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Purpose of the Security Report

The purpose of this report is to:

- Inform you of LDS Business College policies and programs that promote your personal safety.
- Provide information to promote campus security.
- Inform victims of sex offenses of their rights.
- Publicize LDS Business College drug and alcohol policies.
- Publicize LDS Business College graduation rates.

Safety as a Priority

LDS Business College is located near the center of Salt Lake City, the “crossroads of the west.” There is much to see and do in this great city. The world headquarters of The Church of Jesus Christ of Latter-day Saints is located three blocks east of the campus, the home of the Utah Jazz is across the street south of the campus, and Abravanel Symphony Hall is within easy walking distance. Many other sites and activities are close by. It is a wonderful location to pursue your education, and LDS Business College is committed to helping you remain safe and secure while you are here. The policies and information provided here can be a valuable resource to you, but as in any other location, good personal safety habits are essential. Always remain alert to your surroundings. Do not put yourself at risk by walking alone, particularly at night or in less-traveled areas. Utilize public transportation, travel with friends you know well, and keep others informed of your whereabouts. Always report suspicious incidents, activities, or persons to law enforcement and/or Church Security Department officers.

Security and Police Authority

The LDS Business College is patrolled twenty-four hours a day, seven days a week by officers of the Church Security Department (CSD). The CSD has a close working relationship with the Salt Lake City Police Department. The CSD is available at all hours of every day by dialing (801) 240-2771. When calling CSD from any LDS Business College campus telephone, it is necessary to dial only five digits, 2-2771. This will connect the caller directly to the CSD Global Security Operations Center. The dispatcher is able to deploy whatever resources the caller may require, including police and Emergency Medical Technician services.

Reporting Crime and Incidents

LDS Business College encourages the prompt reporting of all criminal activity. Crimes can be reported to the Salt Lake City Police Department on an emergency basis by dialing 911. Non-emergency crime can be reported to the SLCPD at (801) 799-3000. Crime or suspicious incidents can also be reported at all hours of every day to the Church Security Department (CSD) at (801) 240-2771. When using an LDS Business College telephone, CSD can be contacted by dialing 2-2771. Crime or suspicious incidents occurring off-campus should be reported directly to the Salt Lake City Police Department at 911 (emergency) or (801) 799-3000 (non-emergency). Crimes reported to CSD will be relayed to the SLCPD, which conducts criminal investigations. LDS Business College provides an anonymous compliance hotline for reporting non-emergency incidents on a voluntary, confidential basis at 888-238-1062 or by completing a web-based form at www.ethicspoint.com.
Contacting Security

The Church Security Department (CSD) can be contacted at all hours of every day by dialing (801) 240-2771. Five-digit dialing is available when using an LDS Business College campus telephone, so it is necessary to only dial 2-2771 to reach CSD.

Campus Security Authorities

<table>
<thead>
<tr>
<th>Name</th>
<th>Room</th>
<th>Phone 1</th>
<th>Phone 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adrian Juchau</td>
<td>Room 931</td>
<td>(801) 524-8158</td>
<td></td>
</tr>
<tr>
<td>Brady Kimber</td>
<td>Room 215</td>
<td>(801) 524-8171</td>
<td></td>
</tr>
<tr>
<td>Craig Nelson</td>
<td>Room 1005</td>
<td>(801) 524-8103</td>
<td></td>
</tr>
<tr>
<td>David Brooksby</td>
<td>Room 938</td>
<td>(801) 524-8197</td>
<td></td>
</tr>
<tr>
<td>Kathy Skene</td>
<td>Room 930</td>
<td>(801) 524-8118</td>
<td></td>
</tr>
<tr>
<td>Lori Ransom</td>
<td>Room 934</td>
<td>(801) 524-8175</td>
<td></td>
</tr>
<tr>
<td>Melanie Conover</td>
<td>Room 231</td>
<td>(801) 524-1927</td>
<td></td>
</tr>
<tr>
<td>R. Brent Cherrington</td>
<td>Room 1011</td>
<td>(801) 524-8190</td>
<td></td>
</tr>
<tr>
<td>Renae Richards</td>
<td>Room 216</td>
<td>(801) 524-216</td>
<td></td>
</tr>
<tr>
<td>Ron Guymon</td>
<td>Room 1006</td>
<td>(801) 524-8113</td>
<td></td>
</tr>
<tr>
<td>Sarah Sorenson</td>
<td>Room 306</td>
<td>(801) 524-8149</td>
<td></td>
</tr>
<tr>
<td>Tyler Morgan</td>
<td>Room 1018</td>
<td>(801) 524-8161</td>
<td></td>
</tr>
</tbody>
</table>

Emergency Telephone and Communication Stations

There are eleven blue code emergency telephones and communication stations located in the parking areas that serve the LDS Business College campus. These stations are owned and operated by Peak Alarm Company and are easily identifiable by large blue lights mounted on the stations. The stations are under 24/7 surveillance by Peak Alarm security cameras and have two-way communication capability.

Assistance may be requested at all hours of every day at any of these stations by picking up the station telephone or pressing the button on the station. The person requesting assistance can then communicate with the Peak Alarm command station, located in Triad Building 5 adjacent to the LDS Business College building, either by using the phone or via overhead speakers located at the station. The security officer receiving the request can view on the camera the person who is making the request and can immediately dispatch by radio a security officer to that location.

Investigations

The Salt Lake City Police Department investigates all crime including criminal law violations, sexual assault, domestic violence, underage drinking violations, controlled substances violations, weapon law violations, and medical and fire emergencies.

Timely Warning Notice Policy

The LDS Business College Timely Warning Notice Committee consists of the Chief Information Officer, the Director of Human Resources, and the Vice President of Advancement. This committee meets in response to serious incidents which may pose a threat to students and employees of LDS Business College. The Committee evaluates the possible threat, then prepares and disseminates appropriate notifications to the campus community using any or all of the following methods:

- Printed notices posted in conspicuous locations throughout the campus building
- Closed-circuit “BC-TV” digital signage system
- Emergency audio system
- Email
- Broadcast text messaging
- Campus telephone announcements
- Cellular telephone announcements
Important Telephone Numbers

All Emergency Calls ......................................................................................... 911
Fire ...................................................................................................................... 911
Medical ............................................................................................................. 911
Police ............................................................................................................... 911
Child Abuse Reporting 24 Hour ..................................................................... (800) 678-9399
Church Security Department (Emergency Line) ......................................... (801) 240-2771
Crime Victim Reparation ........................................................................... (801) 238-2360
Domestic Violence Information .................................................................. (800) 897-5465
Family Support Center (Salt Lake County) ................................................... (801) 487-7778
Highway Patrol ............................................................................................... (801) 887-3800
Homeland Security (Utah Office) .................................................................. (801) 538-3400
LDS Hospital ................................................................................................... (801) 408-1100
Valley Mental Health (Emergency) ............................................................... (801) 483-5444
Poison Control Center ................................................................................ (800) 222-1222
Rape Recovery Center ................................................................................ ..(801) 467-7273
Road Conditions (Utah) ................................................................................. 511
Road Conditions (Outside Utah) .................................................................... (866) 511-8824
Suicide Prevention Hotline .......................................................................... (801) 483-5444
University Medical Center ............................................................................. (801) 581-2121
Women’s Resource Center ........................................................................... (801) 581-8030
YMCA Battered Women’s Shelter ............................................................... (801) 537-8600

Emergency Response and Evacuation

Upon confirmation of a significant emergency or dangerous situation involving an imminent threat to the health or safety of the campus community, emergency communication resources and procedures will be activated. LDS Business College administration officials will initiate emergency notification messages via the building emergency notification annunciation system and, if applicable, the broadcast text message system. The CSD Global Security Operations Center can also initiate these two systems independently of LDSBC administration, on a 24/7 basis, should notification and confirmation originate at that facility.

