In 1990, Congress enacted the Crime Awareness and Campus Security Act of 1990. This legislation requires all post-secondary institutions participating in the Higher Education Act (HEA) Title IV student financial assistance programs to disclose certain campus crime statistics and security information. This report has been prepared to meet that requirement.
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Annual Security and Fire Safety Report

The publication and distribution of an annual security and fire safety report is required to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990.

Jeanne Clery was a student at Lehigh University who was sexually assaulted and murdered in her residence hall room on April 5, 1986, while she was sleeping. Her parents began lobbying state lawmakers for statutes requiring colleges to publicize their crime statistics, and in May 1988, Pennsylvania Gov. Robert Casey signed the first such bill mandating that all state colleges and universities publish three-year campus crime reports. The federal bill followed two years later in 1990.

Under the Clery Act, institutions are required to classify and count certain offenses and maintain crime statistics, issue campus alerts, publish an annual security report, and submit their crime statistics to the Department of Education. Institutions with police and/or security departments are also required to maintain a daily crime log of all alleged criminal incidents reported and have it available for public inspection. Institutions with on-campus housing facilities are required to have procedures for missing student notifications, maintain a fire log, and prepare a report containing certain policy statements and fire statistics for each on-campus housing unit.

The Clery Act was amended on March 7, 2013, by President Obama when he signed the Violence Against Women Reauthorization Act of 2013. This amendment requires colleges and universities to compile statistics for incidents of dating violence, domestic violence, sexual assault and stalking. Institutions are also required to include certain policies, procedures and programs pertaining to these incidents in their annual security reports.

The Iowa State University (ISU) Police Department has been designated as the entity responsible for compiling and publishing the annual security and fire safety report. In this document you will find required policies and procedures, safety tips, crime statistics for the past three calendar years, and a brief overview of many of the services the university provides for students and employees. We hope you will use this publication to reference valuable safety-related information.

E-mail notification of the availability of the Annual Security and Fire Safety Report (Safety & You) is sent to all enrolled students, faculty and staff by October 1st of each year providing the web site link to access the report. A notice of availability is also published in Inside Iowa State which is distributed to all faculty and staff.

Printed copies of Safety and You are available upon request. Contact the ISU Police Department located at 55 Armory Building, Ames, IA 50011 or by calling 515-294-4428. You may also e-mail your request to dpsinfo@iastate.edu.
The Iowa Board of Regents policy 11.11 states that “each university is to establish a police department and security unit in promoting safe and secure campus environments. Designated personnel must be appropriately trained and properly equipped to perform their assigned responsibilities.”

All police officers at ISU receive their certification through the Iowa Law Enforcement Academy and then complete an intensive police officer training course prior to working in an independent capacity. They are empowered under section 262.13 of the Iowa Code to enforce all federal, state and local laws and have the authority to apprehend and arrest anyone involved in illegal acts on, or adjacent to campus. While their main jurisdiction is the Iowa State University campus and outlying properties owned or controlled by the university, a mutual aid agreement with the City of Ames allows officers to patrol and investigate alleged criminal offenses outside established institutional boundaries. Statewide jurisdiction exists when acting in the interests of Iowa State University.

In addition to the Ames Police Department, university police officers maintain close working relationships with the Story County Sheriff’s Office, Iowa State Patrol, Iowa Division of Criminal Investigation, Federal Bureau of Investigation, Iowa Division of Narcotics Enforcement, United States Immigration and Customs Enforcement and United States Secret Service.

The ISU Police Department utilizes the National Crime Information Center (NCIC) and the Iowa Online Warrants and Articles (IOWA) systems to share crime-related information and messages with law enforcement agencies throughout the United States. Membership in law enforcement related professional organizations provides additional avenues for officers to collaborate and exchange information, keeping abreast of the latest technology and trends affecting police officers across the nation.

Campus police departments are required to maintain daily crime logs and make them available to the public upon request. The crime log contains the following information: the date the crime was reported; the nature of the crime (i.e., alcohol violation, drug violation, assault, robbery, etc.); the general location of the crime; and the disposition of the complaint if known. The log must be updated within two business days of the report being made unless doing so would jeopardize an ongoing criminal investigation or the safety of an individual; cause a suspect to flee or evade detection; or result in the destruction of evidence. The daily crime log does not include the victim’s name or other personal identifying information. The crime log is posted on the ISU police web site: www.police.iastate.edu.
Reporting Crimes and Other Emergencies

For all crimes or emergencies occurring on the ISU campus, contact:

**ISU POLICE**

To report crimes in progress or emergencies, call **911**

To report a crime that has already occurred or other non-emergencies, call **515-294-4428**

Your call will be answered by a certified police dispatcher who will gather pertinent information from you to determine the appropriate response and get assistance on the way (police, fire, ambulance). An ISU police officer will meet with you at your location and collect information for filing a preliminary report. If additional investigation is required, the responding officer or a detective from the ISU Police Department will follow up with you and/or any other victims or witnesses. In the event of a sexual assault, the Story County Sexual Assault Response Team (SART) will be activated. More information about SART can be found at http://www.police.iastate.edu/sart/sexual-assault.

For all other crimes or emergencies occurring off campus within the City of Ames, contact:

**AMES POLICE DEPARTMENT**

To report crimes in progress or emergencies, call **911**

To report a crime that has already occurred or other non-emergencies, call **515-239-5133**

Your call will be answered by a certified police dispatcher who will gather pertinent information from you to determine the appropriate response and get assistance on the way (police, fire, ambulance). A City of Ames police officer will meet with you to collect information for filing a preliminary report. If additional investigation is required, the responding officer or a detective from the Ames Police Department will follow up with you and/or any other victims or witnesses. In the event of a sexual assault, the Story County Sexual Assault Response Team (SART) will be activated. More information about SART can be found at http://www.police.iastate.edu/sart/sexual-assault.
Timely Warnings (Crime Alerts)

Whenever an incident occurs on or near the ISU campus that may pose a serious or ongoing threat to members of the university community, a timely warning is sent to all students and employees. The warning will contain information about the event that triggered the alert: the time, date, and location that the incident occurred; the nature of the incident; precautions the community should take; and safety tips designed to potentially prevent similar incidents from occurring. The warning will not include the name of the victim or any other personally identifying information that could potentially put the victim in additional danger.

Timely warnings are usually distributed for the following Uniformed Crime Reporting Programming (UCR)/National Incident Based Reporting System (NIBRS) classifications: major incidents of arson, murder/non-negligent manslaughter, burglary, and robbery. Cases of aggravated assault and sex offenses are oftentimes reported long after an incident occurred, thus there is no opportunity to distribute a “timely” warning notice to the community. Timely warnings pertaining to sex offenses will be considered on a case by case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by the ISU Police Department.

Timely warnings are not limited to violent crimes or crimes against persons. They can be issued for threats to persons or property as well. For example, it’s possible to have a rash of residence hall burglaries or motor vehicle thefts that would merit a timely warning because they present a continuing threat to the campus community. Several reports of a drug facilitated sexual assault may also trigger timely warning notification.

If you become aware of any incident or situation that may pose a serious or ongoing threat to members of the ISU community, report it to the ISU Police Department immediately! This is the first step to initiate the process and ensure that the incident is included in the crime statistics.

The second step is to confirm the serious or ongoing threat to the ISU community. Any of the following individuals may confirm that an emergency situation exists and instruct that a timely warning be issued: University President or his designee; Chief of Police or his designee; Dean of Students; University Relations Executive Director; Senior Vice President for Student Affairs; or Senior Vice President for Business and Finance.

Step three is to determine the content of the notification. This is done by the Chief and/or Deputy Chief of Police or the Director of Public Safety. These individuals may consult with University Relations staff, the Dean of Students Office, the Department of Residence, and other university officials as appropriate. The content of the warning shall be succinct but informative and contain as much pertinent information as available to help the campus com
munity take appropriate precautions. The message will include information about the crime, the location, suspect information, and will link to informational material as necessary to inform the campus community on ways to take protective actions, resources for obtaining help and university policies and procedures. The Director of News Service will review the content prior to dissemination.

Step four is to determine how best to disseminate the information to ensure that the warning is received by all members of the ISU community and the greater Ames community, if warranted. This is the responsibility of the Chief of Police or his designee (usually the Director of Public Safety or Deputy Chief of Police). Currently, mass e-mail notification is the best option; however it is not the only option. Other notification methods include: ISU ALERT system; outdoor early warning system; postings to the ISU Homepage; social media web sites; twitter; and local television and radio stations.

The fifth step is to actually disseminate the warning. The Director of News Services or her designee is responsible for contacting identified Information Technology Services staff to initiate mass e-mails. She will also post the warning to the ISU Homepage or University Relations web page and social media. Other individuals authorized to initiate the dissemination process include: Chief and/or Deputy Chief of Police; Director of Public Safety; designated University Relations staff; and the Dean of Students.

All police dispatch personnel have been trained to activate the outdoor early warning system and will do so at the request of the Chief of Police, Director of Public Safety, or Deputy Chief of Police.

All individuals are asked to utilize the ISU Homepage and ISU PD social media web sites for updates regarding the situation instead of calling the ISU Police Department. This allows dispatchers and other essential personnel to focus their attention on containing or mitigating the threat. A notification will be issued when the situation has been resolved or the threat no longer exists.

<table>
<thead>
<tr>
<th>Keeping the ISU campus safe for students, faculty, staff and visitors is a responsibility we all share. If you see any suspicious or criminal activity, call the ISU Police Department immediately.</th>
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<tbody>
<tr>
<td><strong>ISU POLICE</strong> 515-294-4428</td>
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<tr>
<td>For Emergencies Call 911</td>
</tr>
</tbody>
</table>
Emergency Notification, Response and Evacuation

Iowa State University is dedicated to providing a safe and secure environment for students, faculty, staff and visitors. The Higher Education Opportunity Act (HEOA) requires institutions to disclose emergency response policies and evacuation procedures that will be implemented whenever a significant emergency or dangerous situation exists on campus that involves an immediate threat to the health or safety of students, staff or visitors.

**Reporting an emergency:** All members of the ISU community are urged to report a dangerous situation on campus that involves an immediate threat to the health or safety of students, staff or visitors by calling 911.

**Institutional response:** ISU Police will initiate the institutional response by immediately investigating reports of a significant emergency or dangerous situations within the university community. ISU Police may request assistance from other university departments or units, as necessary, to confirm that an immediate threat to the health or safety of students, staff or visitors exists on campus.

**Emergency notification:** Should an emergency or dangerous situation pose an immediate threat to the health and safety of campus community members, they shall be notified without unreasonable delay, unless ISU Police determine that an immediate notification would place the ISU community or a victim at greater risk or would compromise efforts to contain, respond to or mitigate the emergency. It is the responsibility of ISU Police with the assistance of other departments or units, as necessary, to:

- Determine the content of any notification
- Determine the appropriate campus segments to notify
- Initiate the appropriate notification system
- Continue to update the ISU community during the emergency

**Methods of communication:** ISU has several systems in place for communicating emergency information to members of the ISU community. Any or all of the following methods of emergency notification may be used depending on the type and nature of the emergency:

- ISU Alert
- Voice-enhanced siren system
- University web site
- Emergency telephone voice recording
- Public address systems
- Personal communication
- Signage
**ISU Alert**: an electronic system for quickly delivering emergency message to Iowa State University students, faculty and staff. Notifications will be sent via landline phones, cell phones, text messages and e-mail. Messages will be brief, include basic information and provide instructions on how to obtain more details. The ISU Alert system will be used only for emergencies that pose an immediate danger to the university community. Examples may include, but are not limited to:

- Bomb threats or other imminent violent threats
- Fires, natural gas leaks and hazardous spills affecting the entire campus
- Building evacuations and lock downs affecting the entire campus
- Biological or pandemic emergency notifications
- Natural disasters
- Power outages and utility failures resulting in an imminent threat
- Campus closure due to declared civil emergency

**ISU Alert Contact Information on AccessPlus**: All members of the Iowa State University community are encouraged to keep their ISU Alert contact information up to date. Edits can be completed using AccessPlus. Instructions for updating ISU Alert information can be found on page 13 of this publication.

Users should keep in mind that their ISU Alert information is separate from information participants enter in the Emergency Contact Database. Information in the Emergency Contact Database is used by authorized personnel to contact loved ones or next of kin in the event the participant is missing or otherwise unable to contact others.

**Voice-enhanced siren system**: The university has five strategically placed warning sirens on the campus to alert the campus community of a dangerous condition. The system permits voice broadcasts to communicate any necessary emergency information to the community. All dispatchers have been trained to activate the sirens when necessary.

**University web site**: Updated information following a message notifying the campus of an emergency will be found on the university web site, available for the university and general communities and media outlets, if warranted. In cases of extreme emergency, the university has the ability to replace the regular web site with a web site designed for emergency communications only. Regular web site functionality can be obtained from a link on the emergency web site.

**Emergency telephone voice recording**: The telephone number 515-294-5000 contains a recorded message that provides general information to listeners in the event of an emergency.

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Public address systems: Specific areas and buildings on campus have public address systems which can be used in the case of an emergency to disseminate information. In addition, ISU Police vehicles are equipped with public address systems which can be used in specific emergencies.

Personal communication: Individual departments and units are encouraged to maintain a variety of forms of personal communication, including phone trees and e-mail lists that can be accessed if needed.

Signage: A variety of signage may be created to help provide direction in the event of an emergency. Each building on campus is assigned a building supervisor, who may be asked to assist in the case of an emergency. Building supervisors can create signage to provide information and direction to members of the campus community. Occupants of buildings are encouraged to familiarize themselves with the nearest evacuation route.

Testing: All emergency communication methods are tested on at least an annual basis, according to standards as appropriate. Tests may be announced or unannounced.

Evacuation: Each building on campus has a designated evacuation plan in the event of an emergency that would require such action. These plans are posted on each floor of each building and can be accessed online. Other than fire alarms, ISU Police are responsible for determining if the emergency or dangerous situation is such that a building evacuation is necessary and if so, notifying the occupants of the building or buildings of the decision to evacuate.

Campus Evacuation Procedures
- The incident commander is ultimately responsible for ordering an evacuation.
- The incident commander will maintain situational awareness of transportation related issues in order to support planning, maintain accountability of resources and funds, and provide leadership and advice on transportation related issues.
- The incident commander will coordinate with the public information officer or designee to release information to the public.
- ISU Facilities Planning and Management may assist in the traffic movement by constructing barricades and removing debris from the roadways as directed by ISU Police or the incident commander.
- ISU Police will be responsible for coordinating security in an evacuated area.
- The incident command system will be utilized for any type of incident requiring campus evacuation regardless of cause, size or complexity.
Missing Students

A student is missing when his/her whereabouts are unknown and unexplained for a period of time that would be regarded as highly unusual or suspicious by persons familiar with the student’s plans, habits or routines.

**Reporting a Student as Missing**

When a student is missing, as defined in this policy, ISU Police shall be notified as soon as possible, but no later than twenty-four hours after the student’s absence is noticed. Any person may report any Iowa State University student as missing by making a report to the ISU Police by calling 515-294-4428.

**Institutional Response**

Upon receipt of a missing student report, the ISU Police Department will promptly begin efforts to locate the student on campus, at other sites controlled by the university, and at other locations in which the student resides, working closely with the:

- Dean of Students Office
- Department of Residence
- Academic college and department in which the missing student is enrolled
- Department in which the missing student is employed (in the event the student is employed by ISU), and
- Local law enforcement agencies in the locations where the student resides

Initial efforts to contact the student may involve telephone, e-mail, text message or other electronic tracking such as use of a meal plan card or building access card.

University personnel authorized by ISU Police or the Dean of Students Office may attempt to contact the student at his or her housing unit on campus or at his or her local residence.

If a student who resides in university controlled housing units does not respond to initial efforts to make contact, Student Affairs or other authorized Department of Residence personnel may enter the student’s room in order to assess the condition of the room and look for clues to explain the student’s absence. ISU Police will request that Student Affairs personnel enter student rooms.

University personnel authorized by ISU Police or Dean of Students Office may pursue such additional or other investigative activities as are reasonable under the circumstances.

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Missing Students

Institutional Response After Determining Student is Missing

No later than twenty-four hours after the time a student is determined to be missing, as defined under this policy, Iowa State University shall initiate the following emergency contact procedures:

- The ISU Police shall notify local law enforcement agencies such as the Ames Police Department, the Story County Sheriff’s Office, and other law enforcement agencies in locations where the student resides in an attempt to locate the missing student.
- The ISU Police must notify the persons designated by the student in the Emergency Contact Database that the student is missing.
- The Dean of Students Office must notify the student’s custodial parents or legal guardians in the case of unemancipated students under the age of eighteen.

Policy Awareness

The University will link this policy electronically through websites designed to convey emergency or law enforcement information such as the ISU Annual Security Report; will incorporate its provisions into the Residence Life website and Department of Residence newsletters; and will otherwise assure that students know, or should know of its provisions.

Students Options to Identify Persons to Be Informed

Students in university controlled housing: At the time that a student initially registers for classes or is accepted as a resident in university controlled housing, the student will be given an opportunity to designate an emergency contact, which would be used in the event the student is missing. This information can be updated at any time by the student.

Emergency contact information on AccessPlus: All students, whether living in university controlled housing or not, will be provided confidential means to designate and update emergency contacts using the Emergency Contact Information page on the ISU AccessPlus website. This website contains a special section for students to provide Missing Person contact information.

Confidentiality: Missing Person contact information will be maintained by the University as a confidential student record and will be accessible only to specifically designated authorized university officials. This confidential information may not be disclosed except to law enforcement personnel in furtherance of a missing student investigation.

Students Under 18: The University will inform students under the age of eighteen that, in the event they are unemancipated and determined to be missing, their custodial parent or legal guardian must be notified.
ISU Alert & Emergency Contact Information

Iowa State University maintains information regarding your preferred contact information to be used if you need to be informed about a campus-wide emergency (ISU Alert) and additional information to be used if the institution needs to let others know that you are personally involved in an emergency situation (Emergency Contacts). Log into AccessPlus and follow these easy steps to provide or update both types of information.

**ISU ALERT INFORMATION**

- Telephone number for voice alerts
- Telephone number for text alerts
- E-mail address for e-mail alerts

**EMERGENCY AND MISSING PERSON CONTACT INFORMATION**

- Emergency contact information for up to 5 individuals
- Missing person contact information (this is the first person on your contact list)

Check your ISU Alert information to ensure that it is accurate and that it includes the telephone numbers and e-mail address most likely to reach you in an emergency.

Add or change names, addresses, telephone numbers and e-mail addresses for persons to be contacted in an emergency.

If you don’t wish to receive one or more of the alerts (voice, text, or e-mail), leave that item blank.

Change the order of your contacts using the up/down arrows.

If you leave ALL sections blank, you WILL NOT receive any ISU Alerts in an emergency.

If you do not submit information, the university may not have anyone to contact in the event you may have an emergency or are missing.

**Note:** Changes made to your ISU Alert and Emergency Contact Information will take effect each evening, Monday through Friday, excluding holidays.
Monitoring Non-Campus Activities

There are 60 recognized fraternities and sororities within the Iowa State University community and several hundred recognized campus organizations; the majority of these groups are located near campus on privately-owned property. Therefore, primary law enforcement in these areas is the City of Ames Police Department.

That does not mean that ISU Police officers can’t or won’t take law enforcement actions in these areas of the community. ISU Police officers work cooperatively with Ames Police daily. Information involving university students is shared with the ISU Police Department, the Dean of Students Office, Greek Affairs, and other campus authorities on a routine basis.

Student Affairs personnel monitor activities held both on– and off-campus and will initiate disciplinary sanctions as deemed appropriate. Statistics are collected for all Clery reportable crimes occurring at these locations from the Ames Police Department and are included in the non-campus crimes column of the crime statistics chart on page 126.

Security of and Access to Campus Facilities

Iowa State University is an open campus located within the corporate city limits of Ames, Iowa; therefore, one may be on university property without being aware of it. Several major streets run adjacent to or through the campus including Lincoln Way, University Boulevard, 13th Street, Stange Road and Beach Avenue, just to name a few.

**Administrative and Academic Buildings**

Most academic and administrative buildings are accessible to students, faculty, staff and visitors during regular business hours. In the fall and spring, this would be Monday through Friday from 8:00 a.m. until 5:00 p.m. except for university holidays and other times when the university is officially closed. Summer hours are Monday through Friday from 7:30 a.m. until 4:00 p.m. except for university holidays and other times when the university is officially closed.

Specific hours for academic buildings are determined each semester by the building supervisor. To find out information about a specific campus building, go to:
http://www.fpm.iastate.edu/maps/buildings/

Although several administrative and academic buildings are automatically locked and unlocked through the use of electronic access control, some buildings still require that the
doors be locked utilizing a key. To facilitate this process, ISU Police hire and train a
group of students (Community Service Officers) to perform these locking and unlocking
services. Community Service Officers (CSOs) are non-sworn part-time employees of the
ISU Police Department. They have no law enforcement authority; however, they provide
a vitally important function for the department. Besides locking and unlocking buildings,
CSOs provide safety escorts for students, faculty, staff and visitors, patrol buildings and
parking lots, and act as the “eyes and ears” of the police department. CSOs are equipped
with portable radios and are in constant communication with the police communications
center. They are also called upon to provide basic security services and assist with traffic
direction at a variety of campus events to include home football games, Iowa Games,
Special Olympics, outdoor concerts, etc.

Residential Facilities
The Department of Residence (DoR) has installed access control systems in all on-campus
residence halls. Only individuals with housing contracts, DoR staff and pre-authorized
emergency responders are issued cards to gain entrance to the building after hours. Most
residence facilities’ main entrances are unlocked from 6:00 a.m. to 11:00 p.m. daily.
Individual rooms within the residence halls are accessed by key. All persons living within
the residence hall system are encouraged to lock their room doors whenever they leave
their room, if only for a few minutes. Thefts can occur in minutes; unlocked, unoccupied
rooms provide an opportunity for these crimes. Don’t become a victim.
The Department of Residence has its own complement of staff (Community Advisors,
Hall Directors, etc.) to monitor activities occurring within its facilities. They are available
and will assist students in reporting crimes to police and/or make referrals for disciplinary
action. Crime and referral statistics are collected from the Department of Residence for
inclusion in the annual crime statistics residence hall column of the report on page 126.
Maintenance of Campus Facilities

Academic and Administrative Buildings

The day-to-day responsibility for repairing and maintaining academic and administrative buildings on the Iowa State University campus falls under the purview of the Department of Facilities Planning and Management. Teams of multi-talented, multi-skilled trades personnel respond on an “as needed” basis to address building problems and perform routine maintenance and repairs to building systems for corrective measures.

Besides being reactive, teams strive to be proactive by performing prescheduled maintenance activities, insuring that systems are reliable and safe and are operating at peak performance to meet the required needs of the university community. Most day-to-day service operations are provided Monday through Friday between 7:30 a.m. and 4:00 p.m. ISU Police personnel receive notification of any weekend or after-hours maintenance projects scheduled in campus facilities.

Department of Residence Facilities

Requests for maintenance and custodial services in DoR facilities are processed by staff in the DoR Service Center located at 0347 Helser Hall, phone 515-294-3322. Office hours for the Service Center are Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturday and Sunday from 8:00 a.m. to 5:00 p.m. The Service Center is closed on university holidays.

Non-emergency requests for maintenance should be submitted utilizing the On-Line Work Order System. For emergency requests, call the Service Center at 515-294-3322. If the call is placed after normal hours, you will hear a pre-recorded message with detailed instructions on how to receive assistance.

When submitting requests, please keep in mind:

- You will receive a confirmation e-mail and reference number. Keep this number to follow-up on your request.
- You must be physically on-campus and within the ISU firewall to submit a request.
- By submitting a request, you give DoR staff permission to enter your room/apartment without prior notification. As such, DoR staff will not submit a request on your behalf.
- The Service Center reserves the right to determine the priority of all requests.

Requests are generally handled by DoR staff. Depending on the nature of the request, additional assistance may be requested from Facilities Planning and Management, Environmental Health and Safety, or from a university approved outside contractor.
Iowa State University’s Explanation of Rights, Resources, and Procedures (Explanation of Rights) was specifically created to aid and educate student victims/survivors of dating violence, domestic violence, sexual assault, and stalking. For simplification with this Explanation, these types of acts are referred to as: “DVSAS”.

**Applicability:** This Explanation of Rights applies to ISU students who are DVSAS victims/survivors, as these acts are defined in “Safety and You” and they are also covered by Title IX of the Education Amendments of 1972. The rights described below apply to you regardless of whether the DVSAS incidents occur on or off campus. This Explanation of Rights applies equally to all students regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved.

**Immediate Health and Safety Concerns:** If you have experienced a DVSAS, please first secure your safety and then consider additional options.

- **Personal Safety:** If you are experiencing a continuing or imminent threat to your safety, call 911 for immediate police assistance. Local law enforcement can assist you in addressing immediate safety concerns without requiring you to file a criminal report.

- **Medical Attention:** Call 911 if you think you need immediate medical transport (i.e., an ambulance) or go to the nearest Emergency Department. Names and contact information for Ames-area hospitals and clinics are listed on page 25 of this document. Benefits of receiving prompt medical attention:
  - Safeguarding your physical health by receiving medical treatment for injuries and/or sexually transmitted infections.
  - Collecting and preserving physical evidence. By preserving evidence, you are keeping options available, should you later decide to pursue legal recourse.
  - Assisting in the healing process. Acknowledging that you are not to blame for what happened and taking proactive steps is empowering.

- **Emotional Support:**
  - Assault Care Center Extending Shelter and Support (ACCESS) are confidential service providers who offer emotional support to DVSAS victims. ACCESS services include safety planning, rights information, criminal and legal advocacy (including support in attaining protections in immigration matters), referrals to community resources, and support when interacting with medical providers or law enforcement personnel. ACCESS has two 24/7 crisis lines: Sexual Abuse Programs lines: 515.29.ALERT; 800.203.3488 and/or Domestic Abuse Program lines: 515.292.0519; 855.983.4641.
Explanation of Rights

- ISU Student Counseling Services is a unit within the Division of Student Affairs. Student Counseling Services is a primary mental health agency for students on the ISU Campus. Their staff is available for consultation and outreach programming and can be reached at 515.294.5056.

- Additional information on University support for emergencies and student crises can be found on the Student Assistance webpage through the Dean of Students Office.

Victim/Survivor Rights

- **Right to Choose from Reporting Options**
  - **Take no action.** You have the right not to report to any third party. Choosing to take no action does not prohibit you from seeking medical attention.
  - **Anonymously Report.** You may complete an anonymous reporting form through the Story County Sexual Assault Response Team (SART). ACCESS also provides information and support to anonymous callers and clients.
  - **File a Report with Law Enforcement.** Always call 911 if it is an emergency. You are encouraged, and have the right to report to Law Enforcement.
    - **On Campus Reports.** To discuss filing a criminal report and/or requesting a criminal investigation regarding a DVSAS that occurred on campus, contact the ISU Police Department’s non-emergency at 515-294-4428. Remember, you can talk with law enforcement without having to file a criminal report. However, please understand that law enforcement is not a confidential resource.
    - **Off Campus Reports.** If the crime occurred off campus, call law enforcement in that jurisdiction. The Ames Police Department’s non-emergency number is 515.239.5133. The Story County Sheriff’s Office’s non-emergency number is 515-382.6566.
  - **Report to the University.**
    - **Title IX Coordinator / Office of Equal Opportunity.** To pursue remedies with respect to another ISU student, an employee, or University contractor, you should contact ISU’s Title IX Coordinator/Office of Equal Opportunity at 515.294.7612; or email at eooffice@iastate.edu. The Title IX Coordinator is responsible for accepting and investigating complaints. You may discuss an issue or concern without having to file a complaint. However, the Title IX Coordinator/Office of Equal Opportunity will evaluate requests for confidentiality with the need to address campus safety and/or systemic issues.
Dean of Students Office. The victim/survivor has the right to report through various offices within the Dean of Students Office, including: Student Assistance and/or the Office of Student Conduct (515.294.1020; dso-sas@iastate.edu).

