

POLICY #5.0

SUBJECT: Threat Management and Safety Intervention

I. PURPOSE

This Policy establishes a process for reporting and reviewing violent behavior and threats to physical safety, which potentially or actually pose a risk to persons on campus or in University programs, and other conduct that substantially disrupts University operations. This Policy is intended to

Non

- A. Southern Utah University [Policy 5.60 Discrimination / Anti-Harassment](#)
- B. Southern Utah University [Policy 5.60 Sexual Misconduct](#)
- C. Southern Utah University [Policy 5.61 Abusive Conduct](#)
- D. Southern Utah University [Policy 5.67 Clery Act](#)
- E. Southern Utah University [Policy 6.22 Faculty Due Process](#)
- F. Southern Utah University [Policy 8.4 Employment Grievances](#)
- G. Southern Utah University [Policy 11.2 Student Conduct Code](#)
- H. Utah Code [§ 53B2-106 Duties and responsibilities of the president of a degree-granting institution of higher education -- Approval by board of trustees](#)
- I. Utah Code [§ 53B3-101 et seq. Enforcement of Regulations at Institutions](#)

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- J. [Utah Code § 768-701 et seq. Offenses Against the Administration of Government, Colleges and Universities](#)
 - K. [Utah Code § 78B7-101 et seq. Protective Orders and Stalking Injunctions](#)
 - L. [Utah System of Higher Education Policy R220 Delegation of Responsibilities to the President and Board of Trustees](#)
 - M. [Utah System of Higher Education Policy R251 Campus Speakers](#)
 - N. [Utah System of Higher Education Policy R253 Campus Discipline](#)
 - O. [Utah System of Higher Education Policy R831 Minimum Requirements for Non-Faculty Staff Employee Grievance Policy](#)
 - P. [Utah System of Higher Education Policy R841 Minimum Requirements for Disciplinary Sanctions of Staff Personnel Policy](#)
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III. DEFINITIONS

- A. Appeal: A process available to certain Respondents to have the

conduct/adverse action and the person's participation in the processes under this Policy. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances

operations. It sets out the process to address reported conduct that is prohibited, as set out below. This Policy applies to all conduct regardless of the location of the conduct.

circumstances. By way of example, these may include but are not limited to being ordered to leave or remain away from University property or a part of University property, being prohibited from contacting employees or other persons on campus or in University programs, restrictions on status as a student or employee or participation in University activities. Generally, any measures and sanctions will be coordinated with applicable behavioral and conduct codes applicable to the person whose conduct is at issue, if available and as described below. Additionally, Retaliation against someone for participating in any of the processes or collecting information under this Policy is prohibited.

C. Reporting Required

1. University Employees are required to report threats to physical safety, violent conduct and conduct that substantially disrupts University operations of which they learn about through, or is in any way related to, their job duties. Employees shall make the report in person, over email, or through other designated reporting form to the Chair of the applicable Behavioral Assessment Team.
2. Reporting Protection Order. Each Employee and/or Student who receives a protective or restraining order (may be referred to as a cohabitant protective order, dating violence protective order, sexual violence protective order, or civil stalking injunction) that lists University-owned or -leased premises as a protected area, or otherwise prohibits the Employee or Student from being within a certain proximity or near another University Employee, Student, or Visitor, is required to provide a copy of such order to the Dean of Students (for orders binding Student) and/or the Human Resources Designee (for orders pertaining to all others), as well as the SUU Police Department.
3. Multiple Reporting Obligations. University Employees may have reporting obligations under multiple policies, including this Policy. For example, in the case of a

based on Policy and law. Employees who are required to report must fulfill all reporting obligations. And even if an Employee or other person is not required to report, all persons are strongly encouraged to report concerning behavior that potentially poses a physical safety risk to the University or pet0 (n)-18.0T0 13.56 Tf 321.91 69-2127.006 (s) re f*

- e. Faculty or appropriate academic department administrators, as needed;
 - f. Supervisor of the Respondent (see below) when Respondent is an Employee; and/or
 - g. Other University Employees with knowledge of related circumstances that the Chair determines could assist the Team in evaluating the risk.
4. If any Chair or Team member is unable to participate in the convening of the Team, a delegate may attend or the Team may proceed with the Team members available, based on the particular circumstances of a matter.
 5. For any matters involving an Employee Respondent, typically that Respondent's immediate Supervisor will

B. The Supervisor sends the written decision to the Employee-Respondent on behalf of and as the decision of the University, and to such other University officials with a need to know.

