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Resource Phone Numbers
Due to the language barrier, it is advised that a Security Officer or Administrator contact Israel Emergency Agencies. *(When using landlines in Jerusalem, drop the “02” prefix.)*

Jerusalem Center Security Office
From any Center Issued Cell Phone ................................................................. Speed Dial 2
From any Center Phone ............................................................................. Dial 0
From any Off-Campus Phone ................................................................... (02) 626-5666

Police
Police ................................................................................................................. 100
City Center Police Station—East Jerusalem .................................................. (02) 626-0020
City Center Police Station—West Jerusalem .................................................. (02) 539-1111
Old City Police Station .................................................................................. (02) 622-6222
Tourist Police ................................................................................................ (02) 539-1263

Fire
Fire .................................................................................................................... 102
East Jerusalem Station .................................................................................. (02) 628-2222
West Jerusalem Station .................................................................................. (02) 678-9401

Alcohol and Drug Abuse Counseling
Alcoholism Treatment Center ....................................................................... 1800-205077
Jerusalem Anti-Drug Union ......................................................................... (02) 623-6485

Counseling & Victim Assistance
Rape Crisis Center for Men .......................................................................... 1203
Rape Crisis Center for Women ..................................................................... 1202

Domestic Violence and Sexual Assault
Child Abuse Hotline ...................................................................................... 1800-220000
Child Abuse Reporting ................................................................................ 118
Domestic Violence Hotline .......................................................................... 1800-220000
Women’s Shelter .......................................................................................... (02) 671-2446

Health Care
Ambulance ..................................................................................................... 101
Hadassah Hospital Ein Kerem ....................................................................... (02) 677-7111
Hadassah Hospital Mt Scopus ....................................................................... (02) 584-4111
Terem Medical Center .................................................................................. (02) 509-3334
Wolfson Medical Center ............................................................................... (02) 561-0297

Reporting Hazards
BYU Jerusalem Center Housing .................................................................. 2307
BYU Jerusalem Center Security Office ......................................................... (02) 626-5666
Introduction

The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act—known as the Clery Act—is named for Jeanne Clery, a nineteen-year-old Lehigh University student who was raped and killed in her dorm room in 1986. The law was originally enacted in 1990 as the Crime Awareness and Campus Security Act (Title II of Public Law 101–542), which amended the Higher Education Act of 1965 (HEA). The Clery Act requires all postsecondary educational institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. Specifically, higher education institutions subject to the law must do the following:

- Collect, report, and disseminate crime data
- Develop policy statements regarding campus safety
- Prepare and distribute an annual security report
- Issue timely warnings and emergency notifications to the campus community
- Submit crime statistics to the Department of Education

The Clery Act has been amended many times to include additional requirements. Amendments in 2013 require institutions to report incidents of domestic violence, dating violence, and stalking. The Act is intended to provide students and their families, as higher education consumers, with accurate, complete, and timely information about safety on campus so that they can make informed decisions about where to attend school.

Preparing the Annual Security Report

This document is designed to provide students and employees with information concerning personal safety and university policies, and to comply with federal law. University Police prepares and publishes the report on an annual basis by compiling updated policy information and relevant crime data that is maintained in its own office, reported by campus security authorities, and provided by local law enforcement. The university’s Department of Risk Management, Safety, and Compliance provides statutory and regulatory compliance oversight of the report’s contents. For additional information or to submit changes and corrections, please contact the following:

Terry Fox, University Police, 801-422-7337 or terry_fox@byu.edu

JanaLee Longhurst, BYU Jerusalem Center-Provo Office, 801-422-2077, or janalee_longhurst@byu.edu

Tarek Safadi, Jerusalem Center Security, 011-972-2-626-2717 or tareks@jc.byu.ac.il
Crime Statistics

Collecting Crime Reports and Statistics Procedures

The Clery Act requires universities to disclose statistics for reported crimes based on (1) the person who received the crime report, (2) the types of crimes that were reported, (3) the year in which the crimes were reported, and (4) the geographic location where the reported crimes occurred. For purposes of the Clery Act, relevant geographic locations include campus, public property within or immediately adjacent to campus, and certain noncampus buildings or property that are owned or controlled by the reporting university.

Statistics are collected from the following sources:

- Jerusalem Center Security Office and Israel Police,
- University Police,
- Jerusalem Center Campus Security Authorities, and
- EthicsPoint compliance hotline.

Statistics Tables

<table>
<thead>
<tr>
<th>CRIMINAL OFFENSES</th>
<th>Campus &amp; Residence Hall (RH) Totals</th>
<th>Noncampus Property</th>
<th>Public Property</th>
</tr>
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<tbody>
<tr>
<td>Murder / Non-Negligent Manslaughter</td>
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<tr>
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<tr>
<td>Fondling</td>
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<td>0</td>
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</tr>
<tr>
<td>Incest</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Statutory Rape</td>
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<tr>
<td>Robbery</td>
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<td>0</td>
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</tr>
<tr>
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<td>Burglary*</td>
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<td>2</td>
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<tr>
<td>Motor Vehicle Theft</td>
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</tr>
<tr>
<td>Arson</td>
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<table>
<thead>
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<tr>
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<tr>
<td>Drug Law Violations</td>
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<tr>
<td>Liquor Law Violations</td>
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*Statistics have been revised as of September 21, 2018, to correct clerical and misclassification errors.
### DISCIPLINARY REFERRALS

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<td>Total</td>
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<tr>
<td>Illegal Weapons</td>
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### HATE CRIMES

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<tbody>
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<tr>
<td>Murder / Non-Negligent Manslaughter</td>
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<tr>
<td>Incest</td>
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<tr>
<td>Statutory Rape</td>
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<tr>
<td>Robbery</td>
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<tr>
<td>Aggravated Assault</td>
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<tr>
<td>Burglary*</td>
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<td>Arson</td>
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<tr>
<td>Simple Assault</td>
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<tr>
<td>Destruction / Damage / Vandalism of Property</td>
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### VAWA OFFENSES

<table>
<thead>
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<th>Campus &amp; Residence Hall (RH) Totals</th>
<th>Noncampus Property</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>RH</td>
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</tr>
<tr>
<td>Domestic Violence</td>
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<tr>
<td>Dating Violence</td>
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<tr>
<td>Stalking</td>
<td>0</td>
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</tbody>
</table>

* Hate Crime Categories of Prejudice: Disability (D), Ethnicity (E), Gender (G), Gender Identity (GI), National Origin (N), Race (Ra), Religion (Re), Sexual Orientation (S)

* Statistics have been revised as of September 21, 2018, to correct clerical and misclassification errors.
State of Israel Crime Statistics Table

<table>
<thead>
<tr>
<th>TYPE OF OFFENSE</th>
<th>2016</th>
<th>2015</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FILES OPENED BY THE POLICE, BY TYPE OF OFFENSE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TYPE OF OFFENSE</strong></td>
<td>2016</td>
<td>2015</td>
<td>2014</td>
</tr>
<tr>
<td><strong>SECURITY OF THE STATE - TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>329,774</td>
<td>341,778</td>
<td>353,971</td>
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<tr>
<td>Violation Of Emergency Laws</td>
<td>14,907</td>
<td>18,848</td>
<td>19,669</td>
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<tr>
<td>Infiltration</td>
<td>1,291</td>
<td>1,452</td>
<td>1,586</td>
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<tr>
<td>Stone-throwing</td>
<td>4,125</td>
<td>6,153</td>
<td>6,534</td>
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<tr>
<td>Petrol bomb-throwing</td>
<td>527</td>
<td>828</td>
<td>982</td>
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<tr>
<td>Incitement</td>
<td>393</td>
<td>334</td>
<td>317</td>
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<tr>
<td>Other Offences</td>
<td>8,534</td>
<td>9,965</td>
<td>10,124</td>
</tr>
<tr>
<td><strong>PUBLIC ORDER - TOTAL</strong></td>
<td></td>
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<tr>
<td>Total</td>
<td>139,360</td>
<td>146,578</td>
<td>153,351</td>
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<tr>
<td>Brawls and Disturbing the Peace</td>
<td>3,095</td>
<td>2,998</td>
<td>3,465</td>
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<tr>
<td>Nuisance, Noise, Blocking of Public Roads</td>
<td>1,621</td>
<td>1,726</td>
<td>1,860</td>
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<tr>
<td>Trespass</td>
<td>8,868</td>
<td>9,045</td>
<td>9,593</td>
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<td>Threats</td>
<td>54,363</td>
<td>55,041</td>
<td>56,500</td>
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<td>Offenses Against Judicial Authority</td>
<td>19,756</td>
<td>23,260</td>
<td>24,060</td>
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<td>Forbidden Games and Gambling</td>
<td>511</td>
<td>835</td>
<td>880</td>
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<tr>
<td>Offenses Relating to Marriage</td>
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<td>631</td>
<td>566</td>
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<tr>
<td>Assault on or Foiling of Police Officer</td>
<td>11,599</td>
<td>12,712</td>
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<td>Violation of the Law of Entry to Israel</td>
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<td>Other Offenses</td>
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<td><strong>AGAINST PERSON'S LIFE - TOTAL</strong></td>
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<tr>
<td>Murder</td>
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<tr>
<td>Attempted Murder</td>
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<tr>
<td>Other Offenses</td>
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<td>196</td>
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<tr>
<td><strong>BODILY HARM - TOTAL</strong></td>
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<td>Total</td>
<td>62,994</td>
<td>62,801</td>
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<td>Grievous Bodily Harm</td>
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<td>5,780</td>
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<td>Assault</td>
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<td>Criminal Negligence</td>
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<td>3,094</td>
<td>3,580</td>
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<tr>
<td>Kidnapping, Coercion, False Imprisonment</td>
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<td>670</td>
<td>731</td>
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<tr>
<td>Erection of Barrier</td>
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<td>Other Offenses</td>
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<tr>
<td><strong>SEXUAL OFFENSES - TOTAL</strong></td>
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<tr>
<td>Total</td>
<td>7,019</td>
<td>7,067</td>
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<tr>
<td>Rape</td>
<td>1,511</td>
<td>1,580</td>
<td>1,483</td>
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<tr>
<td>Indecent Assault</td>
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<td>Sexual Harassment</td>
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<td>1,308</td>
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<tr>
<td>Other Offences</td>
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<td><strong>MORALITY - TOTAL</strong></td>
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<td>Total</td>
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<td>32,358</td>
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<tr>
<td>Offenses Relating to Prostitution</td>
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<tr>
<td>Drug Use</td>
<td>23,525</td>
<td>20,797</td>
<td>20,812</td>
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<td>Drug Trafficking, Import and Export</td>
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<td>7,605</td>
<td>5,610</td>
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<td>Possession of Drugs Not for Personal Use</td>
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<td>4,730</td>
<td>3,977</td>
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<td>Other Offenses</td>
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<td>436</td>
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<td><strong>PROPERTY - TOTAL</strong></td>
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<td>170,978</td>
<td>179,196</td>
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<td>Robbery</td>
<td>1,268</td>
<td>1,516</td>
<td>1,699</td>
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<tr>
<td>Breaking and Entering (Business, Institution, Dwelling)</td>
<td>25,493</td>
<td>27,212</td>
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<td>Thefts</td>
<td>95,570</td>
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<td>102,778</td>
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<td>Thereof: Unlawful Use of Vehicle</td>
<td>16,869</td>
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<td>16,223</td>
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<td>Receiving or Possessing Stolen Property</td>
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<td>6,063</td>
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<td>Arson</td>
<td>2,700</td>
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<td>2,457</td>
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<td>Willful Damage to Property</td>
<td>31,775</td>
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<td>Forgery (Currency, Stamps, Documents)</td>
<td>7,556</td>
<td>7,432</td>
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<td>Fraud, Extortion</td>
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<td>9,552</td>
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<tr>
<td>Other Offenses</td>
<td>2,648</td>
<td>3,252</td>
<td>3,045</td>
</tr>
<tr>
<td><strong>OTHER OFFENSES</strong></td>
<td>8,675</td>
<td>9,927</td>
<td>9,363</td>
</tr>
</tbody>
</table>

**Crime Definitions**

The Crime Statistics table reflects specific crimes and arrests reported to the sources identified in the Collecting Crime Reports and Statistics Procedures Section. Per the Clery Act, these crimes are classified based on the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting Handbook (UCR). For sex offenses only, the definitions are from the FBI’s National Incident-Based Reporting System edition of the UCR. Hate crimes are defined according to the FBI’s Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual. Although the law states that institutions must use the UCR for defining and classifying crimes, it does not require Clery Act crime reporting to meet all UCR standards. This Crime Statistics Report may or may not reflect the actual number of crimes committed on campus; however, it does accurately represent the number of the following defined crimes reported to the aforementioned entities.

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

**Negligent Manslaughter:** The killing of another person through gross negligence.

**Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victm, including instances where the victim is incapable of giving consent

- **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.

- **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 incapacity.

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

- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.
Robbery: The taking or attempting to take anything of value from the care, custody, or control, of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. For reporting purposes, this definition includes all cases where automobiles are taken by persons not having lawful access—even if the vehicles are later abandoned (including joyriding).

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, the personal property of another, etc.

Illegal Weapons Possession: 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. Included in this classification are the following: the manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

Drug Law Violations: The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. This includes the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance, as well as any arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. Included in this classification are the following: all drugs, without exception, that are illegal under local or state law; and all illegally obtained prescription drugs.

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. The following are included in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; and drinking on a public conveyance.

Hate Crimes: A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

- **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

- **National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

- **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

**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.

**Larceny-theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

**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.

**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:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; 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.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined 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. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**Stalking:** Engaging in a course of conduct [two or more acts such as following, monitoring, observing, surveilling,
threatening, communicating or interfering] 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.
Reporting Crimes and Emergencies

The Jerusalem Center encourages accurate and prompt reporting of all crimes and emergency situations, even when a crime victim is unable to or decides not to report. Students and employees should report criminal incidents to the sources described below. When crimes are reported at the Jerusalem Center, the center’s director and supervisors will work with the campus community to provide appropriate and timely warnings, promote safety, and prevent reoccurrence of the crime. Any crimes reported will also be reflected in the center’s annual security report.

People to Receive Reports

Any of the following are prepared to receive crime reports.

Jerusalem Center Security Office (JCSO)
The JCSO is the preferred contact for reporting on-campus crimes. All reported crimes against persons occurring on the Center’s premises are immediately reported to the Israel Police.

Israel Police
Students may also report crimes to the Israel Police, which is the civilian police force of Israel. As with most other police forces in the world, its duties include crime fighting, traffic control, maintaining public safety, and countering terrorism. It is under the jurisdiction of Israel’s Minister of Public Security. In an emergency, the police can be reached by dialing 100 from any telephone in Israel.

University Police
University Police has jurisdiction over all law enforcement–related issues occurring on Brigham Young University properties. Crimes in progress, suspicious circumstances, medical emergencies, and other campus emergencies should be immediately reported to University Police. When dialing 911, campus phones connect directly with University Police; cell phones connect with Provo Police, who then forward the call to University Police.

EthicsPoint Compliance Hotline

The university provides an anonymous compliance hotline—EthicsPoint—for reporting non-emergency incidents on a voluntary and confidential basis, either by phone or online. Reporters should explain the issue in detail, and they should return to the report, either by internet or phone, to answer questions posed by a BYU representative. Reporters can also return to the report to receive updates.

Telephone
Submit anonymous reports through a third party administrator:

- Call EthicsPoint’s toll-free hotline, available twenty-four hours a day: 1-888-238-1062.

