

# 2020 Annual Safety and Security Report

*Based on Calendar Year January 1, 2020 - December 31, 2020*



## TABLE OF CONTENTS

Introduction/What is the Clery Act .....	2
Crime Statistics Tables .....	3
Campus Security .....	11
Reporting Crimes/Emergencies/Timely Warnings .....	11
Daily Crime Log .....	16
Security and Access.....	17
Clery Act Geography.....	17
Clery Act Crime Definitions.....	18
VAWA and Title IX Programs.....	23
Campus Security Authorities.....	25
Confidential Reporting .....	26
Investigations and Disciplinary Actions .....	27
Information Regarding Sex Offenders .....	32
External Reporting Information.....	32
Arrests and Referrals for Weapons, Drug Abuse and Liquor Law Violations .....	33
Substance Abuse Policy .....	34
Hierarchy Rule.....	34
Annual Fire Report.....	35

## JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIMES STATISTICS ACT

This annual report is prepared as part of College of Eastern Idaho's (CEI) ongoing commitment to the safety and security of our students. The Annual Safety and Fire Report (ASR) is made publicly available online and/or in hard-copy format no later than October 1<sup>st</sup> of each calendar year. CEI has a vested interest in the safety of its students, employees and visitors. The report can be accessed at the CEI website under the "Student's Right to Know" tab:

<https://www.cei.edu/student-right-to-know> and a notification with a digital copy and the exact URL is sent out to all students at the time it is published. Prospective employees may access the CEI webpage under the Students Right to Know tab. The crime logs can also be accessed at both the website and in Student Affairs. The CEI Title IX page can be referenced on the CEI website on the Student Affairs page: <https://www.cei.edu/student-affairs>. CEI will provide a paper copy of the report upon request to the Dean of Students located in Student Affairs.

### **What is the Clery Act?**

The Clery Act is a Federal law that requires institutions of higher education to disclose information on crimes that take place on college campuses and to disclose certain crime statistics. The purpose of the Clery Act and this report is to provide the college community and others with complete crime statistic information. It is named for Jeanne Clery, a 19-year old college student who was assaulted and murdered in her residence hall on April 5, 1986. The Clery Act was passed in her honor in the hopes that it would allow college students to make informed decisions to help them stay safe.

To ensure compliance with the Clery Act, Title IX, the DCL, HEOA, SaVE and VAWA the College of Eastern Idaho (CEI), must provide certain public information required by federal law as part of its Annual Security and Fire Report. CEI is required to:

- Collect crime reports and statistics for reported crimes on all campuses and certain public locations for the previous three years.
- Establish and issue emergency notifications and timely warnings for certain crimes that might represent an ongoing threat to the campus community.
- Publish an annual security and fire safety report which includes CEI policies for campus security and fire safety.
- Submit crime and fire statistics to the U.S. Department of Education.
- Maintain a daily crime log and fire log.

- Provide prevention and awareness programs related to dating violence, domestic violence, sexual assault and stalking.
- Establish policies for disciplinary action in cases of dating violence, domestic violence, sexual assault and stalking.

CEI prepares the ASR and gathers statistics in collaboration with the Dean of Students, Campus Security and other departments as well as local law enforcement agencies surrounding the campus and other properties where students attend classes. The Dean of Students and other departments extract the appropriate data and create a crime log that is without inclusion of personally identifying information about the victim(s). It includes statistics for our Idaho Falls campus and Yellowstone WTCE campus as well as outreach locations in Salmon, Idaho and Driggs, Idaho and Rexburg, Idaho as defined by Clery Act regulations. At this time a Fire Safety Report is not required for CEI because it does not own or control any on-campus student housing. The information regarding CEI policies contained in this report refer to all campus locations unless otherwise stated.

## **Crime Statistics Tables**

CEI is required under the Clery Act to provide crime statistics related to its campuses and other locations by the calendar year. The following crime statistics have been compiled for 2018, 2019, and 2020 from incidents reported to or discovered by CEI security, local law enforcement agencies, and to other officials associated with the college who are a designated Campus Security Authority (CSA) as defined in the Clery Act. The crime is compiled in an on-going basis and reviewed annually every year. They do not reflect any report that might be made to other departments or individuals at the college unless those departments or individuals informed security or the local police of the incident. Victims or witnesses can report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. This report along with crime statistics are published following the requirements of the Clery Act.

In order to provide context to the crime statistics tables, the number of victims is listed for a given incident in the statistics column for different crime classifications. For instance, if an aggravated assault occurs and there are three victims, it would be counted as three assaults on the table. However, if three students were walking across the campus together and were robbed, that would count as one instance of robbery. The number reflected includes one offense per distinct operation. In the cases of motor vehicle theft, each vehicle stolen is counted as one statistic.

In any case that involves alcohol, drug or weapons violations, the statistics will show the number of people arrested by law enforcement or referred to the Dean of Students or other college departments for possible disciplinary action.

Statistics for dating violence, domestic violence, and stalking could be included in the statistics report and also reported separately under the VAWA section as defined by the Clery Act. For example, if an aggravated assault also was domestic violence, it would be shown as one incident of aggravated assault and one incident of domestic violence in the VAWA category.

Statistics for hate crimes are reported in a narrative form and separated by the category of prejudice. Hate crimes are not separate, distinct crimes, but the commission of a crime that was motivated by the offender’s bias. A hate crime is based on the perception of the offender and there must be evidence that the offender was motivated by the prejudice to commit the crime. The Hierarchy rule does not apply to hate crimes.

Table 1: Crime Statistics for the Idaho Falls campus. Table 1 includes crime statistics for the Idaho Falls campus and public property immediately adjacent to and accessible from it, used for education purposes. The Idaho Falls campus has no on-campus housing.