- **Right to Have Evidence Preserved.** Even if you decide not to pursue administrative or legal action, you have the right to preserve evidence. Any of your personal items touched by your assailant may contain evidence. The preservation of evidence may strengthen investigations, which may result in a better chance of holding the accused responsible for the crime or obtaining a restraining order. Evidence may include the clothing you were wearing at the time, a record of threatening text messages and emails, or bodily fluids. Electronic communications and data such as e-mail, texts, photos and social media posts are often helpful in supporting your case. For sexual assaults specifically: (a) a medical examination is often instrumental in preserving key evidence; and (b) evidence collection is provided free of charge in Iowa up to 120 hours after the sexual assault occurred. So long as you are within the statute of limitations, you can always change your mind and decide to file a criminal report. Contact Law Enforcement for additional information about medical and physical evidence preservation.

- **Right to Assistance in Reporting.**
  - ACCESS Advocates. ACCESS can help you make a report to any University or community official. You may bring an ACCESS advocate with you to report. An ACCESS advocate is confidential. An advocate can help you raise common concerns and can help explain the process.
  - Student Assistance. Student Assistance provides guidance in how to make reports to law enforcement, and can also provide information about additional resources. Please note that Student Assistance Staff do not attend interviews with police or the Title IX Coordinator/Office of Equal Opportunity unless there is an issue about safety planning or accommodations of university academic, housing or business matters.

- **Right to Have Support Person Present.** Victims/survivors have the right to have a support person of their choice (ACCESS advocate, close friend, etc.), present at the investigation and proceedings of the University Offices. At all meetings involving law enforcement, medical professionals, or the criminal justice system, a victim has the right to a Advocate from ACCESS. Another chosen support system may also be allowed to attend, depending on the nature of the proceeding.

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Explanation of Rights

- **Right to Access Services of Agencies and Offices.**
  - **Law Enforcement.** Law enforcement agencies (ISU Police, Ames Police, and Story County Sheriff) will provide assistance with the following measures:
    - **Safety Planning.** Law enforcement can provide victims/survivors information on safety planning strategies. This information can be requested without providing identifying information.
    - **No Trespass Orders.** If you are a student on campus, and the assailant has no connection with the campus, you may request ISU Police issue a no trespass order under which an assailant who violates the order may be arrested and charged with trespassing.
    - **Issuing No-Contact Directives.** If you are a student on campus, you may request information from ISU Police about no-contact directives.
    - **Provide Information about the Process for a Criminal No Contact Order.** Law enforcement can assist in explaining the criminal process to the victim/survivor, but it is the court which ultimately decides whether to issue a criminal no contact order.

- **ISU’s Student Assistance and Outreach Services.** The Student Assistance and Outreach Services is a resource and contact for accommodations, including accommodations related to safety, referrals for resources, academic needs, and housing arrangements. To minimize disruption of the lives of student victims/survivors, the ISU Student Assistance and Outreach Services assists with exploring interim actions on campus. Student Assistance can provide information about the following services:
    - Facilitating communication with any other ISU offices that will promote student safety or support.
    - Connecting students with ACCESS which provides advocacy, support, and counseling.
    - Facilitating changes to on-campus housing assignments.
    - Discussing academic options, such as contacting faculty regarding absences, assignments, and exams.
    - Communicating with employers, internship supervisors, and club/team advisors as needed.
    - Additional supportive options may be explored on a case-by-case basis.
Explanation of Rights

* **ACCESS.** ACCESS provides free and confidential information and support. ACCESS can assist in filing a civil restraining order (a victim/survivor can only get a criminal no contact order if criminal charges are filed).

* **ISU Office of Student Conduct.** The Office of Student Conduct (OSC) further assures that there is equity in process for both complainants and respondents. OSC strongly encourages students to report DVSAS as soon as possible. This is true even if the student with a complaint or a witness may have a concern that his or her own alcohol or drug use, or other prohibited activity were involved. OSC will not pursue disciplinary violations against a student with a complaint or a witness for his or her improper use of alcohol or drugs if the student is making a good faith report of sexual misconduct. OSC has authority to take interim action against students accused of misconduct as provided in Section 5.5 of the Student Disciplinary Regulations. Interim actions include:
  ◇ Interim suspension
  ◇ No contact notices
  ◇ Interim removal from student housing
  ◇ Additional actions may be explored on a case-by-case basis
  ◇ **Right to Administrative Procedures.** Different administrative procedures will apply, depending on the status of the accused (i.e., whether they are a fellow student, an employee, or third party). In all cases the University provides a fair and impartial investigation, and strives to provide prompt resolution consistent with the circumstances. University employees and adjudicators handling DVSAS complaints receive annual training in handling such cases. Complainants and the accused are provided the same opportunity to have others present during the proceedings, and will be simultaneously informed of the proceedings, outcomes and rights of appeal.

* **Accused is a Student.** The disciplinary process for students is described in the Student Disciplinary Regulations. A violation of the Sexual Misconduct Policy, which covers DVSAS, is a violation of the Student Disciplinary Regulations (SDR). A student found responsible for engaging in DVSAS may be expelled from the University. Lesser sanctions may be imposed depending on the circumstances and the severity of the violation. The SDR itself spells out many of the rights DVSAS victim/survivors have, including:
  ◇ Right to ask for interim measures
  ◇ Right to participate in the disciplinary process
Explanation of Rights

- Right to learn the final result of any student disciplinary case
- Right to receive simultaneous notice of events and news relating to student conduct cases
- Right to appeal the outcome of a student conduct proceeding
- Right to have trained individuals handling student conduct cases

* Accused is a University Employee. The disciplinary process for university employees depends on the status of the employee (e.g., Graduate Assistants, Faculty, Professional and Scientific, Merit: Supervisory and Confidential, Merit: Collective Bargaining Covered, or Contract Employee). An employee found responsible for engaging in DVSAS may have his/her employment terminated. Lesser sanctions may be imposed depending on the circumstances and the severity of the violation.

* Accused is a Contractor Employee. As a state agency, ISU enforces non-discrimination provisions against its contractors. Complaints against employees of contractors should be filed with the Title IX Coordinator/Office of Equal Opportunity. The University reserves the right to terminate the contracts of contractors which do not take responsible action in response to their employees’ criminal acts.

* Accused is a Member of the General Public. ISU has the authority to ban persons from the campus who commit criminal acts or otherwise violate University policies. This process can be initiated by contacting ISU Police. They can assist in ordering persons off of campus pursuant to Iowa Code (681 IAC §13.19(262)). We recommend also contacting any additional law enforcement agencies that may have authority, such as the police or sheriff’s department in the jurisdiction where the act took place.

- Right to Confidentiality. The University will honor victim/survivor wishes regarding confidentiality to the best of its abilities and to the greatest extent permissible by law. The victim/survivor’s interests in confidentiality must be weighed against public safety. Additionally, even those resources who strive to maintain confidentiality may be compelled, by law, to share information (for example, if they are a mandatory reporter of child or elder abuse; if they are ordered to do so by a subpoena, warrant, or court order).

* Internal Communications. Although the University will not publicly disseminate DVSAS reports, there are individuals within the University with whom such reports must be shared for the University to comply with legal requirements (e.g., record keeping and safety concerns).
**Explanation of Rights**

- **Timely Warnings.** When appropriate and/or required by law, the ISU Police may be compelled to issue timely warnings. When a timely warning is issued as required by law (the Clery Act), the name of the victim/survivor and other personally identifying information will not be provided to the public.

- **Safeguarding Confidentiality.** Victims/survivors who are particularly concerned about confidentiality should consider initially contacting one of the confidential resources listed below.

- **Confidential Resources.** The following individuals are confidential resources because they have an obligation to protect confidentiality under the law: (1) ACCESS; (2) Medical professionals (Student Health, Mary Greeley, etc.); and (3) ISU Student Counseling Service staff.

- **Non-Confidential Resources.** The following individuals are not confidential resources because they may have reporting duties to other university offices or individuals:
  - ISU Police Officers and Police Administrators
  - Title IX Coordinator and Deputy Title IX Coordinators through the Office of Equal Opportunity
  - Office of Student Conduct staff
  - Student Assistance Office staff
  - Faculty
  - Community Advisers (CA’s and Hall Directors).

- **Right to Access Available Resources for Assistance.** Victims/survivors have the right to be notified, in writing, of existing resources for counseling, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available both on campus and in the community. The following pages contain contact information for on and off campus resources.
On Campus Resources
* notes confidential resources
** ISU Online Campus Map accessible at: http://www.fpm.iastate.edu/maps/

ISU Police Department
Armory Building, Room 55
Ames, IA 50011
For emergencies, call 911
Non-emergencies: 515.294.4428
http://www.police.iastate.edu/

Student Assistance & Outreach Services
1010 Student Services Building
Ames, IA 50011
Phone: 515.294.1020
Email: dso-sas@iastate.edu
http://www.dso.iastate.edu/sa

Lesbian Gay Bisexual Transgender Student Services
Office (LGBTSS)
1064 Student Services Building
Ames, IA 50011
Phone: 515.294.5433
Email: lgbtsscenter@iastate.edu
http://www.dso.iastate.edu/lgbtss/

International Students and Scholars Office
3248 Memorial Union
Ames, IA 50011
Phone: 515.294.1120
Email: isso@iastate.edu
https://www.isso.iastate.edu/

Title IX Coordinator/Office of Equal Opportunity
3350 Beardshear Hall
Ames, IA 50011
Phone: 515.294.7612
Email: eooffice@iastate.edu
http://www.eoc.iastate.edu

Office of Student Conduct
1010 Student Services Building
Ames, IA 50011
Phone: 515.294.1020
Email: dso-sas@iastate.edu
http://www.dso.iastate.edu/ja

Margaret Sloss Women’s Center
205 Sloss House
Ames, IA 50011-1220
Phone: 515.294.4154
Email: womenctr@iastate.edu
http://www.dso.iastate.edu/wc/

Office of Student Financial Aid
0210 Beardshear Hall
Ames, IA 50011-2028
Phone: 515.294.2223
http://www.financialaid.iastate.edu/

Thielen Student Health Center*
2260 Thielen Student Health Center
Ames, IA 50011-2260
Phone: 515.294.5801
http://www.cyclonehealth.org/

Student Counseling Services*
3rd Floor Student Services Building
Ames, IA 50011
Phone: 515.294.5056
http://www.counseling.iastate.edu

Student Legal Services
0367 Memorial Union
Ames, IA 50011
Phone: 515.294.0978
http://www.dso.iastate.edu/sls

Story County SART
168 Armory
Ames, IA 50011-3034
Phone: 515.294.3116
Email: sart@iastate.edu
http://www.police.iastate.edu/sart/
sexual-assault
Off Campus Resources
* notes confidential resources

ACCESS*
Sexual Abuse Program Line (24/7):
Phone: 515.29.ALERT or 800.203.3488
Domestic Abuse Program (24/7):
Phone: 515.292.0519; 855.983.4641
Email: access@assaultcarecenter.org
https://www.assaultcarecenter.org/

Mary Greeley Medical Center*
1111 Duff Avenue
Ames, IA 50010
Phone: 515.239.2011
Email: yourhealth.mgmc@mgmc.com
http://www.mgmc.org/

The Legal Aid Society of Story County
937 6th Street
Nevada, IA 50201
Phone: 515.382.2471
http://www.legalaidstory.com/

Ames Police Department
515 Clark Avenue
Ames, IA 50010
Phone: 515.239.5133

Story County Medical Center*
South Campus
640 South 19th Street
Nevada, IA 50201
Phone: 515.382.2111
Email: info@storymedical.org
http://www.storymedical.org/

Planned Parenthood of Ames*
2530 Chamberlain Street
Ames, IA 50014
Phone: 515.292.1000
http://www.plannedparenthood.org/health-center/iowa/ames/50014/ames-center-2385-90380

Story County Sheriff's Department
1315 South B Avenue
Nevada, IA 50201
Phone: 515.382.7458

Sexual Abuse Crisis Line
1.800.203.3488

Domestic Violence Crisis Line
1.855.983.4641

Additional information and resources are available here:
http://www.dso.iastate.edu/sexualmisconduct/ and
http://www.dso.iastate.edu/resources
Dating Violence, Domestic Violence, Sexual Assault and Stalking

(The following definitions are provided as part of the Violence Against Women Act (VAWA) and are required to be provided verbatim by the Department of Education as part of the Annual Security Report.)

What is Dating Violence?

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition —

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

What is Domestic Violence?

A felony or misdemeanor crime of violence committed —

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

What is Sexual Assault?

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”
Rape: 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 parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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.

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

Fear for the person’s safety or the safety of others; or
Suffer substantial emotional distress.

For the purposes of this definition —

Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Jurisdictional Definitions

Dating Violence: There is no provision in the Iowa Code for Dating Violence. ISU will use the Iowa Code's Assault criteria along with relationship factors to determine whether or not an incident constitutes Dating Violence under the Clery Act.

Domestic Violence: Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

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Iowa Code 236.2 pertains to Domestic Abuse and states the following:

2. “Domestic abuse” means committing assault as defined in section 708.1 under any of the following circumstances:
   a. The assault is between family or household members who resided together at the time of the assault.
   b. The assault is between separated spouses or persons divorced from each other and not residing together at the time of the assault.
   c. The assault is between persons who are parents of the same minor child, regardless of whether they have been married or have lived together at any time.
   d. The assault is between persons who have been family or household members residing together within the past year and are not residing together at the time of the assault.
   e. (1) The assault is between persons who are in an intimate relationship or have been in an intimate relationship and have had contact within the past year of the assault. In determining whether persons are or have been in an intimate relationship, the court may consider the following nonexclusive list of factors:
      (a) The duration of the relationship.
      (b) The frequency of the interaction.
      (c) Whether the relationship has been terminated.
      (d) The nature of the relationship, characterized by either party’s expectation of sexual or romantic involvement.
   (2) A person may be involved in an intimate relationship with more than one person at a time.
   (3) “Emergency shelter services” include but are not limited to secure crisis shelters or housing for victims of domestic abuse.

(4) a. “Family or household members” means spouses, persons cohabiting, parents, or other persons related by consanguinity or affinity.
   b. “Family or household members” does not include children under age eighteen of persons listed in paragraph “a”.
(5) “Intimate relationship” means a significant romantic involvement that need not include sexual involvement. An intimate relationship does not include casual social relationships or associations in a business or professional capacity.

Sexual Assault: Means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Under the Iowa Code, sexual abuse is defined as: Any sex act between persons is sexual abuse by either of the persons when the act is performed with the other person in any of the following circumstances:
Definitions under Iowa Law

1. The act is done by force or against the will of the other. If the consent or acquiescence of the other is procured by threats of violence toward any person or if the act is done while the other is under the influence of a drug inducing sleep or is otherwise in a state of unconsciousness, the act is done against the will of the other.

2. Such other person is suffering from a mental defect or incapacity which precludes giving consent, or lacks the mental capacity to know the right and wrong of conduct in sexual matters.

3. Such other person is a child.

Stalking: Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to — a) fear for his or her safety or the safety of others; or b) suffer substantial emotional distress. Iowa Code 708.11 states:

1. As used in this section, unless the context otherwise requires:
   a. “Accompanying offense” means any public offense committed as part of the course of conduct engaged in while committing the offense of stalking.
   b. “Course of conduct” means repeatedly maintaining a visual or physical proximity to a person without legitimate purpose or repeatedly conveying oral or written threats, threats implied by conduct, or a combination thereof, directed at or toward a person.
   c. “Immediate family member” means a spouse, parent, child, sibling, or any other person who regularly resided in the household of a specific person.
   d. “Repeatedly” means on two or more occasions.

2. A person commits stalking when all of the following occur:
   a. The person purposefully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family.
   b. The person has knowledge or should have knowledge that the specific person will be placed in reasonable fear of bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family by the course of conduct.
   c. The person’s course of conduct induces fear in the specific person of bodily injury to, or the death of, the specific person or a member of the specific person’s immediate family.

3. a. A person who commits stalking in violation of this section commits a class “C” felony for a third or subsequent offense.
   b. A person who commits stalking in violation of this section commits a class “D” felony if any of the following apply:
      (01) The person commits stalking while subject to restrictions contained in a criminal or civil protective order or injunction, or any other court order which prohibits contact between the person and the victim, or while subject to restrictions contained in (continued on page 30)
Definitions under Iowa Law

a criminal or civil protective order or injunction or other court order which prohibits contact between the person and another person against whom the person has committed a public offense.

(02) The person commits stalking while in possession of a dangerous weapon, as defined in section 702.7.

(03) The person commits stalking by directing a course of conduct at a specific person who is under eighteen years of age.

(04) The offense is a second offense.

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

4. Violations of this section and accompanying offenses shall be considered prior offenses for the purpose of determining whether an offense is a second or subsequent offense. A conviction for, deferred judgment for, or plea of guilty to a violation of this section or an accompanying offense which occurred at any time prior to the date of the violation charged shall be considered in determining that the violation charged is a second or subsequent offense. Deferred judgments pursuant to section 907.3 for violations of this section or accompanying offenses and convictions or the equivalent of deferred judgments for violations in any other states under statutes substantially corresponding to this section or accompanying offenses shall be counted as previous offenses. The courts shall judicially notice the statutes of other states which define offenses substantially equivalent to the offenses defined in this section and its accompanying offenses and can therefore be considered corresponding statutes. Each previous violation of this section or an accompanying offense on which conviction or deferral of judgment was entered prior to the date of the violation charged shall be considered and counted as a separate previous offense. In addition, however, accompanying offenses committed as part of the course of conduct engaged in while committing the violation of stalking charged shall be considered prior offenses for the purpose of that violation, even though the accompanying offenses occurred at approximately the same time. An offense shall be considered a second or subsequent offense regardless of whether it was committed upon the same person who was the victim of any other previous offense.

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

Consent: Consent is not defined in Iowa Code, but ISU policy defines consent as it is related to sexual misconduct in the following manner: Consent between two or more people is defined as an affirmative agreement — through clear actions or words — to engage in sexual activity. The person giving the consent must act freely, voluntarily, and with an understanding of his or her actions when giving the consent. Lack of protest or resistance does not constitute consent, nor does silence mean it has been given. Relying solely on non-verbal communication can lead to misunderstanding. Persons who want to engage in sexual activity are responsible for obtaining consent — it should never be assumed. A prior relationship or prior sexual activity is not sufficient to demonstrate consent. Consent must be present throughout the sexual activity — at any time, a participant can communicate that he or she no longer consents to continuing the activity. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved.

In addition, under Iowa law the following people are unable to give consent:

- Persons who are asleep or unconscious
- Persons who are incapacitated due to the influence of drugs, alcohol, or medication
- Persons who are unable to communicate consent due to a mental or physical condition
- Generally, minors under the age of 16 (Iowa Code Section 709.4)
Iowa State University strives to create a respectful, safe, and non-threatening environment for its students. This policy describes prohibited conduct and establishes procedures for responding to sexual misconduct incidents that include sexual assault, sexual harassment and other unwelcome behaviors as explained below. While grounded in Iowa criminal law and consistent with the Board of Regents, State of Iowa, “Sexual Misconduct Guiding Principles,” this policy governs criminal behavior, as well as other behavior which, although is not a crime, is unacceptable and not tolerated in an educational environment.

**Policy Statement:** The university prohibits sexual misconduct in any form, including sexual assault or sexual abuse, sexual harassment, and other forms of nonconsensual sexual conduct, all of which can be forms of sexual discrimination. Students should be able to live, study, and work in an environment free from sexual misconduct.

It is the position of the university that sexual misconduct in any form will not be excused or tolerated. Criminal, civil, and university disciplinary processes will be available to a student with a complaint and enforced against a person found to have engaged in the behavior. The university is committed to fair and prompt procedures to investigate and adjudicate reports of sexual misconduct and to the education of the university community about the importance of responding to all forms of sexual misconduct. Special emphasis is placed on the rights, needs, and privacy of the student with a complaint, as well as the rights of the accused. At the same time, the university adheres to all federal, state and local requirements for intervention and crime reporting related to sexual misconduct.

This policy identifies prohibited behavior for two important reasons: first, so that victims of prohibited behavior can easily recognize what happened to them as misconduct and comfortably seek assistance; and second, so that all students are aware of these expectations and can make appropriate decisions, knowing there will consequences for violating this policy.

The university will make this policy and educational opportunities readily available to all students and other members of the university community. Specifically, the university provides periodic education to students regarding sexual misconduct. The ISU Division of Student Affairs, ISU Police, the Office of Equal Opportunity, and community agencies offer sexual misconduct education and information upon request. The university encourages students and student organizations to take advantage of those educational opportunities and to learn about this policy. Creating a respectful, safe and non-threatening environment is the responsibility of all members of the community.
Policy Scope and Jurisdiction

This policy covers all Iowa State University students, and in particular students who:

- Are victims of any form of sexual misconduct, including sexual assault and sexual harassment, by any other person (student, employee, or others outside of the university community)
- Are accused of engaging in behavior prohibited by this policy

As provided by the Student Disciplinary Regulations, section 4.1.8, the term “student” includes undergraduate, graduate, and professional students, as well as student organizations and persons who have been admitted, though not yet in attendance. Employees, including employees who may be taking classes, are persons whose primary relationship with the university is for employment and are, therefore, not covered by this policy, although they are covered by other university policies and resources concerning employee misconduct.

According to the university Student Disciplinary Regulations, sections 4.1.2 and 4.1.3, this policy shall cover both on-campus and off-campus conduct, as those terms are described below.

On-Campus Violations: The campus includes the geographic confines of the university, including its land, institutional roads and buildings, its leased premises, common areas at leased premises, the property, facilities and leased premises of organizations affiliated with the university, such as the Memorial Union, university housing, and university-recognized housing. University housing includes all types of university residence housing such as halls and apartments. University-recognized housing includes fraternity and sorority chapter dwellings.

Off-Campus Violations: Students should be aware that off campus violations that affect a clear and distinct interest of the university are subject to disciplinary sanctions. As examples, sexual misconduct and harassment are within the university’s interests when the behavior:

- Involves conduct directed at or by a university student or other member of the university community (e.g., private house party, outside employment);
- Occurs during university-sponsored events (e.g., field trips, social or educational functions, university-related travel, student recruitment activities, internships and service learning experiences);
- Occurs during the events of organizations affiliated with the university, including the events of student organizations;
- Occurs during a Study Abroad Program or other international travel; or
- Poses a disruption or threat to the university community.

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Confidentiality

Iowa State University is committed to creating an environment that encourages students to come forward if they have experienced any form of sexual misconduct. The university will work to safeguard the identities and privacy of students who seek help or report sexual misconduct. However, it is important that students understand the limits on confidentiality of individuals whom they may contact for such assistance. Different people, depending on their positions, have different obligations with regard to confidentiality.

Under Iowa law, communications with some individuals are confidential. Students should always confirm whether confidentiality applies to the communication. Generally, confidentiality applies when a student seeks services from the following persons:

- ACCESS advocate
- Psychological counselor (including counselors at ISU Student Counseling Services)
- Health care provider (including medical professionals at ISU’s Thielen Health Center)
- Personal attorney
- Religious/spiritual counselor

Any other university employee cannot guarantee complete confidentiality. Information is disclosed only to select officials who have an essential need to know in order to carry out their university responsibilities. As is the case with an educational institution, the university must balance the needs of the individual student with its obligation to protect the safety and well being of the community at large. Therefore, depending on the seriousness of the alleged incident, further action may be necessary, including a campus security alert. The alert, however, would never contain any information identifying the student who brought the complaint.

Sexual Misconduct

Sexual misconduct is a broad term encompassing any non-consensual behavior of a sexual nature that is committed by force or intimidation, or that is otherwise unwelcome. The term includes sexual assault, sexual exploitation, sexual intimidation, and sexual harassment as those behaviors are described later in this section.

Sexual intimacy requires that all participants consent to the activity. Consent between two or more people is defined as an affirmative agreement — through clear actions or words — to engage in sexual activity. The person giving the consent must act freely, voluntarily, and with an understanding of his or her actions when giving the consent. Lack of protest or resistance does not constitute consent, nor does silence mean consent has been given. Relying solely on non-verbal communication can lead to misunderstanding. Persons who want to engage in sexual activity are responsible for obtaining consent — it should never be assumed. A prior relationship or prior sexual activity is not sufficient to demonstrate consent.
Sexual Misconduct

Consent must be present throughout the sexual activity — at any time, a participant can communicate that he or she no longer consents to continuing the activity. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved.

In addition, under Iowa law the following people are unable to give consent:

- Persons who are asleep or unconscious
- Persons who are incapacitated due to the influence of drug, alcohol, or medication
- Persons who are unable to communicate consent due to a mental or physical condition
- Generally, minors under the age of 16 (Iowa Code Section 709.4)

Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior. It can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual misconduct can occur between members of the same or different sex and can also occur while individuals are fully clothed. Sexual misconduct includes, but is not limited to, the following examples of prohibited conduct:

**Sexual Assault**

Sexual assault is an extreme form of sexual misconduct and represents a continuum of conduct from forcible rape to nonphysical forms of pressure that compel individuals to engage in sexual activity against their will. In Iowa, the terms “rape” and “sexual assault” fall under the legal definition of “sexual abuse,” which includes any sex act done by force or against the will of another. Examples of sexual assault under this policy include, but are not limited to, the following behaviors or attempted behaviors when consent is not present:

- Sexual intercourse (vaginal, anal, oral)
- Oral sex
- Penetration of an orifice (anal, vaginal, oral) with the penis, finger, or other object
- Unwanted touching of the genitals, buttocks, breast, or other body part
- Coercion or force to make someone else touch one's genitals, buttocks, breast, or other body part
- Inducing consent through drugs or alcohol
- Engaging in sexual activity with a person who is unable to provide consent due to the influence of drugs, alcohol, or other condition

**Sexual Exploitation**

Sexual exploitation involves taking non-consensual sexual advantage of another person, even though the behavior might not constitute one of the other sexual misconduct offenses. Examples can include, but are not limited to, the following behaviors:

- Distribution or publication of sexual or intimate information about another person without consent
Sexual Misconduct

(Sexual exploitation)

- Electronic recording, photographing, or transmitting sexual or intimate utterances, sounds, or images without knowledge and consent of all parties
- Engaging in indecent exposure
- Sexual intimidation—Sexual intimidation is an implied or actual threat to commit a sex act against another person, or behavior used to coerce participation in a sex act
- Stalking — Stalking may take many forms including persistent calling, texting, or Internet posting, as well as physically stalking, when the context of the communication or the nature of the stalking is of a sexual or intimate nature
- Voyeurism — Voyeurism involves both secretive observation of another’s sexual activity or secretive observation of another for personal pleasure

Sexual Harassment

Sexual harassment is a form of discrimination, as defined in the university Discrimination and Harassment Policy. Sexual harassment can include unwelcome behavior (verbal, written, physical) that is directed at someone because of that person’s sex or gender, and that meets either of the following criteria:

- Submission or consent to the behavior is believed to carry consequences for the student’s education or employment; real or perceived threat that rejecting the behavior would carry a negative consequence for the student.
- The behavior creates a hostile, intimidating or demeaning environment that is sufficiently severe, pervasive and objectively offensive to substantially interfere with or deny participation in a student’s educational activities and benefits or employment opportunities.

   * Examples can include persistent efforts to develop a sexual relationship; bullying/cyber-bullying of a sexual nature or for a sexual purpose; unwelcome commentary about an individual’s body or sexual activities; unwanted sexual attention; repeated and unwelcome sexually-oriented teasing, joking or flirting; verbal abuse of a sexual nature. Comments or communications could be verbal, written or electronic.

