

# Idaho College of Osteopathic Medicine

2022 Annual Security Report

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Introduction	9
Annual Security Report	9
Campus Clery Geography	10
Security and Access to Campus Facilities	12
Campus Law Enforcement Authority	14
Authority to Arrest and Relationships with Law Enforcement	14
Monitoring of Student Organizations	15
Crime Statistics: Classifying and Counting Clery Act Crimes	15
Categories of Clery Act Crimes	16
Campus Security Authorities (CSA)	19
Accurate and Prompt Crime Reporting	21
Confidential Reporting	21
Pastoral and Professional Counselors	21
Timely Warnings	22
Emergency Notifications	23
Annual Emergency Response and Evacuation Testing and Evaluation	25
Personal Safety and Security	26
Crime Prevention	28
Safety Escorts	28
Emergency Telephones in Parking Lots	29
Drug, Alcohol and Substance Abuse	29

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as Amended by the Violence Against Women Reauthorization Act of 2013	32
Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking	32
State of Idaho Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking	35
Consent	40
Sexual Assault, Domestic Violence, Dating Violence, and Stalking: Prevention	40
How to be an Active Bystander	42
Risk Reduction	42
VAWA Primary Prevention Programming — New Students	44
VAWA Primary Prevention Programming — New Employees	46
VAWA Ongoing Prevention and Awareness Campaigns	47
Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs	49
Involvement of Law Enforcement and Campus Authorities	50
Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported	51
If a Report of Domestic Violence, Dating Violence, Sexual Assault or Stalking is Reported to the College, Below are the Procedures that the College will Follow	52

Rights of Victims and the Institution’s Responsibilities for Orders of Protection, “No Contact” Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution	52
Institutional No Contact Orders	54
Accommodations and Protective Measures Available for Victims	54
On and Off Campus Services for Victims	55
Confidentiality	59
Adjudication of Violations (Excerpts Taken From the ICOM Prohibited Discrimination, Harassment and Related Misconduct Policy)	60
Procedures Applicable to Requests for Investigations of Allegations of Sexual Misconduct	61
Procedures for Reporting and Investigating Sexual Misconduct	63
ICOM’s Title IX Coordinator	63
Title IX Response Team Members	63
Investigation Requests Regarding Sexual Misconduct or Sexual Violence Alleged to have been Committed by a Student	64
Student Appeals of Formal Sexual Misconduct or Sexual Violence Findings	67
Procedures Applicable to Complaints of Sexual Misconduct Allegedly Committed by an Employee	69
Appeals of Formal Sexual Misconduct of Sexual Violence Findings When Both the Reporting Party and the Responding Party are Employees	70



Interim Measures During Investigation Procedures	71
No Contact Order	72
Role of Attorneys in Formal and Sexual Violence Response Processes	72
False Reports/Allegations	73
Record of Request for Investigation and Decision	73
Audio and/or Video Recording of Proceedings	73
Confidentiality Options for Reporting Parties of Sexual Violence	73
Mandatory Reporting of Allegations of Sexual Violence by Responsible Employees	75
Prohibition of Retaliation	76
Training	76
Missing Student Notification	77
Fire Safety Log	77
Sex Offender Registration	77
Idaho Sexual Offender Registration Notification and Community Right-to-Know Act	77
Table 1 — Crime Statistics	79
Criminal Offenses Reporting Table	79
Violence Against Women Act (VAWA) Offenses	80
Arrests and Referrals for Disciplinary Actions	81
Hate Crimes	82
Unfounded Crimes	82

## MESSAGE FROM THE PRESIDENT

On behalf of the College Community, welcome to the Idaho College of Osteopathic Medicine!

Ensuring the safety of ICOM's students, faculty, staff and visitors is one of our highest institutional priorities. ICOM is committed to regularly updating and improving our campus safety plans. I encourage you to review this report. It provides important details about the safety resources available to you.

ICOM strives to promote and maintain a campus environment conducive to academic achievement. A truly safe campus can only be achieved through the cooperation of the entire campus community. With your help and participation, and our commitment, we are confident that the time you spend with us will be safe and productive.



Tracy J. Farnsworth, EdD, MHSA, MBA  
President and Chief Executive Officer



## MESSAGE FROM THE INTERIM DEAN

The Idaho College of Osteopathic Medicine's Annual Security Report is published each year to provide annual crime statistics, as well as information regarding safety and security-related services offered by the college. This report is designed to provide students, staff, faculty and visitors with personal safety information, and to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. A Fire Safety Log and Annual Fire Report is not included in this document as ICOM does not have student housing.

This report covers the Idaho College of Osteopathic Medicine main campus in Meridian, Idaho. Whether your business here is as a medical student, faculty member, staff member, or visitor, we are working hard to make this campus a place in which you can comfortably live, work and learn.

A handwritten signature in black ink, appearing to read "Kevin Wilson", with a stylized flourish at the end.

Kevin Wilson, DO, FACOI, FACP  
Interim Dean and Chief Academic Officer



# MESSAGE FROM CAMPUS SECURITY

## ICOM Security Team Mission Statement

*The Mission of ICOM Campus Security is to create a safe and secure learning and working environment while providing outstanding customer service to students, employees, and visitors to the college. This mission will be accomplished through teamwork and collaborative problem solving, utilizing best-practices in the campus security field.*

ICOM Campus Security is committed to your safety and well-being. We pride ourselves in serving the ICOM community through professionalism, respect, integrity, dedication, and excellence.

All members of ICOM Campus Security are highly experienced, retired law enforcement officers dedicated to the mission of the college. ICOM Campus Security has a strong working relationship with the Meridian Police Department, along with other emergency response agencies in the community. The safety of the ICOM community is our number one priority. We want you to know that campus security is here to assist and support you in your pursuit of a high quality osteopathic medical education.



Brian E. Connolly  
Campus Security Manager





## Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires higher education institutions which seek to qualify for Title IV student financial assistance programs to disclose campus crime statistics and security information through an Annual Security Report (ASR) to be published by October 1st of every year. A number of policy statements are required in the Annual Security Report to meet compliance with the Clery Act.

## Annual Security Report

The Annual Security Report (ASR), which is required by the Clery Act, is compiled by the Director of Campus Security, the designated Clery Compliance Coordinator for the college. The report contains Clery-reportable crime statistics which occurred within the ICOM geographic area for the preceding three years.

In the spring of each year, the ICOM Director of Campus Security submits a request to the Meridian Police Department to provide statistics for the preceding three years for any Clery-reportable crimes which occurred within the ICOM campus geography area. This includes public property adjacent to the campus, as well as areas of ISU-Meridian that are utilized by ICOM students. The statistics used for the Annual Security Report are taken from these records, from Clery-reportable crimes reported by ICOM Campus Security Officers or by other ICOM Campus Security Authorities (CSAs), and from the ICOM Campus Security Daily Crime Log, regardless if the crimes were subsequently reported to law enforcement.

Crime statistics are also requested from the appropriate law enforcement agencies for the temporary housing locations listed under **Non-Campus Buildings or Property** (below).

The Idaho College of Osteopathic Medicine Annual Security Report (ASR) will be published in September of every calendar year. The report will be posted to the ICOM website at the following link: <https://www.idahocom.org/campus/safety/>

The ASR will be distributed via email to currently enrolled students and employees no later than October 1st of each calendar year. The notification will include notice of the

report's availability, and a list of brief descriptions of the information contained within the report. ICOM will provide a paper copy of the Annual Security Report upon request. The request does not need to be made in writing, and there is no charge to individuals for a copy of the report.

Availability of the report will also be provided to any prospective student or prospective employee.

### Campus Clery Geography

For the purposes of collecting statistics for submission to the Department of Education and inclusion in an institution's Annual Security Report, Clery Geography includes buildings and property that are part of the institution's campus (including a subset of on-campus student housing facilities), the institution's non-campus buildings or property, and public property within or immediately adjacent to and accessible from the campus.

**On-Campus Geography:** The campus of the Idaho College of Osteopathic Medicine is located at 1401 E. Central Drive in Meridian, Idaho. It is a small campus, less than 1/8-mile square, bordered by E. Central Drive on the north, S. Locust Grove Road on the east, Interstate 84 on the south, and Idaho State University-Meridian Medical Science Center at 1311 E. Central Drive and the West Ada School District Offices at 1303 E. Central Drive on the west. Through a written agreement with ISU-Meridian, ICOM students utilize the Treasure Valley Anatomy and Physiology Laboratory (TVAPL) adjacent the ICOM building on the ISU-Meridian campus; all other ICOM classes are held within the ICOM building. Because of the close proximity, ICOM includes this portion of the ISU-Meridian campus in its on-campus geographic area.

Designated employee parking for the campus is located on the north and south sides of the ICOM building, with student/general parking located on the north and east side. A total of 255 parking spaces are available adjacent to the building. The east side parking area is available for use by West Ada School District employees, when necessary. ICOM also owns a satellite parking area located at 1460 E Central Drive on the northwest corner of E. Central Drive and S. Locust Grove, which provides an additional 192 spaces of student/general parking. Visitor spaces are located on the south side of the building.

In total, there are 10 designated disabled parking spaces on the campus. Most students attending ICOM travel to and from the school via personal automobile, motorcycle, or bicycle.

**On Campus-Student Housing:** ICOM provides no on-campus student housing.

**Non-Campus Buildings or Property:** While ICOM owns no off-campus property, it does provide temporary housing in several locations for ICOM students during their third year of clinical rotations. These locations are considered **Non-Campus Properties** for purposes of the Clery Act:

11760 S Country Club Drive  
Idaho Falls, Idaho 83404

Helgeson Hotel  
125 Johnson Ave,  
Orofino, Idaho 83544

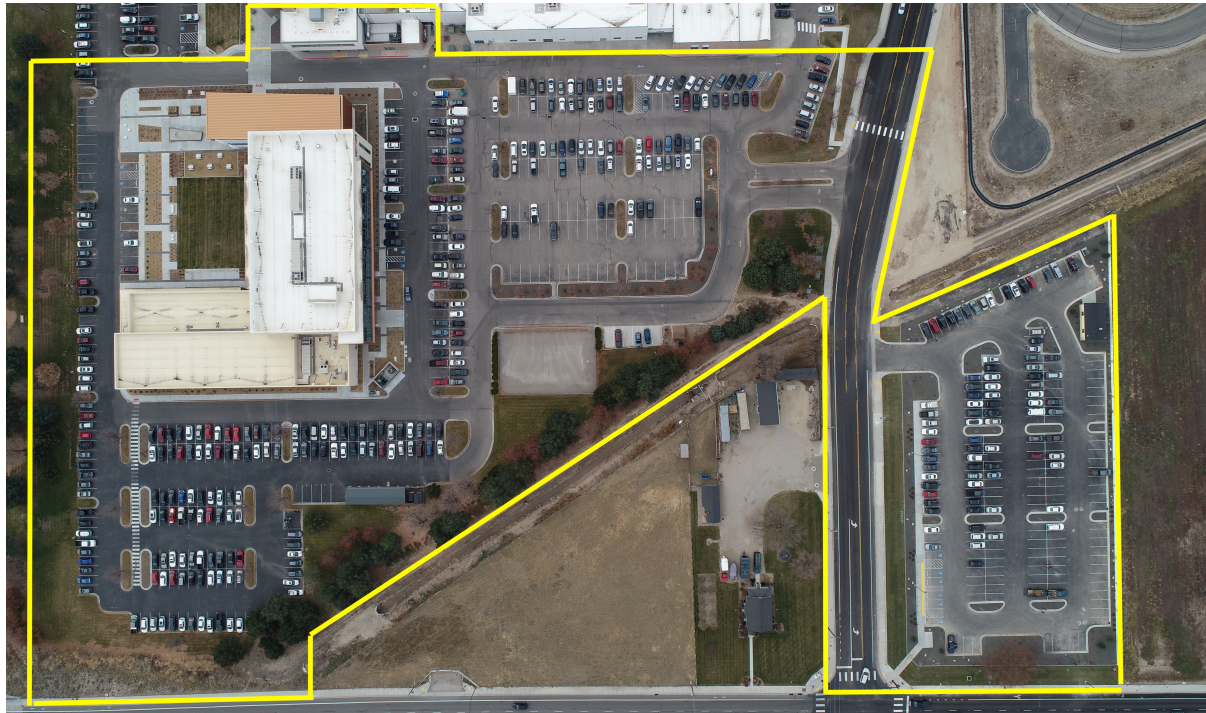
My Place Hotel  
440 N Haven Drive  
Twin Falls, Idaho 83301

745 N 600 East #1  
Logan, Utah 84321

Students began staying at all of these locations effective July 25, 2020 and will continue to stay until July 1, 2021. The exception is the Orofino location which ended February 13, 2021.

