

RESOURCES FOR SEXUAL ASSAULT,
DOMESTIC VIOLENCE, DATING VIOLENCE AND
STALKING

Boise State University
Office of Institutional Compliance and
Ethics



BOISE STATE UNIVERSITY

RESOURCES FOR SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING AT BOISE STATE UNIVERSITY

Boise State University is committed to maintaining a working and learning environment that is free from discrimination, harassment, and violence and in which all members of the university community are treated with dignity and respect. The university strives to create an environment that supports, encourages and rewards career and educational advancement on the basis of ability and performance. Accordingly, Boise State prohibits discrimination on the basis of sex, sexual orientation, gender, gender identity, and pregnancy. The university also prohibits sexual harassment, including but not limited to sexual assault, domestic/dating violence, and stalking.

When a student or employee reports to Boise State that they have been the victim of one of these offenses, whether the offense occurred on or off-campus, the university will provide them with a written document detailing their rights, options, and resources available to them both on campus and in the community. This document outlines those rights, options, and resources.

For full and complete details on this policy, please visit <https://www.boisestate.edu/policy/governance-legal/sexual-harassment-dating-violence/>. Additional information about campus crime, state laws, and disclosures related to sexual misconduct can be found online in the campus Annual Security Report, which can be accessed here: <https://www.boisestate.edu/publicsafety-security/campus-crime/annual-security-report/>

It is important to remember that sexual assault, domestic and dating violence abuse, and stalking can occur among any combination of genders, gender identities/expressions, and sexual orientations.

SEXUAL MISCONDUCT VIOLATIONS

The following are the definitions of conduct prohibited by Boise State University's Policy 1065 on Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking.

Discrimination. Treating an individual or group differently or less favorably on the basis of a protected class as defined by University Policy 1060 (Non-discrimination and Anti-harassment).

Sexual Harassment. Conduct on the basis of sex that satisfies one or more of the following:

- a. An employee of the University conditions the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct. This is commonly referred to as a quid pro quo.
- b. Unwelcome conduct determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the University's Educational Program or Activities
- c. Conduct constituting Sexual Assault, Dating Violence, Domestic Violence, or Stalking, as defined in this policy.

- d. Where an allegation is brought by a University employee, it is necessary to analyze Sexual Harassment under Title VII of the Civil Rights Act of 1964 as well, as that legislation prohibits conduct that is so severe, pervasive, or persistent that it creates an environment that (1) would cause a reasonable person substantial emotional distress and undermine the person's ability to work, study, learn, or otherwise participate in University programs or services; and (2) actually does cause the harassed person(s) any of these difficulties.

Sexual Assault. Sexual assault is a form of sexual harassment that includes both forcible and non-forcible sex offenses. A forcible sex offense is any sexual act directed against another person, without the consent of the complainant(s), including instances in which the complainant is not able to give consent. These instances include forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. Forcible rape is 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 complainant. Forcible sodomy is oral or anal sexual intercourse with another person, forcibly, and/or against that person's will (non-consensually), or not forcibly against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacitation. Sexual assault with an object is the use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person's will (non-consensually), or not forcibly against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacitation. Forcible fondling is the touching of the private body parts of another person (buttocks, groin, breasts), for the purpose of sexual gratification, forcibly, and/or against that person's will (non-consensually), or not forcibly against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacitation.

Sexual assault also covers non-forcible offenses such as incest and statutory rape. Incest is non-forcible sexual intercourse, between two persons who are related to each other, within the degrees wherein marriage is prohibited by Idaho state law. Statutory rape is non-forcible sexual intercourse, with a person who is under the statutory age of consent in the state of Idaho.

Dating Violence. Dating violence is violence, on the basis of sex, committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the complainant. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. The existence a relationship is determined by considering of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

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

Stalking. Stalking is engaging in a course of conduct, on the basis of sex, directed at a specific person,

which would cause a reasonable person to fear for the person's safety, or the safety of others; or suffer substantial emotional distress. A course of conduct means two or more acts. Stalking behaviors may include nonconsensual communication including in-person communication, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of images or information on websites, written letters or notes, gifts, or any other communications that are undesired and/or place another person in fear, following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other location(s) frequented by the person being targeted, surveillance and other types of observation, whether by physical proximity or electronic means, trespassing, and vandalism. Most victims are stalked by someone they know, such as a current or former intimate partner, acquaintance, friend, or relative.

CONSENT

Consent. Voluntary, informed, and freely-given agreement, which may be withdrawn at any time to engage in a course of conduct. Consent is demonstrated through words or actions creating clear permission of willingness to engage in mutually agreed-upon sexual activity. Neither silence, the absence of resistance, nor the existence of a prior consensual sexual relationship are sufficient to indicate consent.

A person who is incapacitated by alcohol or illegal or prescription drugs, unconscious, or asleep cannot give Consent. Agreement to engage in a course of conduct shall not be considered as freely given and shall not constitute consent when it is obtained through harassment, coercion, threats, or other forcible conduct.

In Idaho, an individual under sixteen (16) years of age cannot give consent for sexual activity. Those individuals who are sixteen (16) or seventeen (17) years of age may only consent to sexual encounters with partners who are less than three (3) years older.

Coercion. To force one to act based on fear of harm to one's self or others. Means of coercion may include, but are not limited to pressure, threats, emotional intimidation, or the use of physical force.