Determination as to whether the alleged conduct constitutes sexual harassment should take into consideration all of the circumstances, including the context in which the alleged incidents occurred.
Sexual Misconduct Allegations Against Students

The university strongly encourages students to report concerns to either or both of the following offices:

- For emergencies, contact 911. For non-emergencies, or if criminal behavior is involved, students are encouraged to contact ISU Police by telephone at 515-294-4428 or in person at room 55, Armory Building. **Contacting ISU Police does not mean you must pursue charges. ISU Police can advise you of your options and can also preserve evidence while you consider your options.**

- To seek assistance and support, or to report misconduct, contact the Dean of Students Office (1010 Student Services Building, 515-294-1020, dso@iastate.edu).

  * The Dean of Students Office will make a student services staff member available to a student with a complaint if the student would like assistance throughout any university investigation or adjudication process. This staff member is not an “advocate” as that term is used below (see “Confidential Advocacy and Support”), nor is that staff person a representative who will speak on behalf of the student in any investigatory or adjudication process. Rather, the staff member serves as a point of contact to answer questions and explain processes, make sure the student’s expressed needs are being addressed, and join the student in meetings if requested. Because sexual misconduct cases can be difficult for all students involved, the Dean of Students staff will not require or offer mediation, or an arranged meeting between the students, as part of the complaint resolution process.

  * Both ISU Police and the Dean of Students Office will notify the Title IX Coordinator of the report. This notification does not require that a student file a disciplinary or judicial complaint.

In all situations, the university’s goals are to provide a prompt and effective response and to treat the student who reports misconduct with sensitivity and fairness, while also ensuring the accused individual receives due process if any disciplinary action is to be imposed. In situations where an accused student faces both a disciplinary complaint and a criminal charge, the university reserves the right to move forward with the disciplinary and adjudication processes at the same time as the criminal process is proceeding.

**For complaints against other students,** the Student Disciplinary Regulations shall govern the complaint, investigation, and adjudication process through the Office of Student Conduct (OSC) as outlined in the Student Disciplinary Regulations:
Section 2.1— Student Rights and Responsibilities

All Iowa State University students have the right to:

1. Have access to academic and non-academic university policies
2. Express themselves through academic work within the guidelines of the university rules and regulations. The right to express does not affect the responsibility of the university and its faculty to evaluate based upon genuine academic criteria such as relevance, coherence, creativity and quality of academic work.
3. Participate in university-sponsored activities and services without threat of harassment or discrimination.
4. Join any organization without fear of charges being brought solely on the basis of membership.
5. Expect that the university will not create and keep records that reflect beliefs, political activity, and associations except for information provided by students. The university may maintain counseling, health, law enforcement and disciplinary records which can be released only by expressed consent, a court order or as otherwise permitted by law.
6. Petition for change in academic or non-academic regulations, procedures, or practices.
7. Be protected from ex post facto (after the fact) regulations. An ex post facto rule is a rule created after an act has occurred, in order to be applied to the prior act.
8. Due process in the student judicial process, as required by law and as described in section 5, below.
9. Be informed of and comment during the process of formulating non-academic regulations, procedures, or practices of the university.

Subject to the rights indicated above, students and registered student/campus organizations have the responsibility to:

1. Respect the personal and property rights of the university community and all its members.
2. Represent themselves and their organizations truthfully and accurately in their interaction with official university functions.
3. Accept the consequences of their actions.

Section 2.2 — Complainant Rights and Responsibilities

Complainants are persons who were the target of, or were affected by, the misconduct of the accused student or student/campus organization. In addition to the rights of all students contained in section 2.1, complainants shall have the following rights:

1. Complainants shall be provided information concerning counseling, mental health or medical services available on campus and in the community.
2. Complainants have the right to decide whether or not to notify law enforcement authorities and/or file a report of misconduct with the Office of Student Conduct (OSC).

3. To be informed about the status of the disciplinary case pending in OSC.

4. Complainants may make a statement of how the alleged conduct has affected them at the time of any disciplinary hearing. If the complainant is a member of the university community at the time of a request for reinstatement by a student who committed a violation against the complainant, the complainant has a right to provide a statement for or against reinstatement.

5. Complainants may make a statement of their opinion as to an appropriate sanction if a student or student/campus organization is found responsible for misconduct.

6. To know the final result of the case. The final results include the name of the accused student, whether the accused student was found responsible or not and any sanction that was imposed.

7. Complainants have the right to participate in the student judicial process as required by law and as described in section 5, below.

8. Complainants have the right to be free of any form of retaliation or harassment due to reporting misconduct on the part of another student.

9. Complainants reporting domestic violence, dating violence, sexual assault and stalking also have the rights provided by law and the university’s written Explanation of Rights for persons reporting such acts.

In addition to the responsibilities of all students contained in section 2.1, complainants have the responsibility to cooperate in providing accurate information regarding the alleged conduct, including providing documents and physical evidence if requested.

**Section 5 Process**

**Section 5.1 — Reports of Disciplinary Misconduct**

The student disciplinary process normally begins with the filing of a report by a complainant or a person who has observed or is aware of alleged student misconduct, whether the conduct was directed at the reporter or another person. Misconduct reports should be submitted as soon as possible after the misconduct event occurs. Although there is no time limit on the reporting of misconduct, the university may ultimately be unable to adequately investigate if too much time has passed or if the students involved have graduated.

Misconduct reports may be filed by providing a written statement of the nature of the alleged violation to the following offices:

- For all matters: the OSC
- For sexual misconduct, sexual assault, sexual harassment and discrimination, the Office of Equal Opportunity
- For university housing matters: the RSC Coordinator of Residence Area Directors

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The person who receives a misconduct report shall provide a copy of the report to the OSC Administrator within a reasonable time after receipt.

Section 5.2 — Investigation of Disciplinary Misconduct

When the OSC or the RSC Coordinator receives a report, a copy shall be filed centrally in the OSC. The OSC Administrator will determine who will investigate the alleged violation except for matters involving SDR 4.2.5 Sexual Misconduct, Sexual Assault and Sexual Harassment; SDR 4.2.6 Domestic Violence and Dating Violence; SDR 4.2.7 Discrimination; SDR 4.2.8 Harassment and Discriminatory Harassment; and SDR 4.2.9 Stalking. Investigations of these matters will be determined by the Office of Equal Opportunity.

The OSC Administrator and the Office of Equal Opportunity has the authority to initiate an investigation in the absence of a report, if he or she becomes aware of possible misconduct by a student or student/campus organization.

If it appears an investigation is warranted, the OSC or the Office of Equal Opportunity may schedule initial meetings with the complainant or with the accused student or student/campus organization to provide information as to 1) the allegations; 2) the possible hearing processes; 3) the student’s or student/campus organization’s rights; and 4) possible outcomes of the process. The complainant’s initial meeting shall be separate from the initial meeting with the accused student. Failure of an accused student or the officers of an accused student/campus organization to appear for the initial meeting may result in placement of a hold on registration records as provided under section 5.5.1. Failure to respond to a request for an initial meeting, or failure to appear for an initial meeting, will not prevent an investigation from proceeding.

Upon completing the investigation, the OSC Administrator will consult with the investigating office and determine if there is cause to believe a violation has occurred and whether the violation is classified as a Level 1 or Level 2 violation.

5.3 Classification and Formal Complaints

The OSC will review all reports to determine whether there is sufficient evidence for charges and whether those charges are at the Level 1 or Level 2 classification.

Section 5.3.1 — Formal Complaint in Level 1 Cases

A Level 1 case is defined as any violation of the Student Disciplinary Regulations which may result in a sanction up to and including suspension or expulsion. In a Level 1 case, a formal complaint will be provided to a student or student/campus organization and will include:

- Any provision of the Student Conduct Code which appears to have been violated;
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- A summary of grounds for the alleged violation;
- A specific date by which the student or student/campus organization must schedule an appointment and review the evidence contained in the student’s disciplinary file; and
- A description of the hearing options available to the student or student/campus organization. The options include a hearing before the Student Conduct Hearing Board (SCHB) under section 5.7.1, waiving a SCHB hearing and requesting an administrative hearing before the OSC under section 5.7.1, or electing an administrative hearing under the Iowa Administrative Procedure Act (APA) pursuant to section 5.7.12.

In a Level 1 case, a notice of hearing will be provided to a student or student/campus organization at least seven business days before the hearing is held. The complainant shall be provided a copy of the formal complaint and notice of hearing at the same time as the accused student.

Section 5.3.2 — Formal Complaint in Level 2 Cases

A Level 2 case is defined as any violation of the Student Disciplinary Regulations which may result in a sanction up to and including Deferred Suspension. Level 2 cases cannot result in a student being suspended or expelled from the institution. In a Level 2 case, a Formal Complaint will be provided to a student or student/campus organization and will include:

- Any provision of the Student Conduct Code which appears to have been violated;
- A summary of grounds for the alleged violation; and
- A specific date by which the student and/or organization must schedule a hearing with the office responsible for hearing the formal complaint.

In a Level 2 case, a notice of hearing will be provided to a student or student/campus organization at least four business days before the hearing is held. The complainant shall be informed of the formal complaint and notice of hearing at the same time as the accused student.

Section 5.4 — Giving Notice: How to Count Business Days

Notice is given to students via email which is the primary means the university has for contacting students. Additionally, notice may also be given to students living on campus by hand delivery to the student’s residence hall or apartment mailbox, or to students living on or off campus by United States mail to the student’s last known address. Notice may also be sent to the student’s hometown address. Student/campus organizations may be given notice by hand delivery or United States mail to an officer of the organization as listed in the organization’s last registration or request for recognition.

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For the purpose of these procedures, “business days” are those days the university is open for regular business during the fall, spring or summer terms. Weekends and university-wide holidays are excluded. When the day by which some action must be taken falls between terms, or within the weeks of Thanksgiving or spring break, the action will normally be postponed to the first business day after the break or the beginning of the next term. However, the university may require, upon prior notification of the student, that extenuating circumstances warrant counting of days during such breaks.

5.5 — Interim Measures

The following interim measures may be taken prior to the final adjudication of a case after an allegation of misconduct has been reported.

Section 5.5.1 Hold on Registration and Records

- The OSC Administrator or Dean of Students may place a hold on the accused student’s registration, transcripts, new awards or financial aid and/or other university records until the case is adjudicated when the following circumstances occur:
  - The student has failed to respond promptly to requests for information from the investigating office;
  - The student has failed to appear for the initial meeting with the OSC Administrator or for any hearing;
  - The alleged conduct is such that, if true, may pose a threat of harm to persons or property; or
  - The student is scheduled to graduate prior to the adjudication of the case.

- When a student has pre-registered for a term after the one in which the hold is placed, the OSC Administrator or Dean of Students Office may also revoke the registration of a student.

- If there are allegations of misconduct relating to the qualifications of a student to graduate, such as allegations of academic fraud or serious allegations of misconduct, the OSC Administrator or Dean of Students may delay graduation until the charges are determined.

- The decision to place a hold on registration, to revoke registration, or to delay graduation may be appealed to the Dean of Students or the Senior Vice President for Student Affairs. The OSC Administrator or Dean of Students may impose reasonable conditions on release of the hold.

Section 5.5.2 — Interim Suspension

The OSC Administrator or Dean of Students may order that a student be immediately excluded from classes, university facilities (including university housing), and/or denied privileges and ability to participate in activities when the student’s continued presence may constitute a significant danger to safety or property. The student will receive a written
notice stating the reasons for the interim suspension and the time and place of the hearing to be held within two business days. The hearing will be before the Dean of Students.

At the time of the hearing, the university shall show probable cause why interim suspension is warranted, and the student shall have the opportunity to show why interim suspension is not warranted. If it appears that the student’s behavior indicates medical withdrawal is warranted, the OSC Administrator or Dean of Students may initiate medical withdrawal as provided in the Iowa State University Catalog under “Involuntary Medical Withdrawal.” Hearings regarding continued suspension and medical withdrawal will be held under that policy.

Section 5.5.3 — Interim Suspension of Organizations Privileges

The OSC Administrator or Dean of Students may order that a student/campus organization may be immediately denied university privileges and be excluded from activities on the campus when the student/campus organization’s continued activity on the campus may constitute a significant danger to safety, property or campus welfare. The student/campus organization will receive a written notice stating the reasons for the interim suspension and the time and place of the hearing to be held within five business days. The hearing will be before the Dean of Students. At the time of the hearing, the university shall show probable cause why interim suspension is warranted, and the organization shall have the opportunity to show why interim suspension is not warranted.

Section 5.5.4 — No Contact Notice

In cases involving allegations of assault, injury, sexual abuse, harassment or where there is reason to believe continued contact between the accused and specific persons, including complainants and witnesses, may interfere with those persons’ security, safety or ability to participate effectively in work or studies, the OSC Administrator, the Director of Residence or Director of Public Safety may require that the accused student not have contact with specific persons. The student will receive a written notice of, and reasons for, the No Contact Notice.

In addition to this internal university No Contact Notice, complainants are advised that other similar options exist under Iowa law pursuant to civil and criminal proceedings. If criminal domestic abuse charges are filed against the accused the court will automatically impose a criminal No Contact Order pursuant to Iowa Code Chapter 664A. For other crimes, the court has the ability to impose a No Contact Order as well. If no criminal charges are filed, but the complainant is involved in a domestic relationship with the accused, the complainant may apply to the court for a Civil Protective Order under Iowa Code Chapter 236.

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Section 5.5.5 — Interim Removal from University Housing

The OSC Administrator or Dean of Students may order that a student be immediately removed from university housing when the student's continued presence constitutes an ongoing risk to property and/or to the safety and well-being of other students in the community. The student will receive a written notice stating the reasons for the interim removal and the time and place of the hearing to be held within two business days. The hearing will be before the Dean of Students.

At the time of the hearing, the university shall show probable cause why interim removal from university housing is warranted, and the student shall have the opportunity to show why interim removal from university housing is not warranted.

Section 5.5.6 — Other Interim Measures

Other Interim Measures are available for implementation prior to the final outcome of a disciplinary hearing to assist in ensuring the safety and well-being of university students in our educational setting. Implementation will depend on the specific facts and circumstances of each case but may include such measures as referrals for support services, changing on-campus living and dining arrangements, and/or adjusting academic courses, schedules and assignments or on-campus employment obligations for the involved students. When imposing interim measures, the OSC must work closely with the involved university departments and should minimize the burden on the complainant with the goal of ensuring the complainant's continuing educational needs while also respecting the accused student's rights.

Section 5.6 — Agreed Resolutions

At any time before the hearing, if the OSC Administrator and the accused student or student/campus organization reach agreement upon a reasonable sanction for conduct, the parties may enter into an agreed resolution which shall be binding upon approval by the Dean of Students. Discussions regarding agreed resolutions shall not be introduced against the accused as evidence of responsibility in disciplinary hearings.

5.7 Procedures and Sanctions in Level 1 Cases

Section 5.7.1 — Jurisdiction of the Student Conduct Hearing Board; Waiver of SCHB Hearing

If the OSC determines that the case is Level 1 (see section 5.3.1), the case will be heard by the SCHB. The accused student or student/campus organization may waive hearing and request an administrative hearing. The OSC may grant the request, or continue to a SCHB hearing. When an administrative hearing is held, the OSC will hear the case under the informal rules for administrative hearings and, if the student is found responsible, will recommend a sanction to the Dean of Students. When a SCHB hearing is waived, the OSC and the Dean of Students may impose any sanction which could have been imposed in a SCHB hearing.
Section 5.7.2 — Conflicts of Interest and Challenging Hearing Board Members for Bias

In order to provide an impartial hearing, each panel member selected for a SCHB hearing will be queried for conflicts of interest or potential bias. Based upon the disclosure, the OSC Administrator may reject the panel member and select a new one. If a panel member discloses a conflict of interest or potential bias, and the individual is not rejected, the disclosure will be made available to the accused student and the complainant or student/campus organization.

Whether there is a disclosure or not, the accused student, complainant or student/campus organization may request removal of members of the hearing board for reasons of bias. Such requests, including the reason for it, should be made as early as possible to the OSC Administrator, but no later than 5:00 p.m. of the business day prior to the hearing. If there is a change in the composition of the hearing board after issuance of the notice of hearing, the student or student/campus organization may request removal of the new board members at the opening of the hearing. The chair of the hearing board will make decisions regarding removal, unless the student is requesting removal of the chair. When there is a request to remove the chair, and the chair does not voluntarily remove himself/herself, the Dean of Students will decide whether removal is warranted.

Section 5.7.3 — Time for Hearing

The SCHB hearing will be held within 20 business days of issuance of formal complaint, unless the OSC or the hearing board chair grants additional time upon the written request of the accused student, the accused student/campus organization or the Student Conduct representative presenting the case. The accused student or student/campus organization and the complainant shall have at least seven business days’ notice of the charges and hearing.

Section 5.7.4 — Review of Documents and Case Summary

After issuance of a form complaint or notice of the SCHB hearing, the accused and the complainant may review the documents to be presented at the hearing (in the OSC only) and the case summary evidence prepared by the OSC. The accused and the complainant may suggest the names of witnesses to be called during the hearing. The case summary will indicate the following information:

- Persons expected to testify
- Documents to be used
- A short summary of the information to be presented to the SCHB.

Section 5.7.5 — Opening of Hearings

All hearings are closed to the public; however, the accused has the right to submit a written request for an open hearing at least three business days prior to the hearing. The hearing
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board chair also has the discretion to close a hearing or a portion of the hearing when:

- Charges involve alleged personal misconduct that might be embarrassing to the party, the complainant or witnesses;
- The complainant does not agree to an open hearing;
- A witness might be harmed if the case were disclosed;
- A witness does not agree to give open testimony;
- Private student records, as defined under the Family Educational and Privacy Rights Act (FERPA) would be disclosed; or
- There is another compelling reason.

Section 5.7.6 — Right to Presence of Advisors

Any two persons from within the university community (faculty, staff, student) or outside the university community may advise the accused student or student/campus organization. Complainants and witnesses at a proceeding also have the same right to the presence of advisors. The SCHB is not a court proceeding.

- The advisor may:
  - Advise the students on the preparation and presentation of the case;
  - Accompany students to all judicial hearings; and
  - Advise the students in preparation and presentation of any appeal.
- The advisor may not:
  - Present any part of the case for the students or student/campus organization. However, a student with a disability affecting communication or a student who cannot effectively communicate in the English language may seek a reasonable accommodation from the chair of the assigned SCHB to allow an advisor or interpreter to present or translate the case for the student;
  - Directly examine or cross examine witnesses; or
  - Disrupt or delay the proceedings.
- Advisors not complying with university hearing procedures may be removed from the judicial proceedings by the chairperson of the SCHB.

Section 5.7.7 — Right to be Present/Failure to Attend

The accused student, complainant or officers of an accused student/campus organization have the right to be present at the hearing. If the student or student/campus organization fails to attend the hearing after having been given proper notice of the hearing, the hearing board chair may find the student or student/campus organization responsible and recommend an appropriate sanction. The hearing board chair must require the OSC Administrator to present a summary of the evidence prior to making a finding and recommendation.
Section 5.7.8 — The Hearing

The hearing board chair will have general authority to control the proceedings and to call conferences of the SCHB. The hearing board chair may permit testimony to be taken by telephone, remote video or otherwise, keeping in mind fairness to the accused and the complainant. The accused student and the complainant shall have substantially the same opportunity to present to the SCHB. Upon request, the complainant shall be separated from the accused student during the hearing. The chair may impose measures to prevent witnesses from being harassed by any party.

- The chair will ask the accused to state whether they are responsible or not responsible for the alleged violation. The accused may remain silent or refuse to answer any questions. The accused may admit responsibility and make a statement regarding suggested sanctions.
- The OSC representative and the accused will be asked to give a summary of the case.
- A representative of the OSC will present case to the SCHB. The OSC representative will be asked to present the evidence supporting disciplinary action.
- The complainant will be asked to present a statement and evidence supporting his/her view of the case.
- The accused will be asked to present a statement and evidence supporting his/her view of the case.
- Witnesses may be questioned by members of the SCHB. All questions to witnesses and parties will be directed through the SCHB. There will be no direct questioning between the accused and complainant. At the request of either party, witnesses (other than the accused and the complainant) will be excluded from the hearing room until such time as they have testified. The hearing board and the accused may call witnesses as deemed necessary.
- Formal rules of evidence do not apply. The SCHB will consider both witness testimony and documentary evidence and give it appropriate weight under the circumstances. Past unrelated behavior of the accused or the complainant shall not be admitted in evidence by the SCHB chair.
- The hearing board will make its decision based on the evidence presented at the hearing.
- A video recording will be made in SCHB hearings. All other recording devices and/or cameras are prohibited in hearings.
- After hearing the evidence, the hearing board will deliberate in private and decide by a vote of at least three of its five members whether the accused student or student/campus organization is responsible for the alleged violation. The hearing board shall base its decision that the alleged violation occurred or not on a standard of preponderance of the evidence (i.e., whether it is more likely than not that the violation occurred.) The hearing board shall forward a written statement that explains the reasons for their recommendation to the Dean of Students.

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- If the accused is found responsible, the hearing board shall request a pre-sanction report from the OSC to determine if the accused may have had previous violations. Additionally, the complainant may make a statement in person or in writing about how the alleged conduct has affect him or her and may also provide a recommendation as to an appropriate sanction. The SCHB will then recommend sanctions to the Dean of Students.

- Dissenting members may present a dissenting opinion or recommended sanction to the Dean of Students.

Section 5.7.9 — Sanctions permissible in Level 1 Cases

- **Individuals**: In addition to the sanctions permissible in a Level 2 case (see section 5.8.4), the following sanctions may be imposed upon an individual student in a Level 1 case:
  - **Restitution**: A requirement to pay the cost of property damage or medical expenses to another student or student/campus organization incurred during conduct violation or make other appropriate restitution, where the costs are up to or exceeding $1,000;
  - **Long-Term Limitation on Activity or Access**: A requirement that the student be limited in or excluded from participation in an extracurricular activity, club or organization for a period of more than seven months. Access to university facilities and premises may be limited or denied.
  - **Revocation of Admission**: If a student violates the Student Conduct Code after admission, but before attendance at the university, admission may be revoked and fees may be refunded.
  - **Defined Length Suspension**: The student is dropped from the university for a specific length of time. This suspension may not be less than one semester or more than two years. Reinstatement may be contingent upon meeting the written requirements of the SCHB at the time the sanction was imposed. A hold will be placed on reentry until reinstatement is granted under the procedure provided in section 7 of the Student Code of Conduct.
  - **Indefinite Suspension**: The student is dropped from the university indefinitely. Reinstatement may be contingent upon meeting the written requirements of the SCHB specified at the time the sanction was imposed. Normally, a student who is suspended indefinitely may not be reinstated for a minimum of two years. A hold will be placed on reentry until reinstatement is granted under the procedure provided in section 7 of the Student Code of Conduct.
  - **Expulsion**: The student is permanently deprived of his/her opportunity to continue at the university in any status.
  - **Transcript Notation**: When a student is sanctioned with an expulsion, suspension or revocation of admission, a written notation will be placed on the student’s official transcript.
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- **Student/Campus Organizations:** In addition to the sanctions permissible in a Level 2 case (see section 5.8.4), the following sanctions may be imposed upon a registered student/campus organization in a Level 1 case:
  
  - **Term Suspension:** A student/campus organization may be suspended from recognition and university privileges for a specific amount of time. This suspension may not be less than one semester or more than four years.
  
  - **Indefinite Suspension:** A student/campus organization may be indefinitely suspended from recognition and university privileges. The suspension may indicate that the student/campus organization shall not be considered for reinstatement for a specified time period. To achieve recognition again, the student/campus organization may apply for recognition, and the nature of the conduct giving rise to the indefinite suspension may be considered in deciding to recognize the student/campus organization. See section 7 of the Student Code of Conduct.
  
  - **Long Term Limitation on Activity or Access:** A requirement that the student/campus organization be limited in or excluded from participation in an extracurricular activity, club or organization for a period of more than seven months. Access to university facilities and premises may be limited or denied.
  
  - **Officer or Member Sanctions:** As a condition of any sanction imposed on a student/campus organization, the organization may be required to: remove or suspend from office any officer, prohibit identified members from becoming officers and/or remove or suspend identified members.

Section 5.7.10 — Actions of Dean of Students

In reaching a final decision, the Dean of Students may:

- Consult with the SCHB in determining whether to accept or reject its recommendation;
- Ask the SCHB to reopen the case and consider additional matters;
- Accept the recommendation;
- Reject the recommendation and find the student or student/campus organization responsible or not responsible; or
- If there is a finding that the student or student/campus organization has violated the student Conduct Code or rules governing a student/campus organization, modify the recommended sanction.

Before the Dean of Students chooses not to follow a SCHB recommendation, the Dean must consult with the SCHB chair regarding the change, and provide an explanation in the final decision with reasons supporting the modification of the SCHB recommendation.

Section 5.7.11 — Notification of Final Results

The Dean of Students will notify in writing the accused, the SCHB, the OSC and appropriate university administrators of the result within seven business days of the final decision. The Dean of Students Office will notify any complainant of the final result at the same time as the accused student is notified.
Section 5.7.12 — Option for Administrative Procedure Act (APA) Hearing

- In order to assure compliance with the Iowa Administrative Procedure Act (Iowa Code Chapter ), in Level 1 cases when the OSC is seeking a sanction of Expulsion or Suspension, ISU provides the option for students or student/campus organizations to have their case heard by an administrative law judge under the procedures of Iowa Code §17A.11-16 and 681 IAC §20. Students will be advised of this right in the Formal Complaint. Students or student/campus organizations must make the election within five business days of receiving the formal complaint. Otherwise, they are deemed to have waived their right to an APA hearing.

- In APA hearings, the university may elect to have a member of its legal staff present the case to the administrative law judge. A complainant in a matter involving a violation of the Sexual Misconduct policy shall have the same rights as an accused student during the presentation of the case before an administrative law judge.

5.8 Procedures and Sanctions in Level 2 Cases

Section 5.8.1. — Assignment of Level 2 Cases

If the OSC Administrator determines the case is of Level 2 classification, it will be referred to the RSC Coordinator, if it involves a university housing issue; or to an OSC administrative hearing. For all cases the OSC Administrator has the discretion to refer the case to the SCHB for adjudication. The formal complaint will be sent to the student or student/campus organization at least four business days before the date of the hearing.

Section 5.8.2 — Right to Presence of Advisors

Any two persons from within the university community (faculty, staff, student) or outside the university community may advise the accused student or student/campus organization. Complainants/witnesses to a proceeding also have the same right to the presence of advisors. University hearings are not court proceedings.

- The advisor may:
  * Advise the students on the preparation and presentation of the case;
  * Accompany the students to all judicial hearings; and
  * Advise the students in preparation and presentation of any appeal.

- The advisor may not:
  * Present any part of the case for the students or student/campus organization. However, a student with a disability affecting communication or a student who cannot effectively communicate in the English language may seek a reasonable accommodation from the chair of the assigned SCHB to allow an advisor or interpreter to present or translate the case for the student;
Process for Students to Report Sexual Misconduct

(Section 5.8.2)
- Directly examine or cross examine witnesses; or
- Disrupt or delay the proceedings.
- Advisors not complying with university hearing procedures may be removed from the judicial proceedings.

Section 5.8.3 — Administrative Hearings

An administrative hearing is a meeting for the accused student or student/campus organization to meet with a representative of the OSC for the purpose of determining whether the accused student or student/campus organization is responsible or not responsible for violations contained in the formal complaint. At an administrative hearing involving Level 2 charges, the student or student/campus organization is informed of the evidence supporting the charges. The student or student/campus organization has a reasonable opportunity to make a statement and respond on his/her/its behalf to the charges. Upon request, the complainant shall have the right to be present and have substantially the same opportunity to present at the administrative hearing. The complainant may also participate by remote method such as telephone conference, or participate solely by providing a written statement.