Notification can take the form of:

- Broadcast E-mail
- Broadcast text messaging
- Building alarm system
- Campus IP telephone system (voice & text messaging)
- Local news stations as a means of notifying the larger community, as necessary

Initial reporting of an emergency can be made by contacting any Campus Security Authority or, on a 24/7 basis, the CSD Global Security Operations Center (GSOC) at 801-240-2771 or 2-2771, using any campus IP telephone. Upon confirming that that an event warrants immediate notification of the campus community, the campus security authority or GSOC will direct the activation of the notification system without delay. The content of the notification will be determined by the Timely Warning Notice Committee or GSOC as required by the nature of the emergency. Notification of an emergency will be managed, delayed, or not made if, in the judgment of the Timely Warning Notice Committee or
GSOC, such notice would endanger the safe and effective management of the emergency situation. As appropriate, either evacuation or shelter in place alert directions will be given.

**Testing the Notification System**

1. On at least an annual basis the broadcast e-mail, text messaging, and campus IP telephones elements of the notification system will be tested.
2. The test will be unannounced.
3. The test message will read as follows: “This is a test of the LDS Business College emergency notification system. In the event of a real emergency the alert message will tell you what the emergency is and what to do. This message is only a TEST. No actual emergency exists.”
4. A record of each test will be maintained by LDS Business College and the Church Security Department.

**Crime Prevention and Awareness Programs**

*New Student Orientation:* Representatives of the Church Security Department take part in the New Student Orientation program and help to educate students in self-protection behaviors.

*Building Security:* The campus building is secured during non-business hours by the Church Security Department. Public access doors are electronically locked and unlocked at appropriate times. The campus building and surrounding area is patrolled 24 hours per day, every day of the year by CSD officers. The internal parking structure is under camera surveillance at all hours by Peak Alarm Company. Many of the areas of the campus building, including the parking structure, are controlled by an electronic card access system.

*BCTV System:* The College maintains and operates a closed-circuit TV system consisting of large flat-screen TV monitors located at high traffic areas on each floor of the campus building. This system is known as “BCTV” and is used for disseminating information of interest to the LDSBC community, including when needed, timely warning notices and other information pertinent to security issues.

**Your Personal Safety**

The location of LDS Business College in downtown Salt Lake City, in close proximity to the world headquarters of the Church of Jesus Christ of Latter-day Saints, can contribute to a false sense of security in some people. Always keep in mind that Salt Lake City is a large, cosmopolitan city that experiences and deals with the same security and crime-related issues as other large cities. It is essential to remember to practice good security behaviors at all times. Don’t put yourself at unnecessary risk by walking alone at night or in less-traveled areas. Remain vigilant and alert always. Don’t wear personal stereo headphones—they can keep you from being fully aware of what is going on around you. Watch for and report any suspicious incidents or persons to police or Church Security. If you don’t have a personal vehicle, use public transportation such as TRAX and UTA bus service. Travel with friends and keep a cell phone handy for any emergency.

The information following is intended to help you to avoid criminal events and provide helpful direction should you find it necessary to deal with such events.

**Sexual Assault**

The LDS Business College Honor Code requires adherence to the highest moral standard as a condition of enrollment or employment. Those who deviate from this standard in any form of assault, abuse, harassment, or coercive conduct are subject to disciplinary action that can result in dismissal from the College.

Consider the following as ways of helping to stay safe:
• Be assertive and strong when dealing with those who are trying to draw you into behaviors with which you are not comfortable. Be clear and forceful in saying “NO.”
• Always attend events and activities with groups of friends and keep track of each other.
• Keep others informed as to your whereabouts and who you are with.
• Give trusted friends and roommates your cell phone number and information about where you plan to be and when you plan to return.
• Avoid those who use drugs and alcohol and avoid using drugs and alcohol yourself. Never be in a social situation when you are impaired in any way, including legitimate medications and excessive fatigue.
• Be in control of your situation at all times. If you begin feeling uncomfortable, threatened, or pressured to participate in anything against your will, do not be afraid to immediately leave or to demand your freedom. Trust your instincts and always listen to the Spirit.
• Date with other couples and only those who you know and trust. Never date those who you do not know. Avoid Internet dates.
• The National Sex Offender Registry lists offenders by name and by address. This information may be valuable when selecting living accommodations or in other ways. This is available on the Internet at www.familywatchdog.us.

If You Are a Victim of Sexual Assault

Incidents of assault should be reported immediately to the Salt Lake City Police Department and to the Church Security Department. If the victim desires, LDS Business College officials will assist them in notifying the appropriate law enforcement authorities. A listing of these officials, their telephone numbers, and their office locations is available elsewhere in this document. Look in the Table of Contents under “Campus Security Authorities.” Following is a list of suggestions in case you become a victim of a sexual assault:

• Go to a safe place as soon as possible.
• Contact a trusted person who can come be with you.
• Promptly report the assault to police. Call 911 and provide as much information as you can.
• Preserve all physical evidence. Do not bathe, wash your hands, brush your teeth, douche, or change clothing.
• Ask police to help you get medical attention.
• Review the other resources listed in this policy for help in your recovery. Look in the Table of Contents under “Important Telephone Numbers.”

During the investigation of a sexual assault, police officers may do any of the following actions:

• Call in additional investigative help as necessary
• Help obtain medical and counseling services
• Instruct medical personnel to collect and preserve evidence found on the victim
• Inform the victim of other available community resources
• Secure the crime scene and collect evidence
• Identify possible witnesses and suspects
• Notify the Church Security Department
• Complete a case report which is assigned to an investigator for follow-up that includes such actions as interviewing the victim, witnesses, and suspects, collecting and analyzing evidence, and, assisting the victim, when circumstances warrant avoidance of further contact with the alleged perpetrator through criminal or civil means.
• Provide the prosecuting attorney with relevant information concerning the assault to determine the legal merits of the case for prosecution
- File criminal charges with the consent of the victim and prosecuting attorney.