<b>CRIME</b>	<b>YEAR</b>	<b>ON-CAMPUS</b>	<b>PUBLIC PROPERTY</b>	<b>TOTAL</b>	<b>UNFOUNDED</b>
<b>MURDER/NON-NEGLIGENT MANSLAUGHTER</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>NEGLIGENT MANSLAUGHTER</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>SEX OFFENSES RAPE</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>SEX OFFENSES FONDLING</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>SEX OFFENSES INCEST</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>SEX OFFENSES STATUTORY RAPE</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>ROBBERY</b>	2018	0	0	0	0

	2019	0	0	0	0
	2020	0	0	0	0
<b>AGGRAVATED ASSAULT</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>BURGLARY</b>	2018	0	0	0	0
	2019	4	0	4	0
	2020	0	0	0	0
<b>MOTOR VEHICLE THEFT</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

<b>ARSON</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

<b>ARRESTS AND REFERRALS TO DISCIPLINARY ACTION</b>					
<b>ARRESTS</b>	<b>YEAR</b>	<b>ON-CAMPUS</b>	<b>PUBLIC PROPERTY</b>	<b>TOTAL</b>	<b>UNFOUNDED</b>
<b>ILLEGAL WEAPONS POSSESSION</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>DRUG LAW VIOLATION</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>LIQUOR LAW VIOLATION</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>DISCIPLINARY ACTION</b>	<b>YEAR</b>	<b>ON-CAMPUS</b>	<b>PUBLIC PROPERTY</b>	<b>TOTAL</b>	<b>UNFOUNDED</b>
<b>ILLEGAL WEAPONS POSSESSION</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

<b>DRUG LAW VIOLATION</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>LIQUOR LAW VIOLATION</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0

Table 2: Crime Statistics for the Rexburg Outreach Program

<b>VAWA OFFENSES</b>					
<b>CRIME</b>	<b>YEAR</b>	<b>Campus Property</b>	<b>Public Property</b>	<b>Total</b>	<b>Unfounded</b>
<b>Domestic Violence</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>Dating Violence</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>Stalking</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

Table 2 includes crime statistics for the outreach centers and public property immediately adjacent to and accessible from them and is used for education purposes and separate from the main campus. The Rexburg outreach center has no on-campus housing.

<b>CRIME</b>	<b>YEAR</b>	<b>Rexburg Outreach</b>	<b>Public Property</b>	<b>Total</b>	<b>Unfounded</b>
<b>MURDER/NON-NEGLIGENT MANSLAUGHTER</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>NEGLIGENT MANSLAUGHTER</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>SEX OFFENSES RAPE</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>SEX OFFENSES</b>	<b>2018</b>	0	0	0	0

<b>FONDLING</b>	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>SEX OFFENSES INCEST</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>SEX OFFENSES STATUTORY RAPE</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>ROBBERY</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>AGGRAVATED ASSAULT</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>BURGLARY</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>MOTOR VEHICLE THEFT</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0

<b>ARSON</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0

<b>Hate Crimes</b>	
<b>2018</b>	Zero (0) Hate Crimes were reported
<b>2019</b>	Zero (0) Hate Crimes were reported
<b>2020</b>	Zero (0) Hate Crimes were reported



ARRESTS AND REFERRALS TO DISCIPLINARY ACTION					
ARRESTS	YEAR	Rexburg Outreach	Public Property	Total	Unfounded
ILLEGAL WEAPONS POSSESSION	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
DRUG LAW VIOLATION	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
LIQUOR LAW VIOLATION	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
DISCIPLINARY ACTION	YEAR	Rexburg Outreach	Public Property	Total	Unfounded
ILLEGAL WEAPONS POSSESSION	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
DRUG LAW VIOLATION	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
LIQUOR LAW VIOLATION	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

VAWA OFFENSES					
CRIME	YEAR	Rexburg Outreach	Public Property	Total	Unfounded
Domestic Violence	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Dating Violence	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

<b>Stalking</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

Table 3: Crime Statistics for the Driggs and Salmon Outreach Program

Table 3 includes crime statistics for the Driggs and Salmon outreach centers and public property immediately adjacent to and accessible from them and is used for education purposes and separate from the main campus. Neither of these outreach centers has on-campus housing nor do they offer a degree or certificate.

<b>CRIME</b>	<b>YEAR</b>	<b>Driggs Outreach</b>	<b>Salmon Outreach</b>	<b>Total</b>	<b>Unfounded</b>
<b>MURDER/NON-NEGLIGENT MANSLAUGHTER</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>NEGLIGENT MANSLAUGHTER</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>SEX OFFENSES RAPE</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>SEX OFFENSES FONDLING</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>SEX OFFENSES INCEST</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>SEX OFFENSES STATUTORY RAPE</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>ROBBERY</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>AGGRAVATED ASSAULT</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

<b>BURGLARY</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>MOTOR VEHICLE THEFT</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0

<b>ARSON</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0

<b>Hate Crimes</b>	
<b>2018</b>	Zero (0) Hate Crimes were reported
<b>2019</b>	Zero (0) Hate Crimes were reported
<b>2020</b>	Zero (0) Hate Crimes were reported

<b>ARRESTS</b>	<b>YEAR</b>	<b>Driggs Outreach</b>	<b>Salmon Outreach</b>	<b>Total</b>	<b>Unfounded</b>
<b>ILLEGAL WEAPONS POSSESSION</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>DRUG LAW VIOLATION</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>LIQUOR LAW VIOLATION</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>DISCIPLINARY ACTION</b>	<b>YEAR</b>	<b>Driggs Outreach</b>	<b>Salmon Outreach</b>	<b>Total</b>	<b>Unfounded</b>
<b>ILLEGAL WEAPONS POSSESSION</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0

<b>DRUG LAW VIOLATION</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0
<b>LIQUOR LAW VIOLATION</b>	<b>2018</b>	0	0	0	0
	<b>2019</b>	0	0	0	0
	<b>2020</b>	0	0	0	0

<b>VAWA OFFENSES</b>					
<b>CRIME</b>	<b>YEAR</b>	<b>Driggs Outreach</b>	<b>Salmon Outreach</b>	<b>Total</b>	<b>Unfounded</b>
<b>Domestic Violence</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>Dating Violence</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<b>Stalking</b>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

### **CEI Campus Security**

There is a security office on the main Idaho Falls campus that is available in person or on call to provide assistance and oversight of all events and functions and to assist students, faculty, staff and visitors. Security cameras and card access systems are located throughout the campus and are monitored by security. Campus Security is under the leadership of the Chief of Campus Security who reports to the Director of Facilities and Operations who reports to the Vice President of Finance and Administration. Campus security promotes mutual cooperation and conflict resolution to establish the best atmosphere of effective learning and social interaction.

### **Reporting Crimes and Emergencies and Timely Warnings**

Anyone witnessing a criminal action, suspicious circumstances, emergency or safety-related incident on or near campus should contact CEI Campus Security at 208-604-4597. If it is an emergency requiring police or EMT/ambulance/fire involvement they should call 911 first, then security at the number above. The CEI Campus Security office is in Building 1, Room 113 on the main campus at 1600 S 25<sup>th</sup> E in Idaho Falls, ID.

Campus security has jurisdiction over all on-campus buildings as well as the outreach centers and facilities and properties that are owned and/or controlled by CEI. They have no jurisdiction or enforcement authority outside of this scope. Any properties owned and/or controlled by CEI that are not part of the Idaho Falls campus receive police services from the local jurisdiction in which the sites are located.

