



2026 ANNUAL SECURITY REPORT

Publication date: September 30, 2026
Crime statistics for calendar years 2023, 2024 and 2025

AUSTIN KADE ACADEMY

SAFETY & SECURITY INFORMATION

Austin Kade Academy will be referenced as School or The School throughout this document.

This document has been designed to inform all students, employees, prospective students, prospective employees, and others about Austin Kade Academy's safety and security policies and procedures. Our goal is to provide students and staff with a safe environment in which to learn. The Jeanne Clery Campus Safety Act, or Clery Act, requires institutions of higher education to provide students with the information they need to make informed decisions. Each year this Annual Security Report and Campus Safety and Security Policies and Procedures is published on or before October 1st. The following policies and procedures are established to comply with the Clery Act.

A. Timely Warnings Policy

The CEO, serving as Clery Coordinator, evaluates reports of Clery-reportable crimes occurring within the School's Clery geography and reported to a Campus Security Authority or local police. When a reported crime presents a serious or continuing threat to students or employees, the School issues a timely warning as soon as pertinent information is available. The warning provides information needed for protective action and withholds victims' names and other identifying information. The CEO determines the content and sends the warning using one or more available methods appropriate to reach the affected community: email, text or direct announcements. The CFO acts when the CEO is unavailable. The School may also issue safety notices for other concerning incidents. Notices may also be posted in the common areas throughout the school. Anyone with information warranting a timely warning should report the circumstances to the CEO by phone at (208) 346-7300 email lisa@austinkade.com or in person at the school.

Timely warnings are issued on a case-by-case basis as a way to notify The School community of the incident and to provide information that may enable members of The School community to take steps needed to protect themselves from similar incidents. The School considers the following criteria in determining if a timely warning will be issued:

1. Is the reported crime a Clery crime? These statutorily designated crimes are:
 - a. Criminal Homicide (including murder, nonnegligent manslaughter, and negligent manslaughter)
 - b. Sex Offenses (including rape, fondling, incest, and statutory rape)
 - c. Robbery
 - d. Aggravated Assault
 - e. Burglary
 - f. Motor Vehicle Theft
 - g. Arson
 - h. Dating Violence
 - i. Domestic Violence
 - j. Stalking
 - k. Hate Crimes
 - i. Bias Categories: disability, ethnicity, gender, gender identity, national origin, race, religion, sexual orientation
 - ii. Hate Crime Additional Categories: larceny-theft, simple assault, intimidation, destruction/ damage/vandalism of property

The review also includes reportable liquor-law, drug-law and weapons-law violations and hazing incidents.

Knowing the offender, an arrest, or a threat directed toward one person does not automatically eliminate the need for a warning.

2. Did the Clery crime occur at a Clery reportable location?
3. Was the Clery crime reported to a campus security authority or local police agency?
4. Is there a serious or continuing threat to the School community?
5. Is the perpetrator known to the victim?
6. Is the perpetrator in custody?
7. Is the crime specifically targeting one person?
8. Is there a pattern of similar reported crimes?
9. Has violence been threatened?
10. The possible risk of compromising law enforcement efforts.

While it is impossible to predict every possible significant emergency or dangerous situation that may occur at The School, the following situations are examples of when The School may issue an emergency notification after confirmation: active shooter, hostage situations, riot, suspicious package, structural damage to The School, biological threats like anthrax, gas leaks, bomb threats, communicable disease outbreaks, severe weather, natural disasters, hazardous materials incident, and/or fires at The School.

The School encourages accurate and prompt reporting to the CEO and appropriate police when a victim elects to report or is unable to do so. A victim of sexual assault, dating violence, domestic violence or stalking may notify police, request School assistance in doing so, or decline police notification. The School may make disclosures required by law or necessary to respond to an emergency; Clery statistical reporting does not require a victim to file a police report.

B. Reporting the Annual Disclosure of Crime Statistics

The school prepares this report to comply with the Clery Act. The full text of this report can be located on our web site at: www.austinkade.com. This report is prepared in cooperation with the local law enforcement agencies around our campus. The procedure for preparing this document and annual disclosure of crime statistics for each year includes the review of policies and procedures, as well as the request and collection of annual crime statistics. These statistics are obtained primarily from the following sources: local police department and/or building management, as well as Campus Security Authorities (including the Title IX Coordinator).

All crimes are reported based on the calendar year in which the crime was reported. All of the statistics are gathered, compiled, and reported to the school community throughout this report and through the required federal reporting system. The statistical information gathered by the Department of Education is available to the public at <https://ope.ed.gov/campusafety/#/>.

By October 1 each year, the School distributes the Annual Security Report, or an individual notice of its availability, to all enrolled students and current employees. An electronic availability notice includes the exact report URL, a description of its contents, and how to obtain a free paper copy from Administration at administration@austinkade.com or (208) 346-7300. Prospective students and prospective employees receive notice of availability and may obtain a copy on request.

C. Clery Geography Definition

As referenced in this document, the school is using the following definitions to define its Clery geography as set forth in the Clery Act and its implementing regulations: A school's Campus is defined as "(i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area

and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes."

Public Property includes public streets, sidewalks, thoroughfares and parking facilities within the campus or immediately adjacent to and accessible from it. Public property statistics are reported separately from on-campus statistics.

Non-Campus means any building or property owned or controlled by a student organization officially recognized by the School; or any building or property, other than a branch campus, owned or controlled by the School, used in direct support of or in relation to its educational purposes, frequently used by students, and outside the same reasonably contiguous geographic area of the School.

The School does not have any noncampus geography or student organizations that own or control buildings or property. The School does not provide on-campus student housing; the residence-hall statistics, housing-access policies, missing residential student procedures, and annual fire safety report requirements therefore do not apply. The campus is the School building and School-controlled parking area at 1646 S. Woodruff Avenue, Idaho Falls, ID 83404. Adjacent accessible public property is evaluated separately. The CEO reviews the campus boundary and any off-site space the School owns, rents or otherwise controls when preparing statistics.

D. Reporting of Criminal Offenses

Austin Kade Academy encourages anyone who is the victim or witness to any crime or other emergency to report the incident as soon as possible. Contact the CEO at (208) 346-7300 (non-emergencies) or dial 9-1-1 (emergencies only). Any suspicious activity or person seen loitering inside or around the school buildings should be reported to the CEO.

Reports may also be made to the school's Campus Security Authorities, or CSAs. Under Federal law, CSAs include campus police or security personnel, persons responsible for campus security, individuals/offices designated by the school as those to whom crimes should be reported; and officials with significant responsibility for student and campus activities. If a school staff member has "significant responsibility" for students and campus activities outside of the classroom, and students potentially could report a crime / incident to that staff member, then they are a CSA. CSAs are defined by function, not title. For Austin Kade Academy, CSAs include:

- CEO
- CFO
- Student Services
- Financial Aid

For non-emergency police assistance, contact Idaho Falls Police Department dispatch at (208) 529-1200. Always dial 9-1-1 for an emergency.

Police reports are subject to applicable public-records laws and exemptions. Police or an advocate can explain available privacy protections; the School cannot promise absolute confidentiality of a police report.

For federal crime statistics, the School uses 34 CFR 668.46 and Appendix A to Subpart D of Part 668, together with the statutory federal hazing definition. School conduct rules and Idaho criminal definitions may be broader or different. A report may be counted without a criminal conviction or School finding of responsibility.

- Murder and Non-Negligent Manslaughter: The willful (nonnegligent) killing of one human being by another.
- Manslaughter by Negligence: The killing of another person through gross negligence.
- Sex Offenses (Sexual Assault): Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.
 - Rape - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - Incest: Sexual intercourse between persons who are related within the degree wherein marriage is prohibited by law.
 - Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.
- Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force, threat of force, violence, and/or putting the victim in fear.
- Aggravated Assault: The unlawful attack of one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used, which could probably and would result in serious personal injury if the crime were successfully completed.)
- Burglary: The unlawful entry of a structure to commit a felony or theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or a felony; breaking and entering with the intent to commit a larceny; housebreaking; safe cracking; and all attempts to commit any of the aforementioned.
- 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, aircraft, personal property of another, etc.
- Domestic Violence: Any felony or misdemeanor crime of violence committed:
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - By a person similarly situated to a spouse of the victim under the domestic or Family Violence laws of the jurisdiction in which the crime of violence occurred; or
 - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interactions between the persons involved in the relationship. Dating violence includes sexual or physical abuse or threats of such abuse, but excludes acts covered by the federal domestic-violence definition.
- Stalking: Engaging in a course of conduct directed toward a specific person that would cause a

reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties—by any action, method, device, or means—follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

- 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.
- 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, and/or importation of any controlled drug or narcotic substance. Arrests for state violations of state and local laws—specifically those related to the unlawful possession, sale, use, growing, manufacturing, and or making of narcotic drugs.
- Weapons-Law Violations: The violation of laws prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

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

Bias is defined as a preformed or preexisting negative opinion or attitude toward a person or group of persons based on one of the categories of bias listed above.

For Clery Act reporting purposes, hate crimes include any offense in the following list that is motivated by bias:

- For Clery hate-crime reporting, covered offenses are murder and nonnegligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft and arson, plus the four offenses below, when motivated by a listed category of bias.
- Destruction/Damage/Vandalism to Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
- Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.
- Larceny/Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

For purposes of reporting crimes, when more than one criminal offense was reported in a single incident, under the FBI's Uniform Crime Reporting (UCR) program rules, only the most serious offense is counted. An exception to this rule is arson. If arson is committed, the school must always record arson in its statistics, even if it occurs in the same incident as another crime. Similarly, if rape, fondling, incest, or statutory rape occur in the same incident as murder, the school must record both the sex offense and the murder in its statistics. The hierarchy rule does not suppress separately reportable hate crimes, dating violence, domestic violence, stalking or hazing. Arrest and disciplinary-referral counts are classified separately; a person arrested and referred for the same liquor, drug or weapons violation is counted in the arrest category rather than counted again as a referral. Only sworn or commissioned law enforcement may formally unfound a report after a full investigation. Lack of an arrest, a withdrawn complaint or insufficient evidence is not an unfounded determination.

E. Confidential Reporting

Austin Kade Academy encourages prompt reporting of crime. The School has no professional or pastoral counselors and does not offer a privileged confidential reporting service. Reports to School officials are handled privately and shared only as permitted or required for response, safety and legal obligations. A person may withhold identifying information or make an anonymous report to the CEO by mail or other available means, although this can limit follow-up. The School evaluates available information for statistics, warnings and response without requiring a police complaint. Public statistics and warnings do not identify victims. External counselors and advocates can explain their own confidentiality and mandatory-reporting obligations.

F. Access Policy

The facilities are open Monday through Saturday according to assigned class/salon area schedules. During business hours, the school will be open to students, employees, contractors, guests, and invitees. The building may also be open for educational classes for licensed professionals in cosmetology or to groups securing the use of the facilities through the owner. During non-business hours' access to all school facilities is by key and security code, if issued, or by admittance via the owners. Emergencies may necessitate changes or alterations to any posted schedules. No student will have access to the campus facility, other than the parking area, at any time unless supervised by a staff member.

Security maintenance: Report defective locks, lighting, doors, alarms or other safety concerns to the CEO at (208) 346-7300. The CEO coordinates inspection, repair and interim protective measures with the property owner or service provider. Staff keep exits clear and secure the premises at closing.