Online
Submit anonymous reports through a third party administrator:

- Visit BYU’s Office of Compliance website and click on the hotline button: http://compliance.byu.edu; or

Emergency Telephones
All Jerusalem Center emergency phones are located in accessible areas on every floor. Dialing 0 from any of these phones connects you directly to the Jerusalem Center Security Office (JCSO), 24 hours a day; furthermore, students are issued cell phones from which they may speed dial 2 to contact the JCSO. When using a Center phone, dial 0 and stay on or near the phone; a JCSO officer will be immediately sent to the scene.
Campus Security Authorities (CSAs)
The Jerusalem Center Security Office is the preferred contact for reporting campus crimes. However, individuals may also report criminal incidents to Campus Security Authorities, who include individuals responsible for campus security and others who have been designated due to their significant responsibility for student and campus activities. Specifically, the following persons and organizations may receive reports of criminal offenses:

- Executive Director Eran Hayet, ext. 2706, eran@jc.byu.ac.il;
- Associate Director Tawfic Alawi, ext. 2705, tawfic@jc.byu.ac.il;
- Associate Director David Whitchurch, ext. 2708, davidw@jc.byu.ac.il;
- Security Coordinator Tarek Safadi, ext. 2717, tareks@jc.byu.ac.il; and
- Assistant Program Coordinator JanaLee Longhurst, janalee.longhurst@byu.edu.

Local Law Enforcement Authorities
BYU encourages the campus community to report crimes to local law enforcement authorities.

Pastoral and Professional Counselors
Professional counselors at the university and ecclesiastical counselors are encouraged to make individuals aware of the EthicsPoint Compliance Hotline as an alternative means of confidentially and anonymously reporting crime.

A pastoral counselor is a person who is associated with a religious order or denomination and is 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. A professional counselor is a person whose official responsibilities include providing mental health counseling to members of the campus community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the university but who are under contract to provide counseling to the campus community.

The pastoral or professional counselor exemption is intended to ensure that these individuals can provide appropriate counseling services without an obligation to report crimes they may have learned about. This is similar to the privilege provided under certain circumstances to doctors and attorneys when they may learn of crimes from patients or clients. This exemption is intended to protect the counselor-client role. However, even these legally recognized privileges acknowledge some exemptions, such as certain situations in which counselors are in fact under a legal obligation to report a crime.

To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors. An individual who is not yet licensed or certified as a counselor but who is acting in that role under the supervision of an individual who meets the definition of a pastoral or professional counselor is considered to be a counselor for the purposes of the Clery Act. An example is a BYU PhD counselor-trainee acting under the supervision of a professional counselor. However, a dean of students who has a professional counselor’s license but who is employed by the university only as a dean and not as a counselor is not exempt from reporting. If that same dean is employed by BYU as both a professional counselor and an academic counselor and he or she learns of a criminal incident while he or she is engaged in academic counseling, he or she is not exempt from reporting that incident. If an individual has dual roles—one as a professional or pastoral counselor and the other as an official who qualifies as a campus security authority—and the roles cannot be separated, that individual is considered a campus security authority and is obligated to report Clery crimes of which they are aware.

An individual who is counseling students and/or employees but who does not meet the Clery definition of a pastoral or professional counselor is not exempt from being a campus security authority if they otherwise have significant responsibility for student and campus activities. This includes positions such as the director of the Student Health Center, the director of the Counseling Center, the director of Women’s Services and Resources, etc.
Timely Warning Policy
The following methods may be used to disseminate information to the campus community about crimes that have already occurred but represent a serious or continuing threat to the campus community:

- Email,
- Notices on bulletin boards (located on floors 1 through 6 of the BYU Jerusalem Center),
- Cell phones (voicemail or text messaging),
- SMS,
- Public addressing system, and
- Announcement sessions / student meetings.

Timely Warning Notification Committee
This committee meets to discuss information on crimes or other events in the community that pose a continuing threat to the center and its participants. The committee evaluates the possible threat, and, if warranted, prepares and disseminates appropriate notifications to the campus community. The committee will also determine if the notification would endanger a victim, harm efforts to contain the emergency, or unduly impede a governmental investigation. The committee includes the following members:

- Executive Director,
- Associate Directors,
- Security Coordinator, or
- Their designees.

The Center’s procedures for disseminating emergency information to the larger community, concerning an incident or condition occurring within or adjacent to the Center’s grounds or building is to call the appropriate local public safety officials:

- Israel Police, if criminal emergency,
- Israel Defense Forces (IDF) – military, or
- Fire Department, if a fire or earthquake emergency.
Security of Campus Facilities
The following is a summary of campus facilities at the Jerusalem Center.

Jerusalem Center Facility Security and Access
The MOR Company maintains university buildings, grounds, and housing facilities with a focus on safety and security. They regularly inspect these facilities, promptly make repairs, and respond 24-hours-a-day to reports from the public or police of potential safety and security hazards. Representatives from JCSO and the MOR Company periodically inspect the entire campus to review lighting and environmental safety concerns.

The Jerusalem Center is open to the public three times a week for tours between 10:00am-11:30am, 2:00pm-3:30pm, and for concerts on some evenings between 7:00pm-9:30pm. During these hours, guests are not allowed access to dormitory and student activity areas. Center hosts remain with guests at all times.

The Jerusalem Center is officially closed at all other times and only students and authorized personnel have access to the building.

The residences for single students, faculty members and their families, and volunteer couples are all located on the bottom four levels of the Jerusalem Center. JCSO officers regularly patrol this area and work closely with the Housing Couple to promote safety and security. Residence halls are restricted to persons who live and work at the Center. All building entrances remain locked 24-hours a day and can only be accessed with proximity cards or through security clearance. JCSO officers patrol the premises twenty-four hours a day, monitor the entry and exit of every individual, and accompany guests through the Center.

Reporting a Hazard
Individuals are encouraged to report hazardous conditions or safety concerns to:

Eran Hayet, Executive Director: ext. 2706, eran@jc.byu.ac.il
Campus Law Enforcement

Police

Law enforcement-related services are provided by the Israel Police. For an in-depth view of the Israel Police, go to the following web site: www.police.gov.il.

Students are also encouraged to report crimes to the Jerusalem Center Security Office.

Authority: Jerusalem Center Security Office

The Jerusalem Center Security Office (JSCO) is staffed with professional and highly trained security officers. These officers, some with military experience, and some with a law enforcement background, work closely with the Israel Police. JCSO officers do not have the authority to make arrests.

Local Police: Israel Police

The Israel Police is the civilian police force of Israel. As with most other police forces in the world, its duties include crime fighting, traffic control, maintaining public safety, and counter-terrorism. It is under the jurisdiction of Israel’s Minister of Public Security. The National Headquarters of the Israel Police is located in the Government offices named after Begin in Jerusalem. For more information visit: http://mops.gov.il/ENGLISH/POLICINGENG/POLICE/Pages/default.aspx.

Training

Jerusalem Center Security Officers receive regular training in firefighting, building safety, first aid, CPR, self-defense and crime prevention. The training focuses more on preventative measures rather than investigative, considering legal restraints and local police precedence in investigative matters.

Reporting Crimes

Immediately report all crimes, suspicious activity and circumstances, and medical emergencies to Jerusalem Center Security Office. Officers are available twenty-four hours a day. Similar incidents or activities may also be reported to campus security authorities, University Police, and via EthicsPoint.

Off-Campus Student Organizations

BYU does not recognize off-campus student organizations. Local law enforcement agencies are responsible for policing off-campus student residences.
Crime Prevention and Campus Security Programs

Jerusalem Center is a remarkable place to live, work, and study. Historically, the campus has experienced lower crime rates than many other educational institutions of similar size. However, BYU is not immune to the criminal acts of others. BYU’s crime prevention programs and measures, though effective, are not substitutes for one’s responsibility to practice good safety habits. Preventing and reducing crime also requires a campus community effort.

International Study Abroad Programs

Safety and security training is provided to all students traveling abroad through the study program in which they are enrolled. Additional information may be obtained from the Kennedy Center:

Kennedy Center for International Studies
237 HRCB BYU
801-422-3377
kennedy@byu.edu

Safety and security training for the Jerusalem Center program is detailed below.

Individuals traveling abroad should also visit the U.S. Department of State website (http://www.state.gov/) for further information pertaining to travel tips, warnings, and other pertinent information.

Shots Fired

An online video program—titled “Shots Fired”—teaches people how to survive an active gunman incident. The viewer is taught the concepts of “survival mindset” and “course of action.” To view the video, go to https://police.byu.edu and then click on the Shots Fired icon.

General Personal Safety

Personal safety is everyone’s responsibility. The following information will help you deal with or avoid certain criminal events:

- Be aware of your surroundings.
- Know where you are going and the safest way to get there.
- Walk in well-traveled, well-lit areas; Walk with confidence.
- Know where the nearest police or fire station is located.
- Carry a whistle, a small keychain-type flashlight, and a cellphone.
- Unless you are properly trained, pepper spray or mace is not recommended.
- Take special care when jogging or biking. Take a friend and vary your route.
- Avoid isolated areas and do not wear headphones.
- Do not stand too close to a driver when asking for directions.
- If you are being followed, show that you are suspicious. Turn your head and look.
- If someone is following you on foot, change directions.
Security and Cultural Guidelines
The Jerusalem Center practices community policing which is to serve, educate, and protect campus community members. The Jerusalem Center utilizes several means intended to encourage members to be responsible for their own security as well as the security of others. These means are detailed in the following areas:

Security Update
The main Jerusalem Center website, located at http://ce.byu.edu/jc/ contains an icon which, when selected, gives the reader an update on the most current happenings at the Center. This is particularly helpful for the parents of the students, as Jerusalem is mentioned in the news quite often. Parents can check the Security Update to get the latest information directly from the Jerusalem Center on anything that may be happening.

Student Application Materials, Part 6
Students are required to study and sign the Assumption of Risk, Release and Indemnity Agreement at the time of application. Please see the Appendix of this report for a full copy of Part 6.

Admission Materials: An Important Notice on Dress, Modesty, and Cultural Sensitivity for Jerusalem Center Students and Parents
Admission materials include the following information sheet outlining the dress code for the program, and the safety concerns that necessitate the code:

Although clothing standards vary from region to region in the Middle East, some contemporary clothing styles, particularly for young women in the U.S. and Europe, are inconsistent with standards of modesty for many residents of the region and, in particular, of Jerusalem who generally belong to orthodox—and hence conservative—Christian, Muslim, or Jewish faiths. Even commonly accepted clothing styles worn by students at BYU would be considered by many in Jerusalem and elsewhere in the Middle East to be immodest. Hence, Jerusalem Center students need to adopt a modest look that will both set them apart and show respect. You will be expected to dress consistent with at least minimal standards of modesty in Jerusalem, as outlined below. Please bring with you only clothing that meets the following standards:

General
The Center’s dress standard is conservative – what might be termed “business casual.” It is very important that clothing be loose fitting and modest in terms of body coverage. Hence, in addition to the specifics detailed below, no tight, torn, grubby, stained, or patched clothing is to be worn.

Tops
- T-shirts or other clothing with slogans, political statements, U.S. flags or other U.S. insignia are not allowed. (Most brand names and school logos are okay.)
- All blouses, shirts, and tops must be loose fitting. Cotton or cotton-blend blouses, shirts, and tops are strongly recommended.
- Tank tops, sleeveless, cap-sleeved, or very short-sleeved blouses, shirts, or dresses are not allowed. All blouses, shirts, and dress tops must have sleeves that cover the upper arm.
- Blouses, shirts, and dress tops must cover in front to at least the collarbone.
- See-through or semi-transparent tops are not allowed.
- No short-waisted tops. It is expected that clothing will cover a person all of the time and not just you are standing still and have everything adjusted.

Pants, Skirts, and Dresses
- Pants, for both men and women, must come to the ankle. Pants cuffed above the ankle, capris and shorts are not permitted except knee-length shorts can be worn only in the Center and then only in the evenings.
after dinner, in the Center’s gymnasium, or as a swimming suit cover-up on the beach. Cargo-type pants and cotton or cotton-blends are strongly recommended.

- Skirts and dresses are to reach at least mid-calf and are not to be semi-transparent (bring a slip!).
- Leggings and tights are considered panty hose and must be covered to mid-calf by a skirt.
- No hip-hugger or low-cut jeans, pants, or skirts.
- No low-crotch or excessively baggy jeans or pants.

Footwear and Swimwear

- No bare feet at any time in the Center. Good walking shoes with closed toes are strongly recommended for field trips.
- For women, no two-piece swimming suits are allowed or, for men, speedo-type suits. Swimwear must be modest in fabric, fit, and style. Swimming suits may be worn in swimming areas only. Sunbathing is not allowed at the Center.

Headwear

- No skinhead, mullets, or similar haircuts.
- Head covers (e.g., caps and hats) are not permitted in classrooms, the dining area (the Oasis), or in the Upper Auditorium.
- Hooded sweatshirts (“hoodies”) – zip up or pull over – are not permitted.
- Wearing a kipa is permitted only during the simulated Passover meal and visits to synagogues. Wearing a kafiyah is permitted only for the Arab Cultural activity.

The Rough Guide

We understand that dressing this way will not make you stylish by U.S. standards and that you may need to acquire a few new things that fit within these standards; if so, please purchase them before you come to the final pre-departure orientation in Provo—there will not be opportunities to shop for clothing after you arrive in Jerusalem.

If perchance you think that what is outlined above is specific to BYU or BYU’s Jerusalem Center, you might be interested in a non-BYU view of appropriate dress and conduct when traveling in the Arab and Muslim parts of the Middle East from “THE ROUGH GUIDE:”

“Dress Codes: Outward appearance is the one facet of interaction between locals and Western tourists most open to misunderstandings on both sides. A lot of tourists, male and female consistently flout simple dress codes, unaware of just how much it demeans them in the eyes of local people: clothes that are respectable at home can come across as being embarrassing, disrespectful, or offensive.

“Modesty: Muslim men and women expose as little skin as possible. Sleeves are long and necklines high for both sexes. Men always wear long trousers, women either voluminous neck-to-ankle robes or ankle-length skirts and loose tops. If you want to come across as being someone worth talking to, you will have to go some distance towards conforming to local ways, or run the risk of being dismissed as either a joke or an annoyance. Walking around in shorts and a T-shirt will cause offence, and reinforces the sex-object stereotypes that underpin many locals’ attitudes to Western women. Unless dressed modestly and accompanied by a husband, women tourists might be seen as being both morally loose and overtly contemptuous of Arab and Islamic values. The large numbers of tourists who ignore dress codes and local norms of social contact unfortunately reinforce these perceptions. Even more unfortunately, local men, thus often see foreign women as fair game for harassment.

“Sexual Harassment: The single most effective way to stop sexual harassment is to dress modestly; the harsh truth is the onus is on you. Although men freely look at women – and, indeed, staring long and hard carries none of the implications of threat that it does in the West – local women tend to scrupulously avoid eye contact with men on the street. A women looking a man in the eyes will be interpreted as inviting him to approach her. Overt
friendliness or gregariousness shown to men on the street (such as smiling, chatting, joking, or gesturing) may also be misinterpreted either as sexual looseness or as romantic interest. Public displays of affection between men and women are not acceptable behavior. Even if you’re married, walking arm-around-waist or arm-over-shoulder, touching each other’s face or body or giving a fond peck on the lips are all seen as immoral and deeply distasteful.”

**Student Handbook**

At the time of admission to the Jerusalem Center program, students are given a Student Handbook, which includes the following information concerning safety:

**Cell Phones:** Each student will be issued a cell phone. The principle purpose for the cell phone is security – so that you can, with one touch, call the Center in an emergency and so that the Center can get in touch with any student immediately. You must carry the Center-issued cell phone with you whenever you leave the building – no exceptions and no substitutions.

**Curfew:** The Center has a security system and the gates are locked at midnight. Everyone must be in the building before that time. Curfew times may change and vary depending on the day of the week, security, and political sensitivity. No overnight trips outside the Center are allowed.

**Dating:** Dating or pairing off between members of the program is strongly discouraged. Dating or pairing off with anyone outside of the program is not allowed.