**Public Property:** Public property included in the Clery geographic area for ICOM, includes that portion of E. Central Drive and accompanying sidewalks on either side of the street from the crosswalk directly west of the shared West Ada School District / ICOM driveway entrance, to the intersection with S. Locust Grove Road; the sidewalks on the west side of S. Locust Grove Road from the ICOM parking area property frontage north of the intersection with E. Central Drive to the north end of the overpass

bridge crossing I-84 south of the E. Central Drive intersection. Also included is the West Ada School District parking lot directly north of the ICOM building, as well as the shared driveway between ICOM and the Idaho State University-Meridian Medical Science Center, and the sidewalk on the east side of ISU Meridian from said driveway between the properties to the west entrance of ISU Meridian.



## ICOM ON-CAMPUS AND PUBLIC GEOGRAPHY

### Security and Access to Campus Facilities

ICOM is committed to the safety and well-being of students, employees, and visitors. ICOM is a closed campus with a single point of entry for visitors during business hours. The ICOM campus is not open to the general public without specific business with an employee or student. **The building is staffed by Campus Security from 7:30am - 11:30 pm, seven days a week when classes are in session.** Summer hours may vary. Campus Security is normally located in the reception area at the front entrance unless foot patrols are being conducted in the interior or exterior of the building. **The on-duty Campus Security Officer can be reached by calling 208-795-4311.**



ICOM students and employees are issued identification badges during orientation and are required to wear the badges for access to the building. The badges will not allow entry beyond access hours.

Guests to ICOM are required to check-in at the reception desk using the electronic kiosk. Their photographs are taken, and they are issued temporary identification which they are required to display. An electronic log is created which records their names as well as the person they are visiting. Visitors are to be escorted by ICOM students or employees at all times.

During orientation and throughout the year, students and new employees are reminded not to allow unauthorized persons into the building, and to report anyone they do not recognize to Campus Security.

During an extended closure, such as for Winter Break, only authorized personnel will be granted access to campus property and facilities. Campus Security Officers carry keys to all ICOM areas and are available during business hours to access rooms for authorized entry.

The ICOM Director of Facilities has the responsibility for the day-to-day operations of the ICOM building. Building maintenance is performed either by the Director or their subordinate. Private contractors provide additional services such as snow removal from the sidewalks and driveways, and landscaping maintenance.

Campus Security Officers conduct regular foot patrols both inside the ICOM building and in the adjacent ICOM parking lots and will investigate and report any facilities safety concerns to the Director of Facilities. ICOM students and employees are encouraged to report unsafe conditions inside or outside the building to the Director of Facilities or any Campus Security Officer. This can be done via telephone, email, or in person.

The ICOM Director of IT has the responsibility for ensuring that building swipe-card access, via student and employee identification cards, operates properly. Students or employees whose identification cards are lost or stolen are required to report the loss to

the Director of IT within 24 hours to prevent access to the building by unauthorized individuals. Maintenance of the video surveillance system and of the Alertus Mass Notification System is conducted by a company contracted by ICOM.

## Campus Law Enforcement Authority

ICOM Campus Security is comprised of experienced, retired law enforcement officers with responsibility for the safety and security of ICOM students, employees and property. Campus Security Officers act as agents for the College and have the authority to ask persons for identification to determine whether individuals have lawful business on the ICOM campus. ICOM Campus Security is not a law enforcement agency and the security officers do not have law enforcement authority.

The geographic area of authority of ICOM Campus Security Officers includes the ICOM building located at 1401 E. Central Drive, Meridian, Idaho; the sidewalks immediately adjacent the ICOM building; the front (south) lawn and fountain plaza area; the parking area to the south of the building; and the north parking area adjacent the building. ICOM property also includes the satellite parking area and utility building located at 1460 E. Central Drive on the northwest corner of E. Central Drive and S. Locust Grove Road. ICOM shares control of the parking area on the east side of the ICOM building through an agreement with the West Ada School District.

## Authority to Arrest and Relationships with Law Enforcement

ICOM Campus Security Officers no law enforcement authority, but they do have citizen arrest powers granted all private citizens through Idaho State Code. Criminal incidents are referred to the Meridian Police Department, who have law enforcement jurisdiction on and adjacent to the ICOM campus. While the College has no written Memorandum of Understanding with the Meridian Police Department, ICOM Campus Security maintains a highly professional working relationship with this agency. Strong partnerships between ICOM and the Meridian Police Department, Meridian Fire Department, and Ada County Paramedics, strengthens the safety and security of the ICOM Campus. Idaho State Police and the Ada County Sheriff's Office may respond in the event of a major emergency on campus, but they normally do not patrol the campus nor respond to calls for service at ICOM. ICOM Campus Security does not regularly interact with either agency.

For the safety and security of the ICOM students, employees and visitors, Campus Security Officers are authorized by the Idaho College of Osteopathic Medicine to be armed. They receive regular firearms training, at least semi-annually, and must complete and pass the same certification course required of locally retired police officers annually. Campus Security Officers train regularly to respond to the potential of an intruder or active shooter in the building or on the campus.

ICOM Campus Security considers personal safety, along with property protection, a priority. Any incident report or safety concern is reviewed and acted upon accordingly. Criminal incident reports generated by ICOM Campus Security will be referred to the Meridian Police Department for investigation, unless the victim does not wish to file a formal report with law enforcement.

Students and employees are required to comply with the directives of Campus Security, all law enforcement agencies, and all ICOM officials. Students are also required to present valid ID upon request.

## Monitoring of Student Organizations

At some institutions of higher education, local law enforcement monitors criminal activity at locations utilized by recognized student organizations (such as fraternity and sorority houses), and reports this to the school. ICOM has no student organizations with non-campus locations and has no agreement with local law enforcement to monitor criminal activity, on or off campus, of any recognized ICOM student organization.

## Crime Statistics: Classifying and Counting Clery Act Crimes

The Clery Act requires institutions to disclose statistics for reported crimes based on the following details:

- Where the crimes occurred,
- To whom the crimes were reported,
- The types of crimes that were reported, and
- The year in which the crimes were reported.

Educational institutions must disclose statistics for reported Clery Act crimes that occur (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that the institution owns or controls. Crimes that didn't occur within the ICOM Clery Act geography are not included in the Clery Act statistics, even if ICOM students or employees are involved.

The entire campus of the Idaho College of Osteopathic Medicine is located within the law enforcement jurisdiction of the Meridian Police Department.

## Categories of Clery Act Crimes

The Clery Act requires educational institutions to include four general categories of crime statistics:

**Criminal Offenses:** Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.

**Hate Crimes:** Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/ Vandalism of Property that were motivated by bias. \* *(see Clery Act definitions listed below)*

**Violence Against Women Act (VAWA) Offenses:** Any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes); and

**Arrests and Referrals for Disciplinary Action:** for Weapons-carrying, possessing, etc. Law Violations, Drug Abuse Violations and Liquor Law Violations.

Statistics must be disclosed separately for each of these four general categories. This means that when an incident meets definitions in more than one of these categories, it must be reported in each category.



\*A Hate Crime is 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 Clery Act, only the following eight categories are reported:

- **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.

### **The Daily Crime Log**

The ICOM Director of Campus Security maintains a Daily Crime Log to record all criminal incidents and alleged criminal incidents that are reported to Campus Security. Another member of Campus Security is designated as an alternate in the event the director is unavailable to record an incident in the Daily Crime Log.

Crime log entries include all crimes reported to the campus police or security department for the required geographic locations, not just Clery Act crimes.

The crime log includes specific information about all criminal incidents that occur on campus geography, but does not compile crime statistics.

The log is designed to provide crime information on a more timely basis than the annual statistical disclosures. A crime must be entered into the log within two business days of when it was reported to ICOM Campus Security. This includes crimes that are reported directly to ICOM Campus Security, as well as crimes that are initially reported to another Campus Security Authority or to a local law enforcement agency, when subsequently reported to Campus Security.

The Daily Crime Log is required to provide the following information:

- The date the crime was reported
- The date and time the crime occurred
- The nature of the crime
- The general location of the crime
- The disposition of the complaint, if known

An electronic link to the current Daily Crime Log can be reached from the ICOM website Safety and Security page at the following URL: <https://www.idahocom.org/campus/safety/>

Upon request, a print copy of the Daily Crime Log can be made available for inspection at the Campus Security Desk near the main entrance to ICOM.

## Campus Security Authorities (CSA)

A Campus Security Authority (CSA) is an individual, who by virtue of their college responsibilities and under the Clery Act, is designated to receive and report criminal incidents to ICOM Campus Security so that they may be included and published in ICOM's Annual Security Report. Individuals identified as Campus Security Authorities must undergo annual CSA training. This training will be provided via online training through the Human Resources Department, and may be supplemented with additional presentations from ICOM Campus Security.

### **Designated ICOM Campus Security Authorities**

All ICOM Campus Security Officers are CSAs, but other ICOM employees designated as CSAs include:

- ICOM President/CEO
- ICOM Dean/CAO
- ICOM Title IX Coordinator
- Assistant Dean of Student Services
- Director of Human Resources
- Director of Student Affairs
- Payroll/Human Resources Specialist
- Student Affairs Coordinator
- Learning Specialists
- Director of Facilities
- Faculty members who have significant student contact outside of the classroom learning environment
- Administrative Assistants to the President, the Dean, and the Title IX Coordinator, as well as the Front Desk Receptionist

## **Campus Security Authority Responsibilities**

The function of a Campus Security Authority is to report to ICOM Campus Security allegations of any Clery Act crimes that he or she directly receives. CSAs are responsible for informing Campus Security of allegations of Clery Act crimes that are reported to them in their capacity as a CSA only. CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.

It is preferable that CSAs directly notify the on-duty ICOM Campus Security Officer of any allegations of Clery-reportable crimes which have occurred on campus. As an alternative, the CSA may file an online CSA report which will be forwarded to the Director of Campus Security.

The online reporting form can be found at this link: <https://www.surveymonkey.com/r/Q3LPRRP>

A crime which has just occurred, or is in progress, should be reported immediately to the on-duty ICOM Campus Security Officer. If appropriate, a call to 9-1-1 should be made prior to contacting Campus Security.

The Campus Security Manager has the responsibility to screen the reports and to ensure they are routed to the appropriate parties (local law enforcement, Title IX Coordinator, HR Director) for further investigation and follow-up.

The Campus Security Manager is responsible for coordination and oversight of the Campus Security Authorities at the college. These duties include:

- Ensuring each CSA understands their responsibilities and completes their required annual CSA training.
- Ensuring CSA crime reports are completed and forwarded to Campus Security on a timely basis.
- Maintaining documentation of crime reports submitted to Campus Security.



## Accurate and Prompt Crime Reporting

Crime victims are strongly encouraged to immediately report criminal activity to the appropriate police agencies, and to ICOM Campus Security for crimes committed on campus. Prompt reporting will assure timely warning notices of campus crime and assist in full disclosure of crime statistics.

Witnesses to crimes are strongly encouraged to report incidents to Campus Security and the appropriate law enforcement agency when the victim of a crime elects not to, or is unable to, report it themselves. Likewise, others in the ICOM community who may not have witnessed the incident themselves, but are aware of it, are encouraged to report it to Campus Security.

**The on-duty Campus Security Officer can be contacted in person, or by calling 208-795-4311. In the event of an emergency, or if the crime is still in progress, the calls should first be placed to 9-1-1.** Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the campus community should be reported. Campus Security can also provide reporting advice concerning crimes or incidents which occur off campus.

*While Clery Act crimes may be reported to any ICOM Campus Security Authority, those reporting crimes are encouraged to make reports directly with the Campus Security Manager or any Campus Security Officer.*

## Confidential Reporting

Victims or witnesses wishing to report a crime on a voluntary, confidential basis for inclusion in the annual security report can submit an anonymous report form to ICOM Campus Security at the following link: <https://www.surveymonkey.com/r/NJY5TLX>

## Pastoral and Professional Counselors

ICOM employs professional counselors to provide counseling services to students. In addition, Idaho State University's Counseling Clinic provides a low cost service for ICOM students. Many college students experience stressors associated with all aspects of their lives, i.e. academics, familial, relational, etc. The counseling clinic is available to

help provide the needed support as student's navigate their lives alongside their educational journey.

Counseling for employees is available through the college's Employee Assistance Program.

Counselors are encouraged, if and when they deem it appropriate, to inform individuals they are counseling of their ability to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. An anonymous report can be filed online at <https://www.surveymonkey.com/r/NJY5TLX>

## Timely Warnings

ICOM will issue a Timely Warning if a Clery Act crime is reported within campus Clery geography, and is considered by the college to represent an ongoing and/or serious threat to students and/or employees. *The decision to broadcast a Timely Warning is determined on a case-by-case basis, and will take into consideration: the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.*

Timely Warnings will be distributed to the entire ICOM community via the ICOM email accounts of all employees and students. If there is an immediate threat to the health or safety of students and/or employees occurring on campus, ICOM will follow its **Emergency Notification** procedures described below.