G. Campus Security Authority and Jurisdiction

The School's administration attempts to provide a safe, secure educational environment. The School has no campus police or security department and does not employ security guards. School officials have no law-enforcement or arrest authority and are not assigned to detain suspected offenders. Call police for assistance and avoid physical intervention except as necessary for immediate protection. Idaho Falls Police Department has law-enforcement jurisdiction. The School has no written agreement with police for investigation of alleged offenses and cooperates with lawful investigations. The CEO coordinates School safety matters. Because the School has no campus police or security department, the Clery daily public crime-log requirement does not apply; the School nevertheless retains incident and statistical-support records.

H. Security Awareness Programs

All new enrolled students participate in a general school orientation class. During the orientation class,

the need and procedure of reporting emergencies and criminal activities, campus security measures and crime prevention is discussed. Similar information is presented to new employees. In addition, information is disseminated to students and employees through tips posted in the school buildings, in-class announcements, and announcements through social media.

The school encourages all students and employees to be responsible for their own security and the security of others. The school does not employ campus security officials. Therefore, the security of the campus is the direct responsibility of each employee and administrator. No such individuals have the authority to make arrests.

Safety

Everyone should remember that personal safety begins with you. The following should be considered:

- When walking on campus, be aware of who and what is around you. Try not to walk alone.
- Do not carry large amounts of cash.
- Keep your motor vehicle in good running condition. Always lock your car and remove all packages and any valuables which are visible.
- Do not leave books or personal property unattended in the classroom.

All students are encouraged to take an active role in maintaining a safe environment. To avoid accidents and injuries, students are required to take preventative measures by:

- Using equipment properly;
- Following manufacturer's directions when using chemicals and products;
- Immediately wiping spills found on the floor;
- Assisting elderly and disabled guests;
- Keeping all aisles and areas around work stations free from personal items and debris; and
- Immediately reporting building and equipment safety hazards to Administration personnel.

Safety Reports

After immediate care and emergency response, the staff member receiving a serious-accident report notifies the CEO and records the following available information in one incident report:

- name, address, phone number of the injured person;
- name of student(s) and educator working on the guest (if applicable);
- date and time of accident;
- description of how the accident happened; and
- name, address, phone number of other witnesses to the accident

Medical Emergencies and Accidents

It is the goal of Austin Kade Academy to provide and maintain a safe and nonviolent academic and working environment. In an effort to consistently reach this goal, we have established the following procedures in the event that a student witnesses or becomes involved in an occurrence:

Emergency (medical)

Call 9-1-1 immediately for a medical emergency; do not wait for administrative approval. Notify a Campus Security Authority or Instructor as soon as safe. Examples include:

- serious fall
- apparent heart attack
- unconsciousness
- chemical product; (spills in the eye or swallowing)
- violent acts, assault, or rape

The CSA or Instructor must provide the following information:

- nature of medical problem
- address of the building
- location of the person in the building
- notify the CEO of the location and nature of the accident
- Remain with the injured person if safe; provide only assistance within your training and follow dispatcher instructions.
- have someone meet the Emergency personnel
- keep the area clear of bystanders

Non-Emergency (medical)

Report accidents to the CEO. Staff provide assistance within their training and suggest professional medical care when needed; call 9-1-1 if an emergency develops. Staff do not diagnose injuries or decide that medical care is unnecessary.

I. Criminal Activity Off Campus

Off-campus School events are supervised by School employees. The School does not provide law-enforcement services. Crimes should be reported to local police and a Campus Security Authority. The School has no officially recognized student organizations with noncampus locations to monitor through local police. The CEO evaluates off-site arrangements for Clery reporting obligations when the School controls the location.

J. Emergency Notification, Response Preparation and Evacuation

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to students or employees on campus, the School will determine the notification content and initiate notification without delay, taking community safety into account. Notification is delayed only when, in the professional judgment of responsible authorities, it would compromise efforts to assist a victim or contain, respond to or mitigate the emergency. This procedure is separate from timely warnings about serious or continuing crime threats.

The CEO is responsible for confirming the situation, selecting the affected campus segment or segments, determining the message, and initiating notification. The CFO serves as backup. Confirmation may come from direct observation, emergency responders, the alarm system or reliable official information. Messages state the nature and location of the threat and protective action, and are delivered through available text, email, in-person announcements and alarm systems. The School notifies the entire campus unless reliable information justifies a narrower group, provides updates and an all-clear when appropriate, and shares needed information with guests and the larger community through public website/social-media notices and emergency responders. An emergency notification need not be duplicated by a timely warning for the same circumstances, but follow-up information is provided as needed.

Severe Weather Warnings

The CEO or CFO monitors official weather and emergency-management information and directs shelter, evacuation, delayed opening or closure according to the hazard. Do not evacuate into a more dangerous outdoor condition.

Fire Drills

Evacuation procedures are explained at orientation. The School tests its emergency response and evacuation procedures at least once each calendar year, using an announced or unannounced exercise

with assessment and appropriate follow-through. The CEO records the description, date, time and whether the test was announced, and publicizes emergency procedures with at least one test each calendar year. Any more frequent drills required by the applicable fire code or fire official will also be conducted. All exits must be operational and unobstructed.

Fire Alarms

Austin Kade Academy has an alarm monitored system that is directed to the Fire Department. In all cases when the fire alarm sounds, students and staff must:

- instruct all guests to evacuate the building;
- assist the guests who need help evacuating;
- ask individuals needing assistance what support is useful; notify responders of anyone unable to evacuate. Do not use an elevator in a fire or attempt an unsafe carry.
- evacuate the building immediately;
- Re-enter only after emergency responders authorize re-entry; the CEO communicates that clearance.

In A Fire Emergency

If you smell smoke or see fire, activate the alarm if safe, evacuate and call 9-1-1. Notify an Instructor or CSA without delaying evacuation. Do not attempt to fight a fire unless trained and a safe escape route remains available.

- Students in the salon area exit single file out of the closest exit doors. **If you have a guest at the time, the guest is your responsibility.**
- Please report to the parking lot only if safe and clear of responding vehicles. Staff will direct occupants to an alternate location if the parking area is unsafe. Remain available for a headcount and report missing persons to responders.
- From a classroom, use the nearest safe emergency exit and proceed to the assembly point designated by staff. Never re-enter to search for another person.
- An evacuation map may be found near the exits, and other places throughout the school.

VIOLATION OF FIRE SAFETY RULES PUTS LIVES IN JEOPARDY. TAMPERING WITH FIRE ALARMS OR FIRE EQUIPMENT CAN RESULT IN FINES AND POSSIBLE INCARCERATION ACCORDING TO STATE LAW.

In the case of a Power Failure:

- Remain calm
- Pause to assess hazards; stop use of powered equipment and avoid unsafe movement in darkness.
- Await instructions from staff personnel.
- If evacuation is needed, use the nearest safe exit and follow staff or responder directions.

Evacuation Procedure. Evacuation should take place if it is determined that it is safer outside than inside the building (fire, explosion, intruder) and staff, students and visitors can safely reach the evacuation location without danger.

The CEO will call or designate another to immediately call public safety (911) (police, fire and emergency responders) to give notice the school has been evacuated. The CEO will communicate the need to evacuate the building to the occupants by activating the fire alarm or by in-class announcements. The CEO will determine evacuation routes based on location of the incident and type of emergency and communicate changes in evacuation routes based on location and type of emergency. The CEO communicates re-entry clearance from responding public-safety officials.

Floor plans and evacuation routes are posted throughout the School. Use the nearest safe exit and assemble in the parking lot, away from the building and responding vehicles. If unsafe, follow staff or emergency responders to an alternate safe location. Do not leave the assembly area without notifying staff, unless immediate safety requires it.

Active shooter or intruder: Escape by a safe route when possible. Leave belongings behind, keep hands visible and call 9-1-1 when safe. If escape is unsafe, hide out of view, lock or barricade the door, silence devices and remain quiet. Physical resistance is a last resort when life is in imminent danger. Follow responding officers' commands.

When safe, the CEO or CFO announces a lockdown and directs staff to call 9-1-1, identify the School and location, and describe the emergency and any known intruder or weapon. Anyone may call 9-1-1 without waiting for an announcement or administrative approval. Follow the dispatcher's instructions and provide updates when safe.

School staff responsibilities:

- Bring nearby people into shelter only if this can be done safely; do not enter exposed hallways to search for others.
- Lock your doors.
- If safe, lock or barricade the door using available furniture without exposing yourself to the threat.
- Take attendance and be prepared to notify the CEO or local law enforcement of missing students or additional students, staff or guests sheltered in your classroom.
- Stay out of the intruder's view and away from doors and windows. Do not move toward or attempt to run past an armed intruder.
- Use physical resistance only as a last resort when life is in imminent danger; do not leave a secure location to confront an intruder.
- Remain sheltered until law enforcement gives clearance, unless staying creates an immediate life-threatening danger and a safe escape is available.
- People outside the building should move away from the threat to a safe location, call 9-1-1 and await police instructions. Do not return to the building.

Shelter-In-Place Procedure. The shelter-in-place procedure provides a refuge for students, staff and the public inside the school building during an emergency. Shelters are located in areas of the building that maximize the safety of occupants. Shelter-in-place is used when evacuation would place people at risk. Shelters may change depending on the emergency.

The CEO will announce that the school is experiencing an emergency situation and needs to implement shelter-in-place procedures. Students, guests and staff will be directed to move to the designated shelter locations in the school. People outside should enter only if the route and building are safe for the identified hazard; otherwise move away and follow public-safety instructions.

The CEO will instruct School staff to close all windows and doors and, if warranted, order the shut-off of heating, ventilation and air conditioning systems to stop the inflow of outside air into the building. The CEO will also designate staff to monitor radio, Internet, and other media for information on incident conditions that caused the shelter-in-place. The CEO will contact and consult with public safety officials as appropriate and be prepared to announce additional procedures due to changing conditions of the incident, or to announce an "All Clear".

School team member responsibilities:

- Move to the designated safe area appropriate to the hazard. Do not use chemical-storage or utility spaces as shelters unless specifically assessed as safe.
- Close classroom doors and windows when leaving.
- Have everyone kneel down and be ready to cover their heads to protect from debris, if appropriate.
- All persons must remain in the shelter until notified by the CEO or public safety official that it is safe to exit.

Bomb Threat Procedure.

In case of a bomb threat at Austin Kade Academy:

- Call 9-1-1 from a safe location and notify Administration as soon as safe;
- Evacuate the building when directed by the Police or Administrative personnel; and
- Remember in all situations to remain calm.

K. Fire Prevention and Workplace Hazards

It is the responsibility of all faculty and staff to alert the CEO of any and all conditions that could potentially pose a fire hazard or other unsafe condition in or around the building. No smoking is permitted in the building and flammable chemicals are confined and stored in a locked area, with storage and handling based on product safety data sheets and applicable fire and workplace-safety requirements. Good housekeeping practices will be the responsibility of all faculty, staff and students. Waste materials are to be discarded in their proper places and all aisles, doorways, hallways and exit doors are to be kept clear at all times.

L. Alcoholic Beverages or Controlled Substances

It is the policy of Austin Kade Academy that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol is prohibited while in the workplace, on school premises, or as part of any school sponsored activities. Any employee or student violating this policy will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution. The specifics of this policy can be found in the Drug Free School Policy. The School enforces its prohibition on alcohol possession, use and sale on School premises and at School activities, and supports enforcement of Idaho underage-drinking laws and federal and Idaho drug laws. These standards apply to students and employees.