(Noe to bring criminal charges does not preclude the victim from pursuing administrative or civil sanctions against the alleged perpetrator through appropriate legal and college processes.)

**Other Sex Offenses**

Other behaviors other than rape and sexual assault may be violations of college policy or criminal law. Exhibitionists, voyeurs (peeping toms), and persons who make obscene or harassing phone calls are in violation of the LDS Business College Honor Code and of the law. Even though a physical attack may not have been carried out, promptly report all incidents to the police.

*Exhibitionism:* The act or practice of exposing one's genitalia to another for the purpose of obtaining sexual gratification or stimulation or to shock or be offensive to another.  

*Voyeurism:* The act or practice of obtaining sexual gratification or stimulation by visual means--an example would be a window peeper.

If you encounter an incident of exhibitionism or voyeurism, do the following:

- Stay calm and exhibit no reaction.
- Contact the Church Security Department or local police immediately.
- Note the time and location of the occurrence.
- Note the physical characteristics of the offender.
- Note the direction of travel of the offender.
- Get a description of the vehicle (make, model, color, and license plate number).
- Get the names and phone numbers of other witnesses. Lock all doors and windows.

*Harassing and Obscene Phone Calls:* Harassing and obscene phone calls are generally intended to shock or intimidate the victim or to sexually gratify the caller. Use the telephone on your terms—not the terms of the caller.

If you encounter a harassing or obscene phone call, do the following:

- Do not give out your name.
- Note the phone number displayed on your caller ID.
- State “Do not call this number again,” and quietly hang up once a caller makes obscene remarks or does not respond to your “hello.”
- Always contact police authorities for these types of calls.
- Keep logs of calls noting the date, time, content, voice characteristics, background noises, etc.
- Be wary of callers conducting surveys.
- Never give personal information to unknown callers (e.g., credit card or social security numbers, etc.)

*Pornographic and Indecent Material:* Involvement with pornographic, erotic, obscene, indecent or other offensive materials, expressions or conduct which, in the sole discretion and judgment of LDS Business College, is inconsistent with the Honor Code or with the principles of LDSBC’s sponsor, The Church of Jesus Christ of Latter-day Saints, is a serious offense. Such offenses may result in sanctions including, in appropriate cases, termination from college employment, immediate suspension or dismissal from the college as well as prosecution pursuant to the law. LDS Business College believes that an educational and living environment which is consistent with the principles of respecting individual dignity and with the moral virtues encompassed by the Gospel of Jesus Christ will assist in discouraging the advent of sexual offenses on campus and within the college community.
Adjudication Process and Sanctions

LDS Business College will, upon written request, disclose to the alleged victim of any crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by LDS Business College against a student who is the alleged perpetrator of that crime or offense. If the alleged victim is deceased as a result of the crime or offense, the next of kin of the victim shall be treated as the alleged victim in making the disclosure.

Honor Code Enforcement

The LDS Business College Honor Code specifies the personal standards of behavior expected of all members of the College community. Students who have violated a provision of the Honor Code will be treated fairly and disciplined appropriately with a view to helping them develop into men and women who personify the ideals and principles of the Honor Code.

LDS Business College is committed to providing procedures which assist in administering individual compliance and commitment to the Honor Code. The Honor Code Office is responsible for overall administration under the direction of the Vice President of Student Affairs and Advancement. These individuals have the responsibility to see that the best interests of the student and the College are served by application of the Honor Code procedures.

Students in the College community have the rights and obligations of citizenship. They are responsible for their personal conduct under federal, state, and local law, being neither excused nor protected from civil and criminal sanctions by their status as students. Violations of the law neither require nor preclude College disciplinary action under the Honor Code. College discipline is intended to protect the integrity and purposes of the Honor Code and maintain a fair and equitable balance between the interests of the student and the College.

This procedure does not deal with the applying of standards of the Honor Code to College employees, nor does it deal with matters of academic probation or suspension although academic dishonesty or cheating may constitute grounds for committee action.

Organization of the Standards Committee

The Standards Committee shall consist of five voting members represented from faculty, Institute, administration, students, and the Director of Student Development who will act as the chairman of the committee. The Standards Committee may convene with a quorum of three voting members.

- The President of the College shall, upon recommendation of the Vice President of Student Affairs and Advancement, appoint one faculty member and one member of the administration as members of the committee with two others as alternate committee members. These committee members and alternates shall serve a two-year term or until released by the President.
- The Director of Student Development shall select three students of the College to serve on the committee until the end of the academic year in which they are appointed.
- The Director of the Institute of Religion shall appoint an Institute faculty member and one alternate to serve a two-year term.
- An Executive Assistant to the President shall be present at every meeting of the committee to take minutes of the proceedings.
Initiation of Charges

Any person having knowledge of an infraction of the Honor Code has a responsibility to provide the information to the Honor Code Counselor or the Director of Student Development.

Sanctions

- The Honor Code Office will investigate reported infractions by visiting with the student(s) involved, discussing the nature of the infraction and reviewing evidence. The student(s) may present the Director information or the names of individuals having firsthand knowledge of the charges. This review may result in disciplinary sanctions.
- The Honor Code Office, in consultation with the Vice President of Student Affairs and Advancement, has the right to impose all Honor Code sanctions, up to and including separation from the College.
- The student may exercise his/her option to a meeting or appeal before the Standards Committee by notifying the Honor Code Office in writing. The student must submit a request for a meeting or appeal within 24 hours (not counting non-school days) after receiving the Notification of Student Rights form. Extension of the 24-hour period requires approval of the Director of Student Development or an appointed designee.
- Prior to a Standards Committee meeting, a student may withdraw from College and matter will be withdrawn from the committee. A “hold” will be placed on the student’s file that prevents registering without clearance from the Honor Code Office.
- If the Director of Student Development determines it would be dangerous, extremely inappropriate or disruptive to allow the student to continue pending a committee meeting, the Director may ask the student to leave immediately. The student has right to a meeting before the committee within three school days.
- Prior to the Standards Committee meeting, the Director of Student Development will inform the student of the nature of the evidence which will be placed before the committee. Unless the student is independent or circumstances dictate that parents should not be notified, the Director will assist or encourage the student to notify his/her parents of the facts of the case before the meeting and allow parents to attend committee meetings.