ICOM may, in appropriate circumstances, include personally identifiable information (PII) in a timely warning. Although personally identifiable information is generally protected from disclosure under the Family Educational Rights and Privacy Act (FERPA), such information may be released in a Timely Warning.

The Campus Security Manager will normally disseminate Timely Warnings. Other ICOM officials authorized to issue Timely Warnings include the President, the Dean, the Director of Facilities, or any member of Campus Security. The Director of Communications should be consulted, when practicable, in drafting the message to the

ICOM community. This dissemination will be primarily made through the ICOM email system.

ICOM may elect to issue an alert for other crimes, or crimes that occur outside of our campus property but may affect the campus community, as determined on a case-by-case basis.

## Emergency Notifications

ICOM will issue an Emergency Notification upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

The following list of situations, or similar circumstances, could require an Emergency Notification:

- A potential life-threatening situation on the campus (active shooter or bomb threat)
- A building emergency (gas leak, hazardous material spill, etc.)
- Extreme weather conditions (official weather warnings)
- Unplanned college closures (for weather, power outages, etc.)

**In considering the issuance of an Emergency Notification, ICOM will, without delay, and taking into account the safety of the community, determine the content of the Notification and initiate the Notification, 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 the emergency.**

One of the following individuals or their designee will assess the situation, either by direct observation or notification by local emergency services, and determine if a circumstance warrants an Emergency Notification:

- Campus Security Manager
- The Director of Facilities
- The on-duty Campus Security Officer

Once an emergency or dangerous situation has been confirmed by one or more of the individuals listed above, they will authorize the Emergency Notification. ICOM

Campus Security or their designee will create the Emergency Notification for broadcast using a pre-scripted template if applicable. If a pre-scripted message is not available, the circumstances will dictate the content.

As time permits, the individual authorizing the Emergency Notification will ensure that the ICOM President and/or the ICOM Dean are aware of the situation if they were not on campus at the time of the Notification.

### **Content of the Emergency Notification Message**

ICOM Campus Security will determine the content of the Emergency Notification by assessing the situation and choosing an appropriate message for the Emergency Notification.

Some of the following factors could influence the content of the final message: armed suspects, bomb threat, fire, hazardous materials incidence, shooting, street closure, or weather-related emergency. Names of victims, if any, will be treated as confidential and withheld.

### **Emergency Notification/Method of Distribution**

ICOM Campus Security will send Emergency Notifications through the Alertus Mass Notification system. The Dukane building paging system may also be utilized if necessary.

In the event Campus Security is unavailable to issue an Alertus message or building page, the Director of Facilities or Director of IT can issue the alert.

The Director of Communications may send information about the Notification via social media to the general public and the media, if appropriate.

### **Recipients of the Emergency Notification**

Under most circumstances, ICOM will send its entire community an Emergency Notification. If sending the Notification to some members of the campus community and not others becomes necessary, the following factors will be considered:

- Type of Emergency,
- Location of Emergency, or

- The possibility the Emergency will become more dangerous.

Other factors, not included above, which can impact the segmentation of the Emergency Notification, can also be included. These will be evaluated on a case-by-case basis at the discretion of the official crafting the notification.

### **Emergency Status Updates and “All Clear” Notifications**

Emergency Notification status updates will be made when new information or instructions are available.

An “All Clear” Notification indicates the emergency situation has been contained. All Clear Notifications must be approved by the ~~Director of~~ Campus Security Manager, the on-duty Campus Security Officer, or the Director of Facilities.

If a situation is believed to present a significant emergency or dangerous situation to the larger community outside of the ICOM campus, the on-duty Campus Security Officer, or their designee, will notify the 9-1-1 Emergency Dispatch Center.

### **Annual Emergency Response and Evacuation Testing and Evaluation**

ICOM will test various aspects of the college’s emergency response and evacuation procedures several times per year. The tests may or may not be announced ahead of time, providing the opportunity to objectively test the response procedures.

The Campus Security Manager will publicize the school’s emergency response and evacuation procedures in conjunction with at least one test per calendar year.

Each test will be documented for future reference. This will include a description of the test, the date and time the test was conducted, and whether it was announced or unannounced.

- The annual program will include both drills and exercises.

A drill is an activity that tests a single procedural operation (e.g., a test of initiating a cell phone alert system or a test of campus security personnel conducting a campus lockdown).

- An exercise is a test involving coordination of efforts (e.g., a test of the coordination of first responders, including police, firefighters and emergency medical technicians).

The drills and exercise plan will contain follow-through activities designed to review the test, such as conducting interviews or surveys to obtain feedback from participants. The follow-through activities will:

- Be designed for assessment of emergency plans and capabilities. The test should have measurable goals, such as, “everyone involved in the emergency response and notification procedures will understand his or her role and responsibility.”
- Be designed for evaluation of emergency plans and capabilities. The assessment will allow ICOM Operations to determine if the test met its intended goals. For example, “The evacuation process accounted for / did not account for the diverse needs of all members of the campus community.”

On July 21, 2021, ICOM conducted a Tabletop Exercise involving Campus Security personnel, Facilities, IT, Communications, Leadership and other ICOM staff, as well representatives from the Meridian Police Department, Meridian Fire Department, Ada County Paramedics and Ada County Emergency Management. The exercise involved an armed subject who made unauthorized entry into an auditorium. Lessons learned from the exercise will be used to guide emergency procedures for all agencies involved.

## Personal Safety and Security

During student and new employee orientation, students and employees receive training related to building rules, safety and security recommendations, fire alarm evacuation, assembly areas, areas of rescue assistance, building evacuation and building lockdown procedures, and active shooter response guidelines. ICOM Campus Security is responsible for providing this training.

The following web-based training through Collabornation, ICOM’s online training portal, is made available for new and current students, as well as new and current employees:



## **A Student Guide to Campus Safety**

Colleges and universities devote much time and effort to creating safe learning and living environments for students and staff. Students have an important role to play. This course outlines the safety precautions students should know and apply, whether they are on or off campus.

### **Responsibility for Own Safety**

Students and employees are ultimately responsible for their own safety and the safety of the campus, as campus security and law enforcement can't be everywhere. The best security features of a building can be defeated by the failure to follow building access guidelines. Holding the door for someone who you do not know and is not wearing ICOM identification is one example of building security being compromised. Anything or anyone who appears out of place on campus should be reported to Campus Security.

### **Bystander Intervention**

Bystander intervention is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes:

- Recognizing situations of potential harm;
- Understanding institutional structures and cultural conditions that facilitate violence (this might include fraternity or sports cultures at some institutions);
- Overcoming barriers to intervening;
- Identifying safe and effective intervention options; and
- Taking action to intervene.

ICOM expects all community members to take reasonable and prudent actions to prevent or stop a crime. Taking action may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. ICOM community members who choose to exercise this positive moral obligation will be supported by the college and protected from retaliation.

## Crime Prevention

Throughout the year, Campus Security provides messaging to students and employees via email and the bi-weekly newsletter related to crime prevention and personal safety. These include:

- **School Bus Safety** — explaining the specific requirements of Idaho Code concerning passing or overtaking a school bus.
- **Personal Safety** — recommendations for personal safety, e.g., beware of your surroundings, keep in well populated areas, walk with a purpose, etc.
- **Burglary Prevention** — tips to reduce the odds of being a victim of a residential or vehicle burglary.
- **Winter Driving** — a refresher on winter driving techniques, importance of vehicle maintenance, and road report resources for those traveling during the holidays.
- **Holiday Safety** — safe shopping tips for the holiday season.
- **Spring Break Safety** — safely enjoying all that Idaho's outdoors has to offer.

Two members of the ICOM Campus Security Team are certified Crime Prevention Through Environmental Design (CPTED) specialists. CPTED is a multi-disciplinary approach of crime prevention that uses urban and architectural design and the management of built and natural environments. CPTED strategies aim to reduce victimization, deter offender decisions that precede criminal acts, and build a sense of community among inhabitants so they can gain territorial control of areas, reduce crime, and minimize fear of crime. CPTED is pronounced 'sep-ted' and it is also known around the world as Designing Out Crime, defensible space, and other similar terms. The campus security team members will be available to both employees and students to provide recommendations on personal safety, as well as making their homes less vulnerable to crime.

## Safety Escorts

ICOM students, faculty, and staff are encouraged to contact the on-duty Campus Security Officer if they would like a safety escort to their vehicle. During winter months this is even more important due to the shortened daylight hours. The on-duty Security Officer can be reached at the front Security/Reception Desk, or by calling 208-795-4311.

## Emergency Telephones in Parking Lots

ICOM maintains three Blue Pole Emergency Telephones within the campus parking lots; one is located on the north side of the building, one is located on the east side, and an additional emergency telephone is located in the parking annex at 1460 E. Central Drive on the northwest corner of E. Central Drive and N. Locust Grove Roads. In addition, Idaho State University maintains two Blue Pole Emergency Telephones, one on the west side of the ICOM building (currently out of order, but not owned or maintained by ICOM) and one in front of the main ISU entrance. Pushing the red button on the pole places a 9-1-1 call directly to the 9-1-1 Operator. The location of the phone is displayed with dispatch and the external speaker allows the caller to speak directly with the dispatcher. The Blue Pole Emergency Telephones are tested monthly to insure proper operation.

## Drug, Alcohol and Substance Abuse

### **Purpose/Scope**

This policy provides Idaho College of Osteopathic Medicine (ICOM) students with guidelines pertaining to drug and alcohol use/abuse during the normal course enrollment at Idaho College of Osteopathic Medicine.

### **Definitions**

Professionalism and Academic Review Committee (PARC).

### **Policy**

ICOM promotes a safe, healthy and productive learning environment free from the influences of drugs and alcohol to ensure the safety and welfare of students, faculty and patients cared for by ICOM representatives. ICOM policy requires students to be free from illicit drug use and free from addiction.

To comply with the Drug-Free Schools and Communities Act of 1989 and subsequent amendments, ICOM students are prohibited from the use, consumption, sale, purchase, possession, manufacture or distribution of illegal drugs, drug paraphernalia, and/or alcohol while on ICOM property or clinical sites or while engaged in ICOM-sponsored activities.

Students are expected to adhere to ICOM policy and applicable federal, state and local laws. Students are also subject to all applicable legal sanctions under local, state and federal law for any offenses involving illicit drugs on university property or at university-sponsored activities.

To ensure the health and safety of student and all members of the ICOM community, ICOM reserves the right, in its sole and absolute discretion, to require any student enrolled to submit to drug and/or alcohol testing. Testing can be requested by an ICOM administrator, faculty or medical professional associated with the ICOM, or a hospital or other medical facility to which ICOM sends students for clinical clerkships. Additional information of ICOM screening protocol can be reviewed in Section 5.5 of the Student Handbook.

Students are sent program information through electronic mail within 30 days from the start of the school year.

### **Consequences of Non-Compliance**

Non-compliance to this policy is a breach of ICOM Honor Code. Specifically, Section 9 (Unprofessional or Unethical Behavior, Sub Section – Breach of Integrity).

Suspected violations of this policy will result in the student being removed immediately from the class/learning environment. ICOM will promptly require the student at the discretion of ICOM, to be tested for a drug/alcohol test and/or a psychiatric evaluation on any student when there is an incident of erratic or unusual behavior, or there is a reasonable concern due to a student's behavior.

Any student who is removed from the learning environment who tests positive for or admits to drug or alcohol use prior or during the learning environment will receive a failing grade for the class/learning experience. Student may also be remanded to PARC which may result in disciplinary action up to and including suspension or dismissal.

Refusal or failure to submit to testing may result in disciplinary action up to, and including, dismissal. Students found to have screening tests positive for alcohol, illicit substances, and controlled substances (defined as a drug or substance that is listed in

Schedules I through V of the Federal Controlled Substances Act (21 U.S.C. §812)) or prescription medications without a valid prescription may be subject to disciplinary action up to, and including, dismissal. Please note this also includes substances which are illegal in the state of Idaho, but which may be legal in other states.

Students suspected or found under the influence or with an open container of alcohol or illegal drugs on campus or at clinical sites or who arrive at school in an intoxicated state will be temporarily suspended and will face disciplinary actions that could result in immediate suspension or dismissal.

Students in violation of federal, state or local laws will be reported to the appropriate law enforcement agency and may be subject to prosecution in accordance with the law.

### **ICOM Sanctions**

Students found participating in the use, consumption, sale, purchase, possession, manufacture or distribution of illegal drugs, drug paraphernalia, and/or alcohol while on ICOM property or while engaged in ICOM-sponsored activities shall be subject to disciplinary sanctions on a case-by-case basis.

