services are not authorized to arrest individuals. *These security personnel do not constitute a replacement for police; they may issue parking tickets, question individuals, and report crimes to the local police department.*

“Campus security authority” (CSA) 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. 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 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.

Examples of CSAs include resident advisors, peer leaders, Residence Life Coordinator, Student Affairs advocates, the Director of Student Affairs, front desk associates and receptionists, student organization advisors, and department/program chairs.

Tracking of Crime Statistics and Crime Log

Student Affairs tracks crime statistics for both the Neumont campus and the coordinated housing program in a “crime log.” Members of the Neumont community and public may view the crime log by contacting the Director of Student Affairs. The log may be viewed within 24 hours of a request.

In response to reports of criminal activity, Neumont personnel may relay information to the police and/or handle the matter as an internal institutional matter. Factors such as the severity of the offense and the wishes of the victim are considerations in decisions regarding reporting matters to the police. The University does not have a formal relationship (such as a “memorandum of understanding”) with local or state police agencies; in the event of criminal activity, the University works closely with police personnel to assist with investigations and to track criminal activity both on-campus and in the coordinated housing program.

Students, faculty, and staff should report suspicious persons and activity, and report incidents in which unknown persons attempt to gain access to Neumont facilities.

Criminal offenses that occur in the Neumont University coordinated housing program are typically reported to the local police department; housing residents are encouraged, and often do, report these matters to Housing and Residence Life staff. The University attempts to track reports of criminal activity that are reported to the local police department, as well information reported by students, and may, depending on the circumstances, address such matters using the institutional judicial process.

Neumont University does not have any off-campus officially-sanctioned student organizations.

EMERGENCY RESPONSE

When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the Salt Lake City Police Department, Salt Lake City

Fire Department, and medical services; they typically respond and work together to manage the incident. Depending on the nature of the incident, other local or federal agencies could also be involved in responding to the incident.

Students and employees are strongly encouraged to report crimes to the Student Affairs department AND to Salt Lake City Police Department (or other police department, depending on the location of a crime). Reporting crimes allows the University and law enforcement to investigate the incident and respond accordingly; it also allows the victim to receive support and resources. People are strongly encouraged to report all crimes.

Timely Warnings

Timely warnings must be issued in response to specific crimes to aid in the prevention of similar crimes and enable people to protect themselves. Timely Warnings are sent under the following conditions:

- a crime(s) is reported to a campus security authority or local police who then inform the University, and
- the crime(s) is considered by the University and/or law enforcement to represent a serious or continuing threat to students and/or employees, and
- the crime(s) occurs in certain geographic locations as defined by the *Clery Act* (see *Clery Geography* section).

Crimes that may warrant a timely warning are:

- Murder and non-negligent manslaughter
- Manslaughter by negligence
- Forcible and non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson

Timely Warnings are provided to give students, employees and others timely notification of crimes that may represent a serious or ongoing threat to the campus community and to heighten safety awareness. Timely Warnings shall withhold any information that will identify victims. The Timely

Warning also seeks information that may assist in the criminal investigation of the crime.

Timely Warnings may be issued using some or all of the following methods of communication: "All Employees" e-mail blast, "All Current Students" e-mail blast, emergency alert system broadcast, and posts in the Neumont Facebook Community, as well as other sources appropriate for a specific situation. Timely Warnings also may be posted on the Neumont website at: <http://www.neumont.edu>. Generally, however, Timely Warnings will be sent to employee and student Neumont e-mail addresses.

The following criteria will be used when determining the need for a Timely Warning:

- Nature of Crime
- Degree of continuing danger to the campus community*
- Possible risk of compromising law enforcement efforts
- Crime occurred in one of the three geographical areas defined by Clery Law: On Campus, Noncampus, Public Property

*When determining "continuing danger," the following factors will be considered: the probability that a similar crime will occur, whether the actor(s) is still at large, and whether the crime is egregious. Neumont University may issue a timely warning even if the perpetrator has been arrested.

As suggested by the U.S. Department of Education in *The Handbook for Campus Crime Reporting*, "The issuing of timely warnings must be decided on a case-by-case basis in light of all the facts surrounding a crime..." The following administrators or their designees will typically be responsible for policies that will determine the appropriateness of issuing emergency notifications and Timely Warnings:

- Director of Student Affairs
- Clery Coordinator
- Chief Academic and Operating Officer
- Director of IT
- University President

The Director of Student Affairs (or their designee), whenever practical, will consult with members of this group prior to issuing either an emergency notification or Timely Warning. However, because of the time-sensitive nature of emergency notifications and timely warnings, the Director of Student Affairs (or their designee) has the authority, at their sole

discretion, to issue an emergency notification or timely warning in accordance with this policy without first consulting with these staff members.

The Director of Student Affairs, upon receiving information regarding that a Clery crime has occurred in Neumont University geography (campus, public, noncampus), will evaluate the circumstances and make a determination as to whether or not an emergency notification or Timely Warning is warranted.

Emergency Notifications

Neumont University (typically the Director of Student Affairs or their designee) has the responsibility of responding to and summoning the necessary resources that will mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, Neumont has a responsibility to respond to such incidents to determine if the situation does, in fact, pose a threat to the community. If a situation is deemed to pose to a threat to the Neumont community, federal law requires that the institution notify the campus community or the appropriate segments of the community that may be affected by the situation without delay (campus, noncampus housing facilities, or both). These notifications are typically sent through the emergency alert notification system, which sends text messages, e-mails (to staff and student "Neumont e-mail addresses"), and places calls, though information may just be distributed by e-mails to Neumont staff and students.

The Neumont University emergency alert notification service allows Neumont personnel to communicate emergency alerts and crime bulletins to students and staff in a timely manner. In the event of a significant emergency or dangerous situation involving an ongoing threat to the health or safety of students or employees on the Neumont campus or in the coordinated housing program, an emergency alert will be sent through the emergency alert notification system or by other means, as appropriate and available. Neumont will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Students are notified of the Blackboard Connect emergency alert service each academic term. Each student's Neumont e-mail address is automatically added to the notification system database. If the student would like to receive voice

and text messaging alerts on their mobile phone, they must provide contact information for this opt-in service. Students are given instructions quarterly regarding the mobile phone opt-in process.

The Director of Student Affairs and Director of IT collaboratively maintain the alert system. In the event of an emergency (defined as a situation that endangers the health or safety of individuals in the Neumont community), where those at risk cannot be notified in-person of the risk—and it is determined by the Director of Student Affairs, their designee, or other authorized member of the University staff, that notification to the Neumont community will not hinder attempts to assist victims or contain the emergency—the emergency alert notification system will be initiated, if possible. University officials will use professional judgment and assessment of the circumstances, such as whether the situation poses a serious or ongoing threat to students or staff, location, nature of the situation, and its potential impact on the community. Whenever possible, the University will consult law enforcement authorities. The content of the notification will reflect the nature of the emergency; the best interests of the community, law enforcement, and victims; and, to the extent possible, instructions for recipients on how best to respond to the situation.

All alerts are sent to student e-mail addresses and, when possible, through Blackboard Connect emergency alert system to both e-mail addresses and phone numbers. Alerts are sent to mobile phone numbers (text message and voice mail), as requested by students when they opt-into the alert service. This service is tested, at a minimum, on an annual basis (though it typically occurs each academic term) to ensure that student and staff contact information is correct and to provide a demonstration of the service; the test is also intended to raise awareness about potential security threats on-campus. These tests are announced to the Neumont community in advance.

In addition to the emergency alert notification system tests, the University also participates in an annual evacuation/fire drill. The purpose of this drill is to acquaint students and employees with emergency exits and to practice an orderly evacuation of the campus building. These drills are not announced to the Neumont community.

