

Campus Safety: Awareness and Prevention Initiatives (updated 12-12-2020)

The Utah College of Dental Hygiene, a division of Careers Unlimited, LLC (UCDH) is committed to providing a safe and secure environment to its campus community. Each year, UCDH publishes a Campus Security Program that provides detailed information regarding a variety of safety and security topics, including the College's Drug-Free Environment and Sexual Misconduct Policies.

To provide awareness and information regarding these important topics the information listed below highlights a few of the safety awareness initiatives at UCDH.

- The Campus Security Program is published on the College's Consumer Information page linked to the main website at www.ucdh.edu. Specifically the link to the consumer information page and related information is : https://www.ucdh.edu/consumer_information1
- The Campus Security Program is distributed to senior students in an annual e-mail notification. This email is sent out between October and December (before the end of each calendar year).
- All staff are required to sign a Policy Notification acknowledging the receipt of College policies, including campus safety information.
- New students receive an overview of campus safety information during New Student Orientation.
- Continuing students will re-review the information during Second-Year Orientation. The information is presented by the College's current Title IX Coordinator and students are asked to sign an acknowledgement following the delivery/presentation of the information.
- Other materials used to raise awareness include the use of interactive quizzes. The program allows students to complete a quiz on a variety of topics related to Drug, Alcohol, Sexual Misconduct awareness and prevention. The program is interactive and allows students to join the quiz on some digital devices which then can provide responses (in the forms of graphs).

The Utah College of Dental Hygiene, a Division of Careers Unlimited **Sexual Misconduct Policy** (updated 12-12-2020)

Careers Unlimited is committed to providing a learning and working environment that fosters respect and dignity for all members of the community. All forms of sexual discrimination and harassment, including sexual misconduct, interfere with this policy. The College considers sex discrimination, in all its forms, to be a serious offense and it will not be tolerated.

Careers Unlimited encourages students to report sexual misconduct to President Molen, the Title IX Coordinator, so that the College can address the effects of sexual misconduct, take measures to stop any ongoing harassment, and prevent future harassment. Here is the contact information for the Title IX Coordinator:

Brent Molen, College President
1176 S. 1480 W.
Orem, UT 84058
(801) 426-8234
ucdhdhprogramdirector@gmail.com

What is Sexual Misconduct?

Sexual misconduct refers to harassment and/or violence that includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
2. Submission to or rejection of such conduct by an individual is used or threatened to be used as the basis for academic or employment decisions affecting that individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's employment or educational performance or creating an intimidating, hostile, or offensive environment for that individual's employment, education, or living environment.

Types of Harassment or Abuse

- Stalking refers to repeated harassment that reasonably terrorizes or induces fear for a specific person.
- Dating/Domestic Violence is an ongoing pattern of controlling and abusive behaviors that individuals use against a cohabitant or their intimate partners, which include physical, sexual, economic, or emotional attacks/control.
- Forcible sexual abuse or sexual assault refers to the touching of private areas and/or taking indecent sexual liberties with another, without consent, which causes emotional or physical pain.
- Rape occurs when an individual has sexual intercourse with another person without the person's consent. This code applies whether or not the actor is married to the victim.

Examples of Sexual Harassment

Unwelcome or unwanted:

- Intentional touching, hugging, patting, kissing, squeezing, tickling
- Sexual comments, joke references, ridicule
- Pictures, email, texts, or other materials or electronic correspondence with content that is sexually explicit
- Repeatedly asking a person for a date, after being refused
- Ogling or leering, making sexual comments about an individual's body
- Requests or demands (implied or stated) for sexual favors in exchange for workplace or educational advantages
- Consent can be withdrawn at any time during the contact.

What to Do if You Are Harassed

Don't ignore it. Early efforts to control a potentially harassing situation are important. Sometimes you can stop such behavior by telling the person directly that you are uncomfortable and want it to stop.

Report it. If you are uncertain about whether or not you are experiencing sexual harassment, are hesitant to tell the person you are uncomfortable yourself, or if efforts to stop a problem have not worked, contact the Title IX Coordinator so that the College can determine what occurred and then take appropriate steps to stop and remedy the situation.