If the student or student/campus organization does not take responsibility for an alleged conduct violation, the administrative hearing officer, or the SCHB will make a determination whether the student or student/campus organization has committed a violation and, if so, may impose or recommend the sanctions indicated below. The case shall be dismissed or recommended for dismissal if the administrative hearing officer or board determines, after considering the information presented, that the evidence available does not indicate by a preponderance of the evidence that the alleged violation occurred.

If no response to the notice is made, or if a meeting has not been requested within three business days, the RSC Coordinator or the OSC Administrator may take the proposed action.

Section 5.8.4 — Sanctions in Administrative Hearings
- **All Level 2 cases:** The following sanctions may be imposed in all Level 2 cases.
  - Disciplinary Reprimand: An official warning followed by the written notice to the student or student organization that his/her/its conduct is in violation of university rules and regulations.
  - Conduct Probation/Conditions: A more severe sanction than a disciplinary reprimand. It is a period of review during which the student or student organization must demonstrate the ability to comply with university rules, regulations, and other requirements stipulated for the probation period. While under conduct probation, a student may be disqualified from serving as an officer of a student or campus organization or as a member of a university committee or council.

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(Section 5.8.4)  

The OCR Administrator or the RSC Coordinator may impose reasonable conditions upon probation which may include limitations on activity or access to university facilities for a period of seven months or less.

- **Education:** A requirement to participate in some project, class or other activity that is relevant to the nature of the offense and appropriate for the violation.
- **Restitution:** A requirement to pay the cost of property damage or medical expenses to another student or student organization incurred during conduct violation, or to make other appropriate restitution, so long as costs do not exceed $1000.

- **Administrative Hearings before the OSC and the SCHB:** In addition to sanctions that may be imposed in all Level 2 cases, in an OSC administrative hearing, or a referral case to the SCHB, the following sanction may be imposed:
  - **Deferred Suspension:** A suspension, but which is deferred subject to a definite or indefinite period of observation and review. If a student is found responsible for further violation of the Student Conduct Code or an order of a judiciary body, suspension may be recommended to the Dean of Students Office. While under deferred suspension, a student may be disqualified from serving as an officer of a student or campus organization or as a member of a university committee or council. The OSC Administrator may impose reasonable conditions upon deferral, which may include limitations on activity or access to university facilities for a period of the deferred suspension.

- **Residence Cases:** In addition to sanctions which may be imposed in all Level 2 cases, in a residence case by RSC administrative hearing, the following sanctions may be imposed:
  - **Removal from university housing:** A resident may be removed from a residence hall or apartment. The student shall have a maximum of ten days to move. The student’s access to specific living or dining areas may be restricted as part of the sanction. If the decision is appealed, the Dean of Students shall have power to waive or enforce removal while the appeal is pending. The student’s original room or apartment will not be reassigned until the completion of the appeals to the Dean of Students.
  - **Sanctions provided under the Residence Contract:** Sanctions outlined in the Department of Residence Contract may be levied in a residence case, including sanctions for violation of disciplinary regulations duly adopted by the applicable residence government.

- **Greek Cases:** In addition to sanctions which may be imposed in all Level 2 cases, in a case before the OSC administrative hearing, the administrative hearing officer may impose sanctions permitted by the duly adopted rules of the governing Greek council.

**Section 5.8.5 — Notification of the Result of Administrative Hearings**  
The OSC Administrator or the RSC Coordinator will send notice confirming the decision to the accused within five business days of the hearing and will also inform the appropriate university officials and the complainant (if any) of the decision.
5.9 Procedures during a Study Abroad Program

A Study Abroad Program is an academic program providing the student involved with an opportunity to pursue academic study for credit outside the United States. Students are expected to take advantage of the cultural opportunities involved and are responsible for their behavior during the program. The Study Abroad Center has developed rules and regulations that all participants are required to follow while studying in a foreign country. Students who fail to abide by the rules and regulations of the Study Abroad Center may be withdrawn from the Study Abroad Program and sent back to the United States at their own expense pursuant to procedures developed by the Study Abroad Center. In addition, if the student’s conduct is also in violation of the university Student Conduct Code, disciplinary action may be undertaken by the OSC.

Appeals

Failure to appeal or comply with appeal procedures will render the original decision final and conclusive. In the event of special circumstances, an extension in time may be requested by submitting a written request to the Appellate Officer stating good reasons for the request for additional time. Normally, such requests will be granted if the request is filed before the deadline.

All evidence is to be presented to the administrative hearing officer or specific hearing board assigned to hear the case. Evidence may not be presented during an appeal without special permission of the person hearing the appeal. See section 6.8.

Section 6.1 — Who May Appeal

A student or student/campus organization found responsible with having violated the student Conduct Code has a right to appeal that decision. The complainant in a case involving a violation of the Sexual Misconduct policy shall also have the right to appeal a decision that concludes a matter such as a determination of no responsibility or that a formal Charge should not be filed by OSC. Neither the accused student nor the complainant shall have the right to appeal findings and conclusions contained in the investigative report of the Office of Equal Opportunity separate from the student disciplinary case itself. The party filing an appeal shall be identified as the appellant.

Section 6.2 — Time for Filing an Appeal

An appeal must be filed within five business days after notification of the student, the student/campus organization, or the complainant of the decision from which the appeal is taken.

Section 6.3 — Notice of Appeal

A notice of appeal must be filed with the person responsible for hearing the appeal. The appellant may appeal the lower judiciary decision based on one or more of the following reasons:

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(Section 6.3)

- The student’s or student/campus organization’s rights were substantially violated in the hearing process;
- The procedures used or the decision reached is contrary to law or university policy;
- There was not substantial evidence to support the conclusions reached;
- There is new material evidence that could not have been discovered at the time of the hearing;
- The sanctions imposed were not supported by the evidence or not appropriate for the violation; or
- The decision by the OSC to not file a formal complaint in a matter alleging a violation of the Sexual Misconduct policy is not supported by the evidence.

The notice of appeal must state the grounds for appeal from the list identified above. In addition, the appellant must also provide the written statement as described in section 6.4.

Section 6.4 — Written Statement

Within five business days after filing the notice of appeal, if the appellant has not included the written statement in the notice of appeal, the appellant must present a written statement supporting the reasons for the appeal. A copy of the written statement must be filed with the OSC at the same time. The OSC shall provide a copy of the appellant’s written statement to the party who has not appealed the decision.

It is recommended that the written statement contain the following information: grounds for appeal, arguments and references to evidence presented during the hearing. In case the appeal is based upon new evidence, the written statement should contain a statement of the new evidence, together with a statement as to why the information could not have been discovered at the time of the hearing.

Section 6.5 — Access to Record

For purposes of appeal, the appellant and, in the event of an appeal, the party who has not appealed may review at the OSC a copy of the official recording and documents used during the hearing. Reviewing parties will be granted an ample opportunity to review the recording and the documents, but will not be permitted to take copies of them.

Section 6.6 — OSC Statement: Transmittal of the Record

The OSC will provide a written statement in response to the appellant’s written statement within seven business days of its filing. A copy of the OSC statement must be sent to the appellant and the party who has not appealed at the same time it is filed.

The OSC will transmit the record of the hearing to the person hearing the appeal at the same time it files the response.
Section 6.7 — Supplemental Statement

The appellant or party who has not appealed may provide a supplemental statement within three business days of filing of the OJA Response.

Section 6.8 — Person to Hear Appeals

The following chart identifies the Appellate Officer assigned to hear appeals from the various administrative decisions or hearings under the university Student Disciplinary Regulations.

<table>
<thead>
<tr>
<th>Decision made by</th>
<th>May be appealed to (Appellate Officer)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative hearing officer</td>
<td>Dean of Students</td>
</tr>
<tr>
<td>(OSC representative or RSC Coordinator)</td>
<td></td>
</tr>
<tr>
<td>RSC Coordinator (after Residence Area Directors)</td>
<td>Dean of Students</td>
</tr>
<tr>
<td>OSC Administrator (after decision not to file</td>
<td>Dean of Students</td>
</tr>
<tr>
<td>a formal complaint as indicated in section 6.3F)</td>
<td></td>
</tr>
<tr>
<td>Dean of Students (after SCHB hearing, Interim</td>
<td>Senior Vice President for Student Affairs</td>
</tr>
<tr>
<td>Suspension or the above Appeals)</td>
<td></td>
</tr>
</tbody>
</table>

Section 6.9 — Status during Appeal

Any sanction imposed as a result of a hearing with a lower board will remain in effect during the process of appeal. The Dean of Students and the Senior Vice President for Student Affairs have the authority, under extenuating circumstances, to defer the imposed sanction while an appeal is in process. Granting of deferral may be conditioned upon agreement to reasonable conditions.

Section 6.10 — Procedure: Decision

After receive all written statements, the Appellate Officer may rule, or may ask for the parties to present short oral arguments. The Appellate Office may do one of the following:

- Affirm the decision below.
- Reverse the decision below by finding that no violation of the Student Conduct Code occurred.
- Remand the case for a new hearing.
- Remand the case for consideration of new evidence.
- Change the sanction(s).

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The decision of the Appellate Officer will be based upon the record and the materials submitted by the parties. The decision and the reasons for the decision will be sent to the accused student or student/campus organization, the complainant, the OSC, the hearing board chair, and the Dean of Students. The decision of the Appellate Office shall be the final decision of the university, subject to review as provided in section 6.11.

6.11 Review of Final Decision

Section 6.11.1 — President’s Discretionary Review

A student, student/campus organization, or the complainant may request that the President review the final decision of the Appellate Officer. The President has discretionary authority to grant or deny the request. See section 3.2 of the Student Conduct Code. When the President decides to review the decision of the Appellate Officer, the President’s decision becomes the final decision of the university.

Section 6.11.2 — Judicial Review

A final decision by the Board of Regents may be reviewed by an Iowa District Court as provided in the Iowa Administrative Procedure Act. Refer to Iowa Code Chapter 17A.

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For complaints against faculty, adjudication may ultimately occur through the Office of the Senior Vice President and Provost. For complaints against faculty, the Faculty Handbook will govern the process.

For complaints against staff, the investigation will ultimately occur through the Office of Equal Opportunity. For complaints against staff, the Discrimination and Harassment police will govern the process. (Go to page 78 of this report.)

In addition to supporting individual students affected by sexual misconduct, the university takes all incidents seriously and has a responsibility to address misconduct. When sexual misconduct involves criminal behavior, students are strongly encouraged to report the situation to law enforcement. The Dean of Students Office will assist the student in notifying ISU Police or local law enforcement if the student so requests. An incident can be reported even if the student has not decided whether to take legal action. Nonetheless, students are always free to report and are encouraged to share instances of such behavior with the Dean of Students Office regardless of whether or not they choose to press formal criminal charges with law enforcement.

Students are strongly encouraged to report incidents of, or share information about, sexual misconduct as soon as possible. This is true even if the student with a complaint or a
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witness for his or her improper use of alcohol or drugs if the student is making a good faith report of sexual misconduct.

The university can take action only if the university is made aware of the behavior. If a university administrator becomes aware of a complaint or other violation of this policy, the administrator should bring the information to the Dean of Students Office so that concerns are heard and services can be offered to the affected students.

The university strongly encourages prompt reporting of complaints and information rather than risking any student’s well being. Although there is no time limit on the reporting of formal charges with the university, the university may ultimately be unable to adequately investigate if too much time has passed or if the accused student has graduated. Factors that could negatively affect the university’s ability to investigate include the loss of physical evidence (e.g., prompt medical examinations are critical to preserving the physical evidence of sexual assault), the potential departure of witnesses, or loss of memory.

In all cases, the Dean of Students strives to respond promptly and effectively by investigating the allegations and addressing the effects of the conduct. Typically investigations can take approximately sixty calendar days following receipt of the complaint. Factors that could impair the timing of the investigation include the complexity and severity of the conduct, the number and availability of witnesses, or the need to identify and acquire physical or other evidence.

Immediate Actions by the University

The Dean of Students Office and ISU Police may take immediate interim actions to protect the safety of the university community, to enable students with complaints and witnesses to continue studies, and to ensure the integrity of an investigation. These actions may include interim suspension of the accused student or no-contact notices between the individuals involved. The Dean of Students Office and ISU Police may also take additional actions, if requested, including but not limited to:

- Modifying class or work schedules
- Making alternate housing arrangements
- Addressing other academic concerns (e.g., absences, assignments, grades, leaves of absence, withdrawal)
- Safety planning

Retaliation

The university prohibits retaliation against an individual for making a complaint of sexual misconduct (including sexual assault and sexual harassment), for resisting such behavior, or for otherwise using or participating in the complaint resolution process. Prohibited behavior includes any form of intimidation, threats, or harassment by the individual accused (continued on page 58)
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of misconduct or friends, family or other persons acting in support on behalf of that individual. Acts of retaliation are, by themselves, cause for disciplinary action. Concerns of retaliation can be communicated to the Dean of Students Office or the Student Conduct (OSC) staff directly (1010 Student Services Building, 515-294-1020, dso@iastate.edu).

False Complaints

The university also prohibits an individual from knowingly filing a false complaint or making misrepresentations of sexual misconduct (including sexual assault and sexual harassment). However, a complaint made in good faith is not considered false merely because the evidence does not ultimately support the allegation of sexual misconduct or sexual harassment. Acts of knowingly filing false complaints are, by themselves, cause for disciplinary action.

Resources and Services for Students

There are campus and community services available to students even if university or criminal reports are not made. The university strongly encourages students to seek assistance to care for themselves emotionally and physically through confidential crisis intervention, health care, and counseling. As students tend to their health, they should keep in mind that medical examinations are time-sensitive, and are critical in preserving evidence of sexual assault so that options can be considered at a later time. (See pages 23 and 24 for a list of resources.)
7.2.3 Addressing Claims of Faculty Misconduct

Conflicts or concerns that arise during the day-to-day functioning of the university are usually addressed through administrative channels and involves bringing the concern(s) to the attention of the appropriate administrator charged with the responsibility for that academic unit (e.g., chair, dean, or senior vice president and provost). Any individual with a concern that a faculty member may be guilty of misconduct may bring the concern forward through these same regular administrative channels. The administrator is responsible for assessing the situation and, where appropriate, taking appropriate administrative action to resolve concerns. If the complaint involves activities which are prohibited by the University’s Discrimination and Harassment Policy, the administrator must notify the Office of Equal Opportunity (OEO) upon the receipt and resolution of the complaint to ensure responsiveness and consistent enforcement. The administrator may recommend the use of the complaint processes described below.

An individual with a concern that misconduct has occurred may also initiate a complaint through either the Voluntary Mediated Process (FH Section 7.2.4) or the Formal Process (FH Section 7.2.5), or informally through the Ombuds Office. The Voluntary Mediated Process is used to consider and resolve misconduct issues through mediated discussion with all involved parties. The Formal Process begins with the presentation of a written complaint and involves peer review.

The procedures described below are designed to assess and resolve the misconduct issues identified in this policy and are not intended to address grievances.

7.2.4 Voluntary Mediated Process

7.2.4.1 — Initiating the Process

The individual wishing to bring a complaint of misconduct to a mediated resolution may do so by contacting the Office of the Senior Vice President and Provost in writing. Mediators are individuals designated for their skill and training in mediation and for their knowledge of the policies of the university. The goal of mediation is for an impartial party to work with the individuals to resolve a charge of misconduct outside of a hearing process. Successful mediation results in a written agreement among the parties. As discussed in FH Section 7.2.5.1.3, the senior vice president and provost may also initiate the mediation process in certain cases.

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7.2.4.2 — Complaint Review and Processing

As part of the process, the mediator will discuss the procedural options with the complainant and the respondent. To enter into the voluntary mediated process, both the respondent and complainant must agree to follow the process outlined by the mediator. The mediator will arrange for a discussion of the issues and assist in developing a written plan to which the parties will agree. Mediators will consult with the appropriate administrators in the development of the agreement to receive advice on the impact of the resolution on the operations of the department or unit.

7.2.4.3 — Resolution of Complaints

The written agreement will be provided to the parties, to the administrators responsible for overseeing the agreement, and the senior vice president and provost. Chairs and deans will keep such agreements in sealed files in a secure location separate from official personnel files. The documents and notes of the mediation process will be organized following good practice in mediation and will be retained for five years in the senior vice president and provost’s confidential files. They shall only be opened if the parties agree, or if there is an urgent need for access. Mediators may not be called on as witnesses, and notes and records of these proceedings (except for the agreement) may not be used as evidence in a grievance or formal hearing except as provided by law.

7.2.5 Formal Complaint Process

The formal complaint process is based upon peer review and respect for due process. It is an academic and not a judicial process. The goal of a formal complaint is to determine the truth and to recommend and apply remedies and sanctions in keeping with the freedoms and responsibilities of academic freedom and the university environment.

7.2.5.1— Filing Formal Complaints

To initiate a formal complaint, the complainant will file a written complaint with the appropriate administrative officer as indicated below. Multiple complaints arising out of the same alleged misconduct, or a pattern of alleged misconduct, should be consolidated into a single complaint.

The complainant may be an individual affected by the alleged misconduct, or an administrator or other person to whom an affected individual has referred information regarding the alleged misconduct. For purposes of the Faculty Conduct Policy, an affected individual allegedly harmed by the conduct, but is not the complainant shall be known as “the referring party”.

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7.2.5.1.1 — Content of Formal Complaints

The complaint should include:

- The name, address, and telephone number of the complainant
- The name of the referring party, if any
- The name and office of the individual(s) alleged to have engaged in misconduct
- A short, plain statement describing the alleged misconduct
- The approximate date(s) on which the misconduct allegedly occurred
- Persons known to have information relevant to the complaint
- A statement of any provision of law, rule, or policy believed to have been violated by the alleged misconduct
- Any other information which will assist in the peer investigation and resolution of the complaint
- The signature of the complainant

Complaints may also suggest what action might be taken to address the alleged misconduct. Complainants are expected to cooperate by providing relevant information relating to the complaint if requested. Failure to cooperate may result in dismissal of the complaint.

7.2.5.1.2 — Offices Where Formal Complaints May be Filed

The following offices are designated to receive complaints against a member of the faculty:

- Any complaint of alleged misconduct may be filed with the Office of the Senior Vice President and Provost
- Complaints involving alleged research misconduct may be filed with the Research Integrity Office (RIO).
  * If the complaint is found to involve issues other than research misconduct, the RIO must inform the senior vice president and provost within one day
- Discrimination complaints, including those involving sexual, racial, ethnic or other harassment may be filed with the Office of Equal Opportunity.
  * The Office of Equal Opportunity must inform the senior vice president and provost of discrimination complaints against a faculty member within one day

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7.2.5.1.3 — Initial Steps to be taken by Senior Vice President and Provost

Upon receipt of a complaint, the senior vice president and provost and the President of the Faculty Senate will immediately evaluate the complaint to determine whether the complaint is properly filed under this chapter. If they conclude the case is a grievance as described in Chapter 9 of the Faculty Handbook, they will decline to consider the case as alleged misconduct and the complainant will be directed to the appropriate channels to seek resolution of the complaint.

Complaints of alleged research misconduct, as defined by FH Section 7.2.2.3.2 will be referred to the Research Integrity Officer (RIO) to be handled under the Research Misconduct Policy. If the RIO determines, as a result of an assessment of the complaint, that the matter should not proceed under the Research Misconduct Policy, the RIO shall then refer the matter back to the senior vice president and provost indicating the reason that the Research Misconduct Policy should not be invoked. If appropriate, the complaint will then be handled as a faculty conduct complaint as provided below.

In the case of complaints deemed to require a research misconduct inquiry, but which also involve other types of misconduct, the senior vice president and provost and RIO will meet and issue a determination as to handling of the complaint. The senior vice president and provost may delegate complaints of combined alleged research and academic misconduct to the RIO for handling in accordance with the Research Misconduct Policy.

If a complaint is determined to be properly filed under this chapter, the senior vice president and provost will immediately evaluate, in consultation with the respondent’s chair, and in appropriate cases, the Equal Opportunity Officer (for discrimination complaints) or the RIO (for research misconduct cases) whether interim action should be taken in accordance with the section on interim action (FH Section 7.2.5.1.4).

The senior vice president and provost will notify the complainant, the respondent, and the respondent’s chair of the complaint, of any interim action taken, and will remind the respondent of his/her obligation not to take retaliatory action against the complainant or others involved with the complaint.

After evaluating a formal complaint and prior to calling for the formation of a Faculty Review Board, the senior vice president and provost may direct all parties to participate in mediation, recognizing that not all cases will be appropriate for mediation. If the senior vice president and provost recommends mediation of the issue(s), the timelines detailed in this chapter shall be suspended pending the outcome of mediation.
7.2.5.1.4 — Interim Action

There may be instances in which the senior vice president and provost needs to take interim action pending the investigation of the case. The senior vice president and provost may take interim action if any of the following conditions exist:

- There is immediate physical danger to persons or property
- There is reasonable indication of serious criminal violation
- There is an immediate health hazard
- There is immediate need to protect equipment or funds, including federal funds or federal financial assistance
- There is immediate need to protect the safety or interests of the person(s) making the allegations, of witnesses, or of the subject(s) of the allegations or his/her collaborators and associates
- There is a need to preserve evidence or to prevent improper influence of witness testimony
- There is a need to protect the working or educational environment of affected co-workers or students
- There is a need to protect against liability of the University or its employees

Interim action taken must be appropriate to the interests protected, and reasonably limited so as not to have an undue damaging effect on the respondent. The interim action should not be considered in and of itself a sanction. Interim action may include:

- Restrictions on contact with persons involved in the complaint
- Limitation on access to certain areas of the campus
- Reassignment of duties
- Partial or total administrative leave with pay
- Directives to preserve or grant access to evidence or records related to the allegations
- Direction on conduct of activities
- Restrictions on university-related travel

In cases of emergency or the need to preserve evidence or records, the senior vice president and provost shall make a good faith effort to implement interim action through discussion with the complainant and, if appropriate, the referring party and the respondent prior to taking any interim action. If an agreement with the respondent is not reached, the senior vice president and provost will inform the chair
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and dean of the respondent faculty member of any interim action that is being taken. The senior vice president and provost will assist the chair and the dean in ensuring that the interim action will have as little disruption of the teaching, research, or outreach activities of the department as possible. The chair and/or dean will not limit a faculty member’s electronic access to university computer systems or email as part of interim action without the express approval of the senior vice president and provost.

If a Faculty Review Board has not been appointed, the faculty member against whom interim action has been taken may request a review by the senior vice president and provost. As indicated below, the Faculty Review Board will review all interim action.

When the faculty member has been charged with abandonment of position (FH Section 7.2.2.5.2) and has not presented him–or herself ready to perform duties, the Faculty Review Board may recommend to the senior vice president and provost the suspension of salary for the duration of the process.

7.2.5.2 Complaint Review and Resolution

7.2.5.2.1 — Faculty Review Board

The senior vice president and provost will call for the formation of a Faculty Review Board (FRB) within two days after consultation with the Faculty Senate President. If mediation was recommended and the senior vice president and provost receives notice that mediation was unsuccessful, the senior vice president and provost will call for the formation of a Faculty Review Board within two days after receiving such notification. The Faculty Review Board will consist of three members nominated from the faculty pool by the president of the Faculty Senate and confirmed by the senior vice president and provost. The Faculty Senate president will review the complaint and any additional pertinent information provided by the senior vice president and provost before making the faculty nominations to serve on the FRB. The Faculty Senate president and the senior vice president and provost will seek an objective FRB with sufficient depth of expertise and experience to understand and objectively act upon the issues detailed in the complaint. The FRB members should not have any real or apparent conflict of interest in the complaint. At least two of the three FRB members must be of an equal or higher rank than that of the respondent. In the unusual circumstance that appropriate FRB membership is not available from the faculty pool, the Faculty Senate president will nominate additional members from the tenured faculty for confirmation by the senior vice president and provost to serve on the FRB. The complainant and the respondent
have the right to challenge the nominees to the FRB. Challenges must be made in writing no more than two days following the naming of the nominees. The Faculty Senate president and senior vice president and provost will determine the standing of challenges. If nominees are successfully challenged the Faculty Senate president will submit additional FRB nominees until three members are confirmed. The Faculty Senate president and the senior vice president and provost will jointly name the chair of the FRB.

The FRB will assess any interim action taken by the senior vice president and provost and will confer on whether this action should continue and/or whether any further or additional interim action is needed. The FRB may make recommendations to the senior vice president and provost regarding further and additional interim action.

7.2.5.2.2 — Investigation of the Case

The Faculty Review Board (FRB) and the senior vice president and provost will decide on the nature and scope of the investigation and on the individual(s) who will carry out the investigation. The FRB may investigate the complaint itself or work in conjunction with one or more university or external investigators, appointed through the senior vice president and provost and approved by the FRB.

An investigative report will be prepared by the party or parties conducting the investigation within thirty (30) days of the first meeting of the FRB. If the FRB is working with one or more investigators, the investigators shall submit the investigative report to the chair of the FRB. Extensions of this thirty-day period may be granted only for a fixed period of time and only for specific detailed reasons. The party or parties conducting the investigation may submit a written request for an extension of this thirty-day period to the chair of the FRB who will transmit the request along with his/her recommendation to the senior vice president and provost and the Faculty Senate president, who will jointly decide whether the extension should be granted. If the FRB conducts its own investigation, the chair shall submit the written request for extension to the senior vice president and provost and the Faculty Senate president. If an extension is granted, the FRB chair will inform all relevant parties of the extension. All subsequent timelines and deadlines will necessarily be extended by the granting of this or any other extension.

7.2.5.2.3 — Investigative Report

Once the Faculty Review Board (FRB) has reviewed and is satisfied with the investigative report, the FRB will submit the report to the complainant and the respondent for comments. All parties will have a period of seven (7) days to provide a
Response, if any, to the FRB. The FRB shall review the responses from the parties and change the investigative report as deemed necessary. If changes are made to the investigative report, the FRB will not seek additional comments or responses from the complainant and respondent unless it is warranted under the circumstances. Upon receipt of responses from all parties, or after seven (7) days, the FRB will meet and will issue a report making one of three recommendations for actions by the senior vice president and provost based on a simple majority vote: (1) to dismiss the charges and hold no hearing, (2) to hold a Minor Sanction Hearing, or (3) to recommend that the complaint be referred to a Major Sanction Committee. The report shall be issued within the earlier of 10 days of receipt of responses, or the completion of the seven (7) day period for responses.

If the FRB decides to recommend dismissal of the charges without a hearing, it will summarize its reasons. A recommendation to dismiss is only permissible if the FRB finds no violation of the Faculty Conduct Policy by the respondent. If the FRB recommends a minor sanction hearing, and the senior vice president and provost accepts the recommendation, the FRB will inform all relevant parties and schedule the hearing. If the FRB recommends that the complaint be referred to a Major Sanction Committee, they will submit this recommendation to the senior vice president and provost along with their reasons for the recommendation. If the FRB recommends that any portion of the complaint warrants review by a Major Sanction Committee, the entire complaint shall be heard through that process. If at any time the FRB concludes there is need for further interim action, they shall make a recommendation to the senior vice president and provost. If the senior vice president and provost disagrees, they may make a recommendation to the president of the university.

7.2.5.2.4 — Minor Sanction Hearing

In conducting a Minor Sanction Hearing, the Faculty Review Board (FRB) will respect the due process rights of the respondent, undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make allegations of misconduct, and will afford all individuals confidential treatment to the extent possible in the inquiry.