Shelter-in-Place Procedures

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, or authorities declare such, it is usually safer to stay indoors; leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic "Shelter-in-Place" Guidance – If an incident occurs and the building you are in is not damaged, stay inside—seeking an interior room—until you are told it is safe to come out. If your building is damaged, follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to "Shelter-in-Place" – A shelter-in-place notification may come from several sources, including Student Affairs, housing staff members, other University employees, the federal or state government, Salt Lake City Police Department, Salt Lake City Fire Department, or other authorities utilizing the University's emergency communications tools. When possible, a message will be sent using the emergency alert system, Blackboard Connect; however, a message may also be sent to students and staff via their Neumont University e-mail address.

How to "Shelter-in-Place" – No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene. Use common sense when making a determination about sheltering in place: if you can safely remove yourself from a dangerous situation, do so.
2. Locate a room to shelter inside. Depending on the circumstances, you may want to choose a room that is:
 - An interior room;
 - Above ground level; and
 - Without windows or with the least number of windows. If there is a large group of

people inside a particular building, several rooms may be necessary.

Additionally,

- Close exterior doors.
- Avoid looking out exterior doors or windows.
- Make a list of the people with you and ask someone (housing staff, faculty, or other staff) to call the list in to Student Affairs so they know where you are sheltering. If only students are present, one of the students should call in the list.
- Turn on a radio or TV and listen for further instructions.
- Make yourself comfortable.

EMERGENCY EQUIPMENT LOCATIONS

Neumont University has basic emergency equipment available for responding to applicable situations. These items are meant to provide a quick, general response to a crisis. In the event of a life-threatening emergency, call 911.

First Aid Kits: First aid kits are located at the first floor reception desk and in the second floor staff break room. Resident Advisors also have kits within their housing facilities. These kits should be checked regularly and restocked as needed.

Fire Extinguishers: Fire extinguishers are placed throughout the facility as required by fire code. The fire extinguishers are typically found on the walls in corridors and are clearly marked. If a fire extinguisher is accidentally discharged, the Receptionist currently on duty must be notified so the fire extinguisher can be recharged. The building is also equipped with an automatic sprinkler system as required by fire code.

The server room on the first floor has a non-water based extinguishing system. It is automatically triggered, similar to water-based extinguishing systems. It also has a manual override either to halt the extinguishing process or to manually release the extinguishing agent. Members of the IT department are trained on this process annually.

Automated External Defibrillator (AED): Neumont University maintains two AED devices on site. These are located at the first floor reception desk and the second floor staff break room. Formal training is not required to use these devices.

These are used in the event that a person has no detectable pulse. The device will send an electrical shock to the heart to try to restore a normal heartbeat. If one is needed, the responder presses the green button on the unit and follows the verbal instructions given by the equipment. The AEDs are maintained according to the manufacturer's instructions.

ACCESS TO FACILITIES

The Neumont campus is locked at all times, including the main entrance of the building, but accessible with an ID badge to students and staff at all times, as long as students comply with the rules and regulations of the institution. The campus is not open to the public but students may bring guests to the campus during prescribed hours.

Students and employees are issued a key card/ID badge. An authorized ID badge is required to enter the campus building at all hours; visitors may be granted access to the building by a receptionist, security guard, or student employee.

The main entrance of the building is locked and monitored by a security guard and reception staff Monday through Friday from 8:00 a.m. through 5:00 p.m., and by student employees from 5:00 p.m. through 9:00 p.m. Entrances are otherwise locked but not monitored by personnel. Security cameras are located throughout the building, including each entrance to the campus building; footage is reviewed as needed. A security guard notes potential safety issues while performing walk-throughs of the campus building.

The Neumont campus building is locked at all hours to reduce the likelihood of unauthorized visitors. Students and employees are issued an ID badge that grants access based on the time of day and the level of access for which each person is authorized. Despite the locked doors, there is a chance that an unauthorized person or persons may gain access to the building. Thus, students and staff should be vigilant in protecting their person and their possessions. Unauthorized visitors to the building should be reported immediately. If, at any time, you feel unsafe, dial 911 immediately.

Neumont University's coordinated housing program apartments (noncampus) include locking doors; additionally, external doors for the apartment buildings are locked. (At 644 City Station Apartments, external doors are unlocked during normal business hours and otherwise locked.)

Residents are issued a key card, code, or other means to access the apartment buildings. Students should take reasonable precautions to secure their apartment by locking all external doors and windows.

Neumont’s on-campus housing facility, referred to as “The Tower” may be accessed with an approved ID badge. Only residents of The Tower and authorized staff members may access The Tower with their ID badge.

MAINTENANCE OF CAMPUS FACILITIES

39/42 LLC, which owns and oversees the Neumont campus building, monitors hallways, stairwells, and other campus facilities to ensure that they are well lit and allow egress. Equipment that is not in working order is generally repaired in a timely manner.

If you notice insufficient lighting in any area, a burned out light bulb, or other safety concerns, notify a school official as soon as possible: 801.302.2800.

The coordinated housing facilities (Eastside Apartments, 644 City Station Apartments, Elevate of 5th Apartments, and Mercer Apartments) are maintained by their respective management personnel.

If you notice insufficient lighting in any area, a burned out light bulb, or other safety concerns in one of these apartment complexes notify the Residence Life Coordinator or a resident advisor as soon as possible: 801.634.5462.

INFORMATIONAL PROGRAMS

Upon publication of this report, students and employees are notified by e-mail. Special security bulletins are distributed, when the need arises, to advise students and employees of community crime patterns and suspect information.

PREVENTION AND AWARENESS PROGRAMS

Neumont offers programs that educate students about *Title IX*, *Clery Act*, and *Violence Against Women Act (VAWA)*, as well as students’ rights in light of those laws.

Generally, on an annual basis, the university offers a primary-prevention awareness program for students. A primary-

prevention program aims to prevent sexual assault from occurring by educating students about risk reduction (ways to increase their safety and minimize exposure to unsafe situations), bystander intervention techniques (means by which those who witness a crime in action, or activity that suggests a crime may occur, to safely intervene to either minimize the severity of the crime or prevent it altogether), and the legal definitions of crimes to motivate appropriate choices and deter potential perpetrators. In response to specific incidents, the university may conduct an awareness program; awareness programs aim to educate students about a specific safety matter, which could include sexual assault, burglary prevention, safety while walking to-and-from campus, or many other topics often driven by conditions on campus or in the local community.

Prevention and awareness programs include:

- An assembly takes place on the first day of each quarter and all students are invited, though not required, to attend. At this assembly, students are often (but not always) reminded of basic security procedures and the need for vigilance, especially with preventing unauthorized individuals from gaining entry to the campus building and how to respond if that occurs.
- At Housing Orientation, a program for all freshmen students moving into the coordinated housing program (approximately 80% of most freshmen students) that students attend one time, Housing and Residence Life Staff provide information about how students can increase their level of safety in the housing program and as they commute to and from campus for classes.
- Once a year, a link is sent to each student and each employee for a comprehensive online training that provides information about:
 - positive relationships
 - rights and protections afforded to them by Title IX, Clery, and VAWA
 - the dangers of alcohol and drug use
 - resources on campus
 - risk reduction techniques
 - bystander intervention
 - bullying interventions

The training is optional for students and required for employees. When a new employee is hired, they are required to complete the training within a

month of their hire date. Students receive a link to the training by e-mail; dissemination of that e-mail coincides with the arrival of new students on campus each fall.

- As determined appropriate, additional trainings are offered for students and employees. There is not a set schedule for these trainings.

A common theme of most awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

Information that relates to local community supported programs are available to students, faculty, and staff via the Salt Lake City Police Department: 801.799.3000.

PROCEDURES FOR SEXUAL HARASSMENT, SEXUAL VIOLENCE, DATING VIOLENCE, AND STALKING

Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

Sexual harassment, violence of any kind (such as sexual assault, dating violence, and domestic violence), and stalking create a hostile atmosphere and will not be tolerated by the University. This conduct is strictly forbidden by the University and the laws of the State of Utah.