**Discotheques and Pubs:** Discotheques, bars, pubs, etc., are strictly off limits.

**Dress Code is a Matter of Security:** Contemporary clothing styles, particularly for young women in the U.S. and Europe, are inconsistent with standards of modesty for many of the residents of Jerusalem, who generally belong to orthodox—and hence very conservative—Christian, Muslim or Jewish faiths. Even commonly accepted clothing styles worn by students at BYU would be considered in some areas of Jerusalem and elsewhere in the Middle East, to be immodest. Consequently, dress standards for students at the Center, men and women alike, are somewhat different from dress standards at BYU. You will be expected to dress consistent with at least minimal standards of modesty in Jerusalem, as outlined below.

You will not be permitted to participate in program activities if you choose to dress otherwise.

**General Behavior:** You are expected to behave and choose activities consistent with high standards of taste and decency. You should be aware that any kind of public display of physical affection (arms around opposite sex or "touching," i.e. massaging or back rubbing or just holding hands) is considered inappropriate and offensive among certain cultures in the Near East. You should also refrain from flirting with the staff of the Jerusalem Center, bus drivers, guides, local merchants, military personnel, etc. Flirting is often misinterpreted, and in the past, many individuals have been hurt because of the misunderstandings created.

**Infractions:** Infractions of Jerusalem Center policies may result in loss of privileges, probation, or dismissal from the program. If you are dismissed from the program, BYU is not responsible for additional costs incurred to return you to your home, nor will monies be refunded for services not rendered. Furthermore, in the event you are dismissed from the program, academic credit may be withheld, and you may not be admitted to enroll in any courses offered by Brigham Young University.

**Jogging/Walking:** Jogging is permitted on authorized routes and in daytime only (see map on level 5 bulletin board). Attire must be modest by the local standards – loose fitting, no shorts, or sleeveless tops.
Luggage: For security reasons, you will not be allowed to carry luggage for other students. Do not ask another student to bring your luggage to or from Jerusalem. This is an FAA regulation; there are no exceptions to this rule.

Public Displays of Affection: PDA is strictly forbidden inside or outside the Center; for many, it is embarrassing or otherwise disconcerting to observe pairs engaging in behavior or physical expressions that, by their nature, should be private and personal, not public exhibitions. Outside the Center, devout Jews, Christians, and Muslims will be offended by PDA, including holding hands in public, hugging, or embracing. One of the most important goals of the Center is to help students learn to be more respectful of other’s sensitivities, standards, and cultural traditions.

Sports: Scuba diving, paragliding, rappelling, and other extreme activities are not allowed for students on any Jerusalem Center program.

Security: It is important that everyone be very conscious of security. Please immediately report to the Center’s security personnel any bags or packages that appear to be unattended, and do not leave backpacks or other items unattended in the building or anywhere in the country. If you do, they will be confiscated by Security officers and destroyed. When ordered to leave a bus or a building by authorized personnel, do so immediately.

Security Cards: Each person affiliated with the Center will be issued a micro-encoded card that will permit entrance to the building during authorized hours. All students are required to carry their cards at all times and each student must pass it by the proximity reader when leaving and returning to the Center. When the Center’s entrances have been locked, a guard must be called to unlock the gate. If the card is lost, it should be reported immediately to Security and a new card will be issued to you at a cost of $5.

Taxi and Sherut Service: A number of taxi companies operate in Jerusalem throughout the day and night, including the Sabbath. Taxis may be ordered by phone through the Jerusalem Center control room. Fares should be agreed to in advance. Sherut taxi service, in which the passenger pays a flat rate for an individual seat in a seven-seat taxi, operates regularly between Jerusalem and other cities. Always be certain that they are licensed and official. Do not enter a vehicle that does not display proper documents.

Travel on the Program:

- You may never be out of the Center without at least two other people. If you are going out in the evening or if you will be returning to the Center after dark, at least one member of the group must be male. After dark, students should neither visit East Jerusalem, including the Old City and isolated sites, nor use those areas as part of their return route to the Center.

- Visiting the Orson Hide Garden is allowed in daytime only, in groups of at least five and including a male member. Visiting the Old city is allowed in daytime only and on Fridays after 3:00 pm. To go to the Old City, leave the bottom exit of the Center, proceed on the main street, walk on the pavement only, be alert to traffic, and use main routes with no bypasses through neighborhoods. Enter the Old city through Lion’s Gate, Dung Gate, or Damascus Gate.

- Pay special attention to your safety in the shopping areas around Damascus Gate. Students are allowed to travel by foot or by taxis. Travel by bus is strictly forbidden. No motor vehicle is to be borrowed, purchased, acquired, rented, or operated without the express approval of the executive director.
Mandatory Student Orientation
All students attending the Jerusalem Center Program are required to attend a three-hour orientation the day before departure. The following are sections of the orientation discussion concerning security:

Minimizing Risks
We minimize risks for you, your fellow students, future students, and the Center, with travel policies, behavior policies, and dress and grooming policies; but you must help by choosing to live well within the boundaries of these policies, by being aware of what is going on around you, by looking out for one another, and by using common sense and good judgment.

Travel policies
- Remember the rule of three – always travel with two other students.
- If returning after dark, one of the group must be male.
- No after-dark travel to East Jerusalem or the Old city.
- No overnight out-of-Center stays.
- No travel in areas that are off limits.
- You must be in the Center by curfew.
- You must carry your Center-issued cell phone.
- You must check in and out with your proximity security card.
- Take simple precautions to minimize theft.
- Do not share travel plans with strangers.
- Never leave bags unattended.
- Do not send bags with anyone else, and do not carry them for someone else.
- No deliveries to the Center or hotels.
- Immediately report suspicious behavior.
- Do not call attention to yourself as Americans.
- Avoid demonstrations.
- Do not take photos without permission.
- Concerning sanitation, drink more safe water, eat only fully cooked, hot food when away from the Center, and wash hands or use sanitizer often and before eating.
- Get more sleep.

Behavior policies
- No proselytizing – no exceptions.
- No flirting with locals.
- No PDA.
- Do behave modestly in public.
- Show cultural sensitivity and respect.
- Learn to reverence that which is holy to others, respecting their beliefs, customs, and sacred sites.
- Remember that you are a guest in their country.
- Media – accessing pornography or engaging in sexually oriented “chat” will result in dismissal.
- Harassment via email or other media will result in dismissal.
- Blog or other postings that are culturally or religiously insensitive, demeaning, or provocative will lead to dismissal.

New Employee Orientation
An orientation for new employees normally lasts two to three weeks. Meetings are held every few months where various security topics are covered. Orientations are held before any event or field trip requiring security.
New Faculty / Service Couple Orientation

An orientation for new faculty members and service couples is held before each departure to familiarize them with the same security and safety information that is given to the students.
Alcohol, Tobacco, and Drugs

Brigham Young University encourages and sustains an academic environment that promotes the health, safety, and welfare of all university members. Thus, it is the long-standing policy of the university that employees and students completely abstain, whether on or off campus, from the use of alcohol or tobacco; from the possession, use, or distribution of any illegal drug; and from the use of any controlled legal substance without specific medical authorization. In addition, possession or consumption of illegal drugs, alcoholic beverages, or tobacco on campus by anyone, including visitors, is contrary to university policy.

Personnel or students known to be possessing, using, or distributing illegal drugs or possessing and using alcohol or tobacco are subject to university disciplinary action and, if appropriate, to legal sanctions pursuant to local, state, and federal law.

Through the annual Clery Act Campus Security Report, all personnel and students are provided annually with a copy of the University Drug-Free School and Workplace Policies, in which university and legal sanctions are detailed for inappropriate drug use. The document also details the known health risks associated with drug use.

Drug and Alcohol Abuse Education Programs

Because students at the Jerusalem Center are part of the Student body and workforce of BYU, they have access to the Drug and Alcohol Abuse Education programs available at the Provo campus.

The university supports personnel and student participation in programs to prevent the abuse of drugs, controlled substances, tobacco, and alcohol. Substance Abuse Prevention Services can provide confidential assistance with drug and alcohol abuse problems. Educational training programs, health information, preliminary evaluations, and counseling for possible referral for outside medical assistance are likewise available. Contact any of the offices listed on the right for drug or alcohol assistance. Counselors in these offices are experienced professionals. They offer support for students in an atmosphere of understanding and confidentiality. All programs offer individual assessment and referral to both on- and off-campus resources. Several independent off-campus entities also offer counseling services that are not affiliated with the university or its sponsor, The Church of Jesus Christ of Latter-day Saints.

Persons aware of those with substance abuse problems enrolled at or employed by BYU are encouraged to act responsibly by consulting with one of BYU’s counselors or a University Police officer. Remaining silent or waiting until a situation has escalated is not wise and is often dangerous. The university supports the premise that personnel and students should cooperatively help one another to solve alcohol and substance abuse problems.

Drug and Alcohol Assistance

Contact the following resources for drug or alcohol assistance:
- Counseling and Psychological Services, 1500 WSC (801-422-3035)
- Honor Code Office, 4450 WSC (801-422-2847)
- Substance Abuse Prevention Services, 1500 WSC (801-422-1942)
Drug-Free School Policy*

6 January 2014

Brigham Young University encourages an academic environment that promotes the health, safety, and welfare of all university members. As a condition of enrollment or employment, the university requires that all students and personnel abide by a personal commitment to the Church Educational System Honor Code (“Honor Code”), which includes abstaining from the possession, use, or distribution of illegal drugs or alcohol, and abstaining from the intentional misuse or distribution of any prescription or legal drugs without specific medical authorization. These prohibitions apply both on and off campus.

The Drug-Free Schools and Communities Act Amendments of 1989 provides that, as a condition of receiving federal funds under any federal program, a higher education institution must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of drugs and alcohol by students and personnel. To comply with this law and further its commitment to support society’s effort to eliminate drug and alcohol abuse, the university has adopted this Drug-Free School Policy to supplement the Honor Code. If there is a conflict between this policy and the Honor Code, the Honor Code will be the controlling document.

This Drug-Free School Policy should not be confused with the university’s Drug-Free Workplace Policy, which is designed to comply with the Drug-Free Workplace Act of 1988 and which governs the workplace environment of university personnel engaged in research sponsored by the federal government.

Drug Prevention Program

The university has adopted and implemented a drug prevention program for its students and university personnel. This program includes annual distribution in writing to each student—regardless of the length of the student’s program of study—and to all personnel the following information: (1) the standard of conduct expected of students and personnel in relation to the possession, use, or distribution of drugs and alcohol; (2) the standard of conduct related to the misuse of prescription drugs, alcohol, and tobacco; (3) a description of the applicable legal sanctions under state and federal law that may arise from the unlawful possession or distribution of drugs; (4) a description of the health risks associated with the use of illegal drugs; (5) a description of the university’s substance abuse counseling and treatment resources available to students and personnel; and (6) a clear statement of the disciplinary sanctions that may be imposed upon students and personnel for violations of the university’s Drug-Free School Policy.

Disciplinary Sanctions for Drug Violations

Personnel or students found to be knowingly possessing, using, or distributing illegal drugs, alcohol, or tobacco are subject to university disciplinary action and, if applicable, to legal sanctions pursuant to federal, state, or local law. A student or employee who violates this policy or the related prohibitions on drug, alcohol, and tobacco use in the Honor Code will be subject to applicable disciplinary sanctions up to and including dismissal from the university or termination of employment.

The university will determine the appropriate sanction(s) on a case-by-case basis and may consider all of the circumstances involved, including, but not limited to, the following factors: (1) whether the violation constitutes a first offense; (2) the scope and duration of the individual’s drug, alcohol, or tobacco use; (3) whether the individual has requested assistance to obtain substance abuse treatment; and (4) any other efforts the individual has undertaken to correct the misconduct, such as counseling with an ecclesiastical leader about the drug, alcohol, or tobacco use. In applicable cases, discipline may involve referral to local law enforcement for criminal prosecution.

* Updated January 19, 2018, to reflect current policy.
Individuals involved in the unintentional misuse of prescription drugs are not subject to the sanctions stated in this policy, but rather are encouraged to seek assistance from the university’s Substance Abuse Prevention Services.

**Available Drug Counseling and Treatment**

The university supports student and personnel participation in programs to prevent the abuse of illegal drugs, prescription drugs, alcohol, and tobacco. Substance Abuse Prevention Services, located at 1500 WSC (801-422-1942), has been established to provide students with confidential assistance for drug and alcohol abuse problems. Educational training programs, health information, preliminary evaluations, and counseling for possible referral to an outside medical provider are available. The Honor Code Office (801-422-2847) and Counseling and Psychological Services (801-422-3035) also provide consultations. Counselors in these offices are experienced professionals who offer support for students in an atmosphere of understanding and confidentiality. All programs offer individual assessment and referral to both on- and off-campus resources. Several independent off-campus entities also offer counseling services that are not affiliated with the university or its sponsor, The Church of Jesus Christ of Latter-day Saints.

The general university prevention program of information dissemination, consultation, and referral is available as follows:

- The university will educate students and personnel about the detrimental effects of illegal drugs, misuse of prescription drugs, alcohol, and tobacco through the university’s annual Clery Act Campus Security Report (“Security Report”) publication and distribution. Additional educational training for those who request the service may consist of university sponsored workshops, seminars, and lectures as determined appropriate by the director of the Substance Abuse Prevention Services and approved by university administration.
- A description of the health risks associated with any particular drug (i.e., physical and psychological addiction; physical, psychological, and spiritual deterioration; disease; and death) may be obtained from the university’s annual Security Report, which is available online at police.byu.edu or can be requested in hard-copy form from University Police.
- The university recognizes that potential legal sanctions may accompany an individual’s use of drugs. The applicable legal sanctions under federal, state, or local law may include significant fines and imprisonment. A summary of applicable legal sanctions from the unlawful use of drugs may be obtained from the university’s annual Security Report, which is available online at police.byu.edu or can be requested in hard-copy form from University Police.
- Students and personnel involved in the intentional use of drugs, alcohol, or tobacco may seek a consultative interview through Substance Abuse Prevention Services for possible referral to an outside medical provider. All discussions will be handled in a confidential manner to the extent permitted by law.

The university supports the premise that personnel and students should cooperatively help one another to solve alcohol and substance abuse problems. Persons aware of those with substance abuse problems enrolled at or employed by the university are encouraged to act responsibly by consulting with Substance Abuse Prevention Services, the Faculty Relations Office, the Employee Relations Office, the Honor Code Office, or University Police. Remaining silent or waiting until a situation has escalated is unwise and often dangerous.

**Biennial Drug-Free School Program Review**

The university has appointed a standing Drug-Free Compliance Committee which meets at least once every two years or more often as needed. The committee reviews the university’s substance abuse prevention program to determine its effectiveness, implement changes to the program as needed, and confirm that appropriate disciplinary sanctions are consistently enforced against students and personnel who violate this policy.
Drug-Free Workplace Policy*

9 January 2012

Policy
The university absolutely prohibits the unlawful manufacture, use, dispensing, possession, or distribution of controlled substances by any employee, student, volunteer, or other individual participating in the university workplace (collectively referred to in this policy as “workforce participant(s)”).

As a condition of employment or participation in the university workplace, BYU requires all workforce participants, to abide by this BYU Drug-Free Workplace Policy. The Honor Code also addresses workforce participants’ use of controlled substances or abuse of medically prescribed substances. In addition to the requirement to abide by this policy, all workforce participants are also required to adhere to the more restrictive prohibitions outlined in the Honor Code.

Procedures
All workforce participants at the university will receive a copy of the Drug-Free Workplace Policy at least annually.

Any workforce participant at the university convicted of violating a criminal drug statute inside OR outside of the workplace must notify his or her immediate supervisor or the principal investigator (in the case of federal research grant or contract) of the conviction, in writing, no later than five calendar days after the conviction. The immediate supervisor or principal investigator is responsible to immediately notify either Employee Relations or Faculty Relations, as appropriate.