- ii. In cases that involve the circumstances set out in Section IV.E.3.h. below, the Supervisor shall follow the same steps for a written decision. Provided however, the Supervisor shall give five (5) business days to Employee Respondent before the decision is final. If the Employee-Respondent requests a Hearing or Appeal of the decision in

of the Supervisor are final decisions on behalf of the University.

- i. To grieve the decision, the Faculty Respondent shall submit a Notice of

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A. The Committee will include in the Report the findings of fact, based on a preponderance of the evidence, relevant to whether Employee Respondent engaged in Prohibited Conduct under this Policy. If the facts demonstrate, by a preponderance of the evidence, a violation of this Policy, then the Committee will include recommended risk management measures/sanctions.

B. The Hearing follows the same procedures for Committee Hearings set out in SUU Policy 8.4. If there is any question about applicability of procedure to an Employee Respondent or as applied to the Hearing, a Human Resources employee will determine applicable procedures, with an aim of providing a fair and efficient Hearing. If during a Hearing process the Employee Respondent fails to participate, the University will proceed with the applicable process based on the information available.

C. The Vice President or equivalent level administrator reviews the findings and recommendations and without conducting further hearings, takes one of the following actions:

1. Ratify the findings and adopt the recommendations;
2. Return the report to the Personnel Relations Committee for reconsideration or clarification; OR
3. Reject all or parts of recommendation(s) and make a final management measures

implemented and remain in effect during the pendency of the Hearing, as needed under the circumstances.

iv.

- A. There was a denial of adequate and fair due process that resulted in a material error;
- B. The sanction and/or risk management measure imposed was not appropriate for the violation(s) which the Employee was found to have committed;
or

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participate, the University will proceed with the applicable process based on the information available.

4. If the report of conduct by a Visitor warrants further review, the Chair convenes the Visitor Behavioral Assessment Team. This Team follows a process as set out below.
 - a. The Team gathers to share relevant information and assess the existence, if any, of the risks and potential risk mitigation measures. If the Team concludes that reported conduct, if true, is a threat, violent behavior, or substantially disruptive conduct, then the Chair of the Team may proceed with the steps below. If the answer is that the reported conduct does not violate this Policy, even if true, the Chair can refer the matter under policies, document to the file the reasoning, or take other steps that the Chair deems are reasonably necessary; in that case, the Chair does not contact the alleged Respondent-Visitor for purposes of this Policy or otherwise implement measures or sanctions upon the Respondent-Visitor.
 - b. If the Team concludes that the reported conduct, if true, is a threat, violent behavior, or substantially disruptive, the Chair may request a meeting with the Respondent-Visitor, either in person, via electronic means, or in writing, to present the relevant information (giving notice) and provide an opportunity to respond; the Chair may adjust the type of notice or meeting, depending on the circumstances involved. The Chair may also provide the Respondent-Visitor with information about this Policy, as needed.
 - c. After the meeting (or opportunity for a meeting or such other action that the Chair deems is necessary) and taking into consideration all available relevant information including the

remains on property that is owned or controlled
by the University, they are subject to
prosecution for criminal trespass under the law.

F. Criteria when Assessing Risk. When a report is made to the Team
and the decision-makers under this Policy, the Team will conduct an
individualized assessment, considering the facts and the
following non-exhaustive list of factors:

1. Whether the reported conduct, if true, is a threat to
physical safety, violent conduct, or conduct that

Date Approved: October 18, 2021 [as temporary authorization] December 2, 2021 [as permanent authorization]

Amended: July 18, 2022 [as temporary authorization] September 23, 2022