Substantiated violations of ICOM's drug and alcohol policies may result in disciplinary sanctions, up to and including expulsion/termination from ICOM. Sanctions may include, but are not limited to, the following:

- Warning — written notice that the behavior is not acceptable at ICOM and that additional incidents may result in more severe sanctions.
- Behavior Contract — a contract that states behavioral expectations with penalties and sanctions addressed if the contract is violated. If the student refuses to sign the behavior contract, the penalties and sanctions identified in the contract will be enacted.
- Disciplinary Probation — a period of time (which may be indefinite) during which a student is under warning that any other violation of college policy may result in suspension or expulsion/termination.
- Suspension — a defined period of time during which the student is not permitted to engage in any of the privileges, courses, organizations, events, or activities associated with being a student at ICOM. During the period of suspension, the student is banned from ICOM property unless otherwise stated.

- Expulsion or Termination — the indefinite termination of a student’s status at the ICOM.

## **Drug and Alcohol Abuse Prevention Program**

The Idaho College of Osteopathic Medicine (ICOM) is committed to providing its students and employees a safe and healthy environment. The use of drugs and alcohol can adversely affect the educational environment and may have devastating effects on the personal lives of those who abuse these substances. For this reason, ICOM prohibits the unlawful possession, use, manufacture or distribution of unauthorized drugs and alcohol on campus or at any ICOM-sponsored activity.

### [ICOM Drug and Alcohol Abuse Prevention Program](#)

## **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as Amended by the Violence Against Women Reauthorization Act of 2013**

The Idaho College of Osteopathic Medicine prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Toward that end, ICOM issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to an ICOM official.

## **Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

### **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 laws of the jurisdiction in which the crime of violence occurred; or
- 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.
- For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Dating Violence**

- Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
- The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition — Dating Violence includes, but 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.

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

### **Sexual Assault**

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is *"any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."*

- Rape is defined as 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 the consent of the victim.
- Fondling is defined as the touching of the private parts of another person for the purposes 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 is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

## **Stalking**

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

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.
- For the purposes of this definition — 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.
- Means a reasonable person under similar circumstances and with similar identities to the victim.
- Means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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



## State of Idaho Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

### **Domestic Violence and Dating Violence Idaho State Law Idaho Code § 18-918**

#### **Domestic Violence**

1. For the purpose of this section: (a) "Household member" means a person who is a spouse, former spouse, or a person who has a child in common regardless of whether they have been married or a person with whom a person is cohabiting, whether or not they have married or have held themselves out to be husband or wife. (a) "Traumatic injury" means a condition of the body, such as a wound or external or internal injury, whether of a minor or serious nature, caused by physical force.
2. Any household member who in committing a battery, as defined in section 18-903, Idaho Code, inflicts a traumatic injury upon any other household member is guilty of a felony.
3. A household member who commits an assault, as defined in section 18-901, Idaho Code, against another household member which does not result in traumatic injury is guilty of a misdemeanor domestic assault. (b) A household member who commits a battery, as defined in section 18-903, Idaho Code, against another household member which does not result in traumatic injury is guilty of a misdemeanor domestic battery.

#### **Idaho Code § 39-6303 – (Domestic/Dating Violence) Definitions**

1. "Domestic violence" means the physical injury, sexual abuse or forced imprisonment or threat thereof of a family or household member, or of a minor child by a person with whom the minor child has had or is having a dating relationship, or of an adult by a person with whom the adult has had or is having a dating relationship.
2. "Dating relationship," for the purposes of this chapter, is defined as a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The nature of the relationship; (b) The length of time the relationship has existed; (c) The frequency of interaction between the parties; and (d) The time since termination of the relationship, if applicable.

## **Sexual Assault**

Idaho Code does not use the term “sexual assault,” however the following offenses could be reasonably categorized as such:

### **Idaho State Law Idaho Code § 18-6101 - Rape Defined**

Rape is defined as the penetration, however slight, of the oral, anal or vaginal opening with the perpetrator’s penis accomplished with a female under any one (1) of the following circumstances:

1. Where the female is under the age of sixteen (16) years and the perpetrator is eighteen (18) years of age or older.
2. Where the female is sixteen (16) or seventeen (17) years of age and the perpetrator is three (3) years or more older than the female.
3. Where she 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 she resists but her resistance is overcome by force or violence.
5. Where she 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 she 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.
7. Where she submits under the belief that the person committing the act is her husband, and the belief is induced by artifice, pretense or concealment practiced by the accused, with intent to induce such belief.
8. Where she 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.
9. Where she submits under the belief, instilled by the actor, that if she 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 her; 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 more older than the female, the difference in age shall be measured from the date of birth of the perpetrator to the date of birth of the female.

### **Idaho Code § 18-6108 - Male Rape**

Male rape is defined as the penetration, however slight, of the oral or anal opening of another male, with the perpetrator's penis, for the purpose of sexual arousal, gratification or abuse, under any 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 more older than the victim.
3. Where the victim is incapable, through any unsoundness of mind, whether temporary or permanent, of giving consent.
4. Where the victim resists but his resistance is overcome by force or violence.
5. Where the victim is prevented from resistance by threats of immediate and great bodily harm, accompanied by apparent power of execution.
6. Where the victim is prevented from resistance by the use of any intoxicating, narcotic, or anesthetic substance administered by or with the privity of the accused.
7. Where the victim is at the time unconscious of the nature of the act, and this is known to the accused.

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 more 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.

### **Idaho Code § 18-6608 - Forcible Sexual Penetration by Use of Foreign Object**

Every person who, for the purpose of sexual arousal, gratification or abuse, causes the penetration, however slight, of the genital or anal opening of another person, by any object, instrument or device, against the victim's will by use of force or violence or by

duress, or by threats of immediate and great bodily harm, accompanied by apparent power of execution, or where the victim is incapable, through any unsoundness of mind, whether temporary or permanent, of giving legal consent, or where the victim is prevented from resistance by any intoxicating, narcotic or anesthetic substance, shall be guilty of a felony and shall be punished by imprisonment in the state prison for not more than life.

### **Stalking Idaho State Law Idaho Code § 18-7905**

#### **Stalking in the First Degree:**

1. A person commits the crime of stalking in the first degree if the person violates section 18-7906, Idaho Code, and: (a) The actions constituting the offense are in violation of a temporary restraining order, protection order, no contact order or injunction, or any combination thereof; or (b) The actions constituting the offense are in violation of a condition of probation or parole; or (c) The victim is under the age of sixteen (16) years; or (d) At any time during the course of conduct constituting the offense, the defendant possessed a deadly weapon or instrument; or (e) The defendant has been previously convicted of a crime under this section or section 18-7906, Idaho Code, or a substantially conforming foreign criminal violation within seven (7) years, notwithstanding the form of the judgment or withheld judgment; or (f) The defendant has been previously convicted of a crime, or an attempt, solicitation or conspiracy to commit a crime, involving the same victim as the present offense under any of the following provisions of Idaho Code or a substantially conforming foreign criminal violation within seven (7) years, notwithstanding the form of the judgment or withheld judgment: (i) Chapter 9, title 18; (ii) Chapter 15, title 18; (iii) Chapter 61, title 18; (iv) Section 18-4014 (administering poison with intent to kill); (v) Section 18-4015 (assault with intent to murder); (vi) Section 18-4501 (kidnapping); (vii) Section 18-5501 (poisoning); (viii) Section 18-6608 (forcible sexual penetration by use of foreign object); (ix) Section 18-7902 (malicious harassment); or (x) Section 18-8103 (act of terrorism).

### **Idaho State Law Idaho Code § 18-7906**

#### **Stalking in the Second Degree:**

1. A person commits the crime of stalking in the second degree if the person knowingly and maliciously: (a) Engages in a course of conduct that seriously alarms, annoys or harasses the victim and is such as would cause a reasonable person substantial emotional distress; or (b) Engages in a course of conduct such as would cause a reasonable person to be in fear of death or physical injury, or in fear of the death or physical injury of a family or household member.
2. As used in this section: (a) "Course of conduct" means repeated acts of nonconsensual contact involving the victim or a family or household member of the victim, provided however, that constitutionally protected activity is not included within the meaning of this definition. (b) "Family or household member" means: (i) A spouse or former spouse of the victim, a person who has a child in common with the victim regardless of whether they have been married, a person with whom the victim is cohabiting whether or not they have married or have held themselves out to be husband or wife, and persons related to the victim by blood, adoption or marriage; or (ii) A person with whom the victim is or has been in a dating relationship, as defined in section 39-6303, Idaho Code; or (iii) A person living in the same residence as the victim. (c) "Nonconsensual contact" means any contact with the victim that is initiated or continued without the victim's consent, that is beyond the scope of the consent provided by the victim, or that is in disregard of the victim's expressed desire that the contact be avoided or discontinued. "Nonconsensual contact" includes, but is not limited to: (i) Following the victim or maintaining surveillance, including by electronic means, on the victim; (ii) Contacting the victim in a public place or on private property; (iii) Appearing at the workplace or residence of the victim; (iv) Entering onto or remaining on property owned, leased or occupied by the victim; (v) Contacting the victim by telephone or causing the victim's telephone to ring repeatedly or continuously regardless of whether a conversation ensues; (vi) Sending mail or electronic communications to the victim; or (vii) Placing an object on, or delivering an object to, property owned, leased or occupied by the victim. (d) "Victim" means a person who is the target of a course of conduct.

## Consent

Idaho State Law Idaho does not provide a general definition of consent (as it pertains to sexual activity), however there are components of different statutory offenses that speak to consent and are included in the applicable statutes above.

**ICOM-Definition of Consent** (From ICOM Prohibited Discrimination, Harassment, and Related Misconduct Policy)

Consent must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment in incapacitation to due to alcohol or drug consumption that meets this standard or being asleep or unconscious.

**Non-Consensual Intentional Sexual Contact:** is any intentional sexual touching with any object, by any person upon another, without consent and/or by force.

**Non-Consensual Sexual Intercourse:** is any sexual intercourse, however slight, by any person upon another without consent and/or by force.

## Sexual Assault, Domestic Violence, Dating Violence, and Stalking: Prevention

The Idaho College of Osteopathic Medicine offers primary prevention and awareness programs to incoming students and new employees designed to prevent and intervene in sexual assault, domestic violence, dating violence and stalking. ICOM Student Services has primary responsibility for primary prevention and awareness programs offered to new students; ICOM Human Resources has primary responsibility for those programs offered to new employees.

The prevention and awareness programs offered by ICOM are designed to be comprehensive, intentional and integrated programming, initiatives, strategies and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that are: culturally relevant; inclusive of diverse communities and identities; sustainable; responsive to community needs; informed by research or assessed for value, effectiveness, or outcome; and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

The specific programming, campaigns and initiatives offered are detailed below. In their totality, these training programs include at least the following components:

- Clear language that ICOM prohibits sexual assault, domestic violence, dating violence and stalking;
- Definitions of sexual assault, domestic violence, dating violence, and stalking as defined by VAWA, the State of Idaho and ICOM Policy;
- The definition of consent in reference to sexual activity as defined by the State of Idaho and ICOM Policy;
- A description of safe and positive options for bystander intervention;
- Information on risk reduction strategies;
- Information about possible sanctions or protective measures that ICOM may impose following a final determination of an institutional disciplinary procedure;
- Education about sexual assault, domestic violence, dating violence and stalking;
- Information about on and off campus services available to victims and how they can access those services as well as options for assistance;
- Procedures victims should follow if an offense has occurred, including information in writing about: the importance of preserving evidence when a VAWA offense occurs; to whom an offense should be reported; options regarding law enforcement and campus authorities, including the option to notify proper law enforcement authorities who include on campus and local police, be assisted by campus authorities in notifying law enforcement if the victim so chooses, and decline to notify such authorities; and where applicable, the rights of the victims and the institution's responsibilities regarding orders of protection;
- Disciplinary procedures that ICOM follows;
- Information about how the institution will protect the confidentiality of victims;



- Written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on campus and in the community; and
- Written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations whether the victim chooses to report the crime to law enforcement or not.

## How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help.

### **Below is a list of some ways to be an active bystander**

- If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

## Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:

- Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## VAWA Primary Prevention Programming — New Students

ICOM offered the following primary prevention and awareness programs for all incoming students in 2021:

### **Comprehensive Violence Against Women's Act Training Course**

In-person and recorded presentation by ICOM staff which discusses ICOM's commitment to fostering an environment where all persons affiliated with ICOM can work and learn together in an atmosphere that is inclusive, safe, rewarding, and free of all forms of harassment, exploitation or intimidation. The training also covers VAWA-related topic areas to include:

- Definitions and Examples
- Bystander Intervention
- Identifying Warning Signs
- Avoiding Potential Harm

- Reporting an Offense
- Investigation and Disciplinary Proceedings
- Disciplinary Actions and Sanctions
- Campus Resources

### **A Student Guide to Sexual Violence Prevention and Response-Online Course**

This course will help students understand what they can do to prevent sexual violence, as well as how they can respond to survivors of sexual violence. Students will also examine the definition of bystander intervention, as well as explore how to define and identify consent.

