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# THE UNIVERSITY OF IOWA

The 2020 Jeanne Clery Disclosure of Campus Security Policy, Crime Statistics and Fire Safety Annual Report  
Information for 2020-2021 Academic Year, containing crime statistics for 2017, 2018 and 2019

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## A Message from President Bruce Harreld

### Welcome to the University of Iowa!

I am honored to be president of this outstanding university. The public university's role in American society and the world at large remains crucial, and the UI is proud of its legacy as a dynamic engine of learning and discovery that contributes immensely to the public good. The core of the university's strength in fulfilling its mission of teaching, research, and service is its people. The UI's success is founded on talented, imaginative, dedicated, and hardworking faculty and staff who always seek to improve how we serve our students and public.

The University of Iowa is special in the way it advances its mission with a balanced commitment to the sciences, arts, and humanities. At Iowa, we enjoy a culture that sincerely wants every student to succeed, and one that takes seriously its deep obligation to the people of this state. We also enjoy a culture that has an impressive legacy of collaboration and creativity, both of which are necessary to lead the changes on the horizon for higher education and society at large.

The UI has faced many challenges in its history, and we stand on an unwavering resolve to meet those of our present and future, as we have done for generations. Higher education may be changing, but our aspirations to provide unparalleled educational opportunities to our students, to create new pathways for groundbreaking research and creative work, and to share our discoveries widely with our state, nation, and world remain steadfast.

Because of the excellence of our people and our clarity of mission, the future of the University of Iowa is bright, and I am privileged to be part of this extraordinary institution.

Bruce Harreld

President

[president@uiowa.edu](mailto:president@uiowa.edu)



### Introduction

At The University of Iowa, we provide excellence and accessibility in education, conduct groundbreaking research, undertake revolutionary creative endeavor, dedicate ourselves to diversity, and enhance higher education's role in public life. At Iowa, undergraduate, graduate, and professional students find a rich, vibrant, innovative, and affordable academic experience. The University of Iowa is one of the nation's academic leaders. As we hold onto our traditions and our strengths, we also look forward to a future marked by increasing distinction and new discovery.

The University of Iowa prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime

Statistics Act. The full text of this report can be located on our web site at <https://police.uiowa.edu>. This report is also available at The Department of Public Safety or by mail, upon request.

The University of Iowa has five campuses in Iowa. The main campus is located in Iowa City. The University also has campuses as defined by the Clery Act in **Tippie College of Business Cedar Rapids Center**, **The John and Mary Pappajohn Education Center in Des Moines**, **Birchwood Fields Learning Center in Davenport**, and the **Iowa Lakeside Lab: Regent's Resource Center at Lake Okoboji**. All policy statements contained in this report apply to all campuses unless otherwise indicated.



**The Department of Public Safety – The University of Iowa Police**

The University of Iowa campus is subject to many of the same safety concerns as are experienced in the community in which it is located. In order to facilitate the prevention of crime on the 1900 acres of University property and monitor the more than 200 University buildings, the University provides professional law enforcement through the UI Department of Public Safety. Scott Beckner, the Assistant Vice President and Director of Public Safety leads the department. The department consists of five divisions- Police, Investigations, Security, Emergency Communications, and Records led by two Associate Directors. Located at 808 University Capitol Centre on campus, the UI Department of Public Safety operates separately from the Iowa City Police Department and



responds to University interests within Johnson County.

UI Department of Public Safety's police officers are trained and certified by the Iowa Law Enforcement Academy and have full arrest powers to enforce State and Local laws, as well as University policies. In September, 2020, the UI Department of Public Safety had a total of 38 sworn officers, including 29 patrol officers, two bomb detection K-9's, one captain two lieutenants and five sergeants in the uniformed Police Division. Four investigators constitute the Investigative Division. The department has an investigator assigned to the Johnson County Drug Task Force.

The UI Department of Public Safety maintains jurisdiction of University owned or controlled properties, as well as public properties adjacent to or on the University campus. UI Department of Public Safety's police officers have jurisdiction statewide but try to confine their patrol activities to the UI campus and routes in between numerous UI properties. The police officers patrol the UI campus by vehicle, motorcycle, bicycle, and foot patrol.

As part of the Security Division, the UI Department of Public Safety employs full-time security officers, including two supervisors, and part-time student security officers. These security officers are unsworn and do not have the authority to make arrests. They receive annual training in CPR and fire suppression as well as instruction on University of Iowa policies.

Security officers are not sworn officers, but they are responsible for enforcing university policies, and those policies include enforcing violations of the law. Security officers document violations of University policy/law and contact local law enforcement agencies to report observed violations of federal laws and state laws.

Full-time security officers receive on the job training from designated trainers and certification as protection officers from the International Foundation of Protection Officers. The Security Division members are required to have extensive knowledge of

academic buildings and residence halls located on University of Iowa property.

The Department of Public Safety supplements the other divisions by employing nine full-time Public Safety Dispatchers. Dispatchers are required to become state certified within their first year of employment. They are required to operate the National Crime Information Center (NCIC), Iowa On-Line Warrants and Articles



(IOWA) computer systems, and attend a 40 hour training course at the Iowa Law Enforcement Academy. Dispatchers routinely monitor over 250 fire and burglar alarm accounts, multiple agency radio frequencies, 911 emergency calls, and calls for service using a Computer Aided Dispatching (CAD) system. Public Safety also employs University of Iowa students as part-time dispatchers who are required to meet the same employment standards as full-time dispatchers.

**Threat Assessment Program**

The Threat Assessment Program is dedicated to the early identification, assessment and management of incidents and behaviors that threaten the safety and well-being of the university community.

The University of Iowa established the Threat Assessment Team in 2008 in response to the Iowa Board of Regents' Comprehensive Safety and Security Policy (Chapter 11), which includes a charge to provide comprehensive threat assessment and management services. The program is managed through a partnership with Human Resources and the UI Department of Public Safety. The TAT combines expertise in the areas of law enforcement, mental health, student services, faculty/staff services, legal services and organizational effectiveness. For more information see:

<https://hr.uiowa.edu/tat>

<https://police.uiowa.edu/about/threat-assessment-team>

To contact the Threat Assessment Team:

**Eli Hotchkin**  
**Threat Assessment Program Director**  
**121 University Services Building Ste. 51**  
**(319) 467-0311**  
**uitat@uiowa.edu**

## Arrest Authority

All sworn police officers in the UI Department of Public Safety have the authority to apprehend crime suspects and formally charge persons with violating Federal, state and local criminal laws as well as enforcing University policies. Officers with this power of arrest include the director, associate directors, captains, lieutenants,



sergeants and uniformed police officers. Sworn officers associated with the Iowa City Police Department or other law enforcement agencies are called upon by the University from time to time to assist the Department of Public Safety in securing University-owned property. Unsworn security officers and other University security personnel are trained to report observed criminal activity on campus but do not have the powers of arrest.

## Officer Training

All police officers in the Department of Public Safety are sworn police officers who have satisfied state mandated training and continuing education requirements. Department of Public Safety security officers and University of Iowa Hospitals and Clinics Safety and Security officers receive in-service training to assist the sworn police officers in securing buildings, responding to reports, and identifying criminal violators.

## Interagency Relationships

As a recognized police agency, the Department of Public Safety is part of the state criminal law enforcement network. This ensures that the University has access to intrastate and interstate criminal data. In the process of monitoring University property and responding to reports from the public, the Department of Public Safety maintains regular communication with the Iowa City Police Department, which has jurisdiction over property contiguous to campus and apartments and other individual dwelling units in Iowa City. The University also works closely with the Coralville Police Department, where many students reside; the Johnson County Sheriff's Office, who oversees jail operations; and the State Department of Criminal Investigation. The Director of the Department of Public Safety or his designee regularly meets with representatives from all law enforcement agencies within Johnson County and the county attorney's office in order to review patterns of criminal activity in Johnson County and discuss crime prevention issues. The University of Iowa does not have written memorandums of understanding with other law enforcement agencies for the investigation of alleged criminal offenses.

The UI Department of Public Safety have interoperable communications with the Iowa City Police Department, the Johnson County Sheriff's Office, the University Heights Police Department, the Coralville Police Department, the North Liberty Police Department, as well as all other area first responders. All of these agencies are dispatched out of the Johnson County Emergency Communications Center. The UI Department of Public

Safety's Emergency Communications Center and the Johnson County Emergency Communications Center operate under a Chapter 28E agreement to provide joint data and communications to local first responders.

## UI Department of Public Safety's Response to Criminal Reports

The UI Department of Public Safety records is every call for service received by the dispatcher. In cases where there is a report of ongoing criminal activity, the watch commander assigns patrol officers to the scene. If necessary, UI Department of Public Safety's administration assigns investigators to conduct follow-up investigations. When there is a reasonable basis to believe that a known individual has committed a crime on campus, a University of Iowa police officer apprehends the person; the arresting officer charges them and refers the case to the Johnson County Attorney for prosecution. In cases where the police officer intends to take the person in custody, persons under custodial arrest are taken to the Johnson County Jail immediately following the arrest and booked. When major case investigations occur, such as possible homicides or serious felonies, the UI Department of Public Safety may elicit the assistance from the Division of Criminal Investigation of the Iowa Department of Public Safety or other local law enforcement agencies. Likewise, the UI Department of Public Safety may assist other local law enforcement agencies in their major cases.

## Criminal Data Policies

All University police officers and investigators are required to submit investigation reports and have received specific training in documenting crimes. The DPS administration monitors the department's response to reports. The Records Division uses Information derived from reports to maintain a written file and they create a crime log according to federal requirements. The crime log can be located in the lobby of the University of Iowa Department of Public Safety, 808 University Capitol Centre and at:

<https://police.uiowa.edu/crime-log>

## Administrative Investigations

In many cases where law enforcement charges a University student, faculty, or staff member, particularly in the case of incidents that occur on University property, University officials may conduct a concurrent investigation. When a student is accused of a crime, the Office of Student Accountability undertakes a disciplinary review. When academic instructors are accused of a crime, disciplinary review is the responsibility of the Office of the Provost. When other staff members are accused of a crime, disciplinary review is the responsibility of the employing department, in consultation with the appropriate human resources representative. When persons accused of a crime have multiple roles within the University, multiple offices may be involved in a disciplinary review.

## Community Outreach

The Department of Public Safety maintains a full-time Community Outreach Specialist. This specialist maintains a comprehensive crime prevention program that includes presentations, security audits, research, and crime prevention literature. The Department of Public Safety's Community Outreach Specialist is available to all faculty, staff and students. They are certified in various crime prevention strategies and Crime Prevention Through Environmental Design (CPTED) with an emphasis on campus crime prevention. Educational presentations are available upon request at no cost. Presentations and informational materials include: Alcohol Awareness, Personal Safety and Self-Protection, dealing with disruptive persons, identity theft information, and Project

ID/UV designed to discourage theft and promote registration of student owned valuables. Our department is active with social media and we continually post information onto our sites: information includes Personal Safety & Self Protection, Hawk Alert, and various events. Please visit us on Facebook and Twitter through our home page at <https://police.uiowa.edu>. For these and other crime prevention services please contact the Crime Prevention Specialist at (319) 335-5043.

#### Firearms

**The Iowa Administrative Code prohibits faculty, staff, students, and visitors from possessing weapons on the University of Iowa campus. University of Iowa police officers are armed and exceed the Iowa Law Enforcement Academy's training requirements.**

#### Fire Safety

The Fire Safety Coordinator maintains a comprehensive university fire inspection and prevention program, acts as the university liaison with state and local fire and emergency management officials, assists with fire safety inspections of university buildings, enforces fire safety and emergency management directives. The Fire Safety Coordinator collects and prepares related documentation for dissemination to key personnel, researches and enforces all applicable codes, standards, and laws to ensure that the university is in compliance and serves as a member of the Fire Safety Advisory Group and Emergency Management Advisory Group. If you need fire safety information, please contact the coordinator at (319) 335-5389.

#### Additional Services Provided

In response to reports of a fire or medical emergency, the UI Department of Public Safety's Emergency Communications Center notifies the Johnson County Joint Emergency Communications Center for fire fighters and ambulance service. Emergency medical care is provided at all hours at the University of Iowa Hospitals & Clinics. The University provides or otherwise supports post-emergency and post-crime counseling services for students, staff, and faculty members. Among the departments which provide such services are University Counseling Services, the Rape Victim Advocacy Program, Faculty & Staff Support Services, Student Health, and the University of Iowa Hospitals & Clinics. In addition, the Johnson County Attorney's Office maintains a full-time Victim Witness Coordinator who assists students, staff, faculty, and other citizens who are crime victims during and after the criminal prosecution.

#### Daily Crime Log

The daily crime log is available to the public at the lobby the UI Department or of the UI Department of Public Safety located at 808 University Capitol Centre in Iowa City from 8:30 a.m. -4:30 p.m. or of Public Safety's website at:

<https://police.uiowa.edu/crime-log>

#### Campus Safety Resources for The Tippie College of Business Cedar Rapids Center

##### The Cedar Rapids Police Department

The University of Iowa does not staff the Cedar Rapids campus with security or a police department. The campus is located within the jurisdiction of the city of Cedar Rapids so the Cedar Rapids Police should be contacted to report a crime.

#### Campus Safety Resources for the Birchwood Learning Center in Davenport

##### The Davenport Police Department

The University of Iowa does not staff the Davenport campus with security or a police department. The campus is located within the jurisdiction of the city of Davenport. The Davenport Police Department should be contacted to report a crime.

#### Campus Safety Resources for the John and Mary Pappajohn Education Center in Des Moines

##### The Des Moines Police Department

The University of Iowa does not staff the Des Moines campus with security or a police department. The campus is located within the jurisdiction of the city of Des Moines so the Des Moines Police should be contacted to report a crime.

#### Campus Safety Resources for the Iowa Lakeside Lab: Regent's Resource Center at Lake Okoboji

##### The Dickinson County Sheriff's Office

The University of Iowa does not staff the Lakeside Lab at Lake Okoboji with a security or police department assigned to the campus. The campus is located within the jurisdiction of the Dickinson County Sheriff's Office so the Dickinson County Sheriff's Office should be contacted to report a crime.

## Safety on Campus

### The Importance of Reporting Crime

In order to maintain a safe environment for work and learning, the University supports a fully staffed professional police agency on campus, provides facilities for storing criminal information, and stations monitors in critical areas of campus. Because the cooperation of ordinary citizens is also essential to the safety of the campus, faculty, students, and staff members are instructed and encouraged to accurately and promptly report crimes to the UI Department of Public Safety or the appropriate law enforcement agency in the event they receive criminal or emergency information, even if the victim of a crime elects or is unable to make a report.

As citizens of the community, the University urges all University students, faculty, administrators, and staff to participate actively in the criminal prevention process. It is essential that when faculty, staff, students, or visitors know of a crime on campus, they should immediately report it so, the appropriate officials can determine if an emergency notification or a timely warning to the community should be issued. Members of the community are helpful when they immediately report crimes or emergencies to the University of Iowa Police and/or Administrative Offices of the University for the purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

All local police departments remain in operation 24 hours a day, 7 days a week. This includes the University of Iowa Police, the Iowa City Police Department, the Coralville Police Department, and the Johnson County Sheriff's Office.

The UI Department of Public Safety patrols the main UI campus, the Aspire Apartments at West Campus, Oakdale Research Park, and the Lake MacBride Nature Area in northern Johnson County.

### How to Report a Crime on the Main Campus in Iowa City

Contact University of Iowa Police at (319) 335-5022 (non-emergencies), dial 9-1-1- (emergencies only), or by using the Code Blue telephones located near parking lots or on campus. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the Residence Halls should be reported to the UI Department of Public Safety for assessment for a timely warning notice and inclusion in the annual disclosure of crime statistics disclosure report.

The UI Department of Public Safety has jurisdiction over the University of Iowa Hospitals and Clinics, but the hospital has its own Safety and Security officers who are unsworn and unarmed, but provide security services to the main hospital. For incidents in the University of Iowa Hospitals and Clinics, contact UIHC Safety and Security at (319) 356-2658 or by going to their office at 0082 Roy Carver Pavilion.

While police officers are trained to deter crime for the protection of the public, crime prevention cannot take place without assistance from the greater community.

### Response to a Report

Dispatchers are available at these respective telephone numbers 24 hours a day to answer your calls. In response to a call, University of Iowa Police Department will take the required action, either dispatching an officer or asking the victim to report to University of Iowa Police Department to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record. All University of Iowa Police Department incident reports are forwarded to the Dean of Students Office for

review and referral for potential action, as appropriate. University of Iowa Police will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Office of the Dean of Students. If assistance is required from the Iowa City Police Department or the Iowa City Fire Department, University of Iowa Police will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including the Rape Victim's Advocacy Program (RVAP) and the Office of the Sexual Misconduct Response Coordinator (OSMRC) will offer the victim a wide variety of services.

### Reporting Crimes to Administrative Offices of the University

Crimes may also be reported to following departments on campus, but these are administrative departments and do not conduct criminal investigations. They may conduct administrative investigations related to complaints or refer complainants to the appropriate law enforcement agency if a person wished to pursue a criminal complaint:

Office of the Sexual Misconduct Response Coordinator  
450 Van Allen Hall  
(319) 335-6200

Angela Ibrahim-Olin  
Office of the Dean of Students  
135 Iowa Memorial Union  
(319) 335-0828

Greg Thompson  
University Housing and Dining  
4141 Burge Hall  
(319) 335-3000

Office of Equal Opportunity and Diversity  
202 Jessup Hall  
(319) 335-0705

UIHC Hospital Safety and Security  
0081 RCP  
(319) 356-2658

### Reporting Crime off Campus for the Main Campus in Iowa City

When a crime occurs at a location off campus, citizens should contact the law enforcement agency having the jurisdiction over the case. Typically, this is where the crime has occurred.

1. For crimes in Iowa City: Iowa City Police (319) 356-5275
2. For crimes occurring in the city of Coralville: Coralville Police (319) 354-1100
3. For crimes occurring in the city of North Liberty: North Liberty Police (319) 626-5724
4. For crimes occurring in the city of University Heights: University Heights Police (319) 356-6800
5. For crimes occurring in Johnson County but not in the cities above: The Johnson County Sheriff's Office (319) 356-6020

### How to Report a Crime on or off Campus at the Tippie College of Business Cedar Rapids

Contact the Cedar Rapids Police at (319) 286-5375 (non-emergencies), or dial 9-1-1- (emergencies only). Any suspicious activity or person should be reported to the Cedar Rapids Police and the UI Department of Public Safety at the main campus at (319) 335-5022 for purpose of making crime alert reports and inclusion in the annual crime statistics disclosure report.



### How to Report Crime on or off Campus at the Birchwood Fields Learning Center in Davenport

Contact the Davenport Police at (563) 326-7979 (non-emergencies), or dial 9-1-1- (emergencies only). Any suspicious activity or person should be reported to the Davenport Police and the UI Department of Public Safety at the main campus at (319) 335-5022 for purpose of making crime alert reports and inclusion in the annual crime statistics disclosure report.

### How to Report a Crime on or off Campus at the John and Mary Pappajohn Education Center in Des Moines

Contact the Des Moines Police at (515) 283-4824 (non-emergencies), or dial 9-1-1- (emergencies only). Any suspicious activity or person should be reported to the Des Moines Police and the UI Department of Public Safety at the main campus at (319) 335-5022 for purpose of making crime alert reports and inclusion in the annual crime statistics disclosure report.

### How to Report a Crime on or off Campus at the Iowa Lakeside Lab: Regent's Resource Center at Lake Okoboji

Contact the Dickinson County Sheriff's Office at (712) 336-2793 (non-emergencies) or dial 9-1-1- (emergencies only). Any suspicious activity or person should be reported to the Dickinson County Sheriff's Office and the UI Department of Public Safety at the main campus at (319) 335-5022 for purpose of making crime alert reports and inclusion in the annual crime statistics disclosure report.

### Accurate Reporting

All members of the University of Iowa community are encouraged to accurately and promptly report all crimes and emergencies to the University of Iowa Police and the appropriate law enforcement agencies.

### Voluntary Confidential and Anonymous Reporting

The UI Department of Public Safety encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the University of Iowa Police Division cannot hold reports of crime in confidence, therefore there is no procedure to report crimes on a voluntary confidential basis. However, the UI Department of Public Safety accepts anonymous crime reports for inclusion in the annual disclosure of crime statistics through our website at: <https://police.uiowa.edu/police/report-crime>.

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making an anonymous report. The purpose of an anonymous report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving

### Crime Alerts

#### The Decision Making Process for a Crime Alert

When the Director of Public Safety or their designee receives a report of a crime, it is reviewed to determine if there is a serious or continuing threat to the campus community. In the event a crime is reported, that in the judgment of the Director of Public Safety or their designee constitutes a serious or continuing threat to the campus community that has occurred on or within the UI Clery Geography (On Campus, Non-campus & Public Property) but does not rise to the level of a campus emergency, a campus wide crime alert will be issued in the form of a "crime alert" email.

students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on an anonymous basis for inclusion into the annual crime statistics. However, they are not encouraged to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis for inclusion into the annual crime statistics.

The rulemaking committee defines counselors as:

- *Pastoral Counselor* - An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.
- *Professional Counselor* - An employee of an institution whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Information about the UI Department of Public Safety and crime reporting is distributed to staff at these locations and staff will inform victims of their reporting options. If victims wish to report crimes, counselors will be available to assist them in reporting crimes to local law enforcement officials for inclusion in the annual crime statistics. Crime statistics are derived from crime reports received by the respective law enforcement agencies and administrative departments at the University but they do not include privileged counseling information known to these resources.

RVAP maintains comprehensive statistics on sexual assaults in eight counties (Cedar, Des Moines, Henry, Iowa, Johnson, Van Buren, and Washington) surrounding the Iowa City area, as well as receiving calls from across the state through 24 hour hotline, including cases where victims have chosen not to report to law enforcement authorities. RVAP aggregate statistics are communicated to DPS for inclusion in this annual security report annually.

Crime Alerts are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Manslaughter by Negligence
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger University community)



- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Rape and Fondling are considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Director of Public Safety. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Crime Alert notice.
- Major incidents of Arson
- Other Clery crimes as determined necessary by Director of Public Safety, or his or her designee in his or her absence.

The Director of Public Safety or his designee will develop the crime alert and issue it to the community by mass email. The mass email will be sent to all University of Iowa community members at their

uiowa.edu email address with the pertinent facts and details of the crime known to the UI Department of Public Safety and, if relevant, any suspect information and suggestions for protective measures a person could take.

**Confidentiality:** The Clery Act requires the names of victims be withheld as confidential from the crime alert and alerts are issued in a timely manner that will aid in the prevention of future similar crimes. The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

The decision to issue a crime alert will be decided on a case by case basis in light of all the facts surrounding a crime, including factors such as the amount of information known by the UI Department of Public Safety, the nature of the crime, the possible risk of compromising law enforcement efforts, and whether there is a continuing danger to the campus community.

#### Campus Safety Advisories

Safety Advisories may also be issued for situations that may not constitute a Clery crime or occur on campus, but present a serious or continuing threat to the campus community and at the sole discretion of Director of Public Safety.

### Emergency Response & Notification Procedures - Main Campus in Iowa City

#### Emergency Operations Plan

The Department of Public Safety maintains an Emergency Response Plan that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of particular units or positions. University units are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans.

The Emergency Operations plan for the University of Iowa is known as the Critical Incident Management Plan. This plan describes the emergency response procedures for the University. A complete copy can be found here: <https://uiowa.edu/critical-incident-plan/>.

#### Response to Emergencies

In the event of an emergency, the police should be contacted immediately. In order to facilitate a prompt response in emergency situations, 911 telephone service is in effect for the entire county. Off-campus 911 landline calls and wireless calls are answered by the Johnson County Emergency Communications Center and routed automatically to the appropriate police authority. All on-campus landline 911 calls are routed to the UI



Department of Public Safety's Emergency Communications Center. All UI Department of Public Safety police officers and security officers are certified to administer emergency first aid, cardiopulmonary resuscitation (CPR) and are trained in the use of Automated External Defibrillators (AEDs) which are carried in their marked police vehicles. All Public Safety Dispatchers are Emergency Medical Dispatch Certified to give lifesaving instructions over the phone while units are responding.

#### Emergency Telephones

Outdoor telephones with a direct line to UI Department of Public Safety's Emergency Communications Center and marked "Emergency" are located at critical points on University-owned property. In addition, several indoor telephones are available for emergency use, including one located in the women's locker room at the Field House. Visitors to campus are encouraged to use the telephones which have been installed in each residence hall near the main entrances and at various points in University Hospitals & Clinics.

#### Emergency Communications and Notifications

The University of Iowa Department of Public Safety provides a comprehensive, campus-wide system of emergency response



through the "Hawk Alert" system, the Outdoor Warning System, and internal building public address systems.

### Hawk Alert Emergency Notification System

The Hawk Alert system is used to notify the campus community of threats to physical safety in emergency situations. Depending on the incident, the Hawk Alert system can provide a variety of communications methods to the campus community. Hawk Alert allows the Department of Public Safety to send recorded and/or electronic emergency messages ("Hawk Alerts") to UI students, faculty, and staff by mobile phone, home phone, office phone, and e-mail (all at once), using contact information from the University's enterprise directory (updated via MyUI or Employee Self Service). Face to face communication may also be used to communicate information about emergencies on campus.

### Outdoor Warning System

The Outdoor Warning System is comprised of siren towers located throughout the University campus. Equipped with multiple sirens and equipment for both automated and live voice broadcast, the Outdoor Warning System permits University of Iowa officials to provide crucial information about emergencies to the campus community. The outdoor system is only used when an emergency condition exists on campus.

### Indoor Public Address Systems

The University has the ability to broadcast information to buildings equipped with a specific type of fire alerting system. Not all buildings have this function. This system will only be used when an emergency condition exists on campus and the Hawk Alert and Outdoor Warning Systems have been activated, and there is time to activate this system.

### Campus Emergencies

When, in the professional judgment of the Director of Public Safety or his designee, a significant emergency or dangerous situation involving an immediate threat to the campus community has been confirmed, an emergency notification will be immediately sent without delay. The UI Department of Public Safety will take into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: the Department of Public Safety, local police, and/or the local fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.



The UI Department of Public Safety is responsible for confirming emergencies with the assistance of other University Administrators, local first responders and/or the National Weather Service. The UI Department of Public Safety will attempt to contact every member of the UI community through the contact options selected by each person in their Hawk Alert settings. All '@uiowa' email addresses and their aliases are automatically enrolled in the Hawk Alert system. It is important for UI community members to update their settings, see: <https://hawkalert.uiowa.edu/>.

Some examples of campus emergencies include severe weather warnings, violent incidents, and hazardous material incidents.

Additionally, if appropriate, the Outdoor Warning System and Indoor Warning Systems may be activated.

### Severe Weather Procedures

The University of Iowa Department of Public Safety maintains close communications with the Johnson County Emergency Management Agency as well as the National Weather Service in Davenport, Iowa. In most cases when conditions are favorable for severe weather the National Weather Service will hold a briefing to provide further details on the conditions. The UI Emergency Manager and the Johnson County Emergency Management Agency make every effort to attend these briefings. UI Emergency Management will immediately disseminate this information and begin planning for contingencies to avoid disruption to normal operations. Life safety is of upmost importance and the Department of Public Safety will make every effort to provide the most accurate and updated information.

### Severe Weather Monitoring

The Department of Public Safety utilizes numerous resources to receive notification of severe weather conditions in and around Johnson County, Iowa. The department is equipped with a 24/7 dispatch center that is ready to handle all emergency communications including severe weather. In addition to the dispatch center, the UI has an Incident Command Center that will be staffed and managed by the Critical Incident Management Team. During severe weather the following resources will be utilized to monitor and manage severe weather conditions at the UI.



### Information Regarding Campus Emergencies

As emergency situations are dynamic, individuals seeking confirmation of an emergency situation or having questions regarding any emergency notification should not contact the UI Department of Public Safety unless they have pertinent information about the emergency in progress. Contacting the department unnecessarily consumes resources that need to be used to handle the situation. For more information about an emergency, information will be released via the UI home page when it is available.

### The Decision Making Process for Campus Emergency Notifications

The Director of the UI Department of Public Safety, as well as the Associate Directors and Watch Commanders, will:

- confirm the emergency,

- determine the content of any message to the campus community,
- determine the appropriate segment or segments of the campus community to receive the notification, and
- issue appropriate warning(s) without unnecessary delay, in response to an emergency situation.