In addition to reporting crimes to the police, students are encouraged to promptly and accurately report crimes or other safety information to the campus Director of Student Affairs (see table on page 5 for contact information). In the event of an urgent situation in which the Director of Student Affairs is not immediately available, students should report information to any members of the Student Affairs staff (see table above for contact information). University staff will assist the student with contacting local police, if desired by the reporting student. The Neumont campus is located in Salt Lake City, Utah, within the jurisdiction of the Salt Lake City Police Department; the SLCPD can be reached by dialing 911 or 801.799.3000.

See the Glossary for definitions of the crimes outlined in this section.

Judicial procedures for sexual harassment, sexual violence, domestic violence, dating violence, stalking, and other *Student Code* violations are outlined in Appendix Two of the Neumont University *Student Handbook*, which is available on the school website

(http://www.neumont.edu/cmsdocuments/Student_Handbook.pdf). In summary, in response to a report of sexual assault, dating violence, domestic violence, or stalking, a student may request:

- a formal investigation, which could result in a perpetrator (if held responsible) receiving sanctions up to, and including, suspension or expulsion from Neumont University; OR,
- in certain situations, the victim may voluntarily participate in informal methods of addressing the accused student (e.g. mediation); the victim may end these informal procedures at any time and request that the University initiate a formal investigation and, if there is cause, disciplinary proceedings. Informal procedures are typically not used in cases involving sexual assault/violence.

The anticipated timeline for completion of formal and informal investigations depends on a variety of factors: the number and level of cooperation of witnesses, the level of cooperation of law enforcement in the school's investigation and timeliness of their provision of evidence, review of evidence, provision of a detailed statement and other cooperation from the victim, and other circumstances. The University understands the importance of a speedy resolution for both the victim and accused student, and will complete the investigation in a timely fashion. The victim and accused student will receive regular status updates for the investigation and disciplinary proceedings, both to ensure they are aware of progress and to hold the University accountable for moving the process along.

The following is a summary of what a student reporting sexual assault, dating violence, domestic violence, or stalking can expect:

- Meet with the Director of Student Affairs or their designee to provide a written statement of events, including sufficient detail for the University
- The Director of Student Affairs or their designee and reporting student discuss resources available to the student, such as counseling, medical services, and law enforcement. To the extent the reporting student wishes, the Director of Student Affairs or their designee will assist the student with accessing

those services, including filing a report with law enforcement. If the reporting student wishes, a member of the Student Affairs department will accompany them as they access resources and/or file a police report.

- The Director of Student Affairs or their designee and student will discuss the student’s wishes in terms of the University’s response to the report of a crime. The student’s wishes are heavily weighted in determining whether or not to pursue or a formal investigation. In limited cases, the student’s report may include information that suggests an ongoing threat to the community and the University may pursue an investigation despite student wishes to the contrary; in these cases, the student’s identity and wishes are respected to the extent possible.
- If a formal investigation is initiated, the Director of Student Affairs or their designee will collect information relating to the reported incident(s) to determine whether there is cause to initiate disciplinary proceedings against an accused student.
- If it is determined that there is cause to pursue disciplinary action against an accused student, both the reporting student and accused student will be simultaneously notified of the charge. The accused student will then be given the opportunity to admit to, or dispute, the charge; the deadline for submitting their response is typically five business days.
- If the accused student admits responsibility for the charge, appropriate sanctions will be levied.
- If the accused student disputes the charge, a Judicial Hearing will be scheduled. See the *Student Code* for a detailed description of a Judicial Hearing.
- If held responsible for a violation of the *Student Code*, an accused student may appeal that decision as outlined in the *Student Code*.

If you are the victim of a crime and do not want to pursue action within the University disciplinary system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director of Student Affairs or a designee can file a report on the details of the incident without including your name. The purpose of an anonymous report is to comply with your wish to keep the matter confidential while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students; determine whether there is a pattern of crime with regard to a

particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution. In notifying the Director of Student Affairs of the matter, you can also be provided with support and resources.

Neumont University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the accused student of the crime or offense. If the alleged victim is deceased because of the crime or offense, Neumont University will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

Sexual Violence and Stalking Programs and Procedures

Sexual violence is a type of sexual harassment. Claims of harassment will be vigorously and swiftly investigated and prosecuted. Sexual harassment, including sexual violence of any kind, is prohibited by the Neumont University *Student Code*, as well as state law.

Sexual violence refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. (See the glossary in this document for a more comprehensive definition.) A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion.

If you feel your safety is threatened at any time, call 911. Your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The University strongly advocates the victim of a sexual assault, domestic / dating violence, stalking, or any other crime to report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. (Ideally, a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam. This allows for the preservation of evidence in a criminal prosecution and for the purposes of acquiring a protective order.)

An assault should be reported directly to the local police department and then to a University representative (preferably the Director of Student Affairs) and/or to a Housing Program representative (Student Affairs on-call phone number: 801.783.8177), though victims may choose to not report a crime. Filing a police report with a University

official will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officials.

As with all criminal offenses, Neumont University encourages victims of sexual assault, domestic violence, dating violence, and stalking to report the crime to both law enforcement agencies and Student Affairs. A victim who wishes to file a formal or informal complaint to the University of sexual assault against a student should notify the Student Affairs Department as quickly as possible. The victim may choose for the investigation to be pursued through the criminal justice system and the University disciplinary system, one or the other, or neither. A University representative from the Student Affairs department will guide the victim through the available options and support the victim in his or her decision. A University representative will also, at a student's request, assist with the filing of a report with law enforcement. **Salt Lake City Police may be reached by dialing 911 or 801.799.3000.**

In response to a report of sexual harassment or violence, or stalking—whether the incident(s) occurred on or off-campus—Student Affairs will provide support to the victim, in addition to an explanation of their rights and options. This support may include accompanying the student (or assisting with a call) to law enforcement agencies, as well as assistance with identifying and contacting medical facilities, counseling/mental health services, victim advocacy services, legal assistance, visa and immigration assistance, student financial aid, and so forth, in addition to attending hearings, as requested by the student. No counseling services are available on campus.

Please note the following contact information for **important community resources**:

- **Counseling** for victims of sexual assault is available through a local rape crisis center: 801.467.7282. Student Affairs will assist the student with identifying a counselor and with scheduling an appointment, or students may schedule, on their own, an appointment with any one of three providers listed here, at the University's expense.
 - Dr. Steven Chen: 801.718.1609
 - Janet Chen, LCSW: 801.718.1609
 - Machiel Klerk, LMFT: 801.656.8806
 If a student prefers to use a counselor not listed here, Student Affairs staff will, at the student's request, assist them with identifying a different counselor in the Salt Lake City area.

- **Victim advocacy services** are available through Utah Office for Victims of a Crime:
 - <http://www.crimevictim.utah.gov/>
 - 350 East 500 South Suite 200
 - Salt Lake City, Utah 84111
 - (801)238-2360
 - (800)621-7444
 - Fax (801)533-4127
- **Medical treatment** is available at LDS Hospital, located at 8th Avenue and C Street, Salt Lake City, UT, 84143, 801.408.1100.
- **Visa and immigration assistance** is available through the Designated School Official at Neumont University (Alice Nguyen: 801.302.2845, alice@neumont.edu), as well as through United States Citizenship and Immigration Service:
 - <https://www.uscis.gov/about-us/find-uscis-office/field-offices/utah-salt-lake-city-field-office>
 - 660 South 200 East, Suite 400
 - Salt Lake City, UT 84111
- **Financial Aid assistance** is available through the Neumont University Office of Financial Aid at 801.302.2873 and financialaid@neumont.edu.
- **Legal support and guidance** is available through:
 - The Legal Aid Society of Utah:
 - **Main office** located at 205 N. 400 West, Salt Lake City, UT, 84103, 801.328.8849.
 - **Matheson Court House**, Room W-17, 450 S. State Street, Salt Lake City, UT, 84111, 801.238.7170.
 - **The Salt Lake City Prosecutor's Office**, located at 349 S. 200 East, Suite 500, Salt Lake City, UT, 84111.