CEI's recent acquisition of Maxient software in 2021 will allow for faster and easier electronic and anonymous reporting as well, starting in the reporting year 2021-2022.

CEI policy states that it is important for students and/or staff to report crimes or emergencies immediately so that security and/or police or other emergency personnel can act in a timely manner, prevent crime and provide notification to and/or protection for the campus, if necessary. Safety is the responsibility of all students, instructors, staff, management and employees.

Ultimately, while CEI offers services and prevention strategies to improve the safety of our campus community, each individual is responsible for his/her own personal safety. CEI expects students and/or staff to avoid any risk to their own safety and if they are witnesses to a crime or emergency that security and/or the police be notified to make sure that victims are safe and that others on the campus are not at risk when a crime occurs.

Incidents that occur on campus and involve members of the campus community are documented and forwarded for further review, depending on the situation, to determine if it is a Clery Act or Title IX violation. If students are involved, the reports are forwarded to the Dean of Students who has the authority to sanction students for violation of CEI policy. This is outlined in the Student Handbook (<https://cei.edu/current-student>) and in CEI's yearly catalog published at <https://www.cei.edu/catalog>. Incident reports involving employees will be forwarded to Human Resources for review of possible policy violations. If an incident of alleged sexual misconduct, relationship violence or intimate partner abuse, stalking, or other acts are reported, the incident will be documented and referred to the Title IX officer for review. Incident reports may also be forwarded to other departments on a need-to-know basis.

Campus security at CEI does not have official powers of arrest authority and they are not sworn peace officers. They are easily identified by their uniforms which clearly identify them to campus staff and students and they carry appropriate equipment to respond to a multitude of situations. If possible, security should be notified of any incident so as to be present to evaluate any campus emergency or crime and provide as much protection as possible. They will always take each report of crime or information about an emergency and investigate with due diligence. They will also document the incident for those who are responsible to provide campus emergency notifications or timely warnings and for Clery reporting purposes.

CEI is required, under the Clery Act, to have and disclose emergency response and evacuation procedures that would be used in response to an emergency or dangerous situation involving

immediate threat to the health or safety of students or employees that occur on campus. They are intended to ensure that CEI is prepared and to identify any weaknesses. It also assures that CEI has appropriate policies in place to inform the campus community and individuals in the event of an emergency. CEI policy and the Clery Act require test of the emergency response and evacuation procedures on an annual basis. If an incident occurs on the campus, Campus Security Services are the designated Incident Commanders until they are relieved by the President, Vice President(s) or other person designated by the President. The Incident Commander, President or Vice President(s) is responsible for making decisions and initiating emergency responses or evacuating buildings. Evacuation maps are posted throughout the campus and inside buildings which show primary and alternative routes to escape the building.

CEI emergency response policy states that in most cases security responds to reports of crimes or emergencies that occur on the campus and they will work closely with CEI administration in determining what kind of warning, if any, will be sent and the mode that will be used. Anyone that sees an emergency situation should call 911, then contact security. This allows both security and the administration to determine the appropriate segment or segments of the campus to notify and which notification process will work best. Any student or employee can report an emergency situation to campus security, their supervisor, the Dean of Students, or Human Resources. Security and CEI administration will assess whether the crime should be included in the daily crime log and annual disclosure of crime statistics report. Security or the Incident Commander will also follow up on any emergency to assure that the situation is under control and no further warnings need to be disseminated.

The following positions are authorized to send out approved messages using the RAVE Alert System for notifying the campus of an emergency or a Timely Warning depending on the circumstances:

1. Vice President of Finance and Administration
2. Vice President of Academics and Student Affairs
3. Director of Facilities and Operations
4. Chief of Security
5. Dean of Students/VAWA and Title IX Officer

CEI will, without delay, while considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate an emergency. Warnings are considered, but not required, for crimes that occur outside the institution's identified geography that have been reported and may represent a threat to campus. These will be evaluated on a case-by-case basis. CEI has used institutions like Eastern Idaho Public Health to confirm COVID-19 outbreaks and report important information to the campus and would act on a report or notification from a

security office/officer in an outreach area as well as information from outreach police departments.

- An **emergency notification** is one that is triggered by an event that is occurring currently or is an imminent threat to the campus. CEI will initiate emergency notification procedures for any significant emergency or dangerous situation that occurs on the campus that would involve an immediate threat to the health or safety of students or employees. CEI will initiate procedures upon confirmation of a dangerous situation if an emergency exists or threatens.
- A **Timely Warning** is triggered by a crime that is occurring or has already occurred and is an ongoing threat. The intent of a **Timely Warning** is to warn the college community of criminal activity occurring on or near the campus so as to give everyone a chance to protect themselves by taking precautions to provide for their own safety. The decision to send a **Timely Warning** will be made on a case-by-case basis in light of all the facts, including nature of the crime, continuing danger to the campus community and possible risk of compromising law enforcement efforts. It is not required when a report is made to a pastoral or profession counselor. CEI will issue a **Timely Warning** for any Clery Act crime on Clery Geography that is reported to our campus security or local law enforcement and is considered by the institution to represent a serious or continuing threat to students, visitors and employees. CEI will issue a warning as soon as the pertinent information is available. Under the Clery Act, **Timely Warnings** are provided to students and employees in a manner that is prompt and withholds the names of victims as confidential. It is issued to aid in the prevention of similar crimes. Anyone with information that might warrant a **Timely Warning** should report it immediately to campus security by calling 208-604-4597.
- CEI would not typically distribute a **Timely Warning** in situations of delayed reporting from the date of the incident. A report that is filed days after the date of the alleged incident may not allow any warning to be “timely”. In a situation such as this, CEI would not have any opportunity to react or respond.

When confirmation is made of a significant emergency or dangerous situation, CEI uses the notification system known as RAVE Alert. This allows campus officials to send out multi-modal notifications in a rapid manner to any internet connected device by text, email, voice call, digital signage, social media and desk-top alert. This system is tested twice a year to make sure students, staff, faculty and administration receive the alerts and know how to properly react to them depending on the instructions.