M. Alcohol and Substance Abuse Education

The School has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of information materials, referrals, and school disciplinary actions.

Mental health and substance abuse services are available at:

Drug Counseling, Rehabilitation & Assistance Programs

SAMHSA National Helpline: 1-800-662-HELP (4357), confidential treatment referral and information, available 24 hours a day. Treatment locator: <https://findtreatment.gov/>.
988 Suicide & Crisis Lifeline: call or text 988 for mental-health or substance-use crisis support. Call 9-1-1 for immediate danger or a medical emergency.

Information about alcohol and drug risks and prevention is available from the National Institute on Alcohol Abuse and Alcoholism (<https://www.niaaa.nih.gov/>), the National Institute on Drug Abuse (<https://nida.nih.gov/>), and SAMHSA (<https://www.samhsa.gov/>).

N. Sexual Harassment Policies & Procedures

Austin Kade Academy is committed to providing a working and educational environment for all students, faculty and staff that is free from sex discrimination, including sexual harassment. Every member of the School community should be aware that the school is strongly opposed to sexual harassment, and that such behavior is prohibited by state and federal laws. The school's Sexual Harassment Policy is part of this Annual Security Report. It describes the school's programs to prevent sexual misconduct/harassment, and the procedures that the school will follow once an incident of sexual harassment has been reported. This Policy is disseminated widely to the school community through publications, the school website, new employee orientations, student orientations, and other appropriate channels of communication. Copies of the Policy can be obtained from the CEO or downloading from the school's website at www.austinkade.com. The school provides training to key staff members to enable the school to handle any allegations of sexual harassment promptly and effectively. The school will respond quickly to all reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

The school's Sexual Harassment Policy governs sexual harassment that occurs on any school property or in connection with any school-sponsored program or event. This Policy applies to all students, employees, and third parties conducting business with the school, and does not discriminate on the basis of the person's gender, gender identity, sexual orientation, age, race, nationality, class status, ability, religion or other protected status. The school encourages victims of sexual violence to talk to somebody about what happened – so victims can get the support they need, and so the school can respond appropriately. As further described in the Policy, the School will seek to respect a victim's request for confidentiality to the extent possible, while remaining ever mindful of the victim's well-being. The school prohibits retaliation against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process (e.g., as a witness).

O. Sexual Offender Registration

Registered sex-offender information is available through the Idaho State Police sex-offender registry at https://apps.isp.idaho.gov/sor_id/. This disclosure is provided under the Campus Sex Crimes Prevention Act and the Clery Act; applicable student-record privacy law is the Family Educational Rights and Privacy Act (FERPA).

The Campus Sex Crimes Prevention Act requires institutions of higher education to provide a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders can be obtained.

P. Anti-Hazing Policy

In accordance with the Stop Campus Hazing Act, the School strongly opposes hazing in all forms and it prohibits all hazing activities as defined below. If a student or group of students is found to be in violation of the Anti-Hazing policy, they may face disciplinary action up to and including termination from the program.

Hazing is Prohibited.

For School conduct purposes, hazing is any intentional, reckless or knowing act against another person, regardless of willingness to participate, that meets the conditions below. This School policy may prohibit conduct beyond the federal statistical definition.

Is an explicit or implicit condition of recruitment, admission, or initiation into, affiliation with, or new or continued membership status within a group, organization, or academic group or cohort. Hazing may take many forms, but may be one of the following or similar behavior

- 1) Causes, encourages, or compels another person to engage in any activity that could reasonably be perceived as likely to create a risk of mental, physical, or emotional distress or harm; examples include but are not limited to:
 - a) Undertake acts of servitude or menial tasks;
 - b) Undergo undue financial expenditures;
 - c) Engage in acts relevant to those of the group (for example practice or training activities), but in a manner that a reasonable person would consider excessive or dangerous;
 - d) Abuse, humiliate, degrade, or taunt another person or persons.
 - e) Whipping, beating, striking, electronic shocking, placing a harmful substance on someone's body with the intent to cause harm;
 - f) Causing, coercing, or inducing sleep deprivation, exposure to the elements, confinement to a small space, extreme calisthenics;
 - g) Causing, coercing, or inducing another person to engage or perform sexual acts (note: in certain circumstances the Nondiscrimination Policy prohibiting sex based harassment, including sexual assault, fondling and more, may be implicated by this type of hazing activity);
 - h) Any activity against another person that includes a criminal violation of local, State, Federal, or Tribal law, or requires, induces, or causes another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law;
 - i) Involves any of the following:
 - (1) Consumption of alcohol or drugs;
 - (2) Consumption of unpalatable substances, or palatable substances to excess;
 - (3) Damage to or theft of property, or any other illegal act;
 - (4) Violation of any School policy in connection with initiation, affiliation or continued group membership.
- 2) Subjects any other person (including an existing member or cohort of existing members of the group) to any of the above activities.

Hazing can occur on or off campus, in person or in virtual settings. The individual subjected to hazing does not need to regard or identify the act as hazing. The fact that an individual does not object to and/or appears willing to participate in the activity, does not signify the conduct is not hazing.

Investigation Process and Procedures for Hazing

Report suspected hazing to the CEO at (208) 346-7300 or lisa@austinkade.com, or to the Student Services Director at studentservices@austinkade.com, by phone, email, mail or in person at 1646 S. Woodruff Avenue, Idaho Falls, ID 83404. If a recipient is involved, report to the other; if both are involved, report to the CFO. Anonymous reports are accepted, but may limit investigation. Call 9-1-1 for immediate danger. Retaliation for good-faith reporting or participation is prohibited. The CEO or an impartial designee assesses safety, gathers relevant statements and records, gives the responding person notice and an opportunity to respond, and decides responsibility using a preponderance of the evidence (more likely than not). The same impartial official may investigate and decide an ordinary hazing case. The School aims to issue a written outcome and any sanctions within 60 calendar days of receiving the report, with notice of any good-cause delay and revised timeframe. This ordinary hazing process has no separate hearing or appeal, subject to any applicable law or binding School grievance requirement. Allegations involving sexual

assault, dating violence, domestic violence, stalking or other sexual harassment instead follow the applicable process in the Campus Sexual Harassment Policies and Procedures, including its protections and any required appeal.

Examples of Hazing

Joining a group should never involve:

- Sleep deprivation
- Pressured or forced consumption
- Acts of exertion
- Isolation from the group
- Acts of servitude
- Alcohol

An unwanted haircut imposed as a condition of club membership may constitute hazing. Ordinary, consensual supervised educational services are not hazing merely because they involve a haircut. Context, coercion and risk matter. Sanctions for hazing may include education, warning, probation, activity restrictions, suspension or expulsion; employees may receive discipline up to termination, and organizations may lose recognition or activity privileges.

The School separately maintains federal hazing statistics and, when triggered by a finding against an established or recognized student organization, a Campus Hazing Transparency Report. Allegations counted in crime statistics do not require a disciplinary finding. The transparency report concerns findings, is not limited to Clery geography, omits individual students' personally identifying information, and identifies the organization, conduct, alcohol/drug involvement, findings, sanctions and required incident, investigation and notice dates. It is posted prominently on the public website with policy and annual-statistics links; qualifying updates occur at least twice yearly and remain available for five calendar years. Federal law does not require developing the transparency report before a qualifying finding or updating it for periods without a finding.

Federal hazing statistics and prevention

For federal reporting, hazing means intentional, knowing or reckless conduct, regardless of willingness, committed during initiation, affiliation or maintenance of membership in a student organization that causes or creates a risk of physical or psychological injury above the reasonable risk of participation. Examples include violence, harmful substances, sleep deprivation, forced consumption, coerced sexual acts, threats of bodily harm and criminal acts or tasks. A student organization includes a group with at least two enrolled student members, whether recognized or not. Related acts with insignificant time and place intervals are counted as one incident. Collection began for calendar year 2025.

Idaho Code 18-917 prohibits intentional hazing or conspiracy to haze in connection with membership or status in a student group. Covered conduct includes physical danger or harm, compelled ingestion, substantial nudity, offensive contact, excessive physical contests, abandonment, unsafe confinement, sleep deprivation and assigned pranks. Personal violation is a misdemeanor. The state criminal definition is distinct from the School's conduct policy and federal reporting definition. See <https://legislature.idaho.gov/statutesrules/idstat/Title18/T18CH9/SECT18-917/>.

The CEO coordinates hazing prevention within orientation and staff meetings, reviewing this policy and using StopHazing and Clery Center's research-informed We Don't Haze companion materials. The lesson covers safe bystander intervention, ethical leadership and group activities without coercion. Ongoing prevention communications reinforce these topics for students, faculty and staff.

AUSTIN KADE ACADEMY

CAMPUS CRIME REPORT

The CEO prepares this report to comply with the Jeanne Clery Campus Safety Act. The report is prepared in cooperation with the local law enforcement agencies surrounding our campus.

Campus crime, arrest and disciplinary-referral statistics include reports to Campus Security Authorities and local police. Free copies are available from the CEO at (208) 346-7300 to current and prospective students and employees. Statistics below cover calendar years 2023, 2024 and 2025.

To Report a Crime: Contact the CEO at (208) 346-7300 (non-emergencies) or dial 9-1-1 (emergencies only). You may also contact one of the school's designated Campus Security Authorities. Any suspicious activity or person seen loitering inside or around the school buildings should be reported to the CEO.

Offense	On Campus			Non-Campus			Public Property		
	2023	2024	2025	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
VAWA Offenses									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Arrests & Disciplinary Referrals									
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Hazing incidents	NR	NR	0	NR	NR	0	NR	NR	0

Hate crimes: No hate crimes were reported for 2023, 2024 or 2025 in any Clery geography. Unfounded crimes withheld from the statistics: 2023 — 0; 2024 — 0; 2025 — 0.

No student housing or noncampus property exists. Hazing: NR means reporting was not required for 2023–2024; it does not mean zero. Sexual assault is reported in its four component rows without duplicate counting.

AUSTIN KADE ACADEMY

DRUG FREE SCHOOL POLICY

Austin Kade Academy believes that it is very important to provide a safe environment for all its students and employees. Substance abuse, while at work, school or otherwise, seriously endangers the safety of students and employees, as well as the general public, and creates a variety of problems including increased theft, decreased morale, decreased productivity, and a decline in the quality of services provided. It is also our Policy to prevent the use and/or presence of these substances in the school. Austin Kade Academy will strive to provide an environment conducive to making conscientious and healthy decisions when students are faced with difficult choices associated with the use of legal and illegal drugs.

It is a violation of School policy for a student or employee to:

- Use illegal drugs or misuse prescription drugs;
- Misuse alcohol;
- Possess, sell, distribute or misuse alcohol, illegal drugs or another person's prescription medication on School property or during School activities. Lawfully prescribed medication taken as directed is not prohibited solely because it is a prescription medication.
- Arrive or return to school intoxicated from use of illegal drugs, misused prescription drugs or alcohol;
- Engage in the use of illegal drugs, misuse of prescription drugs or alcohol during school hours or while on school property (including parking lots); or
- Perform services while impaired so that safe performance is compromised, including impairment from otherwise lawful medication.

A person concerned that medication may impair safe performance should privately contact the CEO or Student Services Director before performing affected services. The School will consider an individualized safety assessment and reasonable accommodation. Only information reasonably necessary to assess restrictions or accommodations will be requested and shared; students should not disclose diagnoses or medication lists to classmates or clients.