If a workforce participant who violates this policy is engaged in a federally funded contract or award, the supervisor or principal investigator must also inform the Director of the Office of Research and Creative Activities. The Director of the Office of Research and Creative Activities will then notify all affected federal agencies within ten days of receiving notice of the conviction in compliance with 34 C.F.R. §84.225(a).

If any workforce participant violates this policy, Employee Relations or Faculty Relations, as appropriate and in consultation with the appropriate unit management, will take appropriate personnel action against the individual, up to and including termination of employment, consistent with the requirements of the Rehabilitation Act of 1973 (29 U.S.C. § 794), as amended.

In the event the individual was engaged in the performance of a federal award or contract, these actions must be taken within 30 calendar days of learning about an individual’s conviction. The affected individual may be subject to criminal penalties under applicable federal and state law.

The principal investigator specifically, and not the university, is responsible for ensuring compliance with all terms of a federal grant or contract.

Other disclosures associated with the university’s drug-free workplace responsibilities are available in the annual campus security report available at https://police.byu.edu and click on the Annual Security Report tab.

Drug Prevention Assistance
In an effort to deter drug abuse, the university has established Substance Abuse Prevention Services. For individual assistance, please contact (801) 422-1942.

* Updated January 19, 2018, to reflect current policy.
Sexual Assault Prevention and Response

Sexual Misconduct Policy*
23 March 2015

I. General Policy Statement
Brigham Young University is committed to promoting and maintaining a safe and respectful environment for the campus community. The university will not tolerate sexual harassment, sexual violence, domestic violence, dating violence, or stalking (collectively “Sexual Misconduct”) perpetrated by or against any university students, university employees, participants in university programs and activities, or visitors to its campus. This policy prohibits Sexual Misconduct by university employees (which include all faculty, staff, and administrative employees) and students, whether the behavior occurs on or off campus. This policy also prohibits Sexual Misconduct by or against visitors to the university (such as independent contractors, vendors, visiting lecturers, and visiting student-athletes).

The university will take immediate and appropriate steps to stop Sexual Misconduct, prevent its recurrence, and address its effects. Any person who violates this policy may be subject to discipline up to and including termination of employment, suspension, dismissal, and a ban from campus, depending on the circumstances and the severity of the violation and the violator’s status as an employee, student, or visitor.

The university will work to prevent Sexual Misconduct and address reports of Sexual Misconduct by

- educating members of the campus community about this policy and applicable laws;
- promptly addressing and resolving reports of Sexual Misconduct in accordance with this policy;
- protecting the rights of all parties involved in a complaint; and
- imposing appropriate discipline against those who have engaged in Sexual Misconduct.

Individuals should seek to resolve incidents of Sexual Misconduct by following the procedures set forth in Section IV of this policy.

II. Prohibited Conduct
As required by Title IX of the Education Amendments of 1972 and Title VII of the Civil Rights Act of 1964, the university prohibits sex discrimination in its educational programs or activities, admission, and employment. See Nondiscrimination and Equal Opportunity Policy. Under certain circumstances, Sexual Misconduct may constitute sex discrimination. Sexual Misconduct prohibited under this policy includes a range of unwelcome sexual conduct, including verbal and physical sexual harassment, sexual assault, and other forms of sexual violence, each of which is a form of prohibited sex discrimination. Other criminal behavior, such as domestic violence, dating violence, and stalking, that is generally (though not exclusively) sex-based is also considered Sexual Misconduct under this policy. This policy does not address consensual sexual activity prohibited under the Church Educational System Honor Code or other kinds of sex discrimination of a non-sexual or non-criminal nature prohibited under the Nondiscrimination and Equal Opportunity Policy.

A. Sexual Harassment
Sexual harassment is unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature whether verbal, nonverbal, or physical. Conduct is unwelcome if the individual toward whom it is directed did not request or invite it and regarded the conduct as undesirable or offensive. A wide variety of sexual conduct may constitute sexual harassment. Examples of sexual harassment include, but are not limited to, the following:

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• Sexually suggestive or offensive joking, flirting, or comments
• Unwelcome and intentional touching
• Sexually oriented verbal abuse
• Sexually oriented comments about an individual's body
• Displaying objects or pictures that are sexual in nature
• Sending sexually explicit or offensive text messages or other communications

Sexual harassment of any kind is contrary to the teachings of The Church of Jesus Christ of Latter-day Saints and the Church Educational System Honor Code, and is considered to be Sexual Misconduct prohibited under this policy.

Sexual harassment directed at employees or students of the university is also a form of sex discrimination which may be prohibited by Title VII of the Civil Rights Act of 1964 (prohibiting unlawful discrimination, including sex discrimination, in employment) and Title IX of the Educational Amendments of 1972 (prohibiting sex discrimination in federally-funded education programs and activities). Sexual harassment prohibited by these laws generally falls within one of two categories:

1. Quid pro quo sexual harassment—when submission to or rejection of the unwelcome sexual conduct is used as a basis for employment decisions affecting an employee, or when a teacher or other employee conditions an educational decision or benefit on a student’s submission to unwelcome sexual conduct.

2. Hostile environment sexual harassment—when the unwelcome sexual conduct is so severe or pervasive that it alters the conditions of an employee’s employment and creates a hostile, intimidating, or abusive working environment or it denies or limits a student’s or employee’s ability to participate in or benefit from the university’s programs or activities.

To avoid the possibility or appearance of quid pro quo sexual harassment, employees and students should avoid dating, romantic, or amorous relationships where a power differential exists. Examples of such relationships include, but are not limited to, a professor or teaching assistant involved in a relationship with his or her student, or a supervisor involved in a relationship with a subordinate employee. If such a relationship exists, it must be approved by both parties with the appropriate supervisor(s), who should document the disclosure of the relationship and confirm with the parties that the relationship is voluntary and not unwelcome to either party. As a general rule, dating, romantic, or amorous relationships should not be entered into or continued while one individual in the relationship has the power to either reward or penalize the other in work or in school.

Sexual harassment that creates a hostile environment is more common than quid pro quo harassment, but it is more difficult to identify. In order for harassment to be sufficiently severe or pervasive to create a hostile environment, the employee or student must subjectively consider the environment to be hostile or abusive and the conduct would also have to be objectively offensive, that is, reasonable people in the employee or student’s position would also find the conduct to be offensive, considering all the circumstances.

The fact that someone did not intend to sexually harass an individual is generally not a defense to a complaint of sexual harassment. In most cases, determining whether the behavior has created a hostile environment depends on the effect the behavior has on the victim (including its effect on an employee’s job performance or a student’s education) and the surrounding circumstances (such as the type, frequency, and duration of the conduct; the relationship between the alleged perpetrator and victim; the number of people involved in the conduct; and the location and context of the incidents). Unwelcome sexual conduct that is mildly offensive and isolated, incidental, or sporadic does not rise to the level of unlawful sexual harassment under Title IX or Title VII, even though it may still be considered sexual harassment in violation of this policy and the Church Educational System Honor Code.
B. Sexual Violence, Domestic Violence, Dating Violence, and Stalking

Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person who has not consented or who is incapable of giving consent. Consent is a voluntary agreement to engage in sexual activity and is determined by all the relevant facts and circumstances. Consent cannot be given by someone who is incapacitated for any reason (i.e., because of the victim’s age, disability, unconsciousness, or use of drugs or alcohol). Additionally, consent cannot be implied by silence, the absence of resistance, or past consent with the same or another person. Even if a person has given his or her consent to engage in sexual activity, consent to engage in further sexual activity can be withdrawn at any time. Consent is invalid where it is given under coercion, force, or threats.

Examples of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, and sexual abuse. Such acts of sexual violence, in addition to being criminal offenses prohibited under the Utah Criminal Code, also constitute Sexual Misconduct prohibited under this policy. A single act of sexual violence (e.g., rape) may be sufficiently severe to create a hostile environment.

Domestic violence, dating violence, and stalking are likewise criminal offenses under the Utah Criminal Code and are also considered Sexual Misconduct prohibited under this policy, even when the criminal behavior is not specifically sexual in nature.

Domestic violence is a violent crime committed by a current or former spouse or intimate partner (or someone similarly situated) or any other person against a victim who is protected from that person’s acts under state domestic or family violence laws. Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Stalking is 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 to suffer substantial emotional distress.

III. Reporting Incidents

A. Duty to Report

Some university employees have a duty under this policy to report Sexual Misconduct. Even so, all persons are encouraged to and may voluntarily report incidents of Sexual Misconduct to the Title IX Coordinator. State law imposes additional reporting obligations related to sexual abuse of a child. Victims of Sexual Misconduct are strongly encouraged to report incidents of Sexual Misconduct.

1. Responsible Employees

A dean, director, department chair, professor, coach, University Police officer, or any other university employee in a managerial or supervisory role (“Responsible Employee”) who becomes aware of or reasonably suspects any incidents of Sexual Misconduct must promptly report all relevant information to the Title IX Coordinator. A Responsible Employee who receives a report of Sexual Misconduct should inform the reporting individual that the employee must report the incident, and the employee should then promptly make the report to the Title IX Coordinator. Responsible Employees with information regarding an incident of Sexual Misconduct who fail to report relevant information or to cooperate in an investigation may be subject to disciplinary action.

The only exceptions to the reporting obligation for Responsible Employees are those situations in which the Responsible Employee received the information as part of a confidential communication in the context of a professional or otherwise privileged relationship (i.e., the Responsible Employee was the reporting person’s doctor, therapist, lawyer, ecclesiastical leader, or spouse).

2. Child Abuse Reporters

Any person who has reason to believe that a child (anyone under 18 years old) has been subjected to sexual violence or other forms of abuse or neglect, or who observes a child being subjected to conditions or circumstances which would reasonably result in such abuse or neglect, must report the situation to the nearest peace officer, law enforcement
agency, or applicable office of the state Division of Child and Family Services, as required by state law and the university’s Child Protection Policy.

3. Campus Security Authorities
A university employee who has been designated as a Campus Security Authority (“CSA”) and who receives a report of Sexual Misconduct must relay statistical information about incidents of sexual assault, dating violence, domestic violence, and stalking to University Police. CSAs are persons who have responsibility for campus security or who have significant responsibility for student and campus activities. Such persons include, but are not limited to, security staff, vice presidents, athletic directors, coaches, deans, directors, managers, Honor Code Office staff, and Residence Life hall advisors. Federal law requires that the university prepare and distribute an annual security report containing statistics for certain crimes that were reported to CSAs. The university must also issue timely warnings about crimes that pose a threat to students and employees.

Brigham Young University (BYU) exists to provide an educational environment consistent with the ideals and principles of the restored gospel of Jesus Christ. The Church Educational System Honor Code and its observance by the campus community are essential components of BYU’s mission. The university will not tolerate Sexual Misconduct (defined in this policy as sexual harassment, sexual violence, domestic violence, dating violence, and stalking). Anyone found to have committed Sexual Misconduct as defined in this policy is not entitled to confidentiality or amnesty.

Being a victim of Sexual Misconduct is never a violation of the Church Educational System Honor Code. BYU strongly encourages the reporting of all incidents of Sexual Misconduct so that support services can be offered to victims (see Section III.C) and Sexual Misconduct can be prevented and stopped.

Confidentiality. The university recognizes that victims or witnesses of Sexual Misconduct might be hesitant to report an incident to university officials if victims or witnesses fear the discovery of honor code violations, such as alcohol use, drug use, or consensual sexual activity outside of marriage. To help address this concern and to encourage the reporting of Sexual Misconduct, the Title IX Office will not share the identity of a victim or witness with the Honor Code Office or any Responsible Administrator (defined in Section IV.B.4) unless requested by such person or a person’s health or safety is at risk.

Amnesty. Anyone, including a victim, who reports an incident of Sexual Misconduct will not be disciplined by the university for any related honor code violation occurring at or near the time of the reported Sexual Misconduct unless a person’s health or safety is at risk. However, with victims or witnesses who have violated the honor code, the university may offer and encourage support, counseling, or education efforts to help students and benefit the campus community.

Leniency. To encourage the reporting of Sexual Misconduct, the university will also offer leniency to victims and witnesses for other honor code violations that are not related to the incident but which may be discovered as a result of the investigatory process. Such violations will generally be handled so that the student can remain in school while appropriately addressing these concerns.

In applying these principles, the university may consider any applicable facts and circumstances of each case, including the rights, responsibilities, and needs of each of the involved individuals.

Individuals who believe they have been victims of sexual harassment may seek to resolve the issue privately under the informal resolution provisions of this policy or may report the issue under the formal resolution provisions provided herein. Individuals who believe they have been victims of sexual violence, or those who have suffered severe or pervasive sexual harassment creating a hostile environment, should always come forward and make a report under the formal resolution provisions.
B. Where to Report

Sexual Misconduct should be reported to the Title IX Coordinator, 1085 WSC, 801-422-8692, t9coordinator@byu.edu. The names, office addresses, and telephone numbers of the Title IX Coordinator and the deputy coordinators are also posted on the university’s Title IX website at titleix.byu.edu/contact-us. In addition, individuals may submit reports, including anonymous reports, through EthicsPoint, the university’s 24-hour hotline provider, by telephone at 888-238-1062, or by submitting information online at https://secure.ethicspoint.com/domain/en/default_reporter.asp. A report of Sexual Misconduct (“Report”) can be made verbally or in writing.

The Title IX Coordinator oversees all Title IX complaints and investigations and coordinates the university’s response to sex discrimination. The remainder of this policy outlines various responsibilities of the Title IX Coordinator.

If a Report involves potentially criminal acts (i.e., rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking), the alleged victim should be informed in writing that he or she also has the option to make a formal criminal complaint by reporting the incident to the University Police at 801-422-2222 or local police by calling 9-1-1. Alleged victims also have the option to decline to notify law enforcement authorities or to be assisted by Responsible Employees in notifying such authorities. The University Police will notify the Title IX Coordinator of all such reports received.

Inquiries concerning Title IX and unlawful sex discrimination may be referred to the university’s Title IX Coordinator or the Equal Opportunity Manager. The Office for Civil Rights within the U.S. Department of Education (OCR) investigates claims of unlawful sex discrimination, including sexual harassment and sexual violence, in the university’s educational programs and activities. The OCR may be contacted by email at ocr@ed.gov or through its website at http://www2.ed.gov/about/offices/list/ocr/index.html. The U.S. Equal Employment Opportunity Commission (EEOC) investigates claims of unlawful employment discrimination, including sexual harassment and sexual violence, in the workplace. The EEOC may be contacted by telephone at 800-669-4000 or through its website at http://eeoc.gov/employees/charge.cfm.

C. Other Procedures and Services for Victims

A student or employee who reports to the university that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking—even if the offense occurred off campus—will be provided with a written explanation of victims’ rights and options as follows:

1. Procedures victims should follow, including information about preserving evidence, reporting the offense, and obtaining protective orders
2. Information about how confidentiality will be protected
3. Existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, and other services available for victims, both within the university and in the community
4. Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures
5. Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking
6. Possible sanctions or protective measures the university may impose following a final determination of an institutional disciplinary procedure

In situations where criminal conduct is involved or personal safety is a concern, it is important that victims of Sexual Misconduct preserve evidence as necessary to prove the crime or secure a protective order through the court system. Victims may choose to seek medical treatment in order to preserve evidence, treat injuries, or prevent sexually transmitted diseases. It is also possible to get a rape kit or find a Sexual Assault Nurse Examiner (SANE) through law enforcement authorities.
enforcement or local hospitals. Health care services are available at local hospitals as well as the on-campus Student Health Center, 1750 Wymount Terrace, Provo, Utah, 801-422-2771.

Counseling, advocacy, and support are available to victims whether or not they choose to make an official Report. Victims can make confidential disclosures to BYU Counseling and Psychological Services, 801-422-3035, 1500 Wilkinson Student Center. Victims can also receive advocacy and support from BYU Women’s Services and Resources, 801-422-4877, 3326 Wilkinson Student Center. Additional resources are available to provide ongoing support during the institutional disciplinary or criminal process.