Minor Sanction Hearings will be closed to the public. During the hearing, the FRB may receive additional evidence related to the charges for which the hearing is being held from the respondent and the complainant, will hear rebuttals of evidence presented by either party, and may call and question witnesses (including the referring party, if any) on its own behalf. During the hearing, all questions, comments,
or statements will be addressed to the FRB. The FRB may, at its discretion, allow alternate forms of witness testimony. The respondent may choose to waive his/her right to a formal hearing and allow a written statement to constitute the defense. The respondent and the complainant may have a support person present at the hearing, but the support person may not speak for them during the hearing.

In all cases, the charges shall be established by the preponderance of the evidence. Deliberation on the charge will be based only on the evidence relevant to the charge. The FRB shall determine the relevance of all evidence. If evidence of additional instances of misconduct is presented, whether related or unrelated to the original charge, the FRB shall consult with the senior vice president and provost on the question of whether this additional misconduct shall be included in the current case or whether a separate complaint shall be made. In such cases, the senior vice president and provost shall have the authority to approve additional charges and to reasonably extend deadlines if necessary to investigate the additional charges.

7.2.5.2.5 — Post-hearing Report

Following the hearing, the Faculty Review Board (FRB) will prepare a post-hearing report containing a full description of the allegations, the evidence reviewed, a summary of testimony, and conclusions that have been reached. The post-hearing report of the FRB will also include a recommendation about the disposition of the case. The FRB has three recommendation options:

- If the FRB decides that the evidence is not credible or does not sufficiently support the charge the FRB may recommend that the case be dismissed.
- If the FRB decides that the evidence is credible and that it supports the case, the FRB may recommend the minor sanction be imposed resulting in the senior vice president and provost imposing the minor sanction or sanctions or that non-disciplinary correct action be taken.
- If the FRB decides that the evidence is credible, and that there is a clear and compelling case to warrant a major sanction or sanctions, the FRB may recommend that the senior vice president and provost refer the complaint to a Major Sanction Committee.

The FRB will articulate in the post-hearing report the reasons for making their recommendation. The FRB may also make a recommendation about interim actions during the remainder of the process. The FRB post-hearing report will be sent to the respondent and the complainant, who will have ten days to respond. The FRB shall review the responses from the parties, if any, and consider whether changes to the post-hearing report are necessary. If changes are made to the post-hearing report,
the FRB will not seek additional comments or responses from the parties unless it is warranted under the circumstances. After receipt of the responses, or after ten days, the FRB will submit the final post-hearing report and any responses received from the complainant and respondent to the senior vice president and provost. The respondent and the complainant will receive copies of the final post-hearing report from the senior vice president and provost. The chair and dean of the respondent will also be notified by the senior vice president and provost that the final post-hearing report has been submitted.

The FRB will issue their final post-hearing report within 60 days of the first meeting of the FRB. The FRB may ask for and receive an extension beyond 60 days. A request for an extension must include documented reasons for the extension. An extension will be granted only with the concurrence of the senior vice president and provost and the Faculty Senate president.

7.2.5.2.6 — Response of the Senior Vice President and Provost to the Final Post-Hearing Report

The senior vice president and provost will have fifteen (15) days to respond to the final post-hearing Faculty Review Board (FRB) report. The senior vice president and provost will review the results of the investigation and the recommendation of the FRB and will decide whether to accept the recommendation. If the senior vice president and provost disagrees with the FRB recommendation, the senior vice president and provost must meet with the FRB to discuss the reasons for disagreement before taking any action. If the senior vice president and provost is issuing the final decision in a minor sanction case, the senior vice president and provost’s report will describe what sanction(s) are to be imposed, or the nature of any non-disciplinary corrective action to be taken.

The senior vice president and provost will submit to the chair FRB, the respondent, the complainant, and the referring party, if any, a final report containing his or her decision, and the reasons underlying that decision. The respondent and complainant or referring party (as appropriate) shall be informed of the option to appeal as provided in FH Section 7.2.6.1. No public statement about the hearing or about the FRB recommendations will be disseminated. Public announcements of the findings and recommendations will be made at the discretion of the senior vice president and provost.

The senior vice president and provost will inform the chair and dean of the disposition of the case. The senior vice president and provost will undertake all reasonable
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measures to prevent retaliation against the complainant, the referring party, if any, or individuals who assisted in or participated in the misconduct complaint process. All proceedings will be confidential to preserve the integrity of the investigation and those involved. If the complaint is dismissed the senior vice president and provost will undertake all necessary measures to restore the reputation(s) of the person(s) alleged to have engaged in misconduct immediately after issuing the final report.

When appropriate, the senior vice president and provost will submit a report to the Research Integrity Officer (RIO) describing the policies and procedures under which the investigation was conducted, the information obtained relevant to the investigation, the findings, and the basis for the findings.

7.2.5.3 Major Sanction Process

7.2.5.3.1 — Appointment of Major Sanction Committee

If the respondent elects to have the complaint heard by a Major Sanction Committee, or after five days of notifying the respondent of the choice of procedures without response, the senior vice president and provost will notify the president of the University who will call for the formation of a Major Sanction Committee to review the complaint. The Office of the President shall promptly impanel the Major Sanction Committee of seven qualified faculty members. The Committee is chosen from the faculty pool provided by the Faculty Senate president and confirmed by the president of the University. Members of the Major Sanction Committee should have no real or apparent conflict of interest with the respondent. The complainant or referring party, if any, and the respondent faculty member each have the option of one preemptory challenge from the list so Major Sanction Committee membership may vary from five to seven members. Challenges must be made within five days after receipt of the list. No member of the Major Sanction Committee shall be chosen from the Faculty Review board that previously reviewed the complaint. More than half of the members of the Major Sanction Committee shall be of equal or higher rank to respondent and, except in unusual circumstances, no member of the respondent’s department shall serve on this committee. The Faculty Senate president and the president of the university shall jointly appoint the chair of the Major Sanction Committee.

The president will provide the Major Sanction Committee with a statement of the charges. The Major Sanction Committee will review any interim action that has been taken and will consult as needed with the parties on whether this action should continue and/or whether any further or additional action is needed. If at any time

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the Major Sanction Committee concludes there is need for additional or interim action, the committee shall make a recommendation to the president.

The president will inform the chair and dean of the respondent faculty member that a Major Sanction complaint has been made against that faculty member and of any interim action that is being taken. The senior vice president and provost will assist the chair and dean in ensuring that there will be as little disruption of the teaching, research, extension or outreach activities of the department as possible.

The respondent shall be given a period of 20 days from the date of issuance of the charges in which to file a written response to the charges. The faculty member may request additional time from the Major Sanction Committee for this response. The faculty member may choose to waive the right to a formal hearing and allow a written statement to constitute his/her defense.

7.2.5.3.2 — Major Sanction Committee Review and Hearing

The Major Sanction Committee will review the charge against the faculty member, the results of the investigation of this charge, the final post-hearing report of the Faculty Review Board who presided over the Minor Sanction Hearing, and the response of the respondent within 20 days after receiving the faculty member’s response. The Major Sanction Committee may request additional written comments from any party, or may request additional investigation. If this requires additional time the Major Sanction Committee may extend their review for an additional 40 days, and will notify all parties of any extension and the reasons for this extension. Extensions will be made only for a fixed period and only for specific reasons. After completion of its review, the entire Major Sanction Committee shall hold a hearing. If the respondent waives his or her right to a formal hearing, the Major Sanction Committee shall determine an appropriate recommendation on the basis of available information.

The Major Sanction Committee shall apprise the president and when appropriate, the Research Integrity Officer (RIO), of any developments which disclose facts that may affect current or potential federal funding for the individual(s) under investigation or that the relevant federal agency needs to know to ensure appropriate use of federal funds and otherwise protect the public interest.

7.2.5.3.3 — Procedures Applicable to the Major Sanction Hearing

The Major Sanction Committee shall determine the procedures applicable to the hearing. The following discussion of procedures is a general guide, but the Major Sanction Committee shall have the right to amend them with the consent of both parties.
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- **Rules of Evidence**
  - Formal rules of evidence applicable to court proceedings shall not apply
  - The Major Sanction Committee may give evidence different weight based upon its relevance and probative value
  - The Major Sanction Committee may determine that it will not consider evidence that it determines is irrelevant
  - The Major Sanction Committee shall respect legally recognized privilege such as that between attorney and client or physician and patient unless the person who has the right to assert the privilege waives the privilege

- **Closure of Hearings**
  - The Hearing shall be closed

- **Communications to Major Sanction Committee**
  - To assure the proceedings appear and in fact are fair, the parties are expected to communicate with the Major Sanction Committee and the Chair of the Major Sanction Committee in writing, with a copy to the other party, or in a manner in which the other party is able to participate

- **Exclusion of Witnesses**
  - The Major Sanction Committee will not permit witnesses other than parties to be present during the questioning of other witnesses

- **Burden of Proof**
  - Each allegation must be established by a preponderance of the evidence. The Major Sanction Committee shall base its decision upon the evidence presented to it during the proceedings

- **Presence of Advisors**
  - The parties may have an attorney or other person present to advise them
  - The referring party shall also have a right to the presence of an attorney or other person to advise them or to provide support
  - Attorneys, advisors, and supporters may not present any part of the case for the parties without the consent of the Major Sanction Committee

- **Right of Respondent to Attend**
  - The respondent faculty member shall have a right to attend the hearing, the presentation of witnesses and opening and closing statements
  - With the consent of the Major Sanction Committee testimony of witnesses may be presented by alternate means (continued on page 72)
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* In the case of video or telephonic testimony, the parties shall both have a similar opportunity to view or hear the testimony

- **Record**
  * The hearing will be recorded electronically or by use of a court reporter

- **Before the Hearing**
  * The parties of the Major Sanction Committee may arrange for the exchange of lists of witnesses to be presented and documents to be presented
  * The Major Sanction Committee may set up a pre-hearing conference to assist in presentation of the case

- **Order of Presentation at the Hearing**
  * Unless otherwise directed by the Major Sanctions Committee, the order of presentation of the case shall be:
    - Preliminary Matters, including comments by the Major Sanction Committee, discussion of order of witnesses, and exchange of documents (if not completed before the hearing)
    - Opening statement of the complainant
    - Opening statement of the respondent
    - Witnesses and evidence of the complainant
    - Witnesses and evidence of the respondent
    - Rebuttal witnesses and other evidence of the complainant
    - Rebuttal witnesses and other evidence of the respondent
    - Closing statement of the complainant
    - Closing statement of the respondent

- **After the Hearing**
  * With the approval of the Major Sanction Committee, the parties may present written summaries
  * The Major Sanction Committee shall set the time for submission, no later than 10 days after the closing of the hearing
  * When the committee is satisfied that each side has had a complete hearing, it shall retire in private to make its findings of fact and its recommendations

If the parties reach a resolution of the charges after the Major Sanction Committee hearing has begun, the parties must present the proposed resolution in writing to the Major Sanction Committee which shall review the proposed resolution within five days and forward its recommendation to the president.
7.2.5.3.4 — Report of the Major Sanction Committee

The report of the Major Sanction Committee will include a recommendation about the disposition of the case, including the recommendation sanction(s) if applicable. The Major Sanction Committee has three options decided by simple majority vote:

- If they decide that the evidence is not credible, or does not sufficiently support the charge, they may recommend that the case be dismissed.
- If they decide that the evidence is credible and that it supports the case, they may recommend that the president impose one or more minor sanctions or that non-disciplinary corrective action be taken.
- If they decide that the evidence is credible and that it supports the case, they may recommend that the president impose one or more major sanctions.

The Major Sanction Committee report will contain a description of the findings of fact and recommendations, together with the record, if requested by the complainant and/or the respondent. The report will be sent to the respondent and the complainant, who will have ten days to respond in writing to the report. The Major Sanction Committee shall review the responses from the parties and consider whether changes to the report are necessary. If changes are made to the report, the Major Sanction Committee will not seek additional comments or responses from the respondent and complainant unless it is warranted under the circumstances. After receipt of the responses, or after ten days, the Major Sanction Committee will submit their report to the president with any responses attached. The complainant and the respondent will receive copies of any responses. The Major Sanction Committee will notify the chair and dean of the respondent that the report has been submitted. The president must meet with the Major Sanction Committee to discuss the recommendation.

Should the entire investigation, deliberation, and Major Sanction Committee hearing process not be completed within 120 days of the Major Sanction Committee receiving the complaint, a request for extension must be filed with the president. The president will notify the office of research integrity (ORI) of any extension if applicable. The request will include an explanation for the delay, an interim report on the progress to date, an outline of what remains to be done, and an estimated date of completion.

7.2.5.3.5 — Response of the President to Major Sanction Committee Report

The president will have 15 days to respond to the Major Sanction Committee report. The president will present to the chair of the Major Sanction Committee, the complainant, the respondent, the referring party (if any), and where appropriate, the RIO a final report containing his or her decision, describing the action to be taken, and
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giving the reasons underlying the decision. The president will inform the dean and chair of the respondent of the action being taken. The president shall set the effective date of any sanction. The respondent and referring party shall be informed of the option to appeal as provided under the Regents Policy Manual, Chapter 10. The president shall have the power to continue interim action pending the effective date, and will undertake necessary measures to prevent retaliation against individuals who file the complaint or who assisted or participated in the misconduct process.

All proceedings will be confidential to preserve the integrity of the investigation and those involved. No public statement about the hearing or the Major Sanction Committee recommendation will be disseminated. Public announcement of the findings and recommendations will be made at the discretion of the president. If the complaint is dismissed the president will undertake necessary measures to restore the reputation(s) of the person(s) alleged to have engaged in misconduct immediately after issuing the final report.

7.2.5.4 Records

In all cases of formal complaints, the Office of the Senior Vice President and Provost shall maintain the record of the case for a minimum of three years. The record shall include the complaint, the report of the investigation, the Faculty Review Board Minor Sanction Hearing report, the senior vice president and provost response, the Major Sanction Committee report, the response of the respondent and the complainant, and referring party (if any), the senior vice president and provost response to the Major Sanction Committee report, correspondence from the respondent, complainant, referring party (if any), the statement of charges in a Major Sanction Case, the president’s report in a Major Sanction case, and appeal to the president, response to the appeal, recommended decision by a person designated to review the appeal and decision upon an appeal. At the close of a case, members of the Faculty Review Board and, if applicable, the Major Sanction Committee, shall turn all documents over to the senior vice president and provost.

7.2.6 Processes for Appeal

To avoid unnecessary and multiple appeals and grievances, any party with concerns about hearing procedures should make those concerns known during the hearing procedure, and those issues shall be considered by the person(s) then making the recommendation or decision. Persons hearing appeals have the discretion to not review concerns about the hearing procedures not raised during the initial hearing process. Simultaneous appeals cannot be made on the same case.

7.2.6.1 — Appeals to the President

The final decision of the senior vice president and provost may be appealed by the respondent, the complainant, or referring party (if any) in writing to the president within 20
days following receipt of the senior vice president and provost decision. The appeal should include a statement of reasons for the appeal, with references to the evidence that supports the appeal.

The respondent may request the president to delay imposition of the sanction by the senior vice president and provost. The request for delay must be included in the respondent appeal and be accompanied by statement of the reasons for the request. If a delay is granted, the president may continue interim action in place, or may impose interim action appropriate to the circumstances.

7.2.6.2 — Appeals to the Board of Regents

Final decisions of the president may be appeals to the Board of Regents under appropriate section of the Regents Policy Manual, Chapter 10.

7.2.6.3 — Appeals to the Courts

Final decisions of the Board of Regents may be challenged by filing a petition for judicial review in Iowa District Court. State law and Iowa court rules determine the procedure for filing and handling such challenges.

7.2.6.4 — Request to Reopen

The respondent may request to have his/her case reopened under the following circumstances:

- New evidence is discovered that was unavailable at the time of the hearing, and the new evidence clearly undermines confidence in the findings
- Evidence is discovered that a party provided false or misleading evidence on a key issue and this evidence clearly undermines the confidence in the findings

The respondent is limited to one request for re-opening the entire case. The request must be submitted in writing. The request to reopen the case will be rejected if the evidence was raised during a hearing or appeal of the disciplinary action, and the hearing or appellate authority adequately considered the matter in making its decision. Requests to have a case reopened should be made to the senior vice president and provost for minor sanctions or to the president for major sanctions.

7.2.6.5 — Faculty Senate Appeals

The respondent may file an appeal with the Faculty Senate Judiciary and Appeals Council if he or she believes there was egregious procedural error, which fundamentally undermined the hearing process. The Judiciary and Appeals Council will examine only the procedural issues raised in the appeal. Such appeals may be rejected if the respondent knew of the defect in the procedures during the proceeding and failed to bring it to the attention of the hearing or appellate body. Should the Judiciary and
Appeals Council conclude that egregious procedural errors were made, they may recommend to the senior vice president and provost (for minor sanctions) or the president (for major sanctions) that the case be reopened.

Appeals to the Judiciary and Appeals Council must be made within 20 days after the respondent is informed of the sanction decision.

7.2.6.6 — Appeals following an APA Hearing

If an APA Hearing is held, the exclusive process for appealing is provided in Iowa Code Chapter 17A and in Iowa Administrative Code Chapter 681-20.

7.2.7 Definitions

7.2.7.1 — Administrative Leave

Administrative leave is defined as removal from some or all university duties with no reduction in salary. Administrative leave is not considered a sanction, but instead is an interim action used to protect the institution, the investigation of a case, or individuals involved in a case during the conduct of an investigation or hearing.

7.2.7.2 — APA Hearing

When a case is deemed serious enough to warrant a major sanctions hearing, the faculty member will be given an election to receive a formal hearing under the Iowa Administrative Procedure Act (Iowa Code Chapter 17A). Such hearings, also called “contested cases,” are held before a state Administrative Law Judge. The Administrative Law Judge will hold the proceedings in accordance with Chapter 17A of the Iowa Code, and Iowa Administrative Code Chapter 681-20.

7.2.7.3 — Days

In all references to “days” in this document, the reference shall be to working days, that is, days the University offices are open for business (even though classes may not be held).

7.2.7.4 — Faculty Member

Reference to “faculty” includes all members of faculty as defined in Article I of the Faculty Senate Constitution on the Faculty Senate website. This includes individuals simultaneously holding faculty rank and administrative positions. All faculty members who hold administrative appointments whose titles contain the term president, senior vice president and provost, or dean are ineligible for appointment to the faculty pool or to serve on a Faculty Review Board or a Major Sanction Committee. Chairs are ineligible for appointment to the faculty pool or serve on a Faculty Review Board or a Major Sanction Committee.
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7.2.7.5 — Faculty Panels
A pool of at least 25 tenured faculty members will be identified by the Faculty Senate President and confirmed by the senior vice president and provost for service on Faculty Review Boards and Major Sanction Committees. Individuals will serve a three-year term and are eligible for reappointment. The pool should include a broad range of individuals representing the ethnic, racial, gender, and disciplinary diversity of the university. Individuals should be selected for their ability to bring independence and impartiality to the proceedings and for their stature and respect gained in the course of their professorial work. In cases of alleged academic misconduct individuals may be selected for their professional expertise. Agreement to serve carries with it the responsibility to provide diligent service when asked. Each May the Faculty Senate President will confirm the continued availability of those whose terms are not yet complete and will provide names to the senior vice president and provost to complete a full slate of pool membership.

Compensation will be made to members of either a Faculty Review Board or a Major Sanction Committee for work on any day that is not in accord with the B-Base contract.

7.2.7.6 — Major Sanctions
For the purpose of this document, major sanctions consist of: dismissal, suspension without pay for at least one month, reduction in salary, removal of graduate supervision privileges, cancellation of graduate college membership, removal of distinguished titles, reparations of $2,000 or more, or significant reassignment of duties.

7.2.7.7 — Minor Sanctions
For purposes of this document, minor sanctions consist of: probation, suspension of less than one month without pay, minor reassignment of duties, mandatory training, a probationary period, letters of reprimand, restrictions on contact with the complainant, mandatory training, or reparations of less than $2,000.
Respect is the foundation for the interchange of ideas, for learning and for working toward common goals. Consequently, Iowa State University is committed to assuring that its programs are free from prohibited discrimination and harassment based upon race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age (40 and over), marital status, sexual orientation, gender identity, genetic information, status as a U.S. veteran (disabled, Vietnam, or other), or any other status protected by university policy or local, state, or federal law. Discrimination and harassment impede the realization of the university’s mission of distinction in education, scholarship, and service, and diminish the whole community.

Iowa State University reaffirms and emphasizes its commitment to provide a professional working and learning environment that is fair and responsible; that supports, nurtures, and rewards educational and employment growth on the basis of relevant factors such as ability and performance; and that is free of discriminatory, inappropriate, and disrespectful conduct or communication.

For these reasons, the university will not tolerate discrimination or harassment, as defined below, and is committed to preventing it or stopping it whenever it may occur at the university or in its programs. The policy presented here applies to employees, students, visitors, applicants, or program participants at Iowa State University. Students, however, should see the policy on Sexual Misconduct, Sexual Assault, and Sexual Harassment Involving Students (see page 32 of this publication) for specific information regarding their unique rights and responsibilities including resources and complaint resolution.

**POLICY STATEMENT**

1. **Discrimination and Harassment Defined**

Iowa State University prohibits discrimination, which can include disparate treatment directed toward an individual or group of individuals based on race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age (40 and over), marital status, sexual orientation, gender identity, genetic information, status as a U.S. Veteran (disabled, Vietnam, or other), or other protected class that adversely affects their employment or education. For religion or disability, the law allows employees and students to request reasonable accommodations to continue their work or studies. For religion or disability, the law allows employees and students to request reasonable accommodations to continue their work or studies.

Iowa State University also prohibits harassment, which can be a form of discrimination if it is unwelcome and is sufficiently severe or pervasive and objectively offensive so as to substantially interfere with a person’s work or education. Harassment may include, but is
not limited to, threats, physical contact or violence, pranks, jokes, bullying, epithets, derogatory comments, vandalism, or verbal, graphic, or written conduct directed at an individual or individuals because of their race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age, marital status, sexual orientation, gender identity, genetic information, or U.S. veteran status. Even if actions are not directed at specific persons, a hostile environment may be created when conduct is sufficiently severe or pervasive and objectively offensive so as to substantially interfere with or limit the ability of an individual to work, study, or otherwise to participate in activities of the university.

It is the university’s goal to prevent the occurrence of discriminatory and harassing activity and to promptly stop such conduct. While grounded in state and federal non-discrimination laws, this policy may cover those activities which, although not severe, persistent, or pervasive enough to meet the legal definition of harassment, are unacceptable and not tolerated in an educational or work environment. This policy will be interpreted so as to avoid infringement upon First Amendment rights of free speech. The university must be mindful of the tradition of academic freedom that includes the free exchange of ideas inherent in an academic community. A determination as to whether discrimination or harassment has occurred will be based upon the context in which the alleged conduct occurs. For further discussion, see Section 3.4.

1.1 — Sexual Harassment

Sexual harassment, in its legal definition, includes unwelcome sexual advances, requests to engage in sexual conduct, and other physical and expressive behavior of a sexual nature where (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or education; (2) submission to or rejection of such conduct by an individual is used, or threatened or suggested to be used, as the basis for academic or employment decisions affecting the individual; or (3) such conduct substantially interferes with an individual’s academic or professional performance or creating an intimidating, hostile, or demeaning employment or academic environment. Determination as to whether the alleged constitutes sexual harassment should take into consideration the totality of the circumstances, including the context in which the alleged incidents occurred.

Under this policy, sexual harassment can be verbal, visual, or physical. It can be overt, as in the suggestion that a person could get a higher grade or a raise in salary by submitting to sexual advances. The suggestion or the advance need not be direct or explicit — it can be implied from the conduct, circumstances, and relationships of the persons involved. Sexual harassment can also consist of persistent, unwelcome attempts to change a professional or academic relationship to a personal one. It can range from unwelcome sexual flirtations and inappropriate put-downs of individual persons or class of people to serious physical

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abuses such as sexual assault. Examples could include, but are not limited to, unwelcome sexual advances; repeated and unwelcome sexually-oriented bullying, teasing, joking, or flirting; verbal abuse of a sexual nature; commentary about an individual’s body, sexual prowess, or sexual deficiencies; derogatory or demeaning comments about women or men in general, whether sexual or not; leering, touching, pinching, or brushing against another’s body; or displaying objects or pictures, including electronic images, which are sexual in nature and which create a hostile or offensive work, education, or living environment.

1.1.1 — Consensual Relationships

Sexual, romantic, or intimate relationships between persons in an unequal power relationship that appear to be voluntary and welcome may nonetheless constitute sexual harassment under this definition. Relationships between faculty and subordinate faculty or staff, between a supervisor and those employees who he or she supervises, or between a faculty member or teaching assistance and his or her student may give rise to legal and ethical concerns or to conflict between personal and professional interests. Although such a relationship may be viewed by the parties involved as consensual, that fact alone does not mean that no sexual harassment exists.

In addition, such relationships can result in discrimination or harassment where (1) third parties are adversely affected in academic or employment matters because of a consensual relationship between others; (2) where a consensual relationship creates a hostile and intimidating work or learning environment for third parties; or (3) when a consensual relationship ends, and one of the parties continues behavior which the other party has made clear is now unwelcome.

Supervisors, instructors, or mentors involved in such relationships have the obligation to remove themselves from the supervisory or mentoring relationship (refer to Faculty Handbook 7.2.2.1.1).

1.2 — Racial and Ethnic Harassment

Harassment that is directed at a person or group of persons because of race, color, ethnicity, or national origin is covered under this policy. Even if actions are not directed at specific persons, a hostile environment can be created when the conduct is sufficiently severe or pervasive and objectively offensive so as to substantially interfere with the person’s work, education, or activities on campus.

1.3 — Harassment Based on Religion, Disability, Pregnancy, Age, Marital Status, Sexual Orientation, U.S. Veteran Status, or Other Protected Status

Harassment that is directed at a person or group of persons because of any characteristic protected by this policy or local, state or federal law is also covered under this policy.
1.4 — Retaliation

Retaliation against an individual for making a complaint of discrimination or harassment, for resisting discrimination or harassment, or for otherwise using or participating in the informal or formal complaint resolution process, is a violation of university policy, and any such action is itself cause for disciplinary action.

2. Complaint Resolution

In an effort to prevent or stop discriminatory or harassing behavior, the university has adopted specific avenues through which an individual can make his or her complaint known. With issues of discrimination and harassment, it is important to identify and remedy the situation as soon as possible. For this reason, the university has adopted two complaint resolution mechanisms that employees may use to raise discrimination and harassment concerns — informal and formal resolution. Claims of discrimination and harassment must be brought either as an informal complaint or a formal complaint to ensure that appropriate action can be taken right away. An informal complaint may, but need not be made before filing a formal complaint; however, once a formal complaint has reached resolution, the same complaint cannot be brought as an informal complaint.

Complaints by or against students, on the other hand, are handled differently. All complaints of discrimination and harassment by or against a student should be brought to the Dean of Students Office. The policy on Sexual Misconduct, Sexual Assault, and Sexual Harassment Involving Students contains information on support services for students during any complaint resolution process.

To best remedy a situation, complainants are urged to promptly share concerns or complaints rather than risk their well being or negatively affecting the university’s ability to investigate their case due to the passage of time and potential departure of witnesses. If a formal complaint contains incomplete information, the Office of Equal Opportunity (OEO) will promptly seek to gather the needed information from the complainant. In the event that such information is not furnished to the OEO within 30 days from the date of the request, the case may be closed. Consistent with federal regulations governing the filing of complaints, the OEO may decline to investigate claims in which none of the alleged discrimination or harassing action occurred within the preceding 300 days.