Rights and Options

Careers Unlimited does not tolerate acts of prohibited discrimination or harassment, including sexual assault, dating violence, domestic violence or stalking. If you are assaulted, sexually assaulted, stalked, or feel that you are in danger or threatened:

- Find a safe place
- Preserve Evidence: Preserving physical evidence can be key to identifying the perpetrator in a sexual assault case.
- Get Medical Attention: Medical attention should be sought as soon as possible. This is necessary to mitigate the risk of sexually transmitted diseases or pregnancy and to determine the existence or extent of, and to treat, any physical injury. Additionally, forensic evidence can be collected which could help a law enforcement investigation.
- Consider reporting the incident: An assault or other forms of sexual misconduct should be reported to **the Orem City Police Dept. at (801) 229-7070.**
- Privacy: Filing a police report will not obligate the accuser to prosecute, nor will it subject the accuser to scrutiny or judgmental opinions from officers. If requested, Careers Unlimited will assist with law enforcement notification.
- Investigation: The victim of a sexual assault may choose an investigation to be pursued through the criminal justice system and through the College process outlined in the Expulsion/Termination and Rules of Conduct Policies.
- Confidentiality will be maintained insofar as it does not interfere with the College's legal obligation to investigate allegations of misconduct, to take corrective action, or as otherwise provided by law.
- Resources: Counseling is confidential and is encouraged. A list of counseling resources is provided below.

Disciplinary Process

The College disciplinary process will include a prompt, fair and impartial investigation and resolution process. This process provides that:

- If the accuser and the accused both attend Careers Unlimited, both have the opportunity to have others present during the disciplinary proceedings.
- The accuser and the accused will be notified simultaneously in writing of the outcome and results of any disciplinary proceedings.

Sanctions

The College may impose sanctions for students who are found responsible for assaulting or harassing another member of the College community, including suspension, expulsion or termination. Please review the Expulsion/Termination and Rules of Conduct Policies in the College Catalog for more information. In addition, sexual assault, domestic violence, dating violence and stalking may be found to be criminal acts which may also subject the perpetrator to criminal and civil penalties under federal and state law.

Non-Retaliation

Retaliation is an adverse action, treatment, or condition taken against an individual for complaining of discrimination (including sexual harassment) or participating in a discrimination complaint process, regardless of the outcome of the investigation or complaint. College policy strictly prohibits Retaliation.

Resources

Rape Recovery Center (801) 467-7282; (801) 467-7273 (24hr Crisis Line) http://www.raperecoverycenter.com/	Rape, Abuse & Incest National Network (RAINN) 1(800) 656-HOPE www.rainn.org
Family Justice Center (801) 236-3370 www.slcfamilyjusticecenter.org	Rape & Sexual Assault Crisis Line 1 (888) 421-1100
Utah Office for Victims of Crime (801) 238-2360 www.crimevictim.utah.gov	YWCA (801)537-8600 www.ywcautah.org
Last Update: 12-12-2020. Individuals requesting additional information about registered sex offenders in Utah may go to the Utah Department of Corrections Sex Offender Registry web-site at: http://corrections.utah.gov .	

Updated Title IX New Rules as of May 2020

U.S. Secretary of Education Betsy DeVos took historic action May, 2020 to strengthen Title IX protections for survivors of sexual misconduct and to restore due process in campus proceedings to ensure all students can pursue an education free from sex discrimination.

For the first time ever, the Department's Title IX regulations define sexual harassment, including sexual assault, as unlawful sex discrimination.

***KEY PROVISIONS**

The Department of Education's new Title IX regulation which are effective August 14th, 2020:

Defines sexual harassment to include sexual assault, dating violence, domestic violence, and stalking, as unlawful discrimination based on sex.

Provides a consistent, legal sound framework on which survivors, the accused, and schools can rely
Requires schools to offer clear, accessible options for any person to report sexual harassment

Empowers survivors to make decisions about how a school responds to incidents of sexual harassment

Requires the school to offer survivors support measures, such as no-contact orders

Restores rights to written notice of allegations, the right to an advisor, and the right to submit, cross-examine, and challenge evidence at a live hearing

Shields survivors from having to come face-to-face with the accused during a hearing and from answering questions posed personally by the accused

Requires schools to select one of two standards of evidence, the preponderance of the evidence standard or the clear and convincing evidence standard – and to apply the selected standard evenly to proceedings for all students and employees, including faculty

Provides “rape shield” protections and ensures survivors are not required to divulge any medical, psychological, or similar privileged records

Requires schools to offer equal right to appeal for both parties to a Title IX Proceeding

Gives schools flexibility to use technology to conduct Title IX investigations and hearings remotely

Protects students and faculty by prohibiting schools from using Title IX in a manner that deprives students and faculty of rights guaranteed by the First Amendment

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1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education, living environment or participation in a College activity;
2. Submission to or rejection of such conduct by an individual is used as the basis for or a factor in decisions affecting that individual's employment, education, living environment, or participation in a College activity; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's employment or educational performance or creating an intimidating, hostile, or offensive environment for that individual's employment, education, living environment, or participation in a College activity.