Students and employees must comply with applicable law and this policy. The School provides the required prevention information through its annual written distribution and to students and employees who join afterward.

Drug & Alcohol Health Risks

Drugs and alcohol can be highly addictive to the body and can cause harmful effects to virtually every aspect of a person's life: i.e., relationships, family, job, school, physical and emotional health. People who use drugs and alcohol may lose their sense of responsibility, become restless, irritable, paranoid, depressed, inattentive, anxious or experience sexual indifference, loss of physical coordination and appetite, coma, convulsions or even death.

Alcohol and drugs can impair judgment, coordination and safe performance, including driving and working with chemicals or sharp tools. Risks vary by substance, dose, health conditions and combinations. Suspected overdose is a medical emergency: call 9-1-1 immediately.

There are danger signals that could indicate when someone is in trouble with drugs or alcohol:

- Abrupt changes in mood or attitude;
- Continuing slump at work or school;
- Continuing resistance to discipline at home or school;

- Cannot get along with friends or family;
- Unusual temper flare-ups;
- Increased borrowing of money;
- Heightened secrecy; and
- A complete new set of friends.

Reasonable Search:

When specific, documented facts create a reasonable safety concern about a policy violation, the CEO may request a limited visual inspection of personal property with consent and in the individual's presence. School staff do not conduct physical or strip searches, forcibly search vehicles or belongings, or detain individuals. Refusal does not itself establish drug use. The School may restrict access temporarily to address an immediate safety risk and contact law enforcement when appropriate. Any discipline follows the applicable conduct process; searches and disclosures must comply with applicable law.

Student Assistance:

The School encourages students and employees to seek assistance for substance-use concerns and provides referrals. A voluntary request for help alone is not a disciplinary violation. The School considers leave, reasonable accommodations and safe return individually under applicable policies and law. Treatment, testing or release of medical records is not automatically required for every request. Any safety-related condition must have a lawful, documented basis and protect medical privacy.

Seeking assistance does not excuse independently established misconduct or eliminate necessary immediate safety measures. The sexual-misconduct reporting provisions and applicable protections for emergency assistance remain in effect.

Disciplinary Action:

The School will impose disciplinary sanctions for violations, which may include education, warning, probation, restrictions, suspension, expulsion or termination of employment, depending on seriousness, safety risk and prior violations, under the applicable student or employee process. Sanctions will be applied consistently. Referral for prosecution may occur where appropriate. Readmission or return from leave is assessed individually; lawful medication use or a request for treatment or accommodation is not by itself grounds for exclusion.

Confidentiality:

Drug-program and accommodation records are handled privately, with access limited to persons with a legitimate need to know. Disclosure requires consent or another applicable legal basis, including a lawful mandatory-reporting duty, qualifying safety emergency or compulsory legal process. The School does not promise absolute privilege or confidentiality.

Biennial Review:

The School distributes its drug and alcohol prevention information annually in writing to each student and employee, including those who join after the initial distribution. The distribution includes conduct rules, applicable legal sanctions, health risks, assistance resources and School sanctions. Delivery of this report may also satisfy that distribution when it includes all required information and reaches each recipient; merely posting it online is insufficient. Every two years, on the School's established review cycle, the CEO reviews effectiveness, makes needed changes, and checks consistent enforcement of sanctions, including the number of drug- and alcohol-related violations and fatalities on campus or as part of School activities reported to campus officials and the number and type of sanctions imposed.

The School retains the program and review records for at least three years after the fiscal year in which created, longer if required by a legal hold or another applicable rule.

Federal Student Aid and Drug Convictions

A drug conviction no longer disqualifies a student from federal Title IV aid under the former HEA section 484(r) rule. The School does not require drug testing or rehabilitation to restore eligibility under that repealed rule. Other eligibility requirements still apply; contact Financial Aid for assistance.

Additional Consequences of Drug Law Violations

Drug and alcohol offenses can result in criminal penalties and may affect licensing, employment or other legal interests depending on the offense and applicable law. These consequences are separate from the repealed federal student-aid drug-conviction restriction. The School does not represent that every conviction causes loss of public benefits.

School Flexibility:

The School may amend this policy prospectively through notice to affected students and employees, consistent with applicable law and contractual obligations. Changes do not waive required procedures, legal deadlines, reasonable accommodations or equal treatment. Any case-specific extension must be justified and communicated to affected persons.

Legal Sanctions and Controlled Substances

Federal and Idaho law prohibit unauthorized possession and distribution of controlled substances. Offenses may carry fines, imprisonment, forfeiture and enhanced penalties for repeat offenses, serious injury, death, distribution to minors or trafficking. The applicable penalty depends on the substance, amount and circumstances. Federal authorities include 21 U.S.C. 841 and 844; Idaho authorities include Idaho Code 37-2732 and 37-2732B.

Federal simple possession under 21 U.S.C. 844 generally carries up to one year of imprisonment and a minimum \$1,000 fine for a first offense, with enhanced penalties for prior convictions and statutory exceptions. Federal distribution penalties under 21 U.S.C. 841 range substantially by drug and quantity, and can include mandatory minimum imprisonment and life imprisonment in aggravated cases. Consult the current statutes for the applicable offense.

Idaho Code 37-2732 provides misdemeanor and felony drug offenses, including unauthorized possession, manufacture and delivery. Idaho Code 37-2732B provides drug-specific trafficking thresholds and mandatory minimum penalties. Marijuana remains subject to Idaho prohibitions regardless of another state's law. Current state provisions:

<https://legislature.idaho.gov/statutesrules/idstat/Title37/T37CH27/>.

Idaho Code 23-603 prohibits adults from furnishing alcohol to a person under 21. A first violation may carry a \$500–\$1,000 fine, up to one year in county jail, or both; repeat violations carry increased fines. Underage possession and consumption are addressed in Idaho Code 23-604 and 23-949; impaired driving is separately prohibited under Idaho Code 18-8004. Local ordinances may impose additional applicable restrictions.

This summary does not replace the law or list every offense or exception. The School's alcohol and drug rules may prohibit conduct even when it is not prosecuted. Current federal statutes:

<https://uscode.house.gov/>; Idaho statutes: <https://legislature.idaho.gov/statutesrules/idstat/>.

AUSTIN KADE ACADEMY CAMPUS SEXUAL HARASSMENT POLICIES & PROCEDURES

1. Introduction

Austin Kade Academy (the "School") is committed to providing a working and educational environment for all students, faculty and staff that is free from sex discrimination, including sexual harassment. Every member of the School community should be aware that the School is strongly opposed to sexual harassment, and that such behavior is prohibited by state and federal laws.

As part of the School's commitment to providing a working and learning environment free from sexual harassment, this Policy shall be disseminated widely to the School community through publications, the School website, new employee orientations, student orientations, and other appropriate channels of communication. The School provides training to key staff members to enable the School to handle any allegations of sexual harassment promptly and effectively. The School will respond quickly to all reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

2. Scope of the Policy

This Policy governs sexual harassment that occurs on any School property or in connection with any School-sponsored program or event. This Policy applies to all students, employees, and third parties conducting business with the School, regardless of the person's gender, gender identity, sexual orientation, age, race, nationality, class status, ability, religion or other protected status. The School encourages victims of sexual violence to talk to somebody about what happened – so victims can get the support they need, and so the School can respond appropriately. As further described in this Policy, the School will seek to respect a victim's request for confidentiality to the extent possible, while remaining ever mindful of the victim's well-being. For the formal Title IX process, covered sexual harassment must occur against a person in the United States within an education program or activity over which the School exercises substantial control over the respondent and the context, including a building owned or controlled by an officially recognized student organization. Conduct outside that jurisdiction may still violate School policy. The Coordinator selects the formal Title IX process for qualifying formal complaints and the administrative process below for other alleged violations of this policy. Clery protections continue for sexual assault, dating violence, domestic violence and stalking outside Title IX jurisdiction. A case cannot be placed in the administrative process merely to avoid applicable Title IX requirements.

3. Prohibited Conduct

Sexual harassment comprises a broad range of behaviors focused on sex that may or may not be sexual in nature. Any intercourse or other intentional sexual touching or activity without the other person's consent is sexual assault, which is a form of sexual harassment under this Policy. Sexual exploitation, stalking, domestic violence, and dating violence are also forms of sexual harassment. Intimidation for one of these purposes is sexual harassment, as is retaliation following an incident of alleged sexual harassment or attempted sexual harassment. The definitions for specific acts of sexual harassment can be found in the Definitions of Key Terms at the end of this Policy statement.

Harassment can occur between strangers or acquaintances, or people who know each other well, including between people involved in an intimate or sexual relationship, can be committed by anyone regardless of gender identity, and can occur between people of the same or different sex or gender.

This Policy prohibits all forms of sexual harassment.

4. Options for Assistance Following an Incident of Sexual Harassment

The School strongly encourages any victim of sexual harassment to seek immediate assistance. Seeking prompt assistance may be important to ensure a victim's physical safety or to obtain medical care. The School strongly advocates that a victim of sexual assault reports the incident in a timely manner. Time is a critical factor for evidence collection and preservation.

Reporting Incidents of Sexual Harassment.

Report to the Student Services Director/Title IX Coordinator using the contact details below. To contact Idaho Falls Police, call (208) 529-1200 for non-emergencies or 9-1-1 for emergencies. You may request School assistance or decline police notification, subject to legally required reporting and emergency response.

When a student or employee reports to the School that the student or employee has been a victim of sexual harassment, whether the offense occurred on or off campus, the School will provide the student or employee a written explanation of the student's or employee's rights and options. The school will also provide the student or employee with written notification about assistance available both within the school and without, as well as information about options for academic and other supportive measures. A formal complaint is not a requirement for supportive measures to be implemented, as appropriate. The complainant will also receive information about the process for filing a formal complaint.

The victim of the sexual harassment may choose for the investigation to be pursued through the criminal justice system and the School's disciplinary procedures. The School and the criminal justice system work independently from each other. Law enforcement officers do not determine whether a violation of this Policy has occurred. The Student Services Director will guide the victim through the available options and support the victim in his or her decision.

Support Services Available.

The School provides referral and administrative support, not professional counseling or health care. External providers offer medical care, advocacy and counseling under their own eligibility and confidentiality rules. Assistance does not require a police report or a formal School complaint. Sexual misconduct crisis and counseling options are available locally and nationally through a number of agencies, including:

National Sexual Assault Hotline
800-656-HOPE (4673)

National Domestic Violence Hotline
800-799-SAFE (7233)

Local resources are available to help assist with a variety of needs that may be requested/ necessary by a victim of sexual harassment. They are listed below.

