



## POLICY 162 EXECUTIVE SUMMARY

**Policy Number and Title:** 162 Title IX Sexual Harassment

|                              |                           |
|------------------------------|---------------------------|
| <b>Date:</b>                 | October 1, 2025           |
| <b>Sponsor:</b>              | Marilyn Meyer             |
| <b>Steward(s):</b>           | Melba Latu, Ashley Wilson |
| <b>Policy Process:</b>       | Compliance Change         |
| <b>Policy Action:</b>        | Revision—Limited Scope    |
| <b>Policy Office Editor:</b> | Miranda Christensen       |
| <b>Embedded Attorney:</b>    | Ashley Wilson             |

### Issues/Concerns (including fiscal, legal, and compliance impact):

On June 23, 2025, the FBI published an updated *Uniform Crime Reporting (UCR) National Incident-Based Reporting System (NIBRS) User Manual*, updating verbiage from “Fondling” to “Criminal Sexual Contact” and broadening the definition.

Further review of the NIBRS definitions also revealed the re-classification of the offenses “Sodomy” and “Sexual Assault with an Object” under the broader category of “Rape,” as well as discrepancies between UVU’s current definition of “Rape” and the updated NIBRS language.

Because UCR offense definitions are incorporated into the Clery Act (20 USC § 1092(f)(6)(A)(v)), and Clery definitions in turn inform the current Title IX regulations (34 CFR § 106.30), these changes necessitate corresponding updates to Policy 162 to comply with Title IX.

### Suggested Changes:

1. Revise Policy 162, section 3.16.4, by retaining the term “Fondling” but replacing the existing definition with the updated definition used in the NIBRS for “Criminal Sexual Contact”:

“The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the victim of the actor’s clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.”

2. Remove the following subsections from section 3.16 (Sexual Assault) to reflect UCR reclassification of these offenses under “Rape”:



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- a. 3.16.2 *Sodomy*
  - b. 3.16.3 *Sexual assault with an object*
3. Amend subsection 3.16.1 *Rape* to include reference to oral penetration “by a sex-related object,” consistent with the UCR definition.

**Requested Approval from President’s Council:** Approval of Compliance Change

**Proposed Drafting Committee:** N/A

**Target Date for Stage 1 Draft to Enter Stage 2:** N/A

**Target Date for Board of Trustees Review:** 10/14/2025