In response to a formal report of a sexual assault involving two Neumont students, the University will initiate disciplinary proceedings. A detailed description of proceedings is outlined in the Neumont University *Student Code*, located in Appendix Two of the *Student Handbook*, which is available on the school's website: http://www.neumont.edu/cmsdocuments/Student_Handbook.pdf.

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The *Student Code* provides, in part, that the University will provide a prompt, fair, and impartial investigation and resolution, and that the matter will be investigated by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Additionally, it provides that the accused and the accuser will each be allowed to choose one advisor to accompany them throughout the hearing. Both the victim and accused will be informed of the outcome of the hearing simultaneously, be informed of the process for appealing the outcome of disciplinary proceedings, of any change that occurs before results are final, and when results become final. Compliance with these provisions does not constitute a violation of section 444 of the *General Education Provisions Act (20 U.S.C. 1232g)*, commonly known as the *Family Education Rights and Privacy Act of 1974 (FERPA)*.

In cases of sexual misconduct, harassment, stalking, and all other *Student Code* violations, the University determines responsibility or lack thereof based on a preponderance of the available evidence. A student found responsible for sexual assault, dating violence, domestic violence, or stalking could be criminally prosecuted in the state courts and may receive any one or more of the following sanctions for a first or subsequent offense:

- Suspension from the University
- Expulsion from the University
- Removal from a course or courses in which the victim is enrolled, regardless of the impact of such removal on the responsible student's academic progression/graduation date
- No-contact order with the accuser on-campus, off-campus, or both
- Mandatory participation in mental health counseling at their own expense
- Relocation within the university housing program to avoid contact with the accuser, or removal altogether from the housing program
- Other requirements, such as adjusting their route to school to avoid contact with a victim, losing eligibility for certain on-campus employment opportunities, and other requirements that serve the best interests of the victim
- Other sanctions deemed appropriate based on the circumstances, such as a warning, reprimand, etc.

"Result" is defined as any initial, interim and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any

sanctions imposed by the institution. Notwithstanding section 444 of the *General Education Provisions Act (20 U.S.C. 1232g)*, commonly referred to as the *Family Educational Rights and Privacy Act (FERPA)*, the result must also include the rationale for the result and the sanctions.

The University may impose an interim result, prior to imposing a final result. In the event of any result, or changes to an already-imposed result, both the victim and accused student will be notified.

Whether or not a student reports a crime to law enforcement, following a report to the University of sexual assault, dating violence, domestic violence, and/or stalking, a student has the option to change their academic and/or Neumont coordinated-housing situations after an alleged sexual assault, if such changes are reasonably available; the University houses students at two or more facilities and, whenever possible, is obligated to assist a student with relocating from one facility to another or to make other changes. In the event that a student requests such a change, the Residence Life Coordinator would discuss all options available to the student, which may include relocating a student held responsible for sexual misconduct dating violence, domestic violence, and stalking. Neumont is also obligated to assist victims of any one of these crimes with changes in their academic arrangements, including classrooms, seating arrangements, schedules, etc., whenever reasonably available. In the event that a student requests such changes the Director of Student Affairs and Academic Coordinator (academic advisor) would consult with the student to identify changes that would be the least intrusive for the student while meeting the student's wishes. Other changes, such as transportation and work arrangements may also be adjusted at a student's request; to make such changes, contact the Director of Student Affairs.

Any accommodations or protective measures provided to the victim of a crime will be kept confidential to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University complies with restraining orders, no-contact orders, orders of protection, and similar lawful orders issued by a criminal, civil, or tribal court. (For information, go to www.utahcourts.gov.) These orders may result in changed academic schedules and/or housing arrangements for the victim or perpetrator as the University complies with the lawful orders. A victim will be consulted prior to any changes

and both their wishes and best interest given strong consideration as potential changes and compliance with the lawful order are evaluated.

An employee or student who commits an act of sexual violence/assault may be charged by the institution with a violation of the Sexual Harassment provision of the *Student Code*, employment contract, and/or *Policies, Practices, and Guidelines for Employees* document. Student victims of sexual assault should contact the Director of Student Affairs (or other member of the Student Affairs Department with whom they are comfortable) for an informal consultation or to file a formal complaint. Employees should contact their supervisor or other manager with whom they are comfortable, or the Human Resources Manager: ronell.warner@neumont.edu, 801.302.2808, room 414 on the fourth floor of the campus building.

Who: This policy applies to all members of the Neumont University community, including students, employees, and other third parties who come on to campus (such as parents, visitors, independent contractors, and vendors), who are involved in an incident of sexual misconduct, domestic violence, dating violence, sexual assault, or stalking (including those who witness an incident or report an incident on behalf of another). It covers misconduct between individuals in different types of relationships. These include, but are not limited to, student to student, employee to employee, faculty member to faculty member, visitor/contracted employee to employee/student, faculty member to student, employee to student, supervisor to subordinate, and student to employee/faculty member. Misconduct under this policy may be acts committed by an individual or collective actions committed by members of a group or organization. These acts may be committed against an individual or against a group or organization. These acts may be committed by a stranger, an acquaintance, or someone with whom the victim has a social, romantic, or intimate relationship. These acts may be committed by or against any individual, regardless of sexual orientation or gender identity.

What: This policy prohibits sexual misconduct, domestic violence, dating violence, sexual assault, and stalking as defined herein, in the Neumont University's educational, extracurricular, and other programs and activities, as well as in the employment setting.

Where: This policy covers conduct that takes place on the Neumont University campus, or in a manner related to the University's mission. This includes public property within or

immediately adjacent to and accessible from the Neumont campus, as well as any building or property not within the same reasonably contiguous geographic area of Neumont that supports or relates to Neumont's educational purposes and is used frequently by students. This policy also covers conduct that takes place off-campus, or through the use of online, electronic or digital technologies, that may have a nexus to any Neumont University education program or activity, for example by creating a hostile environment on campus or representing a threat to the safety of members of the Neumont community or to the continuance of normal Neumont operations.

When: The length of time between an incident and making a report of misconduct under this policy will not affect the willingness of Neumont University to investigate the allegations or provide support and other services to the individual reporting the conduct. However, a prompt report will enhance the University's ability to conduct an investigation and the effectiveness of any criminal or University disciplinary process. Therefore, Neumont University strongly encourages individuals to report incidents of misconduct immediately following their occurrence.

Bystanders / Witnesses

It is essential for bystanders / witnesses of domestic violence, dating violence, stalking, or any other potential violence to intervene if they can safely do so. Bystanders can play a crucial role in preventing harm in the moment or on an ongoing basis.

In emergencies (imminent threat to a person's safety), call 911. If a bystander can directly intervene in a situation that poses immediate threat to another, without endangering themselves, they are encouraged to do so. In some cases, simply making your presence known can prevent a crime.

In urgent but nonemergency situations (e.g. you become aware that a fellow student is involved in a dating or other ongoing violence situation or is a victim of stalking), consult Student Affairs right away to initiate support for the victim / potential victim, and to learn about resources. The approach may vary depending on circumstances, meaning that a reporting student may be given information and tools to bring to the victim / potential victim, or the University may proactively contact the student in question to offer support and resources.

Victims of violence of any kind and stalking—along with witnesses to such activities, even if they are unsure of whether or not a crime has occurred—are strongly encouraged to notify law enforcement and then Student Affairs staff (see contact information on page 5 in this report).

