



UTAH SYSTEM OF
HIGHER EDUCATION

MEMORANDUM

TAB B

April 16, 2021

Revisions to Board Policy R262, *Campus Safety*

Proposed changes:

- 1) Required implicit bias and de-escalation training for all campus public safety officers, in response to the [recommendations reviewed by the Board in December 2020](#).
- 2) Revisions to annual state-mandated campus safety reports to conform with S.B. 163, *Campus Safety Amendments*, from the 2021 Legislative Session pertaining to the reporting of required crimes that occur at noncampus facilities maintained by institutions.

Commissioner's Recommendation

The Commissioner recommends the Academic Education and Student Affairs Committees advance the proposed revisions to Board Policy R262, *Campus Safety*, to the Committee of the Whole for further consideration.

Attachment

R262, Student Safety¹

R262-1 Purpose: Every student should have a safe environment in which to learn, study and excel. If a student is confronted with violence, harassment, or discrimination, he or she should be treated appropriately in accordance with the law. To that end the Board of Regents and its institutions shall collaborate to comply with all state and federal laws pertaining to sexual misconduct, discrimination and harassment; to train and educate the faculty, staff and students about the laws, policies, prevention strategies and resources addressing sexual misconduct and harassment; and to assess the climate of each campus and the system as a whole.

R-262-2 References

2.1 Utah Code Section 53B-1-103 Powers and Authority of the Board of Regents

2.2 Utah Code Section 53B-2-106 Duties and Responsibilities of the President

R262-3 Responsibilities of the Institutions

3.1 Institutions shall establish policies and procedures that comply with state and federal laws pertaining to sexual misconduct, discrimination and harassment, and when practicable, cooperatively establish common, system-wide definitions of terms.

3.2 Institutions shall jointly develop and maintain a method to communicate with other institutions regarding students who have been disciplined for serious violations of institutional policies regarding sexual misconduct, sex discrimination and harassment, in accordance with the Family Educational Rights and Privacy Act.

3.3 Institutions shall conduct a climate survey of students every two years. Although institutions may tailor the climate survey questions to address individual areas of concern, all institutions shall collaborate with the Commissioner's office to develop common questions for all campuses that may be used to assess the climate of the entire system and among the institutions.

3.4 Institutions shall develop and conduct training for faculty, staff, and students about the laws, policies, prevention strategies and resources regarding sexual misconduct, harassment and discrimination.

¹ Adopted January 20, 2017; amended May 17, 2019, August 1, 2019

3.5 Institutions shall provide training to campus law enforcement staff that includes anti-bias and de-escalation. Curriculum shall be identified by institution Chiefs of Police collectively and approved by the Commissioner of Higher Education. Institutions unable to cover costs associated with this training may apply for grants to the Commissioner's Office, dependent on funds availability.

3.6 Institutions shall coordinate with each other and the Board of Higher Education to comply with sex discrimination and harassment laws by supporting activities of the Board of Regents described in R262-4.

3.7 Institutions shall develop campus safety plans that includes the following minimum elements:

3.7.1 Instructions on where an individual can locate the institution's policies and publications related to claims of sexual misconduct, which includes sexual assault, domestic and dating violence, sexual harassment, and stalking.

3.7.2 Institution and community resources for a victim of sexual misconduct.

3.7.3 The rights of a victim of a sexual misconduct, including the measures the institution takes to ensure, unless otherwise provided by law, victim confidentiality throughout all steps in the reporting and response to a covered offense.

3.7.4 How the institution informs the campus community of a crime that presents a threat to the campus community.

3.7.5 Availability, locations, and methods for requesting assistance of security personnel on the institution's campus.

3.7.6 Guidance on how a student may contact law enforcement for incidents that occur off campus.

3.7.7 A description of the efforts that the institution made in the preceding 18 months and expects to make in the upcoming 24 months to improve campus safety measures, including efforts to improve the institution's response to allegations of sexual misconduct and increased and/or improved services to victims of sexual misconduct.

3.7.8 A description of coordination and communication between institution resources and organizations, including campus law enforcement.

3.7.9 A description of the institution’s coordination with local law enforcement or community resources, including coordination related to a student’s safety at an off-campus location.

3.7.10 How the institution requires a student organization to provide the campus safety training as required by Utah Code Section 53B-28-301(5).

3.7.11 An aggregated report of crime statistics, identified using the institution’s system for inventorying institution facilities by on-campus housing facility, institution noncampus housing facility, and any student organization noncampus housing facilities.

3.8 Institutions may combine their campus safety plan with their Annual Security Report (ASR) required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act, 20 U.S.C. § 1092(f), provided the institution’s ASR contains all of the elements specified in 3.6 above.

3.9 Institutions shall annually provide the Board of Higher Education updated campus safety plans by November 1.

R262-4 Responsibilities of the Board of Higher Education

4.1. The Board of Higher Education shall provide opportunities for the institutions’ Title IX officers to meet with each other and the Commissioner’s staff—at least annually—to coordinate efforts, review changes to the law, identify best practices, review the institutions’ policies and practices, and provide opportunities for consultation.

4.2. The Board of Higher Education shall provide training opportunities for Title IX officers and other individuals at the institutions who investigate alleged violations of the institutions’ sexual misconduct, discrimination and harassment policies. The training shall cover areas required by law and other best practices.

4.3. The Board of Higher Education shall provide annual training opportunities for individuals who conduct disciplinary proceedings, including hearing committees that address violations of the institutions’ Title IX policies. The training will cover areas required by law and other best practices.

4.4. The Board of Higher Education shall assist institutions to enter into memorandums of understanding with local law enforcement agencies—as allowed by applicable law—to share information, coordinate investigations, and otherwise collaborate to protect students’ safety.

4.5. The Board of Higher Education shall assist the institutions to identify strategies for preventing sexual harassment, sexual violence, domestic violence, dating violence, and stalking, including outreach and educational activities for students, staff and faculty.

4.6. The Board of Higher Education shall provide the institutions with other resources and opportunities to help institutions comply with sexual misconduct, discrimination and harassment laws.

4.7. The Board of Higher Education shall identify and provide resources that institutions may use to develop campus safety training curricula.

4.8. The Board of Higher Education shall report annually to the Education Interim Committee and the Law Enforcement and Criminal Justice Interim Committee, at or before the committees' November meetings, system efforts to increase student safety under this policy, including each institution's campus safety plans.