Force. The use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," "Okay, don't hit me, I'll do what you want."). Force is a type of coercion.

Incapacitation. The physiological and/or cognitive inability, temporarily or permanently, to make informed, rational judgments and decisions including giving consent. States of incapacitation may include unconsciousness, sleep, and blackouts. An individual is incapacitated if it is demonstrated that the individual was unaware at the time of the incident where they were, how they got there, or why or how they became engaged in a sexual interaction. Where alcohol or other drugs are involved, incapacitation is determined by how a complainant's decision-making capacity, awareness of consequences, and ability to make informed judgments are impacted. Please see Policy 1065 for the full definition.

WHAT TO DO IF YOU ARE A VICIM

1. **Go to a safe location** as soon as you are able.
2. **If it is an emergency, call 911.**
3. **Seek immediate medical attention** if you are injured or believe that you may have been exposed to a sexually transmitted infection or sexually transmitted disease (STI/STD) or potential pregnancy. Ada County Victim Services Center (see below) offers SANE exams at no cost.
4. **Contact any of the following for immediate assistance** via normal business hours, Monday-Friday. Virtual services are also available as appropriate.
 - i. **The Title IX Coordinator** may be reached by phone at (208) 426-1258, by email at TIXIE@boisestate.edu, or in-person at the University Plaza at 960 South Broadway Avenue, Boise, ID 83706. A complaint may also be filed through an online university reporting form found at: <https://www.boisestate.edu/tixie/discrimination-and-harassment-complaint-form/>
 - ii. **The Department of Public Safety** may be reached 24-hours a day at (208)426-6911 or by activating a blue emergency phone located throughout the main campus. You can also make a report in-person at the Department of Public Safety located at 2245 University Drive, Boise, ID.
 - iii. **University Health Services** for confidential medical and counseling services at (208) 426-1459 during weekday business hours
 - iv. **Office of the Dean of Students** offers crisis support services. They can be contacted at (208) 426-1527
 - v. **Gender Equity Center** offers confidential, no-cost support services to people of all genders. They can be reached by phone Monday-Friday from 8 a.m. to 5 p.m. at (208) 426-4259.
 - vi. **Women's and Children's Alliance** - sexual assault crisis line is (208) 345-7273 and the domestic violence crisis line is (208) 343-7025.
 - vii. **Ada County Victim Support Centers** also provides confidential, no-cost support services for those who have experienced interpersonal violence. May be reached 24-hours a day at (208) 577-4400.
 - viii. **Faces of Hope Meridian** – crisis intervention services. They can be reached by phone Monday-Friday from 8 a.m. to 5 p.m. at (208) 986-4357.
5. **Preserve evidence.** It is important to preserve evidence of any gender or sex-based offense, as such evidence may be necessary proof to prosecute the accused and may also be helpful in obtaining a civil protection order.
 - To preserve evidence of **sexual assault**, please consider the following:
 - A forensic evidence collection (a sexual assault exam) should be sought within 120 hours of the assault and is best collected immediately following the incident. Technological advancements make it more likely that medical professionals can collect evidence even after 120 hours following an assault; however, the more time passes between the incident and seeking an exam, the less likely it will be to collect

- physical evidence that may be very important to the prosecution of a criminal case.
 - Additionally, to preserve other evidence in the case of sexual assault, it is recommended that you do not shower or bathe, wash your hands, use the toilet, douche, eat, drink, smoke, brush your teeth, change clothing, or wash clothing or bedding before a medical exam or reporting to law enforcement. But, even if you have already taken any of these actions, you are still encouraged to seek medical care and examination. Also, keep emails, text messages, social media postings, or any other digital information about the incident or other methods of contact from the accused that help document what happened.
 - If you wish to make a report to the police, or if you wish to have evidence collected so you can make this decision later, you may seek services by calling the local police dispatch number or contacting a local family justice center. Ada County Victim Services Center (the family justice center located in Boise) (208-577-4400) facilitates sexual assault forensic examinations for the Treasure Valley and is located near the main Boise State campus. There is no direct cost to the victim to receive a sexual assault forensic exam, and you do not need to file a police report in order to obtain one. The Boise State shuttle has a drop-off and pick-up location in between Ada County Victim Services Center and Trader Joes.
 - It is preferred that a police department facilitates the collection of other forensic evidence. However, if you are not sure if you want to report to the police or if it has been longer than 120 hours after the assault, you may wish to gather all clothing and bedding that may be used for evidence and place them into a clean paper bag or clean sheet. Items should be stored at room temperature until you decide whether or not you want to report to law enforcement. To protect the integrity of the evidence, do not store items in plastic bags or other similar, non-breathable materials.
6. In cases of **dating or domestic violence or abuse**, the resource you choose to report the behavior to (a doctor, the police, an advocate, etc.) may recommend ways to preserve evidence such as logging incidents, photographing injuries, seeking medical care, et cetera. If you are not yet sure you want to report the abuse, you may want to document and keep records of incidents (pictures, journals, voice mail, text messages, and the like) in a secure location that cannot be accessed by your partner.
7. Information on how to document **stalking** is available at http://www.victimsofcrime.org/docs/src/stalking-incident-log_pdf.pdf?sfvrsn=4. In addition to logging unwanted contact, an advocate or police officer may recommend you save and photograph unwanted text messages, emails, letters and gifts and store them in a secure location.
8. Choose how to proceed.
- Do nothing until you are ready;
 - Pursue support and resources only from the Title IX Office; and/or
 - Pursue resolution by Boise State University - you have options and are encouraged to contact the Title IX Coordinator to discuss your options; and/or

- Initiate criminal proceedings by reporting to law enforcement; and/or
- Initiate a civil process against the perpetrator.