The university will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, and other services available for victims, both within the institution and in the community. Such information will be made available through various university communications and on the university’s Title IX website at https://titleix.byu.edu/resources.

D. Complaint and Activity Log
The university’s Title IX Coordinator will maintain a confidential log of Title IX complaints and activity. To the extent that other campus departments receive complaints of Sexual Misconduct, are involved with complaint investigations, or conduct any part of the resolution proceedings, they should promptly report this activity to the Title IX Coordinator for entry into the confidential log, even if the complaints are resolved without the involvement of the Title IX Coordinator.

E. Retaliation
Retaliation or intimidation against an individual who has made a Report or provided information in connection with an investigation of Sexual Misconduct is strictly prohibited. Retaliation is any adverse action taken against an individual because he or she has engaged in a legally protected action opposing Sexual Misconduct or participating in a Sexual Misconduct proceeding if the adverse action is reasonably likely to deter the person or others from pursuing their rights. Similarly, intimidation is any adverse action or threat of action reasonably likely to prevent or dissuade an individual from making a Report or providing information in connection with a Sexual Misconduct investigation. Individuals who participate in a Sexual Misconduct investigation should be advised that university policy and federal law prohibit retaliation against them or against individuals closely associated with them and should be assured that the university will take steps to prevent retaliation and will take strong responsive action to any act of retaliation of which it becomes aware. See Nondiscrimination and Equal Opportunity Policy. An individual who feels that he or she has been subjected to retaliation should report the incident to the Title IX Coordinator or the Equal Opportunity Manager.

IV. Complaint Resolution Procedures
The following procedures are designed to provide for the prompt and equitable investigation and resolution of reports of Sexual Misconduct perpetrated by or against university employees, students, or campus visitors. These procedures will include a prompt, fair, and impartial process from the initial investigation to the final result. Additionally, these procedures will be conducted by officials who do not have a conflict of interest or bias for or against the parties and who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

A. Informal Resolution
Whenever it is reasonably possible and safe to do so, an individual who believes he or she has been subjected to Sexual Misconduct (“Complainant”) may attempt to resolve the issue privately and constructively with the person responsible for the alleged misconduct (“Respondent”). However, an attempt at informal resolution is not required and is not appropriate, even on a voluntary basis, in instances of sexual violence or other criminal behavior, or when sexual harassment is severe or has become pervasive.

The goal of informal resolution is to conclude the matter to the satisfaction of both parties quickly and confidentially. Either party may enlist the assistance of the Title IX Coordinator or the Equal Opportunity Manager in this effort. If satisfactory resolution is not reached after such informal efforts, or if the Complainant believes informal resolution is not
possible or may be unsafe, he or she may forego the informal resolution process or discontinue it at any time and address the concern using the formal resolution process described below.

**B. Formal Resolution**

The formal resolution process may be initiated by submitting a Report to the Title IX Coordinator. Anyone can submit a Report under this policy; however, the submission of such a Report does not prevent the Complainant from subsequently pursuing informal resolution with the Respondent in appropriate circumstances.

1. **Selection of the Investigator**

   Upon receiving a Report, the Title IX Coordinator will select a qualified employee to promptly investigate the allegations in the Report (“Investigator”). Generally, the Assistant to the Associate Deans of Students will serve as the Investigator for allegations against a student or against a campus visitor if the alleged victim is a student. The Equal Opportunity Manager will generally serve as the Investigator for allegations against university employees, including student employees unless the alleged misconduct occurred outside the student employment context. The Equal Opportunity Manager will also generally serve as the Investigator for allegations against visitors to campus if the alleged victim is a university employee or another visitor to campus. The Title IX Coordinator will consider any conflicts of interest, time constraints, or other relevant factors in selecting an Investigator.

   The Complainant and the Respondent may each raise issues regarding bias or a potential conflict of interest of investigators or others involved in the resolution process by contacting the Title IX coordinator.

2. **Confidentiality**

   Given the sensitive nature of Sexual Misconduct allegations and the potential for damage to the parties’ personal reputations, all Reports will be investigated as confidentially as reasonably possible. All participants in the investigation—including the Complainant, the Respondent, the Investigator, and individuals interviewed by the Investigator—should keep the allegations and proceedings confidential, and should provide information only to those university and governmental employees who are authorized to investigate the Report or who otherwise have a legitimate need to know. Records kept by the university relating to Sexual Misconduct allegations are not publicly available, but in the event that the university is required to make any such records publicly available, any identifying information about the Complainant will be excluded, to the extent permissible by law, to protect the Complainant’s confidentiality. Federal law requires the university to publicly disclose statistics about reported incidents of sexual assault, domestic violence, dating violence, and stalking; however, no personally-identifiable information is maintained or published for purposes of such reporting.

   Notwithstanding the foregoing confidentiality provisions, Complainants and any witnesses who participate in an investigation of Sexual Misconduct should be advised that their confidentiality will be preserved only to the extent it does not interfere with the university's ability to investigate the Report and take corrective action, and that if the investigation results in litigation, the university may be legally required to disclose any information it has received.

   If a Complainant requests that his or her identity be kept confidential or asks the university not to pursue an investigation, the Complainant should be notified that (1) the university’s ability to investigate and respond to the Report may be limited by such a request, and (2) under some circumstances the university may not be able to honor such a request. The university will take all reasonable steps to investigate and respond to a Report consistent with the Complainant’s request for confidentiality. However, without conducting a full investigation or disclosing the full nature of the Report (including its source) to the Respondent, the university may be unable to impose any discipline, and its corrective actions might be limited to informing the Respondent that allegations of discriminatory behavior have been made against him or her, preserving a record of the discrimination allegation in the Respondent’s employment or student disciplinary file, and pursuing other steps to limit the effects of the alleged harassment and prevent its recurrence, such as training or surveys in the affected area or department. Complainants who desire complete confidentiality may be advised that they can address their confidential concerns to ecclesiastical leaders, mental or physical health providers, or their own legal counsel.
The Complainant should also be advised that the university may not be able to honor a request for confidentiality or to forego an investigation if such a request would prevent the university from meeting its responsibility to provide students and employees with a safe and nondiscriminatory environment and its corresponding obligations to provide a thorough and impartial investigation and a prompt and equitable resolution of the Report. The Investigator, in consultation with the Title IX Coordinator, is responsible for evaluating requests for confidentiality or to forego an investigation.

The Investigator will consider the following factors in determining whether to disclose the identity of a Complainant or pursue an investigation contrary to the Complainant’s request:

The Investigator will consider the following factors in determining whether to disclose the identity of a Complainant or pursue an investigation contrary to the Complainant’s request:

- the seriousness of the alleged Sexual Misconduct
- the age or maturity of the Complainant
- the existence of any previous accusations against the alleged violator
- the existence of independent evidence to substantiate the allegations
- in the case of accusations against a student, the rights of the student under the Access to Student Records Policy and Procedures and corresponding federal and state privacy laws or laws mandating disclosure

If the Investigator determines he or she cannot honor a Complainant’s request for confidentiality or a Complainant’s request to forego an investigation, the Investigator will inform the Complainant prior to commencing an investigation.

3. Preliminary Assessment

Upon receiving a Report of Sexual Misconduct, the Title IX Coordinator and the Investigator will promptly perform a preliminary assessment based on the facts reported to determine whether they provide reasonable cause to believe a violation of this policy may have occurred. If there is no reasonable cause to believe a violation occurred, no further action will be taken and the Complainant will be informed that his or her Report has been considered and will not be investigated. If reasonable cause is found, an investigation will proceed as provided below.

4. Interim Measures

Based on any information acquired in the course of the preliminary assessment or investigation, the Title IX Coordinator or Investigator may recommend that interim measures be taken to protect the Complainant or others from further acts of Sexual Misconduct or retaliation while the investigation is still pending. This recommendation should be submitted to the office or individual within the university administration authorized to implement the recommendation. If requested and available, interim measures will be provided whether or not a victim of Sexual Misconduct chooses to report the crime to campus police or local law enforcement. The university will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or other protective measures. In situations deemed to be extreme or dangerous, the office or individual within the university administration authorized to impose discipline on the Respondent (the “Responsible Administrator”) may take interim disciplinary action against the Respondent, up to and including a temporary suspension and ban from campus; in such cases both parties will receive simultaneous written notification. Other remedial interim measures may also be appropriate, such as special training in the affected department or area, or the dissemination of information about how to report Sexual Misconduct. The nature of any interim measures granted to a victim will be kept confidential to the extent reasonably possible.

5. The Complainant’s Written Complaint, Supporting Documentation, and Evidence

If a Complainant has not already submitted a sufficient written statement in connection with the initial Report, the Investigator will invite the Complainant to prepare and sign a written statement of the facts involved (“Complaint”). The Complaint should clearly and concisely describe the incident(s), including when and where the alleged Sexual Misconduct occurred. The Complaint may also include an explanation as to why the Complainant believes the Respondent’s behavior was unlawful or in violation of university policy, corroborating facts and evidence, the names of
other individuals who may have information relevant to the Complaint, other materials or evidence in support of the Complaint, and a proposal for an appropriate resolution. The Complaint may not exceed ten pages in length, exclusive of attached documents and supporting materials, and must be submitted within five business days of the Investigator’s request. Based on the Complainant’s written and oral statements, the Investigator will prepare a written summary of the allegations (“Summary”).

The Investigator will ask the Complainant to review the Summary, make any necessary corrections, and affirm it with a signature. If the Complainant refuses to sign the Summary of the allegations, the Investigator may either (a) note that the allegations have been withdrawn and terminate the investigation, or (b) note that the Complainant has refused to sign the Summary of the allegations, but that the investigation will nevertheless proceed to determine what occurred and to protect the university’s interest in maintaining an environment free from sex discrimination.

A copy of the Summary will be provided to the Respondent at a point in the investigation when the Investigator deems it advisable. The Investigator, in consultation with the Title IX Coordinator, may redact the Summary copy before providing it to the Respondent to protect the identity or safety of the Complainant or any witnesses or for any other reason as the Investigator deems advisable.

6. The Respondent’s Written Response, Supporting Documentation, and Evidence

The Respondent may prepare and submit a signed written statement in response to the Summary of allegations (“Response”). The Response should indicate whether the Respondent admits or denies the allegations in the Summary and should provide any exculpatory facts or evidence, including the names of other individuals who may have information relevant to the allegations and other materials in response to the Summary. The Response may also include an explanation as to why the Respondent believes any admitted conduct was lawful or was not in violation of university policy and whether any resolution proposed by the Complainant is or is not appropriate.

The Response may not exceed ten pages in length, exclusive of attached documents and supporting materials, and must be submitted within five business days of delivery of the Summary to the Respondent. While reasonable efforts will be made to communicate with the Respondent, delivery occurs when the university sends the Summary to the email and residential address of the Respondent that is on file with the university.

If the Respondent submits a Response, a copy of the Response will be provided to the Complainant at a point in the investigation when the Investigator deems it advisable. The Investigator may redact the Response copy before providing it to the Complainant to protect the identity or safety of any witnesses or for any other reason as the Investigator deems advisable.

7. Concurrent Investigations or Processes

An investigation conducted under these procedures will be conducted independent of any associated criminal investigation or any other university investigation or procedures. If the university determines the issues raised in this investigation may be relevant to its determination in another non-criminal investigation or another process that is simultaneously pending at the university, it may direct that the other investigation or process be suspended until this investigation and any appeals or administrative reviews are concluded. However, an investigation under these procedures will not be suspended pending the conclusion of a criminal investigation or any other investigation, though the fact-finding portion of the investigation may be delayed temporarily while the police are gathering evidence. While the findings and conclusions of one investigation will not determine the outcome of any other, any evidence or findings developed in any university or non-university investigation may be shared with and considered in any other university investigation.

8. Cooperation with University Investigations

Employees or students who fail to cooperate in the investigation, including those who knowingly or recklessly misrepresent any facts or who withhold pertinent information, may be subject to disciplinary action up to and including suspension or dismissal from the university or termination of university employment. The knowing or reckless reporting
of false charges of Sexual Misconduct will be treated as a material breach of the [Church Educational System Honor Code](#), subjecting the individual making the false accusations to similar disciplinary action.

### 9. Support Person

Only the Complainant and Respondent are permitted to participate in the formal resolution process; however, each party may be accompanied by one support person. Attorneys for the parties may not attend proceedings as the support person unless the Summary includes allegations of dating violence, domestic violence, sexual assault, or stalking. A party’s support person may attend for purposes of observation but will not be permitted to participate in any employee or student interview, meeting, or other proceeding that may take place under these procedures. A support person may be immediately excluded from the proceedings if he or she attempts to intervene or participate in any way.

### 10. The Investigation

The investigation should be thorough, prompt, adequate, reliable, and impartial. The university will, in good faith, attempt to conclude the investigation and resolution within sixty calendar days of the Title IX Coordinator receiving the Report. If, as a result of the complexity of the case, unavailability of witnesses, or other extenuating facts and circumstances, the investigation cannot reasonably be concluded within the sixty-day period, the Complainant and the Respondent will be provided with written notice of the delay and the reason for the delay. During the investigation, the Investigator will consider the Complaint and Response, conduct interviews, and review any other documents or evidence submitted by the parties or discovered during the investigation. An investigation under these procedures is an internal university employment or student disciplinary matter.

At any time during the investigation, either of the parties or the Investigator may propose a resolution of the matter. If both the Complainant and the Respondent are satisfied with this proposed resolution, and if the Investigator, the Title IX Coordinator, and the Responsible Administrator are also satisfied that the university’s interests are protected, the matter may be resolved as proposed.

At the conclusion of the investigation, the Investigator will determine, based on the preponderance of the evidence (i.e., whether it is more likely than not), whether the Respondent has in fact engaged in Sexual Misconduct or other behavior in violation of university policy. The Investigator will promptly communicate findings and a recommendation of appropriate resolution, including any disciplinary sanctions, to the Responsible Administrator, and may provide the Responsible Administrator with a report of findings describing the evidence and reasoning supporting the Investigator’s findings and recommendation.

### 11. Resolution and Disciplinary Sanctions

Upon receiving the Investigator’s findings and recommendations, the Responsible Administrator will promptly determine the resolution of the allegations of Sexual Misconduct, including the imposition of any disciplinary sanctions, as provided in the applicable disciplinary policy. The Responsible Administrator may consult with the Investigator and Title IX Coordinator in making this determination. Any person found in violation of this policy may be subject to discipline as described below, depending on the circumstances and the severity of the violation.

The Responsible Administrator(s) and the applicable disciplinary policy will be determined as follows:

- The Responsible Administrators for allegations of Sexual Misconduct against a faculty member are the faculty member’s dean and chair or director, who shall administer any discipline consistent with the [Faculty Discipline and Termination Policy](#). Possible sanctions include verbal counseling, written warning, probation, reassignment, demotion, reduction in pay, suspension, termination of faculty employment, and a ban from campus. If the dean and the chair or director conclude there may be adequate cause for involuntary termination of the faculty member’s employment, the Academic Vice President will be consulted and must give final approval for the termination.
- The Responsible Administrator for allegations of Sexual Misconduct against a non-faculty employee
is the director over the employee’s area, who shall administer any discipline in consultation with the Manager of Employee Relations and consistent with the Administrative and Staff Employee Discipline Policy and Procedures. Possible sanctions include verbal counseling, written warning, probation, reassignment, transfer, demotion, reduction in pay, suspension, termination of employment, and a ban from campus.

- The Responsible Administrator for allegations of Sexual Misconduct against a student is the Honor Code Office, which shall administer any discipline consistent with the Honor Code Investigation and Administrative Review Process. Possible sanctions include counsel and education, referral (to a responsible person or agency—e.g., reconciliation process), warning, probation, suspension withheld, short suspension, suspension, dismissal, and a ban from campus. If the student is also an employee of the university, the Investigator will provide a copy of the findings and recommendation to the student employee’s manager, who will administer any discipline affecting the student’s employment status in consultation with the Manager of Employee Relations and consistent with the Administrative and Staff Employee Discipline Policy and Procedures. Possible sanctions include those identified above for other non-faculty employees.