Risk Reduction

The following tips will help you minimize your risk of becoming a victim of sexual violence, dating / domestic violence, and other crimes:

- Be aware of your surroundings at all times. Save text messaging and other mobile phone activities for when you arrive at your destination.
- Keep your hands and arms free, and avoid carrying a lot of items that would make it difficult to defend yourself.
- Avoid walking alone at night. If you must walk at night stay in well-lit areas, avoid alleys, bushes, and other places where people may hide.
- Don't leave events with people you do not know well.
- Remember that use of drugs and/or alcohol compromise judgment and the ability to make sound decisions. They lower inhibitions and make you more vulnerable.
- Avoid secluded places, especially when alone or at night.
- Be careful when inviting people to your residence or going to the residences of other people.
- Set clear sexual activity limits with a partner, and immediately discontinue contact with those who do not respect your limits at all times.
- Lock your residence door at all times.
- Do not let strangers into the building.
- Trust your instincts. If you feel at risk, immediately remove yourself from a situation.
- Don't be afraid to make a scene in order to protect yourself. Your safety is paramount.
- Call the police if you are concerned about your safety.

If you sense that you are in danger:

- Move away from the potential threat. Go into a store or other populated area, cross the street, quicken your pace.
- Join a group of people.

- If a threat is imminent, yell for help, scream, or tell people to call 911.

COMBINED ILLEGAL DRUGS AND ALCOHOL POLICIES

The Neumont University campus and housing facilities have been designated “drug free” and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the University. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment. The University requires students to comply with state and federal laws governing the use, sale, and possession of drugs and alcohol.

The consumption and/or possession of any alcoholic beverage by any person less than 21 years of age is forbidden as provided by state law and campus regulations. Alcohol consumption is not permitted on institutional premises unless expressly authorized.

The University prohibits the use, possession, manufacture, sale or distribution by its students or employees of any illegal drug on campus and in Neumont housing facilities.

The Drug-Free Workplace Act of 1988 applies to all employees of the university. Any employee who is found guilty of an offense involving a controlled substance on the premises or property owned or controlled by the institution shall be subject to disciplinary action, including termination, or will be required to satisfactorily participate in an approved drug assistance rehabilitation program.

Neumont employs Resident Advisors (RAs) and professional housing staff. An RA, a professional staff member, or both, reside at the Neumont coordinated housing facilities. Resident Advisors complete health and safety inspections in each Neumont apartment each academic term, respond to complaints of policy violations, and perform security rounds at each the housing facilities as needed to ensure policy compliance.

Matters involving illegal drugs at the Neumont campus or in the Neumont coordinated housing facilities are referred to the Salt Lake City Police Department. Matters involving violations of the Neumont alcohol policy are either referred to the police or are handled as institutional disciplinary matters.

Students who violate the alcohol or drug policies may be required to attend an alcohol safety and awareness workshop, complete community service, write a relevant essay, and/or, as requested or deemed appropriate, offered referrals to community programs that may assist with drug and alcohol abuse. Students involved in policy violations are sometimes required to attend Alcoholics or Narcotics Anonymous meetings or other drug counseling programs, and/or Mothers Against Drunk Driving Victim Impact Panels; these sanctions are intended to remediate potential substance abuse issues and educate students. For additional information, see the *Student Code*.

Drug and alcohol counseling referrals are available to students through the Office of Student Affairs. Individuals needing treatment or rehabilitation are referred to an appropriate community resource. Neumont University does not assume the responsibility for the cost or effectiveness of such treatment or rehabilitation.

Underage drinking incidents in Neumont housing facilities are handled as judicial matters at the University. Parents may be notified, as allowed by *Family Education Rights and Privacy Act (FERPA)*.

Student Affairs staff will assist any student or employee with the identification of substance abuse prevention or intervention services in the Salt Lake City area. Contact information is included in a table on page 5.

REGISTERED SEX OFFENDERS

In accordance to the *Campus Sex Crimes Prevention Act of 2000*, which amends the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act*, the *Jeanne Clery Act* and the *Family Educational Rights and Privacy Act of 1974*, Neumont University is providing a link to the Utah State Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of Utah, convicted sex offenders must register with Sex and Kidnap Offender Notification and Registration (SONAR) maintained by the Utah Department of Corrections.

The SONAR registry is available online pursuant to Utah Code Ann. § 77-41. Pursuant to Utah Code Ann. Section 77-41-110(1) members of the public are not allowed to use the information to harass or threaten offenders or members of their families; and harassment, stalking, or threats against offenders or their families are prohibited and doing so may violate Utah criminal laws.

Students are encouraged to be knowledgeable and aware of who lives around them and to take reasonable steps to maintain their own safety. Neumont University encourages students to be aware of the sex offender registry with the State of Utah. The registry can be located online using the following URL: <http://corrections.utah.gov> (select “offender search”).

Neumont University is located in Salt Lake City, Utah, and the zip code is 84111.

MISSING-STUDENT NOTIFICATION

This policy applies to students who reside in on-campus housing only: The Tower.

Neumont University coordinates housing for its students. In the event that a student or employee believes a Tower resident has been missing for 24 hours, the Director of Student Affairs or a designee should be notified. (Personnel from other departments who receive a missing student report will forward the notification to the Director of Student Affairs.) The Director of Student Affairs or a designee will then initiate an investigation. In the event that it is determined that a student is missing, the Director of Student Affairs will notify the Salt Lake City Police Department (unless SLCPD made the determination) and the missing student’s emergency contacts, within 24 hours of the determination. The report to police will indicate that the school has determined that a student is missing, not just that a missing-person report has been filed.

Salt Lake City Police can be reached by dialing 911 or 801.799.3000. A report may be filed with SLCPD in the event an on-campus housing resident has been missing for less than 24 hours, if circumstances warrant such a report.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Neumont in the event the student is determined to be

missing for more than 24 hours. (Students are given a form when they check into their on-campus housing apartment.) If a student has identified such an individual, Neumont will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential emergency contact can do so by e-mailing studentaffairs@neumont.edu. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

For missing students who are less than 18-years-old and who are not emancipated, custodial parent(s)/guardians are notified of the student's circumstances within 24 hours of the determination that the student is missing; the missing-person contact(s) will also be notified. For students who are 18-years-old or older, parent/guardian notification will occur only if the student has signed a FERPA waiver or the circumstances qualify as an exception to FERPA protection. Salt Lake City police are notified of any missing on-campus resident, regardless of age.

If an on-campus housing resident registered a contact person, the institution will notify him or her no later than 24 hours after it's been officially determined that the student is missing. This does not have to be an in-person contact. If a student identifies multiple contacts, they can be contacted in an order determined by the institution. If a student registers multiple contact persons and the first person contacted confirms that the student is not missing, the institution must contact each additional contact person in turn, unless the student in question is contacted by the institution or contacts the institution.

FIRE SAFETY

The Neumont University campus fire safety measures include: smoke detectors, fire suppression sprinklers, and fire extinguishers as required by Utah law. The Salt Lake City Fire Department conducts regular (typically annual) inspections of the Neumont campus to ensure compliance with fire safety regulations. 39/42 LLC, which owns and manages the Neumont campus building, also conducts annual fire/evacuation drills.

Fire Response

RACE – Responding to a fire

RESCUE or remove all persons in immediate danger.

Pull the nearest ALARM box and notify the Reception Desk of the location and nature of the emergency. Be prepared to meet the fire crew to direct them to the problem. Fire alarm activation automatically notifies the Salt Lake City Fire Department.

CONFINE or CONTAIN the fire by closing all doors and windows.

If safe to do so, obtain the nearest EXTINGUISHER to fight the fire.

EVACUATE the area or relocate as directed.

PASS - Using a Fire Extinguisher

PULL the pin on the extinguisher

AIM the nozzle at the base of the fire

SQUEEZE the trigger

SWEEP spray from side to side

Evacuation

Evacuations are announced by either a fire alarm or the all-room paging system.

- Evacuate down the closest stairway immediately; do not use the elevator
- If using the east stairway, move out of the alley as quickly as possible
- Move as far away from the building as necessary to allow first-responders to work and maintain your personal safety
- Instructors –
 - Instructors are the last person out of their classroom
 - Ask students to assist any handicapped persons down the stairway
 - Attempt to meet up with your class at the designated assembly point outside

Fire Safety: On-campus Housing

Institutions with on-campus housing facilities maintain a log of all reported fires that occur in on-campus housing facilities, and publish fire safety procedures and fire statistics for those facilities. Members of the Neumont community or public may view the log by contacting the Director of Student Affairs (see page 5 for contact information).