The mode of dissemination and its content is determined by the Chief of Security, the Director of Facilities and Operations and the Vice-President of Finance and Administration along with the Dean of Students. If the warning requires campus closure it is determined under the direction of

the President of CEI. The authorized individuals determine what types of alerts are appropriate to best notify the campus and which segments of the campus community should receive one. Urgent warnings and emergency notifications are always sent by text and email so that messages are received as quickly as possible; especially if there are circumstances in which students need to protect themselves or evacuate a building. If the emergency requires evacuation, each building has alarms that can be activated. At least once a semester there is a fire drill so that students and employees can practice exiting the building and finding a gathering spot so that instructors or managers can account for their personnel or students and notify first responders or campus officials if anyone is missing or unaccounted for

RAVE allows CEI to send alerts to all staff, faculty and students with targeted messages. Some examples of an emergency or dangerous situation are:

- Outbreak of a serious illness such as meningitis, Covid-19 or other
- Approaching tornado, hurricane or other extreme weather condition
- Earthquake
- Gas leak
- Terrorist incident
- Armed intruder
- Bomb threat
- Civil unrest
- Explosion
- Nearby chemical or hazardous waste spill

A **Timely Warning** will typically include the following information unless it would compromise law enforcement:

- Date, time and location of the incident
- A brief description of the incident
- Crime prevention information that will promote safety and potentially aid in the prevention of similar crimes
- Suspect description when deemed appropriate and if there is sufficient detail to distinguish a suspect
- Contact numbers for campus security and/or local law enforcement
- Other information as applicable.

The Director of Communications and Marketing is responsible to notify television or radio if it has been determined to be in the best interests of protecting neighborhoods or providing information about the situation.

When a student enrolls at CEI, their CEI provided email address is automatically entered into the emergency notification system. Students will receive an email from the school with instructions



for entering additional contact information (i.e. cell phone number) and a choice of how they would like to receive notifications.

CEI policy states that a **Timely Warning** should be issued to the campus when a crime is reported so that students, faculty, administration, staff and visitors are able to protect themselves, shelter in place or evacuate. CEI will issue a warning as soon as pertinent information is available, even if security or police are not in possession of all facts. The warning will contain information about the type of criminal incident that has occurred, if it is a continuing threat to the campus, and can be updated as additional information becomes available. A **Timely Warning** is not limited to violent crimes or crimes against persons, it can be used for crimes that represent threats to property and may include non-Clery Act incidents. The warning will include information that allows the campus community to protect themselves, promote safety and prevent similar crimes. CEI will consult with local law enforcement to request that they keep security informed and updated about any crime that might require a **Timely Warning**.

A secondary method of crime reporting is to contact an identified Campus Security Authority (CSA). CSA is a Clery-specific term that encompasses groups of individuals associated with the college. CSA's are trained to report any allegations of criminal acts made in good faith to Campus Security, the Dean of Students and/or Human Resources. They are also trained in how and when to submit reports and what to provide in a report.

### **Daily Crime Log**

Daily crime logs are another means to disclose information regarding crimes on campus in a timelier manner than the annual report. The log is located at [cei.edu](http://cei.edu) under the heading *Student Right to Know*. It will contain information on criminal incidents that are reported to campus security and have occurred at CEI on Clery Act geography. Since CEI does not have on-campus residential facilities it is not required to keep and publish a fire log.

The recorded crimes that occur on CEI Clery Act geography are documented in the crime log. This includes incidents reported directly to the school by campus security, CSAs or local law enforcement. The daily crime log includes the date and time the event was reported, the nature of the criminal act, a report number if assigned one, the date and time of the actual occurrence, the general location, a case number if the police are involved, and the disposition of the case. The daily log can be updated if there is a change in disposition. It might not always be possible for CEI to provide all the information at once on the report and CEI is allowed to withhold any information on any entry that might be prohibited by law or jeopardize the confidentiality of a victim or an ongoing investigation or cause a suspect to flee to avoid detection or result in the destruction of evidence. The daily crime log may be accessed any time online at:

<https://cei.edu/student-right-to-know>.

Disposition of criminal incidents or violations of the student conduct code can include three outcomes. One is a referral to the proper law enforcement agency, the second is a referral to the

Dean of Students for violations of student conduct rules and the third is a referral to campus security.

## **Security and Access**

The CEI Idaho Falls campus is generally open to the public during normal business hours. Some campus sites or facilities have individual hours. Campus security generally patrols the Idaho Falls main campus and Yellowstone facility on a regular basis and includes those patrol results in a security report. They regularly monitor campus buildings, make sure pathways are well lit at night and egress lighting is working in hallways and stairwells. Any properties owned or controlled by CEI that are not part of the main Idaho Falls campus receive police services from the local jurisdictions in which the sites are located.

In order to maintain security for both buildings and property, campus security or maintenance will lock all buildings and classrooms after normal business/class hours per Policy 900. They will be unlocked according to a facility use schedule and other considerations. Administration, adjunct instructors and custodians are responsible for locking and unlocking at off-campus sites.

Anyone found on or in campus facilities after hours must show security their identification and justify their presence on campus. Unauthorized persons will be asked to leave. Any student needing access to buildings must schedule it through authorized personnel or have written approval. Students are not allowed in buildings between terms and during campus closures.

## **Clery Act Geography**

Under the Clery Act, institutions are required to compile and report crime statistics in formal geographic categories. These are on-campus, student housing, public property and non-campus buildings or property.

*On-campus* refers to any building or property owned or controlled by an institution that is within the same reasonable contiguous geographic area and used in direct support of its educational purposes. It can also include an area that is part of the on-campus property and is owned by the institution but is controlled by another person and is frequently used by students and support the institutions purposes such as food services or other retail vendors.

*Student Housing* refers to any facility that is owned or controlled by CEI or is located on property that is owned or controlled by the institution that houses students, faculty or staff or officially or unofficially recognized fraternities or sororities. **CEI has no student housing of any kind at this time.**

*Non-campus* refers to any building that is not within the same contiguous geographic area as on-campus but used by the institution for educational purposes and used by students. This would refer to CEI's outreach centers.

*Public property* is any thoroughfare, street, sidewalk, and parking facility that is immediately adjacent to the campus or used by students to access a room inside a building and can be on-campus or non-campus. It would also include elevators or hallways to access rooms on non-campus facilities.

The main CEI campus is located at 1600 S 25 E, Idaho Falls. The WTCE campus is located at 3910 S Yellowstone Highway, Idaho Falls. CEI has outreach campuses at 343 E 4 N in Rexburg, 1420 N Highway 33 in Driggs and SVBIC at 803 Monroe in Salmon. There is one report for the Idaho Falls campus, the Yellowstone campus and all three outreach campuses.

## **Clery Act Crime Definitions**

CEI is required to report crime statistics for specific crime classifications as defined by the Clery Act, some of which are provided by the Act and some are based on the FBI's Uniform Crime Reporting (UCR) Program and various other FBI manuals and guidelines. These include murder, non-negligent manslaughter, manslaughter by negligence, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny, etc. CEI is required to report criminal offenses, hate crimes, VAWA offenses, Title IX violations, arrests and referrals for disciplinary action for violations of liquor laws, drug abuse or weapons violations.