These individuals will determine which locations will be evacuated, if necessary. Dispatchers within the Department of Public Safety assist with the activation of the siren systems and the issuance of warning messages. They receive training to issue messages and frequently test the message system throughout the year. For weather related emergencies a Hawk Alert will give the expiration time of the notification by the National Weather Service and may not have a follow up Hawk Alert message. Other Hawk

Alert messages will have a follow up message. For more information will available by visiting the University of Iowa home page at <https://www.uiowa.edu> or the University's emergency website at <https://e.uiowa.edu>. Members of the larger community, such as parents or neighbors of the University, may receive emergency information by visiting these websites.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a Crime Alert based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

### Annual Testing of Emergency Response

An evacuation drill is coordinated by The UI Department of Public Safety each semester for all residential facilities on both the main campus in Iowa City and the Lakeside Lab; Regents Resource Center at Lake Okoboji. A second drill is coordinated each semester for some first year Residence Halls and the more densely populated halls. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The UI Department of Public Safety does not tell residents in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, The UI Department of Public Safety and the Department of Housing and Dining staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At the University of Iowa, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by the UI Department of Public Safety and the Department of Housing and Dining to evaluate egress and behavioral patterns. Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for

improvements are also submitted to the appropriate departments/offices for consideration.

Students receive information about evacuation during their first floor meetings and during other educational sessions that they can participate in throughout the year. The Residence Hall staff members are trained in these procedures as well and act as an on-going resource for the students living in residential facilities.

The UI Department of Public Safety conducts announced and unannounced drills and exercises (tests) each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities. The UI Department of Public Safety coordinates announced and unannounced evacuation drills each semester, as described above, to test the emergency response and evacuation procedures, and to assess and evaluate the emergency evacuation plans and capabilities. Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced. The campus publicizes through a mass email a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

At least once a year, the University tests the emergency response and evacuation procedures at a time when most of the students, faculty, and staff are expected to be present on campus. Both Hawk Alert and the UI Outdoor Warning Systems are tested, usually at the beginning of the fall semester or coinciding with monthly statewide tornado drills. This is an announced test so faculty, staff and students will receive emails and press releases prior to all tests of the Hawk Alert system as well as publish a summary of these tests for the Main Campus, Cedar Rapids, Des Moines and the Lakeside Lab at Lake Okoboji. The University does not do any unannounced testing of this system.





Students at the Cedar Rapids campus have access to the Hawk Alert system that is located on the main campus; however community members at the Cedar Rapids campus should pay attention to local warning sirens and mass notification systems that are managed by Linn County Emergency Management Agency.. Individuals can sign up for emergency notifications at the following link

[https://entry.inspironlogistics.com/linncounty\\_ia/wens.cfm](https://entry.inspironlogistics.com/linncounty_ia/wens.cfm).

Hawk Alerts will not be issued for weather systems that are affecting the Cedar Rapids campus but not the main campus in Iowa City.

### Notification and Response to Emergencies

In the event of an emergency, the Cedar Rapids Police should be contacted immediately, particularly in the case of fire and medical emergencies. In order to facilitate a prompt response in emergencies, 911 telephone service is in effect for the entire county.

### Non-Emergency Situations

Reports should be directed to the respective police agency that has authority to file criminal charges in the geographic area in which the crime was committed.

### Campus Emergencies

Since the Tippie College of Business Cedar Rapids Center is separate from the main campus, the building administrator is responsible for the following:

- confirming an emergency in the center
- determining the content of any message to the campus community,
- determining the appropriate segment of segments of the community to receive the notification,
- issuing appropriate warning(s) without unnecessary delay, in response to an emergency situation, and
- notifying the persons affected by the emergency.

Follow up information can be viewed will by visiting the University of Iowa home page at <https://www.uiowa.edu> or the University's emergency website at <https://e.uiowa.edu>. Members of the larger community, such as parents or neighbors of the University, may receive emergency information at the same websites.

### Information Regarding Campus Emergencies

As emergencies are dynamic, individuals seeking confirmation of an emergency or having questions regarding any emergency notification should not contact the law enforcement agencies unless they have pertinent information about the emergency in progress. Contacting the department unnecessarily consumes resources that need to be used to handle the situation.

### Evacuation Procedures

In the event that an evacuation of the Tippie College of Business Cedar Rapids Center is necessary, one should locate the nearest stairwell and exit the building. Please see Evacuation and Relocation Procedures for more information.



Students at the Birchwood Learning Center have access to the Hawk Alert system that is located on the main campus; however, community members at the Birchwood Learning Center should pay attention to local warning sirens operated by the Scott County Emergency Management Agency as well as building fire alert systems. Students can sign up for mass notification at:

[http://entry.inspironlogistics.com/scott\\_ia/wens.cfm](http://entry.inspironlogistics.com/scott_ia/wens.cfm)

Hawk Alerts will not be issued for weather systems that are affecting the Birchwood Learning Center but not the main campus in Iowa City.

### Notification and Response to Emergencies

In the event of an emergency, the Davenport Police should be contacted immediately, particularly in the case of fire and medical emergencies. In order to facilitate a prompt response in emergencies, 911 telephone service is in effect for the entire county.

### Campus Emergencies

Since the John Birchwood Learning Center is separate from the main campus, the building administrator is in charge of the following:

- confirming an emergency in the center
- determining the content of any message to the campus community,

- determining the appropriate segment of segments of the community to receive the notification,
- issuing appropriate warning(s) without unnecessary delay, in response to an emergency situation, and
- notifying the persons affected by the emergency.

Follow up information can be viewed will by visiting the University of Iowa home page at <https://www.uiowa.edu> or the University's emergency website at <https://e.uiowa.edu>. Members of the larger community, such as parents or neighbors of the University, may receive emergency information at the same websites.

### Information Regarding Campus Emergencies

As emergencies are dynamic, individuals seeking confirmation of an emergency or having questions regarding any emergency notification should not contact the law enforcement agencies unless they have pertinent information about the emergency in progress. Contacting the department unnecessarily consumes resources that need to be used to handle the situation.

### Evacuation Procedures

In the event that an evacuation of the Birchwood Learning Center is necessary, one should locate the nearest stairwell or exit and leave the building. Please see Evacuation and Relocation Procedures for more information.





Students at the John and Mary Pappajohn Education Center have access to the Hawk Alert system that is located on the main campus; however, community members at the John and Mary Pappajohn Education Center should pay attention to local warning sirens operated by the Polk County Emergency Management Agency as well as building fire alert systems. ICHE community members can sign up for this service at:

<https://www.polkcountyiowa.gov/emergency-management/emergency-preparedness/codered-automated-notification-system/>

Hawk Alerts will not be issued for weather systems that are affecting the Des Moines campus but not the main campus in Iowa City. The building is equipped with an indoor paging system and may be used to communicate emergency information in the building.

### Notification and Response to Emergencies

In the event of an emergency, the Des Moines Police should be contacted immediately, particularly in the case of fire and medical emergencies. In order to facilitate a prompt response in emergencies, 911 telephone service is in effect for the entire county.

### Campus Emergencies

Since the John and Mary Pappajohn Education Center is separate from the main campus, the campus administrator is in charge of the following:

- confirming an emergency in the center

- determining the content of any message to the campus community,
- determining the appropriate segment of segments of the community to receive the notification,
- issuing appropriate warning(s) without unnecessary delay, in response to an emergency situation, and
- notifying the persons affected by the emergency.

Follow up information can be viewed will by visiting the University of Iowa home page at <http://www.uiowa.edu> or the University's emergency website at <http://e.uiowa.edu>. Members of the larger community, such as parents or neighbors of the University, may receive emergency information at the same websites.

### Information Regarding Campus Emergencies

As emergencies are dynamic, individuals seeking confirmation of an emergency or having questions regarding any emergency notification should not contact the law enforcement agencies unless they have pertinent information about the emergency in progress. Contacting the department unnecessarily consumes resources that need to be used to handle the situation.

### Evacuation Procedures

In the event that an evacuation of the John and Mary Pappajohn Education Center in Des Moines is necessary, one should locate the nearest stairwell or exit and leave the building. Please see Evacuation and Relocation Procedures for more information.



Students at the Lakeside Lab: Regents Resource Center at Lake Okoboji have access to the Hawk Alert system that is located on the main campus; however community members at the Lakeside Lab at Lake Okoboji should pay attention to local warning sirens operated by the Dickinson County Emergency Management Agency as well as building fire alert systems. Hawk Alerts will not be issued for weather systems that are affecting the Lakeside Lab: Regents Resource Center at Lake Okoboji but not the main campus in Iowa City.

#### Notification and Response to Emergencies

In the event of an emergency, community members should immediately contact the Dickson County Sheriff's, particularly in the case of fire and medical emergencies. In order to facilitate a prompt response in emergencies, 911 telephone service is in effect for the entire county.

#### Campus Emergencies

Since the Lakeside Lab: Regents Resource Center at Lake Okoboji is separate from the main campus, the site administrator is in charge of the following:

- confirming an emergency in the center
- determining the content of any message to the campus community,

- determining the appropriate segment of segments of the community to receive the notification,
- issuing appropriate warning(s) without unnecessary delay, in response to an emergency situation, and
- notifying the persons affected by the emergency.

Follow up information can be viewed will by visiting the University of Iowa home page at <https://www.uiowa.edu> or the University's emergency website at <https://e.uiowa.edu>. Members of the larger community, such as parents or neighbors of the University, may receive emergency information at the same websites.

#### Information Regarding Campus Emergencies

As emergencies are dynamic, individuals seeking confirmation of an emergency or having questions regarding any emergency notification should not contact the law enforcement agencies unless they have pertinent information about the emergency in progress. Contacting the department unnecessarily consumes resources that need to be used to handle the situation.

#### Evacuation Procedures

In the event that an evacuation of the Lakeside Lab: Regents Resource Center at Lake Okoboji is necessary, one should leave the building or campus immediately. Please see Evacuation and Relocation Procedures for more information.

## Evacuation and Relocation Procedures

### General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify the Department of Public Safety at (319) 335-5022.

1. Remain calm
2. Do not use elevators. Use the stairs.
3. Assist the physically impaired.
4. If he/she unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform Evacuation and Relocation Procedures or the responding fire department of the individual's location.
5. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
6. Make sure all personnel are out of the building.
7. Do not re-enter the building.

Transportation of persons shall be coordinated with appropriate Department of Public Safety and Parking & Transportation personnel for the purpose of evacuation and relocation of persons threatened by or displaced by the incident. A temporary shelter or facility such as Burge Hall, the Iowa Memorial Union, the Field House, or Carver Hawkeye Arena will be selected if needed. Coordination for assistance, equipment, and supplies will be determined at the relocation site as needed.

The primary responsibility for the protection of property, assessment of damage, and restoration of normal operations shall be given to the appropriate University service unit. These University service units will include:

- **Facilities Management:** Coordinates all services for the restoration of electrical, plumbing, heating, and other support systems as well as environmental enclosure and structural integrity. Assesses damage and makes a prognosis for occupancy of the structure affected by the disaster.
- **Information Technology Services:** Coordinates support for data processing resources at the main data center and the designated recovery sites; provides alternate voice and data communications capability in the event normal telecommunication lines and equipment are disrupted by the disaster. Evaluates the requirements and selects appropriate means of backing up the ITS telecommunications network.
- **Department of Public Safety:** Provides safety and security for people and facilities, as well as emergency support to affected areas, and notification mechanisms for problems that are or could be disasters. Extends a security perimeter around the functional area affected by the disaster.

### Evacuation/Rescue Plan for Persons with Disabilities

Even though emergency personnel are usually available to assist with evacuation, this may not always be the case. People with concerns that would make independent evacuation difficult are encouraged to make alternative plans and arrangements in advance which will increase the likelihood that individuals will be able to exit a building safely in the event of an emergency. Check

to see if your building has a staff member serving in the role of Building Coordinator. Individuals are encouraged to discuss evacuation/rescue needs with the Building Coordinator if applicable.

Every individual must quickly become familiar with their area by locating exits, stairwells, elevators, firefighting equipment, fire alarms, and possible areas of rescue.

**NOTE:** Possible areas of rescue can be in a stairwell/fire escape, areas adjacent to a stairwell or fire escape, a window facing the outside or a room within the structure; attempt to select a room with a phone. It is understood that older structures may not have adequate landings within the stairwells to accommodate wheelchairs. Individuals are encouraged to use protected stairwells for exiting if possible.

Those who have difficulty speaking or those with hearing impairments who have difficulty judging volume are encouraged to carry a whistle or a similar device for the purpose of announcing your location to emergency services personnel conducting rescue searches and to carry personal cell phones to contact emergency services personnel. If assistance is needed, call University Public Safety by phoning 319-335-5022.

**NOTE:** When calling a university number from a cell phone you must press all seven digits. Depending on your phone service you may also have to include the area code. In case of an emergency, press **911**. Be prepared to give your name, your building, floor and location, the reason why you are calling and your particular needs.

Advise others (supervisors, administrators, instructors, colleagues, fellow students) about any concerns that you may have related to emergency exiting and how they can assist you in the event of an emergency. This can include assistance in exiting a building, assistance to areas of rescue and alerting emergency services of your location. (For exiting concerns related to tornadoes or bomb threats, see:

- Bomb Threat - <https://www.uiowa.edu/critical-incident-plan/bomb-threat>
- Tornado - <https://www.uiowa.edu/critical-incident-plan/tornado>

### Assisting Those with Disabilities, Evacuation Guidelines

It is recommended that each Department establish a "buddy" system in which volunteers and alternates are recruited and paired with persons who have known disabilities that would create special evacuation needs. Volunteers should become familiar with the special evacuation needs of their buddies and plan to alert and assist them if an evacuation is ordered. Volunteers should keep in mind that many people with disabilities can assist in their evacuation.

#### People with Visual Disability

In the event of an emergency tell the person the nature of the emergency and offer to guide him/her. As you walk, tell the person where you are and advise of any obstacles. Do not grasp a visually impaired person's arm. Offer your arm for guidance.

#### People with Hearing Disability

Persons with impaired hearing may not perceive emergency alarms and an alternative warning technique is required. Two methods of warning are:

- Writing a note telling what the emergency is and the nearest evacuation route/safe staging area.
- Tapping the person on the shoulder or turning the light switch on and off to gain attention, then indicating through gestures, or in writing, what is happening and what to do.

**NOTE:** Most modern fire alarm systems are equipped with flashing lights to alert people with hearing impairments.

#### **People Using Crutches, Canes, or Walkers**

If the person is having difficulty exiting quickly, treat him/her as if injured for evacuation purposes. Carrying options include using a two-person, lock-arm position, having the person sit in a sturdy chair, preferably with arms; some buildings have evacuation chairs specific for stairway travel (**familiarization with these chairs is advised**). For level travel, an office chair with wheels could be utilized.

#### **People using motorized and non-motorized wheelchairs or other ambulation devices**

The needs and preferences of people will vary. Most will be able to exit safely without assistance if on the ground floor. Two

volunteers are needed in carrying a person and wheelchair. It is advisable to arrange a two-person, lock arm carry or use an evacuation chair to manage stairways. Please keep in mind that some people have minimal ability to move and lifting them may be painful and/or injurious. Additionally, some individuals may have respiratory complications and must be removed from smoke or fumes immediately.

#### **Always consult the person as to his/her preference with regard to:**

- Ways of being removed from the wheelchair.
- The number of people necessary for assistance.
- Whether to extend or move extremities when lifting because of pain, catheter bags, braces, etc.
- Whether a seat cushion or pad should be brought along if he/she is removed from the chair.
- Being carried forward or backward on a flight of stairs.
- After-care needs, if removed from a mobility device (wheelchair, scooter, etc.)

### **Policy for Residents Reported as Missing**

When a staff member, parent, student, or other individual familiar with a UI student knows that the student has been missing for 24 hours or more, that individual should immediately contact the appropriate law enforcement agency and initiate a missing person's report. For missing students who reside on University property (Residence Halls other University-owned or managed properties), the proper law enforcement agency to contact is the University of Iowa Police (319) 335-5022.

Any UI staff member who receives a missing student report regarding a campus resident missing for 24 hours or more is required to refer the report immediately to the Department of Public Safety. If the student reported missing is not yet 18 years of age and is not emancipated, the Department of Public Safety will notify the student's custodial parent or guardian and any other contact person previously designated by the student within 24 hours of notification that the student is missing. For student residents of campus 18 years or older who are reported as missing, UI Department of Public Safety staff will contact the person previously designated by the resident as the missing person contact and notify him/her that the student is missing within 24 hours of the determination that they have been missing for 24 hours. The UI Department of Public Safety will notify local law enforcement authorities within 24 hours that a student is missing, regardless if they have identified a missing person contact, is above the age of 18, or is an emancipated minor. For all missing students, the UI will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

Of utmost concern to the University of Iowa is the safety of our residents of campus housing. Every resident of University property (Residence Halls and other University-owned or managed properties) is provided the option (annually) when they occupy the leased space to designate a contact person or persons who

the institution shall notify within 24 hours in the event that the Department of Public Safety determines the student is missing. Housing staff shall register the information submitted by student residents in such a manner as to ensure that the information on the card will not be disclosed in violation of federal law governing student record information. The information on the card will be accessible only by authorized campus officials (including but not limited to the Office of the Dean of Students) and to law enforcement personnel in furtherance of a missing person investigation. The card for missing person contact information is made available to student residents of University property who are not yet 18 years of age, however, federal law requires that a custodial parent or guardian of a minor student be contacted within 24 hours of a missing student report, in addition to the contact person listed on the card, whether or not the minor student chose to list the custodial parent or guardian on the card.

Individuals who have a non-emergency concern about a student residing on University-owned or leased property should contact the appropriate department (University Housing & Dining for Residence Halls or the UI Business Manager for University rental properties). The main phone line for University Housing & Dining is (319) 335-3000 and the Business Manager's phone number is (319) 335-1968. Please be advised that a resident's absence from a dormitory building or from a University-owned student apartment is not usually considered an emergency, as residents attend classes and participate in University functions outside of University housing. To facilitate routine communication between family members and students in non-emergency situations, University Housing & Dining advises residents to check their e-mail regularly and utilize cell phones. Residents are not required to check out at the front desk with a University official before exiting campus housing.





### Access to University Buildings

As a public institution of higher learning, the University of Iowa welcomes anyone interested in utilizing the wide range of educational facilities on campus. During business hours, the University will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all College facilities is by key or access card. The University reserves the right to revoke the right for any person to be on campus. For security reasons, however, not all University buildings are open to the public. University residence halls are private residences, and at certain hours of the night only residents or their escorted guests are permitted to enter or remain in the residence halls. It should be noted that most entrances to University of Iowa buildings are unmonitored, and access only by authorized persons cannot be guaranteed. Faculty, staff, and students are encouraged to contact the UI Department of Public Safety when they see suspicious persons or activity. Only authorized personnel are permitted in many areas of University Hospitals & Clinics. Most buildings open to the public are closed and locked after regular business hours.

### Personal Property Security

Facilities for securing the personal property of students, staff, faculty, and visitors are provided in or near many campus buildings. Examples include lockers in the Campus Recreation and Wellness Center; lockers in various libraries; seven monitored parking ramps; gate-locked parking lots; and bicycle racks across the campus. In addition, the University provides housing on University property for more than six thousand students.

### Housing on Private Property, Including Student Organization Housing

Since private housing property is located within the geographic jurisdiction of the Iowa City Police and Coralville Police Departments, student-occupied dwelling units not located on property owned, controlled, or leased by the University of Iowa are neither secured nor monitored by the UI Department of Public Safety, except in the case of the Aspire apartments on the West Campus. While these units are privately owned, they are built on University of Iowa property and as part of the agreement for their construction the UI Department of Public Safety has jurisdiction over those buildings. All recognized student organizations which provide housing facilities are Greek-letter associations responsible to the Pan-Hellenic Council, the Inter-Fraternity Council, or an academic college. Greek-letter chapter houses are managed by private housing corporations consisting of student members, chapter alumni, and professional housing managers. Security procedures may vary from chapter house to chapter house. To

obtain information about the security procedures in place at a particular chapter house, interested students should consult with the executive officers or the housing board of the student organization.

### Security and Monitoring of University Property

Sworn police officers of the UI Department of Public Safety patrol University-owned property 24 hours a day, 7 days a week on foot, on bicycles, and in squad cars. The frequency and intensity of the patrols increases during night-time hours. Security officers trained by the UI Department of Public Safety are assigned to monitor specific buildings or areas at night. These areas include on campus residential facilities.



### Security Considerations Used in the Maintenance of Campus Facilities

Many campus pathways remain lighted throughout the night. As part of their surveillance responsibilities, security officers report burned-out lights and other potentially dangerous situations. Maintenance crew members routinely replace lights, trim shrubbery, and remove snow, ice, and other debris from pathways. UI takes security into consideration in the maintenance of its facilities.

### Access to Academic Buildings

The UI Department of Public Safety routinely checks University buildings that are closed during non-business hours. Each building has a scheduled time to be secured and only authorized staff members are issued keys or access cards to secured buildings. All indoor maintenance personnel wear uniform shirts with Facilities Management insignia for identification purposes, and all students and employees are issued University identification cards. In order to monitor access during secured hours, the entrances of many buildings are lighted.

### Access to Residence Hall Buildings

For security purposes, all University student living spaces are secured twenty four hours a day. The outside building doors to most residence halls are locked at least from midnight to 7:00 a.m. 7 days a week. Others are secured 24 hours a day. Each resident is issued an access card to his or her building as well as a key to his or her room and is advised to keep the room door locked at all hours of the day. During secured hours, a non-resident may only enter the building if he or she is a guest of a resident and enters through the main entrance; however, Residence Hall staff members do not monitor access at any entrance, and the University cannot guarantee that unescorted nonresidents



cannot access the residence halls. Many residence halls have main desks staffed 24 hours a day. Residents are held responsible for the conduct of their guests, and non-residents found in a residence hall during secured hours in violation of this rule are subject to University discipline and arrest for criminal trespass. At least one trained staff member is on duty 24 hours a day. Overnight guests should be registered at the information desk.

### Security Precautions for University Apartments

Adult residents of University owned or controlled apartments are issued keys to their respective apartments and are advised to keep their doors locked at all hours of the day. In addition to a smoke detector and fire extinguisher, important information, such as emergency and police phone numbers, is provided in writing. During daytime hours on weekdays, staff members are on duty in the University Apartments office. During the night, officers from the University Police routinely conduct patrols of the Aspire apartments at West Campus.



### Special Security Precautions in University Hospitals & Clinics

The University of Iowa Hospitals & Clinics' Department of Safety and Security operates an in-house safety and security service with an emphasis on personal safety and fire safety as well as security. The UIHC Safety and Security Department staff does not have arrest powers but work in cooperation with the UI Department of Public Safety, the authorized law enforcement agency for the UIHC. In order to maintain the physical security of UIHC, the Safety and Security Department patrols the hospitals and clinics, secures doors, monitors a safety surveillance closed-circuit television system, and responds to requests by patients, visitors, and staff. Reports of serious criminal activity are routed directly to the UI Department of Public Safety. In cases of minor criminal activity, copies of Safety and Security reports are sent to the UI Department of Public Safety for consideration and possible follow-up.

### Non-Campus Student Organization Housing

It is the responsibility of every registered student organization to ensure that all federal, state, and local laws are observed at activities sponsored by the organization. Crimes that occur in housing units maintained by officially registered student organizations on non-University property in Iowa City (non-campus locations as per the Clery Act are reported to the Iowa City Police Department, non-University property in Coralville is reported to the Coralville Police Department. UI does not use the local police agencies to monitor the crimes at those locations, those locations are a part of the local police agency's jurisdiction. These agencies share with the University its records of police reports occurring in or near fraternity and sorority housing units.

The Office of the Dean of Students, in cooperation with the Iowa City Police Department, the Coralville Police Department, and the UI Department of Public Safety, periodically reviews police reports in order to ascertain the number and type of reported crimes which occur on property owned or controlled by recognized student organizations. In cases where a student's conduct on fraternity or sorority property violates University regulations, appropriate disciplinary action will be initiated by the Office of the Dean of Students.

### Security of Campus Facilities at the Tippie College of Business Cedar Rapids Center in Cedar Rapids

The Tippie College of Business Cedar Rapids Center occupies the third floor of the building and access to the building is made through lobby areas or walkways to the facility. Entrances and elevators are unlocked by on site staff members but entry doors to stairwells to enter the facility are locked at all times. Exiting the facility can be done at any time. During non-business hours the facility entrances are locked. There is a receptionist on site during class hours, but they do not monitor individuals entering the building and provide no other security functions other than unlocking and locking the facilities. Any concerns within the building should be brought to the attention of staff; however, all crime should be reported to the Cedar Rapids Police Department. Parking for the facility is at city parking meters or parking ramps near the facility, but the University does not control any of those parking spaces.

### Security of Campus Facilities at the Birchwood Fields Learning Center in Davenport

Access to The Birchwood Fields Learning Center in Davenport made through lobby areas or walkways to the facility. Entrances and elevators are unlocked and locked electronically. Exiting the facility can be done at any time. There is staff on site during class hours, but they do not monitor individuals entering the building and provide no other security functions other than unlocking and locking the facilities. Any concerns within the building should be brought to the attention of staff; however, all crime should be reported to the Davenport Police Department.

### Security of Campus Facilities at the John and Mary Pappajohn Education Center in Des Moines

The John and Mary Pappajohn Education Center is located in downtown Des Moines. The building is unlocked during normal business hours when a limited number of entrances are unlocked by staff members. The entrances are not monitored by staff but there are surveillance cameras on the property. Exiting the facility can be done at any time. During non-business hours the facility entrances are locked. There is a building administrator on site but they do not monitor individuals entering the building, and provide no other security functions other than unlocking and locking the facilities. Any concerns within the building should be brought to the attention of staff; however, all crime should be reported to the Des Moines Police Department.

### Security of Campus Facilities at the Lakeside Lab: Regents Resource Center at Lake Okoboji

Iowa Lakeside Laboratory Regents Resource Center is located on West Okoboji Lake along Iowa Highway 86. There are two entrances from the highway, the main entrance and service entrance, located about 100 yards apart and both open continually. Neither is monitored, but the Facilities Manager resides in a house next to the service entrance and is aware of vehicles entering the grounds. All buildings are locked when not in use. (The library, stone classroom buildings, and computer lab are open 24 hours per day during the 8-week summer session

only). There are no security cameras on campus. Any concerns should be brought to the attention of staff, however all crimes should be reported to the Dickinson County Sheriff's Department.

## Security Awareness and Crime Prevention Programs

### General Purpose

The University undertakes programs designed to maintain awareness in the subject of safety and encourages students, staff, and faculty to take an active role in the deterrence of crime. Security awareness is accomplished through a variety of means. The University disseminates general and specific information in writing to the University community and presents a variety of programs tailored to the interests and particular needs of the various constituencies on campus. These programs include opportunities for students, staff, and faculty to meet and discuss crime issues with the Crime Prevention Specialist in the Department of Public Safety.

### General Sources of Information



Under state law, certain police information is public, including the date, time, specific location, and immediate facts of a crime and the name and address of a person arrested and the criminal charge. In order to learn the most current crime information, members of the University community are encouraged to read the daily police arrest reports in the Daily Iowan or Iowa City Press-Citizen. The Department of Public Safety releases an activity report and arrest log through their web site at <https://police.uiowa.edu/crime-log>. In addition to releasing an activity report and arrest log, the Department of Public Safety issues timely warnings of crimes considered to be a serious or continuing threat to the University community which are reported to local police agencies.

### Presentations

Crime prevention programs are presented periodically during the academic year by University personnel and student leaders. During orientation, new students are informed of services offered by the UI Department of Public Safety. A common theme of all awareness programs is student and staff responsibility for their own safety and the security of others. The UI Department of Public Safety employs a full time Community Outreach Officer to coordinate campus-wide prevention efforts and assist individual departments on a case-by-case basis. In addition, University departments such as the Women's Resource and Action Center and the Rape Victim Advocacy Program present a variety of programs, many of which are related to personal safety and bystander skill building. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year. In these programs, students and employees are encouraged to be responsible for their own security and the security of others.

Emergency assistance can be summoned by dialing 911. Parking is at various graveled lots or on the grass on campus.

### Examples of Programming Offered

Due to the size of the University and the changing calendar of campus activities over the course of a year, the number of security programs presented varies month to month. Among the prevention programs regularly offered are date rape awareness workshops in the residence halls and Greek system; small-group discussion in freshman orientation; shoplifting awareness training for IMU Bookstore employees; Campus late-night and NITE RIDE transportation service; fire drills in the residence halls conducted by the Iowa City Fire Department; and RAD self-defense program for women and men. September is Security Awareness Month in the residence halls, during which time formal and informal programming is provided to residents on topics related to crime prevention. Examples of other programming offered by the institution are:

#### Bystander Intervention

Bystander intervention is the active engagement of witnesses and onlookers in situations involving inappropriate, offensive or potentially dangerous conduct in ways that promote safe, healthy, and respectful interactions between individuals, and communicate expectations for acceptable behavior in communities. Workshops available on bystander intervention help participants develop skills for safety responding and intervening in problematic situations, acknowledge violence as a community wide problem, and recognize barriers to intervention.

#### Healthy Relationships Workshop

Interactive workshop designed to encourage discussion and critical thinking around patterns of dating violence and dynamics of healthy relationships. Participants will also learn how to support individuals who may be experiencing relationship violence.

#### Enthusiastic Consent Workshop

Discusses affirmative consent practices in a sex positive framework and offers students concrete examples of ways to incorporate enthusiastic consent into their lives. This workshop shows examples of what consent is not, talks about the ways we're programmed from childhood not to expect consent, and includes small group work on how to ask for consent.