### **A Student Guide to Campus Safety-Online Course**

Colleges and universities devote much time and effort to creating safe learning and living environments for students and staff. Students have an important role to play. This course outlines the safety precautions students should know and apply, whether they are on or off campus.

### **A Student Guide to the Clery Act-Online Course**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act, is a federal law that requires colleges and universities to track and disclose information about crimes that occur on or near campus. This course is designed to help students understand how the Clery Act impacts them and their school.

### **A Student Guide to Title IX-Online Course**

Title IX is a federal civil rights law that prohibits sexual discrimination in educational institutions that receive federal funding. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. This course helps students to identify their rights under Title IX, and describe their school's responsibilities under the law.

### **A Student Guide to Sexual Violence and the Law-Online Course**

According to the US Department of Justice, an average of one in four undergraduate women experience sexual assault by the time they finish college. A series of federal laws empower colleges and universities to take action against sexual violence on campus.

This course offers students a brief look at the Title IX, the Clery Act, the Violence Against Women Act (VAWA), and the Campus Violence Elimination Act.

### **VAWA Primary Prevention Programming — New Employees**

The College offered the following primary prevention and awareness programs for all new employees in 2021:

#### **Comprehensive Violence Against Women's Act Training Course**

In-person and recorded presentation by ICOM staff which discusses ICOM's commitment to fostering an environment where all persons affiliated with ICOM can work and learn together in an atmosphere that is inclusive, safe, rewarding, and free of all forms of harassment, exploitation or intimidation. The training also covers VAWA-related topic areas to include:

- Definitions and Examples
- Bystander Intervention
- Identifying Warning Signs
- Avoiding Potential Harm
- Reporting an Offense
- Investigation and Disciplinary Proceedings
- Disciplinary Actions and Sanctions
- Campus Resources

#### **Clery Act Collection-Online Course**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act, is a federal law that requires colleges and universities to track and disclose information about crimes that occur on or near campus. This course is designed to help students and employees understand how the Clery Act impacts them and their school.

#### **Family Educational Rights and Privacy Act (FERPA) Training-Online Course**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law

applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

### **Title IX Interim Course-Online Course**

Title IX of the Education Amendments of 1972 prohibits sexual discrimination in educational institutions that receive federal funding. It applies to the vast majority of colleges and universities—public, private, and parochial—and has a broad scope. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. A school that fails to respond to and remedy the situation risks losing federal funding.

### **Harassment and Discrimination Prevention-Online Course**

A respectful workplace is a key element in creating a fair, collaborative, and inclusive environment that allows every member of a higher education institution's community to meet their teaching, research, and public service goals. At the heart of a respectful workplace is zero tolerance for discrimination and harassment.

### **VAWA Ongoing Prevention and Awareness Campaigns**

ICOM Students Services provides or facilitates ongoing prevention and awareness campaigns to the college community (both students and employees) throughout the year through partnerships with local community support providers such as the Idaho Coalition Against Sexual & Domestic Violence, Women's and Children's Alliance, Faces of Hope, the Meridian Police Department, and the Nampa Family Justice Center. In an effort to increase awareness about the issues of sexual assault, domestic violence, dating violence and stalking, support providers make themselves available to any student organizations and departments that would like additional information or presentations regarding these crimes.

ICOM's prevention and awareness campaigns coincide with nationally recognized awareness months. In addition to providing presentations from outside speakers, ICOM Director of Communications display information on the college's electronic reader boards, as well through the college's social media outlets. ICOM offered the following ongoing awareness and prevention programs for students and employees in 2021:

- **September- National Campus Safety Awareness Month Activities for students and employees**
  - Safety Awareness Campaign communications from Campus Security, flyers from the Clery Center /NCSAM placed on electronic reader-boards, in the ICOM building.
- **October- National Domestic Violence Awareness Month Activities for students and employees**
  - Domestic Violence Awareness communications from Student Services, flyers from Women's and Children's Alliance placed on electronic reader-boards, in the ICOM building.
  - Wear Purple Day-Students and employees are encouraged to wear purple in recognition of Domestic Violence Prevention.
  - Fundraiser for Women's and Children's Alliance (sale of purple ribbons to be placed on trees around the ICOM campus in recognition of Domestic Violence prevention
- **January- National Stalking Awareness Month Activities for students and employees**
  - Stalking Awareness communications from Campus Security, flyers from the Clery Center /NCSAM placed on electronic reader-boards, in the ICOM building.
- **February- Dating Violence Awareness Month Activities for students and employees**
  - **"Then Everything Changed"** video presentation. Kristin Mitchell was attacked and murdered as she was trying to break up with her ex-boyfriend only three weeks after graduating from college. Her parents, Bill and Michele Mitchell, believe that if she and they had been educated about the warning signs of dating violence, that her death could have been prevented. Kristin's Crusade carries on Kristin's legacy by educating on dating violence, domestic violence, and stalking through Clery Center's mission for safer campuses. Information shared via email and ICOM Insider Newsletter.
  - Dating Violence Awareness communications from Campus Security, flyers from the Clery Center /NCSAM placed on electronic reader-boards, in the ICOM building.
- **April- National Sexual Assault Awareness Month Activities for students and employees**
  - National Sexual Assault Awareness Month Awareness communications from Campus Security, flyers from the National Sexual Assault Resource Center and



RAINN (Rape, Abuse & Incest National Network) placed on electronic reader-boards, in the ICOM building.

## Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

Immediate medical attention is encouraged after experiencing dating/ domestic violence or sexual assault. Further, being examined as soon as possible is important.

**FACES of Hope Victim Center** (*located at 417 S. 6th Street, phone number 208-577-4400, <https://www.facesofhopevictimcenter.org/>*) is a specialized facility in Ada County with experienced nurses and physicians trained to conduct sexual assault forensic exams. The facility also employs a physician who specializes in providing services for victims of domestic violence. If you have a significant injury requiring immediate medical attention, you should go to an emergency room at Saint Alphonsus or St. Luke's hospitals; both have response teams specially trained to assist victims of sexual assault and domestic violence. If you do not have injuries or your injuries are minor, hospital staff or law enforcement may transport you to FACES for services. It is recommended that you seek medical treatment, regardless of whether or not you report the incident to the police.

In Canyon County, **The Family Justice Center** provides similar services. It is located at 1305 3rd St South in Nampa, ID. Phone 208-475-5700 <https://www.cityofnampa.us/190/Family-Justice-Center>

When an incident is reported at a hospital, a police detective may come to talk to you along with a Victim/Witness Coordinator (an employee of the city/county that works with the investigating law enforcement agency and the prosecuting attorney's office to assist you through the judicial process). ICOM encourages its community members to report all crimes to law enforcement; however, know that you do not have to talk to a police officer at the hospital.

In Idaho, evidence may be collected even if you chose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense

occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred /or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and /or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to ICOM adjudicators /investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with ICOM Campus Security or the law enforcement agency with jurisdiction where the crime occurred. It is important to preserve evidence in the event that the victim decides to report the incident to law enforcement or ICOM at a later date, to assist in proving that the alleged criminal offense occurred, or that may be helpful in obtaining a protection order.

## Involvement of Law Enforcement and Campus Authorities

Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement.

### Crime Reporting

<b>Emergency</b>	<b>Call 9-1-1</b>	<b>If you are in immediate danger.</b> Help will come to you, wherever you are, if possible.

<b>Non-Emergency Off-Campus</b>	<b>(208) 377-6790</b>	<b>If you are anywhere in Ada County, call emergency dispatch at (208) 377-6790.</b>
<b>Non-Emergency On-Campus</b>	<b>(208) 795-4311</b>	<b>ICOM Campus Security can assist you with notifying law enforcement, if you wish.</b>

### **Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should also report the incident promptly to the ICOM Title IX Coordinator, Dr. Luke Mortensen, by calling 208-795-4367, by email: [lmortensen@idahocom.org](mailto:lmortensen@idahocom.org), or by coming into the office to report in person. The victim may also file a Request for Investigation form at the following link: [https://www.idahocom.org/wp-content/uploads/2021/10/ICOM-Title-IX-Complaint-Form\\_102621.pdf](https://www.idahocom.org/wp-content/uploads/2021/10/ICOM-Title-IX-Complaint-Form_102621.pdf)

Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Security or to a Campus Security Authority will be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

### **Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported**

The College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The College will make such accommodations, if the victim requests them and

if they are reasonable available, regardless of whether the victim chooses to report the crime to Campus Security or local law enforcement.

- Students should contact Dr. Thomas Moorman, Assistant Dean of Student Services, 208-795-4347. Email: [tmoorman@idahocom.org](mailto:tmoorman@idahocom.org)
- Employees should contact Shannon Blackstock, Director of Human Resources, 208-795-4378. Email: [sblackstock@idahocom.org](mailto:sblackstock@idahocom.org)

## If a Report of Domestic Violence, Dating Violence, Sexual Assault or Stalking is Reported to the College, Below are the Procedures that the College will Follow

### **Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, ICOM will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- Information about how the institution will protect the confidentiality of victims and other necessary parties;
- A statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- A statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- An explanation of the procedures for institutional disciplinary action.

## Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

ICOM complies with Idaho law in recognizing Protection Orders or No Contact Orders. Campus Security will report violations occurring on the ICOM campus to the Meridian Police Department. Any person who obtains a Protect Order or No Contact Order from the state of Idaho, or any other state, should provide a copy to Campus Security and the

Office of the Title IX Coordinator. The individual should meet with Campus Security to develop a Safety Action Plan, which is a plan for campus security and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, or allowing a student to complete assignments from home, etc.) ICOM cannot apply for a legal order of protection, no contact order or restraining order for a victim; the victim must apply for these.

### **Protection Orders**

In Idaho, a protection order is a civil provision with criminal penalties. It can be used to restrict or prohibit contact between a victim of abuse and the wrongdoer (Idaho Code 39-6301). A protection order is a document issued by a civil court that orders the person who is abusing or stalking a victim to stop doing so. If the person violates this order, they will be criminally punished by the court.

An abuse victim can apply for a protection order even if criminal charges have not been filed against the person harassing them, or if they have already obtained a Temporary Protection Order as part of a criminal proceeding. A family or household member can file for a protection order. A parent not claiming to be in immediate danger of abuse can obtain a protection order in their own name as petitioner for their child. Protection orders can temporarily change custody orders issued. It is important to know that these orders are temporary under a divorce decree. When deciding whether to issue a protection order in custody issues, courts will apply the “best interest of the child” test. The Court will also need a showing by a bulk of the evidence of an immediate and present danger of violence. Protection orders can last for any period of time, from 14 days to five years. You can get a protection order in one day by applying at the local courthouse and giving a sworn statement detailing the abuse. There is no fee for filing for a protection order.

For additional information, visit the Idaho Legal Aid website: <https://www.idaholegalaid.org/node/1259/what-civil-protection-order>

Faces of Hope Victim Center (Ada County) and The Family Justice Center (Canyon County) can also assist abuse victims in filing the appropriate paperwork with the court to obtain a protection order.

- <https://www.facesofhopevictimcenter.org/>
- <https://www.cityofnampa.us/190/Family-Justice-Center>

Abuse victims in Idaho may also apply for Protection Orders directly through the following link: <https://courtselfhelp.idaho.gov/Forms/Protection>

Violations of protection orders are strictly enforced by law enforcement. Victims should contact the law enforcement agency in the jurisdiction where the violation occurred to report the incident.

## Institutional No Contact Orders

During a formal investigation or an investigation of alleged sexual violence, the Title IX Coordinator may issue a “No Contact” order to insure the well-being of all parties and/or the integrity of the investigation process. Both the Reporting and the Responding Parties are expected to avoid all contact with each other while the report is under investigation.

“No Contact” means no communication whatsoever, including direct communication (talking, calling, texting, etc.), indirect communication (through friends or third parties), or contact through social media (Facebook, Twitter, etc.). The “No Contact” order does not imply any wrongdoing. However, violation of a “No Contact” order is considered a serious and potentially threatening breach of College policy and may result in immediate suspension.

## Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, ICOM will provide written notification to students and employees about accommodations available to them, including academic, living, transportation and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, ICOM will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact ICOM Title IX Coordinator, Dr. Luke Mortensen, by calling 208-795-4367, by email: [lmortensen@idahocom.org](mailto:lmortensen@idahocom.org), or in person. If the victim wishes to receive assistance in requesting these accommodations, she or he should contact ICOM Assistant Dean of Student Services, Dr. Thomas Moorman, 208-795-4347, or by email: [tmoorman@idahocom.org](mailto:tmoorman@idahocom.org)

## On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, ICOM will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

### **Physical and Mental Health Resources — Students**

ICOM students are able to utilize Unity Health in Meridian for medical and confidential personal health concerns. Unity Health Center is open from 9:00 AM to 6:00 PM, Monday through Saturday and they accept same-day appointments and walk-ins during their business hours. Students can call the clinic at 208-895-6729 to schedule an appointment. This information is also available on the ICOM website. Students are responsible for all fees incurred through the utilization of these services. Unity Health

Center has multiple payment options available. Additionally, Unity Health Center's information is available on the ICOM website. Unity Health Center is conveniently located a short drive away from campus and due to its location offers student confidentiality and privacy.