## **Criminal Offenses or Primary Crimes**

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. 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 of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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

**Burglary:** The unlawful entry of a structure to commit a felony or theft. For reporting purposes, this definition includes offenses that are classified by local law enforcement agencies as unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as any case where an automobile is taken by persons not having lawful access, even if the vehicle is later abandoned, and also includes joy riding.

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

**Unfounded Crime Reports:** If a Clery Act reportable crime is reported as occurring within a Clery Act geographic category and the reported crime is investigated by sworn or commissioned law enforcement personnel and found to be false or baseless, the crime is considered to be “unfounded.” Crime reports can be determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not completed or attempted in any manner. Crime reports can be determined to be baseless only if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place. In accordance with the Uniform Crime Report (UCR) and Clery Act regulations, a reported offense can only be cleared as “unfounded” by law enforcement authorities “if the investigation shows that no offense occurred nor was attempted.”

**Hate Crimes.** A hate crime is a criminal offense that is based on evidence showing the victim was intentionally chosen because of a perpetrator’s bias. In terms of Clery reporting, there are eight categories of hate crimes as defined below:

- **Race:** A negative bias toward a group of persons whose physical characteristics and heredity make them a distinct division of humankind, e.g. Asians, blacks, whites, etc.
- **Religion:** A negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin of the universe and the existence of a supreme being, e.g. Catholics, Jews, Atheists, Muslim, etc.
- **Sexual Orientation:** A negative opinion or attitude toward a group of persons based on actual or perceived sexual orientation which could be a term for their physical, romantic, and/or emotional attraction to members of the same sex including lesbian, gay, bisexual and heterosexual.
- **Gender:** A negative opinion or bias toward a person or group based on their actual or perceived gender, e.g. male or female.
- **Gender Identity:** A preformed negative bias toward a person or group 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 and may or may not be lesbian, gay, bisexual or transgender but may be perceived as such.

- **Ethnicity:** A negative opinion or attitude toward a group of people who identify through a common heritage, often consisting of a common language, common culture including a shared religion, and/or ideology that stresses common ancestry.
- **National Origin:** A negative bias toward a group of people based on their actual or perceived country of birth.
- **Disability:** A 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 reporting, 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, and destruction/damage/vandalism of property. The offenses of larceny-theft, simple assault, destruction/damage/vandalism of property, and intimidation defined below are only included in crime statistics if they are determined to be hate crimes.

**Larceny-Theft:** 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.

**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.

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

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

**VAWA Offenses.** The definitions for this category are provided by the Violence Against Women Act (VAWA) and Clery Act regulations.

- **Dating Violence.** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of that

relationship is determined based on the reporting party's statement with consideration of the length and type of the relationship along with the frequency of interaction between the persons involved. Dating violence can include and is not limited to sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

- **Domestic Violence.** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with, or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence law of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Sexual Assault.** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. It is also further defined as an offense that meets the definition of rape, fondling, incest or statutory rape.
  - Rape - the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person without consent of the victim.
  - Fondling – the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - Incest – sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - Statutory Rape – sexual intercourse with a person who is under the statutory age of consent.
- **Stalking.** A course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition, course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

The disposition of any of the above crimes can result in one or all of the following:

- Referral to authorities. If the crime is a criminal act, a case be referred to law enforcement for arrest and/or prosecution.
- Referral to conduct. A case may be referred to the Dean of Students for violations of the code of conduct.
- Referral to security. A case may be referred to campus security for various security-related reasons.

## CONSENT DEFINITIONS

### State of Idaho Definition of Consent

18-6101. RAPE DEFINED. Rape is defined as the penetration, however slight, of the oral, anal or vaginal opening with a penis accomplished under any one (1) of the following circumstances:

(1) Where the victim is under the age of sixteen (16) years and the perpetrator is eighteen (18) years of age or older.

(2) Where the victim is sixteen (16) or seventeen (17) years of age and the perpetrator is three (3) years or older than the victim.

(3) Where the victim is incapable, through any unsoundness of mind, due to any cause including, but not limited to, mental illness, mental disability or developmental disability, whether temporary or permanent, of giving legal consent.

(4) Where the victim resists but the resistance is overcome by force or violence.

(5) Where the victim is prevented from resistance by the infliction, attempted infliction, or threatened infliction of bodily harm, accompanied by apparent power of execution; or is unable to resist due to any intoxicating, narcotic, or anesthetic substance.

(6) Where the victim is prevented from resistance due to an objectively reasonable belief that resistance would be futile or that resistance would result in force or violence beyond that necessary to accomplish the prohibited contact.

(7) Where the victim is at the time unconscious of the nature of the act. As used in this section, "unconscious of the nature of the act" means incapable of resisting because the victim meets one (1) of the following conditions:

(a) Was unconscious or asleep;

(b) Was not aware, knowing, perceiving, or cognizant that the act occurred.

(8) Where the victim submits under the belief that the person committing the act is the victim's spouse, and the belief is induced by artifice, pretense or concealment practiced by the accused, with intent to induce such belief.

(9) Where the victim submits under the belief that the person committing the act is someone other than the accused, and the belief is induced by artifice, pretense or concealment practiced by the accused, with the intent to induce such belief.

(10) Where the victim submits under the belief, instilled by the actor, that if the victim does not submit, the actor will cause physical harm to some person in the future; or cause damage to property; or engage in other conduct constituting a crime; or accuse any person of a crime or cause

criminal charges to be instituted against the victim; or expose a secret or publicize an asserted fact, whether true or false, tending to subject any person to hatred, contempt or ridicule.

The provisions of subsections (1) and (2) of this section shall not affect the age requirements in any other provision of law, unless otherwise provided in any such law. Further, for the purposes of subsection (2) of this section, in determining whether the perpetrator is three (3) years or older than the victim, the difference in age shall be measured from the date of birth of the perpetrator to the date of birth of the victim.

Males and females are both capable of committing the crime of rape as defined in this section.

## **VAWA and Title IX Programs**

CEI has a firm “no tolerance” policy for dating violence, domestic violence, sexual assault and stalking all of which are offenses addressed by the Violence against Women Act (VAWA) and Title IX violations which involve hate crimes and discrimination of any kind. CEI is committed to maintaining the highest standards for the safety and security of every person on campus. When students or employees report an incident involving VAWA or Title IX, CEI will take immediate and appropriate steps to deliver prompt action in the following order:

- Stop the harassment
- Remedy the effects where possible
- Prevent the reoccurrence

When a VAWA offense is reported, CEI will provide the victim a written notification with options for available assistance, how to request changes to academic, transportation, working situations or protective measures. The written notice will also provide information to the victim about how to institute a disciplinary proceeding, the steps and anticipated timelines, the contact information for the office to which the complaint should be made and the types of proceedings that could be used based on the circumstances of the accusation. CEI will make accommodations or provide protective measures if the victim requests it and if they are reasonable available, regardless of whether the victim reports the crime or not.