Committee Meeting Protocol

- If a committee member’s association with a student appearing before the committee is such that the member is unable to render a fair and impartial decision, the member has a duty to request to be disqualified. The student may request that the chairman disqualify any member of the committee when the student shows that a bias exists on the part of that member towards the student.
- The student has the right to be present in the meeting. It is the responsibility of the Director to present facts to the committee. No information shall be presented except in the presence of the student unless the student elects not to be present. Facts presented should be relevant, material, and reliable. The committee shall base its decisions solely on the basis of the information presented.
- The committee shall invite and encourage the student to comment upon conclusions which might reasonably be drawn from the facts and to offer alternative interpretations. The student may question any witness giving testimony. Furthermore, the student may present evidence in his/her own behalf, call and question witnesses and offer testimony. The committee shall request witnesses to appear or offer written statements if the student is, through his/her own efforts, unable to secure their cooperation.
- The student shall not be required to make any statement. He/she may refuse at any point to answer any question.
- The student may be accompanied to the meeting by an advisor of his/her choice. The advisor may be a faculty or staff member, fellow student, parent, or other person so long as the availability of the advisor does not hamper the timeliness of the meeting. The advisor does not represent the student during the meeting and will not be permitted to address the committee. The student will be expected to speak for himself/herself at all times.
Standards Committee meetings are closed-door meetings in the interest of the student and the College. Witnesses providing information or statements shall be heard at the discretion of the committee chairman and will be invited into the meeting at the appropriate time. No tape or other electronic recordings shall be made of any meeting. However, the Executive Assistant shall take notes and produce a summary document.

Witnesses and those giving character statements will be invited to address the committee during the meeting. The chairman may limit the number of persons providing character statements. They will be invited to make their statements as directed by the chairman of the committee.

The student may at any time request changes of schedule in the interest of a more adequate presentation of his/her case. Such requests will be considered in front of the committee unless there appears to be compelling reason to postpone the case without a review.

The chairman of the committee ensures procedural fairness in the working of the committee. The chairman or his/her designee should:

a) make an initial response to any procedural question that arises
b) alert the committee to the procedural implications of any action they may wish to take
c) call to the attention of the committee or any of its members any inconsistency between the demands of fair procedure and the actions of the committee or its individual members at any point in the proceedings
d) in situations in which the chairman or the committee feels it is desirable to seek further guidance, seek out and present to the committee whatever relevant information may be available in the experience of previous committees or from other sources. The committee should, nevertheless, retain its ultimate authority to determine its own procedures within the framework of these principles and the dictates of fairness.

A student who does not appear may still be the subject of committee action so long as the committee is satisfied that the student has been given notice of the charges and has had sufficient opportunity to respond.

Standards Committee Decisions

All deliberations of the committee shall be in private. The committee may use any disciplinary sanction listed in this document. Decisions shall be made by a majority of five voting members. The Executive Assistant is not a voting member of the committee. The committee chairman will give the student written notice of the decision and keep a copy of the same in the student’s disciplinary file.

Sexual Assault Victim Rights

Alleged victims of sexual assault have specific rights under the Campus Security Act. Any rights enumerated in the Honor Code procedures apply to the alleged victim as well as the accused. The victim of an alleged sexual offense committed by a current student or any person may choose to report the accused to the Director of Student Development for the assessment of appropriate disciplinary sanctions provided under the Honor Code Procedures. The Church Security Department also should be notified. The alleged victim may be present at the disciplinary meeting of the accused and has the right to make a statement, present witnesses, and be accompanied by an advisor of his or her choice.

The alleged victim has the right to not have irrelevant past sexual history discussed during any committee meeting. The alleged victim has the right to know the outcome of any disciplinary meeting held regarding an accused individual. An alleged victim may choose to have a closed-door meeting and is entitled to have the proceedings of the meeting kept confidential.
Other Procedures

Administrative Review

A student who has received a major sanction by the Standards Committee may, within two weeks of receiving notification as outlined above, petition the College administration to review the procedure of the meeting to determine if there should be a mitigation of the sanction imposed. The petition for mitigation and review shall be in writing and shall contain a summary of the case, a statement of the sanction imposed, and reasons why the decision should be modified.

If the administration agrees to review the case, the student is permitted to make an oral presentation in addition to written statements or explanations. The administrative review shall determine whether or not a different outcome should be implemented in the student’s behalf. The administration shall give the student written notification of the decision in the case. Copies of the letter shall be sent to the Director of Student Development, and to the student’s parents if the parents had previously been notified.

File Procedures

- Students who receive major sanctions have the right to place their own statements regarding the case in the Honor Code disciplinary files.
- Seven years after a student receives a terminal degree without further enrollment or seven years after the end of the last period of enrollment by a student who has received no degree, the contents of all the Honor Code files pertaining to that student shall be disposed of except those records necessary to explain a probation, suspension, separation, banning or voluntary withdrawal.
- All disciplinary records maintained by the Honor Code Office are private and confidential.

Readmission

The conditions upon which a student may be readmitted shall be specified by the disciplinary authority making the decision. Readmission to LDS Business College or to any other unit of the Church Educational System (CES) is subject to the fulfillment of those stipulations. Unless otherwise stated in writing to the student at the time he/she is dismissed and assuming that a student otherwise qualifies for admission to the CES unit, the following conditions shall apply:

- An expelled student ordinarily will not be readmitted.
- A student who is dismissed (except in the case of expulsion) may apply to the Director of Student Development for clearance to reapply for admission upon the expiration of the specific period of dismissal. This does not mean that the dismissed student will automatically be readmitted to LDS Business College; it only means that the petition will be considered. If the petition for clearance is granted, the student’s application will be considered along with all other students who are applying to LDS Business College. The petition for clearance to seek admission must be in writing and include the following:
  - a letter from the student requesting readmission and indicating his/her present activities and goals as well as what he/she has done to overcome the circumstances which gave rise to dismissal
  - a letter from the student’s current bishop or ecclesiastical leader verifying the student’s personal worthiness to the same manner and degree as required of all new applicants, and
  - in the case of a dependent, unmarried student, a letter from the student’s parent or guardian (or, in unusual circumstances, some other reliable person) affirming the student’s good character. Additionally, the student will have to provide documentation that the stipulations required at the time of dismissal have been completed.
Disciplinary Sanctions

The Honor Code Office may impose one or more of the following sanctions for violations of the Honor Code. Disciplinary sanctions may vary from case to case or even among those involved in the same case based on circumstances and facts of the case. Each sanction should reflect each person’s involvement.

1. Counsel and Education

Counsel and education are used when a student has committed an Honor Code violation which is one of immaturity, thoughtlessness, or lack of judgment rather than disregard for and intent to violate the Honor Code.

2. Referral to Mentor

Referral to mentor is used alone or in conjunction with other actions when a student’s insight regarding his/her Honor Code violation can be most effectively enhanced by working with someone who can serve as a role model. Individuals who most frequently fall into the category of mentors are bishops, professional counselors, family members and faculty members. If there are no additional violations, no further contact is maintained with the student.

3. Warning

Honor Code warning is used when the student may not have been aware of the seriousness of the violation and the impact on self and/or others was limited. The student is given a warning letter explaining the behavioral requirements of the Honor Code. The letter may also outline conditions required to be satisfactorily completed for the student to return to good Honor Code standing.

4. Probation

Honor Code probation is used when a student has committed an Honor Code violation which has serious implications for self and/or others. To return to good standing, the student must satisfactorily complete specified conditions.