Neumont on-campus housing includes only The Tower Suites (“The Tower”), located on floors 5-11 of the campus building (143 S. Main Street, Salt Lake City, Utah, 84111).

Clery Act defines a fire as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

The Tower’s fire safety policy, as written in the *Housing Rules & Regulations* document signed by students, is as follows (applies to noncampus housing facilities as well):

Smoking (including electronic cigarettes) is not permitted in the apartments. Smoking is permitted in designated areas at each housing facility as long as it does not inconvenience roommates or neighbors and as long as all cigarette butts and other associated trash are not littered on the property. Smoking on the deck, patio, or balcony is never permitted.

Additionally, lit candles, incense and any other item that uses or produces an open flame are not permitted in the apartments. Portable electronic devices such as irons are permissible when manufacturer guidelines are followed. Residents should insure that the appliance is designed for indoor use and that the power requirements match standard outlet voltage.

A fire drill for campus and on-campus housing is conducted annually, generally in October. In 2015, the campus fire drill occurred in the morning on October 20; the on-campus housing fire drill took place in the evening on October 21. (Note that The Tower has been a student housing facility for Neumont University since June 24, 2013.)

Students and employees should report any incident involving a fire to the Director of Student Affairs or other member of the Student Affairs Department (contact information included on page 5), or a Resident Advisor (801.634.5462).

In the event of a fire, Neumont expects that all Tower residents and guests will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the RA on-call phone: 801.634.5462; meet at the north end of the Gallivan Center (200 South, halfway between Main Street and State Street). An alternate location may be used if circumstances warrant; evacuees would be directed to such an alternate location. In the event fire alarms sound, all occupants must evacuate from the

building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member’s only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

Per federal law, Neumont University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities (The Tower). Listed below are the non-emergency contact information to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the Student Affairs Department or Resident Advisors may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

Director of Student Affairs: 801.302.2844, Room 103, corrine.padilla@neumont.edu

Residence Life Coordinator: 801.302.2813, Room 108, residencelife@neumont.edu

Student Affairs on-call staff member (after hours): 801.783.8177

Resident Advisor on-call: 801.634.5462

When calling, please provide as much information as possible about the location, date, time and cause of the fire.

Training on evacuation and other fire prevention policies is conducted at an orientation for all new Tower residents, in addition to annual e-mail reminders.

Fire suppression for The Tower includes redundant fire connections to the city main that feeds the fire sprinklers in the building. There are two-hour fire-rated exit stairs in the back of the building, along with two fire exits at each residential floor with standpipes, fire sprinklers and fire communications ports. Additionally, there is a Fire Command Center in the main lobby of the campus building, located next to the elevators, that contains communications ports, headsets, and building plans. The campus building in which The Tower is located was built in 1925 using a steel-framed structure encased in concrete for fireproofing. The building was recently upgraded to meet all current building and life safety requirements per the latest IBC code as well as state, federal and local fire codes.

Fire safety systems in Neumont on-campus housing facilities are described in Appendix C of this document.

GLOSSARY OF TERMS

General

ARRESTS include the physical detainment of a suspect, or issuance of a citation for a criminal act.

CAMPUS includes the building at 143 South Main Street, Salt Lake City, Utah, 84111. The lower level through floor four are classroom and office space. Floors 5-11, referred to as The Tower or The Tower Suites, are **ON-CAMPUS HOUSING**.

CONSENT, IN REFERENCE TO SEXUAL ACTIVITY: Generally, in reference to sexual conduct, consent in the State of Utah means that the sexual conduct is performed in accordance with the will of the other person. Sexual conduct that is performed against the will of the victim is non-consensual sexual conduct. However, lack of consent can exist in other circumstances, as discussed below. Sexual conduct is without consent of the victim under any of the following circumstances:

1. The victim expresses lack of consent through words or conduct;
2. The actor overcomes the victim through the actual application of physical force or violence;
3. The actor is able to overcome the victim through concealment or by the element of surprise;
4. The actor coerces the victim to submit by threatening to retaliate in the immediate future against the victim or any other person, and the victim perceives at the time that the actor has the ability to execute this threat; or the actor coerces the victim to submit by threatening to retaliate in the future against the victim or any other person, and the victim believes at the time that the actor has the ability to execute this threat; "to retaliate" includes threats of physical force, kidnapping or extortion;
5. The victim has not consented and the actor knows the victim is unconscious, unaware that the act is occurring, or physically unable to resist;
6. The actor knows that as a result of mental disease or defect, the victim is at the time of the act incapable either of appraising the nature of the act or of resisting it;

7. The actor knows that the victim submits or participates because the victim erroneously believes that the actor is the victim's spouse;
8. The actor intentionally impaired the power of the victim to appraise or control his or her conduct by administering any substance without the victim's knowledge;
9. The victim is younger than 14 years of age;
10. The victim is younger than 18 years of age and at the time of the offense the actor was the victim's parent, stepparent, adoptive parent, or legal guardian or occupied a position of special trust in relation to the victim (Position of Special Trust defined in U.C.A. 76-5-404.1(4)(h));
11. The victim is 14 years of age or older, but younger than 18 years, and the actor is more than three years older than the victim and entices or coerces the victim to submit or participate, under circumstances not amounting to force or threat; or
12. The actor is a health professional or religious counselor, the act is committed under the guise of providing professional diagnosis, counseling, or treatment, and at the time of the act the victim reasonably believed that the act was for medically or professionally appropriate diagnosis, counseling, or treatment to the extent that resistance by the victim could not reasonably be expected to have been manifested.

DISCIPLINARY ACTIONS / REFERRALS include the referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction. The referral may be to a University official or to law enforcement. Incidents that are referred to law enforcement that do not result in an arrest are included in this category.

FIRE: The *Clergy Act* defines a fire as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

HATE CRIMES are defined as a crime that manifests evidence that the victim was intentionally selected because of the perpetrator's bias. The applicable categories of bias are: race, gender, religion, sexual orientation, ethnicity, national origin and disability.

NONCAMPUS refers to the apartment facilities in which it Neumont houses students. Neumont does not own these complexes but leases apartments for the purpose of student

housing. For this report, Neumont apartments located at 644 City Station and Eastside Apartments have been designated “NONCAMPUS,” which means the apartments are controlled by the university but they are not part of the physical campus. This category of statistics only includes Neumont-controlled/occupied apartments within those complexes.

NOT REQUIRED / NR means that the category was not included in Clery reporting in the specified year(s). The crime categories of domestic violence, dating violence, and stalking were added to *Clery Act/VAWA* reporting in 2014, and schools are required to report statistics for 2013 and all subsequent years for each of the three categories.

PUBLIC PROPERTY includes the area immediately surrounding the Neumont campus.

Crime Definitions

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

ARSON: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

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 to commit any of the aforementioned.

DATING VIOLENCE: Violence committed by a person –

- who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- where the existence of such a relationship shall be determined based on consideration of the following factors:
 - the length of the relationship;
 - the type of relationship; and

- the frequency of interaction between the persons involved in the relationship.

Per Utah state law:

Dating violence means any criminal offense involving violence or physical harm, or threat of violence or physical harm, when committed by a person against a dating partner of the person; or any attempt, conspiracy, or solicitation by a person to commit a criminal offense involving violence or physical harm against a dating partner of the person.

Dating partner means a person who is an emancipated minor or is 18 years of age or older; and is, or has been, in a dating relationship with the other party.

Dating relationship means 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. Dating relationship does not mean casual fraternization in a business, educational, or social context.