Domestic Violence and Sexual Assault Center (DVSAC)

1050 Memorial Dr.
Idaho Falls, ID 83402
Phone: (208) 529-4352
24-hour crisis line: (208) 235-2412
Toll free: 866-342-2483
<https://www.dvsacac.org/>

Behavioral Health Crisis Center

1650 N Holmes Ave
Idaho Falls, ID 83401
Phone: (208) 522-0727
24-hour community crisis center

Bingham Crisis Center

288 N Shilling Ave
Blackfoot, ID 83221
Phone: (208) 785-1047
Email: scott@binghamcrisiscenter.org

Idaho Falls Police Department

Non-emergency dispatch: (208) 529-1200
Emergency: 9-1-1
<https://idahofallsidaho.gov/1739/Police-Department>

Whether or not a victim chooses to make an official report or participate in the School's disciplinary or criminal process, there is counseling and support available for victims of sexual harassment. Some local resources include the following:

Creekside Counseling

550 W Sunnyside Rd
Idaho Falls, ID 83402
Phone: (208) 529-5777
<https://creeksidecounselingidaho.com>

The Counseling Agency

611 Hoopes Ave
Idaho Falls, ID 83401
Phone: (208) 522-4885
<https://thecounselingagency.com>

The Title IX Coordinator promptly discusses supportive measures with an affected student or employee, considers the person's wishes, and explains how to request them. The School provides reasonably available academic, living, transportation, working or protective measures requested by a victim, regardless of whether the person reports to police or files a formal complaint. Options include schedule changes, extensions, academic support, leave and no-contact directives, as appropriate. Measures before a responsibility determination are non-disciplinary, non-punitive and may not unreasonably burden the other party. The School provides no housing or clinical care but can refer to community services. Measures are confidential to the extent that confidentiality does not impair delivery. A School no-contact directive is not a court order. Provide the Coordinator a copy of any court protection, restraining or no-contact order affecting campus so the School can coordinate compliance within its authority. An advocate or court can explain how to request an order; report violations or immediate danger to police.

Evidence Preservation

After sexual assault, domestic violence or dating violence, seek medical care as soon as possible. If feasible, avoid washing or altering items that may hold evidence and preserve clothing in separate paper bags; do not delay necessary care. Evidence may support a criminal case or protection order. Care and reporting remain available even after bathing, changing clothes or a delay. A health-care provider or advocate can explain forensic examination options.

Victims of sexual harassment are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful in connection with a school or police investigation.

5. Student Services Director and Title IX Coordinator

The Student Services Director is the School's designated Title IX Coordinator and oversees response to sex discrimination, sexual harassment and related retaliation. Throughout this policy, Student Services Director means the Title IX Coordinator. The Coordinator is:

- Knowledgeable and trained in School policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a complainant, respondent, or a third party, about School and community resources and reporting options;
- Available to provide assistance to any School employee regarding how to respond appropriately to a report of Title IX-related prohibited conduct and related retaliation;
- Participates in ensuring the effective implementation of this Policy, including monitoring compliance with all procedural requirements, record keeping, and timeframes; and
- Responsible for coordinating the required training, prevention and education efforts; no separate annual climate survey is required by this policy.

Inquiries or concerns about Title IX may be referred to the Student Services Director:

Myriah Pope

1646 S Woodruff Ave
Idaho Falls, ID 83404

studentservices@austinkade.com (email)

(208) 346-7300 (Austin Kade Academy' phone #)

Inquiries may also be directed to the U.S. Department of Education, Office for Civil Rights: <https://www.ed.gov/ocr>. School reports may be made at any time by email or mail, including outside business hours; these channels are not continuously monitored emergency services.

6. Reporting Policies and Protocols

Austin Kade Academy strongly encourages all members of the School community to report information about any incident of sexual harassment as soon as possible, whether the incident occurred on or off campus. Reports can be made either to the School and/or to law enforcement. In circumstances where no formal complaint is filed triggering the Title IX grievance process, but the school has actual knowledge of sexual harassment, the School must still respond without deliberate indifference and provide supportive measures as appropriate.

Once there has been a report of sexual misconduct (including sexual harassment), the Student Services Director will discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint and explain the process for filing a formal complaint. All supportive measures that are offered will be non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent. Some examples of supportive measures include: the ability to change class schedules; withdraw from/retake a class without penalty; access academic support such as tutoring; issue no contact orders; and change the respondent's class schedule.

Filing a Formal Complaint

Anyone may report sex discrimination or sexual harassment by telephone, email, mail or in person. A Title IX formal complaint is a document filed by a complainant, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent and requesting investigation. A complainant's filing must contain a physical or digital signature or otherwise indicate that the complainant is the filer; at filing, the complainant must be participating in or attempting to participate in the School's education

program or activity. An oral report alone is not a formal complaint. The Coordinator can explain filing and may sign a complaint when appropriate without becoming a party. If the Coordinator is involved, report to the CEO; if both are involved, report to the CFO for assignment to an impartial external official.

An individual who has experienced an incident of sexual harassment may report the incident at any time, regardless of how much time has elapsed since the incident occurred. The School is committed to supporting the rights of a person reporting an incident of sexual harassment to make an informed choice among options and services available.

The School will respond to all reports in a manner that treats each individual with dignity and respect and will take prompt responsive action to end any harassment, prevent its recurrence, and address its effects.

Reporting to Law Enforcement

A person may notify police, request School help notifying police, or decline police notification. Call 9-1-1 for an emergency and (208) 529-1200 for Idaho Falls non-emergency dispatch. School and police processes are independent. A police report is not a prerequisite for medical care, advocacy, supportive measures or School reporting. Police and health-care providers can explain evidence and examination options; the School cannot guarantee a particular criminal or treatment outcome.

- Prompt medical care can address injury, exposure and other health concerns, even without a police report.
- Preserve available physical and electronic evidence when feasible; care and reporting remain available even if evidence has changed or time has passed.
- An advocate may help explain support, reporting and court-protection options.

Reporting of Crimes & Annual Security Reports

Campus safety and security are important issues at Austin Kade Academy. Our goal is to provide students with a safe environment in which to learn and to keep students, parents, and employees well informed about campus security. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or Clery Act, requires institutions of higher education to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute sexual harassment under this Policy.

The School distributes this Annual Security Report or its availability notice to enrolled students and current employees by October 1. The notice provides the exact electronic address, contents and free-paper-copy instructions. Current and prospective students and employees may request a free copy from the CEO at (208) 346-7300. See Reporting the Annual Disclosure of Crime Statistics for publication details.

Timely Warnings

The CEO, serving as Clery Coordinator, evaluates reports of Clery-reportable crimes occurring within the School's Clery geography and reported to a Campus Security Authority or local police. When a reported crime presents a serious or continuing threat to students or employees, the School issues a timely warning as soon as pertinent information is available. The warning provides information needed for protective action and withholds victims' names and other identifying information. The CEO determines the content and sends the warning using one or more available methods appropriate to reach the affected community: email, text or direct announcements. The CFO acts when the CEO is unavailable. The School may also issue safety notices for other concerning incidents.

Notices may also be posted in the common areas throughout the school. Anyone with information warranting a timely warning should report the circumstances to the CEO by phone at (208) 346-7300 or in person at the School.

Third-Party and Anonymous Reporting

Third-party and anonymous reports are assessed on the information available. When the affected person is identifiable, the Coordinator promptly offers contact, supportive measures and reporting options. A report does not automatically begin a formal Title IX grievance; the formal-complaint requirements below apply. Anonymous information is also assessed for any Clery statistical, warning or safety response.

No Retaliation

The School prohibits retaliation against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process (e.g., as a witness). The School will take strong responsive action if retaliation occurs. Any incident of retaliation should be promptly reported to the Student Services Director or the School's owners.

Coordination with Drug Free School Policy

Students may be reluctant to report instances of sexual harassment because they fear being disciplined pursuant to the School's alcohol or drug policies. The School encourages students to report all instances of sexual harassment and will take into consideration the importance of reporting sexual harassment in addressing violations of the School's alcohol and drug policies. This means that, whenever possible, the School will respond educationally rather than punitively to student alcohol or drug policy violations associated with reported sexual harassment.

Dismissal Procedure

There are certain, specific instances that require a mandatory dismissal of a complaint, or some allegations within a complaint of sexual harassment and other instances that *may* result in the dismissal of a complaint or some allegations within a complaint.

The reasons for Mandatory Dismissals include:

- If the alleged conduct, even if proved, would not meet the federal Title IX definition of sexual harassment in Definitions of Key Terms;
- If the alleged conduct did not occur in the School's education program or activity, or did not occur against a person in the United States. A Title IX dismissal does not prevent action under other School rules or end applicable Clery rights.

The reasons for Discretionary Dismissal include:

- If the complainant notifies the Student Services Director in writing that they wish to withdraw the complaint or some of the allegations in the complaint;
- If the respondent is no longer enrolled or employed by the school; or
- If specific circumstances prevent the School from gathering sufficient evidence to reach a determination as to the formal complaint or allegations therein.

If a formal Title IX complaint or allegation is dismissed, the School promptly sends both parties simultaneous written notice stating the reason and the appeal procedure below. Dismissal from Title IX does not prevent the administrative process described below for conduct prohibited by School policy.

7. School Policy on Confidentiality

The School encourages complainants of sexual harassment to talk to somebody about what happened – so they can get the support they need, and so the School can respond appropriately.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a victim of sexual harassment. The School encourages complainants to talk to someone identified in one or more of these groups.

Privileged and Confidential Communications – Professional & Pastoral Counselors

Professional, licensed counselors and pastoral counselors who provide mental-health Counseling to members of the community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Student Services Director without a complainant's permission. *The School does not provide professional or pastoral counseling but can assist a victim of sexual harassment in obtaining support services from these groups or agencies.*

Contact information for these support organizations is listed in Support Services Available.

A complainant who at first requests confidentiality may later decide to file a complaint with the School or report the incident to local law enforcement, and thus have the incident fully investigated.

NOTE: While these professional and pastoral counselors and advocates may maintain a complainant's confidentiality vis-à-vis the School, they may have reporting or other obligations under state law.

If reported conduct presents a serious or continuing threat, the CEO evaluates a timely warning; an immediate on-campus threat is evaluated under emergency notification procedures. Public messages do not identify the complainant.

Reporting to "Responsible Employees"

Under School policy, the responsible employees listed below must forward reports to the Title IX Coordinator. This internal duty is distinct from the federal postsecondary actual-knowledge standard and from CSA statistical reporting. Notice to the Coordinator or an official with authority to institute corrective measures triggers the School's Title IX response duties.

A report prompts outreach, consideration of supportive measures and an explanation of options. A formal Title IX investigation follows a qualifying formal complaint signed by the complainant or Coordinator; a report does not automatically compel a complainant to participate in an investigation.

A responsible employee must report to the Student Services Director all relevant details about the alleged sexual violence shared by the complainant and that the school will need to determine what happened – including the names of the complainant and respondent(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

Information is shared only with those who need it for the School's response or as otherwise permitted or required by law. Disclosure to police generally follows the affected person's choice, except for legally required reporting or emergency response. Statistical reporting does not require identifying the victim publicly.

For Austin Kade Academy, responsible employees include the School's:

- CEO

- CFO
- Student Services Director
- Financial Aid Administrator

Before a complainant reveals any information to a responsible employee, the employee should ensure that the complainant understands the employee's reporting obligations – and, if the complainant wants to maintain confidentiality, direct the complainant to confidential resources.

If the complainant wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the complainant that the School will make every effort to honor that request, so long as doing so does not prevent the school from effectively preventing the harassment of other students of the complainant. In reporting the details of the incident to the Title IX Director, the responsible employee will also inform the Director of the complainant's request for confidentiality.

Responsible employees will not pressure a complainant to request confidentiality, but will honor and support the complainant's wishes, including for the School to fully investigate an incident. By the same token, responsible employees will not pressure a complainant to make a full report if the complainant is not ready to.

Reporting to Student Services Director

A report prompts outreach, consideration of supportive measures and an explanation of options. A formal Title IX investigation follows a qualifying formal complaint signed by the complainant or Coordinator; a report does not automatically compel a complainant to participate in an investigation.