5. Suspension Withheld

Honor Code suspension withheld is used when a student has committed serious violations of the Honor Code resulting in suspension, but facts or circumstances dictate that the student is permitted to continue with the understanding that any further violation(s) or failure to complete specified conditions within an allotted time frame may result in suspension.

6. Suspension

Honor Code suspension is used when the student’s violation is serious or repetitive. The student may be required to discontinue immediately from current classes or at the end of the term or semester as determined by individual circumstances. The suspension is usually temporary. The student is prevented from subsequent enrollment until satisfactory completion of the specified conditions is verified.

7. Voluntary Withdrawal

Voluntary withdrawal is used when a student would otherwise be suspended from the College for a violation of the Honor Code and chooses, in light of the information presented, to voluntarily discontinue. The student discontinues from the College (including current classes) and is prevented from subsequent enrollment until satisfactory completion of the specified conditions is verified.
8. Separation

Separation is used when a student is involved in a serious Honor Code violation or repeated Honor Code violations. The student may be required to discontinue immediately from current classes or at the end of the term or semester as determined by individual circumstances. Students may reapply after one year and will be considered for readmission if the student has adequately addressed the issues surrounding the separation.

9. Right of Access—Banning

LDS Business College is a private institution. All grounds, walkways, roads, parking areas, and buildings owned by the College are private property. As such, the College retains the right and legal authority to limit or otherwise restrict access to the campus for any reason it may deem appropriate. Individuals may be banned from campus in the best interest of the campus community; and, if banned, will be subject to arrest and prosecution under Utah law if they return to campus without authorization.

Withholding Degree Posting or Denying Graduation Participation

Delaying the posting of a degree or denying graduation participation may be appropriate in cases of probation, when ecclesiastical endorsement is withdrawn, when the student has unmet financial obligation with the College, or when the student is not in good Honor Code standing. In addition, the issuance of a degree may be denied, even when all other requirements for graduation have been met in the following circumstances:

- Excommunication, disfellowshipment, of disaffiliation from The Church of Jesus Christ of Latter-day Saints.
- Serious violation of position of trust or responsibility within the College.
- Serious criminal activity or offense, including predatory behavior or crimes against others, or the discovery of a prior undisclosed offense.
- Egregious academic dishonesty.
- Discovery of a violation that occurred prior to graduation and, if it had been detected earlier, would have resulted in suspension from the College.

Any hold on the issuance of a degree or participation in graduation ceremonies must be properly cleared with the Honor Code Office before the degree issues or participation is allowed. All decisions to delay or deny posting of a degree or participating in graduation ceremonies due to misconduct are made in consultation with the College graduation office. If the diploma is to be held, the student may request a College review through the Honor Code Office.

Honor Code Transcript Notation

Honor Code transcript notation as to student discipline is used only when a student’s behavior is determined to be of significant risk to others, or when there is repeated academic dishonesty of likely interest to other institutions. A notation would generally not be placed for violations particular to The Church of Jesus Christ of Latter-day Saints. All decisions to place a transcript notation due to misconduct will be made in consultation with the Vice President of Student Affairs and Advancement. If the notation is to be made, the student may request a College review through the Director of Student Development.

Impact of Sanctions

Students with disciplinary sanctions that result in suspension, separation, banning or voluntary withdrawal cannot participate in any curricular or extracurricular activities and may be denied campus access and asked to move from their
approved housing unit. In addition, students will not be allowed to return without obtaining clearance through the Honor Code Office.

**Disciplinary Conditions**

Disciplinary conditions may be varied in scope and nature and should be appropriate at all times. Conditions may include:

1. Monetary fine for violations of certain specified College policies;
2. Community service hours;
3. Restitution for damages or losses as a result of misbehavior;
4. Loss of privileges including parking, on-campus living, scholarship, campus employment, and participation in extracurricular or activities.

**Implementation of Sanctions**

Violations of any standard of the Honor Code may result in major disciplinary sanctions, however, a reasonable relationship should exist between the seriousness and repetitive nature of a violation and the severity of the sanction imposed. The disciplining authority may withhold the implementation of any sanction at any time.

**Crime Definitions**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires colleges and universities to publish crime statistics annually and specifies the crimes to be reported. Listed below are the definitions according to the Uniform Crime Reporting System of the Department of Justice and the Federal Bureau of Investigation as modified by the Hate Crime Statistics Act and the Violence Against Women Reauthorization Act (VAWA). Following this list of definitions the statistics for the year 2012 are provided, along with the statistics for the two prior years.

- **Murder and non-negligent manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Negligent manslaughter:** The killing of another person through gross negligence.
- **Sex offenses - forcible:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.
  - **Forcible Rape:** The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
  - **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
  - **Sexual Assault With An Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
  - **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
- **Sex offenses - non-forcible:** Unlawful, non-forcible sexual intercourse.
Incest - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape - Non-forcible sexual intercourse with a person who is under the statutory age of consent.

- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

- **Aggravated assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

- **Burglary:** The unlawful entry of a structure to commit a felony or a theft.

- **Motor vehicle theft:** The theft or attempted theft of a motor vehicle.

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

- **Hate Crimes:** Any of the aforementioned offenses, and any other crime involving bodily injury, larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property . . . that manifests evidence that the victim was intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim.

- **Illegal weapons possession:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

- **Drug law violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws – specifically those 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 - manufactured narcotics which can cause true addiction (Demerol, Methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

- **Liquor law violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

- **Domestic violence:** Violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

- **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.

- **Stalking:** A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others’ safety, or to suffer substantial emotional distress.
## Crime Statistics Reported During 2012

<table>
<thead>
<tr>
<th>Offenses</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-Negligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Negligent Manslaughter</td>
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<td>0</td>
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</tr>
<tr>
<td>Sex Offenses – Forcible</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sex Offenses – Non-forceable</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Burglary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>-</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>Dating Violence</td>
<td>-</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>Stalking</td>
<td>-</td>
<td>-</td>
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<table>
<thead>
<tr>
<th>Hate Crimes</th>
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<th>Non-Campus</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-Negligent Manslaughter</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Negligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sex Offenses – Forcible</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sex Offenses – Non-forceable</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
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<tr>
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<td>0</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Arson</td>
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<td>0</td>
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<td>-</td>
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<tr>
<td>Stalking</td>
<td>-</td>
<td>-</td>
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<table>
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<th>CATEGORY OF PREJUDICE</th>
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<tr>
<td>Race</td>
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<td>Religion</td>
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<td>Ethnicity</td>
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<td>Disability</td>
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<table>
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<tr>
<th>Disciplinary Actions Not Resulting From Arrest:</th>
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<th>Non-Campus</th>
<th>Public Property</th>
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<tr>
<td>Illegal Weapons Possessions</td>
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<tr>
<td>Drug Law Violations</td>
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<tr>
<td>Liquor Law Violations</td>
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<td>0</td>
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</table>
Arrests For:

<table>
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<th></th>
<th>On Campus</th>
<th></th>
<th>Non-Campus</th>
<th></th>
<th>Public Property</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Illegal Weapons Possessions</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug Law Violations</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Liquor Law Violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

The preceding statistical reports were prepared by LDS Business College in cooperation with the Church Security Department (CSD) and the Salt Lake City Police Department (SLCPD). They include all reports received by CSD, SLCPD, and LDSBC officials who have significant responsibility for student and campus activities.