CEI will protect the confidentiality of the victims and other necessary parties. CEI will report the incident on the daily crime log and as part of the Clery safety report without inclusion of personally identifying information about the victim and maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability for CEI to provide the accommodations or protective measure. The Title IX/VAWA officer determines what information about a victim should be disclosed and to whom this information should be disclosed.



CEI promotes programs that educate, prevent and bring awareness to students and employees, both incoming and current, concerning violence against women, sexual harassment, and discrimination and hate crimes. Student Life is aware of the need to educate and train the student body about these types of crimes by encouraging staff and students to take part in community events like Walk-a-Mile in Her Shoes which raises money for the Domestic Violence and Sexual Assault Center, a local crisis center; by observing National Domestic Violence Awareness month by wearing purple ribbons and by providing basic information on Clery, VAWA and Title IX to incoming students during Falcon Basic Training and new student orientation.

CEI Student Life and Human Resources promote risk reduction, prevention and awareness campaigns in the effort to instruct students and employees as to how and to whom alleged offenses should be reported, the importance of preserving evidence that can assist in proving an alleged criminal offense or obtaining a protection order and how to reduce the risk of being a victim of sexual crimes, harassment, or discrimination.

CEI works to establish programs that prevent dating violence, domestic violence, sexual assault and stalking with intentional initiatives and strategies that are culturally relevant, inclusive of diverse communities and identities and responsive to community needs. The VAWA/Title IX officer assesses those programs to assure effectiveness, value and outcome.

CEI's Human Resource Department is responsible for offering training and awareness to employees through online education programs that both new employees review at their initial orientation and regular employees review yearly as a part of their job description.

CEI's recent purchase of Maxient reporting software will allow web-based reporting, improve and assist with increased electronic reporting and provide easier access for electronic anonymous reporting, especially for Title IX cases.

#### *Campus Security Authorities (CSA)*

CEI appoints and trains Campus Security Authorities (CSA) regarding notification of law enforcement and/or campus security. Yearly training is provided as to when and how to offer choices of calling in law enforcement if the victim so chooses, along with the rights of victims, "no contact" orders, restraining orders and other such similar orders issued by the courts or CEI. They are given procedures to follow in protecting the confidentiality of victims and other parties. They are also trained on how to record any incident that they are involved with in order to disclose pertinent information without inclusion of personally identifying information about the victim for Clery reporting purposes. They are instructed to report promptly so that CEI can determine if there is a need for a timely warning to be broadcast for incidents that would pose a serious or continuing threat of bodily harm or danger to the campus community. They are trained

to maintain confidentiality so as not impair CEI's ability to provide accommodations or protective measures.

Examples of CEI Campus Security Authorities are: Dean of Students, Instructional Deans, Executive Director of Human Resources, Title IX Coordinator(s), VAWA officer(s), Registrar(s), Associate Deans, Security Supervisor, Department chairs, Student Affairs individuals who work with students, Senior Coordinator of Center for New Directions, Admissions Director, Senior Coordinator of Student Life and any other individuals employed at CEI that have significant responsibility for students and campus activities.”

Please note that a CSA is not responsible for determining authoritatively whether a crime took place—that is the function of Campus Safety and/or law enforcement personnel. A CSA should not try to apprehend the alleged perpetrator of the crime. This is the responsibility of law enforcement. It is also not the responsibility of a CSA to try to convince a victim to contact law enforcement if the victim chooses not to do so.

All CEI employees (except professional or pastoral counselors) are required to report allegations of sexual misconduct, relationship violence or intimate partner abuse, or Title IX violations to the Dean of Students/Title IX coordinator. Some policy violations such as non-consensual sexual intercourse, non-consensual sexual contact, stalking, relationship violence or intimate partner abuse could also constitute crimes reportable under the Clery Act.

A victim always has the right to report formally, informally, or anonymously, or they can speak with off-campus resources including licensed professional counselors or staff, local rape crisis counselors, clergy members or on-campus licensed professional counselors. Campus professional counselors are employees of CEI whose responsibilities include providing psychological counseling to members of the school community when they are functioning within the scope of their license or certification. These professional counselors, when they act as such, are not required to report crimes for inclusion into the annual disclosure of crime statistics. They are encouraged to inform those being counseled of the procedures to report crimes on a confidential, voluntary basis for inclusion in the crime statistics as required by the Clery Act.

A victim of a crime who does not want to pursue action either through CEI's disciplinary system or the criminal justice system may consider making a voluntary, confidential report to the Dean of Students/Title IX officer. CEI policy is that any anonymous report can be dropped off at the Title IX Coordinator's office, emailed anonymously to [student.concern@cei.edu](mailto:student.concern@cei.edu) or reported to someone else with the understanding that details of the misconduct, including identifying information will be shared with the Title IX Coordinator.

## **Confidential Reporting**

A confidential report has two purposes. One is to acknowledge and respect a victim's right to keep the matter confidential to any extent possible. The other purpose is to ensure that CEI can

take steps to protect the safety of the victim(s) and others. Any information that is obtained in a confidential report will only be shared with CEI officials who assist in the investigation and resolution of the complaint, or as required by law. In cases of sexual abuse or assault, domestic or relationship violence, or intimate partner abuse, identifying information will be passed to the Title IX Coordinator who according to federal requirements will provide resources and notification of rights as necessary. The Title IX Coordinator will not pressure any party for additional details and will provide Campus Security with enough information so that crime statistics can be reported per the Clery Act and so that any timely warning maybe sent out to the campus for the protection of others.

Per CEI Student Affairs Policy Section 602, CEI will provide written notification to victims about existing counseling, health services, mental health services, victim advocacy, legal assistance, visa and immigration assistance, employee assistance programs, altering work arrangements for employees and student employees, campus safety escorts, contact limitations (no contact orders) between parties, academic support, extensions of deadlines or other course/program-related adjustments, student financial aid and any other services available for victims, both within CEI and in the community. CEI will also provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation or working situations and/or protective measures. This written notice will be provided to any victim whether the offense occurs on or off campus. CEI will provide accommodations or protective measures if the victim requests and if they can be reasonably provided regardless of whether the victim chooses to report the crime to police or campus security. CEI will implement measures to insure minimal impact on academics and in a way that does not unreasonably burden a party. The Title IX officer will determine what measures to take and provide all written notices to parties involved.