Information is shared only with those who need it for the School's response or as otherwise permitted or required by law. Disclosure to police generally follows the affected person's choice, except for legally required reporting or emergency response. Statistical reporting does not require identifying the victim publicly.

Before a complainant reveals any information to the Student Services Director, the Director should ensure that the complainant understands the Director's reporting obligations – and, if the complainant wants to maintain confidentiality, direct the complainant to confidential resources. If the complainant wants to tell the Student Services Director what happened but also maintain confidentiality, the Director should tell the complainant that the School will consider the request but cannot guarantee that the School will be able to honor it.

The Student Services Director will not pressure a complainant to request confidentiality, but will honor and support the complainant's wishes, including for the School to fully investigate an incident. By the same token, the Student Services Director will not pressure a complainant to make a full report if the complainant is not ready to.

Requesting Confidentiality: How the School Will Weigh the Request and Respond.

If a complainant discloses an incident to the Student Services Director but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the School must weigh that request against the School's obligation to provide a safe, non-discriminatory environment for all students, including the complainant.

If the School honors the request for confidentiality, a complainant must understand that the School's

ability to meaningfully investigate the incident and pursue disciplinary action against the respondent(s) may be limited.

Although rare, there are times when the School may not be able to honor a complainant's request in order to provide a safe, non-discriminatory environment for all students.

The Student Services Director will evaluate requests for confidentiality. When weighing a complainant's request for confidentiality or that no investigation or discipline be pursued, the Student Services Director will consider a range of factors, including the following:

- The increased risk that the respondent will commit additional acts of sexual harassment or other violence, such as:
 - whether there have been other sexual harassment complaints about the same alleged respondent;
 - whether the respondent has a history of arrests or records from a prior school indicating a history of violence;
 - whether the respondent threatened further sexual harassment or other violence against the complainant or others;
 - whether the sexual harassment was committed by multiple respondents;
- Whether the sexual harassment was perpetrated with a weapon;
- Whether the complainant is a minor;
- Whether the School possesses other means to obtain relevant evidence of the sexual harassment (e.g., security cameras or personnel, physical evidence);
- Whether the complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the School to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the School will likely respect the complainant's request for confidentiality.

If the School determines that it cannot maintain a complainant's confidentiality, the School will inform the complainant prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the School's response. The School will remain ever mindful of the complainant's well-being and will take ongoing steps to protect the complainant from retaliation or harm and work with the complainant to create a safety plan. Retaliation against the complainant, whether by students or School employees, will not be tolerated. The School will also:

- Assist the complainant in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance;
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of course schedules (including for the respondent pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the complainant of the right to report a crime to local law enforcement – and provide the complainant with assistance if the complainant wishes to do so.

The School may not require a complainant to participate in any investigation or disciplinary proceeding. Reports may also lead the School to adjust education, supervision or safety measures as appropriate to the reported risk. This policy does not require a separate climate survey or standing review committee.

If the School determines that it can respect a complainant's request for confidentiality, the School will also take immediate action as necessary to protect and assist the complainant.

Take Back the Night and other public awareness events.

Public-awareness disclosures may inform prevention efforts. When the Title IX Coordinator or an official with authority to institute corrective measures receives notice of possible sexual harassment, the School assesses its response obligations; the School does not categorically exclude reports merely because they occur during an awareness event. CSA Clery reporting obligations remain separate.

Off-campus Counselors and Advocates. Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the School unless the complainant requests the disclosure and signs a consent or waiver form. Contact information for these off-campus resources can be found in Support Services Available.

8. Investigation Procedures and Protocols

The Student Services Director coordinates the response and determines which process applies, notifying the parties. Formal Title IX complaints follow the Notice of Investigation through Appeals provisions below. Other alleged violations of this policy follow Administrative Resolution below, unless another applicable law requires additional procedures. Supportive measures, written rights and resources, privacy, nonretaliation and required Clery reporting apply under either process.

Administrative Resolution Outside Formal Title IX

A complaint may be made to the Coordinator orally or in writing using the contact details above; no special form is required. The Coordinator or another trained, impartial official may investigate and decide the matter. If the Coordinator has a conflict or bias, the CEO assigns an impartial official; if the CEO is also involved, the CFO does so. An external official is used only when a suitable internal official is unavailable. The official gives both parties notice of the allegations, timely notice of meetings, equal opportunities to provide evidence and identify witnesses, and timely, equal access to information to be used in deciding the case. Each party may have an advisor of choice at any related meeting; any limits on participation apply equally. The official reviews relevant evidence, provides a reasonable opportunity to respond before deciding, and uses a preponderance-of-the-evidence standard.

This process does not require a live hearing, advisor-conducted cross-examination or a School-provided advisor. The School will send a written outcome to both parties simultaneously within 60 calendar days after receipt of the complaint, including findings, any sanctions, their rationale and notice that the outcome is final. Good-cause delays are explained to both parties in writing with a revised timeframe. The sanctions and protective measures listed below apply. Officials handling sexual assault, dating violence, domestic violence or stalking receive the annual training described below. Any change to the result is sent to both parties simultaneously in writing. There is no separate appeal under this administrative process, subject to applicable law or a binding School grievance requirement. A dismissal from formal Title IX remains appealable under the Title IX Appeals provisions.

Formal Title IX Investigation**Notice of Investigation**

The Coordinator assesses whether a formal complaint triggers this process and explains supportive measures whether or not a complaint proceeds. If the Coordinator signs a complaint despite a request not to proceed, the complainant is informed and is not required to participate. Dismissal and notice follow the Dismissal Procedure; the Coordinator's signature does not make the Coordinator a complainant. The investigator will direct the complainant, respondent, witnesses and other interested individuals to preserve any relevant evidence.

The School gives both known parties written notice of the process and allegations with sufficient preparation time before an initial interview. Notice includes known identities, conduct, date and location; the presumption of nonresponsibility; advisor and evidence-review rights; and any applicable prohibition on knowingly false information. Additional allegations receive supplemental notice. A finding against a party does not by itself establish a knowingly false report.

Investigation Process

Both the complainant and respondent will be given specific, equal rights and protections whether a complainant filed a formal complaint, or the Student Services Director began an investigation by signing the formal complaint. Both parties have an equal opportunity to have witnesses and evidence, including expert witnesses. Complainants and respondents are both provided with the same opportunities to have others present during the grievance proceedings, including access to an advisor of choice for any meetings or hearings.

The School objectively evaluates all relevant inculpatory and exculpatory evidence and bears the burden of gathering evidence and proving responsibility; the respondent is presumed not responsible until the process concludes. Parties may discuss allegations and gather evidence. Privileged material is not used without waiver, and treatment records require the party's voluntary written consent. Credibility is not determined by party or witness status. Officials must be trained and free of conflicts or bias. Supportive measures cannot unreasonably burden the other party; emergency removal requires an individualized safety/risk analysis, an immediate physical-health or safety threat arising from the allegations, notice and an immediate opportunity to challenge the removal. Applicable disability rights remain protected.

The investigator will interview the complainant, respondent and any witnesses. They will also gather pertinent documentary materials (if any) and other information.

The School provides written notice of the date, time, location, participants and purpose of an investigative interview, hearing or other meeting to each party whose participation is invited or expected, with sufficient time to prepare. The School provides timely and equal access to information that will be used in disciplinary meetings and hearings.

Furthermore, both parties and their advisors have an equal opportunity to inspect and review the evidence obtained by the School as part of its investigation if the information is directly related to the allegations that were raised in the formal complaint to include: documents, notes from interviews with students or employees, or other types of evidence that the school gathers; including information the School doesn't think it will use or that it plans to use before reaching a determination. This evidence can be delivered in an electronic format or hard copy.

The School's process for responding to, investigating and adjudicating sexual harassment reports will continue during any law enforcement proceeding. The investigator may need to temporarily delay an investigation while the police are gathering evidence but will resume the investigation after learning that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding.

Time Frame for Investigation

The School will complete the formal Title IX investigation and initial determination within 60 calendar days after receipt of a formal complaint. The two minimum 10-day evidence and report review periods below are preserved. Appeals and informal resolution follow the timeframes stated in their respective sections. Temporary delays or limited extensions require good cause, such as unavailable participants, concurrent law-enforcement activity, language assistance, disability accommodation or case

complexity. The Coordinator gives both parties written notice of the delay, reason and revised timeframe. School closure alone does not justify an indefinite delay.

Where necessary, the School will take immediate steps to protect complainants pending the final outcome of an investigation, including academic accommodations and other supportive measures. These steps may include the ability to change class schedules; withdraw from/retake a class without penalty; access academic support such as tutoring; issue no contact orders; and change the respondent's class schedule.

Impact of Complainant's Confidentiality Request

A request for confidentiality may limit investigation. The Coordinator may arrange reasonably available supportive measures and targeted education or safety measures without a formal disciplinary case, while protecting privacy and avoiding punitive action against a respondent before the applicable process.

Investigation Report

The investigator prepares a report fairly summarizing relevant evidence. The investigator does not make the final determination of responsibility; an independent decision-maker performs that function following the applicable hearing process.

Before the investigative report is completed, both parties and their advisors receive evidence directly related to the allegations, including evidence the School does not intend to rely on, and at least 10 days to submit a written response. The investigator considers timely responses before completing the report. The completed investigative report is then provided to both parties and their advisors at least 10 days before the hearing for review and written response. Necessary privacy protections must not defeat these access rights. All evidence subject to the parties' inspection and review is available at the hearing so each party can refer to it, including for cross-examination.

A live hearing is required before a responsibility determination in a formal Title IX sexual-harassment grievance unless the complaint is dismissed or resolved through authorized voluntary informal resolution. No party must request the hearing. Cases outside formal Title IX follow Administrative Resolution above; they do not automatically require the hearing procedures below.

Informal Resolution

After a formal complaint and before a responsibility determination, the School may offer an appropriate voluntary informal resolution only if:

- Both parties receive written notice of the allegations, process requirements, circumstances precluding resumption of a formal complaint, and consequences including records maintained or shared;
- Both parties are notified that any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint;
- Both parties provide written consent to the informal resolution process; and
- Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Informal resolution is a path designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the expressed preference of the complainant and the safety and welfare of the School community. Informal resolution is not appropriate for all forms of conduct

under the Policy.

Both the complainant and the respondent must voluntarily consent to resolve a complaint without engaging in the formal grievance procedure. The School retains the discretion to determine, when selected by the complainant, which cases are appropriate for informal resolution. Informal resolution may include: conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the harassment occurred; facilitating a meeting with the respondent with the complainant present (in cases that do not involve sexual assault); and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy.

Informal resolution may also include restorative principles that are designed to allow a respondent to accept responsibility for harassment and acknowledge harm to the complainant or to the School community. Restorative models will be used only with the consent of both parties and following a determination by the Student Services Director that the matter is appropriate for a restorative approach. The School does not require informal resolution or a waiver of formal procedures as a condition of enrollment, employment or another benefit. Either party may withdraw before agreeing to a resolution and resume the formal process. Mediation will not be used for sexual assault, and informal resolution is not available for allegations that an employee sexually harassed a student.

The School will complete an agreed informal-resolution process within 30 calendar days after both parties consent. Any good-cause extension is explained to both parties in writing with a revised timeframe. If no agreement is reached or a party withdraws before agreement, the formal process resumes with written notice of its schedule.