In determining, based on a totality of the circumstances, whether a dating relationship exists the following factors are considered:

1. Whether the parties developed interpersonal bonding above a mere casual fraternization;
2. The length of the parties' relationship;
3. The nature and the frequency of the parties' interactions, including communications indicating that the parties intended to begin a dating relationship;
4. The ongoing expectations of the parties, individual or jointly, with respect to the relationship;
5. Whether, by statement or conduct, the parties demonstrated an affirmation of their relationship to others; and
6. Whether other reasons exist that support or detract from a finding that a dating relationship exists.

DESTRUCTION OF PROPERTY: Destruction / Damage / Vandalism of Property is 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. This category includes a wide range of malicious behavior directed at property, such as:

- Cutting auto tires.
- Drawing obscene pictures on restroom walls.
- Smashing windows.

- Destroying school records.
- Defacing library books.

Incidents of burning that willfully or maliciously destroy, damage or deface property are not considered destruction of property. Instead, they are classified as Arson.

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,
- any other person against an adult or youth victim who is protected from that person’s acts under University or state law.

Per Utah state law:

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 also means commission or attempt to commit, any of the following offenses by one cohabitant against another (all references are to the Utah Code):

1. Aggravated assault, as described in Section 76-5-103;
2. Assault, as described in Section 76-5-102;
3. Criminal homicide, as described in Section 76-5-201;
4. Harassment, as described in Section 76-5-106;
5. Electronic communication harassment, as described in Section 76-9-201;
6. Kidnapping, child kidnapping, or aggravated kidnapping, as described in Sections 76-5-301, 76-5-301.1, and 76-5-302;
7. Mayhem, as described in Section 76-5-105;
8. Sexual offenses, as described in Title 76, Chapter 5, Part 4, Sexual Offenses, and Section 76-5b-201, Sexual Exploitation of a Minor;
9. Stalking, as described in Section 76-5-106.5;
10. Unlawful detention or unlawful detention of a minor, as described in Section 76-5-304;

11. Violation of a protective order or ex parte protective order, as described in Section 76-5-108;
12. Any offense against property described in Title 76, Chapter 6, Part 1, Property Destruction, Part 2, Burglary and Criminal Trespass, or Part 3, Robbery;
13. Possession of a deadly weapon with intent to assault, as described in Section 76-10-507;
14. Discharge of a firearm from a vehicle, near a highway, or in the direction of any person, building, or vehicle, as described in Section 76-10-508;
15. Disorderly conduct, as defined in Section 76-9-102; or
16. Child abuse as described in Section 76-5-109.1.

DRUG ABUSE VIOLATIONS: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

HATE CRIMES: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim.

Although there are many possible categories of bias, under the *Clergy Act*, only the following eight categories are reported (excerpt from *The Handbook for Campus Safety and Security Reporting*):

- **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- **Sexual Orientation.** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian,

gay, bisexual, and heterosexual (straight) individuals.

- **Gender.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- **Ethnicity.** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.
- **National Origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
- **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

For *Clery Act* purposes, Hate Crimes include any of the following offenses that are motivated by bias:

- Murder and Non-negligent Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny-Theft

- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

A criminal act involving one/more of the primary offense), the crimes of Theft, Simple Assault, Intimidation or Vandalism, or any other crime involving bodily injury which: was motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, gender identity, sexual orientation, or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

Additional considerations in determining whether an incident is a Hate Crime: It is the perception of the offender, not the perception of the victim, that determines whether a crime is classified as a Hate Crime. Also, knowing that an offender is prejudiced is not enough to classify a crime as a Hate Crime. There must be evidence that the offender was motivated by that prejudice to commit the crime. Before an incident can be classified as a Hate Crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender’s actions were motivated, in whole or in part, by bias.

INTIMIDATION: Intimidation is 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. A person is assumed to be placed in “reasonable fear” if he or she reports threatening words or other conduct to law enforcement personnel. To be the victim of Intimidation, one doesn’t have to be the intended target of the offender. For example, a person who reports seeing anti-gay threats on a bathroom wall to law enforcement is considered a victim. (For the Intimidation to be considered a Hate Crime there would have to be other supporting evidence of bias as well.) Intimidation includes cyber-intimidation if the victim is threatened via electronic means while on *Clery Act* geography for Neumont University.

LARCENY: The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing. Larceny includes:

- Thefts of bicycles or automobile accessories.
- Shoplifting.
- Pocket-picking.

- The stealing of any property or article that is not taken by force and violence or by fraud.
- Any of the above regardless of the value of the item or items taken (For example, include the unlawful taking of a parking sticker that is peeled off a car windshield.)
- Attempted larcenies.

LIQUOR LAW VIOLATIONS: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

MOTOR VEHICLE THEFT: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding)

MURDER / NON-NEGLIGENT MANSLAUGHTER: The willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

MANSLAUGHTER BY NEGLIGENCE: The killing of another person through gross negligence.

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

SEXUAL HARASSMENT: Sexual harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

SEXUAL VIOLENCE: Sexual violence is a form of sexual harassment. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the person's age or use of drugs or alcohol or an intellectual or other disability that prevents the student from having the capacity to give consent). Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, incest, statutory rape, and sexual coercion.

- **Rape (includes sodomy, sexual assault with an object):** 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.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against the person's will; or not forcibly and/or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary permanent mental 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.

Per Utah state law:

Generally, in reference to sexual conduct, consent means that the sexual conduct is performed in accordance with the will of the other person. Sexual conduct that is preformed against the will of the victim is non-consensual sexual conduct. However, lack of consent can exist in other circumstances, as discussed below.

The Utah Code lists several situations in which no consent can be found to exist. However, in a prosecution of a sex offense which requires lack of consent, the jury is not prevented from determining that circumstances outside those statutorily listed amount to lack of consent, and can consider whether the totality of the evidence supports a finding of lack of consent under its common, ordinary meaning.

See the Utah definition of "consent" in this glossary.

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 includes all assaults that do not involve the use of a firearm, knife, cutting instrument or other dangerous weapon, and in which the victim did not sustain serious or aggravated injuries.

STALKING: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

- fear for his or her safety or the safety of others; and/or
- suffer substantial emotional distress.

Per Utah state law:

Stalking occurs when a person 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:

1. to fear for the person's own safety or the safety of a third person; or
2. to suffer other emotional distress.

Stalking also occurs when a person intentionally or knowingly violates a stalking injunction (court order) or a permanent criminal stalking.

The term “course of conduct” means two or more acts directed at or toward a specific person, including:

1. Acts in which the actor follows, monitors, observes, photographs, surveils, threatens, or communicates to or about a person, or interferes with a person's property:
 1. Directly, indirectly, or through any third party; and
 2. By any action, method, device, or means; or
2. When the actor engages in any of the following acts or causes someone else to engage in any of these acts:
 1. Approaches or confronts a person;
 2. Appears at the person's workplace or contacts the person's employer or coworkers;
 3. Appears at a person's residence or contacts a person's neighbors, or enters property owned, leased, or occupied by a person;
 4. Places an object on or delivers an object to property owned, leased, or occupied by a person, or to the person's place of employment with the intent that the object be delivered to the person; or
 5. Uses a computer, the Internet, text messaging, or any other electronic means to commit an act that is a part of the course of conduct.

Harassment

Utah Criminal Law also defines a crime known as harassment. A person is guilty of harassment if, with intent to frighten or harass another, he communicates a written or recorded threat to commit any violent felony.

WEAPON LAW VIOLATIONS: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

MISCELLANEOUS

Questions about crime statistics and logs, or any other topics related to this report should be directed to Student Affairs: studentaffairs@neumont.edu, 801.302.2844.