#### Queering Consent Workshop

Explores the history of consent practices in queer communities and the current landscape of consent in LGBTQ spaces and relationships.

#### Rape Aggression Defense (R.A.D.)

The Department of Public Safety offers Rape Aggression Defense (R.A.D.) classes every semester. R.A.D. is the nation's largest self-defense course. The R.A.D. approach to personal safety education embodies a practical blend of threat avoidance strategies and real-world assault resistance for men and women. To learn when courses are available or for more information, visit the University of Iowa Department of Public Safety website or email [police@uiowa.edu](mailto:police@uiowa.edu). Courses may be provided to groups of 10 or more upon request.

#### Better Men. Better Hawkeyes

Better Men. Better Hawkeyes. is a free, one-hour program dedicated to promoting healthy masculinity across campus,

specifically engaging groups where students who identify as men come together. The program intends to address sexual violence by fostering large and small group discussions about gender stereotypes and sexual consent among peers. To find more information about the program or to sign up for a class, visit the website.

#### **Dismantling Rape Culture Workshop**

Interrogates the way that our society is set up to both subtly and overtly support sexual violence and offers participants a framework to challenge rape culture in their own lives. The session offers pop culture examples of rape culture, discusses the repercussions of not challenging this culture, and offers small group work on how to challenge it using popular song lyrics and/or scenarios.

#### **Responding to Disclosures**

This workshop is intended primarily for staff, faculty, and students who are not mandatory reporters on campus, but who want to know how to compassionately respond to disclosures of gender-based violence and discrimination. The program focuses on likely forms of disclosure, how to respond appropriately, and where to connect individuals to resources on campus and in the community. Participants will have the opportunity to practice compassionate responses using tailored scenarios.

#### **A View Into Policy**

An interactive workshop that aims to shed light on sexual misconduct investigations. The workshop covers the role of policy, types of misconduct described by policy and scenarios to help connect abstract policy constructs to real life, an investigation framework for resolving questions of consent, and alcohol consumption and incapacitation.

#### **Security Awareness Programs for Other Campuses**

The University of Iowa does not provide any security awareness programs for these locations; however, all students are invited to attend programs on the main campus in Iowa City.

#### **Policy Regarding Use of Illegal Drugs and Alcohol**

##### **Drug Free Schools and Communities Act**

In compliance with the Drug Free Schools and Communities Act, The University of Iowa publishes information regarding the University's educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and University policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for UI students and employees. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at:

<https://dos.uiowa.edu/policies/illegal-drugs-and-alcohol/>.

Minimum sanctions for violations of the University Alcohol and Drug Policies are here:

<https://dos.uiowa.edu/policies/minimum-sanctions/>

University of Iowa prohibits the unlawful possession, use, and sale of alcoholic beverages and illegal drugs on campus. The University of Iowa Police Department has primary responsibility for the enforcement of State underage drinking laws as well as the enforcement of Federal and State drug laws.



The University of Iowa does not discriminate on the basis of sex in its educational programs. Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, the University of Iowa issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University responsible employee (AAO). In this context, the University of Iowa prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the University community.

The University of Iowa strongly encourages anyone seeking information about sexual harassment or sexual misconduct to visit the Office of the Sexual Misconduct Response Coordinator <https://osmrc.uiowa.edu/policy>. This site houses significant information regarding the University's policies, resources for complainants, respondents and for University mandated reporters.

#### **Definitions**

There are numerous terms used by the University of Iowa in our policy and procedures. The Clery Act requires the institution provide you with the definition of these terms as defined by the Department of Education as well as in the State of Iowa's criminal code.

#### **Consent under Iowa law**

Under Iowa law the following people are unable to give consent:

- Persons who are asleep or unconscious
- Persons who are incapacitated due to the influence of drugs, alcohol, or medication
- Persons who are unable to communicate consent due to a mental or physical condition

#### **Sexual Misconduct and Consent under University of Iowa Policy**

Paragraph a contains definitions required in Part 106.3 of the U.S. Department of Education Title IX Regulations. These definitions may apply in situations that are otherwise not covered by Title IX (e.g., off campus).

- a. "Sexual harassment I" means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the university conditioning the provision of an aid, benefit, or service of the university on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the university's education program or activity; or
- (3) "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v); "dating violence" as defined in 34 USC 12291(a)(10); "domestic violence" as defined in 34 USC 12291(a)(8); or "stalking" as defined in 34 USC 12291(a)(30).<sup>1</sup>

"Sexual assault" means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Related definitions include:

- (a) "Sex offense": Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
  - (b) "Fondling": The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
  - (c) "Incest": Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - (d) "Statutory rape": Sexual intercourse with a person who is under the statutory age of consent.
  - (e) "Rape": The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- (4) "Dating violence" means violence committed by a person:
- (a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - (b) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - (i) The length of the relationship;
    - (ii) The type of relationship;
    - (iii) The frequency of interaction between the persons involved in the relationship.
- (5) "Domestic violence" means a felony or misdemeanor crime of violence committed:
- (a) By a current or former spouse or intimate partner of the victim;
  - (b) By a person with whom the victim shares a child in common;
  - (c) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
  - (d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies; or



- (e) 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.
- (6) "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  - (a) Fear for their safety or the safety of others; or
  - (b) Suffer substantial emotional distress.

Examples include:

- (c) Attempting to gather information about the target of unwelcome conduct;
  - (d) Vandalism, including attacks on data and equipment;
  - (e) Direct physical and/or verbal threats against a target of unwelcome conduct or loved ones of a target of unwelcome conduct, including animal abuse;
  - (f) Gathering of information about a target of unwelcome conduct from family, friends, coworkers, and/or classmates;
  - (g) Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the target of unwelcome conduct;
  - (h) Defamation or slander against the target of unwelcome conduct; posting false information about the target of unwelcome conduct; posing as the complainant in order to post to websites, news groups, blogs, or other sites that allow public contributions; and/or encouraging others to harass the target of unwelcome conduct;
  - (i) Posing as someone other than oneself to initiate transactions, financial credit, loans, or other contractual agreements;
  - (j) Arranging to meet the target of unwelcome conduct under false pretenses.
- b. "Sexual misconduct" is a broad term encompassing any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation.
- (1) "Sexual harassment II" is persistent, repetitive, or egregious conduct directed at a specific individual or group of individuals that a reasonable person would interpret, in the full context in which the conduct occurs, as harassment of a sexual nature.

Harassment of a sexual nature has the effect of limiting or denying another person's work or educational performance or creating an intimidating, hostile, or demeaning environment for employment, education, on-campus living, or participation in a university program or activity.

Examples of this type of behavior include:

- (a) Unwanted behavior of a sexual nature;
- (b) Comments or communications which could be verbal, written, or electronic. Behavior does not need to be directed at or to a specific person, but rather may be generalized unwelcome and unnecessary comments based on sex or gender stereotypes;
- (c) Persistent unwelcome efforts to develop a romantic or sexual relationship;

- (d) Unwelcome commentary about an individual's body or sexual activities;
- (e) Repeated unwanted sexual attention;
- (f) Repeated and unwelcome sexually oriented teasing, joking, or flirting;
- (g) Verbal abuse of a sexual nature.

- (2) "Non-consensual sexual contact" is any intentional sexual contact, however slight, with any body part or object, by any individual upon another for the purpose of sexual gratification or for any other purpose that is:
  - (a) Without consent,
  - (b) By force,
  - (c) By coercion, or
  - (d) Upon an individual without capacity to consent because of:
    - (i) Age ,
    - (ii) Temporary or permanent mental incapacity, or
    - (iii) Temporary or permanent physical incapacity.

"Sexual contact" includes:

- (iv) Intentional contact with the breasts, buttock, groin, or genitals;
- (v) Touching another with any of these body parts or an object;
- (vi) Making another touch you or themselves with or on any of these body parts;
- (vii) Any intentional bodily contact in a sexual manner .

- (3) "Sexual exploitation" is conduct that takes non-consensual sexual advantage of another individual, often without the knowledge of that person, for any purpose, including sexual gratification, financial gain, personal benefit, or any other nonlegitimate purpose.

Examples of sexual exploitation include but are not limited to:

- (a) Non-consensual streaming, audio or video recording, photographing, or transmitting intimate or sexual utterances, sounds, or images without consent of all parties involved;
- (b) Engaging in any form of voyeurism (e.g., "peeping");
- (c) Allowing others to view sexual acts (whether in person or via a video camera or other recording device) without the consent of all parties involved;
- (d) Arranging for others to have non-consensual sexual contact or penetration with a person;
- (e) Compelling another individual to touch their own or another individual's (third-party's) private parts without consent;
- (f) Threatening another person that you will commit a sex act against them;
- (g) Engaging in indecent exposure.

- c) "Consent" is:

- (1) Knowing, and

- (2) Voluntary, and
- (3) Clear permission
  - (a) By word or clear unambiguous action
  - (b) To engage in sexual activity.

Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably communicated. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, the participants must stop the activity until each consents to it.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and relationship between the parties.

Consent in relationships must also be considered in context. When parties consent to BDSM or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying "no" may be part of the kink and thus consensual, so the University of Iowa's evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

"Incapacitation" occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction). A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs (including medication). Subsequent memory loss alone, which may not be observable at the time of events, is not sufficient to establish that someone was incapacitated.

Incapacitation is determined through consideration of all relevant indicators of the complainant's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk. As stated above, a respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent. This policy covers a person whose incapacity results from:

- (a) A temporary or permanent physical or mental health condition,
- (b) Involuntary physical restraint, and/or
- (c) The consumption of alcohol or drugs.

- (d) It is a defense to a sexual harassment and sexual misconduct policy violation that the respondent neither knew nor should have known the complainant to be physically or mentally incapacitated, regardless of the reason. A determination whether a respondent "should have known" that a complainant was incapacitated is made by looking at the particular facts available from an objective, reasonable-person standard. The definition of "a reasonable person" includes a person who is both sober and exercising sound judgment.

#### Sexual Assault Definitions under the Clery Act

**Sexual Assault:** "Sexual assault" is defined by the Department of Education as an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**Rape:** 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:** 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:** Incest is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Statutory rape is defined a non-forcible sexual intercourse with a person who is under the statutory age of consent.

#### Sexual Assault under the Code of Iowa

Sexual Assault is further defined by the State of Iowa criminal statutes as:

##### 709.1 Sexual abuse defined

Any sex act between persons is sexual abuse by either of the persons when the act is performed with the other person in any of the following circumstances:

1. The act is done by force or against the will of the other. If the consent or acquiescence of the other is procured by threats of violence toward any person or if the act is done while the other is under the influence of a drug inducing sleep or is otherwise in a state of unconsciousness, the act is done against the will of the other.
2. Such other person is suffering from a mental defect or incapacity which precludes giving consent, or lacks the mental capacity to know the right and wrong of conduct in sexual matters.
3. Such other person is a child.

Incapacitation means a person is disabled or deprived of ability, as follows:

1. "Mentally incapacitated" means that a person is temporarily incapable of apprising or controlling the person's own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance.

2. "Physically helpless" means that a person is unable to communicate an unwillingness to act because the person is unconscious, asleep, or is otherwise physically limited.
3. "Physically incapacitated" means that a person has a bodily impairment or handicap that substantially limits the person's ability to resist or flee.

#### **709.5 Resistance to Sexual Abuse.**

Under the provisions of this law, it shall not be necessary to establish physical resistance by a person in order to establish that an act of sexual abuse was committed by force or against the will of the person. However, the circumstances surrounding the commission of the act may be considered in determining whether or not the act was done by force or against the will of the other.

The term "sex act" or "sexual activity" means any sexual contact between two or more persons by: penetration of the penis into the vagina or anus; contact between the mouth and genitalia or by contact between the genitalia of one person and the genitalia or anus of another person; contact between the finger or hand of one person and the genitalia or anus of another person, except in the course of examination or treatment by a person licensed pursuant to chapter 148, 148C, 151, or 152; ejaculation onto the person of another; or by use of artificial sexual organs or substitutes therefor in contact with the genitalia or anus.

#### **Penalties for Sexual Abuse**

##### **709.2 Sexual abuse in the first degree.**

1. A person commits sexual abuse in the first degree when in the course of committing sexual abuse the person causes another serious injury.

Sexual abuse in the first degree is a class "A" felony.

##### **709.3 Sexual abuse in the second degree.**

A person commits sexual abuse in the second degree when the person commits sexual abuse under any of the following circumstances:

1. During the commission of sexual abuse the person displays in a threatening manner a dangerous weapon, or uses or threatens to use force creating a substantial risk of death or serious injury to any person.
2. The other person is under the age of twelve.
3. The person is aided or abetted by one or more persons and the sex act is committed by force or against the will of the other person against whom the sex act is committed.

Sexual abuse in the second degree is a class "B" felony.

##### **709.4 Sexual abuse in the third degree.**

A person commits sexual abuse in the third degree when the person performs a sex act under any of the following circumstances:

1. The act is done by force or against the will of the other person, whether or not the other person is the person's spouse or is cohabiting with the person.
2. The act is between persons who are not at the time cohabiting as husband and wife and if any of the following are true:
  - a. The other person is suffering from a mental defect or incapacity which precludes giving consent.
  - b. The other person is twelve or thirteen years of age.
  - c. The other person is fourteen or fifteen years of age and any of the following are true:
    - i. The person is a member of the same household as the other person.

- ii. The person is related to the other person by blood or affinity to the fourth degree.
- iii. The person is in a position of authority over the other person and uses that authority to coerce the other person to submit.
- iv. The person is four or more years older than the other person.
- d. The act is performed while the other person is under the influence of a controlled substance, which may include but is not limited to flunitrazepam, and all of the following are true:
  - i. The controlled substance, which may include but is not limited to flunitrazepam, prevents the other person from consenting to the act.
  - ii. The person performing the act knows or reasonably should have known that the other person was under the influence of the controlled substance, which may include but is not limited to flunitrazepam.
- e. The act is performed while the other person is mentally incapacitated, physically incapacitated, or physically helpless.

Sexual abuse in the third degree is a class "C" felony.

#### **709.11 Assault with intent to commit sexual abuse.**

Any person who commits an assault, as defined in section 708.1, with the intent to commit sexual abuse:

1. Is guilty of a class "C" felony if the person thereby causes serious injury to any person.
2. Is guilty of a class "D" felony if the person thereby causes any person a bodily injury other than a serious injury.
3. Is guilty of an aggravated misdemeanor if no injury results.

#### **Domestic Violence under the University of Iowa Policy**

"Domestic violence" means 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 receiving grant monies; 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. For more information regarding University of Iowa policies related to domestic violence please see the Violence Policy at <https://opsmanual.uiowa.edu/community-policies/violence>.

#### **Domestic Violence under the Clery Act**

**Domestic Violence:** The term "domestic violence" means

1. Felony or misdemeanor crimes of violence committed—
  - a. By a current or former spouse or intimate partner of the victim;
  - b. By a person with whom the victim shares a child in common;
  - c. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
  - d. 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
  - e. 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.

2. 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.

#### **Domestic Violence under the Code of Iowa**

**708.2A Domestic abuse assault** as defined by Iowa State Criminal Law—mandatory minimums, penalties enhanced — extension of no-contact order.

1. For the purposes of this chapter, "domestic abuse assault" means an assault, as defined in section 708.1, which is domestic abuse as defined in section 236.2, subsection 2, paragraph "a", "b", "c", or "d".
2. On a first offense of domestic abuse assault, the person commits:
  - a. A simple misdemeanor for a domestic abuse assault, except as otherwise provided.
  - b. A serious misdemeanor, if the domestic abuse assault causes bodily injury or mental illness.
  - c. An aggravated misdemeanor, if the domestic abuse assault is committed with the intent to inflict a serious injury upon another, or if the person uses or displays a dangerous weapon in connection with the assault. This paragraph does not apply if section 708.6 or 708.8 applies.
  - d. An aggravated misdemeanor, if the domestic abuse assault is committed by knowingly impeding the normal breathing or circulation of the blood of another by applying pressure to the throat or neck of the other person or by obstructing the nose or mouth of the other person.
3. Except as otherwise provided in subsection 2, on a second domestic abuse assault, a person commits:
  - a. A serious misdemeanor, if the first offense was classified as a simple misdemeanor, and the second offense would otherwise be classified as a simple misdemeanor.
  - b. An aggravated misdemeanor, if the first offense was classified as a simple or aggravated misdemeanor, and the second offense would otherwise be classified as a serious misdemeanor, or the first offense was classified as a serious or aggravated misdemeanor, and the second offense would otherwise be classified as a simple or serious misdemeanor.
4. On a third or subsequent offense of domestic abuse assault, a person commits a class "D" felony.
5. For a domestic abuse assault committed by knowingly impeding the normal breathing or circulation of the blood of another by applying pressure to the throat or neck of the other person or by obstructing the nose or mouth of the other person, and causing bodily injury, the person commits a class "D" felony.
  - a. A conviction for, deferred judgment for, or plea of guilty to, a violation of this section which occurred more than twelve years prior to the date of the violation charged shall not be considered in determining that the violation charged is a second or subsequent offense.
  - b. For the purpose of determining if a violation charged is a second or subsequent offense, deferred judgments issued pursuant to section 907.3 for violations of section 708.2 or this section, which were issued on domestic abuse assaults, and convictions or the equivalent of deferred judgments for violations in any other states under statutes substantially corresponding to this section shall be counted as previous offenses. The courts shall

judicially notice the statutes of other states which define offenses substantially equivalent to the offenses defined in this section and can therefore be considered corresponding statutes. Each previous violation on which conviction or deferral of judgment was entered prior to the date of the offense charged shall be considered and counted as a separate previous offense.

- c. An offense shall be considered a prior offense regardless of whether it was committed upon the same victim.
6. a. A person convicted of violating subsection 2 or 3 shall serve a minimum term of two days of the sentence imposed by law, and shall not be eligible for suspension of the minimum sentence. The minimum term shall be served on consecutive days. The court shall not impose a fine in lieu of the minimum sentence, although a fine may be imposed in addition to the minimum sentence. This section does not prohibit the court from sentencing and the person from serving the maximum term of confinement or from paying the maximum fine permitted pursuant to chapters 902 and 903, and does not prohibit the court from entering a deferred judgment or sentence pursuant to section 907.3, if the person has not previously received a deferred sentence or judgment for a violation of section 708.2 or this section which was issued on a domestic abuse assault.
  - a. A person convicted of violating subsection 4 shall be sentenced as provided under section 902.9, subsection 1, paragraph "e", and shall be denied parole or work release until the person has served a minimum of one year of the person's sentence. Notwithstanding section 901.5, subsections 1, 3, and 5, and section 907.3, the person cannot receive a suspended or deferred sentence or a deferred judgment; however, the person sentenced shall receive credit for any time the person was confined in a jail or detention facility following arrest.
7. If a person is convicted for, receives a deferred judgment for, or pleads guilty to a violation of this section, the court shall modify the no-contact order issued upon initial appearance in the manner provided in section 664A.5, regardless of whether the person is placed on probation.
8. The clerk of the district court shall provide notice and copies of a judgment entered under this section to the applicable law enforcement agencies and the twenty-four hour dispatcher for the law enforcement agencies, in the manner provided for protective orders under section 236.5. The clerk shall provide notice and copies of modifications of the judgment in the same manner.
9. In addition to the mandatory minimum term of confinement imposed by subsection 7, paragraph "a", the court shall order a person convicted under subsection 2 or 3 to participate in a batterers' treatment program as required under section 708.2B. In addition, as a condition of deferring judgment or sentence pursuant to section 907.3, the court shall order the person to participate in a batterers' treatment program. The clerk of the district court shall send a copy of the judgment or deferred judgment to the judicial district department of correctional services.

#### **Dating Violence under the University of Iowa Policy**

Dating violence" means violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:



- a. The length of the relationship;
- b. The type of relationship;
- c. The frequency of interaction between the persons involved in the relationship.

For more information regarding University of Iowa policies related to dating violence please see the Violence Policy at: <https://opsmanual.uiowa.edu/community-policies/interim-policy-sexual-harassment-and-sexual-misconduct>

### Dating Violence under the Clery Act

**Dating Violence:** The term "dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

1. 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.
2. For the purposes of this definition-
  - a. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - b. Dating violence does not include acts covered under the definition of domestic violence.
3. And section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### Dating Violence under the Code of Iowa

Dating violence is **not** further defined by Iowa law.

### Stalking under the University of Iowa Policy

"Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for their safety or the safety of others; or
2. Suffer substantial emotional distress.

Examples include:

- a. Attempting to gather information about the target of unwelcome conduct;
- b. Vandalism, including attacks on data and equipment;
- c. Direct physical and/or verbal threats against a target of unwelcome conduct or loved ones of a target of unwelcome conduct, including animal abuse;
- d. Gathering of information about a target of unwelcome conduct from family, friends, coworkers, and/or classmates;
- e. Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the target of unwelcome conduct;
- f. Defamation or slander against the target of unwelcome conduct; posting false information about the target of unwelcome conduct; posing as the complainant in order to post to websites, news groups, blogs, or other sites that allow public contributions; and/or encouraging others to harass the target of unwelcome conduct;
- g. Posing as someone other than oneself to initiate transactions, financial credit, loans, or other contractual agreements;
- h. Arranging to meet the target of unwelcome conduct under false pretenses. For more information regarding University of Iowa policies related to stalking please see the following:

For more information regarding University of Iowa policies related to dating violence please see the Violence Policy at: <https://opsmanual.uiowa.edu/community-policies/interim-policy-sexual-harassment-and-sexual-misconduct>

### Stalking under the Clery Act

**Stalking:** The term "stalking" means

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - a. fear for the person's safety or the safety of others; or
  - b. Suffer substantial emotional distress.
2. For the purposes of this definition—
  - a. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
  - b. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - c. Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.
3. 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.

### Stalking under the Code of Iowa

#### 708.11 Stalking: As defined by Iowa State Criminal Law:

1. As used in this section, unless the context otherwise requires:
  - a. "Accompanying offense" means any public offense committed as part of the course of conduct engaged in while committing the offense of stalking.
  - b. "Course of conduct" means repeatedly maintaining a visual or physical proximity to a person without legitimate purpose or repeatedly conveying oral or written threats, threats implied by conduct, or a combination thereof, directed at or toward a person.
  - c. "Immediate family member" means a spouse, parent, child, sibling, or any other person who regularly resides in the household of a specific person, or who within the prior six months regularly resided in the household of a specific person.
  - d. "Repeatedly" means on two or more occasions.
2. A person commits stalking when all of the following occur:
  - a. The person purposefully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear bodily injury to, or the death of, that specific person or a member of the specific person's immediate family.
  - b. The person has knowledge or should have knowledge that the specific person will be placed in reasonable fear of bodily injury to, or the death of, that specific person or a member of the specific person's immediate family by the course of conduct.
  - c. The person's course of conduct induces fear in the specific person of bodily injury to, or the death of, the specific person or a member of the specific person's immediate family.
3.
  - a. A person who commits stalking in violation of this section commits a class "C" felony for a third or subsequent offense.
  - b. A person who commits stalking in violation of this section commits a class "D" felony if any of the following apply:
    - (1) The person commits stalking while subject to restrictions contained in a criminal or civil protective order or

injunction, or any other court order which prohibits contact between the person and the victim, or while subject to restrictions contained in a criminal or civil protective order or injunction or other court order which prohibits contact between the person and another person against whom the person has committed a public offense.

- (2) The person commits stalking while in possession of a dangerous weapon, as defined in section 702.7.
- (3) The person commits stalking by directing a course of conduct at a specific person who is under eighteen years of age.
- (4) The offense is a second offense.

c. A person who commits stalking in violation of this section commits an aggravated misdemeanor if the offense is a first offense which is not included in paragraph "b".

4. Violations of this section and accompanying offenses shall be considered prior offenses for the purpose of determining whether an offense is a second or subsequent offense. A conviction for, deferred judgment for, or plea of guilty to a violation of this section or an accompanying offense which occurred at any time prior to the date of the violation charged shall be considered in determining that the violation charged is a second or subsequent offense. Deferred judgments pursuant to section 907.3 for violations of this section or accompanying offenses and convictions or the equivalent of deferred judgments for violations in any other states under statutes substantially corresponding to this section or accompanying offenses shall be counted as previous offenses. The courts shall judicially notice the statutes of other states which define offenses substantially equivalent to the offenses defined in this section and its accompanying offenses and can therefore be considered corresponding statutes. Each previous violation of this section or an accompanying offense on which conviction or

deferral of judgment was entered prior to the date of the violation charged shall be considered and counted as a separate previous offense. In addition, however, accompanying offenses committed as part of the course of conduct engaged in while committing the violation of stalking charged shall be considered prior offenses for the purpose of that violation, even though the accompanying offenses occurred at approximately the same time. An offense shall be considered a second or subsequent offense regardless of whether it was committed upon the same person who was the victim of any other previous offense.

5. Notwithstanding section 804.1, rule of criminal procedure 2.7, Iowa court rules, or any other provision of law to the contrary, upon the filing of a complaint and a finding of probable cause to believe an offense has been committed in violation of this section, or after the filing of an indictment or information alleging a violation of this section, the court shall issue an arrest warrant, rather than a citation or summons. A peace officer shall not issue a citation in lieu of arrest for a violation of this section. Notwithstanding section 804.21 or any other provision of law to the contrary, a person arrested for stalking shall be immediately taken into custody and shall not be released pursuant to pretrial release guidelines, a bond schedule, or any similar device, until after the initial appearance before a magistrate. In establishing the conditions of release, the magistrate may consider the defendant's prior criminal history, in addition to the other factors provided in section 811.2.
6. For purposes of determining whether or not the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section 692A.126.

## **Medical Care and Preserving Evidence**

### **Obtaining Medical Care**

Students or employees who have experienced a recent sexual assault, dating violence or domestic violence, are strongly encouraged to visit a hospital or clinic to take care of their medical needs. A hospital or clinic can treat a victim's injuries and provide necessary medical advice and medication in case a victim may have contracted a sexually transmitted disease (STD) or has pregnancy concerns. A Sexual Assault Nurse Examiner is available to perform a sexual abuse evidentiary examination. Receiving an evidentiary examination **does not mean that a victim must make a formal report to the University or to law enforcement.** Rather, the examination serves to preserve evidence in the event that a victim may wish to make a complaint in the future. A sexual assault evidentiary exam is fully covered and paid for by the State of Iowa and will not be submitted for insurance purposes. A name is not required and the victim can remain anonymous. To secure medical assistance and/or a sexual abuse evidentiary exam, visit:

**University of Iowa Hospitals and Clinics**  
**Emergency Department (open 24 hours)**  
**200 Hawkins Drive**  
**Carver Pavilion, Level 1**  
**Iowa City, Iowa 52242**  
**Emergency Medicine phone: (319) 356-2233**  
**UIHC Nurseline (operated 24 hours): (319) 384-8442**

### **Preserving Evidence**

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 disease. 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 University hearing boards/investigators or police

## **Procedures for Filing a Report**

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you may report the incident promptly to the Office of the Sexual Misconduct Response Coordinator. The University will provide resources, on campus off campus or both, to include medical, health, counseling, victim advocacy, legal assistance and visa and immigration assistance to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

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, the victim nevertheless should consider speaking with University of Iowa Police or other law enforcement to preserve evidence to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order, in the event that the victim changes their mind at a later date.

## **To Make an Administrative Complaint and/or Request an Accommodation**

Notice or complaints of sexual harassment, sexual misconduct, and/or related retaliation may be made using any of the following options:

- (1) File a complaint with, or give verbal notice to, the Title IX Coordinator at the Office of the Sexual Misconduct Response Coordinator (319-335-6200; [osmrc@uiowa.edu](mailto:osmrc@uiowa.edu)). Such a report may be made at any time (including during nonbusiness hours) by using the telephone number or email address, or by mail to the office address listed above in II-4.6a(1) for the Title IX Coordinator at the Office of the Sexual Misconduct Response Coordinator.
- (2) Report online, using the reporting form posted at <https://osmrc.uiowa.edu/report-problem-0>. Anonymous reports are accepted but can give rise to a need to investigate. The University of Iowa tries to provide supportive measures to all complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as the University of Iowa respects complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the complainant is largely in control and should not fear a loss of privacy by making a report that allows the University of Iowa to discuss and/or provide supportive measures.
- (3) Any person may make a report that a student, employee, or visitor has experienced or committed sexual harassment, sexual misconduct, or related retaliation by contacting the Office of the Sexual Misconduct Response Coordinator, or any academic or administrative officer of the university.

A formal complaint means a document filed/signed by the complainant or signed by the Title IX Coordinator alleging a policy violation by a respondent and requesting that the University of Iowa investigate the allegation(s). A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in II-4.6a(1) above, or as described in this subchapter. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the University of Iowa) that contains the complainant's physical or digital signature, or otherwise reliably indicates that the complainant is the person filing the complaint.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the complainant to ensure that it is filed correctly.