You may pursue whatever combination of options is best for you. If you wish to have an incident investigated and resolved by Boise State University, please contact the Title IX Coordinator at 208-426-1258 or submit a report through <https://www.boisestate.edu/tixie/discrimination-and-harassment-complaint-form/>.

RISK REDUCTION

To protect yourself and your friends from incidents of sexual assault, domestic and dating violence and abuse, and stalking, there are preventative measures you can take to reduce risk. **Recognizing that the perpetrator of violence or abuse is the sole party responsible for that behavior and that victims are never to blame**, the following are some strategies to reduce one’s risk of violence:

- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is – intervene if you can or try to get out of the situation.
- Keep a charged cell phone with you. If you see something suspicious, call law enforcement by dialing 911.
- Avoid situations where you would be isolated with someone you don’t know or trust.
- Make your limits known as clearly as possible. Assert your right to have those boundaries respected.
- Say “NO” clearly and firmly.
- Notice when your boundaries aren’t being respected.
- Don’t be afraid about hurting feelings – it’s okay to have firm boundaries.
- Be “situationally aware” by taking note of your surroundings and who is present.
- Don’t be afraid to ask for help in situations where you don’t feel safe.
- Recognize that alcohol/other drugs can lower your inhibitions, and someone who views a drunk/high person as a sexual opportunity may choose to target you.
- Walk with others or call for a free escort from the Public Safety office.
- Download the RAVE Guardian app and set a safety timer.
- Lock doors and windows in your car and living space.
- Respect a friend who challenges you if you’re about to make a decision that could be unsafe.
- If you suspect a friend has been drugged, contact law enforcement immediately by dialing 911.
- When entering new and unfamiliar spaces, identify escape routes. How would you try to get out of the room if you needed to? Where are the doors and windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, get a new one.
- Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from punch bowls or other large, common open containers.

BYSTANDER INTERVENTION

Bystanders play an important role in the prevention of sexual assault, dating and domestic violence and abuse, and stalking. Bystander intervention is a way for the whole community to ensure the safety of all its members. This means we can all make a difference by choosing to speak out, intervene, or do something when we hear disrespectful jokes or comments or witness disrespectful or harmful actions. Intervening is as simple as saying, “That’s not funny,” or as urgent as dialing 911 if you or someone else is in danger. Below is a list of some other ways you can look out for your community members through being an active bystander. To request bystander intervention training, contact the Boise State Gender Equity Center at (208) 426-4259.

- Watch out for your friends. If a friend seems out of it, is more intoxicated than they should be given the amount of alcohol they’ve had, or is acting out of character, get them to a safe place immediately.
- Confront people who seclude/isolate, make sexual advances towards, or try to have sex with people who are incapacitated by drugs or alcohol or due to a disability. If you are not comfortable confronting the person, find a friend who is.
- Get police or other authorities involved.
- Speak out if you hear someone talking about or taking advantage of, threatening, or otherwise causing harm to another person.
- If someone discloses being the victim of sexual assault, domestic or dating violence abuse or stalking, believe them.
- Point people to the resources and offices listed in this report for support in health, counseling, and advocacy.
- Utilize features of Boise State’s free mobile safety application, Rave Guardian, that allows users to text and call the Department of Public Safety if help is needed, and allows users to look out for one another by designating “Guardians” as they go about their day. For more information about Rave Guardian, go to <https://www.boisestate.edu/publicsafety-security/home/rave-guardian/>

SUPPORT MEASURES

Support Measures are non-disciplinary, non-punitive individualized services offered free to Complainants or Respondents regardless of whether a Formal Complaint has been filed or whether the victim chooses to report the crime to campus police or local law enforcement. The university will maintain a party’s privacy while providing support measures, provided it does not impair the university’s ability to provide the measures. These measures are designed to restore or preserve equal access to an Educational Program or Activities without unreasonably burdening the other party.

These measures include, but are not limited to the following:

- Counseling and confidential resources
- Extensions of deadlines or other course-related adjustments

- Modification of work or class schedules
- Campus safety escort services
- Mutual no contact orders between Parties
- Change in work, parking, or housing locations
- Leaves of absence
- Increased security and monitoring in certain areas of campus
- Other similar measures

To request support measures, you can contact the Title IX Coordinator by phone at (208) 426-1258 or by email at TIIXIE@boisestate.edu.

CONFIDENTIALITY

To make informed choices, all parties should be aware of confidentiality and privacy considerations, as well as institutional mandatory reporting requirements.

Confidential Reporting. If a Complainant wishes to keep the details of an incident confidential, they should speak with a University Health Services medical or counseling employee and/or the Gender Equity Center free of charge. Local resources such as crisis centers are also confidential and have no duty to report disclosed information to the university.

Mandated Reporting. All university employees, except those defined as Confidential Resources, are Mandatory Reporters for purposes of Policy 1065. With the exception of student employees, students are not Mandatory Reporters but are encouraged to report suspected violations of this policy. Incidents of sexual misconduct will be taken seriously when official notice is given to Boise State University.