Any employee, student, visitor, applicant, or program participant of Iowa State University may file a complaint alleging discrimination or harassment in violation of the university’s policy prohibiting such conduct. In most cases, complaints against affiliates or contractors of Iowa State University must first proceed through the affiliate or contractor before Iowa State University may intervene. Information about the university’s policy and resolution procedures may be found in several offices, including the Dean of Students Office, the
Discrimination and Harassment Policy

Student Counseling Service, the Women’s Center, the Senior Vice President and Provost, the Employee Assistance Program, and the OEO. As described below, the university has designated and trained certain individuals, called discrimination and harassment assistors, to assist a potentially injured person in deciding if and how to proceed and in carrying out that decision.

2.1 — Informal Resolution

Iowa State University has adopted an informal process through which non-student harassment and discrimination complaints may be resolved promptly and discreetly, often through communication, education, and/or mutual agreement. If informal resolution fails to resolve the matter to the complainant’s satisfaction, the complainant may file a formal complaint with, or seek the assistance of the university’s Office of Equal Opportunity (OEO). The implementation of this informal process is the responsibility of all central administrators, deans, directors, department chairs, supervisors, and managers — hereinafter referred to collectively as “supervisors” for purposes of this policy.

Under the informal process, the complainant must bring the complaint, either verbally or in writing, to a supervisor with authority over the person against whom the complaint is directed. Because it is often more efficient to resolve matters locally, bringing the informal complaint to a supervisor with immediate authority over the person is useful, but not required. If a complainant is not comfortable speaking with a supervisor, informal complaints may also be raised with the OEO. To ensure responsiveness and consistent application of this policy, the supervisor must notify the OEO when he or she receives an informal complaint. If the allegations reveal conduct of a severe or repetitive nature, the supervisor or the OEO may deem a formal investigation under section 2.2 to be warranted. The supervisor is expected to review the complaint and explore avenues for resolution with the complainant. With the complainant’s consent, the supervisor may contact the accused person.

Because the OEO can provide assistance through this process, the supervisor is encouraged to consult with the OEO regarding alternatives for resolution. Options for informal resolution may include advising the complainant about methods to resolve the concern, arranging educational programs for individuals or departments, helping modify a work or study situation, mediating between the parties, or intervening or arrange for a third party to intervene. The informal process is not a formal investigation. A supervisor shall not impose discipline against an accused person as a result of the informal process without first consulting with the OEO, or in the case of a complaint against a faculty member, the Office of the Senior Vice President and Provost (SVPP).

Supervisors should attempt to resolve complaints expeditiously, but consistent with the severity or complexity of the matter. As a guideline, supervisors should attempt to complete the informal resolution within three weeks after receipt of the complaint. To ensure
Responsiveness and consistent application of this policy, the supervisor must notify the OEO as to the resolution of the complaint.

In cases of complaints against members of the faculty, the Faculty Conduct Policy provides for mediation by a third party to resolve the complaint when all parties agree. For more information, see the Faculty Handbook, Faculty Conduct Policy, Mediated Process (7.2.4).

For purposes of annual reporting, the supervisor shall maintain a written record of the complaint and of the informal resolution process undertaken, taking care to preserve the privacy rights of both the complainant and the alleged offender.

2.2 — Formal Resolution

A person who wishes to file a formal complaint must do so in writing as described below. Students should see the policy on Sexual Misconduct, Sexual Assault, and Sexual Harassment Involving Students.

2.2.1 — Complaints Against Faculty Members

When a person chooses to file a formal complaint against a member of the faculty, he or she may file the written complaint with either the SVPP Office or the OEO (see details in 2.2.2. below). In cases where the complainant files a complaint with the OEO, that office will notify the SVPP of the complaint within one business day and coordinate with the Faculty Review Board, as required by the Faculty Conduct Policy. The Faculty Review Board will conduct its own investigation or work in conjunction with an investigator and make recommendations to the SVPP.

2.2.2 — Complaints Against Others

A person who believes that she or he has been subjected to harassment or discrimination may file a formal complaint with the university’s Office of Equal Opportunity (OEO). A formal complaint with the OEO involves completing an intake form and submitting a written, signed statement describing the incident or incidents as completely as possible. Specific guidelines for the submission of a complaint may be obtained from the OEO, and the complainant may visit with a staff member of that office prior to filing a formal complaint.

Once a complaint is filed with the Office of Equal Opportunity, it will be assessed and, if an investigation is warranted, the case will be assigned for investigation to a staff member or designee. A complaint against the President will be referred to the Board of Regents for investigation and disposition. The person against whom the complaint is filed will be notified. Each investigation will necessarily be different depending on the facts, circumstances, and witnesses. Generally an investigation will include interviews with the complainant or complainants, with the person against whom the complaint has been brought, and with
anyone else who might have information that would be helpful. Based on this investigation, the Office of Equal Opportunity and/or designated investigator will meet with the supervisor of the accused person to share findings and discuss appropriate action to resolve the complaint.

The supervisor to whom the Office of Equal Opportunity reported must notify that office as to whether he or she accepts the findings as well as what action, if any, has been or will be taken. If the unit administrator does not accept the findings of the Office of Equal Opportunity, then the Office of Equal Opportunity shall submit a written summary of the findings and recommendation to the appropriate vice president or SVPP, who shall in turn take whatever action he or she believes to be necessary to remedy the situation. Any disciplinary action shall be handled under the appropriate employee handbook.

The investigation by the Office of Equal Opportunity or designated investigator will be conducted expeditiously, but in a manner consistent with the complexity and severity of the matter and availability of witnesses. The Office of Equal Opportunity will attempt to complete its investigation and recommendation within forty-five days of initiation of the formal complaint if possible.

The Office of Equal Opportunity shall notify the complainant in writing of the result of the investigation. Any subsequent complaints or appeals external to the university shall be at the discretion of the complainant in accordance with the rules and timelines of the entity receiving the complaint or appeal (e.g., Board of Regents, Iowa Civil Rights Commission).

2.3 — Office of Equal Opportunity Information Advisors

Because sexual harassment can be difficult to identify and understand, the university has designated persons on campus as Information Advisors to help anyone who believes she or he may have been subjected to discrimination and harassment including sexual harassment or who wishes to make an inquiry. Office of Equal Opportunity (OEO) Information Advisors are members of the University community who have received extensive discrimination and harassment training to act as information advisors on topic pertaining to discrimination and harassment, have general knowledge about applicable laws, university policies and procedures, options available for resolution of complaints, confidentiality requirements, act as educators and trainers, and assist students, faculty, and staff with concerns about discrimination and harassment. OEO Information Advisors are designated by the president, provost, senior vice presidents, deans, and/or other University administrators to serve as OEO Information Advisors representing their respective areas. Information Advisors are a resource for information but are not responsible for investigating or resolving complaints. A list of designated discrimination and harassment assistors are available from the Office of Equal Opportunity.
3. Enforcement

3.1 — Responsibilities of the University, Administrators, and Supervisors

Iowa State University—including its officers and its employees—is committed to maintaining a working and learning environment free from discrimination and harassment. The administration will make widely known that discrimination and harassment are prohibited both legally and by this policy, and that appropriate procedures for dealing with allegations of discrimination or harassment are available. Students, staff, faculty, and administrators should know that the university is concerned about such behavior and is prepared to take preventive and corrective action.

University administrators and supervisors who do not respond to discrimination or harassment complaints brought to their attention are in violation of this policy. This policy identifies what an administrator/supervisor should do in the event he or she learns of a discrimination or harassment complaint. In addition, administrators and supervisors are strongly encouraged to seek assistance in the event they feel unequipped to address such a concern by contacting the Office of Equal Opportunity.

3.2 — Confidentiality

Persons seeking general information or guidance about harassment or discrimination may be concerned about whether the information they share with another person will be confidential. While the university is eager to create a safe environment in which individuals can be unafraid to discuss concerns and make complaints, legal obligations may require the university to take some action once it is informed that harassment or discrimination may be occurring. Because of their positions of authority, certain university personnel — i.e., central administrators, deans, directors, department chairs, supervisors, and managers — are particularly obligated to take action when they receive a complaint of harassment or discrimination. Although the confidentiality of the information received and the privacy of the individuals involved cannot be guaranteed, they will be protected to as great an extent as is legally possible. The expressed wishes of the complainant regarding confidentiality will be considered in the context of the university’s legal obligation to act upon the charge and the right of the charged party to be informed concerning the charge.

3.3 — Sanctions

Employees found to have engaged in discrimination or harassment in violation of this policy are subject to appropriate discipline up to and including termination of employment. Students found to have engaged in discrimination or harassment in violation of this policy are subject to appropriate discipline up to and including dismissal. In cases where complaints are found to be baseless or frivolous, and where the accused individual consents, the
university will take affirmative steps to restore the reputation of a person believed to be wrongly accused. Appropriateness of such action shall be based upon the nature of the investigation, the findings, and the reputational damage which may have occurred.

3.5 — Direct Institutional Action

Even in the absence of a complaint, if university administrators, including the president, the SVPP, senior vice presidents, vice presidents, deans, department chairs, or directors, become aware of allegations of discrimination or harassment, they should inquire into, or seek assistance in inquiring into, allegations or behaviors that may be discriminatory or harassing in order to determine what action(s) are warranted. Appropriate procedures may include initiating an investigation. Supervisors needing assistance should consult with the Office of Equal Opportunity.

4. External Actions

In addition to the university’s channels, a person who believes that she or he has been subjected to discrimination or harassment may file a charge under the various jurisdictions of the Iowa Civil Rights Commission, the Equal Employment Opportunity Commission, or the U.S. Office of Civil Rights. Information on filing charges with any of these agencies, including deadlines for doing so, may be obtained from each agency’s website.

### Sex Offender Registry

Iowa law requires a person convicted of a sex offense crime to register with the sheriff in his/her county of residence; if the person works for an institution of higher education, they must register with the sheriff in the county in which the institution is located. To obtain information regarding registered sex offenders in Story County, contact:

- **Story County Sheriff’s Office**
  - 1315 South B Avenue
  - Nevada, IA  50201
  - Phone:  515.382.6566

To access the statewide sex offender registry, visit: [www.iowasexoffender.com](http://www.iowasexoffender.com)

For additional assistance, contact the ISU Police Department at 515.294.4428.
If you or someone you know is being abused, confidential help is available 24-hours a day, seven days a week at 29-ALERT (292-5378).

Relationship violence, also known as dating violence, domestic violence, or intimate partner violence, is a pattern of violence in any intimate relationship where one person inflicts physical or emotional pain on a partner in order to gain or maintain power and control over their partner.

Examples include, but are not limited to, unwanted:

- Control of finances
- Including taking wages or putting someone on allowance
- Insisting on knowing the other person's whereabouts at all times
- Intimidation through words, threats, or acts of violence
- Isolation from family and friends
- Making all the important decisions
- Name calling, taunts, constant criticism or put-downs
- Ridiculing of religious faith or using religion as a means of control
- Threatened or completed violence towards a person's body, possessions, pets, or children
- Relationship violence can happen to anyone regardless of gender, sex, age, race, ethnicity, strength, sexual orientation, size, religion, and ability. It can happen between heterosexual and same-sex married couples, dating couples, or ex-partners.

Relationship violence is not about love — it is about maintaining control and power. If you are being abused, consider taking the following actions:

- If you are in immediate danger, call 911
- Try to avoid wearing scarves or long jewelry that can be used to strangle you
- Create a safety plan and practice how to get out safely
- Have a bag of important documents prepared, hidden from the abuser. Be sure to include legal documents, your driver's license, spare keys, money, medication, clothes, etc.
- Consider filing for a Pro Se no contact or protective order at the county courthouse. A Pro Se no contact or protective order is a court order telling the abuser to stop harming, harassing, or threatening you.
If someone you know is a victim of relationship abuse, here are ways you can help.

- Avoid shaming them
- Remember that your friend did not ask to be abused and it is difficult to get out of a relationship due to finances, children, and lack of support system.
- Develop a safety plan with them
- Help them develop a safety plan and practice it.
- Listen
- Listen to them and let them know you support them.
- Provide resources
- Explain to them their options without making decisions for them or pushing them to make a decision. When they are ready, they will make the choice to leave. ACCESS can help them with the first step of the process.

Iowa Crime Victims’ Rights

Rights granted to Victims of a Crime in the State of Iowa

The Victim Witness Program offers a variety of services to eligible victims, which may include:

- Crisis intervention and support services
- Information about the status of a criminal case through the use of the Victim Notification System (VNS)
- Accompanying victims to court for trials and sentencing upon request
- Referrals to appropriate community agencies and programs
- Information about victim rights and the victim’s role in the criminal case
- Assisting in preparing victims for testifying on court proceedings
- Information about the victim impact process, the restitution process, and the right to allocution at sentencing where permitted
Bystander Intervention and Risk Reduction

What is bystander intervention?

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Iowa State University wants to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Bystanders may not always know what to do even if they want to help. Below is a list of some of the ways to be an active bystander. If you or someone else is in immediate danger, dial 911 (for example, when a person is verbally or physically abusive toward another and it is not safe for you to interrupt).

- Watch out for your friends and fellow students/employees. If you see someone who looks like he/she could be in trouble or need help, ask if he/she is ok.
- Report people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Intervene when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources (see pages 82 and 83) for support in health, counseling, or with legal assistance.

What can you do to reduce your risk?

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

- **Be aware of your surroundings.** Knowing where you are and who is around may help you find a way to get out of a bad situation.
- **Avoid isolated areas.** It is more difficult to get help if no one is around.
- **Walk with purpose.** Even if you don’t know where you are going, act like you do.
- **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact local law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- **Try not to load yourself** with packages or bags as this can make you appear more vulnerable.

(continued on page 90)
Risk Reduction Tips

- **Make sure your cell phone is with you** and charged and that you have cab money.
- **Don’t allow yourself to be isolated** with someone you don’t trust or someone you don’t know.
- **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- **Go to social gatherings with a group of friends.** Arrange to arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you find a way out of a bad situation.
- **Don’t leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.
- **Don’t accept drinks from people you don’t know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from punch bowls or other large, common open containers.
- **Watch out for your friends and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
- **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others.)
- **If you need to get out of an uncomfortable or scary situation, here are some things to try:**
  * **Remember that being in this situation is not your fault.** You did nothing wrong. The person making you uncomfortable is the person to blame.
  * **Be true to yourself.** Don’t feel obligated to do anything you don’t want to do. “I don’t want to” is always a good enough reason. Do what feels right to you and your comfort level.
  * **Have a code word with your friends or family** so that if you feel uncomfortable you can call and communicate your discomfort. Your friends or family can then come to get you or make up an excuse for you to leave.
  * **Lie.** If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- **Plan an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- **If you and/or the other person have been drinking,** you can say that you would rather wait until you both are sober before doing anything you may regret later.
Alcohol, Drugs and Other Intoxicants

Alcohol Policies

Possession or Consumption — The possession or consumption of alcoholic beverages on the Iowa State University campus will be permitted in accordance with state law. Pursuant to Board of Regents policies, the consumption of alcoholic beverages will generally be permitted only where approved by the Senior Vice President for Business and Finance. Possession and consumption of alcoholic beverages is permitted in university housing according to the policies established by the Department of Residence and only for those persons having attained drinking age as stipulated in the laws of the State of Iowa.

Students and Student Organizations — Alcohol may be used in ways that neither harm nor degrade the individual or the university community. The university community must encourage responsible behavior for those individuals who consume alcohol and respect the rights of individuals who choose not to consume alcohol. Consistent with these rights, the institution will encourage responsible decision-making regarding the consumption of alcoholic beverages.

The university recognizes that some individuals have difficulty with alcohol because they are chemically dependent. Although the institution has an interest in helping those individuals, it neither ensures the safety of nor protects those individuals from the consequences of their acts or violation of this policy or any other rule or regulation.

In order for the university to be consistent and fair in the implementation of this policy, all organizations affiliated with or recognized by the university must observe the following policies with regard to the possession, consumption, distribution and promotion of alcohol on university property.

Time, Place, Conditions — The university has the authority to determine the time, place and conditions under which alcoholic beverages are consumed on university property. Persons under the legal drinking age may not consume or have alcoholic beverages in their possession. The university will clearly designate all locations where alcoholic beverages may be served. Unless specifically allowed by state permit or university policy, the consumption of alcoholic beverages is not permitted within university buildings, within university vehicles, or on other university property.

Safety — Drinking activities that are potentially dangerous, such as “chugging” of alcoholic beverages, competitive drinking activities, and activities that employ peer pressure to force participants to consume alcohol are prohibited. Alcohol is not to be used as an award or prize.
**Alcohol and Drug Policies**

**Supervision and Compliance** — When alcoholic beverages are served at a social function, the sponsoring organization shall provide adequate supervision at the events and comply with all the applicable laws, ordinances and rules governing the distribution, possession and consumption of alcoholic beverages.

— Individuals sponsoring the event must implement precautionary measures to ensure that alcoholic beverages are not accessible or served to persons under the legal drinking age or to persons who appear intoxicated.

— Non-alcoholic beverages and food are to be provided whenever alcohol is served. They must be displayed as prominently as the alcohol. They must also be available in appropriate quantities depending upon the number of persons in attendance.

— The quantity of alcohol available at an activity is to be based upon the number of people of legal drinking age expected to attend and the duration of the activity.

— Advertising for events that specify or emphasize the quantity of alcohol to be served is prohibited. Non-alcoholic beverages are to be advertised as prominently as alcohol.

— All individuals or registered groups must comply with the laws of the State of Iowa, the ordinances of the City of Ames, and the policies of Iowa State University. It is the duty and responsibility of the sponsoring organization(s) or individual(s) to provide adequate supervision and to comply with all applicable laws and university regulations including the activity authorization process.

— Cash bars are subject to restrictions.

**Drugs and Other Intoxicants Policy**

Drugs that are not legally available shall not be used, possessed, sold, or distributed on campus. Moreover, the unauthorized distribution of prescription drugs on the campus by a person to another person is prohibited. Misuse of drugs and other intoxicants is also prohibited.

**Enforcement of Alcohol, Drugs and Other Intoxicants Policies**

ISU Police strictly enforce all state and federal laws as well as university rules and regulations. Violators are subject to University disciplinary action, criminal prosecution, fines and imprisonment. Students may receive penalties that include: education, evaluation and/or other sanctions ranging from disciplinary probation to expulsion. If the student is living in the residence halls, Greek housing, or is an athlete, further sanctions may apply. Staff and faculty may receive penalties that include referral for assessment/treatment, as well as other sanctions ranging from probation to termination of employment.
Facts You Should Know Before You Drink

Iowa’s legal drinking age is 21
Iowa’s legal blood alcohol limit is .08
The fine for possession of alcohol under the legal age is $330

<table>
<thead>
<tr>
<th>Offense</th>
<th>Fine</th>
<th>And/or Jail</th>
<th>License Suspension</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>$1,250</td>
<td>2 days to 1 year</td>
<td>180 days</td>
</tr>
<tr>
<td>2nd</td>
<td>$1,875 - $6,250</td>
<td>7 days to 2 years</td>
<td>2 years</td>
</tr>
<tr>
<td>3rd</td>
<td>$3,125 - $9,375</td>
<td>30 days to 5 years</td>
<td>6 years</td>
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</tbody>
</table>

Facts You Should Know About Iowa’s Drug Laws

<table>
<thead>
<tr>
<th>Offense</th>
<th>Marijuana</th>
<th>Other than Marijuana</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Offense</td>
<td>Serious Misdemeanor</td>
<td>Serious Misdemeanor</td>
</tr>
<tr>
<td>Second Offense</td>
<td>Serious Misdemeanor</td>
<td>Aggravated Misdemeanor</td>
</tr>
<tr>
<td>Third or Greater Offense</td>
<td>Aggravated Misdemeanor</td>
<td>Class “D” Felony</td>
</tr>
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</table>
Penalties Under Iowa Law for Manufacturing, Delivering, a Counterfeit Substance or

<table>
<thead>
<tr>
<th>GENERAL OFFENSE MISDMEANOR CLASSIFICATION</th>
<th>SPECIAL CLASS “B” FELONY - §124.401(1)(a)¹</th>
<th>SPECIAL CLASS “B” FELONY - §124.401(1)(b)¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>PENALTY</td>
<td>Not greater than 50 years and a fine of not greater than $100,000</td>
<td>Not greater than 25 years and a fine of not less than $5,000 and not greater than $100,000²</td>
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<tr>
<td>SUBSTANCE</td>
<td></td>
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<tr>
<td>LSD</td>
<td>Greater than 10g</td>
<td>Not greater than 10g</td>
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<tr>
<td>COCAINE BASE “CRACK”</td>
<td>Greater than 50g</td>
<td>Greater than 10g but not greater than 50g</td>
</tr>
<tr>
<td>COCAINE</td>
<td>Greater than 500g</td>
<td>Greater than 100g but not greater than 500g</td>
</tr>
<tr>
<td>PCP (PURE)</td>
<td>Greater than 100g</td>
<td>Greater than 10g but not greater than 100g</td>
</tr>
<tr>
<td>PCP (MIXED)</td>
<td>Greater than 1kg</td>
<td>Greater than 100g but not greater than 1kg</td>
</tr>
<tr>
<td>HEROIN</td>
<td>Greater than 1kg</td>
<td>Greater than 100g but not greater than 1kg</td>
</tr>
<tr>
<td>MARIJUANA</td>
<td>Greater than 1,000kg</td>
<td>Greater than 100kg but not greater than 1,000kg</td>
</tr>
<tr>
<td>METHAMPHETAMINE AMPHETAMINE</td>
<td>Greater than 5kg⁴</td>
<td>Greater than 5g but not greater than 5kg</td>
</tr>
<tr>
<td>SALVIA DIVINORUM</td>
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<td></td>
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<tr>
<td>SYNTHETIC CANNABINOIDS</td>
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<td></td>
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<tr>
<td>SYNTHETIC CATHINONES</td>
<td></td>
<td></td>
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<tr>
<td>OTHER SCHEDULE I, II, AND III SUBSTANCES⁶</td>
<td></td>
<td></td>
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<tr>
<td>SCHEDULE IV AND V SUBSTANCES⁷</td>
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</table>

¹ These are non-bailable offenses after conviction and while awaiting appeal. Iowa Code §811.1(2). Note: must be a second or subsequent offense of §124.401(1)(c) to qualify as non-bailable.

² Note that the Iowa Supreme Court has determined that the minimum fines set out for violations of §124.401(1) may be suspended or deferred under chapter 907 of the Iowa Code, State v. Grey, 514 N.W.2d 78 (Iowa 1994).

³ This is the accommodation offense. It only includes delivery and possession with intent to deliver less than or equal to 1/2 ounce of marijuana, which was NOT offered for sale. Manufacturing marijuana is not included. An offender under this subsection is sentenced as if convicted of §124.401(5) (possession of marijuana).
or Possessing with the Intent to Deliver a Controlled Substance, a Simulated Controlled Substance

<table>
<thead>
<tr>
<th>SPECIAL CLASS “C” FELONY - §124.401(1)(c)¹</th>
<th>SPECIAL CLASS “D” FELONY - §124.401(1)(d)</th>
<th>AGGRAVATED MISDEMEANOR §124.401(1)(d)</th>
<th>SPECIAL CLASS SERIOUS §124.401</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not greater than 10 years and a fine of not less than $1,000 and not greater than $50,000²</td>
<td>Not greater than 5 years and a fine of not less than $1,000 and not greater than $7,500²</td>
<td>Not greater than 2 years or a fine of not less than $500 and not greater than $5,000 or both</td>
<td>Not greater than 6 months or a fine of not greater than $1,000 or both³</td>
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<tr>
<td>Less than or equal to 10g</td>
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<tr>
<td>Less than or equal to 100g</td>
<td></td>
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<td>Less than or equal to 100g</td>
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<tr>
<td>Greater than 50kg but not greater than 100kg</td>
<td>Less than 50kg</td>
<td>Less than or equal to 1/2 oz. (not offered for sale)</td>
<td></td>
</tr>
<tr>
<td>Less than or equal to 5g⁵</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any amount</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any amount</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any amount</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any amount</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ Deferred judgments, deferred sentences and suspended sentences are NOT available in these instances when the substance is methamphetamine. Iowa Code §907.3(1), (2) & (3).
² If first offense for amphetamine or methamphetamine, then sentence may be suspended and defendant ordered to drug court or community based corrections for 1 year or until maximum benefits. §123.301E
³ Examples of other Schedule I, II and III controlled substances include mescaline, morphine, fentanyl, hashish, hashish oil, methaqualone, Seconal, Nembutal. State v. Kaufman, 265 N.W.2d610 (Iowa 1978).
⁴ Examples of Schedule IV and V controlled substances include phenobarbital, Tylenol with codeine, meperidine, Valium and ephedrine.
PENALTIES UNDER IOWA LAW FOR POSSESSION OF CONTROLLED SUBSTANCES

§ 124.401(5) (Includes minimum imprisonment of 48 hours, which can be suspended)

Note: The reduced penalties for marijuana would appear to apply only if the present offense and all previous convictions were for marijuana, otherwise the penalties for the “other than marijuana” would apply. Convictions for violations of Chapters 124, 124A, 1245B, and 453B can be used to enhance second and subsequent offenses in the “other than marijuana” category.

<table>
<thead>
<tr>
<th></th>
<th>Marijuana</th>
<th>Other than Marijuana</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Offense</td>
<td>6 months, $1,000 fine</td>
<td>Serious Misdemeanor</td>
</tr>
<tr>
<td>Second Offense</td>
<td>Serious Misdemeanor</td>
<td>Aggravated Misdemeanor</td>
</tr>
<tr>
<td>Third or Greater Offense</td>
<td>Aggravated Misdemeanor</td>
<td>Class “D” Felony</td>
</tr>
</tbody>
</table>

AGGREGATION OF WEIGHTS Iowa Code §124.401(2)—If the same person commits 2 or more acts which are in violation of §124.401(1) and the acts occur in approximately the same location or time period so that the acts can be attributed to a single scheme, plan or conspiracy, the acts may be considered a single violation and the weight of the controlled substances involved may be combined for purposes of charging the offender and enhancing the criminal penalties. This is done at the discretion of the prosecutor. State v. Robinson, 506 N.W.2d 769 (Iowa 1993).

FIREARM AND OFFENSIVE WEAPON ENHANCEMENT Iowa Code §124.401(1)(e) and (f)—If in the immediate possession of a firearm while participating in a violation of §124.401(1), the penalty shall be 2 times the term otherwise imposed or granted. If in the immediate possession or control of an offensive weapon while participating in a violation of §124.401(1), the penalty shall be 3 times the term imposed by law. A judgment or sentence under the firearm or offensive weapon enhancement cannot be deferred or suspended. State v. Goodson, 503 N.W.2d 395 (Iowa 1993).

SCHOOL OR PUBLIC RECREATION ZONE ENHANCEMENT Iowa Code §124.401A and §124.401B—If convicted of distributing or possessing with the intent to distribute a Schedule I, II or III controlled substance (includes both a counterfeit and a simulated controlled substance) to a person greater than or equal to 18 years, and the offense is within 1,000 feet of a public or private elementary or secondary school, public park, public swimming pool, public recreation center, or on a marked school bus, then the offender may be sentenced to an additional term of 5 years (§124.401A). If convicted of possessing a Schedule I, II, or III controlled substance (includes a simulated controlled substance, but the “counterfeit substance” language was omitted from the statute) and the offense is within 1,000 feet of a public or private elementary or secondary school, public park, public swimming pool, public recreation center, or on a marked school bus, then the offender may be sentenced to an additional penalty of 100 hours of community service work for a public agency or a nonprofit charitable organization (§124.401B).