### **Investigations and Disciplinary Actions**

CEI policy in cases of institutional disciplinary action regarding alleged dating violence, domestic violence, and sexual assault or stalking, harassment, discrimination, hate crimes or retaliation, as described by The Clery Act or Title IX, is that the institution takes these types crimes very seriously and desires to promote accountability.

If an individual is a victim of the above-mentioned crimes, they may choose whether to report the incident to CEI or law enforcement or both. Even after reporting, an individual may determine the level of their participation in the investigation and any proceedings. Whether a victim reports the crime to the police or not, if the alleged offender is a member of the college community, the victim has the right to seek disciplinary action against him or her. However, whether the victim reports it to anyone or not, CEI employees, staff and administration are required to report the incident if they have knowledge of it occurring.

If the victim would like to initiate a Title IX investigation regarding any incident of sexual assault, domestic violence, dating violence or stalking, they should report it directly to the Dean of Students who can be reached at 208-535-5451. An appropriate investigation, and if necessary, disciplinary procedures will be taken against individuals who violate CEI policy.

Victims of sexual assault should know that filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim
- Allow officials to collect evidence that would be helpful in a prosecution, which cannot be obtained at a later time
- Assure that the victim is able to access free, confidential counseling from experts specifically trained in a sexual assault crisis intervention

However, no student will be pressured to file a police report if they do not want to. Victims of sexual assault can access counseling from CEI or counseling and support services from the local Crisis Center.

All CEI employees, including CSAs, except counselors or those considered confidential resources, are required to report any VAWA/Title IX incident to the Dean of Students. Victims and witnesses are encouraged to report one of the aforementioned acts to campus security, a counselor, Student Affairs or the Dean of Students. Once the initial report is received, CEI will make sure the victim is kept safe, and depending on the circumstances and the victim's desire, medical or emergency providers are contacted and local police are advised. If the victim does not wish to pursue criminal action or a formal proceeding, the duty of Title IX officer is to evaluate that request in light of CEI's duty to ensure the safety of those on the campus and comply with state and federal laws. CEI may be compelled to act on alleged employee misconduct irrespective of the victim's wishes. If the police are involved, the investigation for criminal action is vested in their duties and if they are not involved by request of the victim, the Dean of Students or Title IX officer's team will investigate the circumstances.

The anticipated timeline for investigations is not always known but they are normally done within 30 days depending on the circumstances, availability of witnesses, extent and complexity of the allegations, etc. CEI could undertake a short delay in the investigation if requested by law enforcement, if there is a need for language assistance, in the absences of parties and/or witnesses, or if accommodations are needed for disabilities or health conditions. If such a delay occurs, written notice will be provided to the accuser and the accused and will state the reasons for delay. CEI will avoid all undue delays within its control. CEI will always make a good faith effort to investigate, be as prompt as circumstances permit, and communicate quickly and clearly in writing with all parties as to the progress and timing. Any proceedings will be conducted in a manner that is transparent to both parties and will give timely notice of meetings at which either

or both parties may be present. CEI will also provide timely and equal access to the parties and appropriate officials to relay information that will be used and will use officials who do not have a conflict of interest or bias that is for or against either party.

If the Dean of Students or Title IX office does a formal investigation it will involve the victim's statement, witness statements, available evidence of the crime and if possible, a statement from the alleged perpetrator. However, no matter what the reporting decision is, CEI will:

1. Offer supportive measures because the victim does not wish to file a formal complaint and/or
2. Offer an informal resolution and/or
3. Hold a formal grievance process that include an investigation, a hearing and a determination.

If the alleged perpetrator is a student or employee, CEI has the duty to impose sanctions that are meant to stop the illegal action, especially if the victim chooses not to involve the police. This means that the action will involve a hearing and depending on the determination of those involved, some action that disciplines the perpetrator if they are found to be guilty. The discipline is determined by what is needed to protect the victim, promote accountability and protect other students, employees and visitors to the CEI campus.

Per CEI Policy 602, any notice of a VAWA violation will require action from CEI called the Equity Resolution Process (ERP). This resolution process involves a prompt preliminary inquiry to determine if there is reasonable cause to believe the nondiscrimination policy has been violated and if it has, initiate a confidential investigation that is thorough, reliable, impartial, prompt and fair. CEI will use members of the ERP pool (a list can be found at [www.cei.edu](http://www.cei.edu) under the Student Right-To-Know). ERP pool members can be faculty, staff and student leadership who are trained in the ERP process (found in our Title IX and ERP policies on the HR website). This list may include CSA's, BIT members, staff/faculty at large, student senate leadership and student club leaders, provided there is no conflict of interest. Members of the ERP pool are trained in all aspects of the resolution process. Their role is to:

- Provide sensitive intake for and initial advice pertaining to allegations
- Investigate allegations
- Act as process advisors to those involved in the ERP
- Serve on hearing panels for allegations
- Serve on appeal panels for allegations

ERP pool members also recommend proactive policies and serve in an educative role for the community. They are appointed by the President in consultation with the Title IX Coordinators.

For students, a finding of discrimination, harassment, violation of VAWA laws or conduct in violation of the policy means CEI could impose (in addition to a possible referral to law enforcement):

- A warning if the action was determined to be a minor policy violation
- A censure along with restrictions on minor privileges
- Restitution in cases requiring repair, replacement or compensation for damages, physical loss or injury to property or person
- Probation which could equate to the student not being in good standing and would identify terms for continued enrollment
- Suspension of the student from courses, activities, and/or presence on college properties for at least one semester. Readmission would take a written petition and if granted, probation for at least one semester
- Expulsion which would be an administrative decision that would terminate the student indefinitely
- CEI will also take other actions as appropriate to protect a complainant against third parties such as barring them from CEI property and/or events that occur there

CEI can limit or remove any student or employee perpetrator from their educational program on an emergency basis if the risk assessment by the Behavioral Intervention Team determines there is an immediate threat to the physical health or safety of any student or individual. This analysis is begun by the Title IX officer or Dean of Students using standard objective violent risk assessment procedures. The victim and their advisor may be permitted to participate if it is determined that it would be equitable to do so.

The standard of evidence for an ERP is high and can include interviews with the victim, the alleged perpetrator and witnesses; the results of an investigation either by law enforcement or the Dean of Students; medical reports from any provider that may have been involved; and physical evidence that may have been collected at the site of the criminal act or upon the body of the victim.