9. Grievance/Adjudication Procedures

Participation in a hearing is voluntary. The decision-maker may consider otherwise admissible and relevant statements even when a party or witness does not attend or submit to cross-examination; absence or refusal alone does not justify an inference about responsibility. The decision-maker evaluates reliability and weight, and applies the same evidentiary rules to both parties.

Advisors

Both parties may be accompanied to any related meeting or proceeding by an advisor of their choice, who may be an attorney. For a formal Title IX live hearing, if a party has no advisor present, the School provides an advisor of its choosing without charge to conduct cross-examination; that advisor need not be an attorney. The School is not required by this policy to provide an advisor for other meetings.

Written Submissions

Both the complainant and respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the decision maker(s). Each of the complainant and respondent will have the opportunity to review any written submissions by the other. The decision maker(s) may set reasonable parameters for these written submissions. The decision maker(s) will review the investigation report and written submissions.

Hearing Procedures

The School gives both parties written hearing notice with sufficient preparation time and provides the investigative report at least 10 calendar days before the hearing. A live hearing may be held remotely using technology that allows participants to see and hear one another simultaneously. Attendance is limited to the parties, their advisors, the decision-maker, witnesses when called, and officials needed to conduct the process. Reasonable disability accommodations are provided. The decision-maker

manages the hearing; the Coordinator may arrange logistics but does not decide responsibility.

In general, hearings will proceed as follows:

- The decision-maker may set reasonable, equal time limits. Each party may present relevant witnesses and evidence. Before any cross-examination or other question is answered, the decision-maker determines relevance and explains any exclusion as not relevant.
- If a party does not have an advisor present at the live hearing, the School will provide an advisor of the School's choosing without any fee or charge to that party. The advisor that is provided by the School is to conduct all cross-examination on behalf of that party.
- Nonattendance or refusal to answer does not automatically exclude all of a person's statements. The decision-maker evaluates relevant evidence and does not infer responsibility from absence or refusal alone.
- Cross-examination at the live hearing must be conducted directly, orally and in real time by the party's advisor of choice and never by the party personally.
- At the request of either party, the School will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision maker(s) and parties to simultaneously see and hear the party or witness answering questions.
- Additional hearing rules include:
 - The decision-maker may question parties and witnesses. Each party's advisor conducts that party's relevant questions and follow-up questions, including challenges to credibility; parties may not personally cross-examine each other.
 - Questions or evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant except when offered to show someone other than the respondent committed the alleged conduct, or when concerning specific prior sexual behavior with the respondent and offered to prove consent. A prior relationship alone does not establish consent. Other relevance, privilege and treatment-record rules continue to apply.
 - Prior conduct is considered only if relevant, with an equal opportunity for the parties to review and respond. A prior finding does not establish responsibility for the current allegation.

The School creates an audio or audiovisual recording, or transcript, of each formal Title IX live hearing and makes it available to both parties for inspection and review. Personal recording is subject to the same rules for both parties and applicable law.

Decision Maker(s) Determinations/Standard of Proof

One trained, impartial decision-maker determines responsibility and sanctions in a formal Title IX case. That person cannot be the investigator or Title IX Coordinator and must be free of conflicts or bias. The Coordinator may also serve as investigator when impartial. A separate trained, impartial reviewer handles an appeal and cannot have served as Coordinator, investigator or initial decision-maker in that case. Qualified internal officials may serve in compatible roles; an external official is used when needed for independence, impartiality or expertise. No standing hearing panel is required.

The decision-maker uses preponderance of the evidence: whether the alleged conduct more likely than not occurred. The same standard applies to students and employees, including faculty, and to all formal Title IX complaints. The School aims to issue the written determination, including any sanctions, within 10 calendar days after the hearing, subject to the good-cause extension procedure above.

The parties will be informed of the results of the adjudication hearing by simultaneous written notice to

both parties of the outcome of the complaint. The decision maker(s)'s decision will include a written explanation of the basis for the decision to include: School policies that were violated, description of procedural steps taken leading up to the decision, a finding of facts section, a section that draws conclusions after applying facts to the portion of School's policy that applies, statement of rationale for the ultimate determination of responsibility, any disciplinary sanctions that the School will impose on respondent and state any remedies that the School will provide to the complainant, a statement and rationale for any remedies given, addressing how they will restore or preserve equal access to educational activities, a statement of the School's procedures and a statement that the parties have a right to appeal the initial determination of responsibility and the permissible bases for an appeal. As set forth in Appeals below, both parties shall have the option to appeal the hearing decision maker(s)'s determination.

10. Sanctions and Other Remedies

The independent decision-maker issues the formal Title IX responsibility determination and sanctions. When responsibility is found, the School provides remedies designed to restore or preserve the complainant's equal access to education. The Coordinator implements remedies and sanctions, which are:

- Fair and appropriate given the facts of the particular case;
- Consistent with the School's handling of similar cases;
- Adequate to protect the safety of the campus community; and
- Reflective of the seriousness of sexual harassment.

The decision-maker will consider relevant factors, including if applicable: (1) the specific sexual harassment at issue (such as penetration, touching under clothing, touching over clothing, unauthorized recording, etc.); (2) the circumstances accompanying the lack of consent (such as force, threat, coercion, intentional incapacitation, etc.); (3) the respondent's state of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.); (4) the impact of the offense on the complainant; (5) the respondent's prior disciplinary history; (6) the safety of the School community; and (7) the respondent's conduct during the disciplinary process.

Any necessary sanction consultation occurs before the final written determination. The parties receive simultaneous written notice of the determination, sanctions and remedies affecting the complainant, appeal procedures, later changes and when the outcome becomes final. The determination becomes final when an appeal is decided or the appeal period expires without an appeal.

Possible sanctions for students include the following. Employees may receive a warning, training, reassignment, restrictions, suspension or termination, as appropriate under the same standard of proof and applicable process:

- Reprimand/warning
- Changing the respondent's academic schedule
- Disciplinary probation
- Restricting access to School facilities or activities
- Community service
- Issuing a "no contact" order to the respondent or requiring that such an order remain in place
- Dismissal or restriction from School employment
- Suspension (limited time or indefinite)
- Expulsion

Following a responsibility finding, the School may require appropriate education or training as a sanction and may recommend available counseling or support services. Additional training is selected

when appropriate to the case rather than automatically imposed in every case.

Whatever the outcome of the hearing process, a complainant may request ongoing or additional supportive measures and the Student Services Director will determine whether such measures are appropriate. Potential ongoing supportive measures include:

- Providing an escort for the complainant
- Changing the complainant's academic schedule
- Allowing the complainant to withdraw from or retake a class without penalty
- Providing access to tutoring or other academic support, such as extra time to complete or re-take a class

The School may also determine that additional measures are appropriate to respond to the effects of the incident on the School community. Additional responses for the benefit of the School community may include:

- Increased monitoring, supervision, or security at locations or activities where the harassment occurred
- Additional training and educational materials for students and employees
- Revision of the School's policies relating to sexual harassment
- Other reasonably available measures appropriate to the reported risk

11. Appeals

For formal Title IX cases, either party may appeal a responsibility determination or dismissal on the grounds below. The CEO appoints a trained, impartial reviewer who was not the Coordinator, investigator or decision-maker in the case and has no conflict or bias; if the CEO is involved, the CFO appoints the reviewer. A qualified internal reviewer may serve; an external reviewer is used if needed. The permitted grounds are:

1. A procedural irregularity that affected the outcome;
2. New evidence not reasonably available when the determination or dismissal was made that could affect the outcome; or
3. A conflict of interest or bias of the Coordinator, investigator or decision-maker, for or against complainants or respondents generally or an individual party, that affected the outcome.

Either party may submit a written appeal to the Coordinator within five calendar days after the written formal Title IX determination or dismissal, identifying an allowed ground and its basis. The School notifies the other party and gives both parties an equal five-calendar-day opportunity to submit a written statement supporting or challenging the outcome. The same rules apply to both parties and to student and employee cases. Mere disagreement with the result is not an appeal ground. The impartial reviewer may affirm, revise or return the matter for further proceedings consistent with the stated appeal grounds. The reviewer ordinarily issues a reasoned written decision within 15 calendar days of receiving the appeal; good-cause extensions are explained in writing. Both parties receive the decision simultaneously. The appeal decision is final.

12. Records Disclosure

Disciplinary proceedings conducted by the School are subject to the Family Educational Rights and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside the School without the student's consent, but it does provide for release of student disciplinary information without a student's consent in certain circumstances.

Any information gathered in the course of an investigation may be subpoenaed by law enforcement authorities as part of a parallel investigation into the same conduct or required to be produced through

other compulsory legal process. Additional information about FERPA can be found in the School's Catalog and on the School's website at www.austinkade.com.

The School will, upon written request, disclose to the alleged victim of a 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 the School against a student who is the respondent of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

The School retains Title IX investigation, determination, hearing, sanction, remedy, appeal, informal-resolution and response records, and required training materials, for at least seven years. For each Title IX response, it documents the measures taken, why the response was not deliberately indifferent, and measures designed to restore or preserve equal access. If supportive measures were not provided, it documents why that was not clearly unreasonable under the known circumstances. Required Title IX training materials are made publicly available on the School's website. Longer retention applies when required by a legal hold or another applicable rule.

13. Education and Prevention Programs

As set forth in Prohibited Conduct, Sexual Assault, Sexual Harassment, Sexual Exploitation, Dating Violence, Domestic Violence, and Stalking are all forms of Prohibited Conduct. The School reviews the policies in this report with incoming students and new employees during orientation. The discussion covers prohibited sexual assault, dating violence, domestic violence and stalking; federal and Idaho definitions and consent; healthy and respectful conduct; safe bystander intervention; risk reduction; evidence preservation; reporting; available support; and disciplinary rights and procedures. The Coordinator uses research-informed materials or assesses the program for value, effectiveness or outcome and adjusts the discussion to the School community. Staff meetings reinforce these topics for employees.

The School will provide ongoing prevention and awareness education to continuing students through a brief classroom reminder at least once each calendar quarter while classes are in session, reinforced by posted information. Existing staff meetings will reinforce the topics for employees. These communications will cover the orientation topics over time, including safe bystander action, consent, recognizing prohibited conduct, risk reduction, reporting, rights, support and disciplinary procedures. The Coordinator will use existing classes, meetings and communications and adjust content in response to identified needs. As part of the School's commitment to provide an educational and work environment free from Prohibited Conduct, this Policy will be disseminated widely to the School community through e-mail communication, publications, websites, new employee orientations, student orientations, and other appropriate channels of communication.

The Coordinator, investigators, decision-makers, appeal reviewers and any informal-resolution facilitator receive training appropriate to their assigned roles before serving. Officials conducting sexual assault, dating violence, domestic violence or stalking disciplinary proceedings receive annual training on those issues and fair investigations and hearings that protect safety and promote accountability. Training covers the sexual-harassment definition, School program scope, applicable procedures, impartiality, conflicts, bias and relevance; investigators learn to prepare a fair evidence summary, and decision-makers learn hearing technology and the limits on sexual-history questions. Materials must not rely on sex stereotypes. Suitable online or recorded training may be used; a paid expert or separate training event for every role is not required. The School retains and publicly posts required Title IX training materials as stated in Records Disclosure. The School uses Title IX Solutions' 2020 Title IX Coordinator Training materials, supplemented as needed for current law and the assigned role.