Confidentiality when deciding to file a report. Accommodations and other protective measures provided are maintained as confidential to the extent that maintaining such confidentiality does not impair the ability of the university to provide the accommodations or protective measures in a timely manner. Additionally, the investigation outcome and any resolution by the university are maintained with Complainant/Reporter and Respondent privacy in mind. Information may be shared internally on a need-to-know basis between administrators and Boise State staff. Privacy of the records specific to the investigation is maintained in accordance with Idaho law and FERPA statute, as well as any other applicable law or regulation. Any public release of information, including that to comply with Clery Act provisions such as annual crime statistics or issuing campus alerts, will not include the names of victims or information that could easily lead to a victim's identification.

REPORTING OPTIONS

Victims have several options when it comes to reporting their experience. Victims may choose not to report, report only to the university, report to police, speak with a confidential counselor, or any combination thereof. Victims are *not required* to file a crime report but are encouraged to do so. The Title IX Coordinator, or their designee, is available to accompany students in making such reports, if desired. The following reporting options are as follows:

- Victims unsure about what to do or would like more information about their options are encouraged to contact and first meet with staff at the **Gender Equity Center**. A social worker at the Gender Equity Center can meet with you in person or talk with you on the phone to discuss your options and provide assistance and information on reporting to police, filing a complaint with the university, and accessing medical, counseling, and other supportive services. They can be reached Monday-Friday from 8a.m-5 p.m. at (208) 426-4259.
- Victims can file a criminal complaint by contacting the **Boise State Department of Public Safety** by phone at (208) 426- 6911, or in person at 2245 University Drive, Boise, ID. When the Department of Public Safety receives a report of a sexual assault, domestic or dating violence or abuse, or stalking, they will work in tandem with the **Boise Police Department** to assist the victim and address the allegations.
 - For the Boise State Main and Gowen Field campuses, victims may also contact the **Boise Police Department** by phone at (208) 377-6790 or in-person at 333 N. Mark Stall Place, Boise, ID.
 - For campus community members located at one of Boise State’s separate campuses (outside the Main and Gowen Field Campuses) may file a criminal complaint with their local law enforcement agency in their area.
- Victims may file a university-based complainant in addition to or in lieu of filing a criminal complaint, campus community members who feel they have been the victim of sexual harassment, sexual assault, domestic or dating violence, or stalking have the right to file a complaint with the university at any time even if police conclude they do not have sufficient evidence for a criminal violation.
- A complaint of this nature against a student, employee, or other person connected to Boise State can be filed with the Title IX Coordinator by calling (208) 426-1258, emailing reportdiscrimination@boisestate.edu, or by submitting an online university reporting form found at: <https://www.boisestate.edu/tixie/discrimination-and-harassment-complaint-form/>

Regardless of if or how you report, please keep in mind the following considerations:

- Regardless of whether a victim chooses to report the crime to law enforcement, accommodations and/or protective measures can still be provided if the victim requests them, and they are reasonably available.
- Making an official report to the Boise State Department of Public Safety or Title IX Coordinator may, depending on the circumstances, result in the recording of an annual crime statistic or issuance of a campus alert with identifying information about the victim withheld.
- Victims can receive confidential support services without making a report by contacting any of the designated confidential support resources listed in this document.

- Making a report of Discrimination or Harassment on the basis of sex (including, but not limited to sexual harassment, sexual assault, stalking, and/or Domestic/Dating Violence) to a university employee who is not designated as a confidential support resource will result in the report being forwarded to the Title IX Coordinator as required by university policy.

UNIVERSITY INVESTIGATION PROCESS: RIGHTS, PROTECTIONS, PROCEDURES AND POSSIBLE SANCTIONS

Any time the university receives notice of suspected or actual sex or gender-based discrimination or harassment, including sexual assault, domestic/dating violence or abuse, or stalking, it must investigate. The university official designated to conduct and/or oversee investigations under Policy 1065 is the Title IX Coordinator.

Boise State guarantees a prompt, fair, and impartial process from the initial investigation to the final result. The process will be conducted by officials who receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