- The Responsible Administrators for allegations of Sexual Misconduct against a visitor to campus who is neither a student nor an employee of the university are the vice president over the university unit that originally invited the visitor to campus, or the vice president’s designee, and, if a violation is found, the University Banning Committee. If the visitor was not invited to campus, the Responsible Administrator is the University Banning Committee. Possible sanctions include banning the visitor from all or a part of the university campus.

The resolution shall include, in addition to any discipline imposed, reasonable steps designed to correct any discriminatory effects on the Complainant and on others who may have been affected, and to prevent the recurrence of any discriminatory or otherwise inappropriate actions. Possible protective measures that may be imposed following the investigation include the following: making interim measures permanent, offering remedies and accommodations to the Complainant, implementing changes in programs or activities, or providing training for the campus community or specific groups or individuals.

The Responsible Administrator will communicate the outcome of the investigation and resolution, including any sanctions, and the university’s procedures to appeal the results in writing to both the Complainant and the Respondent simultaneously (“Outcome Notice”). However, the Responsible Administrator may choose not to disclose the discipline imposed by the resolution, and will not disclose the discipline imposed on a student except under one of the following circumstances:

- the discipline directly affects the other party—such as when the student is ordered to stay away from the other party, is transferred to another job, worksite, class, or residence hall, or is suspended or dismissed from the university;
- the Complainant alleged Sexual Misconduct involving a crime of violence or a non-forcible sex offense; or
- the student gives his or her written permission to disclose the discipline.

The university may also report findings of criminal misconduct to the police and may report criminal or other serious misconduct to an individual’s ecclesiastical leaders as it deems appropriate in its absolute discretion.

12. Review of Outcome
A party who remains unsatisfied with the outcome may request an administrative review or appeal of the investigation outcome and resolution (“Review”). The Complainant or Respondent must request a Review within five business days of delivery of the Outcome Notice to the parties. A request for Review may not exceed five pages in length. The party requesting a Review must identify at least one of the following grounds in requesting the Review:
• The outcome of the investigation is clearly contrary to the preponderance of the evidence.
• A procedural error significantly impacted the outcome of the investigation (e.g., a substantiated bias or material deviation from these procedures).
• New evidence, unavailable to the party during the original investigation, has been discovered that could substantially impact the original outcome. This new evidence and an explanation of its potential impact must be included in the request for review.
• The discipline imposed is substantially disproportionate to the severity of the violation (i.e., too severe or not severe enough).
• The non-disciplinary aspects of the resolution are not reasonably designed to correct the discriminatory effects on the Complainant and on others who may have been affected or to prevent the recurrence of further discriminatory or otherwise inappropriate actions.

Except as otherwise specified in the applicable university policy or procedure, the final resolution of the Responsible Administrator will be affirmed unless the party seeking Review demonstrates, by clear and convincing evidence, that one or more of these conditions has been met.

Any Review should be initiated and conducted pursuant to the applicable university policy or procedure, as follows:

• A faculty member who is dissatisfied with a final resolution may initiate a grievance or file an appeal pursuant to the Faculty Grievance Policy. A faculty member may appeal a resolution resulting in the involuntary termination of his or her employment pursuant to the Faculty Discipline and Termination Policy.
• Administrative and staff employees who are dissatisfied with the final resolution that results in disciplinary sanctions against them may submit a grievance pursuant to the Administrative and Staff Employee Grievance Policy. Full-time administrative and staff employees may seek an administrative review of a resolution resulting in the termination of their employment under the same policy.
• When the resolution includes disciplinary sanctions affecting a student’s Honor Code standing, the student may seek a review pursuant to the Honor Code Investigation and Administrative Review Process.

In situations where there is no other university policy or procedure that applies, (e.g., for administrative or staff employee Complainants or student Complainants who are dissatisfied with the final resolution), the Complainant may petition the immediate supervisor of the Responsible Administrator who determined the resolution for a Review.

In all cases where a Review is requested, the individual conducting the Review (“Reviewer”) will provide a copy of the Review petition to the party not requesting Review and invite him or her to submit a written response within five business days of receiving the Review petition. The Reviewer will evaluate the Review petition, any response submitted by the other party, and the documentary record of the investigation and resolution process. Within thirty calendar days of receiving the parties’ submissions or lapse of time to respond, the Reviewer will provide the parties with a written determination as to whether the party requesting Review has met his or her burden of demonstrating, by clear and convincing evidence, that one or more of the grounds for Review identified above is present.

In any Review, the Reviewer should consult with the Investigator and/or the Title IX Coordinator prior to issuing a decision on the Review.

C. Exhaustion of Remedies
A student or employee may not initiate civil litigation or civil administrative remedies against the university or its employees, agents, officers, or trustees until all the remedies provided by these procedures have been exhausted.
D. Waiver of Claims

Failure to submit a Complaint or to pursue a Review or other administrative review or appeal within the stated deadlines or to exhaust the remedies provided by these procedures within the time provided will constitute a waiver of the student’s or employee’s right to pursue any claim against the university in the matter, unless the right to pursue a statutory claim is preserved by law or the university waives this clause in writing.

V. Training

The university will seek to make all employees and students familiar with the contents of this policy. All administrators, deans, chairs, directors, managers, and supervisors are responsible to ensure that employees within their areas of stewardship are properly trained on their obligations under this policy and applicable laws.

The Title IX Coordinator will develop and oversee training and education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. The Equal Opportunity Manager may assist in fulfilling that responsibility. All training sessions and participants should be documented, and those records should be provided to the Title IX Coordinator. Such training and education shall consist of at least the following:

1. Primary prevention and awareness programs for all incoming students and new employees, and ongoing prevention and awareness campaigns for continuing students and employees, including at least the following information:
   a. A clear statement that the university prohibits domestic violence, dating violence, sexual assault, and stalking, and definitions for these offenses under the Utah Criminal Code.
   b. The definition of consent under the Utah Criminal Code.
   c. Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of one of the offenses listed in subsection (a) against another person.
   d. Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks.
   e. Information about this policy, including
      i. information about discipline the university may impose for Sexual Misconduct;
      ii. procedures for victims of Sexual Misconduct to follow, including written information about the importance of preserving evidence and reporting offenses to the university and law enforcement authorities;
      iii. procedures for institutional disciplinary actions; and
      iv. information about preserving victim confidentiality.
   f. Written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims of Sexual Misconduct both on campus and in the community.
   g. Written notification of victims about their options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures.

2. Annual training for the Title IX Coordinator, Deputy Title IX Coordinators, Investigators and Responsible Administrators on issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
Flowchart

**Brigham Young University Sexual Misconduct Policy Flowchart**

1. Informal resolution is available to victims under certain limited circumstances.

2. Responsible employees must report known or suspected sexual misconduct.

3. Investigator may be the Asst. to Assoc. Dean of Student Life, EO Manager, or another qualified individual.

4. Title IX Coordinator considers if there is reasonable cause to believe a violation occurred.

5. Throughout the investigation, a support person may attend meetings and interviews for purposes of observation but may not participate in any way.

6. The Responsible Administrator may be HCO Manager Employee Relations, Dean/Chair, Director, or Banning Committee.

7. Outcome of investigation is determined based on the preponderance of evidence standard (whether it is more likely than not).

8. Grounds for review include (1) outcome clearly contrary to evidence, (2) procedural error, (3) new evidence, (4) substantially disproportionate discipline, and/or (5) resolution not designed to correct discrimination.

9. The final resolution will be affirmed unless the party seeking review demonstrates a condition in the grounds for review by clear and convincing evidence.

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Educational Programs and Campaigns

BYU’s Title IX Office is committed to sponsoring and conducting events and campaigns that effectively promote the awareness and prevention of sexual harassment, dating violence, domestic violence, sexual assault/sexual violence (including rape and acquaintance rape) and stalking. Additionally, the university aims to make the campus community aware of risk reduction methods and positive options for bystander intervention where any of these behaviors occur.

The events, campaigns, and trainings at BYU reflect variety. They include in-person trainings—such as trainings during New Student Orientation, passive poster and banner campaigns—such as Domestic Violence Awareness Month, and prevention and awareness events that call for active participation by students and the members of the campus community—such as Voices of Courage and the Sexual Assault Awareness Month Pledge Wall.

Our events, campaigns, and trainings are tasteful, sensitive, and consistent with our campus values, and in keeping with legal guidance to be “culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome.” 34 C.F.R. § 668.46 (a)(i)(A).

A calendar of events with more detailed descriptions can be found at https://titleix.byu.edu/calendar. Additionally, online training modules for students are available at training.byu.edu.

Utah Definitions

BYU’s educational programs to prevent and raise awareness about dating violence, domestic violence, sexual assault, and stalking include and refer to the following state law definitions.

Dating Violence

Under Utah law, dating violence is any criminal offense involving violence or physical harm, or threat of violence or physical harm, when committed by a person against a dating partner. Any attempt, conspiracy, or solicitation to commit such a crime also qualifies as dating violence. Utah Code Ann. § 78B-7-402(4) (2017).

Domestic Violence

Under Utah law, domestic violence is any criminal offense involving violence or physical harm (or threat of violence or physical harm) when committed against a person sixteen years of age or older by a cohabitant—someone also sixteen years of age or older who is the person’s current or former spouse (in reality or by appearance), a relative of the person (by blood or marriage), the parent of the person’s child (even an unborn child), or someone who has resided at the same residence as the person. The definition of domestic violence also includes any attempt, conspiracy, or solicitation to commit a crime of violence or physical harm.

Any of the following crimes committed or attempted by a cohabitant against a cohabitant constitute the crime of domestic violence:

- Aggravated assault;
- Assault;
- Criminal homicide;
- Harassment;
- Electronic communication harassment;
- Kidnapping, child kidnapping, or aggravated kidnapping;
- Mayhem;
- Sexual offenses;
- Stalking;
- Unlawful detention or unlawful detention of a minor;

Spousal Abuse

One of the most common forms of domestic abuse is spousal abuse. Some warning signs of domestic abuse include the following:

- One spouse’s social relationships have narrowed,
- One spouse makes all the rules,
- One puts the other down,
- One is afraid, or
- One has been physically injured.
• Violation of a protective order or ex parte protective order;
• Any offense against property;
• Possession of a deadly weapon with intent to assault;
• Discharge of a firearm from a vehicle, near a highway, or in the direction of any person, building, or vehicle; and
• Child abuse.


Sexual Assault
Under Utah law, sexual assault is defined as any criminal conduct constituting a sexual offense (including, but not limited to, rape, sodomy, forcible sexual abuse, sexual abuse of a child, and aggravated sexual assault). Utah Code Ann. §§ 26-21b-102(8), 76-5-401 to -406 (2017).

Stalking
Under Utah law, stalking occurs when a person intentionally or knowingly engages in a course of conduct (two or more acts) that is directed at a specific person and knows or should know that the course of conduct would cause a reasonable person to fear for their own safety or the safety of a third person or to suffer emotional distress. Intentionally or knowingly violating a stalking injunction also constitutes stalking.

Acts that may constitute stalking in Utah include following, monitoring, observing, photographing, surveilling, threatening, communicating to or about a person, or interfering with a person’s property. Stalking may also occur by engaging in any of the following acts or causing someone else to engage in any of these acts:

• Approaching or confronting a person
• Appearing at the person’s workplace or residence, or contacting the person’s employer, coworkers, or neighbors
• Entering property owned, leased, or occupied by a person
• Sending material by any means to the person
• Sending material to the person’s family, household, employer, coworker, friend, or associate for the purpose of obtaining or disseminating information about or communicating with the person
• Placing an object on or delivering an object to property owned, leased, or occupied by a person, or to the person’s place of employment with the intent that the object be delivered to the person
• Using a computer, the Internet, text messaging or any other electronic means to commit an act that is a part of the course of conduct.


Consent
Under Utah law, sexual acts are without consent under any of the following circumstances:

1. The victim expresses lack of consent through words or conduct.
2. The actor overcomes the victim through physical force or violence.
3. The actor overcomes the victim through concealment or by the element of surprise.
4. The actor coerces the victim to submit by threatening to retaliate in the future against the victim or any other person and the victim perceives or believes at the time that the actor is able to execute the threat.
5. The actor knows that the victim is unconscious, unaware that the act is occurring, or physically unable to resist.
6. The actor knows that due to mental illness or for any other reason that the victim is at the time of the act incapable of understanding the nature of the act or resisting it.
7. The actor knows that the victim submits or participates because the victim erroneously believes that the actor
is the victim’s spouse.

8. The actor intentionally impaired the power of the victim to appraise or control his or her conduct by administering any substance without the victim’s knowledge.

9. The victim is younger than fourteen years of age.

10. The victim is younger than eighteen years of age and at the time of the offense the actor was the victim’s parent, stepparent, adoptive parent, or legal guardian or occupied a position of special trust in relation to the victim.

11. The victim is fourteen years of age or older, but younger than eighteen years of age, and the actor is more than three years older than the victim and entices or coerces the victim to submit or participate, under circumstances not amounting to force or threat.

12. The actor is a health professional or religious counselor and the act is committed under the guise of providing professional diagnosis, counseling, or treatment, and at the time of the act the victim reasonably believed the act was for medically or professionally appropriate diagnosis, counseling, or treatment.


Bystander Intervention and Risk Reduction

The university encourages all members of the campus community to be engaged bystanders—persons who intervene in a positive way before, during, or after a situation or event in which they see or hear behaviors that promote Sexual Misconduct in any of its forms. Through positive bystander intervention, you can make a difference in other people’s lives.

How to Intervene

There is no single “right” way to intervene, and what is appropriate depends on the situation and the individuals involved. There are three basic steps you can take to be an engaged bystander when a harmful event is occurring:

1. **Recognize Potential Harm**
   - Be aware of what’s going on around you.
   - Be aware of behavior that seems out of place or concerning.

2. **Choose to Respond**
   - Decide that you have a duty to help when you observe trouble.
   - Choose safe and positive ways to intervene and avoid placing yourself in harm’s way.

3. **Take Action**
   - Taking action might mean speaking up to express that you are aware and do not condone the harmful behavior you see or calling 911 during an emergency.
   - You can intervene directly (e.g., asking if the person in harm’s way needs help) or indirectly (calling 911, reporting the harmful behavior).
   - Remember, doing nothing is never a positive option.

How Can I Help After the Fact?

Sometimes you may not witness the event during which harm was caused but you can still be an engaged bystander. You can positively intervene by helping and supporting a victim. If the individual is a victim of dating violence, domestic violence, sexual violence, or stalking, remember that these behaviors are crimes and the victim is not at fault, nor are they responsible for another person’s criminal behavior. You can

1. listen, be there, communicate without judgment;
2. encourage a victim to seek medical attention immediately if the circumstances warrant it;
3. encourage the victim to seek professional help, such as counseling or therapy;
4. remind the victim that they have the option of informing the police; and/or
5. report instances of Sexual Misconduct to the university Title IX coordinator, who will be able to help victims access additional resources.

You can make a difference. You can be the difference by being an engaged bystander. For more information about being an engaged bystander and supporting victims and survivors of Sexual Misconduct, visit the following:

- **Sexual Misconduct Awareness** module: focuses on the warning signs of abusive behavior
- **Positive Bystander Intervention** module: focuses on positive bystander intervention
- **Campus and Community Resources**: for victims
- **Information for Victims**: specifically for those who are BYU students
- **RAINN.com**: Helping Someone You Care About
- **Voices of Courage**: Creating a Culture of Non-violence

**Overcoming Barriers to Being an Engaged Bystander**

Sometimes you and others may witness a harmful situation but decide not to positively intervene. Some reasons that people give themselves for not being an engaged bystander include the following:

1. Someone else will take care of it, help, or speak up.
2. It’s none of my business or it’s not my responsibility.
3. I am afraid of what other people might say or think about me if I do something.
4. They might do something to me if I try to help the person they’re harming.
5. It doesn’t seem like that big of a deal.
6. It must be okay because no one else is doing anything about it.
7. I’m too busy; I have my own problems to take care of.