To make a report and to request accommodations, students and employees should contact:

**Monique DiCarlo, Title IX Coordinator**  
**Office of the Sexual Misconduct and Title IX Coordinator**  
**455 Van Allen Hall**  
**Phone: 319-335-6200**

Email: [osmrc@uiowa.edu](mailto:osmrc@uiowa.edu)  
Web: <https://osmrc.uiowa.edu>

**Jennifer Modestou, Deputy Title IX Coordinator and Director, Office of Equal Opportunity and Diversity**  
202 Jessup Hall  
Phone: 319-335-0705  
Email: [diversity@uiowa.edu](mailto:diversity@uiowa.edu)

**Sara Feldmann, Deputy Title IX Coordinator and Assistant Director, Office of the Sexual Misconduct Response Coordinator**  
455 Van Allen Hall  
Phone: 319-335-6200  
Email: [osmrc@uiowa.edu](mailto:osmrc@uiowa.edu)

**Lyla Clerry, Deputy Title IX Coordinator and Associate Athletic Director for Athletic Compliance**  
S240 Carver Hawkeye Arena  
Phone: 319-335-9598  
Email: [lyla-clerry@uiowa.edu](mailto:lyla-clerry@uiowa.edu)

In addition to filing a complaint with the University of Iowa, individuals who believe they may have been the subject of

#### To Make a Report to Law Enforcement

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 and victims have the right to decline involvement with the police. The University of Iowa's Office of the Sexual Misconduct Response Coordinator and/or the Rape Victim's Advocacy Program will assist any victim with notifying local police if they so desire. When taking a report the police officer collects information about the incident through witness statements, pictures, videos, and other evidence. The police officer may interview other witnesses. Once facts are gathered the officer may file charges, refer the case to the county attorney, or close the case. The law enforcement agencies that serve the University of Iowa are the University of Iowa Department of Public Safety's Police Division (sworn law enforcement on campus empowered and trained to respond and investigate sexual assault, stalking, dating violence and domestic violence), the Iowa City Police, the Coralville Police Department, the Johnson County Sheriff's Office, University Heights Police and North Liberty Police. The contact information for these agencies is noted below for your reference:

**University of Iowa Police**  
**Department of Public Safety**  
**808 University Capitol Centre**  
**200 S. Capitol St.**  
**Iowa City, IA 52242**

**(319) 335-5022**

**Iowa City Police**  
**410 E. Washington St.**  
**Iowa City, IA 52240**

**(319) 356-5495**

**Coralville Police**  
**1503 5<sup>th</sup> St.**  
**Coralville, IA 52241**

**(319) 248-1800**

**Johnson County Sheriff's Office**  
**511 S. Capitol St.**  
**Iowa City, IA 52240**

**(319) 356-6020**

**University Heights Police**  
**104 Melrose Ave.**

discrimination prohibited by state and/or federal law(s) may contact one or more of the following agencies for advice, assistance, and explanation of filing deadlines.

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

**Iowa Civil Rights Commission**  
**Grimes State Office Building**  
**400 E. 14th Street**  
**Des Moines, IA 50319-0201**  
**Phone: 515-281-4121, 800-457-4416**  
**Fax: 515-242-5840**  
**Email: [icrc@iowa.gov](mailto:icrc@iowa.gov)**

**University Heights, IA 52246**

**(319) 356-8000**  
**(319) 887-6800**

**North Liberty Police**  
**5 East Cherry St.**  
**North Liberty, IA 52361**

**(319) 356-8000**  
**(319) 626-5724**

#### Supportive Measures for Victims

The University of Iowa will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged sexual harassment, sexual misconduct, and/or related retaliation.

Supportive measures are nondisciplinary, nonpunitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the University of Iowa's education program, activity, or workplace, including measures designed to protect the safety of all parties or the University of Iowa's educational environment, and/or deter sexual harassment, sexual misconduct, and/or related retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, the University of Iowa will inform the complainant, in writing, that they may file a formal complaint with the University of Iowa either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

The Title IX Coordinator will work with the complainant's or respondent's Senior Human Resources Leader or the Associate Dean for Faculty when implementing support measures related to the workplace or when the alleged conduct involves a nexus to the workplace.

Subject to applicable laws and court orders, the University of Iowa will maintain the privacy of the supportive measures, provided that privacy does not impair the University of Iowa's ability to provide the supportive measures. The University of Iowa will act to ensure as minimal an academic impact on the parties as possible



and provide flexibility within the workplace when it can reasonably do so. The University of Iowa will implement measures in a way that does not unreasonably burden the other party.

Supportive measures may include, but are not limited to:

- (1) One-on-one coaching;
- (2) Referral to counseling, medical, and/or other health care services;
- (3) Referral to community-based service providers;
- (4) Visa and immigration assistance;
- (5) Student financial aid counseling;
- (6) Education to the community or community subgroup(s);
- (7) Altering campus housing assignment(s);
- (8) Altering work arrangements for employees or student-employees;
- (9) Providing parking or transportation accommodations;
- (10) Implementing contact limitations (no-contact directives) between the parties;
- (11) Academic extensions of deadlines, or other course-/program-related adjustments;
- (12) Crime alerts;
- (13) Class schedule modifications, withdrawals, or leaves of absence;
- (14) Increased security and monitoring of certain areas of the campus;
- (15) Any other actions deemed appropriate by the Title IX Coordinator.

Violations of no-contact directives will be referred to appropriate student or employee conduct processes for enforcement.

#### **Orders of Protection and No Contact Directive**

The University complies with Iowa law in recognizing orders of protection, which can be civil or criminal in nature and are obtained by visiting the Johnson County Courthouse or the Domestic Violence Intervention Program (see Off Campus Resources for complete contact information.) The University cannot apply for a legal order of protection, no contact order or restraining order for or on behalf of the victim from the applicable jurisdiction. The victim is required to apply directly for these services.

The University may issue an institutional no contact directive if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact directive has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact directive.

The University will assist any person who obtains an order of protection by meeting with them and describing actions that can be taken to ensure their safety. The protected party should provide a copy of the order to the UI Department of Public Safety and the Office of the Sexual Misconduct Response Coordinator. A protected party may meet with the UI Department of Public Safety and/or the Office of the Sexual Misconduct Response Coordinator to develop a safety action plan, to reduce risk of harm while on campus or going to and from campus. This plan may include, but is not limited to the following accommodations: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, changing, temporarily, an employee's work location, etc.

At the protected party's request and to the extent of their cooperation and consent, university offices will work

cooperatively to ensure that the protected party's health, physical safety, work and academic status are protected. For example, if reasonably available, a protected party may be offered changes to academic, living, transportation or working situations, protective orders in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Regardless of whether the protected party chooses to report the crime to campus police or local law enforcement, these options will be offered. 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 Sexual Misconduct Response Coordinator at (319) 335-6200.

#### **Emergency Removal**

The University of Iowa can act to remove a respondent entirely or partially from its education program, activities, or workplace on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student, employee, or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with the Threat Assessment Program (see also VI-32), using its standard objective violence risk assessment procedures. Paid administrative leave does not constitute emergency removal and does not require an individualized safety and risk analysis.

In all cases in which an emergency removal is imposed, the student, the employee, or two representatives from a student organization will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested in a timely manner, objections to the emergency removal will be deemed waived. A complainant and their advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so. There is no appeal process for emergency removal decisions.

A respondent may be accompanied by their advisor when meeting with the Title IX Coordinator for this meeting. The respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion or termination.

The University of Iowa will implement the least restrictive emergency actions practical in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these

actions could include, but are not limited to: removing a student from a residence hall; temporarily reassigning an employee; restricting a student's or an employee's access to or use of facilities or equipment; allowing a student to withdraw or take grades of incomplete without financial penalty; authorizing an administrative leave; and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Title IX Coordinator, alternative course work options may be pursued to ensure as minimal an academic impact as possible on the parties.

### Promptness

All allegations are acted upon promptly by the University of Iowa once it has received notice or a formal complaint. The University of Iowa will avoid all undue delays within its control.

Any time the general time frames for resolution outlined in University of Iowa procedures will be delayed, the University of Iowa will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

### Time Limits on Reporting

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the respondent is no longer subject to the University of Iowa's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in adaptable resolution or formal action, as appropriate.

When notice/complaint is affected by significant time delay, the university will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

### Confidentiality

Personally identifiable information about the protected party will be treated as private and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the protected party to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims nor house identifiable information regarding victims in the UI Department of Public Safety's daily crime log, in the annual crime statistics that are disclosed in compliance with the Clery Act or online. Furthermore, if a Crime Alert 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.

Victims may request that directory information on file be removed from public sources by request. Students should contact the

Dean of Students for assistance. Employees should contact Human Resources for assistance.

### Privacy

Every effort is made by the University of Iowa to preserve the privacy of reports.<sup>1</sup> The University of Iowa will not share the identity of any individual who has made a report or complaint of sexual harassment, sexual misconduct, or related retaliation; any complainant; any individual who has been reported to be the perpetrator of sexual harassment, sexual misconduct, or related retaliation; any respondent; or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 USC 1232g; FERPA regulations, 34 CFR 99; or as required by law, court order, or legal process; or to carry out the purposes of 34 CFR 106, including the conducting of any investigation, hearing, grievance, or resolution proceeding arising under University of Iowa policies and procedures.

The University of Iowa reserves the right to determine which University of Iowa officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who have a business need to know will typically be told about the complaint; they may include, but are not limited to: the Office of the Sexual Misconduct Response Coordinator, the Office of Equal Opportunity and Diversity, the Office of Student Accountability, Senior Human Resources Leader or Associate Dean for Faculty, the Office of the Executive Vice President and Provost, University Human Resources, the departmental executive officer, Department of Public Safety, and the Threat Assessment Program. Information will be shared as necessary with response coordinators, investigators, adjudicators, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

Confidentiality and mandated reporting are addressed more specifically below (see II-4.16).

### Note

1. For the purpose of this policy, "privacy" and "confidentiality" have distinct meanings. "Privacy" means that information related to a complaint will be shared with a limited number of University of Iowa employees who "need to know" in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in the University of Iowa's response to notice under this policy receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA), as outlined in the University of Iowa's FERPA policy. The privacy of employee records will be protected in accordance with the law and university policies. "Confidentiality" exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, certified victim advocacy, mental health providers, counselors, and ordained clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, victim advocates, clergy, spouses, and others, with their patients, clients, parishioners, and spouses. The University of Iowa has designated individuals who have the ability to have privileged communications as confidential resources. For more information about confidential resources, see II-4.16c(1). When information is shared by a

complainant with a confidential resource, the confidential resource cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: 1) the individual gives written consent for its disclosure; 2) there is a concern that the individual will likely cause serious physical harm to self or others; or 3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or individuals with disabilities. Non-identifiable information may be shared by confidential resources for statistical tracking purposes as required by the federal Clery Act. Other information may be shared as required by law.

### Retaliation

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a complainant or respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The University of Iowa is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

It is prohibited for the University of Iowa or any member of the University of Iowa's community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Charges against an individual for code of conduct violations that do not involve sexual harassment or sexual misconduct but arise out of the same facts or circumstances as a report or complaint, or a report or complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

### Mandatory Reporting

All academic or administrative officers (AAOs) are mandated reporters who are required to report actual or suspected sexual harassment (including sexual assault, stalking, and dating and domestic violence), sexual misconduct, or related retaliation to the Office of the Sexual Misconduct Response Coordinator within 2 business days.

a. "Academic or administrative officer" includes the following:

- (1) Collegiate deans (including associate deans and assistant deans);
- (2) Faculty members with administrative responsibilities at the level of departmental executive officer (DEO) or above;

- (3) Any staff member whose primary job responsibility is to provide advice regarding a student's academic pursuits or other university-related activities;
- (4) Any faculty or staff member serving as departmental (or collegiate) director or coordinator of undergraduate or graduate studies, or as a director or coordinator of any departmental, collegiate, or university off-campus academic program (including any study-abroad program);
- (5) The President, Director of Equal Opportunity and Diversity, Sexual Misconduct Response Coordinator, vice presidents (including assistant and associate vice presidents), and Provost (including assistant and associate provosts), and those persons' designees;
- (6) Directors and supervisors in an employment context, including faculty and staff who supervise student employees, in relation to matters involving the employees they supervise (other than Department of Public Safety personnel when receiving criminal complaints or reports); and
- (7) Human resources representatives (including all central University Human Resources staff).

Any academic or administrative officer of the university who observes sexual harassment, sexual misconduct, or related retaliation, or who becomes aware of allegations of such behavior through a report from a complainant or third party shall take the actions described in this section, even if the complainant does not wish any action to be taken, and must notify the Office of the Sexual Misconduct Response Coordinator of the allegations within 2 business days.

b. The AAO must:

- (1) Inform the complainant or third-party reporter of the options available under this policy (i.e., support measures, formal complaint, adaptable resolution) and that certified victim advocacy services are available from the Rape Victim Advocacy Program or the Domestic Violence Intervention Program; and,
- (2) Provide notice of the allegations to the Office of the Sexual Misconduct Response Coordinator within 2 business days; and
- (3) When the alleged prohibited conduct occurs in the context of the respondent's employment, provide notice of the allegations to the Senior Human Resources Leadership Representative or Associate Dean for Faculty of the unit in which the alleged conduct occurred or, when incidents do not occur within a unit, notify the Senior Human Resources Leadership Representative or Associate Dean for Faculty of the respondent.

c. In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected sexual harassment, sexual misconduct, or related retaliation. They may offer options and resources without any obligation to inform an outside agency or campus official unless a complainant has requested the information be shared.

If a complainant expects formal action in response to their allegations, reporting to any AAO can connect them with resources to report crimes and/or policy violations, and these employees within 2 business days to the Title IX Coordinator (and/or police, if desired by the complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at the University of Iowa for a complainant or third party:

- (1) Confidential resources. If a complainant would like the details of an incident to be kept confidential, the complainant may speak with:
  - (a) Office of the Ombudsperson (for faculty, other instructors, staff, or students), 308 Jefferson Building;
  - (b) Employee Assistance Program (for faculty or staff), 121-50 University Services Building;
  - (c) University Counseling Service (for students), 3223 Westlawn;
  - (d) Women's Resource and Action Center (for faculty, other instructors, staff, students, or visitors), Bowman House;
  - (e) Rape Victim Advocacy Program (certified advocates) (for faculty, other instructors, staff, students, or visitors), 108 River Street;
  - (f) Domestic Violence Intervention Program (certified advocates) (for faculty, other instructors, staff, students, or visitors), 1105 South Gilbert Court, Iowa City.

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

- (2) Academic and administrative officers and formal notice/complaints. All University of Iowa academic and administrative officers (AAO) are mandated reporters and must promptly share with the Title IX Coordinator/Office of the Sexual Misconduct Response Coordinator all known details of a report made to them.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential AAOs as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as "Take Back the Night" marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the complainant clearly indicates that they desire a report to be made or a seek a specific response from the University of Iowa.

Supportive measures may be offered as the result of such disclosures without formal University of Iowa action.

Failure of an AAO, as described above in this section, to report an incident of sexual harassment, sexual misconduct, or related retaliation of which they become aware is a violation of University of Iowa policy and can be subject to disciplinary action for failure to comply.

#### **When A Complainant Does not Wish to Proceed.**

If a complainant does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether the University of Iowa proceeds when the complainant does not wish

to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process.

Compelling reasons to initiate a grievance process may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. The University of Iowa may be compelled to act on alleged employee misconduct irrespective of a complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the complainant may have on the availability of evidence and the University of Iowa's ability to pursue a formal grievance process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the complainant. The complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When the University of Iowa proceeds, the complainant may have as much or as little involvement in the process as they wish. The complainant retains all rights of a complainant under this policy irrespective of their level of participation.

The University of Iowa's ability to remedy and respond to notice may be limited if the complainant does not want the University of Iowa to proceed with an investigation and/or grievance process. The goal is to provide the complainant with as much control over the process as possible, while balancing the University of Iowa's obligation to protect its community.

In cases in which the complainant requests confidentiality/no formal action and the circumstances allow the University of Iowa to honor that request, the University of Iowa will offer adaptable resolution options (see below), supportive measures, and remedies to the complainant and the community, but will not otherwise pursue formal action.

If the complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a complainant has the right, and can expect, to have allegations taken seriously by the University of Iowa, and to have the incidents investigated and properly resolved through these procedures.

#### **Amnesty for Complainants and Witnesses**

The University of Iowa community encourages the reporting of misconduct and crimes by complainants and witnesses. Sometimes, complainants or witnesses are hesitant to report to University of Iowa officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the University of Iowa community that complainants choose to report misconduct to University of Iowa officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, the University of Iowa maintains a policy of offering parties and witnesses amnesty from minor policy violations — such as underage consumption of alcohol or the use of illicit drugs — related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty to a respondent is based on neither sex nor gender, but on the fact that collateral misconduct is typically



addressed for all students within a progressive discipline system, and the rationale for amnesty — the incentive to report serious misconduct — is rarely applicable to the respondent with respect to a complainant.

Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help

take an individual who has experienced sexual misconduct to the Department of Public Safety). The University of Iowa maintains a policy of amnesty for students who offer help to others in need. While policy violations cannot be overlooked, the University of Iowa may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

## Procedure Overview

The University of Iowa will act on any notice or complaint of a violation of the policy that is received by the Title IX Coordinator or any other academic or administrative officer by applying these procedures, which include three possible methods for resolution known as Process A, Process B, and adaptable resolution.

The procedures below apply to all allegations of sexual harassment, sexual misconduct, or related retaliation involving students, staff, faculty, or visitors. Process B will be used to resolve formal complaints involving patients of University of Iowa Health Care. A set of technical dismissal requirements within the Title IX regulations may apply as described below, but when a technical dismissal under the Title IX allegations is required, any remaining allegations may proceed using these same grievance procedures, clarifying which aspects of the policy are applicable.

- (a) Process A is a formal grievance process that includes an investigation and live hearing.
- (b) Process B is a formal grievance process that includes an investigation and does not include a live hearing.
- (c) An adaptable resolution includes resolving a complaint informally.

The procedures below may be used to address related misconduct arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by the policy will be addressed through procedures elaborated in the Student Accountability Procedure, Faculty Dispute Procedures (III-29), Equal Opportunity and Diversity Complaint Discrimination Procedure, or procedures noted in this Operations Manual.

## Notice/complaint

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the policy, the University of Iowa initiates a prompt initial assessment to determine the next steps the University of Iowa needs to take.

The University of Iowa will initiate at least one of three responses:

- (1) Offering supportive measures because the complainant does not want to proceed formally; and/or
- (2) An adaptable resolution; and/or
- (3) A formal grievance process in accordance with Process A or Process B based on the following considerations:
  - (a) Process A applies in cases involving students, staff, faculty, or visitors where the alleged behavior meets the definition of sexual harassment as defined in the U.S. Department of Education Title IX Regulation 106.30. Process A also applies when the alleged sexual harassment or sexual misconduct, if true, could result in a student being suspended or expelled from the University of Iowa.
  - (b) Process B applies in cases involving students, staff, faculty, or visitors where the alleged behavior falls outside the definition of sexual harassment as defined by Title IX regulation, but nonetheless does meet the definition of prohibited behavior within the Interim Policy on Sexual Harassment and Sexual Misconduct and, if true, would not result in a student being suspended or expelled.

Both formal grievance processes will determine whether or not the policy has been violated. If so, the University of Iowa will promptly implement remedies to ensure that it is

not deliberately indifferent to harassment, its potential recurrence, or its effects.

## Initial assessment

Following receipt of notice or a complaint of an alleged violation of the Interim Policy on Sexual Harassment and Sexual Misconduct, the Title IX Coordinator engages in an initial assessment, which is typically 1 to 5 business days in duration. The steps in an initial assessment can include:

- (1) The Title IX Coordinator reaches out to the complainant to offer supportive measures and explain resolution options.
- (2) The Title IX Coordinator works with the complainant to ensure they are aware of the right to have an advisor.
- (3) If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the complainant to make sure it is correctly completed.
- (4) The Title IX Coordinator works with the complainant to determine whether the complainant prefers a supportive response, an adaptable resolution option, or a formal investigation and grievance process.
  - (a) If only supportive measures are preferred, the Title IX Coordinator works with the complainant to identify their wishes and then seeks to facilitate implementation. No formal grievance process is initiated, though the complainant can elect to initiate one later, if desired.
  - (b) If an adaptable resolution is preferred, the Title IX Coordinator determines in consultation with the investigator if the misconduct alleged falls within the scope of the Interim Policy on Sexual Harassment and Sexual Misconduct, assesses whether the complaint is suitable for adaptable resolution, assesses which adaptable mechanism may serve the situation best or is available, and may seek to determine if the respondent is also willing to engage in an adaptable resolution.
  - (c) If a formal grievance process is preferred, the Title IX Coordinator determines in consultation with the investigator if the misconduct alleged falls within the scope of the Interim Policy on Sexual Harassment and Sexual Misconduct:
    - (i) If it does, the Title IX Coordinator will initiate the formal investigation and grievance process under Process A or Process B, directing the investigation to address:
      - (A) An incident, and/or
      - (B) A pattern of alleged misconduct, and/or
      - (C) A culture/climate issue, based on the nature of the complaint.
    - (ii) If it does not, the Title IX Coordinator will determine if the complaint should be referred to the Office of Student Accountability, the Office of Equal Opportunity and Diversity, or Human Resources staff for resolution under another policy.
  - (d) If the complainant does not wish to make a formal complaint, the Title IX Coordinator determines whether to initiate a complaint because of indicators that suggest a compelling threat to campus or to the health and/or safety of campus members.
    - (i) Dismissal (mandatory and discretionary). The U.S. Department of Education Title IX regulations require that schools clearly differentiate in their process whether a complaint is subject to the protections afforded under Title IX. The regulations use the term "dismissal" to indicate that something has been determined outside the scope of Title IX. If a complaint is dismissed under Title IX, it may still be resolved

through a formal grievance process (Process A or Process B). Though it is possible that a complaint or allegation could be dismissed from the formal grievance process altogether, this section covers mandatory and discretionary dismissal under Title IX only. A formal complaint, or any allegations therein, must be dismissed in accordance with Title IX if, at any time during the investigation or hearing, it is determined that:

- (A) The conduct alleged in the formal complaint would not constitute sexual harassment as defined in Part 106.3 of the U.S. Department of Education's Title IX regulations, even if proved; and/or
- (B) The conduct did not occur in an educational program, activity, or workplace controlled by the University of Iowa (including buildings or property controlled by recognized student organizations), and/or the University of Iowa does not have control of the respondent; and/or
- (C) The conduct did not occur against a person in the United States; and/or
- (D) At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program, activity or workplace of the University of Iowa.

(ii) The University of Iowa may dismiss a formal complaint or any allegations in it if, at any time during the investigation or hearing:

- (A) A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations; or
- (B) The respondent is no longer enrolled in or employed by the University of Iowa; or
- (C) Specific circumstances prevent the University of Iowa from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.

(iii) Upon any dismissal, the University of Iowa will promptly send written notice of the dismissal under Title IX and may continue with a formal grievance process or an adaptable resolution.

(iv) The decision to dismiss or not to dismiss is appealable by any party at the conclusion of a formal grievance process. A complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

### Counterclaims

The University of Iowa is obligated to ensure that the grievance process is not abused for retaliatory purposes. The University of Iowa permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by the respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation. Counterclaims will be dismissed if not made in good faith.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the

Title IX Coordinator or the investigator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

### Jurisdiction of the University of Iowa

(a) This policy applies to the education program and activities of the University of Iowa, to conduct that takes place on the campus or on property owned or controlled by the University of Iowa, at University of Iowa-sponsored events, or in buildings owned or controlled by University of Iowa's recognized student organizations. The respondent must be a member of the University of Iowa's community, including patients, visitors, vendors, and contractors, in order for its policies to apply.

This policy can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to the University of Iowa's educational program, activities, or workplace. The University of Iowa may also extend jurisdiction to off campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial University of Iowa interest.

(b) Regardless of where the conduct occurred, the University of Iowa will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial University of Iowa interest includes:

- (1) Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
- (2) Any situation in which it is determined that the respondent poses an immediate threat to the physical health or safety of any student or other individual;
- (3) Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
- (4) Any situation that is detrimental to the educational interests or mission of the University of Iowa.

(c) If the respondent is unknown or is not a member of the University of Iowa community, the Title IX Coordinator will assist the complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report.

Further, even when the respondent is not a member of the University of Iowa's community, supportive measures, remedies, and resources may be accessible to the complainant by contacting the Title IX Coordinator or a confidential advocate (<https://osmrc.uiowa.edu/victim-resources/confidential-support>).

(d) All vendors serving the University of Iowa through third-party contracts are subject to the policies and procedures of their employers and to these policies and procedures to which their employer has agreed to be bound by their contracts.

(e) When the respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

- (f) Similarly, the Title IX Coordinator may be able to assist a student or employee complainant who experiences sexual harassment, sexual misconduct, or related retaliation in an externship/internship or other environment external to the University of Iowa where sexual harassment or sexual misconduct policies and procedures of the facilitating or host organization may give recourse to the complainant.

### Right to Advisors

Right to advisors. Parties have a right to receive support and advice throughout the university's resolution process. They may have up to two people providing these services who may attend all meetings and interviews at which the party is entitled to be present. The university has identified the following roles to meet this need.

- (1) Support advisor:
  - (a) May be a friend, victim advocate, mentor, family member, or any other individual a party chooses to support them throughout the resolution process.
  - (b) May be present with their advisee, at the advisee's discretion, at all stages of the process.
  - (c) May ask for breaks or other assistance on behalf of the advisee, but not permitted to ask or answer questions or provide information on any substantive issues of the complaint.
  - (d) Someone who serves as a support advisor is not permitted to serve as a witness.
- (2) Hearing advisor:
  - (a) May be a friend, mentor, family member, attorney, or any other individual a party chooses to advise them related to the hearing. The parties may choose a hearing advisor from outside of the university or one will be provided to them from the university pool.
  - (b) Primary role is to ask questions of parties and witnesses at the hearing in consultation with the advisee.
  - (c) Participates only in the hearing and meetings related to the hearing.
  - (d) Is not permitted to speak on behalf of the advisee outside the context of asking questions at the hearing.
  - (e) Someone who serves as a hearing advisor is not permitted to serve as a witness.
- (3) Legal advisor:
  - (a) Complainants and respondents may have a legal advisor throughout the process. Legal advisors are not provided by the university.
  - (b) May be present with their advisee, at the party's discretion, at all stages of the process.
  - (c) If attending hearing, will serve as hearing advisor.
  - (d) At the hearing, legal advisors may not communicate on behalf of their client outside the context of asking questions.
  - (e) Someone who serves as a legal advisor is not permitted to serve as a witness

The parties may select whoever they wish to serve as their advisors as long as the advisors are willing, eligible and available.

- (4) Hearing advisors/University of Iowa-appointed advisor. Under U.S. Department of Education regulations applicable to Title IX, cross-examination is required during the hearing, but must be conducted by the parties' advisors. The parties are not permitted to directly question each other or any witnesses. If a party does not have a hearing advisor, the University of Iowa will appoint someone for the limited

purpose of asking questions of the parties and witnesses at a hearing.

The University of Iowa cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not, the University of Iowa is not obligated to provide an attorney.

A party may reject this appointment and choose their own advisor, but they may not proceed without a hearing advisor. If the party's hearing advisor will not conduct cross-examination, the University of Iowa will appoint an advisor who will do so, regardless of the participation or nonparticipation of the advised party in the hearing itself. Questioning of the parties and witnesses will also be conducted by the adjudicator during the hearing.

Communications between a university-appointed advisor and their advisee are confidential for purposes of this administrative process; however, such communications may be subject to disclosure pursuant to court order or other legal process. University-appointed advisors do not provide legal advice, even if the appointed advisor has a license to practice law.

- (5) Expectations of advisors. The University of Iowa generally expects an advisor to adjust their schedule to allow them to attend University of Iowa meetings when planned, but may change scheduled meetings to accommodate an advisor's inability to attend, if doing so does not cause an unreasonable delay.

The University of Iowa may also make reasonable provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies, as may be convenient and available.

Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

All advisors are subject to the University of Iowa's policies and procedures, whether they are university-appointed or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address University of Iowa officials in a meeting or interview unless invited to (e.g., asking procedural questions). The advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the investigator(s) or adjudicator except during a hearing proceeding, during cross-examination.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although an advisor generally may not speak on behalf of their advisee, the advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their advisors should ask for breaks to allow for private consultation.

Any advisor who oversteps their role as defined by this policy will be warned only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the advisor's non-compliance and future role.



- (6) Sharing Information with advisors. The University of Iowa expects that the parties may wish to have the university share documentation and evidence related to the allegations with their advisors. Parties may share this information directly with their advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

The university requires a consent and privacy form that authorizes the University of Iowa to share such information directly with their advisor. The parties must either complete and submit the form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the advisor before University of Iowa is able to share records with an advisor.

If a party requests that all communication be made through their advisor, the University of Iowa will not comply with that request.

- (7) Privacy of records shared with advisors. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the University of Iowa. University of Iowa may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the University of Iowa's privacy expectations.
- (8) Expectations of the parties with respect to advisors. A party may elect to change advisors during the process and is not obligated to use the same advisor(s) throughout. The parties are expected to inform the investigator(s) of the identity of their advisor(s) at least 2 business days before the date of their first meeting with investigators.