PROTECTION AGAINST RETALIATION

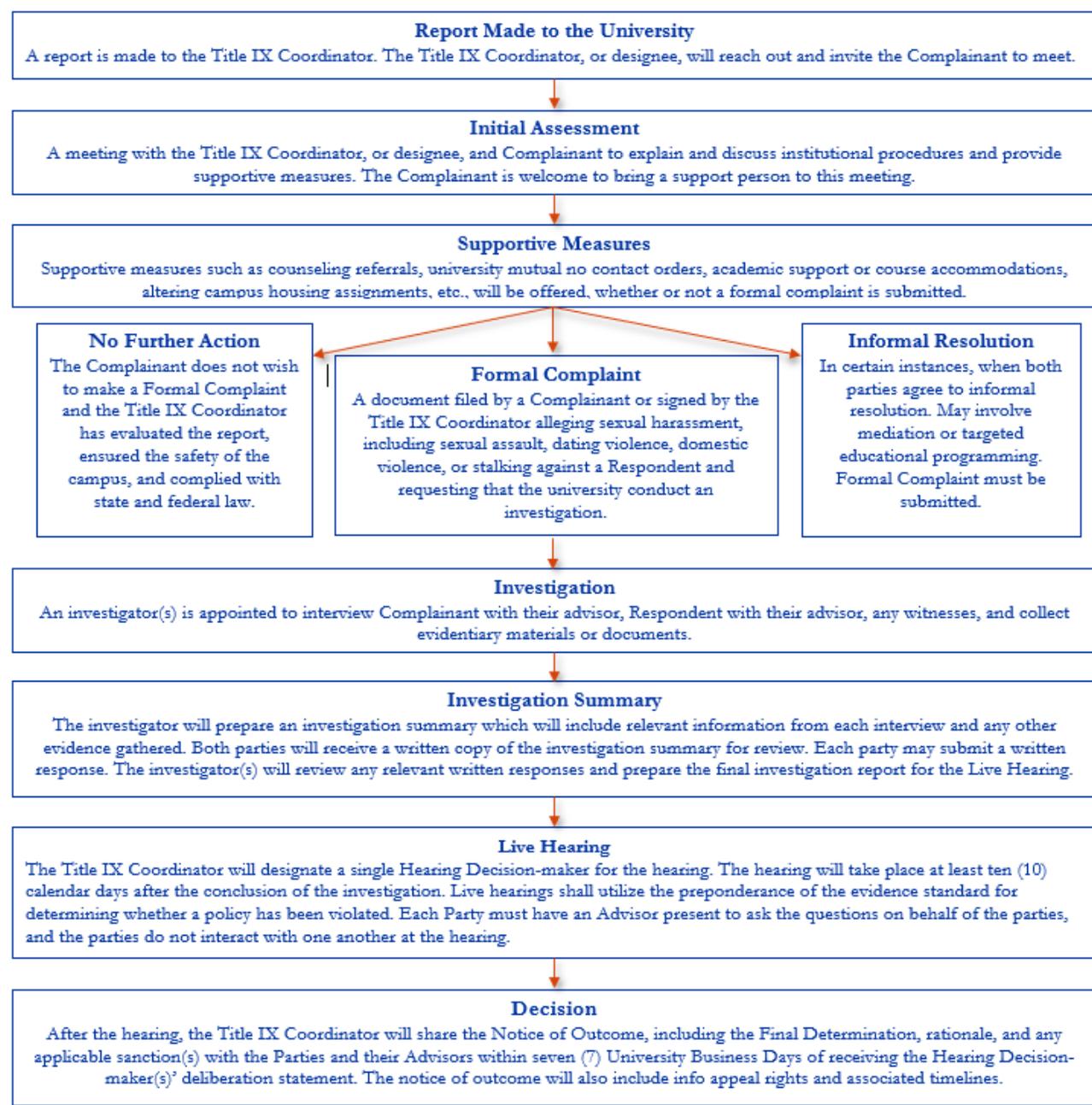
If you report an incident of sex discrimination, sexual harassment (including sexual assault), domestic or dating violence or abuse, or stalking, or provide information in the course of an investigation thereof, the university will take steps to protect you from retaliation and will respond to reports of retaliation appropriately and promptly. Specifically:

1. Boise State prohibits members of the university community from retaliating against an individual who has made a good faith complaint under university policy or anyone who has cooperated in good faith in the investigation of a complaint. The university will take every step necessary to protect the Complainant/Reporter and any witnesses against retaliation for bringing a complaint or for participating in its investigation.
2. Members of the university community who retaliate against Complainants/Reporters or witnesses in an investigation conducted pursuant to university policy shall be subject to appropriate disciplinary action.

Complaints of retaliation under this section should be reported to the Title IX Coordinator. You can contact the Title IX Coordinator by phone at (208) 426-1258 or by email at TIXIE@boisestate.edu.

INVESTIGATION PROCESS

The following flowchart is intended to provide an overview of the reporting and investigative process for incidents involving students contained in Boise State University Policy 1065, prohibiting sexual harassment, including sexual assault, dating violence, domestic violence and stalking. The process may vary for incidents involving university faculty or staff members. If any discrepancy exists between the summarized information in this document and Policy 1065, the language contained in Policy 1065 prevails.



Resolution Timeline. The university will make a good faith effort to complete the resolution process within sixty to ninety (60-90) university business days, including appeals, which can be extended as necessary for appropriate cause.

Advisor. A person who is chosen by each Party or appointed by the University to accompany and advise the Party throughout the resolution process. During any live hearing, each party must have an Advisor present to ask the questions. If a Party does not have an Advisor during live questioning, the university will appoint one.

POSSIBLE SANCTIONS - STUDENTS

Sanctions that may be imposed upon students or student organizations singly, or in combination, for Clery related crimes are listed below. For all other policy violations, the sanctions could include but are not limited to the following:

- **Warning:** A formal statement that the conduct was unacceptable and a warning that further violation of any University policy, procedure, or directive will result in more severe sanctions/responsive actions.
- **Required Mentorship:** A mandate to meet with a mentor and complete a subsequent reflective essay.
- **Required Counseling:** A mandate to meet with and engage in either University-sponsored or external counseling to better comprehend the misconduct and its effects.
- **Probation:** A written reprimand for violation of university policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any University policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas on campus, no-contact orders, and/or other measures deemed appropriate.
- **Suspension:** Termination of student status for a definite period of time not to exceed two (2) years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at university.
- **Removal from Housing**
- **Expulsion:** Permanent termination of student status and revocation of rights to be on campus for any reason or to attend University-sponsored events.
- **Withholding Degree:** The University may withhold a student's degree/diploma for a specified period of time and/or deny a student participation in commencement activities if the student is found responsible for an alleged violation.
- **Organizational Sanctions:** Deactivation, loss of recognition, loss of some or all privileges (including University registration) for a specified period of time.
- **Other Actions:** In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate such as community service and other educational projects meant to address the harm to the University community.