Bystander Intervention

The School's primary prevention and awareness program includes a description of safe and positive options for bystander intervention. Active bystanders take the initiative to help someone who may be targeted for a sexual assault. They do this in ways that are intended to avoid verbal or physical conflict. Active bystanders also take the initiative to help friends, who are not thinking clearly, from becoming offenders of crime. Intervention does not mean that you directly intervene to stop a crime in progress; rather, these steps are "early intervention" – before a crime begins to occur. There are three important components to consider before taking action that we refer to as the ABCs:

- **Assess for safety.** Ensure that all parties are safe, and whether the situation requires calling authorities. When deciding to intervene, your personal safety should be the #1 priority. When in doubt, call for help.
- **Be with others.** If it is safe to intervene, you are likely to have a greater influence on the parties involved when you work together with someone or several people. Your safety is increased when you stay with a group of friends that you know well.
- **Care for the person.** Ask if the target of the unwanted sexual advance/attention/behavior is okay – does he or she need medical care? Ask if someone they trust can help them get safely home.

Information on Bystander Intervention was provided by the Department of Defense Sexual Assault Prevention and Response Office from: <https://www.sapr.mil/>

Risk Reduction

The School's primary prevention and awareness program includes information on risk reduction. This includes:

Responsibility for sexual misconduct rests with the person committing it. These optional safety suggestions do not transfer that responsibility or limit a person's reporting, care or support options.

Avoiding Dangerous Situations. While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted:

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

Safety Planning. Things to think about:

- How to get away if there is an emergency? Be conscious of exits or other escape routes. Think about options for transportation (car, bus, subway, etc.).
- Who can help? Friends and/or family, or support centers in your area. Please see Support Services Available for a list of support organizations.
- Where to go? Options may include a friend's house or relative's house, or you may consider going to a domestic violence or homeless shelter. You may also go to the police. **Important Safety Note:** If the dangerous situation involves a partner, go to the police or a shelter first.
- What to bring? This may include important papers and documents such birth certificate, social

security card, license, passport, medical records, lease, bills, etc. This will also include house keys, car keys, cash, credit cards, medicine, important numbers, and your cell phone. If you are bringing children with you, remember to bring their important papers and legal documents. You can keep all of these things in an emergency bag. You should hide the bag—it is best if it is not in your house or car. If the bag is discovered, you can call it a “tornado” or “fire” bag.

Protecting Your Friends. You have a crucial role to play in keeping your friends safe. No matter what the setting, if you see something that doesn’t feel quite right or see someone who might be in trouble, there are some simple things you can do to help out a friend.

- Distract. If you see a friend in a situation that doesn’t feel quite right, create a distraction to get your friend to safety. This can be as simple as joining or redirecting the conversation: suggest to your friend that you leave the party or ask them to walk you home. Try asking questions like: “Do you want to head to the bathroom with me?” or “Do you want to head to another party – or grab pizza?”
- Step in. If you see someone who looks uncomfortable or is at risk, step in. If you feel safe, find a way to de-escalate the situation and separate all parties involved. Don’t be shy about directly asking the person if they need help or if they feel uncomfortable.
- Enlist others. You don’t have to go it alone. Call in friends or other people in the area as reinforcements to help defuse a dangerous situation and get the at-risk person home safely. There is safety in numbers.
- Keep an eye out. Use your eyes and ears to observe your surroundings. If you see someone who has had too much to drink or could be vulnerable, try to get them to a safe place. Enlist friends to help you. Even if you weren’t around when the assault occurred, you can still support a friend in the aftermath.

Social Situations. While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted in social situations.

- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.
- Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.
- Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect drugging, seek medical care promptly and tell the clinician what you suspect; the clinician can assess appropriate testing and evidence collection. You may report to police or request assistance doing so. Call 9-1-1 for immediate danger or a medical emergency.

Information on Risk Reduction was provided by RAINN: Rape, Abuse & Incest National Network:
<https://www.rainn.org/>

14. Amendments

The School may amend these policies prospectively with appropriate notice and consistent with applicable law. No amendment or general reservation of authority overrides required procedural rights, equal treatment or legally required timeframes.

Austin Kade Academy

Sexual Harassment Policy

-Definitions of Key Terms

- Sexual Harassment- Conduct on the basis of sex that meets one or more of the following descriptions:
 - For the formal Title IX process, quid pro quo harassment occurs when a School employee conditions an aid, benefit or service on participation in unwelcome sexual conduct. The School may prohibit additional coercive conduct under its broader conduct rules.
 - Hostile Environment - unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity.
 - Sexual Violence - "Sexual assault", "dating violence", "domestic violence", or "stalking" as those terms are defined under other Federal laws called the Clery Act and the Violence Against Women Act.
- Sexual Assault - is any unwanted physical contact of a sexual nature that occurs either without the consent of each participant or when a participant is unable to give consent freely. Sexual assault can occur either forcibly and/or against a person's will, or when a person is unable to give consent freely. Non-consensual sexual intercourse is any form of sexual intercourse (vaginal, anal or oral) with any object without consent. Non-consensual sexual contact is any intentional sexual touching, however slight, with any object without a person's consent. Sexual assault includes rape and sex offenses defined below.
- *Rape* - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- *Sex Offenses* - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - *Fondling* - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - *Incest* - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - *Statutory Rape* - Sexual intercourse with a person who is under the statutory age of consent.
- Domestic Violence - A felony or misdemeanor crime of violence committed (i) by a current or former spouse or intimate partner of the victim; (ii) by a person with whom the victim shares a child in common; (iii) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (iv) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (v) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- Dating Violence - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purpose of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
- Prohibited Conduct – The School prohibits Sexual Assault, Sexual Harassment, Sexual Exploitation, Dating Violence, Domestic Violence, and Stalking as defined in these Definitions of Key Terms.
- Sexual Exploitation - sexual misconduct that occurs when a person takes unjust or abusive sexual advantage of another for his or her own advantage or benefit or for the benefit or advantage of anyone other than the exploited party; and that behavior does not otherwise constitute sexual assault. Examples of sexual exploitation include, but are not limited to, videotaping or photographing of any type (web-cam, camera, Internet exposure, etc.) without knowledge and consent of all persons; prostituting another person; knowingly transmitting HIV or a sexually transmitted disease to an unknowing person or to a person who has not consented to the risk; or inducing incapacitation with the intent to commit sexual assault, without regard to whether sexual activity actually takes place.
- Stalking - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Retaliation means intimidation, threats, coercion or discrimination because a person reported, complained, assisted, participated or declined to participate in a protected process. It is prohibited. Good-faith reports are protected even when not substantiated; a responsibility determination alone does not prove a report was knowingly false.
- Intimidation - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- Consent is a voluntary agreement to engage in sexual activity.
 - Past consent does not imply future consent;
 - Silence or an absence of resistance does not imply consent;
 - Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
 - Consent can be withdrawn at any time; and
 - Coercion, force, or threat of either invalidates consent.

Someone who is incapacitated cannot consent. Incapacitation refers to a situation in which a person is not capable of providing consent because the person lacks the ability to understand her or his decision. This situation may occur due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the student from having the capacity to give consent.

- Affirmative Consent is an affirmative, conscious, and voluntary agreement to engage in sexual activity, often referred to as "Yes Means Yes".
 - Neither the lack of protest or resistance nor silence constitutes consent, and consent may be withdrawn at any time.
 - Affirmative consent must be given by all parties to sexual activity.
 - Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity.
- Complainant means an individual alleged to be the victim of conduct that could constitute sexual harassment; a third-party reporter or Coordinator signing a complaint does not thereby become the complainant.
- Respondent – means the person alleged to have committed sexual harassment.

IDAHO DEFINITIONS AND VICTIM RESOURCES

Purpose

These Idaho-law summaries support prevention education and do not replace the federal definitions used to count Clery statistics or the School's broader conduct and affirmative-consent rules. A person may report to the School without deciding which legal definition applies.

Domestic violence and dating relationships

For civil protection under Idaho Code 39-6303, domestic violence includes physical injury, sexual abuse, forced imprisonment or threats of those acts involving family or household members or current/former dating partners, including adults and minors. A dating relationship is romantic; relevant factors include its nature, length, interaction frequency and time since termination. Family includes spouses, former spouses and persons related by blood, adoption or marriage; household includes people who live or lived together or share a child. Idaho's civil statute addresses dating-partner violence within domestic violence; this does not eliminate the separate federal dating-violence category. Idaho Code 18-918 also prohibits criminal domestic assault and battery between household members: spouses, former spouses, people sharing a child, or cohabiting persons.

Sexual assault and consent

Idaho criminal law addresses sexual assault through specific offenses rather than the School's single umbrella definition. Idaho Code 18-6101 defines rape as penile penetration, however slight, of an oral, anal or vaginal opening in listed circumstances involving age, incapacity, force, threats, inability to resist, unconsciousness or specified deception/coercion. Age provisions include victims under 16 with perpetrators 18 or older, and victims aged 16–17 with perpetrators at least three years older, subject to the statute's marriage provisions. Other sexual-offense statutes have different elements and age rules. Idaho Code 18-6604 addresses forcible penetration by a foreign object. The School's affirmative-consent policy is its institutional standard; it is not presented as a verbatim Idaho criminal definition. Under Idaho's rape statute, legal consent can be absent through incapacity and the other enumerated circumstances; absence of resistance does not establish consent under School policy.

Stalking

Idaho Code 18-7906 covers a knowing and malicious course of conduct that seriously alarms, annoys or harasses and would cause a reasonable person substantial emotional distress, or would cause reasonable fear of death or physical injury to the victim or a family/household member. A course of conduct involves repeated nonconsensual contacts, excluding constitutionally protected activity; examples include following, surveillance, unwanted appearances, calls, messages or deliveries. Idaho Code 18-7905 describes aggravated first-degree stalking, including specified protective-order, weapon, age and prior-offense circumstances.

Sources

Idaho Code 39-6303: <https://legislature.idaho.gov/statutesrules/idstat/Title39/T39CH63/SECT39-6303/>

Idaho Code Title 18, Chapter 61: <https://legislature.idaho.gov/wp-content/uploads/statutesrules/idstat/Title18/T18CH61.pdf>

Idaho Code Title 18, Chapter 79: <https://legislature.idaho.gov/wp-content/uploads/statutesrules/idstat/Title18/T18CH79.pdf>

Additional sexual-offense definitions: Idaho Code 18-6604 and Title 18, Chapter 15.

Additional assistance

Ask the Title IX Coordinator for written information and referrals concerning counseling, health, mental health, victim advocacy, legal assistance, visa/immigration assistance, student financial aid and other available services. The School does not provide legal or immigration advice or guarantee third-party eligibility. For local advocacy, shelter and court support, contact the Domestic Violence and Sexual Assault Center at (208) 529-4352 or its 24-hour crisis line (208) 235-2412; <https://www.dvsacac.org/services>. The Coordinator can help locate appropriate legal or immigration assistance and Financial Aid can explain aid-related options. Court protection-order information is available through the Idaho courts at <https://isc.idaho.gov/>.

Legal assistance: Idaho Legal Aid Services, (208) 746-7541, <https://idaholegalaid.org/apply-for-help>. Immigration/visa assistance: Catholic Charities of Idaho Immigration Legal Services, (208) 350-7488, <https://www.ccidaho.org/immigrationservices>. Availability, eligibility, fees and service hours are determined by each provider. For urgent medical needs, call 9-1-1 or go to an emergency department; the local advocacy center can help identify available forensic-examination services.