The parties are expected to provide timely notice to the Title IX Coordinator if they change advisors at any time. Once notified of a change in advisors, consent to share information with the previous advisor is terminated, and a release for the new advisor must be provided. Parties are expected to inform the Title IX Coordinator of the identity of their hearing advisor at least 2 business days before the hearing.

As a public entity, the University of Iowa fully respects and accords the Weingarten rights of employees:

<https://hr.uiowa.edu/support/laborunion-relations/weingarten-rights-employees>

For parties who are entitled to union representation, the University of Iowa will allow the unionized employee to have their union representative (if requested by the party) as well as an advisor of their choice present for all resolution-related meetings and interviews. To uphold the principles of equity, the other party (regardless of union membership) will also be permitted to have two advisors. Witnesses are not permitted to have union representation or advisors in grievance process interviews or meetings.

### **Adaptable Resolution**

Adaptable resolution is an alternative to the formal grievance process by which a mutually-agreed-upon resolution of an allegation is reached. All parties must consent to the use of an adaptable resolution. Adaptable resolution is not available to resolve allegations by a student against an employee for sexual harassment as defined in Section 106.3 of the Department of Education Title IX regulations. Resolution proceedings are private. All persons present at any time during the resolution process are

expected to maintain the privacy of the proceedings in accordance with university policy. While there is an expectation of privacy around what adaptable resolution facilitators share with parties during meetings, the parties have discretion to share their own knowledge and evidence with others if they so choose. The University of Iowa encourages parties to discuss this with their advisors before doing so.

- (1) Adaptable resolution options. Adaptable resolution can include three different approaches:

- (a) When the parties agree to resolve the matter through a mechanism like mediation, restorative practices, etc.;
- (b) When the respondent accepts responsibility for violating policy, and desires to accept a sanction and end the formal grievance process; or
- (c) When the parties reach a resolution through shuttle diplomacy.

To initiate an adaptable resolution, a complainant needs to submit a formal complaint, as defined above. If a respondent wishes to initiate an adaptable resolution, they should contact the Title IX Coordinator to so indicate.

If a complainant wants to initiate an adaptable resolution, but the respondent declines to participate, the complainant may opt to use the formal grievance process. If a respondent wants to initiate an adaptable resolution upon receiving notice of a complaint, but the complainant declines to participate, the formal grievance process will continue.

It is not necessary to pursue an adaptable resolution first in order to pursue a formal grievance process, and any party participating in an adaptable resolution can stop the process at any time and begin or resume the formal grievance process.

Prior to implementing the adaptable resolution, the University of Iowa will provide the parties with written notice of the complaint and any consequences or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the University of Iowa.

The University of Iowa will obtain voluntary, written confirmation that all parties wish to resolve the matter through the adaptable resolution process before proceeding and will not pressure the parties to participate.

- (2) Considerations for proceeding with an adaptable resolution. The Title IX Coordinator may look to the following factors to assess whether an adaptable resolution is appropriate, or which form of resolution may be most successful for the parties:

- (a) The parties' amenability to adaptable resolution;
- (b) Likelihood of potential resolution, taking into account any power dynamics between the parties;
- (c) The parties' motivation to participate;
- (d) Civility of the parties;
- (e) Ongoing safety and risk analysis;
- (f) Disciplinary history;
- (g) Whether an emergency removal is needed;
- (h) Availability of an adaptable resolution facilitator with the needed skills to assist with the complaint;
- (i) Complaint complexity;
- (j) Goals of the parties;
- (k) Adequate resources to invest in adaptable resolution (time, staff, etc.)

The ultimate determination of whether adaptable resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. Results of complaints resolved by adaptable resolution are not appealable.

- (3) Restorative practices, mediation, etc. (to be developed post interim period).
- (4) Respondent. The respondent may accept responsibility for all of the alleged policy violations at any point during the resolution process, prior to a notice of outcome (Process A or Process B). If the respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether adaptable resolution can be used according to the criteria in that section above.

If adaptable resolution is applicable, the Title IX Coordinator will determine whether all parties and the University of Iowa are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the respondent is in violation of University of Iowa policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed-upon terms of resolution. When the parties cannot agree on all terms of resolution, the formal grievance process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the complainant and the community.

- (5) Shuttle diplomacy. The Title IX Coordinator or the adaptable resolution facilitator, with the consent of the parties, may negotiate and implement an agreement to resolve the allegations that satisfies all parties and the University of Iowa. Negotiated resolutions are not appealable.

A negotiated resolution, reached through shuttle diplomacy, is a voluntary agreement between the parties to a resolution that addresses the party's concerns. The process starts with a proposed resolution from either party. The facilitator brings the proposed resolution to the other party for consideration. The party receiving the proposal may accept the resolution with no alterations, may propose alterations, conditions, or additional terms, or may reject the proposal outright and make a counterproposal. Proposed alterations, or the addition of conditions or terms, function as a rejection of the initial proposal and the creation of a counterproposal.

The facilitator will continue to bring counterproposals between parties until one of these conditions is met:

- (a) The parties achieve a mutually agreeable resolution;
- (b) One of the parties withdraws from participation;
- (c) The facilitator determines that an impasse has been reached.

The facilitator remains neutral between the parties. During the process, the facilitator may assist the parties in developing the terms of the resolution and may assist the parties in obtaining

information from relevant units on the workability of proposed terms if they affect a party in a university context such as employment, the academic setting, or university housing.

When the process is concluded, the facilitator will memorialize the outcome in a memorandum to both parties. If the parties achieved a mutually agreeable resolution, the Title IX Coordinator will review the memorandum to ensure for compliance with university policy. If the resolution conflicts with university policy, or is deemed unworkable, the parties may continue to work with the facilitator to negotiate a resolution as described above.

#### Formal grievance process

Notice of investigation and allegations. The Title IX Coordinator will work with the Office of Equal Opportunity and Diversity or the Office of Student Accountability to provide written notice of the investigation and allegations (NOIA) to the respondent upon commencement of the formal grievance process. This facilitates the respondent's ability to prepare for the interview and to identify and choose their own advisor to accompany them. The NOIA is also copied to the complainant.

The NOIA will include:

- (1) A specific and meaningful summary of all allegations,
- (2) The identity of the involved parties (if known),
- (3) The date and location of the alleged incident(s) (if known),
- (4) The specific policies implicated,
- (5) A description of the applicable procedures,
- (6) A statement of the potential sanctions/responsive actions that could result,
- (7) A statement that the University of Iowa presumes the respondent not responsible for the reported misconduct unless and until the evidence supports a different determination,
- (8) A statement that determinations of responsibility are made at the conclusion of the process,
- (9) A statement that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- (10) A statement about the University of Iowa's policy on retaliation,
- (11) Information about the privacy of the process,
- (12) Information on the opportunity for each party to have up to 2 advisors of their choosing and the requirement that parties have a hearing advisor in the event of a hearing
- (13) A statement informing the parties that the University of Iowa's policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- (14) Detail on how the party may request disability accommodations during the interview process,
- (15) A link to the University of Iowa's Resource and Referral Guide,
- (16) The name(s) of the investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the investigator(s) may have, and
- (17) An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official University of Iowa records, or emailed to the parties' University of

Iowa-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

#### **Resolution time line**

The University of Iowa will make a good faith effort to complete the resolution process within a 90-business-day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

#### **Appointment of investigators**

Once the decision to commence a formal investigation is made, the Title IX Coordinator, in consultation with the Office of Student Accountability or the Office of Equal Opportunity and Diversity, appoints pool members to conduct the investigation usually within 2 business days of determining that an investigation should proceed.

#### **Ensuring impartiality**

Any individual materially involved in the administration of the resolution process including the Title IX Coordinator, investigator, and adjudicators may have no actual or apparent conflicts of interest or bias for a party generally, or for a specific complainant or respondent.

The Title IX Coordinator will vet the assigned investigator to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the President.

The formal grievance process involves an objective evaluation of all relevant evidence obtained, including evidence which supports that the respondent engaged in a policy violation and evidence which supports that the respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a complainant, respondent, or witness.

A respondent is presumed not responsible for the reported misconduct unless and until the respondent is determined to be responsible for a policy violation by the applicable standard of proof.

#### **Investigation time line**

Investigations are completed expeditiously, normally within 60 business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc. The University of Iowa will make a good-faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

#### **Delays in the investigation process and interactions with law enforcement**

The University of Iowa may undertake a short delay in its investigation or adaptable resolution (several days to a few weeks) if circumstances require. Such circumstances include, but

are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

The University of Iowa will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. The University of Iowa will promptly resume its investigation and resolution process as soon as feasible. During such a delay, University of Iowa will implement supportive measures as deemed appropriate.

University of Iowa action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

#### **Role of the investigator**

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and before the investigative report is issued to fully review and respond to all relevant and directly related evidence on the record.

The investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- (1) Assist the Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation.
- (2) Work with the Title IX Coordinator to identify all policies implicated by the alleged misconduct and notify the complainant and respondent of all of the specific policies implicated.
- (3) Prepare the initial notice of investigation and allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations.

Notice should inform the parties of their right to have assistance of an advisor of their choosing, who may be present for all meetings.

- (4) Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation time frame, and order of interviews for all witnesses and the parties.
- (5) Meet with the complainant to finalize their interview/statement, if necessary.
- (6) Meet with the respondent to answer questions and conduct an interview.
- (7) Allow each party the opportunity to suggest witnesses and questions they wish the investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
- (8) Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- (9) Take steps to obtain evidence, including electronic or photographic, as applicable.
- (10) Provide each interviewed party and witness an opportunity to review and suggest corrections to the investigator's

summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings.

- (11) Complete the investigation promptly and without unreasonable deviation from the intended time line.
- (12) Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence.
  - (a) May include a summary of observations, assessment of evidence, or factors which may impact credibility for each party and witness.
  - (b) Appendices, including relevant nontestimonial evidence, will be included.
- (13) Prior to the conclusion of the investigation, provide the parties and their respective advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding.
- (14) If the formal complaint is resolved using Process A, the investigator(s) gather(s), assess(es), and synthesize(s) evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report.

Investigators may note which alleged policy violations, in whole or part, lack any evidence to support a conclusion that the policy was or was not violated.

- (15) If the formal complaint is resolved using Process B, the investigator will make conclusions, engage in policy analysis, make a credibility analysis, and make a final determination on whether there was or was not a policy violation. The determination will be based on the preponderance-of-evidence standard.
- (16) Prior to the conclusion of the investigation, provide the parties and their respective advisors (if so desired by the parties) a secured electronic copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the university does not intend to rely in reaching a determination, for a 10-business-day review and comment period so that each party may meaningfully respond to the evidence.
  - (a) The parties may elect to waive the full 10 days.
  - (b) Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., complainant, respondent, advisors).
  - (c) The investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses.
- (17) The investigator(s) will note relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The investigator(s) should document all rationales for any changes made after the review and comment period.
- (18) The investigator(s) share(s) the report with the Title IX Coordinator for their review and feedback. The investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their advisors through secure electronic transmission at least 10 business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report. The investigator will consult with the Title IX Coordinator when they believe all or part of a complaint should be dismissed

based on dismissal provisions defined above in paragraph c(4)(d)(i).

#### **Role and participation of witnesses in the investigation**

Witnesses (as distinguished from the parties) who are employees of the University of Iowa are expected to cooperate with and participate in the University of Iowa's investigation and resolution process.

While in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break, work arrangements) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. The University of Iowa will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the investigator(s), though not preferred. If a witness submits a written statement but does not intend to be and is not present for questioning at a hearing, their written statement may not be used as evidence.

#### **Recording of interviews**

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of audio and/or video recording.

#### **Evidentiary considerations in the investigation**

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the complainant's prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

#### **Referral for hearing**

Provided that the complaint is not dismissed, resolved through Process B, or resolved through an adaptable resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing. The Title IX Coordinator will select an appropriate adjudicator from the pool.

The hearing cannot be less than 10 business days from the conclusion of the investigation — when the final investigation report is transmitted to the parties and the adjudicator — unless all parties and the adjudicator agree to an expedited timeline.

#### **Hearing adjudicator**

The University of Iowa will designate an adjudicator from the pool, at the discretion of the Title IX Coordinator.

The adjudicator will not have had any previous involvement with the investigation. The Title IX Coordinator may elect to have an alternate from the pool sit in throughout the resolution process in the event that a substitute is needed for any reason.

Those who have served as investigators will be witnesses in the hearing and therefore may not serve as adjudicators. Those who are serving as advisors for any party may not serve as the adjudicator in that matter.



The Title IX Coordinator may not serve as an adjudicator in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the Title IX Coordinator.

#### **Evidentiary considerations in the hearing**

Any evidence that the adjudicator determines is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the complainant's prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

After post-hearing deliberation, the adjudicator renders a determination, based on the preponderance of the evidence, whether it is more likely than not that the respondent violated the policy as alleged.

#### **Notice of hearing**

No less than 10 business days prior to the hearing, the Title IX Coordinator or designee will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- (1) A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- (2) A description of how a party may request to move to an adaptable resolution.
- (3) The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- (4) Any technology that will be used to facilitate the hearing.
- (5) Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the adjudicator and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least 5 business days prior to the hearing.
- (6) A list of all those who will attend the hearing, along with an invitation to object to the appointed adjudicator. This must be raised with the Title IX Coordinator at least 2 business days prior to the hearing.
- (7) Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- (8) A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the adjudicator. For compelling reasons, the adjudicator may reschedule the hearing.
- (9) Notification that the parties may have the assistance of a hearing advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have a hearing advisor, and the University of

Iowa will appoint one. Each party must have a hearing advisor present. There are no exceptions.

- (10) A copy of all the materials provided to the adjudicator about the matter, unless they have been provided already.<sup>6</sup>
- (11) An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least 7 business days prior to the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the respondent is still subject to this policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution time line followed by the University of Iowa and remain within the 90-business-day goal for resolution.

In these cases, if the respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal).

#### **Alternative hearing participation options**

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator at least 5 business days prior to the hearing.

The Title IX Coordinator or the hearing facilitator can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator or the hearing facilitator know at least 5 business days prior to the hearing so that appropriate arrangements can be made.

#### **Pre-hearing preparation**

The adjudicator, after any necessary consultation with the parties, investigator(s), and/or Title IX Coordinator, will provide the names of persons who will be participating in the hearing, all pertinent non-testimonial evidence, and the final investigation report to the parties at least 10 business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the investigator(s) (or have proffered a written statement or answered written questions), unless all parties and the adjudicator assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and adjudicator do not assent to the admission of evidence newly offered at the hearing, the adjudicator will delay the hearing and instruct that the investigation needs to be reopened to consider that evidence.

All objections to any adjudicator must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than one day prior to the hearing. Adjudicators will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

Any adjudicator who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and advisors in advance of the hearing. If an adjudicator is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the 10-business-day period prior to the hearing, the parties have the opportunity for continued review and written comment on the final investigation report and available evidence. That

review and comment can be shared with the adjudicator at the pre-hearing meeting or at the hearing and will be exchanged between each party by the adjudicator.

### **Pre-hearing meetings**

The adjudicator may convene a pre-hearing meeting(s) with the parties and their advisors to invite them to submit the questions or topics they (the parties and their advisors) wish to ask or discuss at the hearing, so that the adjudicator can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or to provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the advisors from asking at the hearing for a reconsideration based on any new information or testimony offered at the hearing. The adjudicator must document and share their rationale for any exclusion or inclusion at this pre-hearing meeting.

The adjudicator, only with full agreement of the parties, may decide in advance of the hearing to stipulate to some facts including that certain witnesses do not need to be present if their testimony can be adequately summarized by the investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their advisor, the adjudicator will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the investigator(s) may be argued to be relevant. The adjudicator may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The pre-hearing meeting(s) will be recorded.

### **Hearing procedures**

At the hearing, the adjudicator has the authority to hear and make determinations on all allegations of sexual harassment, sexual misconduct, and/or related retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the sexual harassment, sexual misconduct, or related retaliation, even though those related allegations may not specifically fall within the policy on Sexual Harassment and Sexual Misconduct. The adjudicator also has the authority to determine non-Title IX sexual misconduct violations that would result in suspension or expulsion (Process B).

Participants at the hearing will include the adjudicator, the hearing facilitator, the investigator(s) who conducted the investigation, the parties (or up to three organizational representatives when an organization is the respondent), advisors to the parties, any called witnesses, and anyone providing authorized accommodations or assistive services. Non-party witnesses are not allowed in the hearing except to testify.

The adjudicator will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The adjudicator will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the adjudicator and the parties and will then be excused.

### **Joint hearings**

In hearings involving more than one respondent or in which two or more complainants have accused the same individual of

substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each respondent with respect to each alleged policy violation.

The order of the hearing. The adjudicator explains the procedures and introduces the participants. The adjudicator, assisted by the hearing facilitator, then conducts the hearing according to the hearing script. They manage the hearing, the recording, witness logistics, party logistics, curation of documents, separation of the parties, and other administrative elements. The hearing facilitator may attend to: logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

The investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the adjudicator and the parties (through their advisors). The investigator(s) will be present during the entire hearing process.

Neither the parties nor the adjudicator should ask the investigator(s) their opinions on credibility, recommended findings, or determinations, and the investigators, advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the adjudicator will disregard it.

### **Testimony and questioning**

Once the investigator presents their report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the complainant, and then in the order determined by the adjudicator. The parties/witnesses will submit to questioning by the adjudicator and then by the parties through their hearing advisors.

All questions are subject to a relevance determination by the adjudicator. The hearing advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the adjudicator on request or agreed to by the parties and the adjudicator), the proceeding will pause to allow the adjudicator to consider it, and the adjudicator will determine whether the question will be permitted, disallowed, or rephrased.

The adjudicator may explore arguments regarding relevance with the advisors, if the adjudicator so chooses. The adjudicator will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The adjudicator will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The adjudicator will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The adjudicator has final say on all questions and determinations of relevance, subject to any appeal. The adjudicator may consult with legal counsel on any questions of admissibility. The adjudicator may ask advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the advisors on relevance once the adjudicator has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an investigator or adjudicator at the hearing, the adjudicator may elect to address those issues, consult with legal counsel, and/or refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the adjudicator should not permit irrelevant questions that probe for bias.

#### **Refusal to submit to cross-examination and inferences**

If a party or witness chooses not to submit to questioning at the hearing, either because they do not attend or because they attend but refuse to participate in questioning, then the adjudicator may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of responsibility. The adjudicator must disregard that statement. Evidence provided that is something other than a statement by the party or witness may be considered.

If the party or witness attends the hearing and answers some questions, only statements related to the questions they refuse to answer cannot be relied upon.

The adjudicator may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer questions.

If charges of policy violations other than sexual harassment (as defined in the U.S. Department of Education Title IX Regulation 106.3) are considered at the same hearing, the adjudicator may consider all evidence deemed relevant, may rely on any relevant statement as long as the opportunity for cross-examination is afforded to all parties through their hearing advisors, and may draw reasonable inferences from any decision by any party or witness not to participate or respond to questions.

If a party's advisor of choice refuses to comply with the University of Iowa's established rules of decorum for the hearing, the University of Iowa may require the party to use a different advisor. If a University of Iowa-provided advisor refuses to comply with the rules of decorum, the University of Iowa may provide that party with a different advisor to conduct cross-examination on behalf of that party.

#### **Recording hearings**

Hearings are recorded by the University of Iowa for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The adjudicator, the parties, their advisors, and appropriate administrators of the University of Iowa will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

#### **Determination and standard of proof**

The adjudicator will determine whether the respondent is responsible or not responsible for the policy violation(s) in question. The preponderance-of-the-evidence standard of proof is used. The adjudicator will prepare a written report and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination as well as any evidence disregarded. This includes findings of fact supporting the determination and conclusions regarding the application of the policy to the facts. Additionally, the adjudicator's report will include credibility assessments and any sanctioning recommendation. This report typically must be submitted to the

Title IX Coordinator within 7 business days of the end of a hearing, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

The Title IX Coordinator will promptly, within 2 business days, transmit the adjudicator's report and provide input to the sanctioning administrator when there is a finding of responsibility on one or more of the allegations.

#### **Notice of outcome**

Using the adjudicator's report or the investigator's finding, the Title IX Coordinator will prepare a notice of outcome. When the outcome includes a policy violation, the Title IX Coordinator will work with the sanctioning administrator to issue the notice of outcome. The Title IX Coordinator will then share the notice of outcome, including the final determination, rationale, and any applicable sanction(s) with the parties and their advisors within 5 business days of receiving the adjudicator's report (in cases where there is no policy violation in the determination), the sanctioning administrator's decision, or the investigator's finding.

The notice of outcome will be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official University of Iowa records, or emailed to the parties' University of Iowa-issued email or otherwise approved account. Once mailed, emailed, and/or received in person, notice will be presumptively delivered.

The notice of outcome will identify the specific policy(ies) reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by the University of Iowa from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The notice of outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the University of Iowa is permitted to share such information under state or federal law; any sanctions issued which the University of Iowa is permitted to share according to state or federal law; and any remedies designed to ensure access to the University of Iowa's educational or employment program or activity, to the extent the University of Iowa is permitted to share such information under state or federal law (this detail is not typically shared with the respondent unless the remedy directly relates to the respondent).

The notice of outcome will also include information on when the results are considered by the University of Iowa to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

#### **Statement of the rights of the parties.**

- (1) The right to be treated with dignity and respect throughout any process resolving alleged misconduct.
- (2) The right to be fully informed about the policies and procedures available to address allegations of misconduct.
- (3) The right to be notified of counseling and support resources as well as the right to request disability accommodations and language translations at any stage of the resolution process.

- (4) The right to a prompt, thorough, reliable, equitable, and impartial response, investigation, and resolution of all credible reports of sexual harassment, sexual misconduct, and related retaliation made to the university.
- (5) The right to timely written notice of violations alleged in a formal complaint, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- (6) The right to timely written notice of any material adjustments to the allegations in a formal complaint (e.g., additional incidents or allegations, additional complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- (7) The right to a presumption of being not responsible for alleged misconduct and that no determination of responsibility will be made until the end of the grievance process.
- (8) The right to written notice of delays in the formal grievance process, including the cause of the delay and the anticipated time needed.
- (9) The right to request supportive measures and to provide input regarding the implementation of supportive measures that affect the party.
- (10) The right to be informed of options for notifying law enforcement authorities.
- (11) The right to preservation of privacy, to the extent possible and permitted by law.
- (12) The right to have up to two advisors providing support and assistance throughout the resolution process. Advisors may attend any meetings and interviews at which the party is entitled to be present.
- (13) The right not to have irrelevant prior sexual history or character admitted as evidence.
- (14) The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- (15) The right to review and comment on a draft copy of the investigation report.
- (16) The right to review the final investigation report, along with any directly related evidence not included in the report, at least 10 business days before a hearing.
- (17) The right to a minimum of 10 business days' advance notice of a hearing and the right to a hearing advisor if a hearing is required. The parties are entitled to receive copies of any materials provided to the adjudicator not already provided to the parties.
- (18) The right to have an advisor at a hearing who will ask questions of the other party and witnesses on their behalf, subject to a determination of relevance by the adjudicator.
- (19) The right to simultaneous notification of the outcome including the specific findings and conclusions or subsequent changes on appeal with regard to each alleged policy violation and sanction.
- (20) The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process and the procedures for doing so.

### Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- (1) The nature, severity of, and circumstances surrounding the violation(s);
- (2) The respondent's disciplinary history;

- (3) The need for sanctions/responsive actions to bring an end to the sexual harassment, sexual misconduct, and/or related retaliation;
- (4) The need for sanctions/responsive actions to prevent the future recurrence of sexual harassment, sexual misconduct, and/or related retaliation;
- (5) The need to remedy the effects of the sexual harassment, sexual misconduct, and/or related retaliation on the complainant and the community;
- (6) The impact on the parties;
- (7) Any other information deemed relevant by the decision makers;

Previous disciplinary action of any kind involving the respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information is not considered until the sanction stage of the process.

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal, if an appeal is not requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

### Student sanctions

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- (a) Warning: A formal statement that the conduct was unacceptable and a warning that further violation of any University of Iowa policy, procedure, or directive will result in more severe sanctions/responsive actions.
- (b) Required counseling or educational program: A mandate to meet with and engage in either University of Iowa-sponsored or external services.
- (c) Probation: A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact directives, and/or other measures deemed appropriate.
- (d) Suspension: Termination of student status for a definite period of time not to exceed 2 years and/or until specific criteria are met. During a period of suspension, the following notation will appear on the student's official transcript: "Non-Academic Misconduct—Suspension from [semester] to [semester]." Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at the University of Iowa.
- (e) Expulsion: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend University of Iowa-sponsored events. This sanction will be noted permanently as a "Non-Academic Misconduct—Expulsion" on the student's official transcript.
- (f) Withholding diploma: The University of Iowa may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- (g) Building or facility ban: A directive that prohibits or limits access to a building or facility.



- (h) Activity restriction: A directive that prohibits or limits participation in an academic and/or non-academic program or activity.
- (i) Organizational sanctions: Deactivation, loss of recognition, loss of some or all privileges (including University of Iowa registration) for a specified period of time.
- (j) Other actions: In addition to or in place of the above sanctions, the University of Iowa may assign any other sanctions as deemed appropriate.

For further information see the student sanctioning guidelines:

<https://dos.uiowa.edu/policies/sanctioning-guidelines-for-sexual-assault/>

### Employee sanctions

Responsive actions for an employee who has engaged in sexual harassment, sexual misconduct, and/or related retaliation include:

- (a) Formal written discipline,
- (b) Performance improvement/management process,
- (c) Required counseling,
- (d) Required training or education,
- (e) Loss of annual pay increase,
- (f) Loss of oversight or supervisory responsibility,
- (g) Demotion,
- (h) Suspension with pay,
- (i) Suspension without pay,
- (j) Termination, and
- (k) Other actions. In addition to or in place of the above sanctions, the University of Iowa may assign any other sanctions as deemed appropriate.

### Withdrawal or resignation while charges pending

#### Students:

If a student has an allegation pending for violation of this Sexual Harassment and Sexual Misconduct policy, the University of Iowa may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.

Should a student decide to not participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student respondent permanently withdraw from the University of Iowa, the resolution process ends, as the University of Iowa no longer has disciplinary jurisdiction over the withdrawn student.

However, the University of Iowa will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged sexual harassment, sexual misconduct, and/or related retaliation. The student who withdraws or leaves while the process is pending may not return to the University of Iowa. Such exclusion applies to all campuses of the University of Iowa. A hold will be placed on their ability to be readmitted. They may also be barred from University of Iowa property and/or events.

If the student respondent only withdraws from a semester or is not currently registered, the resolution process may continue remotely and that student is not permitted to return to the University of Iowa unless and until all sanctions have been satisfied.

During the resolution process, the University of Iowa may put a hold on a responding student's transcript or place a notation on a responding student's transcript or dean's disciplinary certification that a disciplinary matter is pending.

#### Employees

Should an employee respondent resign with unresolved allegations pending, the resolution process ends, as the University of Iowa no longer has disciplinary jurisdiction over the resigned employee.

However, the University of Iowa will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged sexual harassment or sexual misconduct.

The employee who resigns with unresolved allegations pending is not eligible for rehire with the University of Iowa or any campus of the University of Iowa, and the records retained by the Title IX Coordinator will reflect that status. Should the employee want to reapply, they should contact the Title IX Coordinator to determine what steps would be necessary to resolve the complaint.

### Appeals

Any party may submit a request for appeal. Only requests for appeal submitted in writing to the Title IX Coordinator within 5 days of the delivery of the notice of outcome may be considered under these procedures. The Title IX Coordinator will transmit the request for appeal to the non-appealing party within 2 days of receiving a request for an appeal.

The Title IX Coordinator will deny any request for appeal not timely submitted, as well as any request for appeal that is not based on at least one of the grounds (see paragraph aj(2) below).

- (1) Appeal officer.
  - (a) Student respondent. For cases involving a student respondent that involve suspension or expulsion, the appropriate university office to review the appeal is the Office of the Executive Vice President and Provost. The Provost also reviews cases dismissed by the investigator or adjudicator that would have risen to the level of a suspension or expulsion had the allegations been founded. For all other cases involving a student respondent, the appropriate university office to review the appeal is the Office of the Vice President for Student Life.
  - (b) P&S staff, merit staff, or visitor respondent. For cases involving a P&S staff member or visitor respondent, the appropriate university office to review the appeal is University Human Resources. For cases involving a merit staff member respondent, the appropriate university office to review the appeal is University Human Resources–Employee and Labor Relations.
  - (c) Faculty member respondent. For cases involving a faculty member respondent, the appropriate university office to review the appeal is the Office of the Executive Vice President and Provost.
- (2) Grounds for appeal. The Title IX Coordinator will review the request for appeal to determine if the request is based on one of the grounds for appeal. This review is not a review of the merits of the appeal, but solely a determination whether the request is based on at least one of the grounds.