**APPENDIX A - CAMPUS SAFETY AND SECURITY SURVEY
DATA FOR 2013-2015**

(refer to the Glossary in this report for definitions)

Criminal Offenses – On Campus			
	'13	'14	'15
Murder/Non-negligent manslaughter	0	0	0
Manslaughter by negligence	0	0	0
Sex offenses - rape, fondling, incest, statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	1
Motor vehicle theft	0	0	0
Arson	0	0	0
Domestic Violence**	0	0	0
Dating Violence**	0	0	0
Stalking**	0	0	0

Criminal Offenses – Noncampus (offsite housing)*			
	'13	'14	'15
Murder/Non-negligent manslaughter	0	0	0
Manslaughter by negligence	0	0	0
Sex offenses - rape, fondling, incest, statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	1	1
Burglary	4	4	1
Motor vehicle theft	1	2	0
Arson	0	0	0
Domestic Violence**	1	1	0
Dating Violence**	0	0	0
Stalking**	0	0	0

Criminal Offenses – On Campus Housing (“The Tower”)			
	'13	'14	'15
Murder/Non-negligent manslaughter	0	0	0
Manslaughter by negligence	0	0	0
Sex offenses - rape, fondling, incest, statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Domestic Violence**	0	0	0
Dating Violence**	0	0	0
Stalking**	0	0	0

Criminal Offenses – Public Property***			
	'13	'14	'15
Murder/Non-negligent manslaughter	0	0	0
Manslaughter by negligence	0	0	0
Sex offenses - rape, fondling, incest, statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	2	1	0
Arson	0	0	0
Domestic Violence**	0	0	0
Dating Violence**	0	0	0
Stalking**	0	0	0

Crime statistics continue on the next two pages

Crime Statistics, continued

Disciplinary Actions – On Campus			
	'13	'14	'15
Illegal weapons possession	0	0	0
Drug law violations	0	0	4
Alcohol / liquor law violations	0	6	0

Disciplinary Actions – On Campus Housing (“The Tower”)			
	'13	'14	'15
Illegal weapons possession	0	0	0
Drug law violations	0	0	4
Alcohol / liquor law violations	0	6	0

Disciplinary Actions – Noncampus (offsite housing)			
	'13	'14	'15
Illegal weapons possession	0	0	0
Drug law violations	4	0	6
Alcohol / liquor law violations	0	4	0

Disciplinary Actions – Public Property			
	'13	'14	'15
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Alcohol / liquor law violations	0	0	0

Arrests – On Campus			
	'13	'14	'15
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Alcohol / liquor law violations	0	0	0

Arrests – On Campus Housing (“The Tower”)			
	'13	'14	'15
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Alcohol / liquor law violations	0	0	0

Arrests – Noncampus (offsite housing)*			
	'13	'14	'15
Illegal weapons possession	1	0	0
Drug law violations	2	0	0
Alcohol / liquor law violations	1	0	0

Arrests – Public Property***			
	'13	'14	'15
Illegal weapons possession	0	0	0
Drug law violations	2	1	0
Alcohol / liquor law violations	1	0	0

Crime statistics continue on the next page

Crime Statistics, continued

Hate Crimes – On Campus			
	'13	'14	'15
Murder/Non-negligent manslaughter	0	0	0
Sex offenses - rape, fondling, incest, statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Simple assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Larceny / theft	0	0	0
Destruction / damage / vandalism of property	0	0	0
Intimidation	0	0	0

Hate Crimes – On Campus Housing (“The Tower”)			
	'13	'14	'15
Murder/Non-negligent manslaughter	0	0	0
Sex offenses - rape, fondling, incest, statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Simple assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Larceny / theft	0	0	0
Destruction / damage / vandalism of property	0	0	0
Intimidation	0	0	0

*The noncampus housing categories should include *Clery* crimes only for Neumont-controlled areas only, which includes apartments operated by the University and common areas (such as stairwells and hallways) regularly used by Neumont students. However, statistics provided by Salt Lake City Police Department for 2013 and 2014 (but not 2015) include the entire City Station and Eastside Apartment complexes, including many apartments not occupied by Neumont students, and a portion of the surrounding neighborhoods. None of the reported crimes for 2014 in this category occurred in a Neumont-controlled apartment but may have occurred in a common area or stairwell used by students.

**Prior to 2014, crime statistics for domestic violence, dating violence, and stalking were not included in *Clery* crime statistics. With the requirement added in calendar year 2014, statistics for 2013 and later include these categories. Additionally, in response to a request for “dating violence” crime statistics, Salt Lake City Police Department (SLCPD) reported they do not have a tracking system for the category. The public property “dating violence” category for 2013, which would otherwise include statistics from SLCPD and South Jordan Police

Hate Crimes – Noncampus (housing)*			
	'13	'14	'15
Murder/Non-negligent manslaughter	0	0	0
Sex offenses - rape, fondling, incest, statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Simple assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Larceny / theft	0	0	0
Destruction / damage / vandalism of property	0	0	0
Intimidation	0	0	0

Hate Crimes – Public Property***			
	'13	'14	'15
Murder/Non-negligent manslaughter	0	0	0
Sex offenses - rape, fondling, incest, statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Simple assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Larceny / theft	0	0	0
Destruction / damage / vandalism of property	0	0	0
Intimidation	0	0	0

Department (SJPD), only includes statistics from SJPD. The 2013 noncampus housing “dating violence” category includes statistics from Draper City and South Jordan but no information from SLCPD for the reason stated above.

***In 2016, Salt Lake City Police provided the following statement in response to Neumont University’s request for crime statistics for “public property” adjacent to campus: “As a result of all SLCPD incidents being tied to the nearest address and not to a specific geographic location, our data system precludes us from pulling incidents for streets and sidewalks while excluding neighboring buildings.” For *Clery Act* reporting purposes, “public property” does not include privately-owned businesses. SLCPD’s statement suggests their system does not record incidents by location outside of buildings, such as those that occur on a sidewalk or road, and thus they are unable to provide crime statistics for these areas. Neumont did not receive reports of *Clery Act* crimes that occurred in the areas designated as public property. Since the public property area to the east/front of the campus building is a busy thoroughfare for pedestrian, car, and train traffic, it is likely that one or more unreported *Clery Act* crimes did occur in the area.

APPENDIX B - CAMPUS FIRE SURVEY DATA FOR 2015

On-campus Residential Facilities / Location of Fire	Total Fires in the Facility	Fire Number	Cause of Fire	Number of Injuries that Required Treatment in a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
No fires in on-campus housing	NA	NA	NA	NA	NA	NA
Eastside Apartments*	1	1	Intentional	0	0	\$80 (approximate)

*Eastside Apartments are classified as noncampus housing in this report. Schools are only required to report fire incidents for on-campus housing. However, based on updates in the 2016 edition of *The Handbook for Campus Safety and Security Reporting* published by the United States Department of Education, which now define on-campus housing as housing facilities that are reasonably contiguous to the campus (generally defined as within one mile), Neumont University is considering changing the classification for these facilities from “noncampus housing” to “on-campus housing” in the 2017 version of this *Annual Security and Fire Safety Report*. Although our housing facilities, other than The Tower (located in the campus building), are located more than a mile from campus,

consideration of their classification as “noncampus housing” is warranted.

In the interest of full disclosure, Neumont University has included the Eastside Apartments (noncampus housing) 2015 fire incident in the 2016 edition of its *Annual Security and Fire Safety Report*. The incident outlined above involved a roommate dispute in which one student lit a roommate’s jacket on fire; the fire extinguished quickly and no injuries occurred, though the jacket was damaged beyond repair.

APPENDIX C - FIRE SAFETY SYSTEMS IN ON-CAMPUS HOUSING FACILITIES
Fire Safety Systems in Neumont On-campus Housing Facilities

Facility	Fire Alarm Monitoring (alarm sounds with SLC Fire Department)	Partial sprinkler system*	Full sprinkler system**	Smoke detection	Fire extinguisher devices	Evacuation plans and placards	# of Evacuation (fire) drills each calendar year
The Tower: 143 S. Main St. SLC, UT	X		X	X	X	X	1
*Partial sprinkler system is defined as having sprinklers in the common areas only.							
**Full Sprinkler system is defined as having sprinklers in both the common areas and individual apartments.							