POSSIBLE SANCTIONS – EMPLOYEES

Sanctions that may be imposed upon employees, for Clery related crimes are listed below. For all other policy violations, the sanctions could include but are not limited to the following:

- Warning – verbal or written
- Performance improvement/management process
- Required counseling
- Required training or education.
- Mediation
- Probation
- Loss of annual pay increase
- Loss of oversight or supervisory responsibility
- Demotion.
- Suspension with pay
- Suspension without pay
- Termination.
- Other Actions: In addition to, or in place of the above sanctions, the university may assign any other sanctions as deemed appropriate.

APPEALS

In summary of Policy 1065, any Party may file an appeal, which must be submitted in writing to the Title IX Coordinator within five (5) University Business Days of the delivery of the notice of outcome. When a Party submits an appeal, notice will be provided to the other Party.

The request for appeal will be forwarded to the appeal decision-maker for consideration to determine if the request meets the grounds for appeal (a review for standing). This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the requirements for an appeal to be considered, including timeliness.

Once an appeal is decided, the outcome is final and any further appeals of that decision are not permitted.

For cases in which the appeal results in Respondent’s reinstatement to the University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some lost opportunities may be irreparable in the short term.

ORDERS OF PROTECTION

Victims of sexual assault, domestic and dating violence, and stalking may wish to prevent their attackers from contacting them. Boise State will assist in the enforcement of any type of order of protection if the order is known. Violations of criminal No Contact Orders and Civil Protection Orders may result in criminal charges, while violations of university-based No Contact Orders may result in disciplinary action by the university. It is possible to have more than one active Order of Protection in place. The types of Orders of Protection are:

- Criminal No Contact Orders - When a criminal charge has been filed, the court may issue a No Contact Order prohibiting the defendant from contacting the victim(s).

- Civil Protection Orders - Unlike Criminal No Contact Orders, victims can petition for a Civil Protection Order at their local courthouse, typically at no cost, even if there is no related criminal case. In Idaho, there are two different types of Civil Protection Orders, Domestic Violence Protection Order and Stalking/Threats Protection Order. You may apply for a Civil Protection Order at your local courthouse.
 - To discuss the pros and cons of Criminal or Civil Orders of Protection, please contact the Women’s and Children’s Alliance at (208) 343-3688.

- Tribal-specific Protection Orders - There are five different tribal courts that have jurisdiction within Idaho that offer their own specific Protection Order. Tribal-specific Protection Orders require the victim to apply at their local Tribal Courthouse and can only be applied for if the victim is a member of that tribe. Typically, a tribal-specific Protection Order requires the tribal member to go before a judge or Tribal Council to have their case heard.
 - To discuss the pros and cons of Criminal or Civil Orders of Protection, please contact the Women’s and Children’s Alliance at (208) 343-3688.
 - To locate a Tribal Courthouse, go to <https://isc.idaho.gov/tribal-state/links>

- University-Based No Contact Orders – A victim may request a mutual no contact orders between parties or when necessary, Boise State University may put into place a temporary mutual no contact order between individuals connected with the university in order to help create an environment that is free from harassment and/or threats of violence. When this action is taken, it is not an indication that the university has determined an individual has actually violated university policy; rather, it is a method of protecting individuals involved during the pendency of an investigation.
 - To discuss the pros and cons of University-Based Temporary Mutual No Contact Orders please contact the Title IX Coordinator at (208) 426-1258.

ALCOHOL AND DRUG AMNESTY

Because the university seeks to encourage individuals to report potential violations of Policy 1065 and fully participate in the investigation of potential violations of this policy, individuals will not, on the basis of evidence they provide in the course of an investigation, be charged with drug or alcohol violations under applicable university policies for offenses that occurred contemporaneously with the incident(s) under investigation.

STATEMENT OF THE RIGHTS OF THE PARTIES

The parties each have the right to:

- Be treated in accordance with the University’s Shared Values.
- An equitable investigation and resolution of all credible allegations of prohibited sexual harassment or discrimination made in good faith to the university.

- Timely written notice of all alleged violations, 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.
- Timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- Be informed in advance of any public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- Not to have any personally identifiable information released to the public without their consent, except to the extent permitted by law.
- Have the university policies and procedures followed without material deviation.
- Be free from pressure to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- To report sexual misconduct or discrimination to both on-campus and off-campus authorities.
- Be informed by university officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by university authorities in notifying such authorities, if the party so chooses. This includes the right not to be pressured to report.
- Have allegations of violations of this policy responded to promptly.
- Be informed of available interim actions and support measures, such as counseling; advocacy; health care; legal, student financial aid, visa, and immigration assistance; or other services, both on campus and in the community.
- To request a no-contact order when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct that presents a danger to the welfare of the party or others.
- Be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No Formal Complaint or investigation needs to occur before this option is available.
- Have the university maintain such actions for as long as necessary and for support measures to remain private so long as this does not impair the university's ability to provide the support measures.
- Ask the investigator(s) and decision-maker(s) to identify and question relevant witnesses.
- Provide the investigator(s)/decision-maker(s) with a list of questions that, if deemed relevant by the investigator(s)/decision-maker, may be asked of any party or witness.
- Access relevant and directly related evidence obtained and to respond to that evidence.
- Provide the investigator(s) with their account of the alleged misconduct and have that account be conveyed to the hearing decision-maker(s).
- Receive a copy of the investigation report, including all facts, policy, and all relevant and directly related evidence available and used to produce the investigation report, subject to the privacy limitations imposed by state and federal law, prior to the hearing, and the right to have at least ten (10) business days to review the report prior to the hearing.
- Respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report, and to have that response on the record.
- Be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- Regular updates on the status of the investigation and/or resolution.
- Have reports of alleged policy violations addressed by investigators, Title IX Coordinators, and decision-maker(s) who have received relevant annual training.
- Preservation of privacy, to the extent possible and permitted by law.
- Meetings, interviews, and/or hearings that are closed to the public.