Appeals are limited to the following grounds:

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

complainant or respondent that affected the outcome of the matter; and/or

- (d) The decision, whether regarding responsibility or sanction or both, was not supported by substantial evidence when viewed as a whole.

If the request for appeal is not based on the grounds in this policy, it will be denied by the Title IX Coordinator, who will notify the parties and their advisors in writing or email of the denial and the rationale.

- (3) Response to appeal. If a timely submitted request for appeal is based on any of the grounds in this policy, then the Title IX Coordinator will notify all party(ies) and their advisors, and, when appropriate, the investigators and/or the adjudicator that an appeal is proceeding and will provide each of them the request for appeal by mail, email, and/or hard copy as appropriate.

No later than 5 business days after delivery of the appellant's request for appeal, each of the other party(ies) may submit a response to the portion of the appeal that involves them. All responses will be forwarded by the Title IX Coordinator to all parties.

Once the time to submit a response to appellant's request for appeal has lapsed, no party may submit any new requests for appeal. The Title IX Coordinator will forward all responses to the appeal officer for consideration with respect to the request for appeal.

- (4) Review of appeal record. The appeal officer will consider the following documents as a part of the complete appeal record:
  - (a) The request for appeal;
  - (b) The case file, including the recording of any hearing; and
  - (c) All responses to the notice of appeal submitted by any of the parties.
- (5) Appeal outcome. Barring exigent circumstances, the appeal officer will render a decision ("appeal outcome") no later than 10 days following the appeal officer's receipt of the complete appeal record.

The appeal outcome will be in writing and will include one or more of the following determinations based on the grounds included in the notice of appeal:

- (a) Uphold or reverse, in whole or in part, the decision on responsibility;
- (b) Uphold, reverse, or modify disciplinary sanctions, if imposed; and/or
- (c) Remand all or part of the matter to remedy procedural errors, including bias or conflict of interest, or consider new evidence (with or without specific direction).

The appeal officer will send the appeal outcome to the Title IX Coordinator, who will send notice of appeal outcome to all parties simultaneously. The notice of appeal outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration (if applicable), any sanctions that may result which the University of Iowa is permitted to share according to state and federal law, and the rationale supporting the essential findings to the extent the University of Iowa is permitted to share under state and federal law.

Notice of appeal outcome will be made in writing (including email) and may be delivered by one or more of the following methods: in person, mailed to the local or permanent

address of the parties as indicated in official institutional records, or emailed to the parties' university-issued email or otherwise approved account(s). Once mailed, emailed, and/or received in person, notice will be presumptively delivered.

- (6) Sanctions status during the appeal. Any sanctions imposed as a result of the hearing are stayed during the appeal process described above. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, then emergency removal procedures (detailed above) for doing so must be permitted within 48 hours of implementation.

In cases where the original sanctions included separation, the University of Iowa may place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal.

- (7) Appeal considerations.
  - (a) Appeals are not intended to provide for a full re-hearing, nor for a de novo review of the evidence of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
  - (b) Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
  - (c) An appeal is not an opportunity for the appeal officer to substitute their judgment for that of the adjudicator merely because they disagree with the finding and/or sanction(s).
  - (d) The appeal officer may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained by the Title IX Coordinator.
  - (e) Appeals granted based on new evidence should normally remand the matter to the original investigator(s) and/or adjudicator for consideration of the new evidence.
  - (f) When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction may be appealed one final time on the grounds listed above and in accordance with these procedures.
  - (g) In rare cases where a procedural error cannot be cured by the original adjudicator (as in cases of bias), the appeal may order a new hearing with a new adjudicator.
  - (h) The results of a new hearing may be appealed, once, on any of the appeal grounds.
  - (i) In cases in which the appeal results in reinstatement to the University of Iowa or resumption of privileges, all reasonable attempts will be made to restore the respondent to their prior status.

#### Long term remedies /other actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended

to stop the sexual harassment, sexual misconduct, and/or related retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- (1) Referral to counseling and health services,
- (2) Referral to the Employee Assistance Program,
- (3) Education to the individual and/or the community,
- (4) Permanent alteration of housing assignments,
- (5) Permanent alteration of work arrangements for employees,
- (6) Provision of campus safety escorts,
- (7) Climate surveys,
- (8) Policy modification and/or training,
- (9) Provision of transportation accommodations,
- (10) Implementation of long-term contact limitations between the parties,
- (11) Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by the University of Iowa to the respondent to ensure no effective denial of access to an education program or activity.

The University of Iowa will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair the university's ability to provide these services.

This section refers to the University of Iowa's Interim Policy on Sexual Harassment and Sexual Misconduct. For the complete policy and more information go to:

<https://opsmanual.uiowa.edu/community-policies/interim-policy-sexual-harassment-and-sexual-misconduct>

#### **Sexual Assault, Domestic Violence, Dating Violence, an Stalking Education and Prevention Programs**

The University engages in 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, and 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.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Utilizes definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
3. Defines what behavior and actions constitute consent to sexual activity in the State of Iowa in addition to using the

definition of consent found in the Student Code of Conduct the purposes for which that definition is used;

4. Provides a description of safe and positive options for bystander intervention. Bystander intervention means 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, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
5. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
6. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.
7. Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" elsewhere in this document)
8. How the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
9. Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in "Assistance for Victims: Rights and Options" elsewhere in this document); and
10. Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
11. Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in "Adjudication of Violations" elsewhere in this document);

#### **College & University Educational Programs**

The University offers a multitude of educational programs for employees and students, both newly hired and current students and employees. Some description of the programming is below, however there are many other programs being offered throughout the year: Complete listings can be found on the University of Iowa website at: <https://uiowa.edu>

##### **Bystander Intervention**

Develop the skills to be an effective and active bystander. University of Iowa presentations can be co-presented with the Women's Resource and Action Center.

##### **Affirmative Consent**

Learn about affirmative consent practices in a sex positive framework through concrete examples of incorporating affirmative consent into real-life situations. The program shows examples of what consent is

not, talks about the ways we're socialized not to expect consent, and includes small group work on how to ask for consent.

### **Dismantling Rape Culture**

Become familiar with the way in which our society both subtly and overtly supports sexual violence while providing participants a framework to challenge rape culture in their own lives. The session offers pop culture exemplifications of rape culture, discusses the repercussions of not challenging it, and offers small group work on how to challenge it using popular song lyrics and/or scenarios.

### **Queering Consent**

Explore the history of consent practices in queer communities and the current landscape of consent in LGBT and queer spaces and relationships. **The "#MeToo" Movement in Higher Education: Legal, Governance, and Public Relations Considerations**

While the national #MeToo Movement captured the nation's attention with allegations of misconduct involving national figures and celebrities, the Movement has become more evident in higher education. The #MeToo hashtag chronicles stories of sexual misconduct that often arise in the context of imbalanced power dynamics among junior and senior faculty, graduate students and advisors, staff and supervisors, and other

members of campus communities. Although institutions are well equipped to handle allegations of sexual misconduct, the #MeToo Movement presents unique legal issues, and college and university counsel and administrators must address these issues while navigating a challenging landscape of polarized politics, cultural shifts, and around-the-clock traditional and social media coverage.

### **The Ontario Domestic Assault Risk Assessment (ODARA)**

The Ontario Domestic Assault Risk Assessment (ODARA), a procedure to predict future assaults against intimate partners, was developed by the Ontario Provincial Police and the Ontario Ministry of Health and Long Term Care in response to the May/Illes and Hadley inquest recommendations. It was also a result of recommendations by The Joint Committee on Domestic Violence to the Attorney General of Ontario in 1999. The ODARA is a single assessment that is available for use by police, victim services, health care, and correctional agencies. It is the first empirically tested and validated domestic violence risk assessment tool to assess risk of future wife assault, as well as the frequency and severity of these assaults.



**Procedure for Preparing the Annual Crime Statistics for the Main Campus in Iowa City**

While the proper channel for reporting crime is direct communication with a law enforcement agency such as the UI Department of Public Safety, certain University officials affiliated with non-police departments can also receive reports of crime. The officials and offices that receive information about crimes and from whom the University gathers campus crime data includes, but is not limited to, the following:

- UI Department of Public Safety – Police Division
- The Office of the Dean of Students
- The Office of Equal Opportunity and Diversity
- The Office of the Sexual Misconduct Response Coordinator
- UIHC Safety and Security
- Campus Security Authorities, as defined by federal law

In addition to the offices and/or persons above, the Iowa City Police Department, the Coralville Police Department, the University Heights Police Department, North Liberty Police, the Johnson County Sheriff's Office, and other law enforcement agencies with jurisdiction over properties owned or controlled by the institution provide information about crimes in Iowa City included in the annual crime statistics.

University Counseling Service (UCS), Faculty and Staff Services/Employee Assistance Program (EAP), Rape Victim Advocacy Program (RVAP), and Women's Resource and Action Center (WRAC) provide confidential counseling and inform their clients of the procedures to report crime to the UI Department of Public Safety on an anonymous or voluntary confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, an e-mail notification is made to all faculty, staff and enrolled students that provides the web site to access this report. Copies of the report may also be obtained at the UI Department of Public Safety headquarters located at 808 University Capitol Centre or by calling (319) 335-5022.

**Not All Law Enforcement Agencies Responded**

It is important to note that the University sent requests for statistics to hundreds of agencies around the world, however not all of them responded. In preparing this report the University made a "good faith effort" to contact these agencies.

**Unclassified Incidents**

The Department of Public Safety was unable to classify some incidents that were reported as "sexual assaults" or other crimes due to insufficient detail to determine if they involved rape or fondling, or whether the offense occurred in a location covered by the Clery Act, or both. The University obtained guidance from the U.S. Department of Education that if the University does not receive sufficient details regarding an incident, it will not be able to appropriately classify the incident and therefore, will not be expected to include the incident in the statistics.

**Procedure for Preparing the Annual Crime Statistics for the Tippie College of Business Cedar Rapids Center in Cedar Rapids**

In addition to the offices above, the Cedar Rapids Police Department provides information about crimes at the Tippie College of Business Cedar Rapids Center and are included in the annual crime statistics.

**Procedure for Preparing the Annual Crime Statistics for the Birchwood Fields Learning Center in Davenport**

In addition to the offices above, the Davenport Police Department provides information about crimes at the Tippie College of Business Cedar Rapids Center and are included in the annual crime statistics.

**Procedure for Preparing the Annual Crime Statistics for the John and Mary Pappajohn Education Center in Des Moines**

In addition to the offices above, the Des Moines Police Department provides information about crimes at the John and Mary Pappajohn Education Center and are included in the annual crime statistics.

**Procedure for Preparing the Annual Crime Statistics for the Lakeside Lab: Regents Resource Center at Lake Okoboji**

In addition to the offices above, the Dickinson County Sheriff's Office provides information about crimes at the Lakeside Lab Lake Okoboji and are included in the annual crime statistics.

**CRIME STATISTICS TABLES FOR THE MAIN CAMPUS IN IOWA CITY**
**CRIMINAL OFFENSES FOR 2017-2019**

Type of Offense	Year	On Campus	On-Campus Housing(1)	Non-Campus	Public Property
<b>Criminal Homicide</b>					
Murder/Non Negligent Manslaughter	2017	0	0	0	1
	2018	0	0	0	0
	2019	0	0	0	0
Manslaughter by Negligence	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Sex Offenses</b>					
Rape	2017	24	15	11	2
	2018	31	22	13	6
	2019	27	16	18	5
Fondling	2017	51	8	5	1
	2018	41	11	1	5
	2019	22	7	8	4
Incest	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Statutory Rape	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Robbery</b>					
	2017	2	0	0	8
	2018	0	0	0	8
	2019	2	0	1	5
<b>Aggravated Assault</b>					
	2017	23	1	8	23
	2018	16	4	2	24
	2019	28	4	2	15
<b>Burglary</b>					
	2017	21	4	7	0
	2018	16	14	2	0
	2019	13	5	1	0
<b>Motor Vehicle Theft</b>					
	2017	12	0	0	6
	2018	8	0	1	5
	2019	3	0	0	4
<b>Arson</b>					
	2017	2	0	1	0
	2018	2	1	0	0
	2019	0	0	0	0
<b>Unfounded</b>					
	2017	5	1	0	1
	2018	2	0	0	0
	2019	9	3	0	0

**NOTES FOR THE CRIMINAL OFFENSE TABLE:**

- (1) The Clery Act requires institutions to disclose the total number of crimes that occurred on campus, including the number of crimes that occurred in on-campus student housing facilities as a subset of the "On Campus" total.

## HATE CRIMES FOR 2017 - 2019

2017
1 - On Campus Housing - Vandalism - Race
1 - On Campus -Intimidation - Race
2018
1 - On Campus - Vandalism -Race
1 - On Campus - Vandalism - Sexual Orientation
2019
1- On Campus - Vandalism- Race
1- On Campus Housing- Vandalism - Sexual Orientation

## ARRESTS AND REFERRALS FOR 2017 - 2019

Type of Offense		On Campus	On-Campus Housing(1)	Non-Campus	Public Property
<b>Arrests</b>					
Weapons; carrying, possessing, etc.	2017	3	0	2	6
	2018	0	0	0	2
	2019	1	0	0	5
Drug Abuse Violations	2017	8	1	4	78
	2018	12	3	1	101
	2019	7	0	0	91
Liquor Law Violations	2017	10	0	4	70
	2018	10	0	0	52
	2019	7	5	0	65
<b>Disciplinary Referrals</b>					
Weapons; carrying, possessing, etc.	2017	0	0	0	0
	2018	1	0	0	0
	2019	0	0	0	0
Drug Abuse Violations	2017	55	39	0	2
	2018	44	42	0	1
	2019	31	28	0	0
Liquor Law Violations	2017	693	682	0	1
	2018	546	545	0	0
	2019	556	553	0	0

(1) The Clery Act requires institutions to disclose the total number of crimes that occurred on campus, including the number of crimes that occurred in on-campus student housing facilities as a subset of the "On Campus" total.

## DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING FOR 2017 - 2019

Type of Offense		On Campus	On-Campus Housing(1)	Non-Campus	Public Property
Domestic Violence	2017	13	1	1	2
	2018	15	1	6	2
	2019	8	2	4	5
Dating Violence	2017	17	14	0	6
	2018	20	12	2	6
	2019	11	6	2	3
Stalking	2017	62	27	2	5
	2018	59	10	5	2
	2019	91	25	5	2

(1) The Clery Act requires institutions to disclose the total number of crimes that occurred on campus, including the number of crimes that occurred in on-campus student housing facilities as a subset of the "On Campus" total.

**CRIME STATISTICS TABLES FOR THE TIPPIE COLLEGE OF BUSINESS CEDAR RAPIDS CENTER**
**CRIMINAL OFFENSES FOR 2017 - 2019**

Type of Offense		On Campus	Public Property
<b>Criminal Homicide</b>			
Murder/Non Negligent Manslaughter	2017	0	0
	2018	0	0
	2019	0	0
Manslaughter by Negligence	2017	0	0
	2018	0	0
	2019	0	0
<b>Sex Offenses</b>			
Rape	2017	0	0
	2018	0	0
	2019	0	0
Fondling	2017	0	0
	2018	0	0
	2019	0	0
Incest	2017	0	0
	2018	0	0
	2019	0	0
Statutory Rape	2017	0	0
	2018	0	0
	2019	0	0
<b>Robbery</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Aggravated Assault</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Burglary</b>			
	2017	0	0
	2018	1	0
	2019	0	0
<b>Motor Vehicle Theft</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Arson</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Unfounded</b>			
	2017	0	0
	2018	0	0
	2019	0	0

**NOTES FOR THE CRIMINAL OFFENSE TABLES:**

(1) There were no unfounded crimes for the years 2017, 2018, and 2019.

**HATE CRIMES 2017 - 2019**

There were no reported hate crimes in 2017, 2018, and 2019.

**ARRESTS AND REFERRALS 2017 - 2019**

Type of Offense		On Campus	Public Property
<b>Arrests</b>			
Weapons; carrying, possessing, etc.	2017	0	0
	2018	0	0
	2019	0	0
Drug Abuse Violations	2017	0	0
	2018	0	0
	2019	0	0
Liquor Law Violations	2017	0	0
	2018	0	0
	2019	0	0
<b>Student Disciplinary Referrals</b>			
Weapons; carrying, possessing, etc.	2017	0	0
	2018	0	0
	2019	0	0
Drug Abuse Violations	2017	0	0
	2018	0	0
	2019	0	0
Liquor Law Violations	2017	0	0
	2018	0	0
	2019	0	0

**DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING 2017 - 2019**

Type of Offense		On Campus	Public Property
Domestic Violence	2017	0	0
	2018	0	0
	2019	0	0
Dating Violence	2017	0	0
	2018	0	0
	2019	0	0
Stalking	2017	0	0
	2018	0	0
	2019	0	0



**CRIME STATISTICS TABLES FOR THE JOHN AND MARY PAPPAJOHN EDUCATION CENTER**
**CRIMINAL OFFENSES FOR 2017 - 2019**

Type of Offense		On Campus	Public Property
<b>Criminal Homicide</b>			
Murder/Non Negligent Manslaughter	2017	0	0
	2018	0	0
	2019	0	0
Manslaughter by Negligence	2017	0	0
	2018	0	0
	2019	0	0
<b>Sex Offenses</b>			
Rape	2017	0	0
	2018	0	0
	2019	0	0
Fondling	2017	0	0
	2018	0	0
	2019	0	0
Incest	2017	0	0
	2018	0	0
	2019	0	0
Statutory Rape	2017	0	0
	2018	0	0
	2019	0	0
<b>Robbery</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Aggravated Assault</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Burglary</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Motor Vehicle Theft</b>			
	2017	0	0
	2018	1	0
	2019	0	0
<b>Arson</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Unfounded</b>			
	2017	0	0
	2018	0	0
	2019	0	0

**NOTES FOR THE CRIMINAL OFFENSE TABLES:**

(1) There were no unfounded crimes for the years 2017, 2018, and 2019.

**HATE CRIMES 2017 - 2019**

There were no hate crimes reported in 2017, 2018, and 2019.

**ARRESTS AND REFERRALS 2017 - 2019**

Type of Offense	On Campus		Public Property
Arrests			
Weapons; carrying, possessing, etc.	2017	0	0
	2018	0	0
	2019	0	0
Drug Abuse Violations	2017	0	1
	2018	0	0
	2019	0	0
Liquor Law Violations	2017	0	0
	2018	0	0
	2019	0	0
Student Disciplinary Referrals			
Weapons; carrying, possessing, etc.	2017	0	0
	2018	0	0
	2019	0	0
Drug Abuse Violations	2017	0	0
	2018	0	0
	2019	0	0
Liquor Law Violations	2017	0	0
	2018	0	0
	2019	0	0

**DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING FOR 2017 - 2019**

Type of Offense	On Campus		Public Property
Domestic Violence	2017	0	0
	2018	0	0
	2019	0	0
Dating Violence	2017	0	0
	2018	0	0
	2019	0	0
Stalking	2017	0	0
	2018	1	0
	2019	0	0

**CRIME STATISTICS TABLES FOR THE LAKESIDE LAB AT LAKE OKOBOJI**
**CRIMINAL OFFENSES FOR 2017 - 2019**

Type of Offense		On Campus	On-Campus Housing(1)	Public Property
<b>Criminal Homicide</b>				
Murder/Non Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Manslaughter by Negligence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Sex Offenses</b>				
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Robbery</b>				
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Aggravated Assault</b>				
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Burglary</b>				
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Motor Vehicle Theft</b>				
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Arson</b>				
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Unfounded</b>				
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**NOTES FOR THE CRIMINAL OFFENSE TABLES:**

- (1) The Clery Act requires institutions to disclose the total number of crimes that occurred on campus, including crimes that occurred in on-campus student housing facilities as a subset of the "On Campus" total.
- (2) There were no unfounded crimes for the years 2017, 2018, and 2019.

**HATE CRIMES 2017 - 2019**

There were no hate crimes reported in 2017, 2018, and 2019

**ARRESTS AND REFERRALS FOR 2017 - 2019**

Type of Offense		On Campus	On-Campus Housing(1)	Public Property
<b>Arrests</b>				
Weapons; carrying, possessing, etc.	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Abuse Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Student Disciplinary Referrals</b>				
Weapons; carrying, possessing, etc.	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Abuse Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

- (1) The Clery Act requires institutions to disclose the total number of crimes that occurred on campus, including the number of crimes that occurred in on-campus student housing facilities as a subset of the "On Campus" total.

**DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING 2017 - 2019**

Type of Offense		On Campus	On-Campus Housing(1)	Public Property
Domestic Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Dating Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

- (1) The Clery Act requires institutions to disclose the total number of crimes that occurred on campus, including crimes that occurred in on-campus student housing facilities as a subset of the "On Campus" total.

**CRIME STATISTICS TABLES FOR THE BIRCHWOOD FIELDS LEARNING CENTER**
**CRIMINAL OFFENSES FOR 2017 - 2019**

Type of Offense		On Campus	Public Property
<b>Criminal Homicide</b>			
Murder/Non Negligent Manslaughter	2017	0	0
	2018	0	0
	2019	0	0
Manslaughter by Negligence	2017	0	0
	2018	0	0
	2019	0	0
<b>Sex Offenses</b>			
Rape	2017	0	0
	2018	0	0
	2019	0	0
Fondling	2017	0	0
	2018	0	0
	2019	0	0
Incest	2017	0	0
	2018	0	0
	2019	0	0
Statutory Rape	2017	0	0
	2018	0	0
	2019	0	0
<b>Robbery</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Aggravated Assault</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Burglary</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Motor Vehicle Theft</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Arson</b>			
	2017	0	0
	2018	0	0
	2019	0	0
<b>Unfounded</b>			
	2017	0	0
	2018	0	0
	2019	0	0

**NOTES FOR THE CRIMINAL OFFENSE TABLES:**

(1) There were no unfounded crimes for the years 2017, 2018, and 2019.



**HATE CRIMES 2017 - 2019**

There were no hate crimes reported in 2017, 2018, and 2019

**RRESTS AND REFERRALS FOR 2017 - 2019**

Type of Offense		On Campus	Public Property
<b>Arrests</b>			
Weapons; carrying, possessing, etc.	2017	0	0
	2018	0	0
	2019	0	0
Drug Abuse Violations	2017	0	0
	2018	0	0
	2019	0	0
Liquor Law Violations	2017	0	0
	2018	0	0
	2019	0	0
<b>Student Disciplinary Referrals</b>			
Weapons; carrying, possessing, etc.	2017	0	0
	2018	0	0
	2019	0	0
Drug Abuse Violations	2017	0	0
	2018	0	0
	2019	0	0
Liquor Law Violations	2017	0	0
	2018	0	0
	2019	0	0

**DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING FOR 2017 - 2019**

Type of Offense		On Campus	Public Property
Domestic Violence	2017	0	0
	2018	0	0
	2019	0	0
Dating Violence	2017	0	0
	2018	0	0
	2019	0	0
Stalking	2017	0	0
	2018	0	0
	2019	0	0

## Definitions

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

**Arrest** – Persons processed by arrest, citation or summons.

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

**Burglary** - The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

**Category of Fire** - For HEA purposes, there are three categories of fire:

- **Unintentional Fire:** A fire that does not involve an intentional human act to ignite or spread fire into an area where the fire should not be.
- **Intentional Fire:** A fire that is ignited, or that results from a deliberate action, in circumstances where the person knows there should not be a fire.
- **Undetermined Fire:** A fire in which the cause cannot be determined.

**Cause of Fire** - The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure or act of nature.

**Dating Violence** - "Dating violence" means "violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- the length of the relationship;
- the type of relationship; and
- the frequency of interaction between the persons involved in the relationship.

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

**Domestic Violence:** "Domestic violence" means a "felony or misdemeanor crime of violence committed by:

- a current or former spouse or intimate partner of the victim,
- a person with whom the victim shares a child in common
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or
- 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."

**Drug Abuse Violations** - The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture,

distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics - manufactured narcotics which can cause true addiction (Demerol, Methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

**Fire** - Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire related death** - Any instance in which a person - (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) Dies within one year of injuries sustained as a result of the fire.

**Fire related injury** - Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term "person" may include students, employees, visitors, firefighters, or any other individuals.

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

**Hate Crime** - A crime that manifests evidence that the victim was intentionally selected because of the perpetrator's bias. The applicable categories of bias are: race, gender, religion, sexual orientation, ethnicity/national origin and disability.

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

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

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

**Liquor Law Violations** - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

**Motor Vehicle Theft** - The theft or attempted theft of a motor vehicle.

Note: A "motor vehicle" is a self-propelled vehicle that runs on the surface of land and not on rails, and which includes automobiles, buses, recreational vehicles, trucks, motorcycles, motor scooters, trail bikes, mopeds, snowmobiles and golf carts.

**Murder/Non-negligent Manslaughter** - The willful (non-negligent) killing of one human being by another.

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

**Non campus building or property** – Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**On-Campus Property** – Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**On-Campus Student Housing Facility** - Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

**Property Damage** – The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

**Public Property** – All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Referred for disciplinary action** - The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

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

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

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

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

**Stalking** - "Stalking" means "engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear

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

**Unfounded** – A reported crime that upon investigation by law enforcement authorities is found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfound a crime. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.