These may be legitimate concerns, but you can overcome these barriers by considering the following responses to the corresponding statements above:

1. I can do something about this and get other people to help too.
2. I want to help, because if I were in the same situation as that person, I hope someone would help me.
3. Yeah, maybe people might say or think certain things about me, but I would rather help than wonder if I could have done something to stop the harm. What will happen if I don’t help seems scarier than the alternative.
4. I can enlist help from others or the police if I’m worried about getting hurt or someone retaliating against me.
5. It is a big deal to that person who is being harmed, and I can help them.
6. What’s going on is not okay, and I bet everyone else is thinking the same thing.
7. I am never too busy to help someone in need.

**Recognize Ways to Prevent Harm**

When someone causes harm to someone else, it is the person causing the harm that is at fault. There are things we can do as individuals and as a community to make it less likely that we will be victimized by perpetrators. Regarding Sexual Misconduct, be sure to advise others of the following when the time is appropriate:

- Be extremely cautious when responding to personal classified ads or using social media and dating apps to meet new people. Furthermore, remain cautious if you decide to meet someone you have only connected with online or over the phone.
- Often when using social media we allow others to have access to our contact information and information about where we have been and where we currently are. Reconsider what information you make available on social media. Consider whether you would give the information to a stranger, and if not, then it is likely not safe to post the information on social media.
- If you are meeting a date for the first time, consider taking a friend with you, or at the very least tell your
roommates or family members where you are going and with whom you are meeting.

- Do not accept a ride from someone you do not know, including a blind date. Consider providing your own transportation to and from the date.
- Be independent and aware in social settings. Express opinions on where to go and appropriate places to meet.
- Carry your cell phone with you and keep it charged. Program emergency contact phone numbers into your phone if necessary. Have the most important emergency contact phone numbers memorized just in case you need to make a call and you don’t have your cell phone with you.
- If you are dating or getting to know someone, remember that it takes time to build healthy relationships and to truly get to know an individual. Arrange group or double dates to give you time to get to know someone well. If you are meeting a date for the first time, consider taking a friend with you, or at the very least tell your roommates or family members where you are going and with whom you are meeting.
- Lock your residence and car doors to reduce the risk of having unwanted visitors.
- Utilize the University Safe Walk Program provided by University Police if you are uncomfortable walking alone on campus at night.

Information and Procedures for Victims

Incidents of on-campus assault should be reported to Jerusalem Center Security Office. Off-campus incidents should be reported to appropriate local law enforcement officials. If the victim desires, the Jerusalem Center Security Office will assist him or her in notifying the appropriate law enforcement authorities. Moreover, a victim of sexual assault has the option to decline to notify law enforcement. Prompt reporting facilitates the victim receiving medical assistance, counseling, or other support services and allows for the collection and preservation of crucial evidence.

If you are a victim of dating violence, domestic violence, sexual assault, or stalking—whether the offense occurred on or off campus—there are multiple resources available to you. The following explains what you should do and includes a list of these resources.

REMEMBER, dating violence, domestic violence, sexual assault, and stalking are criminal acts and you are NOT responsible for another’s act that violates your freedom. Dating violence, domestic violence, sexual assault, and stalking are violations of the law and BYU’s Sexual Misconduct Policy. If you are the victim of dating violence, domestic violence, sexual assault, or stalking, know that BYU is here to help and is able to take certain protective measures to ensure your safety on campus during and after a university investigation.

SEEK MEDICAL ATTENTION IMMEDIATELY if you are a victim of sexual violence or sexual assault. You can request a sexual assault examination by contacting the police or by visiting any hospital emergency room for a referral to have a sexual assault examination completed. The examination provides care to minimize the risk of sexually transmitted diseases and preserves evidence that will be important if you decide to pursue criminal charges or wish to obtain a protective order against the person who assaulted you.

PRESE EVIDENCE by not bathing, showering, or using toothpaste or mouthwash after an incident of sexual assault. Do not wash clothing, bed sheets, pillows, or other potential evidence. However, if you do, you should still seek medical attention as soon as possible—even if some time has passed since the assault.

SEEK SUPPORT: Please do not feel you need to deal with this situation alone. Call a friend, family member, or someone with whom you feel you can talk. Counselors at BYU Counseling and Psychological Services are also available 24 hours a day to assist you. Contact them by calling 801-422-3035 or 801-422-2222 after business hours.

REPORTING THE CRIME: Deciding whether or not to report dating violence, domestic violence, sexual assault, or stalking may be difficult. Making a report to law enforcement is a decision left entirely up to you. As a victim, you may decline to notify law enforcement if you choose. If you decide to notify law enforcement, you can be assisted by campus authorities. Below is a list of contact information for local police offices:
• University Police: 911 or 801-422-2222
• Orem Police: 911 or 801-229-7070
• Provo Police: 911 or 801-852-6210
• Springville Police: 911 or 801-489-9421

Law enforcement can help you with orders of protection, “no-contact” orders, and restraining orders. General information about the different types of court orders is available on the Utah Courts website at www.utcourts.gov. Please note that BYU cannot represent you in legal proceedings; see the list of Resources at https://titleix.byu.edu/resources for legal assistance.

Campus and Community Services and Resources for Victims of Sex Offenses
In addition to the resource phone numbers listed at the beginning of this report, BYU publishes a list and description of victim resources—both on and off campus—at https://titleix.byu.edu/resources. Additional resources and information about how to respond to and prevent sexual assault on college and university campuses are available at http://changingourcampus.org/, an online resource center supported by the Office on Violence Against Women.

Registered Sex Offenders
In accordance with the federal Campus Sex Crimes Prevention Act (CSCPA) and the Utah Sex Offender Registration Act, notice must be given of registered sex offenders to institutions of higher education if the offender is employed, carries on a vocation, or is a student at the institution. This information is available at the University Police Department.

Information regarding registered sex offenders residing within a specific Utah geographic location can be accessed via the Utah Department of Corrections website (click on the tab “Search for Offenders in your area”).
Emergency Notification, Response, and Evacuation

Upon confirmation of any significant emergency or dangerous situation involving an imminent threat to the health or safety of the campus community, the university will, without delay and taking into account the safety of the community, determine the content of a campus notification and initiate its notification system, unless issuing a notification will—in the professional judgment of responsible authorities—compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Security Department will confirm the magnitude and scope of an emergency or dangerous situation through the Center’s fire/smoke detection system, CCTV, fence system, security guard on-site detection, notification of threat from resident, media, and/or law enforcement, and determine what segment of campus needs notice. Upon confirming that an event warrants immediate notification of the entire campus community, the Security Department will determine what information is appropriate to disseminate and issue an emergency notification. Unless mitigating factors warrant a delay, alert, information, and reassurance messages will be streamed to the campus community through: emails, notices on bulletin boards situated on floors 1-6, short messaging systems (SMS), public addressing system (depending on the urgency of the warning), or announcement sessions.

Evacuation and/or shelter-in-place alert directions will be given. Should the incident or threat impact the larger community, the Israel Police will determine whether Jerusalem residents should be alerted.

Depending on the magnitude and scope of the emergency and whether the threat to Center residents is an on-campus threat or an off-campus threat, all residents should adhere to the following guidelines:

On-Campus Threat
1. Primary shelter-in-place locations – unless otherwise directed by the incident commander:
   • Upper Booth
   • Lower Booth
   • Gymnasium
2. Alternate shelter-in-place locations:
   • Level 2 Shelter
   • Level 6 Shelter

Off-Campus Threat
1. Any threat received, whether on campus or off, JCSO will establish how many of the Center’s residents are in the building.
2. Anyone affiliated with the Center is required to use their micro-encoded card to enter or exit the premises. When the card is passed by the proximity reader, the name and picture of the user is recorded on the system. This way JCSO knows who is in or out of the building at any given time.
3. Disturbances or demonstrations in town – JCSO will determine who is out of the building.
4. Upon confirming that an event warrants immediate notification, JCSO will immediately send out an SMS warning to everyone and call all those out of the Center to either return to the Center or to avoid a certain area.
5. If necessary, JCSO will arrange an escort back to the Center.

Testing
At the beginning of each semester (three times a year) the emergency response system will be tested. The test may be announced or unannounced, and the message sent to the campus community will read as follows: “This is a test of the emergency response system. In the event of a real emergency the alert message will tell you what the emergency is and what to do.” A record will be made of each test, including a description, the date and time of the test, and whether it was announced or unannounced. The Security Office will publicize its emergency notification procedures in conjunction with the testing of the emergency response system.
Evacuation Drills
Under the direction of the Jerusalem Center Security Office, evacuation drills are conducted on a semester basis. A record is made for each drill that includes a description, the location, date, time, and whether the drill was announced or unannounced.
Missing Student Notification Policy and Procedure*

The following policy and procedure has been established to assist in locating students residing in on-campus housing when, based upon facts and circumstances, Jerusalem Center Security Office and Israel Police has determined a student to be missing:

If you believe a student has been missing for twenty-four hours, you should immediately alert one of the following:

- Jerusalem Center Security Office (Speed Dial 2),
- Executive Director (ext. 2706),
- Assistant Director (ext. 2705)
- Associate Director (ext. 2708)
- Security Coordinator (ext. 2717), or
- Housing Couple.

At the beginning of each academic year, the university will inform students residing in on-campus housing that BYU will notify an individual selected by the student within twenty-four hours after the student is determined to be missing. Students may register this emergency contact information confidentially on their myBYU personal information page (log on to myBYU > select on “Update my Personal Information” > select “Contact” tab > choose “Emergency Contact” link). Emergency contact information will be accessible only to authorized campus officials and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.

All missing student reports must be immediately referred to the Security Office. Upon determination by Security Office personnel that a student is missing, Security Office personnel will notify the student’s emergency contact within twenty-four hours. If the student is under eighteen years of age (and not emancipated), the student’s custodial parent or legal guardian will also be contacted within twenty-four hours. In cases where local law enforcement did not make the initial determination that a student is missing, Security Office personnel will notify local law enforcement within twenty-four hours of the missing student determination.

Upon determining that a student is missing, University Police will initiate a missing person investigation and will notify the following:

- Executive Director,
- Assistant Director,
- Security Coordinator, and/or
- Any local law enforcement agency that has jurisdiction in the area.

The Jerusalem Center is an enclosed campus with a strict curfew policy. Students are not allowed to leave the center in less than groups of three. Individual students missing curfews and/or losing their groups will be dealt with as missing persons. If a student is not at the Center or hotel (when students are on extended filed trips away from the Center) within two hours of curfew, Center personnel will contact local law enforcement officials. Furthermore, if a student does not return to a field trip bus, local law enforcement officials will be immediately notified.

*Updated January 19, 2018, to reflect current policy.
Crimes and Other Situations

Active Shooter
To survive an active shooter incident, you must develop a survival mindset and a course of action. A survival mindset is a protective shield with three components: awareness, preparation, and rehearsal. A course of action may include any or all of the following:

- Figure out the situation
- Get out to a safer area if you can.
- Call out to the police.
- Hide out if you are unable to get out.
- Keep out the shooter by blocking doorways, etc.
- Spread out (do not huddle together) and quietly develop a plan of action.
- Take out the shooter. Assume the shooter’s intentions are lethal and be prepared to do whatever it takes (survival mindset) to neutralize the threat.

Shots Fired
An online video explains the aforementioned concepts in detail. To view this video, go to police.byu.edu and click on the “Shots Fired” icon on the bottom right of the home page.

Flash Point!
This online video teaches violence awareness and provides the following formula: awareness + action = prevention. To view this video, go to police.byu.edu and click on the “Flashpoint” icon on the bottom right of the home page.

Assault
Avoid circumstances that may make you vulnerable to assault. These include jogging at night and walking near dense shrubbery where assailants might hide. You should always stay near well-lighted paths and walkways at night, carry a cell phone and a whistle to summon help, and let friends or family know where you are going and when you will return. Keep windows and doors locked, and keep drapes and blinds closed while dressing.

Theft
Theft on campus is the most frequently reported crime. As with crimes against persons, the best defense against theft is vigilance. The following suggestions may assist you in protecting your personal property:

- In a public setting, never leave personal belongings unattended even for a minute,
- Keep doors and windows locked;
- Do not keep large amounts of money in your room or on your person;
- On campus, lock your bicycle with a quality lock system in approved bicycle racks;
- Register your bicycle with local police or with the University Police;
- Do not lend your keys, credit cards, or BYU ID card to anyone;
- Do not attach ID to your keys;
- Engrave ID numbers on personal property (do not use your social security number);
- Keep records of your property, including description, make, model, and serial number;
- Do not leave your laundry unattended in public laundry facilities; and
- Always lock your car and remove valuables or place them in the trunk of the car.
Fire Safety Report

Introduction
In 2008, Congress passed the College Opportunity and Affordability Act, which requires an annual fire safety report with a focus on campus housing. From January 2000 to February 8, 2017, 172 people have died in campus-related fires across the United States. Even though more than 85 percent of these deaths occurred in off-campus housing, it has been recognized that the fire safety of a campus is, and should be, an important factor when deciding upon an educational institution to attend.

Fire Statistics

<table>
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<th>HOUSING FACILITIES</th>
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<th>2016</th>
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<tr>
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<td>Injuries</td>
<td>Deaths</td>
<td>$1 Loss</td>
</tr>
<tr>
<td>Jerusalem Center</td>
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<td>0</td>
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</tbody>
</table>

Causes of 2014 Fires
None to report.

Causes of 2015 Fires
None to report.

Causes of 2016 Fires
None to report.

On–Campus Housing Fire Safety Systems
The Jerusalem Center is protected by an automatic fire sprinkler system, which was added in 2005. The complex is also protected by a fire alarm system, which sounds a local alarm and reports to a security office, which is manned twenty-four hours a day.

Fire Drills
The Jerusalem Center conducted three fire drills in 2016—once during fall, winter, and spring/summer semesters—to familiarize student residents with the evacuation procedures of the Center.

Student Housing Fire Safety Policies

Portable Electrical Appliances
Small portable appliances and space heaters are not allowed in the bedrooms.

Smoking
BYU is a non-smoking University. Smoking is not allowed in any BYU housing facility.

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Open Flames
Incense, candles, or any open flames are not allowed in any housing facility. Barbecues are only permitted in designated areas. University policy strictly prohibits the possession and/or discharge of fireworks or any type of explosive device in or around all housing facilities.

Evacuation Procedures
When a fire alarm sounds, residents are to:

- Close windows and doors.
- Walk or crawl to the nearest exit. (Exit routes are posted in the rooms and throughout the buildings.)
- Not use elevators.
- Assemble in a pre-designated area where hall advisors will attempt to take a head count.
- Not re-enter the building until cleared to do so by the hall advisor, a fire officer, or a police officer.

When residents discover a fire, they should:

- Activate the fire alarm system and then leave the building, shouting and knocking on doors as they leave.
- Only attempt to rescue others if they can do so safely.
- Not attempt fighting a serious fire.

Fire Safety Education & Training
At the beginning of each semester, new students and staff are oriented as to fire safety and policies. All policies are also posted on the university’s website (at http://www.byu.edu/oncampushousing/fam_guidelines_safety.shtml and http://www.byu.edu/oncampushousing/sng_guidelines.shtml), handed out in the student packets, and posted on bulletin boards. The staff receives separate training and evacuation procedures.