Drug Policy

The LDS Business College Honor Code requires abstinence from tobacco, illicit drugs, alcoholic beverages, and from the use of any controlled legal substance, on and off-campus, at all times. This prohibition includes personal use and distribution of these items, known collectively as “illicit drugs.” In compliance with the federal Drug-Free Schools and Communities Act of 1989, LDS Business College has adopted this Drug-Free School Policy in addition to, not in place of, the LDSBC Honor Code. All students and employees are required, as a condition of admission and employment, to observe this standard of conduct.

On an annual basis, every student is required to participate in a personal interview with his or her ecclesiastical leader where this standard of conduct is reviewed and the student’s commitment to live it fully is renewed. All employees are required to demonstrate annually that they are observing this lifestyle standard by having their ecclesiastical leader submit an “Ecclesiastical Clearance” document, mailed directly from the leader to the College administration, that such is the case.

The College’s Board of Trustees has directed that involvement with illegal drugs will result in discharge from employment and dismissal from the college on the first offense except in those circumstances where the only contact with the drug was limited and where the employee or student has repented before disciplinary action has begun.

Landlords who have entered into formal, written agreements to provide housing for LDSBC students are required to make a good faith effort to see that Honor Code standards and the provisions of the Drug-Free School Policy are observed by the students living in their facilities, and to report to the College administration any violations that come to their attention.

The College distinguishes between the intentional misuse of illegal and prescription drugs and the unintentional misuse of legitimate drugs prescribed for valid medical reasons. In the latter case, the College will assist employees and students obtain professional help.

Local, state, and federal law provides significant sanctions that may be levied against those involved in the unlawful manufacture, distribution, possession or use of illicit drugs and controlled legal substances.

Drug offenses are punishable by heavy fines, imprisonment, or both. A description of these penalties appears in this policy document under the headings, “Federal Penalties for Distribution of Illegal Drugs,” “Federal Penalties for Possession of Illegal Drugs,” and “Utah Penalties for Alcohol and Illegal Drug Abuse.”

The health risks connected with illicit drug use includes, but is not limited to, physical and psychological addiction physical, psychological, and spiritual decline, disease, and death. A description of some of the possible health risks appear in this policy document under the heading, “Health Risks of Illicit Drugs.”

As a condition of enrollment or employment, LDS Business College requires all students and personnel to abide by a published Honor Code. The Code supports the ideals and principles of its sponsor, The Church of Jesus Christ of Latter-day Saints. The Honor Code, among other things, requires that students and personnel avoid drug abuse. This means refraining from the possession, use or distribution of a legally defined narcotic or dangerous drug except as prescribed by a
licensed medical practitioner. It also specifies observance of the Church's Word of Wisdom, which includes abstinence from alcoholic beverages, tobacco, tea and coffee.

In November 1988, the federal government enacted the Drug-Free Workplace Act of 1988. As outlined in the Act, applicants for federal funds must certify their institutions have taken steps to prevent illegal drug use in the workplace by individuals directly engaged in federally-sponsored work. To comply with this law and its commitment to support society's effort to eliminate drug abuse, LDS Business College has adopted this Drug-Free Workplace Policy to supplement the Honor Code. If there is a conflict between LDS Business College's Drug-Free Workplace Policy and Honor Code, the Honor Code will be the controlling document.

All departments must comply with the certification requirements of the Drug-Free Workplace Act if their personnel receive or apply for:

- Funding under any federal grant or cooperative agreement regardless of dollar amount.
- Any federal contract of $25,000 or more, unless performance of the contract is entirely outside the territorial limits of the United States.

The Act applies only to contractors and grantees, not to subcontractors or subcontractees, and applies only to direct receipt of federal funds and not to third party reimbursement. The Act is program specific. The responsibility for compliance and levy of any sanctions for non-compliance with the performance of the contract or grant will be with the principal investigator or department and not with the College as a whole.

The Act applies only to contracts and grants awarded on or after 18 March 1989. Parties who modify a contract entered into before 18 March 1989 by creating a new commitment not contained in the existing contract must meet the requirements of the Act.

The government may impose sanctions against a program found in violation of the act. The sanctions may include termination of the contract or grant, suspension of payments under the contract or grant, or suspension or disbarment for future awards from any federal source.

Supplemental regulations in addition to the Act are applicable to Department of Defense (DOD) contracts with personnel who have access to classified information.

College and Individual Obligations Under the Drug-Free Workplace Act: In addition to the Honor Code, LDS Business College has adopted a comprehensive Drug-Free School Policy and has made the commitment to maintain a workplace free from the unlawful manufacture, use, dispensing, possession or distribution of controlled substances, as defined by applicable law. The College absolutely prohibits the unlawful manufacture, use, dispensing, possession or distribution of controlled substances by any student or individual in the workplace. All students and personnel engaged in the performance of a federally-funded contract or award must comply with the terms of the Drug-Free Workplace Policy, the Honor Code, and the LDS Business College Drug-Free School Policy as conditions of enrollment or employment. All individuals engaged in the performance of work under a federally-funded contract will receive a copy of this policy.

The College supports a student's or an individual's participation in programs for the prevention of controlled substance abuse. The College encourages members of the campus community to seek assistance for preventive controlled substance abuse.

By providing this explanation of policy, the College hopes to encourage elimination of all forms of substance abuse, to help those who currently may be involved to stop such use and get appropriate help, and to assist in stopping the spread of this menace at our College and in society as a whole.
### Federal Penalties for Distribution of Illegal Drugs

#### Federal Trafficking Penalties (See 21 U.S.C.A. 841)

<table>
<thead>
<tr>
<th>CSA</th>
<th>Penalty</th>
<th>2nd Offense</th>
<th>1st Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>I and II</td>
<td>Not less than 10 years. Not more than life.</td>
<td>Not less than 5 years. Not more than 40 years.</td>
<td>Not less than 5 years. Not more than 20 years. Not more than life.</td>
</tr>
<tr>
<td></td>
<td>If death or serious injury, not less than life.</td>
<td>If death or serious injury, not less than 20 years. Not more than life.</td>
<td>Not less than 4 years supervised release.</td>
</tr>
<tr>
<td></td>
<td>Not less than 8 years supervised release.</td>
<td>Not less than 4 years supervised release.</td>
<td>Fine of not more than $4 million individual. $10 million other than individual.</td>
</tr>
<tr>
<td></td>
<td>Fine of not more than $4 million individual. $10 million other than individual.</td>
<td>Fine of not more than $2 million individual. $5 million other than individual.</td>
<td>Fine of not more than $250,000 individual, $1 million not individual.</td>
</tr>
</tbody>
</table>