Students are also able to utilize St Luke's Medical Center in Meridian for medical and confidential personal health concerns. St Luke's has a variety of healthcare professionals within its network at multiple clinical throughout the Treasure Valley to meet the healthcare needs of ICOM students. The network includes primary care and specialists in multiple disciplines of medicine. ICOM students are able to find a clinic or provider using the following link [https:// www.stlukesonline.org/](https://www.stlukesonline.org/) or by calling 208-381-2Day (2329)

For medical emergencies and after-hours health care, students are encouraged to access appropriate care as warranted by their situation including local urgent care facilities, Emergency Departments and Emergency Medical Services. For true emergencies, students are asked to access EMS and the 911-dispatch system. For students on Clinical Rotations away from ICOM needing health services, students are asked to refer to the site-specific or rotation specific guidelines for incident reporting and accessing health care found in the Clinical Rotation Manual.

### **Counseling Services**

Counseling services are available 24 hours a day, seven days a week in a confidential manner through a combination of services which include the on-site counseling services of the ICOM Behavioral Health Services, StudentLinc (access code icom, all lowercase letters), Idaho State University Counseling Services, Unity Health Care, and additional local resources as needed. Counseling is encouraged for the well-being of all students, especially those who are experiencing any forms of stress, such as anxiety, academic stress, relationship problems, loneliness, depression, alcohol and/or substance abuse, sexuality, interpersonal conflicts, test anxiety, concerns related to medical school adjustments, etc. Students may either self-refer or may be identified by and referred to the counseling support services by others, all in a confidential manner.

### **ICOM Behavioral Health Services**



The ICOM Behavioral Health Services provides individual, couple, and small group counseling. The counseling services are provided by our on site, full-time, counseling staff. Students needing to set up an appointment to see a counselor can:

- Schedule an appointment online at <https://icom-behavioral-health-services.clientsecure.me/>
- Call the Behavioral Health Services phone number (209) 795-4293, or confidentially email ICOM's Behavioral Health Specialists — Jake Price, LPC at [jprice@idahocom.org](mailto:jprice@idahocom.org) or Shatae Mullins, LPC at [smullins@idahocom.org](mailto:smullins@idahocom.org)
- Leave a voicemail or email providing name, call back number, reason for calling or emailing (i.e. wanting to set up counseling services) and a good time during the day for reaching out.
- Reminder: In case of emergency, and /or the eminent threat of harm to self or others, call 911 for immediate assistance. 24 x 7 Counseling Services

### **StudentLinc**

StudentLinc is a Student Assistance Program which provides confidential and professional guidance. Students can call StudentLinc for counseling and referrals. Phone calls are answered by licensed counselors who have extensive clinical experience and are available 24 hours a day, seven days a week.

- StudentLinc provides a toll-free number of which students can call at any time, day or night, and be connected directly to a trained counselor who triages the situation. The number provided for ICOM is specific to ICOM students. StudentLinc also provides a StudentLinc eConnect mobile app with additional resources.
- StudentLinc provides unlimited telephonic counseling and three face-to-face counseling sessions for each concern a student faces. StudentLinc where applicable, will make referrals to local counselors where the student resides who are part of the student's health insurance network.
- Standard protocols govern the interaction and enables counselors to assess the student and determine if emergency intervention is needed.
- Through the 24 x7 hot line, StudentLinc can provide health services, legal assistance, and other various support services. Please visit the website for more information on additional services. If it is determined that immediate attention is needed (i.e., a student may be a danger to themselves or others) ICOM has developed a relationship with Dr. Ashaye Health System, who provides emergency assistance to our students. If emergency intervention is not needed, then the student is counseled over the phone

and subsequently referred to a list of providers in the local area for follow up. Unity Health Care is also able to refer a student should they believe the student is experiencing any of the concerns outlined above.

For students who are in crisis or need additional counseling or behavioral health services beyond ISU Counseling Clinic or Unity Health Services, a referral is made to Dr. Ashaye. Students in crisis, who do not need emergency services, will be seen the same day or next business day of the referral. Students who are not in crisis, but need additional services, are seen within five to seven business days. For emergency situations, call 911.

### **ISU Counseling Services**

The Idaho State University's Counseling Clinic is a low-cost service for ICOM students. Many college students experience stressors associated with all aspects of their lives, i.e. academics, familial, relational, etc. The counseling clinic is available to help provide the needed support as student's navigate their lives alongside their educational journey. The ISU-Meridian Counseling Clinic provides individual, couple, and family counseling. The counseling services are provided by our graduate level Master of Counseling students, Doctoral students, and some faculty from the Department of Counseling under supervision of licensed counselors/faculty members. Students needing to set up an appointment to see a counselor, should:

- Call the ISU-Meridian's Counseling Clinic phone number (208) 373-1719 or confidentially email [meridianclinic@isu.edu](mailto:meridianclinic@isu.edu)
- Leave a voicemail or email providing your name, call back number, reason for calling or emailing (i.e. wanting to set up counseling services) and a good time during the day to reach you.
- Upon receiving the voicemail, a clinic staff member will be in contact with you within one business day of open clinic hours (Monday – Thursday).
- During the phone call, the clinic staff member will provide you with the information of attending the counseling clinic and expectations of your appointment as well as get basic information about what brought you into counseling services.
- Your first appointment is then scheduled with your counselor!

The ISU Counseling Clinic is there to support students in all that life encompasses. Students can access additional information by visiting the ISU-Meridian Counseling

Clinic webpage: <https://isu.edu/clinics/counseling-meridian/> Students can also access information using the ISU-Meridian Counseling Clinic Facebook Page: <https://www.facebook.com/ISUMeridianCounselingClinic/>

## **Physical and Mental Health Resources — Employees**

### **Employee Assistance Program (EAP)**

ICOM offers its employees and dependents access to EAP services through Reliant Behavioral Health (RBH) to help with issues that may affect work, family, or life in general. The EAP program offers up to 8 sessions for crisis and/or general counseling for each issue and includes some legal and financial counseling. The EAP web page offers training on numerous mental health topics.

### **Reliant Behavioral Health (RBH)**

866-750-1327 (call 24 hours)

Login to: [www.MyRBH.com](http://www.MyRBH.com)

Access code: GoIDAHOCOM

### **Additional Behavioral Health Resources for Students and Employees**

Additional services for behavioral services can be found through the following:

Idaho Suicide Prevention Hotline 1-208-398-4357

National Suicide Prevention Lifeline 1-800-273-8255

Veterans Crisis Line 1-800-273-8255, Press 1

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

Rape, Abuse and Incest National Network — <http://www.rainn.org>

-Department of Education, Office of Civil Rights — <http://www2.ed.gov/about/offices/list/ocr/index.html>

## **Confidentiality**

Victims may request that directory information on file with the College be withheld by request through the ICOM Registrar's Office, Ariana Ahmadian, 208-795-4231, email: [aahmadian@idahocom.org](mailto:aahmadian@idahocom.org).

Regardless of whether a victim has opted-out of allowing ICOM to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/ adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

ICOM does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

## Adjudication of Violations (Excerpts Taken From the ICOM Prohibited Discrimination, Harassment and Related Misconduct Policy)

### **Sexual Misconduct Reporting and Investigating Procedures**

Any individual who believes that an employee or student of the college including him or herself, has been subjected to sexual misconduct is encouraged to immediately follow the applicable investigation procedure and may also pursue criminal, civil, and/or administrative remedies provided by federal and state law. The College encourages all individuals to report possible sexual misconduct that they suffer or observe and requires responsible employees of the College to do so, in accordance with Section II, Parts A and B, of this Policy.

The purpose of these reporting, investigation and hearing procedures is to provide prompt and equitable processes for addressing and investigating incidents of sexual misconduct allegedly committed against students and employees. A lengthy period of

time between an alleged occurrence and an investigation may make fact-finding more difficult; therefore, individuals are encouraged to raise concerns and complaints as soon as possible.

### **Amnesty for Alcohol and/or Other Drugs**

Sometimes, a student or employee may be hesitant to come forward and file a sexual misconduct investigation request out of concern that the student or employee was using or was under the influence of alcohol or illegal drugs at the time of the alleged incident. However, the College's primary interest in such situations is in addressing alleged sexual violence. Illegal alcohol or drug use never renders a Reporting Party at fault for sexual violence against him or her. Other rule violations will be addressed separately from a sexual violence aggregation.

### **Procedures Applicable to Requests for Investigations of Allegations of Sexual Misconduct**

The following procedures apply to all Requests for Investigation alleging sexual misconduct or sexual violence. Under these procedures, individuals may submit Requests for Investigation regarding sexual misconduct allegedly committed by College students, employees, or other third parties which occur either inside of a school program or outside of a school program, if the conduct negatively affects a Reporting Party's school experience or the overall school environment, including Requests for Investigation relating to preceptors in the field.

However, the College's response to cases involving visitors, preceptors, or third parties unaffiliated with the College, will depend upon the College's degree of control over the visitor or third party. This procedure also applies to Requests for Investigation related to Third Party Sexual Harassment allegedly suffered by students.

The College will initiate an investigation of all incidents of sexual misconduct of which it becomes aware (such as through direct notification by an involved student or employee; a responsible employee or by observation of misconduct), regardless of whether anyone files an informal or formal Request for Investigation. In such a circumstance, the College is the Reporting Party. The College will elect how to proceed in such a situation, in accordance with its obligation to provide a safe, non-

discriminatory educational environment under Title IX, and applicable due process laws. At the conclusion of any process, the College will take steps to prevent recurrence of sexual misconduct and to alleviate its discriminatory effects on the Reporting Party, and others, if appropriate.

To protect the interests of all parties to a potential investigation as well as the College, all of the processes described herein will be carried out by not less than two members of the Title IX Response Team.

The investigation and any related process will be conducted impartially without any real or perceived conflicts of interest between the fact finder or decision maker and the parties. Any perceived conflicts will be fully disclosed at the beginning of the investigation. The precise investigation process will depend upon the nature of the allegations and other circumstances; but will afford both parties equal processes and procedures as described in this policy.

A clear and convincing evidence standard of review (seeking to determine whether or not there is a substantially greater than 50% likelihood that the sexual misconduct occurred) will be used in an investigation conducted and decisions made under these policies and procedures. The alleged victim or the College acting on behalf of the alleged victim of the sexual misconduct is described as the Reporting Party. The alleged offender is described as the Responding Party. The Reporting Party has the option to inform the Responding Party that his or her actions are offensive, unwelcome, or inappropriate, but is not required to do so, as this may negate the reporting of possible offenses and place the Reporting Party in an uncomfortable, difficult, or fearful position.

The College's investigation process concerning allegations of sexual misconduct alleged to have occurred against a student or employee will be promptly completed, ordinarily within 30 days of the College's first receiving notice of the Request for Investigation, absent extenuating circumstances such as an appeal, parallel criminal investigation, or the need for certain evidence or testimony unavailable within the typical timeframe. Both parties will be notified, in writing, of the outcome of any investigation or appeal, to the extent permitted by College Policy; This will occur within 10 business days of the conclusion of any investigation or appeal, absent extenuating circumstances.

Both parties will be promptly notified of any deviations from these estimates, and the reasons for any deviation, as determined and approved by the Title IX Coordinator after considering the nature and seriousness of the allegations and any extenuating circumstances. If the process lasts longer than 30 days, each party will be provided periodic status updates until the process is completed.

## Procedures for Reporting and Investigating Sexual Misconduct

All Requests for Investigation, alleging an incident of sexual misconduct or violence, committed by a student or an employee, should be submitted using one of these methods of contact:

- Use of the Request for Investigation Form at: <https://www.idahocom.org/campus/safety/>
- In person meeting with the Title IX Coordinator or a member of the Title IX Response Team.
- Mail, e-mail, or hand deliver a written Request for Investigation, including pertinent information to: The Title IX Coordinator or a member of the Title IX Response Team.

## ICOM's Title IX Coordinator

Dr. Luke Mortensen, 208-795-4367, [lmortensen@idahocom.org](mailto:lmortensen@idahocom.org), Office #362.

The Title IX Coordinator is responsible for coordinating all activity relating to evaluating and investigating all Requests for Investigation of sexual misconduct or sexual violence, and for identifying and addressing any patterns or systematic problems that arise during the review of such complaints. If the Title IX Coordinator is not available, or there is a potential conflict of interest with the Title IX Coordinator, or if the Reporting Party simply chooses to do so for any reason, the Title IX Team Members are available to meet with College students and employees to discuss related issues, as needed.