MANUFACTURING METHAMPHETAMINE IN PRESENCE OF A MINOR Iowa Code §124.401C—If someone greater or equal to 18 years manufactures methamphetamine 1) in the physical presence of a minor; 2) at the residence of a minor; 3) in a building where a minor might reasonably be present; 4) in a public accommodation (hotel, motel, etc.); or 5) in a multi-unit dwelling (apartment, condo, duplex, etc.), they shall be sentenced to an additional 5 years imprisonment.
Penalties Under Iowa Law for Possession of Controlled Substances

MANUFACTURING OR DELIVERY OF AMPHETAMINE OR METHAMPHETAMINE TO A MINOR Iowa Code §124.401D—If someone greater than or equal to 18 years delivers, possesses with the intent to deliver, conspires to deliver or possess with intent to deliver, or conspires to manufacture methamphetamine for delivery to someone < 18 years: 1st offense = 99 years; 2nd or subsequent offense = Class “A” felony (life imprisonment). §902.9(0A). If 1st offense, then not eligible for parole until a minimum of 10 years served. §902.8A.

TAMPERING WITH, POSSESSING OR TRANSPORTING ANHYDROUS AMMONIA Iowa Code §124.401F—It is a serious misdemeanor to tamper with anhydrous ammonia equipment or to possess or transport anhydrous ammonia in a container not approved by the secretary of agriculture. A civil penalty of not more than $1,500 may also be imposed.

SECOND OR SUBSEQUENT OFFENSES Iowa Code §124.411(1)—If previously convicted of any state or federal drug statute, and subsequently convicted under chapter 124, that person may be imprisoned for a period not to exceed 3 times the term otherwise authorized, or that person may be fined not more than 3 times the amount otherwise authorized, or both. The enhancement may be less than the triple amount and it also multiplies any other enhancements (such as firearm enhancement) that may be imposed. State v. Rodgers, 560 N.W.2d 585 (Iowa 1997). Does not apply to violations of §124.401(5).

MANDATORY MINIMUM SENTENCE Iowa Code §124.413 (in reality a limitation on eligibility for parole)—A person sentenced pursuant to §124.401(1)(a), (b), (c), (e) or (f), shall not be eligible for parole until the person has served a minimum period of confinement of one-third of the maximum indeterminate sentence prescribed by law. This provision does not apply to marijuana. Schedule IV or V controlled substances under §124.401(1)(d). If this is a first offense under §124.413, the court may, at its discretion, sentence the person to a term less than provided for by statute if mitigating circumstances exist and those circumstances are stated specifically on the record. (See §901.10.) Probation is still a possibility. State v. Farley, 351 N.W.2d 537 (Iowa 1989); State v. Draper, 457 N.W.2d 600 (Iowa 1990); Kinnersley v. State, 494 N.W.2d 698 (Iowa 1993).

RECONSIDERATION OF FELONY SENTENCE Iowa Code §902.4—The District Court retains jurisdiction for a period of ninety (90) days to reconsider a felon’s sentence (other than a Class A felony or for which a mandatory minimum is imposed). The Court shall not disclose its decision to reconsider or not to reconsider until the date reconsideration is ordered, or the 90 day period for reconsideration is past. If an individual is sentenced for a violation of §124.401 and §124.413, he would not be eligible for reconsideration. State v. Canas, 571 N.W.2d 20 (Iowa 1997). However, if it is a first offense and the mandatory minimum is not imposed (see above), then the Court may reconsider.
REOPENING OF 99 YEAR SENTENCE Iowa Code §901.5A—The Court may reopen a 99 year sentence if the prosecutor requests it and the Court finds that the defendant cooperated in the prosecution of others. Any reduction in sentence is based on §901.10(3). Reopening of the sentence does NOT toll or stay any other proceedings or time deadlines.

COMMITMENT FOR TREATMENT Iowa Code §124.409—When someone is charged under §124.401 and they consent thereto, or upon a conviction of §124.401, the Court may find that someone is addicted to, dependent upon, or a chronic abuser of controlled substances, and the Court may order commitment for treatment and rehabilitation. If successful at rehabilitation, the Court may remit all or part of the sentence and place the individual on probation.

POSSESSION OF CERTAIN SUBSTANCES WITH INTENT TO MANUFACTURE Iowa Code §123.401(4)—It is a Class “D” felony to possess the following with the intent to manufacture a controlled substance: ephedrine, pseudoephedrine, ethyl ether, anhydrous ammonia, red phosphorous, lithium, iodine, thionyl chloride, chloroform, palladium, perchloric acid, tetrahydrofuran, ammonium chloride and magnesium sulfate.

POSSESSION OF A CONTROLLED SUBSTANCE Iowa Code §124.401(5)—A first offense conviction for possession of any controlled substance (except marijuana) is a serious misdemeanor with a fine of at least $250, but not more than $1,500; in addition, the court may order imprisonment up to one year. Maximum penalty for a first offense conviction for possession of marijuana is imprisonment for 6 months and/or a $1,000 fine. All or part of the sentence may be suspended and the person placed on probation, with conditions that may include participation in a drug treatment, rehabilitation or education program. If first offense, sentence may be deferred. (See §124.409.) For second and subsequent offenses, see chart on previous page. Aggravated misdemeanors are punishable by a fine of at least $500, but not more than $5,000; in addition, the court may order imprisonment up to two years. A Class “D” Felony is punishable by an indeterminate term of imprisonment of not more than 5 years, and in addition, is punishable by a fine of at least $500, but not more than $7,500.

DRUG PARAPHERNALIA Iowa Code §124.414—It is a simple misdemeanor for any person to knowingly or intentionally manufacture, deliver, sell, or possess drug paraphernalia. Drug paraphernalia is defined as all equipment, products, or materials of any kind used or attempted to be used in combination with a controlled substance, to knowingly and intentionally and primarily:
1. manufacture a controlled substance;
2. inject, ingest, inhale, or otherwise introduce into the human body a controlled substance;
3. test the strength, effectiveness, or purity of a controlled substance;
4. enhance the effect of a controlled substance. There is an exception for items used with lawful controlled substances and hypodermic needles or syringes used for a lawful purpose.

DISTRIBUTION TO MINORS Iowa Code §124.406
1. If someone greater than or equal to 18 years distributes or possesses with the intent to distribute a Schedule I or II controlled substance to someone less than 18 years, the offense is a Class “B” Felony and the person shall serve a minimum of 5 years. If it is a counterfeit or a simulated controlled substance, then no minimum 5 years. However, in either case, if the offense occurs within a school or a public recreation zone, then the person shall serve a minimum of 10 years.
Penalties Under Iowa Law for Possession of Controlled Substances

2. If someone greater than or equal to 18 years distributes or possesses with the intent to distribute a Schedule III controlled substance (includes a counterfeit or a simulated controlled substance) to someone less than 18 years and there is a greater than or equal to a 3 years difference, the offense is a Class “C” Felony.

3. If someone greater than or equal to 18 years distributes a Schedule IV or V controlled substance (includes a counterfeit or a simulated controlled substance) to someone less than 18 years and there is a greater than or equal to 3 years difference, the offense is an Aggravated Misdemeanor.

4. If someone delivered a controlled substance to another in order to act with, enter into a common scheme or design with, conspire with, or recruit that other person to deliver any Schedule I, II, III, IV, or V controlled substance to someone less than 18 years, the offense is a Class “D” Felony.

5. A court sentencing a person for the first time under §124.406 may, at its discretion, sentence the person to a term less than provided for by statute if mitigating circumstances exist and those circumstances are stated specifically on the record. (See §901.10.)

RECRUITMENT OF MINORS Iowa Code §124.406A—If someone greater than or equal to 18 years conspires with or recruits someone less than 18 years to deliver or manufacture a Schedule I through IV controlled substance, the offense is a Class “C” Felony.

GATHERINGS WHERE CONTROLLED SUBSTANCES UNLAWFULLY USED Iowa Code §124.407—It is unlawful for any person to sponsor, promote or aid, or assist in a meeting, gathering, or assemblage with the knowledge or intent that a controlled substance be distributed, used or possessed there. If it is anything other than marijuana, it is a Class “D” Felony. If it is marijuana, it is a Serious Misdemeanor. Injunctions may also be issued.

DATE RAPE DRUG PENALTIES Iowa Code §709.4(3)—It is Sex Abuse in the Third Degree (a Class “C” Felony) when an individual performs a sex act on a person who is under the influence of a controlled substance, including flunitrazepam (Rohypnol), and 1) the controlled substance prevents the victim from consenting, and 2) the accused knows or should reasonably know that the victim is under the influence of a controlled substance.

GAMMA-HYDROXYBUTYRATE (GHB) Iowa Code §126.27—Unless covered by a legitimate prescription, it is unlawful to possess gamma-hydroxybutyrate (an Aggravated Misdemeanor). Furthermore, it is an Aggravated Misdemeanor to distribute or possess with the intent to distribute gamma-hydroxybutyrate when it is intended to promote its unlawful use, or it is known that the other will use it for unlawful purposes.

DRIVER’S LICENSE SUSPENSION Iowa Code §901.5(10)—The court shall order the D.O.T. to revoke the driver’s license and/or the operating privileges of a person convicted of certain drug related offenses for a period of one hundred eighty (180) days. If the license or operating privileges are already under suspension or revocation, then the 180 days begins after all other suspensions or revocations have expired. The triggering offenses include violations of §124.401, §124.401A, §124.402, §124.403, §126.3, and Chapter 453B. This provision does not violate “Due Process” or “Equal Protection.” State v. Bell, 572 N.W.2d 910 (Iowa 1997). The Iowa Supreme Court has also ruled that the revocation is mandatory. State v. Klein, 574 N.W.2d 347 (Iowa 1997).
DENIAL OF FEDERAL AND STATE BENEFITS Iowa Code §901.5(11)—The Court shall consider 21 U.S.C.A. §862 (see below), and may order the denial of federal benefits, such as school loans, grants, contracts, professional or commercial licenses. Does not include retirement, welfare, Social Security, health, disability, veterans benefits, public housing, or similar benefits. For any violation of Chapter 123, the Court shall consider the denial of state benefits and may order their denial comparable to the federal benefits. Iowa Code §901.5(12).

DENIAL OF FEDERAL BENEFITS TO DRUG TRAFFICKERS AND POSSESSORS

<table>
<thead>
<tr>
<th></th>
<th>Drug Traffickers</th>
<th>Drug Possessors</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Offense</td>
<td>Ineligible for any or all federal benefits for up to 5 years</td>
<td>1) ineligible for any or all federal benefits for up to 1 year; and/or 2) successfully complete an approved drug treatment program with periodic future testing; and/or 3) perform appropriate community service</td>
</tr>
<tr>
<td>Second Offense</td>
<td>Ineligible for any or all federal benefits for up to 10 years</td>
<td>1) ineligible for any or all federal benefits for up to 5 years; and/or 2) successfully complete an approved drug treatment program with periodic future testing; and or 3) perform appropriate community service</td>
</tr>
<tr>
<td>Third or Greater Offense</td>
<td>Permanently ineligible for all federal benefits</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Note: The period of ineligibility referred to above may be suspended if the individual has completed a supervised drug rehabilitation program or otherwise has been rehabilitated. These penalties do not apply to any individual who cooperates or testifies for the government.

CONTROLLED SUBSTANCE TAX STAMP Iowa Code Chapter 453B—If certain minimum levels of various controlled substances are possessed, then a tax is due according to the schedule below. If the tax is not paid when first due, there is an immediate 100% penalty also assessed. In addition, it is a Class “D” Felony, punishable by an indeterminate term of imprisonment of not more than 5 years, and in addition, punishable by a fine of at least $500, but not more than $7,500, for failure to properly affix the tax stamp to the controlled substances.

<table>
<thead>
<tr>
<th>Taxable Substance</th>
<th>Unprocessed Marijuana Plants</th>
<th>Processed Marijuana</th>
<th>Other Than Sold by Weight</th>
<th>Marijuana Sold by dosage unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Triggering Amount</td>
<td>1 plant</td>
<td>42 1/2 grams</td>
<td>7 grams</td>
<td>10 dosage units</td>
</tr>
<tr>
<td>Tax Rate</td>
<td>$750 per plant</td>
<td>$5 per gram or portion thereof</td>
<td>$250 per gram or portion thereof</td>
<td>$400 per 10 units or portion thereof</td>
</tr>
</tbody>
</table>
## Penalties Under Iowa Law for Possession of Controlled Substances

### Summary of Penalties for Various Offense Categories

<table>
<thead>
<tr>
<th>Offense Category</th>
<th>Minimum Fine</th>
<th>Maximum Fine</th>
<th>Maximum Incarceration</th>
<th>Minimum for Parole Eligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simple Misdemeanor (§903.1)</td>
<td>$50</td>
<td>$500</td>
<td>In lieu of or in addition to fine, may impose up to 30 Days in Jail</td>
<td>N/A</td>
</tr>
<tr>
<td>Serious Misdemeanor (§903.1)</td>
<td>$250</td>
<td>$1,500</td>
<td>In addition to fine, may impose up to 1 Year in Jail</td>
<td>N/A</td>
</tr>
<tr>
<td>Aggravated Misdemeanor (§903.1)</td>
<td>$500</td>
<td>$5,000</td>
<td>Not greater than 1 Year in Jail or not greater than 2 Years in Prison</td>
<td>N/A</td>
</tr>
<tr>
<td>Class “D” Felony (§902.9)</td>
<td>$750</td>
<td>$7,500</td>
<td>Not greater than 5 Years in Prison</td>
<td>N/A</td>
</tr>
<tr>
<td>Class “C” Felony (§902.9)</td>
<td>$1,000</td>
<td>$10,000</td>
<td>Not greater than 10 Years in Prison</td>
<td>N/A</td>
</tr>
<tr>
<td>Habitual Offender (§902.9; §902.8)</td>
<td>N/A</td>
<td>N/A</td>
<td>Not greater than 15 Years in Prison</td>
<td>3 Years</td>
</tr>
<tr>
<td>Class “B” Felony (§902.9)</td>
<td>N/A</td>
<td>N/A</td>
<td>Not greater than 25 Years in Prison</td>
<td>N/A</td>
</tr>
<tr>
<td>§124.401D Felony (§902.9 &amp; §902.8A)</td>
<td>N/A</td>
<td>N/A</td>
<td>Not greater than 99 Years in Prison</td>
<td>10 Years</td>
</tr>
<tr>
<td>§124.401 (1)(a), (b), (c), (e), or (f) Felony (§124.413)</td>
<td>Varies</td>
<td>Varies</td>
<td>Varies</td>
<td>1/3 of Sentence</td>
</tr>
<tr>
<td>Class “A” Felony (§902.1)</td>
<td>N/A</td>
<td>N/A</td>
<td>Life in Prison</td>
<td>N/A</td>
</tr>
<tr>
<td>Certain Forcible Felonies: Murder 2nd, Attempted Murder; Sex Abuse 2nd, Kidnapping 2nd, Robbery 1st or 2nd, and Vehicular Homicide (if also convicted of leaving the scene) committed by 3211, reckless or eluding (§902.12)</td>
<td>Varies</td>
<td>Varies</td>
<td>Varies</td>
<td>85 Percent of Sentence</td>
</tr>
<tr>
<td>Non-Forcible Felony (other than 3211 offense) with Forcible Felony within last 5 years (§902.11)</td>
<td>Varies</td>
<td>Varies</td>
<td>Varies</td>
<td>50 Percent of Sentence</td>
</tr>
<tr>
<td>Forcible Felony and Use of Dangerous Weapon (§902.7)</td>
<td>Varies</td>
<td>Varies</td>
<td>Varies</td>
<td>5 years</td>
</tr>
</tbody>
</table>
The university has developed an educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation.

The Office of Equal Opportunity offers an online training program designed to strengthen Iowa State University’s ongoing efforts to ensure everyone understands and follows our non-discrimination policies and procedures and Title IX. The training program includes two courses: Title IX and Violence Prevention for Students and Unlawful Harassment Prevention. All students will receive Title IX and Violence Prevention. Student workers will receive a second course, the Unlawful Harassment Prevention course. Each course is approximately 40 minutes in duration. The courses are interactive and include examples of many challenging and interesting real-life educational and workplace situations.

The Title IX Awareness, violence Prevention and Campus SaVE Act for Higher Education Students course:

- Defines sex discrimination and sexual violence including rape, sexual assault, sexual battery and sexual coercion
- Explains prohibitions against domestic violence, intimate partner violence and stalking
- Covers the grievance procedures available and employee rights
- Understanding and preventing sex discrimination
- Explains who is covered by Title IX
- Defines discrimination and sexual harassment
- Differentiates disparate treatment and disparate impact.
- States the prohibition against retaliation
- Covers pregnancy and gender stereotyping
- Includes social media and harassment
- Explains how and when the Office of Civil Rights gets involved
- Covers Clery At and Violence Against Women Act
- Explains how and when someone is legally incapable of giving consent
- Provides resources for recipients of discrimination and violence
- Covers Campus SaVE Act including bystander intervention education and risk reduction behaviors

Before entering ISU for the fall semester, all incoming freshmen are required to complete two online prevention programs:

**Alcohol Edu** — a science-based interactive program that provides students information on alcohol and its effects on the brain, body, and behavior.

**Haven Online Sexual Misconduct Prevention Program** — educates students about the elements of healthy relationships, the importance of sexual consent, the role of bystanders in creating safe, healthy communities.
Training required for all faculty and staff

In fall 2014, President Leath made the request that all faculty and staff complete online discrimination and Title IX training. The goal of the training is to ensure that Iowa State University provides a supportive, inclusive environment for all.

Training in these areas also helps to fulfill requirements by two federal agencies — the Equal Employment Opportunity Commission and the Office of Civil Rights.

Training covers Title IX of the Educational Amendments Act of 1972; Titles VI and VII of the Civil Rights Act of 1964; and Iowa State’s discrimination and harassment policy and the policy on sexual misconduct, assault and sexual harassment involving students.

All faculty and staff take two courses:

Unlawful Harassment Prevention
Title IX and Violence Prevention

Supervisors take a third course, “Unlawful Harassment Prevention Supervisor Supplement for Higher Education Faculty or Staff”.

Training topics include: Unlawful Harassment Prevention; Title IX; and Violence Prevention (stalking, sexual assault, domestic violence and dating violence).

A key focus of the training is helping faculty and staff know what to do if they encounter discrimination or harassment, including sexual harassment.

Iowa State University is committed to taking proactive steps to end intimate partner violence and endorses the Start by Believing campaign introduced by the End Violence Against Women International organization.
VIRT (Violent Incident Response Training)

Violent incidents in society, while rare, can seem like they are becoming more mainstream around the nation and world. It is unfortunate we have to discuss a subject of this nature, however, Iowa State University and the Iowa State University Police Department believe your safety is the most important responsibility with which we are charged.

A.L.I.C.E., which stands for Alert, Lockdown, Inform, Counter, Evacuate, is a flexible set of principles that may be adapted to any violent encounter. Preparation is key for any situation we face in life; the more prepared we are, the better we perform.

The goal of this training is to begin your mental preparation of recognizing, assessing, and responding to threats against you. A.L.I.C.E. is being taught around the country to law enforcement, college campuses, K-12 schools, private businesses, and other social organizations who realize they need education on this topic.

Society has trained us to react to fires, earthquakes, tornadoes, floods and other types of disasters. This program is no different. By studying what has worked in past violent incidents around the world, it has been found that certain techniques work and others don't.

This training is not designed to scare you into thinking there is a violent situation lurking around every corner. It is designed to provide you with options should you be in a violent situation.

Recognizing and Reporting Disturbing Behavior (RRDB)

This training is sometimes referred to as a precursor to VIRT, in that the warning signs or “red flags” observed can help to mitigate the tragedies that have become all too common in this day and age. The presentation is delivered via PowerPoint, and the length depends largely on audience interaction and participation. Many of the principles taught during VIRT are touched on with this presentation as well, but RRDB will deal more with creating awareness as well as ways to mitigate acts of violence from happening before the onset of the problem(s) become(s) too unmanageable. Proactive approaches are stressed over reactive ones. Just like in VIRT, information is the best weapon against violence. Information provides knowledge, which provides options for survival during a crisis. There are many reactions possible during these types of violent incidents. The only bad reaction is no reaction at all.

Since past behavior often predicts future behavior, some case studies will be examined as part of the presentation. There is, however, no such thing as the perfect response to
Educational Programs

violent acts. Don’t try to make sense out of something that is senseless. The best thing that can be done is to adapt a flexible psyche and be willing to do whatever it takes to survive an encounter. The presentation is not overly-rooted on statistics. Statistics can be important when studying trends, but they also tend to make people too narrow-minded as they can remove the human element from the equation. Instead it is recommended the focus be placed on potential, not statistics.

Bystander Intervention Training for Sexual Misconduct Prevention

Bystander Intervention Training for Sexual Misconduct Prevent: Mentors in Violence Prevention (MVP) is a bystander intervention facilitation program that uses a “bystander” model to empower each student to take an active role in promoting a positive university climate. It is an interactive discussion in which the facilitator uses real-life scenarios that speak to the social life experiences of young men and women in college. The scenarios are intended to allow students to construct and practice viable options in response to incidents of harassment, abuse, or violence before, during, or after the fact.

What is SART?

SART consists of specially trained professionals from multiple agencies who work together to provide a community coordinated response to reports of sexual assault. Members of SART represent the fields of law enforcement, health care, advocacy, and prosecution and are employed in the public and private sectors (university, city and county governments, medical clinics, and non-profits). SART strives to provide the first response to ensure a consistent, compassionate and professional initial contact for victims and improve the likelihood of successful prosecutions. The program is based out of the Iowa State University Police Department in Ames, Iowa.

The Story County SART (Sexual Assault Response Team) mission is to serve sexual assault victims by coordinating an immediate, high quality, multi-disciplinary, victim-centered response which may include health care, law enforcement, advocacy, and judicial systems.

Personal Safety and Situational Awareness

In today’s society, people need to be aware that they are responsible for their own safety. This course defines situational awareness, levels of situational awareness, scanning
Educational Programs

(Personal Safety and Situational Awareness)
strategy, comprehension, understanding your surroundings, and mindset training. The course also covers factors affecting loss of awareness, OODA Loop, response options, threat assessment principles, and both general and specific safety tips.

International Student Orientation

Our international student orientation program covers departmental information, Personal Safety, Harassment and Assault, Protecting your property, identity theft, online safety, crime prevention, driving laws, alcohol laws, ISU Alert, contacting law enforcement, bystander intervention, and reporting suspicious and concerning behavior, ISUPD Safety Services, Liaison programming, and outreach services.

New Student/Employee Orientation

This presentation is done in partnership with the Dean of Students Office. The presentation covers services and contact information, ISUPD departmental information, crime prevention, safety tips, ISU Alert, bystander intervention, reporting suspicious and concerning behavior, ISUPD Safety Services, Liaison programming, and outreach services.

Self Defense/Defensive Tactics

This presentation is taught by ISUPD Defensive Tactics Instructors. This one hour program provides a common sense blend of threat avoidance, resistance, and mindset training meant to improve self-awareness and build confidence.

In today’s society, people need to be aware that they are responsible for their own safety. This course defines situational awareness, levels of situational awareness, scanning strategy, comprehension, understanding your surroundings, and mindset training.

The course also covers factors affecting loss of awareness, OODA Loop, response options, threat assessment principles, and both general and specific safety tips.

Social Media

This presentation covers the potential dangers of social media use, while including safety tips and things to consider when using social media. This training covers the different types and kinds of social media, and the potential for danger, like cyber bullying, stalking, harassment, invasion of privacy, and sexual exploitation.
Educational Programs

How Not to Get Arrested/Alcohol and Drugs

This presentation covers the concerns surrounding alcohol and drugs that our department encounters. The discussion begins with an overview of the penalties and risks associated with underage alcohol possession and consumption. Stemming off of this is a discussion about appropriate interaction with law enforcement including the use of false identification, interference with official acts, and harassment of a public official. Concerning behaviors leading to public intoxication arrests are shared and an emphasis is put on our attention to the long-term safety of the subject. Finally, the dangers and fines associated with operating while intoxicated are discussed. A reminder that, despite laws in other states, marijuana is still largely illegal in Iowa. A brief discussion about the types of drugs present on campus and in our community is followed by advice on how to respond should students observe illegal drug activity taking place.

To obtain more information about any of the above programs or to schedule a program for your group, contact:

Lieutenant Elliott Florer
ISU Police Department
168 Armory Building
Ames, IA 50011
Phone: 515-294-4044
Email: eflorer@iastate.edu

Educational programs are also available through the following offices and agencies:

Office of Equal Opportunity
Dean of Students Office
Margaret Sloss Women’s Center
Theilen Student Health Center
ACCESS
Human Resource Services
# 2014 Outreach Presentations

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## 2014 Outreach Presentations

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<td>Domestic Violence</td>
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Definitions of Clery Reportable Crimes

For Clery Act reporting, crimes must be reported according to the FBI’s Uniform Crime Reporting Handbook (UCR). For sex offenses only, the definitions that are used are from the FBI’s National Incident-Based Reporting System (NIBRS).

Primary Crimes

Murder/Non-Negligent Manslaughter — The willful (non-negligent) killing of one human being by another. NOTE: Deaths cause by negligence, suicides, accidental deaths and justifiable homicides are excluded. Assaults to murder and attempts to murder should be classified as aggravated assault.

Negligent Manslaughter — The killing of another person through gross negligence.

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

Incest — Sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

Statutory Rape — Sexual intercourse with a person who is under the statutory age of consent. (In Iowa, the statutory age of consent is 16.)

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 — The unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. Usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

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 a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.)
Definitions

**Motor Vehicle Theft** — The theft or attempted theft of a motor vehicle. There are three classes of motor vehicles: (1) autos, (2) trucks and buses, and (3) other vehicles. (Classify as a motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned — including joy riding.)

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

**Arrests and Referrals for Disciplinary Action** (Note: the statistics for these violations are based on violations of the law and not the university’s policies that resulted in the disciplinary referral.)

**Liquor Law Violations** — The violations of laws or ordinances prohibiting; the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.

**Drug Law Violations** — The violation of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Weapon Law Violations** — The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale or possession of deadly weapons; carry deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

**Hate Crimes** A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude towards a group of persons based on their race, gender, religion, disability, sexual orientation, ethnicity, national origin or gender identity. For Clery purposes, hate crimes include any of the offenses listed on the previous page (minus non-negligent manslaughter) and the addition of the categories listed on the next page.
**Hate Crimes**

**Larceny** — The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**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.

**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 (Except “Arson”)** — 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.

**VAWA Crimes**

**Dating Violence** — Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

**Domestic Violence** — Includes misdemeanor and felony crimes of violence committed against a victim when the offender is the spouse of the victim, or an intimate partner of the victim, or has a child in common with the victim. Domestic violence also includes misdemeanor or felony crimes of violence when the victim is a minor subject to the control of the offender, or is an incapacitated individual subject to the control of the offender.

**Stalking** — A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or other's safety, or to suffer substantial emotional distress. Note: the physical location of the course of conduct or portions of it does not matter.

In compliance with the Higher Education Opportunity Act, Iowa State University will, upon written request, disclose to the alleged victim of a crime of violence or non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.
This chart depicts offenses reported by law enforcement agencies, including the ISU Police Department, Ames Police Department, Story County Sheriff’s Office and to any official of Iowa State University designated with significant responsibilities for student and campus activities (primarily through the Dean of Students Office and the Department of Residence). These offenses are compiled as required by provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act.

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<td>Other</td>
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The numbers in the above table reflect only those offenses and areas required by the Jeanne Clery Disclosure of Campus Security Crimes Statistics Act. ISU Police collects additional crime information that is available either on the ISU Police website or in response to requests for information. ISU Police monitors criminal activity reported to local police that may affect non-campus locations owned or controlled by officially recognized student organizations. Criminal activity for these locations is also included in this report. Statistics do not include privileged counseling or medical information from the Student Counseling Service or Thielen Student Health Center. Iowa State University does not have a voluntary confidential procedure for reporting crimes to law enforcement.