#### Drug

<table>
<thead>
<tr>
<th>Quantity</th>
<th>First Offense</th>
<th>Second Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Others (Not including marijuana, hashish, or hash oil—see separate chart)</td>
<td>Any</td>
<td>Not more than 20 years</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If death or serious injury, not less than 20 years, not more than life.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not less than 3 years supervised release.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fine $1 million individual. $5 million not individual.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not more than 30 years</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If death or serious injury, life. Not less than 6 years supervised release. Fine $2 million individual. $10 million not individual.</td>
</tr>
</tbody>
</table>

#### III

<table>
<thead>
<tr>
<th>Quantity</th>
<th>First Offense</th>
<th>Second Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>Any</td>
<td>Not more than 5 years.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not less than 2 years supervised release. Fine not more than $250,000 individual, $1 million not individual.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not more than 5 years.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not less than 2 years supervised release. Fine not more than $250,000 individual, $1 million not individual.</td>
</tr>
</tbody>
</table>

#### IV

<table>
<thead>
<tr>
<th>Quantity</th>
<th>First Offense</th>
<th>Second Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>Any</td>
<td>Not more than 3 years.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not less than 1 year supervised release. Fine not more than $250,000 individual, $1 million not individual.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not more than 6 years.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not less than 2 years supervised release. Fine not more than $500,000 individual, $2 million not individual.</td>
</tr>
</tbody>
</table>

#### V

<table>
<thead>
<tr>
<th>Quantity</th>
<th>First Offense</th>
<th>Second Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>Any</td>
<td>Not more than 1 year</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fine not more than $100,000 individual, $250,000 not individual.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not more than 2 years.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fine not more than $200,000 individual, $500,000 not individual.</td>
</tr>
</tbody>
</table>
Federal Trafficking Penalties – Marijuana *

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Description</th>
<th>First Offense</th>
<th>Second Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 kg or more mixture; or 1,000 or more plants</td>
<td>Marijuana</td>
<td>Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Not less than 5 years supervised release. Fine not more than $4 million individual, $10 million other than individual.</td>
<td>Not less than 20 years, not more than life. If death or serious injury, life. Not less than 10 years supervised release. Fine not more than $8 million individual, $20 million other than individual.</td>
</tr>
<tr>
<td>100 kg to 999 kg mixture; or 100-999 plants</td>
<td>Marijuana</td>
<td>Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Not less than 4 years supervised release. Fine not more than $2 million individual, $5 million other than individual.</td>
<td>Not less than 10 years, not more than life. If death or serious injury, life. Not less than 8 years supervised release. Fine not more than $4 million individual, $10 million other than individual.</td>
</tr>
<tr>
<td>50 to 99 kg mixture</td>
<td>Marijuana</td>
<td>Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Not less than 3 years supervised release. Fine $1 million individual, $5 million other than individual.</td>
<td>Not more than 30 years. If death or serious injury, life. Not less than 6 years supervised release. Fine $2 million individual, $10 million other than individual.</td>
</tr>
<tr>
<td>10 to 99 kg</td>
<td>Hashish</td>
<td>Supervised release.</td>
<td></td>
</tr>
<tr>
<td>1 to 99 kg</td>
<td>Hashish Oil</td>
<td>Supervised release. Fine $1 million individual, $5 million other than individual.</td>
<td></td>
</tr>
<tr>
<td>50 to 99 plants</td>
<td>Marijuana</td>
<td>Not more than 5 years. Not less than 2 years supervised release. Fine not more than $250,000; $1 million other than individual.</td>
<td>Not more than 10 years. Not less than 4 years supervised release. Fine $500,000 individual, $2 million other than individual.</td>
</tr>
<tr>
<td>Less than 50 kg mixture</td>
<td>Marijuana</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 10 kg</td>
<td>Hashish</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 1 kg</td>
<td>Hashish Oil</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Includes Hashish and Hashish Oil (Marijuana is a Schedule I controlled substance)

Federal Penalties for Possession of Illegal Drugs

See 21 U.S.C. 844(a)

1st Conviction: May be sentenced to a term of imprisonment of not more than 1 year, and shall be fined a minimum of $1,000, or both. After 1 prior drug conviction: Shall be sentenced to a term of imprisonment for not less than 15 days but not more than 2 years, and shall be fined a minimum of $2,500. After 2 or more prior drug convictions: Shall be sentenced to a term of imprisonment for not less than 90 days but not more than 3 years, and shall be fined a minimum of $5,000. Special sentencing provisions for possession of crack cocaine: Shall be imprisoned not less than 5 years and not more than 20 years, and fined a minimum of $1,000 if: (a) 1st conviction and the amount of crack possessed exceeds 5 grams; or (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams; or (c) 3rd or subsequent conviction and the amount of crack possessed exceeds 1 gram.

21 U.S.C. 853(a)(2) and 881(a)(7) Forfeiture of personal and real property used (or intended to be used) to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack). 21

U.S.C. 881(a)(4) Forfeiture of vehicles, boats, aircraft or any other conveyance used (or intended to be used) to transport or conceal a controlled substance. 21 U.S.C. 844a, 28 C.F.R. §

76.3(a) Civil fine of up to $11,000. 21 U.S.C. 862(b) The court may deny federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses. 18 U.S.C. 922(g) Ineligible to receive, possess, or purchase a firearm. 21 U.S.C. 862 Revocation of certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.
Utah Penalties for Alcohol and Illegal Drug Abuse

Utah State drug laws and penalties include, but are not limited to, the following:

<table>
<thead>
<tr>
<th>Violation</th>
<th>Controlled Substance Category</th>
<th>Classification</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Produce, manufacture, dispense, distribute, or possess with the intent to produce, manufacture, dispense, or distribute a controlled substance</td>
<td>Schedule I or II</td>
<td>First conviction is a second degree felony. Second and subsequent convictions are first degree felonies.</td>
<td>Prison term not less than 1 year nor exceeding 15 years; fine not exceeding $10,000. Prison term not less than 5 years and may be up to life; fine not exceeding $10,000.</td>
</tr>
<tr>
<td>Schedule III or IV, or marijuana</td>
<td></td>
<td>First conviction is a third degree felony. Second and subsequent convictions are second degree felonies.</td>
<td>Prison term not exceeding 5 years; fine not exceeding $5,000.</td>
</tr>
<tr>
<td>Schedule V</td>
<td></td>
<td>First conviction is a class A misdemeanor. Second and subsequent convictions are third degree felonies.</td>
<td>Prison term not exceeding 1 year; fine not exceeding $2,500.</td>
</tr>
<tr>
<td>Marijuana</td>
<td></td>
<td>First conviction for 100+ pounds is a second degree felony. Second and subsequent convictions are first degree felonies.</td>
<td>Prison term not less than 1 year nor exceeding 15 years; fine not exceeding $10,000.</td>
</tr>
<tr>
<td>Schedule I or II Marijuana</td>
<td></td>
<td>First conviction for 1-100 pounds is a third degree felony. Second and subsequent convictions are second degree felonies.</td>
<td>Prison term not exceeding 5 years; fine not exceeding $5,000.</td>
</tr>
<tr>
<td>Marijuana</td>
<td></td>
<td>First conviction for 1 ounce to 1 pound is a class A misdemeanor. Second and subsequent convictions are third degree felonies.</td>
<td>Prison term not exceeding 1 year; fine not exceeding $2,500.</td>
</tr>
<tr>
<td>Less than 1 ounce of marijuana and any amount of all other controlled substances</td>
<td></td>
<td>First conviction is a class B misdemeanor. Second conviction is a class A misdemeanor. Third and subsequent convictions are third degree felonies.</td>
<td>Prison term not exceeding 6 months; fine not exceeding $1,000. Prison term not exceeding 1 year; fine not exceeding $2,500. Prison term not exceeding 5 years; fine not exceeding $5,000.</td>
</tr>
</tbody>
</table>
Utah State alcohol laws and penalties include, but are not limited to, the following:

A. Minors: Possession or attempt to purchase by a person under age 21: Penalty: Class B misdemeanor; Imprisonment not exceeding 6 months and fine not exceeding $1,000 Utah Code Ann. §§ 32A-12-104, 209, 76-3-204, 301 (1953). Selling or giving alcoholic beverages to persons under age 21: Penalty: Class A or Class B misdemeanor; Imprisonment not exceeding 1 year and fine not exceeding $2,500. Utah Code Ann. §§ 32A-12-203, 76-3-204, 301 (1953)

B. Consumption in public places: No person shall drink liquor (or alcohol) in a public building, park, or stadium. Penalty: Class C Misdemeanor; Imprisonment not exceeding 90 days and/or a fine not exceeding $750. Utah Code Ann. §§ 32A-12-220, 76-3-204, 301 (1953)

C. Intoxication: A person under the influence of intoxicating liquor, a controlled substance, or any substance having the property of releasing toxic vapors, to a degree that the person may endanger himself or another, in a public place or in a private place where the person disturbs others, is guilty of intoxication. Penalty: Class C Misdemeanor; Imprisonment not exceeding 90 days and/or a fine not exceeding $750. Utah Code Ann. §§ 76-9-701, 76-3-204, 301 (1953)

D. Unlawfully permitting intoxication: No person shall permit anyone to become intoxicated as described above, in any premises of which the person is the owner, tenant, or occupant, or permit an intoxicated person to further consume any alcohol or other controlled substances on the premises. Penalty: Class C Misdemeanor; Imprisonment not exceeding 90 days and/or a fine not exceeding $750. Utah Code Ann. §§ 32A-12-204, 76-3-204, 301 (1953)

E. Unlawful sale or supply to intoxicated persons: A person may not sell, offer to sell, furnish or supply any alcoholic beverage to any person who is apparently under the influence of alcohol or other drugs, or given the circumstances knows the person is under the influence of alcohol or other drugs. Penalty: Class A or Class B Misdemeanor; Imprisonment not exceeding 1 year and/or a fine not exceeding $2,500. Utah Code Ann. §§ 32A-12-204, 76-3-204, 301 (1953)

F. A person may not purchase any alcoholic beverage while intoxicated: Penalty: Class B Misdemeanor; Imprisonment not exceeding six months and/or a fine not exceeding $1,000. Utah Code Ann. §§ 32A-12-104, 210, 76-3-204, 301 (1953)

G. False identification false personal identity: If a person misleads a peace officer concerning the person’s identity, then that person has committed a class C misdemeanor. Penalty: Class C Misdemeanor; Imprisonment not exceeding 90 days and/or a fine not exceeding $750 Utah Code Ann. §§ 76-8-507, 76-3-204, 301 (1953). If a person, with the requisite intent, misleads a peace officer by giving the identity of another actual person, then that person has committed a class-A misdemeanor. Penalty: Class A Misdemeanor; Imprisonment not exceeding 1 year and/or a fine not exceeding $2,500. Utah Code Ann. §§ 76-8-507, 76-3-204, 301 (1953)

H. Unlawful transfer or use of identification card: It is unlawful for the owner of an identification card to transfer or loan the card to any other person in order to: 1) procure alcoholic beverages, 2) gain admittance to a place where alcohol is consumed, or sold, 3) to obtain any employment that requires the employee to handle alcoholic products. Penalty: Class B Misdemeanor; Imprisonment not exceeding six months and/or a fine not exceeding $1,000. Utah Code Ann. §§ 32A-1-301, 76-3-204, 301 (1953)

Utah State laws and penalties for driving under the influence include the following:

A. Open containers in the vehicle: A person may not drink any alcoholic beverage while operating or as a passenger in a motor vehicle, whether that vehicle is moving, stopped, or parked on any highway or street, or any area used for any purpose of vehicular traffic. Further, a person may not, and may not allow another to keep, carry, transport or possess any container of an alcoholic beverage which has been opened, its seal broken, or its contents partially consumed when the vehicle is on any highway. Penalty: Class C Misdemeanor; Imprisonment not exceeding 90 days and/or a fine not exceeding $750. Utah Code Ann. §§ 41-6-12, 44.20, 76-3-204, 301 (1953)
B. DUI: It is unlawful for any person to operate or be in actual physical control of a vehicle within this state if the person's blood or breath alcohol level is above a concentration of .08gm or greater as shown by a chemical test given within two hours of operation of a vehicle, or if person is under the influence of alcohol and/or other drugs to a degree which renders the person incapable of safely operating a vehicle. Penalty: Fine, imprisonment, rehabilitation Utah Code Ann. §§ 41-6-44, 76-3-203, 204, 301 (1953)

C. Negligent DUI with Injury Penalty: Fine and imprisonment. Utah Code Ann. §§ 41-6-44, 76-3-203, 204, 301 (1953)

D. Automobile Homicide Penalty: Automobile Homicide may be either a second or third degree felony. The penalty for a second degree felony is imprisonment not less than 1 nor more than 15 years and a fine not exceeding $10,000 Utah Code Ann. §§ 76-5-207, 76-3-203, 301 (1953).

**Graduation Rates**

The graduation rate within three years as reported in the most recent IPEDS statistics was 48%. Though it is permissible to do so, the cohort does not take into account those students who left school temporarily to serve full-time missions for the Church of Jesus Christ of Latter-day Saints during the three-year period. Taking this factor into account improves the ultimate graduation rates.