CEI is required to offer a process that is prompt, fair, impartial and unbiased. All parties have a full and fair opportunity, through the process, to suggest witnesses and questions, provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

CEI will not share the identity of any individual who has made a report or complaint of harassment, discrimination or retaliation. ERPs will be conducted by officials who have received training on issues relating to dating violence, domestic violence, sexual assault, stalking, and harassment of any type, discrimination or retaliation. They are also trained to conduct an investigation and hold a hearing that protects the safety of victims and promotes accountability.

The Title IX Coordinator will ensure impartiality during the investigation by vetting the investigator(s) to make sure there are no conflicts of interest or disqualifying biases. The accuser and the accused will have the same opportunity to have others present during any proceeding and have the opportunity to be accompanied by an advisor of their choice. There is an appeal process and either party will have the right to appeal the results. After one appeal, the results will be final. CEI will also notify both parties as to procedures for either party to appeal the result, any change to the result and when the result becomes final.

CEI, as an institution, will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purposes of this policy. CEI is required as an institution to provide both the accused and accuser with written notification of any result of disciplinary proceedings that arise from the allegation of dating violence, domestic violence, sexual assault or stalking and in those cases, it is not necessary for the victim to make a written request.

### **Information Regarding Sex Offenders**

Sex offenders are required to register with the state of Idaho in the jurisdiction in which they reside and at institutions of higher learning if they are students there or work there as employees. Information concerning registered sex offenders can be obtained from the Idaho Falls Police Department or at the following link: [https://www.isp.idaho.gov/sor\\_id/SOR](https://www.isp.idaho.gov/sor_id/SOR) per Section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921). The CEI campus zip code is 83404.

### **External Reporting**

If you are a student and filed a complaint with the Title IX Coordinator or a designee and believe the response was inadequate, or you otherwise believe you have been discriminated or retaliated against by CEI, you may file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education:

Office for Civil Rights U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202-1100  
Customer Service Hotline #: (800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>

If you are an employee, you may file a complaint with the Equal Employment Opportunity Commission (EEOC):

Equal Employment Opportunity Commission  
Regional Seattle Field Office  
Federal Office Building  
909 First Avenue, Suite 400  
Seattle, WA 98104-1061  
Phone: 1-800-669-4000  
Fax: 206-220-6911  
TTY: 1-800-669-6820  
ASL Video Phone: 844-234-5122  
Contact: <http://www.eeoc.gov/contact/>

## **Arrests and Referrals for Weapons, Drug Abuse and Liquor Law Violations**

CEI is required to disclose the number of people arrested and referred for disciplinary action for violations of weapons laws, (carrying or possessing, etc.), drug abuse or violation of liquor laws.

An arrest is defined as persons processed by arrest, citations or summons.

Violation by students of alcohol or drug related violations will be reported to the Dean of Students for disciplinary action as well as referral to local or state authorities for possible criminal prosecution. A referral regarding student violations may be initiated in a formal or informal manner by CEI and does not have to originate with the police. Students should be aware that conviction of a state or federal drug law while receiving financial aid can jeopardize future awards. Referral for disciplinary action is defined by three criteria:

- The official receiving the referral must initiate a disciplinary action,
- A record of the action must be established, and
- The action may, but does not have to, result in a sanction.

*Liquor law violations:* The violation of state or local ordinances prohibiting the manufacture, sale, purchase, transport, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Included in this classification would be the manufacture, sale, transport, furnishing or possessing of liquor as well as maintaining an unlawful drinking place, bootlegging, operating a still, furnishing alcohol to a minor or intemperate person, underage possession, using a vehicle for illegal transportation of liquor, drinking on a train or public conveyance and all attempts to commit any of the activities above.

*Drug abuse violations:* The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. This includes unlawful cultivation, manufacture, distribution, sale, use, growing, transportation or importation of any controlled drug or narcotic substance. It also includes arrest for violations of state and local laws specifically those relating to the unlawful possession, distribution, sale, use, growing, manufacturing and the making of narcotic drugs. CEI will enforce all State and Federal drug laws.



*Weapon law violations (carrying, possessing, etc.):* The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapon offenses that are regulatory in nature. The following are classified as weapons violations: the manufacture, sale, or possession of deadly weapons, the carrying of deadly weapons, the using, manufacturing, etc. of silencers; the furnishing of deadly weapons to minors, aliens possessing deadly weapons; and attempts to commit any of the aforementioned. Policy 417.3 lists possible exemptions for the possession or carrying of a deadly weapon. <https://www.cei.edu/hr/policies-procedures/student-affairs/view?p=417>

## **Substance Abuse Policy**

Unlawful use, distribution or possession of illicit drugs or alcohol by students or employees on CEI property or at any CEI event is strictly prohibited. With the above standard as a guide, it is vital that all students, faculty and staff remember that substance abuse is an ongoing problem. Therefore, it is our goal to:

- Reduce alcohol and drug related problems with education and by offering treatment
- Provide specific guidelines describing both college and legal sanctions as they apply to alcohol and illicit drugs
- Identify alternatives available to those who experience substance abuse problems

Per the Drug-Free Schools and College Act, CEI publishes an annual report regarding the policies for alcohol, drug and weapon violations. The report not only details the school's policies, it instructs staff and students where to find the information, possible sanctions for on-campus violations, state and federal statutes and penalties and the long- and short-term effects of drugs and alcohol. It also contains counseling, treatment, prevention and education sources both on campus and in the community. Drug and alcohol abuse programs are available to students and employees and is required under Section 120 (a) through (d) of the HEA. This report is sent out to students and staff annually.

## **Hierarchy Rule**

When counting multiple offenses, CEI is required to use the FBI's UCR Hierarchy Rule. This rule states when there is more than one criminal offense committed during a single incident it is counted under the most serious offense. A single incident means that the offenses were committed at the same time and place. The hierarchy for reporting Clery Act crimes beginning with the most serious offenses is murder and non-negligent manslaughter, manslaughter by negligence, sexual assault, robbery, aggravated assault, burglary and motor vehicle theft. The crimes of arson, domestic violence, dating violence, stalking, and arrests on referrals for drugs, liquor, or weapons law violations are not governed by the hierarchy rules, and statistics for these

crimes are reported in these categories plus any other crime category covered under the rule if applicable.

### **Annual Fire Report**

CEI has no residential facilities and is not obligated to provide an annual fire report. There have been no fires in any campus, non-campus or outreach facility for the years 2018-2020.

Once a year, CEI officials and security coordinate a fire drill during either the Fall or Spring semester. There is an emergency evacuation procedure for each building and they are posted in several places inside individual buildings. To report a fire students, staff, and administration are instructed to call 911 and provide information as to which building the fire is in, the building number and room number. Then they are instructed to help others exit and gather at the meeting place assigned for each building. They are also instructed to contact Security at 208-604-4597 for further assistance.