**Weapons: carrying, possessing, etc.** - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above..

## Fire Safety Report for the Main Campus in Iowa City

### Residence Hall Fire Safety Systems

Name	Address	Sprinkler Protection	Fire Alarm System*	Portable Extinguishers	Monitored Fire Alarm System	Evacuation Plans	# of Fire Drills
10-11 Melrose Place	10-11 Melrose Place Iowa City, IA 52246	None	SD	X			0
103 Grove St.	103 Grove St. Iowa City, IA 52246	None	SD	X			0
107 Grove St.	107 Grove St. Iowa City, IA 52246	None	SD	X			0
110 E. Bloomington St.	110 E. Bloomington St. Iowa City, IA 52245	None	SD	X			0
124 Grove St.	124 Grove St. Iowa City, IA 52246	None	SD	X			0
128 Grove St.	128 Grove St. Iowa City, IA 52246	None	SD	X			0
130 Grove St.	130 Grove St. Iowa City, IA 52246	None	SD	X			0
131 Grove St.	131 Grove St. Iowa City, IA 52246	None	SD	X			0
13-14 Melrose Place	13-14 Melrose Place Iowa City, IA 52246	None	SD	X			0
219 Melrose Ct.	219 Melrose Ct. Iowa City, IA 52246	None	SD	X			0
229 Melrose Ct.	229 Melrose Ct. Iowa City, IA 52246	None	SD	X			0
3 Oak Park Ct.	3 Oak Park Ct. Iowa City, IA 52246	None	SD	X			0
308 N. Clinton St.	308 N. Clinton St. Iowa City, IA 52242	None	SD	X			0
311 Melrose Ct.	311 Melrose Ct. Iowa City, IA 52246	None	SD	X			0
4 Oak Park Ct.	4 Oak Park Ct. Iowa City, IA 52246	None	SD	X			0
401 Melrose Ave.	401 Melrose Ave. Iowa City, IA 52246	None	SD	X			0
422 N. Clinton St.	422 N. Clinton St. Iowa City, IA 52245	None	SD	X			0
435 Ridgeland Ave.	435 Ridgeland Ave. Iowa City, IA 52242	None	SD	X			0
601 Melrose Ave.	601 Melrose Ave. Iowa City, IA 52246	None	SD	X			0
605 Melrose Ave.	605 Melrose Ave. Iowa City, IA 52246	None	SD	X			0
609 Melrose Ave.	609 Melrose Ave. Iowa City, IA 52246	None	SD	X			0
7 Triangle Place	7 Triangle Place Iowa City, IA 52246	None	SD	X			0
707 Melrose Ave	707 Melrose Ave Iowa City, IA 52246	None	SD	X			0
8 Triangle Place	8 Triangle Place Iowa City, IA 52246	None	SD	X			0
807 Melrose Ave.	807 Melrose Ave. Iowa City, IA 52246	None	SD	X			0

\* SD - Smoke Detectors, MP - Manual Pull Stations

Name	Address	Sprinkler Protection	Fire Alarm System*	Portable Extinguishers	Monitored Fire Alarm System	Evacuation Plans	# of Fire Drills
102 Hawkeye Court	102 Hawkeye Drive Iowa City, IA 52240	Full	SD, MP	X	X	X	0
116 Hawkeye Court	116 Hawkeye Court Iowa City, IA 52240	Full	SD, MP	X	X	X	0
130 Hawkeye Court	130 Hawkeye Court Iowa City, IA 52240	Full	SD, MP	X	X	X	0
144 Hawkeye Court	144 Hawkeye Court Iowa City, IA 52240	Full	SD, MP	X	X	X	0
172 Hawkeye Court	172 Hawkeye Court Iowa City, IA 52240	Full	SD, MP	X	X	X	0
204 Hawkeye Court	204 Hawkeye Court Iowa City, IA 52240	Full	SD, MP	X	X	X	0
228 Hawkeye Court	228 Hawkeye Court Iowa City, IA 52240	Full	SD, MP	X	X	X	0
260 Hawkeye Court	260 Hawkeye Court Iowa City, IA 52240	Full	SD, MP	X	X	X	0
Burge Hall	301 N. Clinton St. Iowa City, IA 52242	Full	SD, MP	X	X	X	4
Catlett Hall	350 N. Madison St. Iowa City, IA 52242	Full	SD, MP	X	X	X	4
Caywood Apartments	741 Melrose Ave. Iowa City, IA 52246	Partial	SD, MP	X			0
Currier Hall	413 N. Clinton St. Iowa City, IA 52242	Full	SD, MP	X	X	X	4
Daum Hall	225 N. Clinton St. Iowa City, IA 52242	Full	SD, MP	X	X	X	4
Hillcrest Hall	25 Byington Rd. Iowa City, IA 52242	Full	SD, MP	X	X	X	4
Mayflower Hall	1110 N. Dubuque St. Iowa City, IA 52242	Full	SD, MP	X	X	X	4
Petersen Hall	304 Grand Ave. Iowa City, IA 52242	Full	SD, MP	X	X	X	4
Parklawn Hall	447-449 N. Riverside Dr Iowa City, IA 52242	Full	SD, MP	X	X	X	4
Rienow Hall	320 Grand Ave. Iowa City, IA 52242	Full	SD, MP	X	X	X	4
Slater Hall	325 Grand Ave. Iowa City, IA 52242	Full	SD, MP	X	X	X	4
Stanley Hall	10 E. Davenport Iowa City, IA 52242	Full	SD, MP	X	X	X	4
Woolf Ave Court Apartment	1 Woolf Ave. Ct. Iowa City, IA 52246	None	SD	X			0

#### Fire Statistics FOR 2017 - 2019



Name	Reported Fires			Damage			Injuries			Deaths			Cause
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	
10-11 Melrose Place	0	0	0	0	0	0	0	0	0	0	0	0	
103 Grove St.	0	0	0	0	0	0	0	0	0	0	0	0	
107 Grove St.	0	0	0	0	0	0	0	0	0	0	0	0	
110 E. Bloomington St.	0	0	0	0	0	0	0	0	0	0	0	0	
124 Grove St.	0	0	0	0	0	0	0	0	0	0	0	0	
128 Grove St.	0	0	0	0	0	0	0	0	0	0	0	0	
130 Grove St.	0	0	0	0	0	0	0	0	0	0	0	0	
131 Grove St.	0	0	0	0	0	0	0	0	0	0	0	0	
13-14 Melrose Place	0	0	0	0	0	0	0	0	0	0	0	0	
219 Melrose Ct.	0	0	0	0	0	0	0	0	0	0	0	0	
229 Melrose Ct.	0	0	0	0	0	0	0	0	0	0	0	0	
3 Oak Park Ct.	0	0	0	0	0	0	0	0	0	0	0	0	
308 N. Clinton St.	0	0	0	0	0	0	0	0	0	0	0	0	
311 Melrose Ct.	0	0	0	0	0	0	0	0	0	0	0	0	
4 Oak Park Ct.	0	0	0	0	0	0	0	0	0	0	0	0	
401 Melrose Ave.	0	0	0	0	0	0	0	0	0	0	0	0	
422 N. Clinton St.	0	0	0	0	0	0	0	0	0	0	0	0	
435 Ridgeland Ave.	0	0	0	0	0	0	0	0	0	0	0	0	
601 Melrose Ave.	0	0	0	0	0	0	0	0	0	0	0	0	
605 Melrose Ave.	0	0	0	0	0	0	0	0	0	0	0	0	
609 Melrose Ave.	0	0	0	0	0	0	0	0	0	0	0	0	
7 Triangle Place	0	0	0	0	0	0	0	0	0	0	0	0	
707 Melrose Ave.	0	0	0	0	0	0	0	0	0	0	0	0	

Name	Reported Fires			Damage			Injuries			Deaths			Cause
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	
8 Triangle Place	0	0	0	0	0	0	0	0	0	0	0	0	
807 Melrose Ave.	0	0	0	0	0	0	0	0	0	0	0	0	
102 Hawkeye Court	0	0	0	0	0	0	0	0	0	0	0	0	
116 Hawkeye Court	0	0	0	0	0	0	0	0	0	0	0	0	
130 Hawkeye Court	0	0	0	0	0	0	0	0	0	0	0	0	
144 Hawkeye Court	0	0	0	0	0	0	0	0	0	0	0	0	
172 Hawkeye Court	0	0	0	0	0	0	0	0	0	0	0	0	
204 Hawkeye Court	0	0	0	0	0	0	0	0	0	0	0	0	
228 Hawkeye Court	0	0	0	0	0	0	0	0	0	0	0	0	
260 Hawkeye Court	0	0	1	0	0	\$1,000 - \$9,999	0	0	0	0	0	0	2019 Unintentional - Electrical/charging
Burge Hall 301 N. Clinton St.	0	0	0	0	0	0	0	0	0	0	0	0	
Catlet Hall 350 N. Madison St.	0	0	0	0	0	0	0	0	0	0	0	0	
Caywood Apartments 741 Melrose Ave.	0	0	0	0	0	0	0	0	0	0	0	0	
Currier Hall 413 N. Clinton St.	0	0	0	0	0	0	0	0	0	0	0	0	
Daum Hall 225 N. Clinton St.	0	0	0	0	0	0	0	0	0	0	0	0	
Hillcrest Hall 25 Byington Rd.	0	1	0	0	\$1,000 - \$9,999	0	0	0	0	0	0	0	2018 - Unintentional - Hot Work
Mayflower Hall 1110 N. Dubuque St.	0	1	1	0	\$0-99	\$0-99	0	0	0	0	0	0	2018 - Intentional - Paper Burned on Door 2019 - Unintentional - Burnt Food
Petersen Hall 304 Grand Ave.	0	0	0	0	0	0	0	0	0	0	0	0	
Parklawn Hall 447-449 N. Riverside Dr.	0	0	0	0	0	0	0	0	0	0	0	0	
Rienow Hall 320 Grand Ave.	0	0	0	0	0	0	0	0	0	0	0	0	
Slater Hall 325 Grand Ave.	0	0	0	0	0	0	0	0	0	0	0	0	
Stanley Hall 10 E. Davenport	0	0	0	0	0	0	0	0	0	0	0	0	
Woolf Ave Court Apartments 1 Woolf Ave. Ct.	0	0	0	0	0	0	0	0	0	0	0	0	

### The Daily Fire Log

The daily fire log is available to the public on the UI Department of Public Safety's website at <http://police.uiowa.edu/records/residential-unit-fire-log>.

### Regular mandatory supervised fire drills

Four fire drills are conducted each academic year per student residence hall. The first fire drill for each academic year is conducted within the first 2-3 weeks of school; which is observed by the UI Department of Public Safety and the Iowa City Fire Department. The second is conducted shortly after the winter break by the RAs and professional staff only. The 3<sup>rd</sup> and 4<sup>th</sup> fire drills are conducted by professional residence hall staff and resident assistants.

### Policies Regarding Appliances, Combustibles, and Open Flame

#### Cooking Appliances

In an attempt to keep the residence halls as safe as possible, the types of appliances that are allowed for cooking are limited. Only those appliances that do not:

- Have an exposed heating element;

- Use cooking greases;
- Or have an open flame are allowed. We also highly recommend using appliances that have an auto shut-off feature.
- Electric grills (i.e., George Foreman), pizza cookers, and toaster ovens are NOT allowed. Residence hall rooms with a kitchen provided (Mayflower) may use toaster ovens in the kitchen area only.

#### Electrical Appliances

All appliances must be in good working order. Do not overload electrical outlets with adapters or extension cords. All extension cords must be UL approved. Rooms are not wired to permit the use of any large electrical appliances including room air conditioners (unless supplied by the University), large refrigerators (over five cubic feet or drawing more than 9 amps), space heaters, etc. Halogen lamps are also prohibited. For safety reasons, we recommend using only appliances with an auto shut-off feature.

#### Explosives and Or Combustibles

The possession, use or distribution of any type of fireworks, ammunition/gun powder, fuses, or any explosives/combustibles of any kind is prohibited and will result in disciplinary action. Propane tanks may not be stored in residence halls.

### Halogen Lamps/Bulbs

Halogen lamps/bulbs are considered a fire hazard and therefore are prohibited in the residence halls.

### Open Flame

Incense, candles (lit or unlit), and any open-flame items are fire hazards and are therefore prohibited. Any incense or candles found may be confiscated, destroyed and disciplinary sanctions may be imposed. Storage of these items is prohibited; residence life staff will not store these items for you.

### Smoking

The University of Iowa Residence Halls are substance-free environments. Therefore the use of tobacco, including smokeless tobacco products, and legal smoking products are prohibited in residence hall student rooms and in public areas. Public areas include hallways, stairways, elevators, lobbies, lounges, restrooms, etc. Students over 18 years of age may possess and are allowed to store tobacco and legal smoking products but may not use them in the halls. Under the Smoke Free Air Act, smoking is banned on the entire University of Iowa campus.

### Evacuation Procedures in Residence Halls

University Housing staff provides residents with fire evacuation procedures and will hold fire drills to prepare residents in case of a fire. Each fall semester, University Housing sponsors "Fire Safety Week" to increase students' awareness of the importance of fire safety.

#### If you discover a fire:

- Immediately pull the corridor fire alarm.
- Call 911 to report the fire and give as much information as possible.
- The fire alarm will alert people to evacuate the building; don't attempt to rescue others unless you can do so safely.
- Standards of student behavior in the residence halls require students to follow adopted emergency procedures specific to University Housing. Any persons found not leaving or attempting to re-enter the building during an alarm may face disciplinary charges.

#### Evacuation from fire area for students and employees:

- Feel the door from top to bottom. If it is hot, do not proceed; go back.
- If the door is cool, crouch low and open the door slowly. Close the door quickly if smoke is present; smoke inhalation can be deadly.
- If the area is smoke-free, exit via the nearest stairwell. Stay low if smoke conditions exist.
- NEVER USE ELEVATORS when there is a fire!
- If you encounter heavy smoke in a stairwell, go back and try another stairwell or fire escape.
- If you are trapped in a room, do the following:
- Stuff wet towels or clothing under the door to keep smoke out.

- Open the windows. Wave something out the window to attract attention, and yell for help.
- If possible, dial 911; report your situation and location.
- Keep a soaked towel over your head.
- Stay low; breathe fresh air near the windows.

### Fire Procedures for University Housing Other than Residence Halls

Fires have the ability to completely engulf an apartment in mere seconds, causing tragic loss and even death. The apartments provide numerous combustible materials for fires to feed off (e.g. paint, furniture, etc.). You should always have a plan of evacuation for you and the people living with you in the event that a fire does occur.

In the event of an actual fire, follow these procedures:

1. Evacuate the building immediately. Don't attempt to rescue others or gather belongings. Fires can spread in seconds and even lead to deadly explosions.
2. Call 911; give as much information as possible.
3. Notify your neighbors if possible.
4. Stand as far away from the building as possible. Flying debris and fumes from the fire can be very dangerous.
5. If inside a bedroom in your apartment, feel bedroom door from top to bottom. If it is hot, do not proceed; go back.
6. If door is cool, crouch down and open door slowly. If you open the door and smoke is present, close it quickly so you don't inhale it.
7. If no smoke is present, exit through the front door. If smoke is present, stay low and proceed with caution—avoid inhaling smoke.
8. If trapped in an apartment, do the following:
  - a) Stuff wet towels or clothing under the door to keep smoke out.
  - b) Open windows. Wave something out a window and yell for help.
  - c) If possible, dial 911 and report your situation and location.
  - d) Keep a soaked towel over your head.
  - e) Stay low and breathe fresh air near the window.

### Fire Safety Education and Training Programs

Before the school year Resident Assistants receive training in fire response.

Faculty and staff are reminded, via email, to review the University's Critical Incident Management Plan (CIMP) which provides the basic information on how to react/respond to various emergencies that could occur on the campus. The plan also includes a "user guide" to the operation of portable fire extinguishers.

UI Department of Public Safety conduct fire extinguisher and fire safety training to groups, when the training is requested, approx. 65 times a year with an average total attendance of 3,000 persons.

### Reporting Fires

Fires should be reported to the following departments:

- UI Department of Public Safety (319) 335-5022
- Iowa City Fire Department (319) 356-5255

If a member of the University of Iowa community finds evidence of a fire that has been extinguished, and the person is not sure whether UI Department of Public Safety has already responded,

the community member should immediately notify UI Department of Public Safety to investigate and document the incident.

#### **Plans for Future Improvements in Fire Safety**

The University of Iowa has modern, large capacity residences and meets the fire code in the smaller residence facilities. There are no current improvements planned for fire safety.

## Fire Safety Report for the Lakeside Lab at Lake Okoboji

### Housing Fire Safety Systems

Name	Address	Sprinkler Protection	Fire Alarm System*	Portable Extinguishers	Monitored Fire Alarm System	Evacuation Plans	# of Fire Drills
Brown Motel	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Green Motel	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Cotton Cottage	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Rierson Cottage	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Tamisiea Cottage	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Main Cottage	1838 Hwy 86 Wahpeton IA 51360	Full	SD, MP	X	X	X	1
Cabin 1	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Cabin 2	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Cabin 3	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Cabin 4	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Cabin 5	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Cabin 6	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Cabin 7	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Cabin 8	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1
Cabin 9	1838 Hwy 86 Wahpeton IA 51360	None	SD	X		X	1

\* SD - Smoke Detectors, MP - Manual Pull Stations



Name	Address	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	Cause
Brown Motel	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Green Motel	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Cotton Cottage	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Rierson Cottage	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Tamisiea Cottage	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Main Cottage	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Cabin 1	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Cabin 2	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Cabin 3	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Cabin 4	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Cabin 5	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Cabin 6	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Cabin 7	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Cabin 8	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	
Cabin 9	1838 Hwy 86 Wahpeton IA 51360	0	0	0	0	0	0	0	0	0	0	0	0	

### The Daily Fire Log

The daily fire log is available to the public on the UI Department of Public Safety's website at <http://police.uiowa.edu/records/residential-unit-fire-log>.

### Regular Mandatory Supervised Fire Drills

Fire drills are conducted at least once a year.

### Policies Regarding Appliances, Combustibles, and Open Flame

#### Cooking Appliances

Cooking is only allowed in the Main, Rierson, and Tamisiea Cottages where residential style kitchens are provided. Cooking is prohibited in all other facilities used to house students or visitors.

#### Electrical Appliances

All appliances used in a housing facility / unit must be in good working order. Do not overload electrical outlets with adapters or extension cords. Rooms are not wired to permit the use of any large electrical appliances.

#### Explosives and Or Combustibles

The possession, use or distribution of any type of fireworks, ammunition/gun powder, fuses, or any explosives/combustibles of any kind is prohibited and will result in disciplinary action. Propane tanks may not be stored inside a housing facility.

#### Open Flame

Incense, candles (lit or unlit), and any open-flame items are fire hazards and are therefore prohibited.

#### Smoking

Smoking is prohibited throughout all facilities at the Lakeside Laboratories

### Evacuation Procedures for Housing Facilities

Each room where students or visitors sleep, have fire evacuation procedures posted in accordance with the state fire code and hotel / motel laws.

In the event of an actual fire, follow these procedures:

1. When your smoke alarm sounds or a fire is discovered, evacuate the facility / unit immediately. Don't attempt to rescue others or gather belongings. Fires can spread in seconds and even lead to deadly explosions.
  - a. Before leaving the room, feel the door from top to bottom. If it is hot, do not proceed out of the room. Egress can be through a window in the room; you're no more than 6 feet above the ground.
  - b. If you open the door and smoke is present, close it quickly, and do not proceed; go back into the room. Egress can be through a window in the room; you're no more than 6 feet above the ground.

- c. If no smoke is present, exit through the room and out of the facility. If light smoke is present, stay low and proceed with caution—avoid inhaling smoke.
2. Once you are safely outside the building, call 9 1 1; give as much information as possible.
3. Notify your neighbors if possible.
4. Stand as far away from the building as possible. Flying debris and fumes from the fire can be very dangerous.

#### **Fire Safety Education and Training Programs**

Campus faculty and staff are reminded, via email, to review the University of Iowa's Critical Incident Management Plan (CIMP) which provides the basic information on how to react/respond to various emergencies that could occur on the campus. The plan also includes a "user guide" to the operation of portable fire extinguishers. Individuals may also attend the Fire Safety Education programs offered on the main campus as well.

#### **Reporting Fires**

Fires should be reported to the following agencies:

- Lakeside Laboratories Facility Manager  
(712) 260-1474
- Milford Fire Department  
(712) 336-2525

If a member of the campus community finds evidence of a fire that has occurred inside a building and has been extinguished, and the person is not sure whether the local authorities has already responded, the community member should immediately notify UI Department of Public Safety (319) 335-5022 to investigate and document the incident.

#### **Plans for Future Improvements in Fire Safety**

With inspections conducted by UI Department of Public Safety, improvements to fire safety issues continue to be a priority on this campus.

## **APPENDIX – Tables Relating to Controlled Substances, Offenses, and Penalties**

**TABLE A- Controlled Substances - Uses & Effects**

**TABLE B- Federal Tracking Penalties - Marijuana and Penalties for Possession**

**TABLE C- Penalties under Iowa Law for Manufacturing, Delivering, Possessing with the Intent to Deliver a Controlled Substance, a Counterfeit Substance or a Simulated Controlled Substance**

**TABLE D- Summary of Penalties for Various Offense Categories**

**TABLE E – 2018 Training Programs for Incoming Students**

**TABLE F – 2018 Training Programs for Current Students**

**TABLE G – 2018 Training Programs for Incoming Employees**

**TABLE H – 2018 Training Programs for Current Employees**

**TABLE A**  
**Controlled Substances—Uses & Effects**

DRUGS CSA SCHEDULES		TRADE OR OTHER NAMES	MEDICAL USES	DEPENDENCE		TOLERANCE	DURATION (hours)	USUAL METHODS OF ADMINISTRATION	POSSIBLE EFFECTS	EFFECTS OF OVERDOSE	WITHDRAWAL SYNDROME
				Physical	Psychological						
NARCOTICS											
Heroin	I	Diacetylmorphine, Horse, Smack	None in U.S., Analgesic, Antitussive	High	High	Yes	3-6	Injected, sniffed, smoked	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating
Morphine	II	Duramorph, MS-Contin, Roxanol, Oramorph SR	Analgesic	High	High	Yes	3-6	Oral, smoked, injected			
Codeine	II III V	Tylenol w/Codeine, Emperin w/Codeine, Robinussin A-C, Fiorinal w/Codeine, A/PAP w/Codeine	Analgesic, Antitussive	Moderate	Moderate	Yes	3-6	Oral, injected			
Hydrocodone	II III	Tussionex, Vicodin, Hycodan, Lorcet	Analgesic, Antitussive	High	High	Yes	3-6	Oral			
Hydromorphone	II	Dilaudid	Analgesic	High	High	Yes	3-6	Oral, injected			
Oxycodone	II	Percodan, Percocet, Tylox, Roxicet, Roxicodone	Analgesic	High	High	Yes	4-5	Oral			
Methadone and LAAM	I II	Dolophine, Methadose, Levo-alpha-acetylmethadol, Levomethadyl acetate	Analgesic, Treatment of Dependence	High	High	Yes	12-72	Oral, injected			
Fentanyl and Analogs	I II	Innovar, Sublimaze, Alfenta, Sufenta, Duragesic	Analgesic, Adjunct to Anesthesia, Anesthetic	High	High	Yes	10-72	Injected, Transdermal patch			
Other Narcotics	II III IV V	Percodan, Percocet, Tylox, Opium, Darvon, Talwin <sup>2</sup> , Buprenorphine, Meperidine (Pethidine), Demerol	Analgesic, antidiarrheal	High-Low	High-Low	Yes	Variable	Oral, injected			
DEPRESSANTS											
Chloral Hydrate	IV	Noctec, Sonnos, Felsules	Hypnotic	Moderate	Moderate	Yes	5-8	Oral	Slurred speech, disorientation, drunken behavior without odor of alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Barbiturates	II III IV	Amytal, Fiorinal, Nembutal, Seconal, Tuinal, Phenobarbital, Pentobarbital	Anesthetic, anticonvulsant, sedative, hypnotic, veterinary euthanasia agent	High-Mod.	High-Mod.	Yes	1-16	Oral, injected			
Benzodiazepines	IV	Ativan, Dalmane, Diazepam, Librium, Xanax, Serax, Valium, Tranxene, Verseren, Versed, Halcion, Paxipam, Restoril	Antianxiety, sedative, anticonvulsant, hypnotic	Low	Low	Yes	4-8	Oral, injected			
Glutethimide	II	Doriden	Sedative, hypnotic	High	Moderate	Yes	4-8	Oral			
Other Depressants	I II III IV	Equanil, Miltown, Nohudar, Placidyl, Valmid, Methaqualone	Antianxiety, sedative, hypnotic	Moderate	Moderate	Yes	4-8	Oral			

## STIMULANTS

Cocaine <sup>1</sup>	II	Coke, Flake, Snow, Crack	Local anesthetic	Possible	High	Yes	1-2	Sniffed, smoked, injected	Increased alertness, excitation, euphoria, increased pulse rate & blood pressure, insomnia, loss of appetite	Agitation, increase in body temperature, hallucinations, convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
Amphetamine/Methamphetamine	II	Biphetamine, Desoxyn, Dextedrine, Obetrol, Ice	Attention deficit disorder, narcolepsy, weight control	Possible	High	Yes	2-4	Oral, injected, smoked			
Methylphenidate	II	Ritalin	Attention deficit disorder, narcolepsy	Possible	High	Yes	2-4	Oral, injected			
Other Stimulants	I II III IV	Adipex, Didrex, Ionamin, Melfiat, Plegine, Captagon, Sanorex, Tenuate, Tepamil, Prelu-2, Preludin	Weight control	Possible	High	Yes	2-4	Oral, injected			

## CANNABIS

Marijuana	I	Pot, Acapulco Gold, Grass, Reefer, Sinsemilla, Thai Sticks	None	Unknown	Moderate	Yes	2-4	Smoked, oral	Euphoria, relaxed inhibitions, increased appetite, disorientation	Fatigue, paranoia, possible psychosis	Occasional reports of insomnia, hyperactivity, decreased appetite
Tetrahydrocannabinol	I II	THC, Marinol	Antinauseant	Unknown	Moderate	Yes	2-4	Smoked, oral			
Hashish and Hashish Oil	I	Hash, Hash oil	None	Unknown	Moderate	Yes	2-4	Smoked, oral			

## HALLUCINOGENS

LSD	I	Acid, Microdot	None	None	Unknown	Yes	8-12	Oral	Illusions and hallucinations, altered perception of time and distance	Longer, more intense "trip" episodes, psychosis, possible death	Unknown
Mescaline and Peyote	I	Mescal, Buttons, Cactus	None	None	Unknown	Yes	8-12	Oral			
Amphetamine Variants	I	2, 5-DMA, STP, MDA, MDMA, Ecstasy, DOM, DOB	None	Unknown	Unknown	Yes	Variable	Oral, injected			
Phencyclidine and Analogs	I II	PCE, PCPy, TCP, PCP, Hog, Loveboat, Angel Dust	None	Unknown	High	Yes	Days	Oral, smoked			
Other Hallucinogens	I	Butotamine, Ibogaine, DMT, DET, Palioeybin, Palioeyn	None	None	Unknown	Possible	Variable	Smoked, oral, injected, sniffed			

## ANABOLIC STEROIDS

Testosterone (Cypionate, Enanthate)	III	Depo-Testosterone, Delatestryl	Hypogonadism	Unknown	Unknown	Unknown	14-28 days	Injected	Virilization, acne, testicular atrophy, gynecomastia, aggressive behavior, edema	Unknown	Possible depression
Nandrolone (Decanoate, Phenpropionate)	III	Nortestosterone, Durabolin, Deca-Durabolin, Deca	Anemia, breast cancer	Unknown	Unknown	Unknown	14-21 days	Injected			
Oxymetholone	III	Anadrol-50	Anemia	Unknown	Unknown	Unknown	24	Oral			

<sup>1</sup> Designated a narcotic under the CSA  
<sup>2</sup> Not designated a narcotic under the CSA

(Revised August 1998)

### Reporting Crimes to the Police

<u>GEOGRAPHIC ZONE</u>	<u>JURISDICTION OF</u>	<u>TELEPHONE</u>
University-owned Property .....	University Public Safety .....	335-5022
Oakdale Campus .....	University Public Safety .....	335-5022
City of Iowa City, other than University-owned Property .....	Iowa City Police Department .....	356-5275
City of Coralville .....	Coralville Police Department .....	248-1800
Elsewhere in Johnson County except Oakdale .....	Johnson County Sheriff .....	356-6020
ANY EMERGENCY CALL .....		911

**TABLE B**  
**Federal Trafficking Penalties**

CSA	PENALTY		Quantity	DRUG	Quantity	PENALTY	
	2nd Offense	1st Offense				1st Offense	2nd Offense
I  and  II	Not less than 10 years. Not more than life.	Not less than 5 years. Not more than 40 years.	$\left\{ \begin{array}{l} 10-99 \text{ gm or} \\ 100-999 \text{ gm} \\ \text{mixture} \end{array} \right\}$	METHAMPHETAMINE	$\left\{ \begin{array}{l} 100 \text{ gm or more} \\ \text{or 1 kg}^1 \text{ or more} \\ \text{mixture} \end{array} \right\}$	Not less than 10 years. Not more than life.	Not less than 20 years. Not more than life.
			$\left\{ \begin{array}{l} 100-999 \text{ gm} \\ \text{mixture} \end{array} \right\}$	HEROIN	$\left\{ \begin{array}{l} 1 \text{ kg or more} \\ \text{mixture} \end{array} \right\}$		
			$\left\{ \begin{array}{l} 500-4,999 \text{ gm} \\ \text{mixture} \end{array} \right\}$	COCAINE	$\left\{ \begin{array}{l} 5 \text{ kg or more} \\ \text{mixture} \end{array} \right\}$		
			$\left\{ \begin{array}{l} 5-49 \text{ gm} \\ \text{mixture} \end{array} \right\}$	COCAINE BASE	$\left\{ \begin{array}{l} 50 \text{ gm or more} \\ \text{mixture} \end{array} \right\}$		
	If death or serious injury, not less than life.	If death or serious injury, not less than 20 years. Not more than life.	$\left\{ \begin{array}{l} 10-99 \text{ gm or} \\ 100-999 \text{ gm} \\ \text{mixture} \end{array} \right\}$	PCP	$\left\{ \begin{array}{l} 100 \text{ gm or more} \\ \text{or 1 kg or more} \\ \text{mixture} \end{array} \right\}$	If death or serious injury, not less than 20 years. Not more than life.	If death or serious injury, not less than life.
			$\left\{ \begin{array}{l} 1-10 \text{ gm} \\ \text{mixture} \end{array} \right\}$	LSD	$\left\{ \begin{array}{l} 10 \text{ gm or more} \\ \text{mixture} \end{array} \right\}$		
			$\left\{ \begin{array}{l} 40-399 \text{ gm} \\ \text{mixture} \end{array} \right\}$	FENTANYL	$\left\{ \begin{array}{l} 400 \text{ gm or more} \\ \text{mixture} \end{array} \right\}$		
			$\left\{ \begin{array}{l} 10-99 \text{ gm} \\ \text{mixture} \end{array} \right\}$	FENTANYL ANALOGUE	$\left\{ \begin{array}{l} 100 \text{ gm or more} \\ \text{mixture} \end{array} \right\}$		
Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$2 million individual, \$5 million other than individual.				Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$8 million individual, \$20 million other than individual.	

	Drug	Quantity	First Offense	Second Offense
	Others <sup>2</sup>	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.	Not more than 30 years. If death or serious injury life. Fine \$2 million individual, \$10 million not individual.
III	All	Any	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual.	Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.
IV	All	Any	Not more than 3 years. Fine not more than \$250,000 individual, \$1 million not individual.	Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual.
V	All	Any	Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual.	Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual.

<sup>1</sup>Law as originally enacted states 100 gm. Congress requested to make technical correction to 1 kg. <sup>2</sup>Does not include marijuana, hashish, or hash oil (see separate chart).



## Federal Trafficking Penalties—Marijuana\*

As of January 1, 1996

<i>Quantity</i>	<i>Description</i>	<i>First Offense</i>	<i>Second Offense</i>
1,000 kg or more; or 1,000 or more plants	Marijuana	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years, not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual, \$20 million other than individual.
100 kg to 1,000 kg; or 100-999 plants	Marijuana	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million individual, \$5 million other than individual.	Not less than 10 years, not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual, \$10 million other than individual.
50 to 100 kg  50-99 plants	Marijuana	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million other than individual.	Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual.
Less than 50 kg	Marijuana	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million other than individual.	Not more than 10 years. Fine \$500,000 individual, \$2 million other than individual.
10 kg or more	Hashish		
1 kg or more	Hashish Oil		

\*Includes Hashish and Hashish Oil

(Marijuana is a Schedule I Controlled Substance)

### Penalties for Possession:

Federal penalties and sanctions for illegal possession of a controlled substance under 21 U.S.C. 844(a) are as follows:

For first conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

- 1st crack conviction and the amount of crack possessed exceeds 5 grams.
- 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- 3rd of subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

### 21 U.S.C. 853(a)(2) and 881(a)(7):

Forfeiture of personal and real property used to possess or facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. [See special sentencing provisions re: crack]

### 21 U.S.C. 881(a)(4):

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

### 21 U.S.C. 844(a):

Civil fine of up to \$10,000.