## Title IX Response Team Members

Name	Phone	Email	Office Number
Dr. Luke Mortensen Title IX Coordinator	208-795-4367	<a href="mailto:lmortensen@idahocom.org">lmortensen@idahocom.org</a>	362

Name	Phone	Email	Office Number
<b>Shannon Blackstock</b> Director of Human Resources	208-795-4378	<a href="mailto:sblackstock@idahocom.org">sblackstock@idahocom.org</a>	351
<b>Rick Coonrod</b> Learning Specialist	208-795-4289	<a href="mailto:fcoonrod@idahocom.org">fcoonrod@idahocom.org</a>	142
<b>Jennifer Ross</b> Learning Specialist	208-795-4299	<a href="mailto:jross@idahocom.org">jross@idahocom.org</a>	132
<b>Dr. Stephanie Child, PhD</b> Assistant Professor of Anatomy	208-795-4374	<a href="mailto:schild@idahocom.org">schild@idahocom.org</a>	355
<b>Dr. Mark Slivkoff, PhD</b> Vice Chair and Associate Professor of Physiology	208-795-4366	<a href="mailto:mslivkoff@idahocom.org">mslivkoff@idahocom.org</a>	363
<b>Dr. Jennifer Hotzman</b>	208-795-4386	<a href="mailto:jhotzman@idahocom.org">jhotzman@idahocom.org</a>	371

## Investigation Requests Regarding Sexual Misconduct or Sexual Violence Alleged to have been Committed by a Student

The College provides three different process, described below, for investigating and adjudicating Requests for Investigation of sexual misconduct allegedly committed by students. These options address:

- An Informal Conciliation Process
- Requests for Investigation alleging misconduct other than sexual violence
- A Formal Investigation Process for allegations of Sexual Violence

The College highly recommends that the Reporting Party of a sexual violence incident seek immediate medical attention after the incident. A member of the Title IX Response Team will provide, if needed, referrals to medical professionals.

If the student is unsure about the appropriate process for a Request for Investigation, or is unsure whether he/she should file a Request for Investigation, he/she is encouraged to contact the Title IX Coordinator or another member of the Title IX Response Team for an initial meeting, wherein the Title IX Response Team Members will discuss the options and answer any questions.



**Informal Sexual Misconduct Conciliation Request:** The College offers an informal conciliation process as an alternative to the Formal Investigation Process for Requests for Investigation alleging sexual misconduct other than sexual violence. Upon receiving the filing of an Informal Request for Investigation, the Title IX Coordinator, and/or members of the Response Team, will attempt to intervene in order to reach a satisfactory resolution between the individuals directly involved.

The Reporting Party and the Responding Party will be asked to resolve the problem with the mediation of College officials. This may include the services of the Office of Student Affairs and/or the Office of Human Resources. If informal attempts to resolve the Request for Investigation are unsuccessful, or if the Reporting Party or the Title IX Coordinator believes an informal procedure is inappropriate, the Formal Investigation Process can be utilized at any time. The filing of an Informal Sexual Harassment or Sexual Discrimination Request for Investigation is not a prerequisite to a Formal Sexual Harassment or Sexual Discrimination Request for Investigation.

- If a Reporting Party wishes to try an informal resolution, she/he will be asked to file an ICOM Informal Sexual Harassment or Sexual Discrimination Request for Investigation. Upon receipt of this Request for Investigation, an attempt will be made to resolve the Request for Investigation by conciliation leading to informal mutual agreement.
- In order to conciliate an Informal Sexual Harassment or Sexual Discrimination Request for Investigation, the Title IX Coordinator and/or Response Team or ICOM Counseling Service members may meet with the parties and their respective advisers separately, together, or both, and may permit both parties to present evidence. The purpose of the meetings is to clarify issues and resolve the Request for Investigation.
- If conciliation resolves the matter being discussed, a conciliation agreement, stipulating the terms of the resolution, will be signed by the Reporting Party and the Responding Party. Each party will be simultaneously given a copy of the final signed agreement.
- If the conciliation process is not successful, and the Reporting Party wishes to proceed with Formal Investigation Process, the Reporting Party should follow the instructions set forth below.

The Reporting Party has a right to end the Informal Conciliation Process at any time and begin the Formal Investigation Process. Informal options will not be used to discuss or attempt to resolve Requests for Investigation concerning sexual violence allegedly committed by a College student or an employee, which will be directed to the Sexual Violence Response Process.

**Formal Sexual Misconduct Investigation Process:** If a Reporting Party wishes to seek a formal administrative action regarding sexual misconduct other than sexual violence, and ICOM Formal Sexual Harassment or Sexual Discrimination Request for Investigation (included with this Policy) should be filed with the Title IX Response Team.

- All Requests for Investigation will be acknowledged and promptly investigated and may include interviews with the Reporting Party, and other persons believed to have knowledge relevant to the allegations.
- Both the Reporting and Responding Party may present evidence to the Title IX Response Team.
  - Questioning or evidence about the Reporting Party's prior sexual conduct with anyone other than the Responding Party is prohibited.
  - Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.
- Both the Reporting and Responding Parties will receive the Title IX Coordinator's investigation findings letter concurrently.
- Upon the conclusion of the investigation of a formal Request for Investigation that includes a student, a written Investigative Findings Report will be prepared and submitted to the Dean/Chief Academic Officer for consideration by the Professionalism and Academic Review Committee (PARC). The Dean will issue a final determination regarding the Investigation to the Reporting Party and Responding Party. The final decision of the Dean and the PARC Committee may include remedial measures if a violation of this Policy is found, such as a referral to the appropriate College administrative office for disciplinary action, including suspension or dismissal.

**Sexual Violence Response Process:** Requests for Investigation alleging sexual violence committed by a College student or employee will be investigated through the Sexual

Violence Response Process, which recognizes that outside law enforcement agencies may be simultaneously investigating and prosecuting the alleged offense. The process is initiated by the filing of a Sexual Violence Request for Investigation Form (included in this Policy). The College's specific response will be tailored to the circumstances alleged and will, in all cases, be carried out consistently with the College's Title IX obligations and in such a way that it does not impair any external criminal investigation or prejudice the rights of the alleged Reporting Party or Alleged Responding Party to be treated fairly and afforded as prompt a resolution as permitted by the circumstances. For example, the College may, consistent with its obligations under Title IX, defer to the Interim Measures During Investigation Procedures described herein at Section IV during the pendency of the outside proceeding.

- All Requests for Investigation will be acknowledged and promptly investigated and may include interviews with the Reporting Party, the Responding Party, and other persons believed to have knowledge relevant to the allegations.
- Both the Reporting and Responding Parties may present evidence to the Title IX Coordinator's Response Team.
  - Questioning or evidence about the Reporting Party's prior sexual conduct with anyone other than the Responding Party is prohibited.
  - Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.
- Both the Reporting and Responding Party will receive the findings letter from the Title IX Coordinator concurrently.
- Upon the conclusion of the investigation of alleged sexual violence that includes a student, a written Investigative Findings Report will be prepared and submitted to the Dean/Chief Academic Officer and the PARC Committee and the Dean will issue a final determination on the alleged sexual violence to the Reporting Party and Responding Party. The final decision of the Dean and PARC Committee may include remedial measures if a violation of this Policy is found, such as a referral to the appropriate College administrative office for disciplinary action.

## Student Appeals of Formal Sexual Misconduct or Sexual Violence Findings

Each party in a Formal Sexual Misconduct or Sexual Violence Investigation may appeal the findings or sanctions determined by the Title IX Coordinator by filing a written

appeal with the College President within fourteen (14) days of the date of the decision. The opposing party then may respond to the appeal, in writing, within fourteen (14) days. Both the Reporting and Responding Party may review the Title IX Coordinator's Investigative Findings Report upon an appeal being received.

To be considered, grievance appeals must meet at least one of the following criteria:

- An error in procedure, which allegedly prejudiced the process to the extent the participant was denied a fundamentally fair investigation as a result of the error. Only significant procedural errors that may have affected the decision or which relate to the sanction imposed will be considered.
- New evidence that was previously unknown and became available during the appeal process that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included with the notice of appeal.
- Sanctions imposed are not appropriate for the violation the individual(s) committed.
- Clearly demonstrated investigative bias.

All appeal documentation shall be directed to ICOM's President, Tracy Farnsworth, 208-795-4335, [tfarnsworth@idahocom.org](mailto:tfarnsworth@idahocom.org), Office #303.

**The following information and procedures outlined are specifically required by Title IX Rules issued in the Spring of 2020 and relate ONLY to Student Appeals for Formal Sexual Misconduct or Sexual Violence Findings:**

### **Special Rules Regarding the Grievance (Complaint) Process**

The College will provide both parties with an equal opportunity to inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint. While the College must maintain compliance with the Family Education Rights Privacy Act (FERPA), it should be noted that if the enforcement of FERPA would interfere with the primary purpose of Title IX to eliminate sex-based discrimination in the College, the requirements of Title IX override any conflicting FERPA provisions. In addition, the College will prohibit the grievance process from requiring the submission of any evidence that is protected under legally recognized privilege (e.g. medical records covered by the Health Insurance Portability and Accountability Act of 1996, commonly known as HIPAA).

The formal complaint process requires that the College conduct a live hearing with cross-examination, which may be conducted with the parties in separate rooms or be conducted virtually.

The time, place, and electronic process related to the live hearing shall be agreed upon in writing by both parties not less than ten (10) days before the hearing is to take place. Neither party, nor their advisors, shall unreasonably object to such a proposed procedure and process.

Parties involved are entitled to an advisor, which may be a lawyer, and if a party does not have an advisor, the College will provide the names of two (2) or more parties who could serve in such a role. The potential parties whose names are provided will not include current or former members of the College's faculty or staff.

Cross-examinations during the live hearing must be conducted by the party's advisors, not the parties themselves.

Within fourteen (14) days after the conclusion of the grievance process, President Farnsworth will issue a written determination regarding responsibility. The issuance of the decision reached through this process shall be considered final and as having satisfied all of the College's responsibilities with regard to the matter that was investigated.

### Procedures Applicable to Complaints of Sexual Misconduct Allegedly Committed by an Employee

The procedures that apply to all complaints of sexual misconduct alleged to have been committed by an employee, including sexual misconduct allegedly committed by an employee against a student are largely identical to the Procedures discussed above in Part A.

The Reporting Party should select one of the three (3) different processes, described in Section A for investigating and adjudicating Requests for Investigation of sexual misconduct allegedly committed by students. The appropriate investigation request

should be brought to the attention of the Title IX Coordinator's Response Team expeditiously: ideally within seven (7) days of the offending conduct.

Additional Requirements when the Responding Party is an Employee are as follows:

- Any manager or supervisor who observes conduct in violation of this Sexual Misconduct Policy must promptly report the conduct to the College's Title IX Coordinator or another member of the Title IX Response Team, who may involve the Office of Human Resources or legal counsel if deemed appropriate.
- Managers and supervisors must not conduct their own interviews or investigations. The College will evaluate the investigation request and, in its sole discretion, will determine whether and how to conduct an investigation of the allegations in a prompt and equitable manner. If the College concludes that conduct violated the Sexual Misconduct Policy, it may impose appropriate disciplinary sanctions on the Respondent, up to and including termination or dismissal.

Complaints regarding violations of this Policy committed by any employee should be directed to the Title IX Coordinator or a chosen member of the Title IX Response Team – whose contact information was provided earlier in this document.

If the Title IX Coordinator is not available, or there is a potential conflict of interest with the Title IX Coordinator, informal and formal complaints alleging an incident of sexual misconduct committed by an employee should be mailed, e-mailed, or hand delivered to the Director of Human Resources, who is a member of the Title IX Response Team.

### Appeals of Formal Sexual Misconduct of Sexual Violence Findings When Both the Reporting Party and the Responding Party are Employees

The appeal processes when only College employees involved are substantially different from those undertaken when a student is involved as either the Reporting or Responding Party that have been detailed above. However, to be considered, such grievance appeals must meet at least one of the following criteria which are consistent with those required when a student is involved:

- An error in procedure, which allegedly prejudiced the process to the extent the participant was denied a fundamentally fair investigation as a result of the error. Only

significant procedural errors that may have affected the decision or which relate to the sanction imposed will be considered;

- New evidence that was previously unknown and became available during the appeal process that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included with the notice of appeal;
- Sanctions imposed are not appropriate for the violation the individual(s) committed; and/or
- Clearly demonstrated investigative bias.

All appeal documentation shall be directed to ICOM's President, Tracy Farnsworth, 208-795-4335, [tfarnsworth@idahocom.org](mailto:tfarnsworth@idahocom.org), Office # 303.