Reporting Fires
For the purpose of record keeping and statistical reporting, all fires discovered by students or employees shall be reported to the Security Office. The Security Office shall forward reports to the Brigham Young University Fire Marshal.

| JC Security Office | 0 |
| Fire               | 102 |
| East Jerusalem Station | (02) 628-2222 |
| West Jerusalem Station | (02) 678-9401 |
| BYU Fire Marshal    | 801-422-6880 |

Plans for Future Improvements:
There are no current plans to upgrade systems at this time.
Appendix

Part 6: Assumption of Risk, Release and Indemnity Agreement

This document is a legally binding agreement to be signed by the student and the student’s parent/guardian before a notary public. Before signing this document, you are advised to fully familiarize yourself with the BYU Jerusalem Center Study Abroad Program and its rules and regulations.

1. Parties. The parties to this Assumption of Risk, Release and Indemnity Agreement (“Agreement”) are:

   A. Brigham Young University, a nonprofit corporation and institution of higher education, and its affiliates, including The Church of Jesus Christ of Latter-day Saints, related entities, subsidiaries, predecessors and assigns and all of its past, present, and future officers and directors, including its Board of Trustees and each of the Board’s members, employees, agents, representatives, volunteers, and donors and their respective heirs and legal representatives. These parties are sometimes hereinafter collectively referred to as “BYU.”

   B. The student applicant, an individual and his or her parents, guardians, respective heirs and legal representatives. These parties are sometimes hereinafter referred to as “Student” or “we.”

2. General. As used in this Agreement, the word “Program” shall mean the BYU Jerusalem Center Study Abroad Program.

   The words “Program terms” shall mean all policies, terms, conditions, rules and regulations, whether written or unwritten, associated with the Program. These Program terms may be changed, modified, or newly made at any time, including after the signing of this Agreement.

   By signing this Agreement, we acknowledge that we have read, understood and agreed to be bound by all Program terms. We also agree that depending upon the circumstances, the actions of BYU may vary from the Program terms, and we agreed to such variances.

3. Hazards and Risks. We understand that through participating in the Program there are serious hazards and risks of loss of personal property, of personal injury, of illness, or of death arising from the Student’s actions, the actions of others, or events beyond the Student’s control or the control of BYU. We expressly acknowledge that we have read and understand the present U.S. Department of State Travel Warning with respect to Israel, the West Bank and Gaza. The most recent Travel Warning is set forth below as follows:

   West Bank and Gaza Travel Warning
   United States Department of State
   Bureau of Consular Affairs
   April 11, 2017

   The Department of State warns U.S. citizens against all travel to the Gaza Strip and urges those present to depart. The security situation remains complex in Israel and the West Bank and can change quickly depending on the political environment, recent events, and particular geographic location. U.S. citizens should exercise caution and remain aware of their surroundings when traveling to areas where there are heightened tensions and security risks. The Government of Israel and the Palestinian Authority both make considerable efforts to ensure security, particularly in areas where foreigners frequently travel. This replaces the Travel Warning issued August 23, 2016.

   Gaza is under the control of Hamas, a U.S. government-designated foreign terrorist organization. The security environment within Gaza and on its borders is dangerous and volatile. Violent demonstrations and shootings
occur on a frequent basis and the collateral risks are high. While Israel and Hamas continue to observe the
temporary cease-fire that ended the latest Gaza conflict in 2014, sporadic mortar or rocket fire and
corresponding Israeli military responses continue to occur.

Within Israel and the West Bank, the possibility of random violence continues to exist and can happen without
warning. The frequency of attacks has declined significantly since a rise in political and religious tensions led to
a spike in violence in October 2015. U.S. citizens have been killed and wounded in recent attacks, though there
is no indication they were specifically targeted based on nationality. Perceived religious affiliation was a factor
in some of the attacks, and the majority of recent attacks have targeted uniformed Israeli security forces often in
proximity to checkpoints throughout Jerusalem and the West Bank or near religious sites significant to multiple
faiths. Attacks were carried out using knives, vehicles, and guns. Israeli security forces reacted with deadly
force, which has resulted in some bystanders being injured or killed in the crossfire. U.S. citizens should stay
abreast of current events in order to know what areas to avoid when traveling throughout the region.

For your safety, the Department of State recommends that U.S. citizens:

- Avoid all travel to the Gaza Strip, and if you are there, leave as soon as you are able;
- Maintain a high degree of situational awareness and exercise caution at all times, especially at
  checkpoints and other areas with a significant presence of security forces;
- Avoid demonstrations and large gatherings – which can turn violent – and steer clear of neighborhoods
  where police have restricted access;
- Beware of and report unattended items or packages;
- Follow the instructions of security and emergency officials;
- Report suspicious activities or items to security officials; and
- Learn the location of the nearest bomb shelter or other hardened shelter.

When planning their own travel, U.S. citizens should consider the following rules that apply to U.S.
government employee travel:

- U.S. government employees are not allowed to travel to Gaza;
- With the exception of Jericho, Bethlehem, and along Routes 1, 443, and 90, U.S. government
  employees are prohibited from personal travel within the West Bank. Restrictions on personal travel
  by U.S. government employees may change depending on the security environment;
- All other U.S. government travel into the West Bank outside the aforementioned areas must be for
  official business and conducted with enhanced security measures;
- U.S. government staff take additional security precautions when visiting refugee camps, West Bank
  universities, and “seam areas” where Israelis and Palestinians are in proximity to each other, and
  which have historically been flashpoints for violence. For example, sites with significant religious
  meaning to multiple faiths can be subject to violent protests or security incidents with little or no
  warning, especially during or around significant religious holidays;
- U.S. government employees are prohibited from personal travel into Jerusalem’s Old City on Fridays
  during the Muslim month of Ramadan. The U.S. government occasionally restricts travel for its
  employees to the Old City based on the current security environment;
- U.S. government employees are prohibited from using public buses and public bus terminals
  throughout Israel and the West Bank; and
- U.S. government employees must observe additional security requirements if traveling for any reason
  to the following locations:
  - within 7 miles of the Gaza demarcation line;
  - within 1.5 miles of the Lebanon border;
  - on or east of Route 98 in the Golan; and
within 1.5 miles of the Egypt border along the Sinai (including all portions of Route 10 and portions of Route 12).

U.S. citizens planning to travel to Israel, the West Bank, or Gaza should consult the detailed information concerning entry and exit difficulties in the Country Specific Information (CSI). The CSI also provides detailed guidance on crime and safety conditions within Israel, Jerusalem, the West Bank, and Gaza.

For further detailed information and assistance:

- In Israel, the Golan Heights, and ports of entry at Ben Gurion Airport, Haifa Port, the northern (Jordan River/Sheikh Hussein) and southern (Arava) border crossings connecting Israel and Jordan, and the border crossings between Israel and Egypt, contact the Consular Section of the U.S. Embassy in Tel Aviv. The after-hours emergency number is (972)(3)519-7575.

- In Jerusalem, the West Bank, Gaza, and the Allenby/King Hussein Bridge crossing between the West Bank and Jordan, contact the Consular Section of the U.S. Consulate General in Jerusalem. The after-hours emergency number is (972)(2)622-7250.

- In northern Israel, contact the Consular Agency in Haifa. The after-hours emergency number is (972)(3)519-7575.

- Enroll in the Department of State’s Smart Traveler Enrollment Program (STEP) in order to obtain the most current information on travel and security within Israel, the West Bank and Gaza.

- Up-to-date information on security conditions can also be accessed at https://il.usembassy.gov/, https://jru.usconsulate.gov/, or the Embassy and Consulate General Facebook pages.

- Up-to-date information on travel and security can be obtained by calling 1-888-407-4747 toll-free in the United States and Canada, or, for callers outside of the United States and Canada, on a regular toll-line at 1-202-501-4444. These numbers are available from 8:00 a.m. to 8:00 p.m. Eastern Time, Monday through Friday (except U.S. federal holidays).

We understand that this Travel Warning is subject to change at any time by the United States Department of State and we agree that this Agreement will remain in full force and effect in the event of any changes in the Travel Warning. We assume all risks associated with travel to Israel whether or not mentioned in any travel warning or otherwise in this document.

If we are not United States citizens or residents, we acknowledge that BYU has advised us to check any travel warnings issued by our own country.

We acknowledge that we have read and understood this Travel Warning and have decided that the Student will participate in the Program. We accept all risks associated with the heightened dangers of such travel. In addition, we understand that participation in the Program will include living and traveling through areas where there is a constant risk of violent clashes, confrontations, and acts of terrorism; that these areas have a heightened threat of terrorist incidences; and that for these reasons BYU cannot guarantee the safety of the Student in participating in the Program. The Student also acknowledges to have been fully briefed and informed by BYU as to the nature of the Program, the field logistics involved in implementing the Program, and the specific hazards and risks associated with participation in the Program.

4. **Conduct**. The Student agrees that throughout the Program, the Student will at all times and in all places act in accordance with applicable statutes, ordinances, and laws and applicable BYU rules, policies and regulations.
including but not limited to BYU’s Honor Code and the specific applicable Program rules. Student acknowledges that violation of any law, rule, regulation, or instruction of BYU personnel or of any lawful authority is grounds for immediate dismissal from the Program. Student further agrees that BYU supervisory personnel shall have the right to terminate the Student’s participation in the Program if it is determined that the Student’s conduct violates any law or rule or if, in the sole discretion of the supervisor, the supervisor determines that the Student’s actions are detrimental to or are in conflict with the Program aims and objectives or are out of harmony with the best interests of the Program. In such an event, the Student shall return home at Student’s own expense and may be subject to further disciplinary actions by BYU including but not limited to suspension or expulsion from the University. In the event the Student is required to return home, the Student agrees no money paid for or in connection with the Program will be refunded.

5. Assumption of Risk, Release and Indemnification. The term “claims” used in this Agreement shall mean any and all claims and liability of any kind whatsoever, past, present and future, both known and unknown, including attorney fees and costs of litigation and including those which have not yet arisen or matured, whether in law or in equity, arising from, related to, or in connection with the Program, Student’s participation in the Program, travel to, from, during, before and after the Program (including personal travel), Student’s use of free time during the Program, any medical treatment or testing (including without limitation blood tests), or vaccination. Student may or may not receive, any discipline Student may receive during or after the Program, Student’s departure, withdrawal, dismissal or other removal from the Program, any changes in the Program, any communication or notices or lack thereof before, during, or after the Program, any anti-discrimination laws and regulations of any jurisdiction, any delay, property damage, loss or theft, any hostile act, government act or omission, terrorism, social unrest, local laws, climatic conditions, or other conditions, developments, or disruptions, any bodily, emotional or mental injury, illness, disease, or death, and all other claims, liability, damage, cost, loss, or expense of any nature whatsoever, including but not limited to, claims for negligence or any intentional act on the part of BYU or any other person or entity.

In consideration of Student’s acceptance to participate in the Program, and by signing, we for ourselves, individually and jointly, hereby agree to:

A. Voluntarily assume full responsibility for all hazards and risks associated with participation in the Program; and

B. Release, waive and discharge BYU from any and all claims; and

C. Covenant not to sue BYU with respect to any and all claims; and

D. Indemnify, defend and hold harmless BYU from any and all claims.

We further agree that this language of assumption of risk, release and indemnification shall be interpreted as broadly as possible in favor of BYU.

6. Medical Consent. We certify that student is fully able to participate in all program activities without the need of specialized or individualized attention, accommodation or medical regimen. In the event of any medical emergency either physical or emotional, we hereby grant to BYU or any of its representatives of the Program the full authority to take any action deemed necessary to protect the Student’s emotional and physical health and safety at the Student’s own expense, including but not limited to, placing the Student under the care of a doctor or in a hospital or any other place for medical examination and/or treatment, or returning the Student to the United States or the Student’s country of origin at Student’s own expense, if such return is deemed necessary after consultation with medical authorities. In the event the Student is returned to the United States or country of origin, the Student shall not recover any money paid in connection with the Program. The Student further
agrees BYU is not required to take any such actions if it is not aware of any emergency or in its discretion determines no emergency warrants action.

We expressly authorize BYU to request, receive, and disclose, among BYU personnel and third parties, confidential Student medical information in connection with the diagnosis and treatment of the Student.

7. **Governing Law/Jurisdiction.** We agree that this Agreement and any and all issues relating to it or the Program are to be solely and exclusively governed by and construed in accordance with laws of State of Utah without giving affect to principles of conflicts of law. We agree that the state or federal courts located in the State of Utah shall have exclusive jurisdiction to determine disputes arising from, related to, in connection with or in any way involving this Program or this Agreement, and we consent to the exercise by such court of personal jurisdiction over us and waive and agree not to assert any objection or defense based on lack of personal or subject matter jurisdiction or venue. If any term or provision of this Agreement is declared invalid by a court of competent jurisdiction, the remaining terms of this Agreement shall remain unimpaired and in full force and effect.

8. **Publicity.** We irrevocably grant to BYU the right to photograph, film, videotape, audio tape, or otherwise record, by any and all methods now or hereafter known, the Student’s or parent’s/guardian’s image, voice and/or likeness and to use any photograph, image or likeness in which the Student or parent/guardian may appear or any utterance or statements Student or parent/guardian may make, or any portion thereof, in any and all media, including the Internet, any number of times, in any and all manners, and by any and all means now or hereafter known, for promotional and other purposes without approval by or compensation to the Student or parent/guardian. We agree that any photograph, image, likeness, utterance, or statement shall be BYU’s sole and exclusive property. We release BYU from any and all liability in connection with the use of such photograph, image, likeness, utterance or statement.

9. **Non-Program Activities.** We understand that from time to time Student may be allowed to travel separately from the Jerusalem Center group on weekends or at other times when it will not interfere with required Program activities and group field trip travel; that this travel will be at Student’s own initiative and expense; that it must be with small groups of other Students; and that it must be in areas authorized by the Director of the Jerusalem Center within Israel, Jordan, Egypt, and Europe (on Student’s return trip) independent of the Program sponsored by BYU. We acknowledge that this additional travel will not be directly supervised by BYU, although students traveling on their own, except immediately in and around Jerusalem, must obtain prior permission from the Director of the Jerusalem Center. All such travel, with the exception of travel in Europe, must be in a group of at least three individuals. We therefore acknowledge that the assumption of risk, release and indemnification provisions contained in paragraph 5 of this Agreement are applicable to such travel which is independent of the Program.

10. **Entire Agreement.** This Agreement is the only, sole, entire and complete agreement between BYU, the Student and Student’s parent/guardian relating in any way to the Program. No other statements, promises or representations regarding the subject matter of this Agreement have been made by BYU to Student or parent/guardian or relied upon by Student or parent/guardian other than as expressly provided in this Agreement.

This Agreement supersedes any earlier written or oral understandings or agreements between BYU and the student or parent/guardian related to the subject matter hereof.

11. **Knowing and Voluntary Assent.** Student and parent/guardian specifically affirm that they have carefully read this ASSUMPTION OF RISK, RELEASE AND INDEMNITY AGREEMENT, understand its content, and voluntarily agree to all of its terms and conditions. Student expressly represents to BYU that Student is currently 18 years of age or older.
STUDENT APPLICANT: Please note that both student and parent/guardian must sign the agreement in the presence of a notary (regardless of student age or independence). Original signatures are required, and forms can be submitted on separate pages, if necessary.

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Student Signature

Student Printed Name

Address

City/State/Zip Code

State of ________________
County of ________________
Subscribed and sworn before me on this _____ day of __________, in the year ______.

DAY MONTH YEAR

NOTARY:________________________
SEAL:
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PARENT/GUARDIAN: I, the undersigned parent/guardian, have read and understand the above Agreement, understand the potential dangers incident to the Student engaging in this Program, am fully aware of the legal consequences of this Agreement, agree to its terms, and understand I am releasing and waiving certain rights and assuming the risk of injury and damage to Student resulting from Student’s participation in the Program.

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Parent/Guardian Signature

Parent/Guardian Printed Name

Address

City/State/Zip Code

State of ________________
County of ________________
Subscribed and sworn before me on this _____ day of __________, in the year ______.

DAY MONTH YEAR

NOTARY:________________________
SEAL:
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