Hate crimes are not included in the above chart. A narrative of hate crimes can be found on page 127.
Clery Crime Statistics for ISU Campus—Ames, IA

Hate Crimes:

2012  No hate crimes were reported
2013  2 hate crimes were reported
      ⇒ 1 hate crime occurred on campus; it was classified as vandalism motivated by sexual orientation
      ⇒ 1 hate crime occurred on campus; it was classified as harassment motivated by race
2014  2 hate crimes were reported
      ⇒ 1 hate crime occurred in an on-campus residential facility; it was classified as a vandalism motivated by race
      ⇒ 1 hate crime occurred on public property; it was classified as a simple assault motivated by sexual orientation

Unfounded Crimes:

2014  *1 robbery reported on campus was later determined to be unfounded through a law enforcement investigation
Safety Tips

Protect your community: Crime can occur anywhere and at anytime — no one is immune.

◊ Report suspicious behavior or threatening situations immediately. Describe the person(s) or situations as completely as possible to the 911 dispatcher.

◊ Seek assistance from ISU Police if you are harassed, threatened or stalked. Save all communications received including texts, e-mails, voicemail or written notes.

◊ Avoid propping open exterior and fire doors or allowing strangers to enter.

◊ Report possible hazards such as non-working lights, broken windows or damaged doors.

◊ Keep emergency numbers in your telephone and on your person
  ♦ Emergencies only 911
  ♦ ISU Police 515-294-4428
  ♦ Ames Police 515-239-5122

◊ Keep “ICE” (in case of emergency) numbers in your phone and on your person. If you are injured or seriously ill, your personal contact information will be vital.

◊ Crisis situations may include a natural disaster or an attack on campus.

  Focus on getting to safety. THINK, don’t panic. Follow instructions and procedures during the emergency. Know the location of exits in your residence as well as campus buildings and facilities. Report suspicious people, behavior, or activity immediately. Use common sense; “threat” jokes or inflammatory statements could cause panic or retaliatory actions. You may be detained by the police. Respect emergency equipment such as smoke detectors, fire alarms and fire extinguishers. Report damaged equipment immediately.

Protect your home: Minimize risk to your home.

◊ Keep doors to your residence locked even when you are home.

◊ Do not admit strangers to your home.

◊ Close blinds/curtains at night.

◊ Keep valuable items out of sight and securely stored. Make a list of brand names, models and serial numbers for insurance purposes. If you are a victim of theft, accurate information may allow recovered items to be traced and returned.
The Department of Residence (DOR) is committed to providing safe and code compliant facilities for our residents, staff and guests. Over the past several years, extensive efforts and financial resources have been committee by the DOR to complete numerous capital life safety projects within our facilities. No additional improvements are being planned.

The DOR has a comprehensive life safety program that includes working with students and staff and also involves partnering with Iowa State University Environmental Health and Safety, ISU Police, ISU Risk Management, ISU Facilities Planning and Management, Iowa State Fire Marshal’s Office and the Ames Fire Department. All of these entities contribute to and play a significant role in the success and implementation of our fire and life safety programs.

**Smoke and Heat Detectors**

Single station smoke detectors are located in every student room and also in all of the Department of Residence apartments. Some of the smoke detectors in student rooms are hard wired into the fire alarm system while others are battery operated. Batteries are changed twice a year (at the start of each semester) by Residence Department staff.

Heat and smoke detectors are located throughout all of the residence halls and dining facilities. Additionally, all automatic operating dampers that are located in HVAC ductwork are inspected yearly.

**Sprinkler Systems**

These are inspected quarterly by a certified building sprinkler inspection company. Hood suppression systems that are located in the kitchens for ISU Dining and residence hall kitchenettes are inspected twice a year. Residents are reminded to not hang items from sprinkler heads in their rooms. The following table illustrates the sprinkler status of the residential buildings located on the Iowa State University campus property:

<table>
<thead>
<tr>
<th>Building(s)/Addresses</th>
<th>Total Sq. Ft.</th>
<th>Sq. Ft. Sprinkled</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barton Hall — 260 Richardson Court</td>
<td>73,820</td>
<td>73,820</td>
</tr>
<tr>
<td>Lyon Hall — 358 Carrie Lane Court</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freeman Hall — 315 Carrie Lane Court</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Birch Hall — 244 Richardson Court</td>
<td>118,516</td>
<td>118,516</td>
</tr>
<tr>
<td>Welch Hall — 380 Carrie Lane Court</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roberts Hall — 372 Carrie Lane Court</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Fire Extinguishers

Fire extinguishers are located throughout the residence halls and are inspected and maintained yearly by ISU Environmental Health and Safety.

Fire Equipment Abuse

The fire alarm system, fire extinguishers, fire department standpipes, sprinklers, and exit lights are installed for your protection. Report immediately to the Service Center (294-3322) any apparent defects in fire safety equipment. Tampering with fire equipment, including the removal of batteries in smoke alarms, the removal of glass box hammers, or tampering with smoke doors and Knox boxes (small boxes attached to the exterior of buildings), is a violation of state law and will lead to university disciplinary action. In the event of any fire extinguisher being used, call the Service Center for recharging and checking, and replacing if appropriate.

<table>
<thead>
<tr>
<th>Building(s)</th>
<th>Total Sq. Ft.</th>
<th>Sq. Ft. Sprinkled</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buchanan Hall — 2160 Lincoln Way</td>
<td>93,739</td>
<td>93,739</td>
</tr>
<tr>
<td>Eaton Hall — 135 Beyer Court</td>
<td>84,000</td>
<td>84,000</td>
</tr>
<tr>
<td>Frederiksen Court Apts. — Hawthorn Court Drive</td>
<td>499,928</td>
<td>499,928</td>
</tr>
<tr>
<td>Friley Hall — 2424 Union Drive</td>
<td>364,149</td>
<td>0</td>
</tr>
<tr>
<td>Helser Hall — 221 Beyer Court</td>
<td>150,605</td>
<td>150,605</td>
</tr>
<tr>
<td>Larch Hall — 135 Student Affairs L Road</td>
<td>101,228</td>
<td>101,228</td>
</tr>
<tr>
<td>Legacy Towers— 119 Stanton Avenue</td>
<td>186,391</td>
<td>186,391</td>
</tr>
<tr>
<td>Linden Hall — 218 Richardson Court</td>
<td>119,829</td>
<td>119,829</td>
</tr>
<tr>
<td>Maple Hall — 204 Beach Road</td>
<td>103,778</td>
<td>103,778</td>
</tr>
<tr>
<td>Martin Hall — 131 Beyer Court</td>
<td>84,000</td>
<td>84,000</td>
</tr>
<tr>
<td>Oak-Elm Hall — 326 Richardson Court</td>
<td>137,120</td>
<td>137,120</td>
</tr>
<tr>
<td>Schilletter Village Apts. — Edenburn Drive</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>University Village Apts. — Stotts Road</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Wallace Hall — 917 917 Welch Road</td>
<td>103,778</td>
<td>103,778</td>
</tr>
<tr>
<td>Willow Hall — 213 Student Affairs L Road</td>
<td>101,229</td>
<td>101,229</td>
</tr>
<tr>
<td>Wilson Hall — 926 Hayward Avenue</td>
<td>103,778</td>
<td>103,778</td>
</tr>
</tbody>
</table>
State Fire Marshal

The Iowa State Fire Marshal’s office is the delegated authority for life safety inspections and compliance for the Department of Residence. Facility inspections occur biennially.

Fire Alarms and Drills

Alarm pull stations and fire bells or horns are located in hallways and other common areas throughout the Residence Halls. A building’s fire alarm will sound when an alarm station is pulled. The alarm signal is transmitted to the Department of Residence Service Center and ISU Police. ISU Police dispatch will process the signal and then contact the Ames Fire Department (AFD) and request that they respond to the building in alarm. Automatic fire alarms are similar in their procedure for emergency response. When a heat or smoke detector is activated automatically, the Service Center and ISU Police are notified electronically through Metasys. ISU Police will then contact the AFD for response. ISU Police Officers will also oftentimes respond and be onsite when a building is in alarm. Alarm systems are inspected and tested twice annually by a certified fire alarm inspection company.

Designated rooms in Residence Halls are equipped with assistive devices such as bed shakers or strobe lights for students with a disability or physical impairment. These devices are wired into the fire alarm system and will activate when the building goes into alarm. When the building’s alarm system is temporarily out of operation, a fire watch (walking patrol of the building by staff with air horns and radios to warn residents of a need to evacuate) is maintained until the system is restored.

The Department of Residence conducts a fire drill at the beginning of each semester. Fire drills are announced through postings and at house meetings. The DOR handbook states the following:

“You and your guests are required to evacuate the building when a fire alarm is sounded, and re-enter the building only when fire department staff gives permission to do so. Failure to do so endangers not only you, but residence and fire department staffs as well. If you (or your guests) do not evacuate the building when the fire alarm sounds, or if you (or your guests) re-enter before permission has been granted, you will be held accountable through the judicial system.”

Responders to Fire Emergency

Emergency response is provided by the City of Ames Fire Department. Fire Station 2, located at 132 Welch Avenue, responds to all residence hall fire alarms. Fire Station 1, located at 1300 Burnett Avenue, responds to fire alarms at the Fredericksen Court and SUV Village Apartments.
**Emergency Evacuation**

In the event that a fire alarm sounds in your building, please don’t panic. Calmly do the following:

- Exit your room, closing and locking your room door behind you.
- Leave the building immediately. Use the stairs if you are on an upper floor. Do not use the elevators.
- If there is smoke in the air, keep low. Smoke, heat and toxic gases normally rise to the ceiling.
- Once outside, assemble a safe distance from the building (at least 150 feet).
- Make certain that emergency response personnel and equipment are not blocked from entering the building.
- Try and account for residents and staff known to have been in the building.
- Provide fire and rescue personnel information and location of the fire.
- Do not re-enter the building until the fire department has declared the building safe.
- A bright orange Fire/Emergency/Tornado Procedure sticker has been placed on the backs of all student room doors in the residence halls, Fredericksen Court, and Schilletter and University Village apartments.

**Emergency Evacuation of Mobility Impaired Persons**

Some members of the residential community may need help in evacuating the building. We ask that you provide assistance, to the extent you are able, to get these individuals to a safe location.

- Assist the person by helping them move to the nearest marked exit. In case of a fire, do not use the elevator.
- If the person’s disability prevents them from exiting the building, they should be left in a stairwell. Stairwell landings will provide temporary shelter from fire and smoke and shall be considered an “Area of Refuge”.
- Upon exiting the building, immediately inform fire and rescue personnel of the exact location of a non-ambulatory person that was left in a stairwell or student room. Firefighters will assist persons unable to evacuate.
- Do not re-enter the building until the fire department has declared the building safe.
- Mobility impaired students may use the elevator once it is back in operation to return to their room. Hall Directors have the override key to the elevator to return them to service.

**Emergency Evacuation Maps**

Evacuation maps are posted throughout the residence halls near elevators and entrances and show stairwells and exits. Resident students are expected to learn the location of the exit stairwells and doors and plan more than one exit route.
Emergency Generators

The Department of Residence has emergency generators for each residence hall. In case of a power outage or interruption, these generators provide power to the hallway lights, emergency lighting, exit lights, exhaust fans, dampers, sprinkler pumps, smoke and heat detection system. The generators are tested monthly by Residence Maintenance staff.

Prohibited Items

Flammable Liquids — Because of the safety hazards they represent, the use or storage of flammable/toxic fluids and chemicals is prohibited.

Candles — For safety reasons, candles (with or without wicks) are not permitted in the residence halls or on-campus apartments.

Open Flames — For safety reasons, open flame devices are not permitted in the residence halls.

Appliances and Electrical Cords

- Due to fire and sanitation hazards, space heaters, halogen torchiere lamps, sun lamps, and air conditioners may not be used in student rooms.
- No lights, ceiling fans or other electrical appliances are to be hung on ceilings or interior walls.
- Extension cords with built-in circuit breakers should be used in rooms. The use of extension cords as permanent wiring is not permitted. Multiple receptacle plates that fit into wall outlets are not recommended.
- Smoke or fog machines may not be used anywhere within the residence halls.
Smokefree Air Act

Policy Statement:

It is the policy of Iowa State University to comply with the Smokefree Air Act by declaring the entire university grounds and properties as a Smoke-Free Campus. Therefore, smoking is prohibited in “public buildings and vehicles owned, leased, or operated under the control of” the university as well as on the entire “grounds of the university”.

Smoking is prohibited and a person shall not smoke in any of the following enclosed areas:

- Enclosed areas within places of employment including but not limited to work areas, private offices, conference and meeting rooms, classrooms, auditoriums, employee lounges and cafeterias, hallways, medical facilities, restrooms, elevators, stairs and stairwells.
- Vehicules owned, leased or provided by the university.
- Privately owned vehicles when operated or parked on the grounds of the university.

Smoking is prohibited and a person shall not smoke in or on any of the following outdoor areas:

- The entire grounds of the university.
- The seating and parking areas of outdoor sports arenas, stadiums, amphitheaters and other entertainment venues where members of the general public assemble to witness entertainment events.
- The ISU Farms.
- Veenker Golf Course

When a university employee, student, or visitor enters the grounds of the university any smoking material shall be extinguished and disposed of in an appropriate receptacle at the perimeter of the grounds of the university.

The sale, sampling or advertisement of all tobacco products is prohibited on university property or at university sponsored events in accordance with university Trademark Management policy.

Exceptions

- Smoking will be allowed in designated private apartments in university housing in accordance with Department of Residence policy.
- Smoking will be allowed in an enclosed area within the university that conducts a medical or scientific research or therapy program, if smoking is an integral part of the program.
Smokefree Air Act (continued)

Responsibilities and Enforcement

All members of the ISU community are responsible for observing the provisions of this policy and share responsibility for compliance.

The Smokefree Air Act designates the Iowa Department of Public Health as responsible for enforcement. ISU Department of Public Safety will coordinate compliance with the law on campus.

The Iowa Department of Health designates law enforcement authorities of the state of of each political subdivision of the state to assist with the enforcement of this law. ISU Department of Public Safety officers may issue citations against a person who smokes in an area where smoking is prohibited on the grounds of the university.

Complaints

Concerns or complaints regarding this policy that involve ISU property should be directed to the ISU Department of Public Safety by calling 294-4428 or visiting their website, www.police.iastate.edu.

Any person may also register a complaint with the Iowa Department of Public Health by:

◊ Calling the toll-free number, 1-888-944-2247, or
◊ Registering a complaint on the department’s website, www.IowaSmokefreeAir.gov, or
◊ Downloading a complaint form from the department’s website and mailing it to the department at:

Department of Health
Division of Tobacco Use Prevention and Control
Lucas State Office Building
321 East 12th Street
Des Moines, IA 50319
Reporting Fires in Campus Residential Facilities

To report a fire in progress, call 911.

To report that a fire occurred, contact ISU Police 515-294-4428 and the DoR at 515-294-2900. This will ensure inclusion in the Annual Fire Report.

The Department of Environmental Health and Safety maintains a log of all fires occurring in the university’s on-campus residential facilities. Below is a listing of the fires reported for each residential facility for the past three years (2012—2014):

## 2012 Fire Statistics

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th># of Fires</th>
<th>Cause of Fire</th>
<th># of Injuries Requiring Medical Treatment</th>
<th># of Fire Related Deaths</th>
<th>Value of Property Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barton Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Lyon Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Freeman Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Birch-Welch-Roberts</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Buchanan Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Eaton Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Frederiksen Court Apts.</td>
<td>1</td>
<td>Unintentional—oven fire—cooking</td>
<td>0</td>
<td>0</td>
<td>$500</td>
</tr>
<tr>
<td>Friley Hall</td>
<td>1</td>
<td>Intentional—vandalism—paper set on fire</td>
<td>0</td>
<td>0</td>
<td>$0-99</td>
</tr>
<tr>
<td>Helser Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
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<td>Larch Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Linden Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Maple Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Martin Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Oak-Elm Hall</td>
<td>0</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Schilletter/University Village Apts.</td>
<td>2</td>
<td>Unintentional—oven fire—oven cleaner</td>
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<tr>
<td>Wallace Hall</td>
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<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Willow Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Wilson Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Residential Facility</td>
<td># of Fires</td>
<td>Cause of Fire</td>
<td># of Injuries Requiring Medical Treatment</td>
<td># of Fire Related Deaths</td>
<td>Value of Property Damage</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------</td>
<td>---------------</td>
<td>------------------------------------------</td>
<td>--------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Barton Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Lyon Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Freeman Hall</td>
<td>0</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Birch Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Buchanan Hall</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Eaton Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Frederiksen Court Apts.</td>
<td>3</td>
<td>Unintentional—oven fire—cooking</td>
<td>0</td>
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<td>$500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unintentional—stove fire—cooking</td>
<td>0</td>
<td>0</td>
<td>$500</td>
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<tr>
<td></td>
<td></td>
<td>Unintentional—oven fire—cooking</td>
<td>0</td>
<td>0</td>
<td>&lt;$100</td>
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<tr>
<td>Friley Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Helser Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Larch Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Linden Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Maple Hall</td>
<td>1</td>
<td>MWL Commons—unintentional—trash can fire—clothes from dryer</td>
<td>0</td>
<td>0</td>
<td>&lt;$100</td>
</tr>
<tr>
<td>Martin Hall</td>
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<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Oak Hall</td>
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<td>Elm Hall</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Willow Hall</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Wilson Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Welch Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Roberts Hall</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>University Village Apts.</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Residential Facility</td>
<td># of Fires</td>
<td>Cause of Fire</td>
<td># of Injuries Requiring Medical Treatment</td>
<td># of Fire Related Deaths</td>
<td>Value of Property Damage</td>
</tr>
<tr>
<td>----------------------------</td>
<td>------------</td>
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<td>Barton Hall</td>
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<tr>
<td>Lyon Hall</td>
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<td>Freeman Hall</td>
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<tr>
<td>Birch Hall</td>
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<tr>
<td>Buchanan Hall</td>
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<td>Frederiksen Court Apts.</td>
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<td>Helser Hall</td>
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</tr>
<tr>
<td>Larch Hall</td>
<td>1</td>
<td>Laundry—unintentional—clothes in dryer caught on fire</td>
<td>0</td>
<td>0</td>
<td>$0-99</td>
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<tr>
<td>Legacy Towers</td>
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<td>N/A</td>
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<tr>
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<td>Martin Hall</td>
<td>1</td>
<td>Intentional—vandalism—paper on door set on fire</td>
<td>0</td>
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<td>$0-99</td>
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<tr>
<td>Oak Hall</td>
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<td>Elm Hall</td>
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<tr>
<td>Schilletter Apts.</td>
<td>1</td>
<td>Bldg. 38—unintentional—oven fire—cooking</td>
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<td>$500</td>
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<tr>
<td>Wallace Hall</td>
<td>1</td>
<td>Electrical vault—unintentional—electrical transformers caught on fire</td>
<td>0</td>
<td>0</td>
<td>$4,636.59</td>
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<tr>
<td>Willow Hall</td>
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<td>Wilson Hall</td>
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<td>Welch Hall</td>
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<tr>
<td>Roberts Hall</td>
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<td>N/A</td>
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<td>N/A</td>
</tr>
<tr>
<td>University Village Apts.</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
All policies and procedures of the main campus will apply unless noted below. The Rome campus does not have on-campus housing facilities.

**Reporting Crimes:** If you are a victim of a crime while living in Rome, report it immediately to the resident director (Pia Schneider) and the Italian Police (emergency, call 113). If the crime occurred at your residence, contact the police station at Via Felice Cavallotti in Rome (phone 06 583 9131). The police report must be filed within three months of the date the crime occurred (in the event of a sexual assault, the report must be filed within six months). If you have difficulties filing your report with an Italian official, contact the U.S. Embassy or Consulate (phone 06.46741) immediately. (Refer to the following website: http://italy.usembassy.gov/acs/emergency/emergency~crime.html)

**Facilities Hours and Access:** The studio is generally open between 8:00 a.m. and 10:00 p.m. This is a policy that is common to most of the American programs in Rome, reflecting the culture and circumstances of the setting. Exceptions to the closing hour will be made typically for the days immediately preceding a major deadline, at the discretion of the program leaders and the resident director.

The studio is a large facility containing diverse spaces that are generally separated from one another. Consequently, it is difficult to keep track of who is in the studio, particularly outside of class time. You must make the effort to prevent giving access to the studio to unwanted guests. To begin with, it is important that you keep the main door to the studio **locked at all times.** This means that you will need to carry your key card for this door all the time, as well as your key for the main building door, which is normally closed.

For your own safety, you are asked never to be alone in the studio. You should always have at least one other person with you. If you and a classmate are the last people to leave the studios, you are also asked to close all windows and terrace doors and assure that the shutter-locks are secured.

The studio spaces and lecture room are cleaned on a regular basis by contracted personnel. You are asked to keep the floor area around your table as clear as possible, and take responsibility for cleaning up after yourself before leaving the studio facility each day. Anything on the floor overnight will be considered trash. Only authorized personnel have key access to the facility.

**Timely Warnings:** Whenever a situation arises, either on or off campus, that in the judgment of the Resident Director constitutes an ongoing or continuous threat, a campus wide “timely warning” will be issued. This may take the form of an e-mail or announcements made in the classrooms and studios. You will be advised when the threat no longer exists.
Alcohol Policy: The consumption of alcohol in the studio is prohibited, with exceptions made only for special group events, such as receptions and exhibition openings. The legal age for purchasing alcohol in Italy is 16; however, there is no minimum legal drinking age. New alcohol regulations in Italy went into effect during the Summer of 2014:

- From 10:00 p.m. to 7:00 a.m.: It is forbidden to sell take away alcoholic beverages, even from automatic machines.
- From 10:00 p.m. to 7:00 a.m.: It is forbidden to drink alcoholic beverages in glass containers on the streets
- From 12:00 a.m. to 7:00 a.m.: It is forbidden to drink alcoholic beverages in any kind of container on the streets.
- From 2:00 a.m. to 7:00 a.m.: It is forbidden to sell alcoholic beverages

Drug Policy: Possession of all drugs is prohibited in Italy and punishable by administrative sanctions in instances of personal use and by prison sentences when dealing or trafficking is involved. (Refer to the following website for more information: http://www.emedda.europa.edu/html.cfm/index5174EN.html?plugir)

Evacuating the Studios: Should there be a fire, gas leak, flood, or any other emergency compromising the general health and safety of persons present at the Iowa State University College of Design Rome Program and no member of the faculty/staff is present, you must sound the alarm, warn others of the danger and evacuate the building immediately. In case of such emergency, evacuation of the premises is required by the Italian safety code (D.L. 81/08) even in the absence or failure of alarm systems or in the absence of a member of the Rome Program staff or faculty.

- Sound the alarm (located in the corridor next to the telephone, opposite the office). This signifies that everyone must immediately evacuate the premises.
- Check the Evacuation Plan on the wall of each room for a clear indication of escape routes.
- When evacuating, proceed calmly and in an orderly fashion to the nearest accessible exit, following specific instructions of ISU staff or faculty, if present. If no member of the staff or faculty is present, please lead other students and any guests out of the building.
- In case of a fire or explosion, distance yourselves as far as possible from the hazard. Do NOT remain near the building or windows that may explode in shards of glass.
- In a fire, turn off the circuit breaker (on the electrical panel in the corridor).

The primary fire exit is through the front door and down the staircase. The place of secure refuge is the terrace off the back rooms. If both the front exit and the secure refuge are blocked, an alternative route is down the back staircase by the office, which leads to the ground floor and into the piazza.
This chart depicts offenses reported by officials of the Study Abroad program which is part of the Design College located in Rome, Italy. The Rome Police Department has jurisdiction for all crimes occurring in or around the University properties and facilities. These offenses are compiled as required by provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

<table>
<thead>
<tr>
<th>Total Crimes Reported for</th>
<th>Rome Campus</th>
<th>Non-Campus Building/Property</th>
<th>Public Property</th>
<th>Total</th>
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<tbody>
<tr>
<td>Primary Crimes</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Murder</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Forcible Sex Offenses</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Non-forcible Sex Offenses</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Aggravated Assault</td>
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<td>0</td>
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<td>Burglary</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Arson</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Motor Vehicle Theft</td>
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<td>0</td>
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<tr>
<td>Arrests</td>
<td></td>
<td></td>
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<tr>
<td>Liquor Law Violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug Abuse Violations</td>
<td>0</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Weapon Law Violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Referrals</td>
<td></td>
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<td></td>
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<tr>
<td>Liquor Law Violations</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug Abuse Violations</td>
<td>0</td>
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<tr>
<td>VAWA Crimes</td>
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<tr>
<td>Dating Violence</td>
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<tr>
<td>Domestic Violence</td>
<td>0</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Stalking</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</table>

The numbers in the above table reflect only those offenses and areas required by the Jeanne Clery Disclosure of Campus Security Crimes Statistics Act.

No hate crimes were reported for the Rome, Italy campus during 2012, 2013, and 2014.
### Important Telephone Numbers

**Emergency**

911

**CAMPUS NUMBERS**

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>ISU Police (Non-emergency)</td>
<td>515-294-4428</td>
</tr>
<tr>
<td>ISU Parking</td>
<td>515-294-3388</td>
</tr>
<tr>
<td>HelpVan/Safety Escort</td>
<td>515-294-4444</td>
</tr>
<tr>
<td>Dean of Students Office</td>
<td>515-294-1020</td>
</tr>
<tr>
<td>Residence Life</td>
<td>515-294-6428</td>
</tr>
<tr>
<td>Thielen Student Health Center</td>
<td>515-294-5801</td>
</tr>
<tr>
<td>Margaret Sloss Women’s Center</td>
<td>515-294-4154</td>
</tr>
<tr>
<td>Student Counseling Services</td>
<td>515-294-5056</td>
</tr>
<tr>
<td>Environmental Health &amp; Safety (Fire Safety Office)</td>
<td>515-294-5359</td>
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**NON-CAMPUS NUMBERS**

<table>
<thead>
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<th>Service</th>
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<tbody>
<tr>
<td>Ames Police Department (Non-emergency)</td>
<td>515-239-5133</td>
</tr>
<tr>
<td>Story County Sheriff’s Office</td>
<td>515-382-6566</td>
</tr>
<tr>
<td>ACCESS</td>
<td>515-292-5378</td>
</tr>
<tr>
<td>Mary Greeley Medical Center</td>
<td>515-239-2155</td>
</tr>
<tr>
<td>Story County Medical Center</td>
<td>515-382-2111</td>
</tr>
<tr>
<td>Story County Attorney’s Office</td>
<td>515-382-7255</td>
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**DEPARTMENT OF PUBLIC SAFETY**

<table>
<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Jerry Stewart, Chief of Police</td>
<td>515-294-6762</td>
</tr>
<tr>
<td>Robert Bowers, Director of Public Safety Services</td>
<td>515-294-5787</td>
</tr>
<tr>
<td>Mark Miller, Director of Parking Services</td>
<td>515-294-1987</td>
</tr>
<tr>
<td>Aaron DeLashmutt, Deputy Chief—Patrol Services</td>
<td>515-294-7166</td>
</tr>
<tr>
<td>Carrie Jacobs, Deputy Chief — Investigative Services</td>
<td>515-294-9848</td>
</tr>
<tr>
<td>Darin Van Ryswyk, Deputy Chief — Threat Management Services</td>
<td>515-294-4529</td>
</tr>
<tr>
<td>Steffani Simbric, Program Coordinator for SART</td>
<td>515-294-3166</td>
</tr>
</tbody>
</table>

Iowa State University does not discriminate on the basis of race, color, age, religion, national origin, sexual orientation, gender identity, sex, marital status, disability or status as a U.S. Veteran. Any person having inquiries concerning this may contact the Director of Equal Opportunity at 515-294-7612.