- Petition that any university representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- Have an advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- Have the university compel the participation of faculty and staff witnesses in the investigation.
- Be present, including via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- Have an impact statement be considered by the decision-maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.
- Be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process and a detailed rationale therefor (including an explanation of how credibility was assessed), delivered simultaneously (without undue delay) to the parties.
- Be informed in writing of when a decision by the university is considered final and any changes to the sanction(s) that occur before the decision is finalized.
- Be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the university.
- A fundamentally fair resolution as defined in these procedures.

ONGOING PREVENTION AND AWARENESS

The University will provide primary prevention and awareness programming to all incoming students and new employees and will provide ongoing prevention and awareness campaigns throughout the year. Specific elements of the programming are described more fully in the Annual Security Report available at <https://www.boisestate.edu/publicsafety-security/campus-crime/annual-security-report/>. Programming will, at a minimum, include the following:

- Information on all aspects of this policy and its application at Boise State University.
- A statement of the University's prohibition of domestic violence, dating violence, sexual assault and Stalking, Consent, and definitions of each, as they are defined under Idaho law and in University policy.
- Bystander intervention training covering safe and positive options for intervention that may be carried out by a bystander to prevent harm when there is a risk of domestic violence, dating violence, sexual assault, or Stalking occurring. Programs will also offer information on risk reduction including how to recognize warning signs of abusive behavior and how to avoid potential attacks.
- Information for victims of sex offenses, domestic violence, dating violence, and/or Stalking, including services and assistance available to victims, how to report an offense, the importance of preserving evidence, and the rights of victims.

RESOURCES FOR THE CAMPUS COMMUNITY

ON-CAMPUS SERVICES AND SUPPORT FOR THE MAIN CAMPUS

Police and Security Services

Department of Public Safety

Phone: (208) 426-6911

Email: publicsafety@boisestate.edu

Web: <https://www.boisestate.edu/publicsafety/>

Address: 2245 University Drive, Boise, ID 83706

University Enforcement

Title IX Coordinator

Phone: (208) 426-1258

Email: TIXIE@boisestate.edu

Web: <https://www.boisestate.edu/tixie/>

Address: University Plaza at 960 South Broadway Avenue, Boise, ID 83706.

Student Support

Office of the Dean of Students

Phone: (208) 426-1527

Email: deanofstudents@boisestate.edu

Web: <https://www.boisestate.edu/deanofstudents/>

Address: Campus School at 2100 University Drive, Suite 120, Boise Idaho 83706

Legal

Associated Students of Boise State University (ASBSU) Legal

Services Phone: (208) 426-1527

Email: asbsu@boisestate.edu

Web: <https://www.boisestate.edu/deanofstudents/student-support/legal/>

Address: Campus School at 2100 University Drive, Suite 120, Boise Idaho 83706

Visa and Immigration Assistance

International Student Services

Phone: (208) 426-3652

Email: internationalinfo@boisestate.edu

Web: <https://www.boisestate.edu/globaleducation-iss/>

Address: SMASH Building at 2055 Cesar Chavez Lane, room 227, Boise, Idaho 83706

Financial Aid

Financial Aid and Scholarships

Phone: (208) 426-1664

Email: financialaid@boisestate.edu

Web: <https://www.boisestate.edu/financialaid/>

Address: Administration Building at 1910 University Drive, Suite 113, Boise, Idaho 83706

ON-CAMPUS *CONFIDENTIAL* SUPPORT RESOURCES FOR THE MAIN CAMPUS

Support Services

Gender Equity

Center Phone: (208)

426-4259

Email: genderequity@boisestate.edu

Web: <https://www.boisestate.edu/genderequity/>

Address: (SUB) 1700 University Drive, 2nd Floor, Boise, Idaho 83706

Medical/Mental Health/Counseling

University Health Services

Phone: (208) 426-1459

Email: healthservices@boisestate.edu

Web: <https://www.boisestate.edu/healthservices>

Address: (NORCO) 1529 Belmont Street, 2nd floor, Boise, Idaho 83706

LOCAL RESOURCES IN BOISE/MERIDIAN/NAMPA

Police Services

Boise Police Department

Phone: (208) 377-6790 (Non-Emergency Line) Email:

police@cityofboise.org

Web: <https://cityofboise.org/departments/police/>

Address: 333 N. Mark Stall Place, Boise, Idaho 83704

Ada County Sheriff's Office

Phone: (208) 377-6790 (Non-Emergency Line)