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Report it. If you are uncertain about whether or not you are experiencing sexual harassment, are hesitant to tell the person you are uncomfortable yourself, or if efforts to stop a problem have not worked, **contact *President Molen at (801) 426-8234*** so that the college can determine what occurred and then take appropriate steps to stop and remedy the situation.

Rights and Options

The college does not tolerate acts of prohibited discrimination or harassment, including sexual assault, dating violence, domestic violence or stalking. If you are assaulted, sexually assaulted, stalked, or feel that you are in danger or threatened:

- Find a safe place
- Preserve Evidence: Preserving physical evidence can be key to identifying the perpetrator and adjudicating a sexual assault case.
- Get Medical Attention: Medical attention should be sought as soon as possible. This is necessary to mitigate the risk of sexually transmitted diseases or pregnancy and to determine the existence or extent of, and to treat, any physical injury. Additionally, forensic evidence can be collected which could help a law enforcement investigation.
- Consider reporting the incident: An assault or other forms of sexual misconduct should be reported to the *Orem City Police Dept. at (801) 229-7070*. Individuals are encouraged to file a police report.
- Privacy: Filing a police report will not obligate the accuser to prosecute, nor will it subject the accuser to scrutiny or judgmental opinions from officers. The college will assist with law enforcement notification if requested.
- Investigation: The victim of a sexual assault may choose for an investigation to be pursued through the criminal justice system and through the college process contained in the Expulsion/Termination and Rules of Conduct Policies.
- Resources: Counseling is confidential and is recommended during this difficult time. A list of resources available are provided.

UCDH Disciplinary Process

The College disciplinary process will include a prompt, fair and impartial investigation and resolution process. This process provides that:

- If the accuser and the accused both attend UCDH, each have the right to due process which includes the right to be heard, the right to decision by administration, and a right to adequate notice.
- The accuser and the accused will be notified simultaneously in writing of the outcome and results of any disciplinary proceedings.

Review the Expulsion/Termination and Rules of Conduct Policies for more information.

Sanctions and Protective Measures

The College may impose sanctions on the accused and/or provide the accuser protective measures following a report being filed.

- Possible protective measures include but are not limited to a no contact order.
- Possible sanctions for students who are found responsible for assaulting or harassing another member of the College community may include suspension or dismissal along with educational outcomes.
- Employees may be subject to discipline, up to and including termination of employment.

Sexual assault, domestic violence, dating violence and stalking may be found to be criminal acts which may also subject the perpetrator to criminal and civil penalties under federal and state law.

The College is obligated to investigate and/or appropriately respond to sexual misconduct complaints, even if the matter is being investigated by law enforcement.

Confidentiality

Confidentiality is honored insofar as it does not interfere with the College's legal obligation to investigate allegations of misconduct, to take corrective action, or as otherwise provided by law.

Non-Retaliation

Retaliation is an adverse action, treatment, or condition taken against an individual for complaining of discrimination (including sexual harassment) or participating in a discrimination complaint process, regardless of the outcome of the investigation or complaint. College Policy strictly prohibits Retaliation.

With the intent to fully inform, educate, and disclose Title IX information that may apply to UCDH students the college has supplied definitions for Title IX Information, education, disclosures and links to the U.S Department of Education Title IX sites and the UCDH Sexual Misconduct Policy & related definitions & policies that are currently listed under the "Consumer Information" tab/link at www.ucdh.edu .

United States Department of Education & UCDH. Link #1: <https://sites.ed.gov/titleix/>

Link #2: <https://www2.ed.gov/about/offices/list/ocr/sexoverview.html>

Link#3: <https://sites.ed.gov/titleix/policy/>

Link #4: <https://www2.ed.gov/about/offices/list/ocr/newsroom.html>

Sexual Harassment Off-Campus Resources

Rape Recovery Center

801-467-7282; 801-467-7273

(24hr Crisis Line)

<http://www.raperecoverycenter.com>

Rape, Abuse & Incest National Network (RAINN)

1-800-656-HOPE

www.rainn.org

Family Justice Center

801-236-3370

www.slcfamilyjusticecenter.org

Rape & Sexual Assault Crisis Line

1-888-421-1100

Utah Office for Victims of Crime

801-238-2360

www.crimevictim.utah.gov

YWCA

801-537-8600

www.ywcautah.org