### 21 U.S.C. 853(a):

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

### 18 U.S.C. 922(g):

Ineligible to receive or purchase a firearm.

### Miscellaneous:

Revocation of certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc. are vested within the authorities of the individual Federal agencies.

**TABLE C: Penalties Under Iowa Law for Manufacturing, Delivering, or Possessing with the Intent to Deliver a Controlled Substance, a Counterfeit Substance or a Simulated Controlled Substance**

<b>GENERAL OFFENSE MISDEMEANOR CLASSIFICATION</b>	<b>SPECIAL CLASS "B" FELONY - §124.401(1)(a)<sup>1</sup></b>	<b>SPECIAL CLASS "B" FELONY - §124.401(1)(b)<sup>1</sup></b>	<b>SPECIAL CLASS "C" FELONY - §124.401(1)(c)<sup>1</sup></b>	<b>SPECIAL CLASS "D" FELONY - §124.401(1)(d)</b>	<b>AGGRAVATED MISDEMEANOR - §124.401(1)(d)</b>	<b>SPECIAL CLASS SERIOUS - §124.401</b>
<b>PENALTY SUBSTANCE</b>	not greater than 50 years and a fine of not greater than \$1,000,000	not greater than 25 years and a fine of not less than \$5,000 and not greater than \$100,000 <sup>2</sup>	not greater than 10 years and a fine of not less than \$1,000 and not greater than \$50,000 <sup>2</sup>	not greater than 5 years and a fine of not less than \$750.00 and not greater than \$7,500 <sup>2</sup>	not greater than 2 years or a fine of not less than \$500 and not greater than \$5,000 or both	Not greater than 6 months or a fine of not greater than \$1,000 or both <sup>3</sup>
<b>LSD</b>	greater than 10g	not greater than 10g				
<b>COCAINE BASE "CRACK"</b>	greater than 200g	> 40g but not > 2000g	less than or equal to 40g			
<b>COCAINE</b>	greater than 500g	greater than 100g but not greater than 500g	less than or equal to 100g			
<b>PCP (PURE)</b>	greater than 100g	greater than 10g but not greater than 100g	less than or equal to 10g			
<b>PCP (MIXED)</b>	greater than 1kg	greater than 100g but not greater than 1kg	less than or equal to 100g			
<b>HEROIN</b>	greater than 1kg	greater than 100g but not greater than 1kg	less than or equal to 100g			
<b>MARIJUANA</b>	greater than 1,000kg	greater than 100kg but not greater than 1000kg	greater than 50kg but not greater than 100kg	less than 50 kg		less than or equal to 1/2oz (not offered for sale)
<b>METHAMPHETAMINE AMPHETAMINE</b>	greater than 5kg <sup>4</sup>	greater than 5g but not greater than 5kg	less than or equal to 5g <sup>5</sup>			
<b>SALVIA DIVINORUM</b>					any amount	
<b>SYNTHETIC CANNABINOIDS</b>					any amount	
<b>SYNTHETIC CATHINONES</b>					any amount	
<b>OTHER SCHEDULE I, II, AND II SUBSTANCES<sup>6</sup></b>			any amount			
<b>SCHEDULE IV AND V SUBSTANCES<sup>7</sup></b>					any amount	

1: These are non-bailable offenses after conviction and while awaiting appeal. Iowa Code § 811.1(2).  
 Note: must be a second or subsequent offense of § 124.401(1)(c) to qualify as non-bailable.  
 2: Note that the Iowa Supreme Court has determined that the minimum fines set out for violations of §124.401(1) may be suspended or deferred under chapter 907 of the Iowa Code. *State v. Grey*, 514 N.W.2d 78 (Iowa 1994).  
 3: This is the accommodation offense. It only includes delivery and possession with intent to deliver less than or equal to 1/2 ounce of marijuana, which was NOT offered for sale. Manufacturing marijuana is not included. An offender under this subsection is sentenced as if convicted of § 124.401(5) (possession of marijuana).  
 4: Deferred judgments, deferred sentences, and suspended sentences are NOT available in these instances when the substance is methamphetamine. Iowa Code § 907.3(1), (2) & (3).  
 5: If first offense for amphetamine or methamphetamine, then sentence may be suspended and defendant ordered to drug court or community based corrections for 1 year or until maximum benefits. §124.401E  
 6: Examples of other Schedule I, II and III controlled substances include mescaline, morphine, fentanyl, hashish, hashish oil, methaqualone, Seconal, Nembutal. *State v. Kaufman*, 265 N.W.2d 610 (Iowa 1978).  
 7: Examples of Schedule IV and V controlled substances include phenobarbital, Tylenol with codeine, meprobamate, Valium and ephedrine.

PENALTIES UNDER IOWA LAW FOR POSSESSION OF CONTROLLED SUBSTANCES		
§ 124.401(5) (Includes minimum imprisonment of 48 hours, which can be suspended)		
Note: The reduced penalties for marijuana would appear to apply only if the present offense and all previous convictions were for marijuana, otherwise the penalties for the "other than marijuana" would apply. Convictions for violations of Chapters 124, 124.5B, and 453B can be used to enhance second and subsequent offenses in the "other than marijuana" category.		
	Marijuana	Other than Marijuana
First Offense	6 mo., \$1,000 fine	Serious Misdemeanor
Second Offense	Serious Misdemeanor	Aggravated Misdemeanor
Third or greater offense	Aggravated Misdemeanor	Class "D" Felony

**AGGREGATION OF WEIGHTS** Iowa Code § 124.401(2)--If the same person commits 2 or more acts which are in violation of § 124.401(1) and the acts occur in approximately the same location or time period so that the acts can be attributed to a single scheme, plan or conspiracy, the acts may be considered a single violation and the weight of the controlled substances involved may be combined for purposes of charging the offender and enhancing the criminal penalties. This is done at the discretion of the prosecutor. *State v. Robinson*, 506 N.W.2d 769 (Iowa 1993).

**FIREARM AND OFFENSIVE WEAPON ENHANCEMENT** Iowa Code § 124.401(1)(e) and (f)--If in the immediate possession of a firearm while participating in a violation of § 124.401(1), the penalty shall be 2 times the term otherwise imposed or granted. If in the immediate possession or control of an offensive weapon while participating in a violation of § 124.401(1), the penalty shall be 3 times the term imposed by law. A judgment or sentence under the firearm or offensive weapon enhancement cannot be deferred or suspended. *State v. Goodson*, 503 N.W.2d 395 (Iowa 1993).

**SCHOOL OR PUBLIC RECREATION ZONE ENHANCEMENT** Iowa Code § 124.401A and § 124.401B--If convicted of distributing or possessing with the intent to distribute a Schedule I, II, or III controlled substance (includes both a counterfeit and a simulated controlled substance) to a person greater than or equal to 18 years, and the offense is within 1000 feet of a public or private elementary or secondary school, public park, public swimming pool, public recreation center, or on a marked school bus, then the offender may be sentenced to an additional term of 5 years (§ 124.401A). If convicted of possessing a Schedule I, II, or III controlled substance (includes a simulated controlled substance, but the "counterfeit substance" language was omitted from the statute) and the offense is within 1000 feet of a public or private elementary or secondary school, public park, public swimming pool, public recreation center, or on a marked school bus, then the offender may be sentenced to an additional penalty of 100 hours of community service work for a public agency or a nonprofit charitable organization (§ 124.401B).

**MANUFACTURING METHAMPHETAMINE IN PRESENCE OF A MINOR** Iowa Code § 124.401C--If someone greater than or equal to 18 years manufactures methamphetamine 1) in the physical presence of a minor; 2) at the residence of a minor; 3) in a building where a minor might reasonably be present; 4) in a public accommodation (hotel, motel, etc.); or 5) in a multi- unit dwelling (apartment, condo, duplex, etc.), they shall be sentenced to an additional 5 years imprisonment.



*MANUFACTURING OR DELIVERY OF AMPHETAMINE OR METHAMPHETAMINE TO A MINOR* Iowa Code § 124.401D--If someone greater than or equal to 18 years delivers, possesses with the intent to deliver, conspires to deliver or possess with intent to deliver, or conspires to manufacture methamphetamine for delivery to someone < 18 years: 1st offense = 99 years; 2nd or subsequent offense = Class "A" felony (life imprisonment). § 902.9(1)(a). If 1st offense, then not eligible for parole until a minimum of 10 years served. § 902.8A.

*TAMPERING WITH, POSSESSING OR TRANSPORTING ANHYDROUS AMMONIA* Iowa Code § 124.401F--It is a serious misdemeanor to tamper with anhydrous ammonia equipment, or to possess or transport anhydrous ammonia in a container not approved by the secretary of agriculture. A civil penalty of not more than \$1500 may also be imposed.

*SECOND OR SUBSEQUENT OFFENSES* Iowa Code § 124.411(1)--If previously convicted of any state or federal drug statute, and subsequently convicted under Chapter 124, that person may be imprisoned for a period not to exceed 3 times the term otherwise authorized, or that person may be fined not more than 3 times the amount otherwise authorized, or both. The enhancement may be less than the triple amount and it also multiplies any other enhancements (such as the firearm enhancement) that may be imposed. *State v. Rodgers*, 560 N.W.2d 585 (Iowa 1997). Does not apply to violations of § 124.401(5).

*MANDATORY MINIMUM SENTENCE* Iowa Code § 124.413 (in reality a limitation on eligibility for parole and work release)--A person sentenced pursuant to § 124.401(1)(a), (b), (e) or (f), shall not be eligible for parole or work release until the person has served a minimum period of confinement of one-third of the maximum indeterminate sentence prescribed by law. This provision does not apply to marijuana, Schedule IV or V controlled substances under § 124.401(1)(d). If this is a first offense under § 124.413, the court may, at its discretion, sentence the person to a term less than provided for by statute if mitigating circumstances exist and those circumstances are stated specifically on the record. (See § 901.10.) Probation is still a possibility. *State v. Farley*, 351 N.W.2d 537 (Iowa 1989); *State v. Draper*, 457 N.W.2d 600 (Iowa 1990); *Kinnersley v. State*, 494 N.W.2d 698 (Iowa 1993). If the conviction is under § 124.401(1) (b) or (c), the court may further lower the minimum eligibility for parole or work release from one-half of the minimum 1/3 to the full 1/3 minimum to serve of the maximum sentence. Iowa Code 124.413(3).

*PERSONS SEEKING MEDICAL ASSISTANCE* Iowa Code § 124.418. Provides protection for use of information derived from report by person's good faith reporting drug overdose to seek medical attention for another subject to conditions and not applicable to deliver charges unless delivery to victim was sharing of drugs without profit.

*RESTRICTION ON THE REDUCTION OF A MANDATORY MINIMUM SENTENCE* Iowa Code § 901.10(2)--A person convicted of an amphetamine or a methamphetamine offense under § 124.401(1)(a) or (b), (i.e., greater than 5 grams), is not eligible for a reduction of the mandatory minimum period of confinement imposed pursuant to § 124.413, unless the person pleads guilty, and then, the mandatory minimum may only be reduced by a maximum of one-third. In addition, if the defendant cooperates with the prosecution of others AND the prosecutor recommends it, the court may reduce the remaining mandatory minimum sentence by up to one-half. If the violation is for § 124.401D, the same applies, but there is apparently no "one half" limit on reduction if the prosecutor requests further reduction.

*RECONSIDERATION OF FELONY SENTENCE* Iowa Code § 902.4--The District Court retains jurisdiction for a period of ninety (90) days to reconsider a felon's sentence (other than a Class A felony or for which a mandatory minimum is imposed). The Court shall not disclose its decision to reconsider or not to reconsider until the date reconsideration is ordered, or the 90 day period for reconsideration is past. If an individual is sentenced for a violation of § 124.401 and § 124.413, he would not be eligible for reconsideration. *State Canas*, 571 N.W.2d 20 (Iowa 1997). However, if it is a first offense and the mandatory minimum is not imposed (see above), then the Court may reconsider.

*REOPENING OF 99 YEAR SENTENCE* Iowa Code § 901.5A--The Court may reopen a 99 year sentence if the prosecutor requests it and the Court finds that the defendant cooperated in the prosecution of others. Any reduction in sentence is based on § 901.10(3). Reopening of the sentence does NOT toll or stay any other proceedings or time deadlines.

*COMMITMENT FOR TREATMENT* Iowa Code § 124.409--When someone is charged under § 124.401 and they consent thereto, or upon a conviction of § 124.401, the Court may find that someone is addicted to, dependent upon, or a chronic abuser of controlled substances, and the Court may order commitment for treatment and rehabilitation. If successful at rehabilitation, the Court may remit all or part of the sentence and place the individual on probation.

*POSSESSION OF CERTAIN SUBSTANCES WITH INTENT TO MANUFACTURE* Iowa Code § 124.401(4)--It is a Class "D" felony to possess the following with the intent to manufacture a controlled substance: ephedrine, pseudoephedrine, ethyl ether, anhydrous ammonia, red phosphorous, lithium, iodine, thionyl chloride, chloroform, palladium, perchloric acid, tetrahydrofuran, ammonium chloride and magnesium sulfate.

**POSSESSION OF A CONTROLLED SUBSTANCE** Iowa Code § 124.401(5)--A first offense conviction for possession of any controlled substance (except marijuana) is a serious misdemeanor with a fine of at least \$250, but not more than \$1,500; in addition, the court may order imprisonment up to one year. Maximum penalty for a first offense conviction for possession of marijuana is imprisonment for 6 months and/or a \$1,000 fine. All or part of the sentence may be suspended and the person placed on probation, with conditions that may include participation in a drug treatment, rehabilitation or education program. If first offense, sentence may be deferred. (See § 124.409.) For second and subsequent offenses, see chart on previous page. Aggravated misdemeanors are punishable by a fine of at least \$500, but not more than \$5,000; in addition, the court may order imprisonment up to two years. A Class "D" Felony is punishable by an indeterminate term of imprisonment of not more than 5 years, and in addition, is punishable by a fine of at least \$500, but not more than \$7,500.

**DRUG PARAPHERNALIA** Iowa Code § 124.414--It is a simple misdemeanor for any person to knowingly or intentionally manufacture, deliver, sell, or possess drug paraphernalia. Drug paraphernalia is defined as all equipment, products, or materials of any kind used or attempted to be used in combination with a controlled substance, to knowingly and intentionally and primarily:

1. manufacture a controlled substance;
2. inject, ingest, inhale, or otherwise introduce into the human body a controlled substance;
3. test the strength, effectiveness, or purity of a controlled substance;
4. enhance the effect of a controlled substance. There is an exception for items used with lawful controlled substances and hypodermic needles or syringes used for a lawful purpose.

**DISTRIBUTION TO MINORS** Iowa Code § 124.406

- If someone greater than or equal to 18 years distributes or possesses with the intent to distribute a Schedule I or II controlled substance to someone less than 18 years, the offense is a Class "B" Felony and the person shall serve a minimum 5 years. If it is a counterfeit or a simulated controlled substance, then no minimum 5 years. However, if the offense occurs within a school or a public recreation zone, and it is a controlled substance (but not a counterfeit or simulated controlled substance) then the person shall serve a minimum 10 years if it is a controlled substance.
1. If someone greater than or equal to 18 years distributes or possesses with the intent to distribute a Schedule III controlled substance (includes a counterfeit or a simulated controlled substance) to someone less than 18 years and there is greater than or equal to 3 years difference, the offense is a Class "C" Felony.
  2. If someone greater than or equal to 18 years distributes a Schedule IV or V controlled substance (includes a counterfeit or a simulated controlled substance) to someone less than 18 years and there is greater than or equal to 3 years difference, the offense is an Aggravated Misdemeanor.
  3. If someone delivers a controlled substance to another in order to act with, enter into a common scheme or design with, conspire with, or recruit that other person to deliver any Schedule I, II, III, IV, or V controlled substance to someone less than 18 years, the offense is a Class "D" Felony.
  4. A court sentencing a person for the first time under § 124.406 may, at its discretion, sentence the person to a term less than provided for by statute if mitigating circumstances exist and those circumstances are stated specifically on the record. (See § 901.10.)

**RECRUITMENT OF MINORS** Iowa Code § 124.406A--If someone greater than or equal to 18 years conspires with or recruits someone less than 18 years to deliver or manufacture Schedule I through IV controlled substance, the offense is a Class "C" Felony.

**GATHERINGS WHERE CONTROLLED SUBSTANCES UNLAWFULLY USED** Iowa Code § 124.407--It is unlawful for any person to sponsor, promote or aid, or assist in a meeting, gathering, or assemblage with the knowledge or intent that a controlled substance be distributed, used or possessed there. If it is anything other than marijuana, it is a Class "D" Felony. If it is marijuana, it is a Serious Misdemeanor. Injunctions may also be issued.

**DATE RAPE DRUG PENALTIES** Iowa Code § 709.4(c)(2)--It is Sex Abuse in the Third Degree (a Class "C" Felony) when an individual performs a sex act on a person who is under the influence of a controlled substance, including flunitrazepam (Rohypnol), and 1) the controlled substance prevents the victim from consenting, and 2) the accused knows or should reasonably know that the victim is under the influence of the controlled substance.

**HEMP EXCLUSION** Iowa Code 124.401H--A person shall not be convicted of section 124.401 or 124.410 involving hemp if the person has a valid hemp license under Chapter 204 the hemp is produced on licensed site and hemp does not exceed THC concentration set under that 125.401H.



**DENIAL OF FEDERAL AND STATE BENEFITS** Iowa Code § 901.5(11)--The Court shall consider 21 U.S.C.A. § 862 (see below), and may order the denial of federal benefits, such as school loans, grants, contracts, professional or commercial licenses. Does not include retirement, welfare, Social Security, health, disability, veterans benefits, public housing, or similar benefits. For any violation of Chapter 124, the Court shall consider the denial of state benefits and may order their denial comparable to the federal benefits. Iowa Code § 901.5(12).

DENIAL OF FEDERAL BENEFITS TO DRUG TRAFFICKERS AND POSSESSORS		
	Drug Traffickers	Drug Possessors
First Offense	ineligible for any or all federal benefits for up to 5 years	1) ineligible for any or all federal benefits for up to 1 year; and/or 2) successfully complete an approved drug treatment program with periodic future testing; and/or 3) perform appropriate community service
Second Offense	ineligible for any or all federal benefits for up to 10 years	1) ineligible for any or all federal benefits for up to 5 years; and/or 2) successfully complete an approved drug treatment program with periodic future testing; and/or 3) perform appropriate community service
Third or Greater Offense	permanently ineligible for all federal benefits	N/A

NOTE: The period of ineligibility referred to above may be suspended if the individual has completed a supervised drug rehabilitation program or otherwise has been rehabilitated. These penalties do not apply to any individual who cooperates or testifies for the government.

**CONTROLLED SUBSTANCE TAX STAMP** Iowa Code Chapter 453B--If certain minimum levels of various controlled substances are possessed, then a tax is due according to the schedule below. If the tax is not paid when first due, there is an immediate 100% penalty also assessed. In addition, it is a Class "D" Felony, punishable by an indeterminate term of imprisonment of not more than 5 years, and in addition, punishable by a fine of at least \$500, but not more than \$7,500, for failure to properly affix the tax stamp to the controlled substances.

Taxable Substance	Unprocessed Marijuana Plants	Processed Marijuana	Other Than Marijuana	
			Sold by weight	Sold by dosage unit
Minimum Triggering Amount	1 plant	42 1/2 grams	7 grams	10 dosage units
Tax Rate	\$750 per plant	\$5 per gram or portion thereof	\$250 per gram or portion thereof	\$400 per 10 units or portion thereof



**TABLE D**  
**Summary of Penalties for Various Offense Categories**

<i>Offense Category</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>	<i>Maximum Incarceration</i>	<i>Minimum For Parole</i>
Simple Misdemeanor(§ 903.1)	\$ 65	\$ 625	In lieu of or in addition to fine, may impose of 30 Days in Jail	N/
Serious Misdemeanor(§ 903.1)	\$ 315	\$ 1,875	In addition to fine, may impose of 1 Year in Jail	N/
Aggravated Misdemeanor (§ 903.1)	\$ 625	\$ 6,250	/> 1Year in Jail or /> 2 Years in Prison	N/
Class "D" Felony(§ 902.9)	\$ 750	\$ 7,500	/> 5 Years in Prison	N/
Class "C" Felony (§ 902.9)	\$1,000	\$10,000	/> 10 Years in Prison	N/
Habitual Offender (§ 902.9; § 902.8)	N/A	N/A	/> 15 Years in Prison	3 Years
Class "B" Felony (§ 902.9)	N/A	N/A	/> 25 Years in Prison	N/
§ 124.401D Felony(§ 902.9; § 902.8A)	N/A	N/A	/> 99 Years in Prison	10 Years
§ 124.401(1)(a), (b), (c), (e), or (f) Felony(§ 124.413)	Varies	Varies	Varies	1/3 of Sentence except 124.401(c)
Class "A" Felony (§ 902.1)	N/A	N/A	Life in Prison	N/ A
Certain Forcible Felonies: Murder 2nd, Attempted Murder; Sex Abuse 2nd, Kidnapping 2nd, Robbery 1st or 2nd, and Vehicular Homicide (if also convicted of leaving the scene) committed by 3211, reckless, or eluding(§ 902.12)	Varies	Varies	Varies	7/10 of sentence except robbery 2 <sup>nd</sup> which is between 1/2 and 7/10
Non-Forcible Felony (other than 321J.2 offense) with Forcible Felony within last 5 years (§ 902.11)	Varies	Varies	Varies	50 Percent of Sentence
Forcible Felony and Use of Dangerous Weapon(§ 902.7)	Varies	Varies	Varies	5 Years

**TABLE E EDUCATION PROGRAMS FOR INCOMING STUDENTS (Primary Prevention and Awareness)**

<b>Name of Program</b>	<b>Date</b>	<b>Dating violence</b>	<b>Domestic violence</b>	<b>Sexual assault</b>	<b>Stalking</b>
SHW: Every Choice and Not Anymore	January 2019	X	X	X	X
SHW: Every Choice and Not Anymore	August 2019	X	X	X	X
Success at Iowa	January 2019	X	X	X	X
Success at Iowa	August 2019	X	X	X	X
Bystander Intervention 101	February 2019		X	X	
Bystander Intervention 101	August 2019		X	X	
Creating Safer Communities	September 2019	X	X	X	
Dismantling Rape Culture	January 2019			X	
Dismantling Rape Culture	February 2019			X	
Dismantling Rape Culture	September 2019			X	
Enthusiastic Consent	February 2019			X	
Enthusiastic Consent	August 2019			X	
International Student Orientation	January 2019	X	X	X	X
myPlaybook: The Freshman Experience Sexual Violence Prevention	July 2019			X	
New Student-Athlete Orientation (OSMRC)	August 2019	X	X	X	X
Protection for All: Dan Beebe	August 2019			X	
Relationship Remix	February 2019	X	X		
Relationship Remix	August 2019	X	X		
Relationship Remix	September 2019	X	X		
Sexual Health Program	February 2019	X	X	X	
Know Your Rights	February 2019	X	X	X	

**TABLE F EDUCATION PROGRAMMING FOR CURRENT STUDENTS (Ongoing Prevention and Awareness Campaigns)**

<b>Name of Program</b>	<b>Date</b>	<b>Dating violence</b>	<b>Domestic violence</b>	<b>Sexual assault</b>	<b>Stalking</b>
Bystander Intervention 101	February 2019		X	X	
Bystander Intervention 101	March 2019		X	X	
Bystander Intervention 101	April 2019		X	X	
Bystander Intervention 101	August 2019		X	X	
Bystander Intervention 101	November 2019		X	X	
Bystander Intervention 201	March 2019		X	X	
Creating Safer Communities	September 2019	X	X	X	
Creating Safer Communities	October 2019	X	X	X	
Creating Safer Communities	November 2019	X	X	X	
Dismantling Rape Culture	January 2019			X	
Dismantling Rape Culture	February 2019			X	
Dismantling Rape Culture	March 2019			X	
Dismantling Rape Culture	September 2019			X	
Dismantling Rape Culture	October 2019			X	
Dismantling Rape Culture	November 2019			X	
Dismantling Rape Culture	December 2019			X	
Enthusiastic Consent	February 2019			X	
Enthusiastic Consent	March 2019			X	
Enthusiastic Consent	April 2019			X	
Enthusiastic Consent	August 2019			X	
Enthusiastic Consent	October 2019			X	
Enthusiastic Consent	November 2019			X	
Enthusiastic Consent	December 2019			X	
Flip the Script	May 2019	X	X	X	
Hawk Talks: Stalking Awareness	March 2019				X
International Student Orientation	January 2019	X	X	X	X
Interpersonal Violence Protection	April 2019			X	
Interpersonal Violence Protection	June 2019			X	
Know the Law, Know Your Rights	February 2019	X	X	X	
Know the Law, Know Your Rights	March 2019	X	X	X	
Neurobiology of Trauma	April 2019			X	
myPlaybook: The Freshman Experience Sexual Violence Prevention	July 2019			X	
Preventing Sexual Violence	October 2019			X	
Preventing Sexual Violence	November 2019			X	
Preventing Sexual Violence	December 2019			X	
Protection for All: Dan Beebe	August 2019			X	
Relationship Remix	February 2019	X	X		
Relationship Remix	March 2019	X	X		
Relationship Remix	April 2019	X	X		
Relationship Remix	August 2019	X	X		
Relationship Remix	September 2019	X	X		
Relationship Remix	October 2019	X	X		
Relationship Remix	November 2019	X	X		
Relationship Remix	December 2019	X	X		
Resilience & Trauma Informed Perspective	May 2019	X	X	X	
Responding to Disclosures	November 2019	X	X		X
Sexual Health Program	February 2019	X	X	X	
Sexual Health Program	October 2019	X	X	X	
Sexual Health Program	December 2019	X	X	X	

**TABLE G - EDUCATION PROGRAMMING FOR INCOMING EMPLOYEES (Primary Prevention and Awareness)**

<b>Name of Program</b>	<b>Date</b>	<b>Dating violence</b>	<b>Domestic violence</b>	<b>Sexual assault</b>	<b>Stalking</b>
Bystander Intervention 101	March 2019	X		X	
Bystander Intervention 101	August 2019	X		X	
Bystander Intervention 101	November 2019	X		X	
Creating Safer Communities	September 2019	X	X	X	
Creating Safer Communities	November 2019	X	X	X	
Custom Interpersonal Violence	June 2019			X	
Dismantling Rape Culture	November 2019			X	
Enthusiastic Consent	August 2019			X	
Know the Law, Know Your Rights	February 2019			X	
Know the Law, Know Your Rights	March 2019			X	
Not Anymore	January 2019	X	X	X	X
Not Anymore	August 2019	X	X	X	X
Preventing Harassment on Campus (Non-supervisory)	January through December 2019	X	X	X	X
Preventing Harassment on Campus (Supervisory)	January through December 2019	X	X	X	X
Protection for All: Dan Beebe	August 2019			X	
Relationship Remix	November 2019	X	X		
Relationship Remix	December 2019	X	X		
Responding to Disclosures	November 2019	X	X		X
Sexual Health Program	February 2019	X	X	X	
Sexual Health Program	December 2019	X	X	X	

**TABLE H**  
**EDUCATION PROGRAMMING FOR CURRENT EMPLOYEES (Ongoing Prevention and Awareness)**

<b>Name of Program</b>	<b>Date</b>	<b>Dating violence</b>	<b>Domestic violence</b>	<b>Sexual assault</b>	<b>Stalking</b>
Bystander Intervention 101	March 2019	X		X	
Bystander Intervention 101	August 2019	X		X	
Bystander Intervention 101	November 2019	X		X	
Creating Safer Communities	September 2019	X	X	X	
Creating Safer Communities	November 2019	X	X	X	
Custom Interpersonal Violence	June 2019			X	
Dismantling Rape Culture	November 2019			X	
Enthusiastic Consent	August 2019			X	
Know the Law, Know Your Rights	February 2019			X	
Know the Law, Know Your Rights	March 2019			X	
Not Anymore	January 2019	X	X	X	X
Not Anymore	August 2019	X	X	X	X
Preventing Harassment on Campus (Non-supervisory)	January through December 2019	X	X	X	X
Preventing Harassment on Campus (Supervisory)	January through December 2019	X	X	X	X
Protection for All: Dan Beebe	August 2019			X	
Relationship Remix	November 2019	X	X		
Relationship Remix	December 2019	X	X		
Responding to Disclosures	November 2019	X	X		X
Sexual Health Program	February 2019	X	X	X	
Sexual Health Program	December 2019	X	X	X	