Web: <https://adacounty.id.gov/sheriff/>

Address: 7200 Barrister Dr., Boise, Idaho 83704

Meridian Police Department

Phone: (208) (Non-Emergency Line) Email:

police@cityofboise.org

Web: <https://cityofboise.org/departments/police/>

Address: 1401 E Watertower St. Meridian, Idaho 83642

Confidential Support and Advocacy

Women's and Children's Alliance (WCA)

Phone: (208) 343-7025 (Domestic Violence Crisis Line)

(208) 345-7273 (Sexual Assault Crisis Line)

Email: info@wcaboise.org

Web: <http://www.wcaboise.org/>

Address: 720 W. Washington Street, Boise, Idaho 83702

Sexual Assault Forensic Exams Ada

County Victim Services Center
Phone: (208) 577-4400
Web: <https://adacounty.id.gov/victimservices/>
Address: 417 S. 6th Street, Boise, Idaho 83702

Crisis Intervention Services (domestic violence, sexual assault, stalking, child abuse services)

Ada County Victim Services Center
Phone: (208) 577-4400
Web: <https://adacounty.id.gov/victimservices/>
Address: 417 S. 6th Street, Boise, Idaho 83702

Faces of Hope Meridian
Phone: (208) 986-4357
Web: <https://www.facesofhopevictimcenter.org/>
Address: 1850 S. Eagle Rd Suite 100, Meridian, Idaho 83642

Medical/Mental Health

St. Luke's – Downtown Boise
Phone: (208) 381-2222
Web: <https://www.stlukesonline.org/>
Address: 190 E. Bannock Street, Boise, Idaho 83712

St. Alphonsus – Curtis
Phone: (208) 367-2121
Web: <https://www.saintalphonsus.org/>
Address: 1055 N. Curtis Road, Boise, Idaho 83706

Mental Health/Counseling

St. Alphonsus Behavioral Health Center
Phone: (208) 302-0900
Web: <http://www.saintalphonsus.org/behavioral-health>
Address: 131 N. Allumbaugh Street, Boise, Idaho 83704

Citizenship and Immigration Assistance

Catholic Charities of Idaho
Phone: (208) 345-6031
Email: info@ccidaho.org
Web: <https://ccidaho.org/>
Address: 7255 W. Franklin Street, Boise, Idaho 83709

Legal/Financial Assistance

Law Center at Idaho Coalition Against Sexual and Domestic Violence
Phone: (208) 384-0419
Email: info@engagingvoices.org
Web: <https://idvsa.org/initiatives/legal-assistance/>
Address: 1402 W. Grove Street, Boise, Idaho 83702

RESOURCES FOR GOWEN FIELD CAMPUS

On-Base Military Security

124th Security Forces Squadron

Phone: (208) 422-5366

Address: 4474 S. Dehaveland Street, Boise, Idaho 83705

Web: <https://www.124thfighterwing.ang.af.mil/>

On-Base Confidential Support and Advocacy

Sexual Assault Response Coordinator (SARC) – Army National

Guard 24-hour Crisis Line: (208) 447-6166

Phone: (208) 272-4306

Address: 4250 Cessna Street, Building 270, Boise, Idaho 83705

Sexual Assault Response Coordinator (SARC) – Air National

Guard¹⁰ 24-hour Hotline: (208) 954-3369

Phone: (208) 422-6373

Address: 3787 W. Aeronca Street, Building 400, Boise, Idaho 83705

Victim Advocate Coordinator¹⁰ Phone: (208) 272-8400

On-Base Mental Health

Director of Psychological Health – Army National

Guard¹⁰ Phone: (208) 860-0189

Address: 4228 W. Guard Street, Boise, Idaho 83705

Director of Psychological Health – Air National

Guard¹⁰ Phone: (208) 422-6747

Address: 3787 W. Aeronca Street, Building 400, Boise, Idaho 83705

On-Base Legal Assistance

JAG – Army National Guard

Phone: (208) 272-5199

Address: 3882 W. Ellsworth Street, Building 440, Boise, Idaho 83705

JAG – Air National Guard

Phone: (208) 422-5399

Address: 3787 W. Aeronca Street, Building 400, Boise, Idaho 83705

STATEWIDE RESOURCES

Idaho Domestic Violence Hotline (24-hour and confidential): 1-800-669-3176

Idaho Suicide Prevention Hotline (24-hour and confidential): 1-800-273-8255

Idaho Health and Welfare Helpline

Phone: Dial 211

Email: <https://healthandwelfare.idaho.gov/>

Idaho Crime Victims

Compensation

Phone: (208) 334-6080

Email: cvcv_info@iic.idaho.gov

Web: <https://crimevictimcomp.idaho.gov/>

Address: 11321 W Chinden Blvd Boise, ID 83720-0041

NATIONAL RESOURCES

National Sexual Assault Hotline (24-hour and confidential): 1-800-656-4673

National Dating Abuse Helpline (24-hour and confidential): Text “loveis” to 22522 or call 1-866-331-9474.

National Domestic Violence Hotline (24-hour and confidential): 1-800-799-7233

Department of Defense (DoD) Safe Helpline (24-hour confidential/anonymous sexual assault hotline for DoD community): 1-877-995-5247 or text 55-247

Federal Student Aid Assistance: <https://studentaid.gov/>