**Except in situations whereby local and/or State of Idaho Law Enforcement has taken full charge of the investigation,** the President will:

- Notify the other party who is not filing the grievance of the matter and provide a copy of the submitted appeal; that party shall have not more than seven (7) days to file a written response if so desired;
- Consider the information provided;
- Meet with members of the Title IX Response Team that led the investigation; and
- At his discretion may or may not choose to meet with the Reporting and Responding Parties.

When this process is concluded, the President will issue a written decision to both parties within fourteen (14) days of receiving the opposing party's response or receiving notice that no such response will be delivered.

There are no further appeal opportunities, and the President's decision shall be final regarding the related Sexual Misconduct or Sexual Violence Investigation.

## Interim Measures During Investigation Procedures

Sometimes it is necessary to take steps before or during a formal investigation or an investigation of alleged sexual assault to protect the rights and interests of the parties involved. Such measures may be designed to reduce or eliminate contact between the involved parties so that they may feel safe in their educational environment. Protective

measures may also guard against further actual or perceived discrimination, harassment, violence or retaliation.

Protective measures may include temporary changes in working conditions (such as changes to supervisor or office location), directives to the involved parties to avoid personal contact or refrain from such contact without a neutral third person present, temporary suspension of an employee with or without pay, or temporary suspension of a student or students. As soon as practicable after receipt of a Request for Investigation, the College will make changes to a Student Reporting Party's academic situation if requested and reasonably available. If interim measures are being taken, due at least in part, to a delay occasioned by the pendency of a criminal investigation and/or prosecution, the College will continue to update the parties on the status of the investigation and inform the parties when the school resumes its Title IX investigation.

## No Contact Order

During a formal investigation or an investigation of alleged sexual violence, the Title IX Coordinator may issue a "No Contact" order to insure the well-being of all parties and/or the integrity of the investigation process. Both the Reporting and the Responding Parties are expected to avoid all contact with each other while the report is under investigation.

"No Contact" means no communication whatsoever, including direct communication (talking, calling, texting, etc.), indirect communication (through friends or third parties), or contact through social media (Facebook, Twitter, etc.). The "No Contact" order does not imply any wrongdoing. However, violation of a "No Contact" order is considered a serious and potentially threatening breach of College policy and may result in immediate suspension.

## Role of Attorneys in Formal and Sexual Violence Response Processes

A Reporting or Responding Party may choose to seek the advice and assistance of an attorney at their own expense. An attorney may serve as a non-participating, support person, but cannot be a witness in the process. Additionally, the College will not recognize or enforce agreements between the parties reached outside of these procedures.



## False Reports / Allegations

A false report or allegation of Sexual Misconduct occurs when the Reporting Party intentionally reports information or incidents that he or she knows to be untrue. Failure to prove a complaint of Sexual Misconduct is not equivalent to a false report or allegation. The College may impose sanctions against an individual who knowingly makes false allegations of Sexual Misconduct.

## Record of Request for Investigation and Decision

The record of the Request for Investigation, if any, and final decision shall be retained in a confidential and secure file in the Title IX Coordinator's office.

## Audio and/or Video Recording of Proceedings

Individuals involved in the investigative process are not permitted to audio or video record any investigation of resolution meetings or other portions of the process.

## Confidentiality Options for Reporting Parties of Sexual Violence

The College recognizes that some alleged Reporting Parties of sexual violence may wish to remain anonymous or for the information they disclose to be treated as confidential. Throughout the complaint procedures (whether formal or informal), the confidentiality of all participants will be maintained to the fullest extent possible. However, different individuals both on and off campus have different abilities to maintain a Reporting Party's confidentiality based upon applicable law, including Title IX.

The following options are designed to make students and employees aware of the disclosure options available to them, and the College encourages students to talk to someone in one or more of these groups. The College also reminds students and employees of its prohibition against retaliation located in Section XII of this Policy, and if the student or employee is concerned about retaliation from the alleged Responding Party, the College will take steps to prevent retaliation and take strong responsive actions to retaliatory conduct.

- **Professional and Pastoral Counselors:** These professionals, including the College's Behavioral Health Specialists, are bound by professional ethics to not release information without the patient's permission, except in circumstances where the counselor or health care provider believes that there is a serious threat of imminent physical violence to a specific person or persons, or as otherwise required or permitted by applicable law.
- **Responsible Employees of the College:** Responsible employees of the College are obligated to report incidents of possible sexual violence to school officials, including the Title IX Coordinator's Response Team. A responsible employee is defined as a College employee who has the authority to redress sexual violence, who has been given the duty of reporting incidents of sexual violence or any other misconduct to students to the Title IX Coordinator or other school designee, or who a student could reasonably believe has the authority or duty. Therefore, reporting to a responsible employee is not confidential. Examples of responsible employees include but are not limited to: Campus Security and Security Officers, Faculty members, Human Resources representatives, and Student Affairs personnel.
- **Anonymous Reporting for Alleged Sexual Violence:** Reporting Parties of alleged sexual violence are permitted to submit an anonymous Sexual Violence Request for Investigation. The College may act on behalf of the student or employee. However, the student or employee must understand that remaining anonymous will impede the College's ability to investigate and respond to the complaint.
- **Filing a Request for Investigation or Reporting to a Responsible Employee with a Confidential Request:** A student or employee Reporting Party of alleged sexual violence may ask that a Request for Investigation (or report to a responsible employee) be handled confidentially or that an investigation not be completed. In such a situation, the College must weigh the student's request against the College's obligation to provide a safe, non-discriminatory environment for all of its students and employees. If the College honors the student's request for confidentiality, the student must understand that the College's ability to meaningfully conduct an investigation into the sexual misconduct will be impeded, including the ability to sanction the alleged Responding Party. However, in some cases the College may not be able to honor a student's request for confidentiality in order to honor its responsibility to provide a safe, non-discriminatory environment for all of its students and employees.

The Title IX Coordinator and the Response Team will evaluate requests for confidentiality in accordance with the following factors:

- The risk that the alleged Responding Party will commit additional acts of sexual misconduct.
- The severity of the sexual misconduct.
- Whether sexual violence or a weapon was involved.
- Whether the report reveals or continues a pattern of perpetration at a given location or by or against a particular group.

If the College determines that it cannot maintain a student's or employee's confidentiality, it will, to the extent possible, inform the student or employee prior to taking any action that would disclose the individual's identity, and will, to the extent possible, only share information with people responsible for handling the College's investigation and response. The College may not require the student or employee requesting confidentiality to participate in the investigation.

Regardless of whether or not the College honors a request for confidentiality, the College will promptly take any possible steps deemed appropriate to protect and assist the student or employee to prevent future sexual misconduct. Such steps may include increased monitoring or security at locations where reported sexual misconduct occurred and increased education and prevention efforts.

## Mandatory Reporting of Allegations of Sexual Violence by Responsible Employees

A responsible employee is defined as a College employee who has the authority to redress sexual violence or any other misconduct to students to the Title IX Coordinator's Response Team or other appropriate school designee, or whom a student could reasonably believe has this authority or duty. Therefore, reporting to a responsible employee is not confidential. Examples of responsible employees include, but are not limited to, Campus Security Officers, Human Resources representatives, members of the Title IX Coordinator's Response Team and Student Affairs personnel.

Any time a responsible employee of the College is made aware of a situation that may be reasonably construed as sexual violence against a College student or employee, he or

she must immediately contact the Title IX Coordinator or a member of the Title IX Response Team, as listed above, for an investigation and follow-up. The responsible employee must not conduct his or her own interview or take any other steps that will be involved in the formal investigation. The College is obligated by law to investigate any Sexual Violence Request for Investigation against a student or employee, even if a Reporting Party states that he/she does not wish to pursue it further.

In cases involving Reporting Parties who do not wish to pursue a Request for Investigation further, the College will conduct an investigation and take whatever remedial action may be possible and appropriate under the circumstances, consistent with guidance issued by the United States Department of Education and the College's obligation to other members of the College community. Failure by a responsible employee to report an allegation or incident of sexual violence against a student to the Title IX Coordinator, may result in disciplinary action up to and including termination.

## Prohibition of Retaliation

The College prohibits retaliation against any employee or student who, in good faith; reports, rejects, protests, or complains about sexual misconduct. Retaliation is a violation of College policy. The College will not tolerate discrimination, recrimination, or reprisal against any employee or student who reports or participates under this policy in good faith in a related investigation or hearing.

Complaints of retaliation should be reported to a member of the Title IX Coordinator's Response Team. Any individuals, including Reporting Parties and alleged Responding Parties, who are determined to have made knowingly false statements during the course of the sexual misconduct investigation, may be subject to discipline, which may include termination or dismissal.

## Training

The College provides regular training, including bystander intervention programs, to educate all students and employees about the College's sexual misconduct and Title IX policies.

All employees and students are required to complete an on-line Title IX Training Module each year. Additionally, the Title IX Response Team will make presentations twice each year which may be delivered to students and faculty. All such presentations will be taped and made available for employees and students to access at times convenient for them.

Additionally, the College provides regular and thorough training to the Title IX Coordinator and his Response Team, Campus Security Officers, and anyone else who is involved in responding to, or investigating, sexual misconduct.

### Missing Student Notification

ICOM is not required to meet Clery Act requirements for missing student notifications because the college does not provide on-campus student housing. ICOM Student Services does have procedures in place in the event an ICOM student is reported missing.

### Fire Safety Log

ICOM is not required to meet Clery Act requirements for maintaining a Fire Safety Log because the college does not provide on-campus student housing.

### Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency 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, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

### Idaho Sexual Offender Registration Notification and Community Right-to-Know Act

<https://legislature.idaho.gov/statutesrules/idstat/Title18/T18CH83/SECT18-8307/>

In Idaho, convicted sex offenders must register with the county sheriff in the county they are residing. Should you want information on all registered sex offenders in Idaho, click on the link below to the Idaho State Police Registered Sex Offender registry. You may search by county and/or name and date of birth.

[http://isp.idaho.gov/sor\\_id/search.html](http://isp.idaho.gov/sor_id/search.html)

If you wish to be notified when any registered sex offender moves inside of or out of a given radius surrounding a particular address in the state of Idaho please submit the following information via the Idaho State Police Sex Offender Registry: [http://isp.idaho.gov/sor\\_id/jsp/track\\_address.jsp](http://isp.idaho.gov/sor_id/jsp/track_address.jsp)

- The full street address of interest to be tracked
- Enter the city of interest to be tracked
- The central location to be tracked must be in Idaho
- Enter the zip code of interest to be tracked
- The email address where electronic notifications will be sent

## Table 1 — Crime Statistics

### Criminal Offenses Reporting Table

*Note: ICOM has no On-Campus Student Housing so this sub-category is not included in the chart.*

2019 through 2021

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
<b>Murder/Non-Negligent Manslaughter</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2019</b>	0	0	0
<b>Manslaughter by Negligence</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2019</b>	0	0	0
<b>Rape</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	1*	0
	<b>2019</b>	0	0	0
<b>Fondling</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2019</b>	0	0	0
<b>Incest</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2019</b>	0	0	0
<b>Statutory Rape</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2019</b>	0	0	0
<b>Robbery</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2019</b>	0	0	0

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
<b>Aggravated Assault</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2019</b>	0	0	0
<b>Burglary</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2019</b>	1	0	0
<b>Motor Vehicle Theft</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2019</b>	0	0	0
<b>Arson</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2021</b>	0	0	0

*\* Reported Rape (not involving ICOM student) occurred at hotel in Twin Falls, Idaho used by ICOM students while on clinical rotations.*

## Violence Against Women Act (VAWA) Offenses

2019 through 2021

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
<b>Domestic Violence</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2019</b>	0	0	0
<b>Dating Violence</b>	<b>2021</b>	0	0	0
	<b>2020</b>	0	0	0
	<b>2019</b>	0	0	0
<b>Stalking</b>	<b>2021</b>	0	0	0



OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
	2020	0	0	0
	2019	0	0	0

## Arrests and Referrals for Disciplinary Actions

2019 through 2021

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
<b>Disciplinary Referrals: Weapons: Carrying, Possessing, etc.</b>	2021	0	0	0
	2020	0	0	0
	2019	0	0	0
<b>Arrests: Weapons: Carrying, Possessing, etc.</b>	2021	0	0	0
	2020	0	0	0
	2019	0	0	0
<b>Disciplinary Referrals: Drug Abuse Violations</b>	2021	0	0	0
	2020	0	0	0
	2019	0	0	0
<b>Arrests: Drug Abuse Violations</b>	2021	0	0	0
	2020	0	0	0
	2019	0	0	0
<b>Disciplinary Referrals: Liquor Law Violations</b>	2021	0	0	0
	2020	0	0	0
	2019	0	0	0
<b>Arrests: Liquor Law</b>	2021	0	0	0

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Violations	2020	0	0	0
	2019	0	0	0

## Hate Crimes

There were no reported Hate Crimes for the year 2021.

## Unfounded Crimes

There were no Unfounded Crimes for the year 2021.