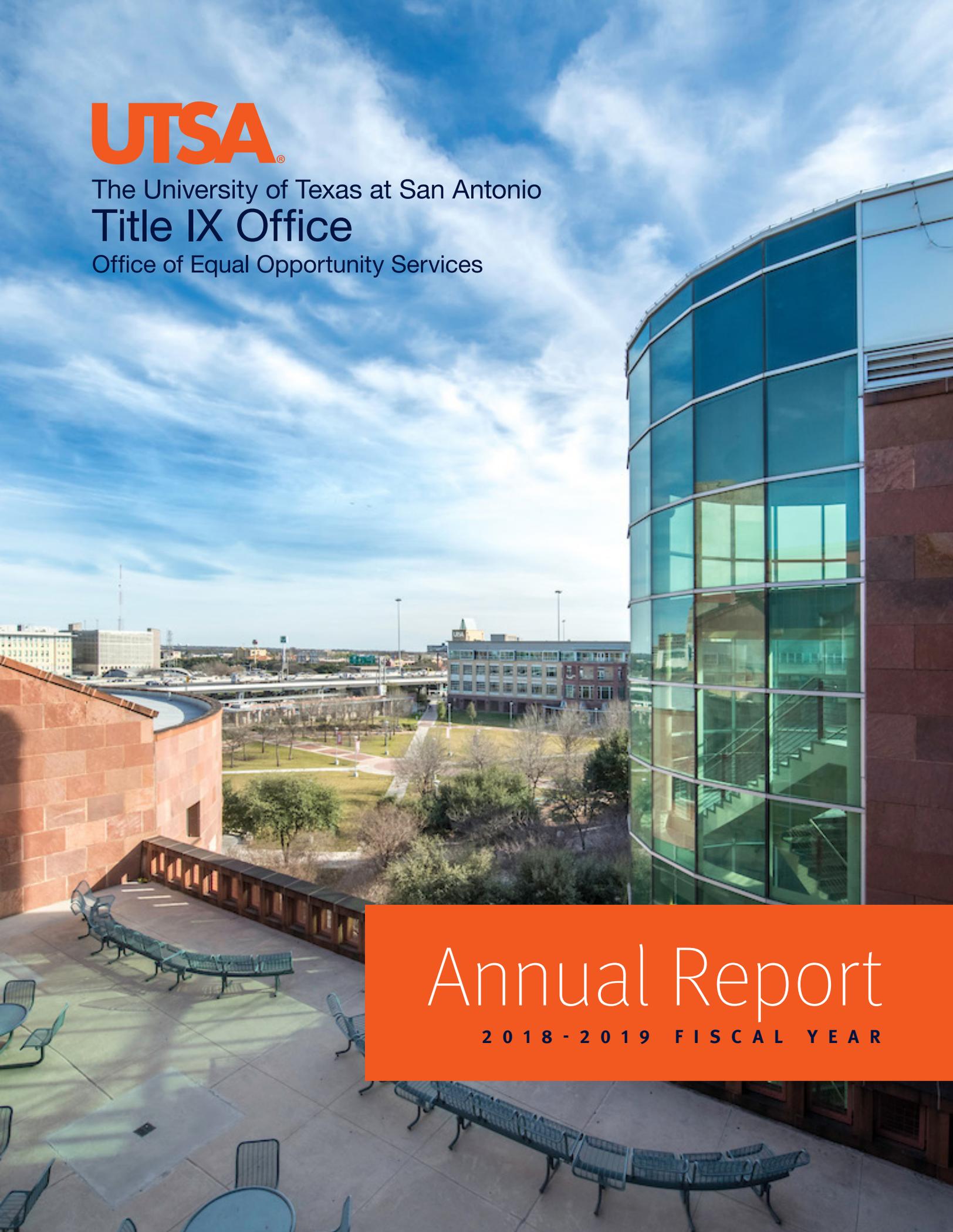




The University of Texas at San Antonio
Title IX Office
Office of Equal Opportunity Services

A wide-angle photograph of a university campus taken from an elevated balcony. In the foreground, there are several green metal benches and tables on a paved area. To the right, a large, modern building with a curved glass facade is visible. The background shows a green lawn, trees, and other campus buildings under a blue sky with scattered white clouds.

Annual Report

2018 - 2019 FISCAL YEAR

Introduction

Universities across the nation grapple with issues of sexual misconduct, harassment and assault on their campuses. Here at UTSA, we believe in holding ourselves accountable for these matters, and being as transparent as possible regarding our progress.

This annual report—which provides comprehensive data from investigations handled by the Equal Opportunity Services/Title IX Office during the 2018-2019 fiscal year—represents the next step in our effort to communicate (following up on campus-wide update emails from April, June and September 2019), while still honoring confidentiality and adhering to FERPA limitations.

In addition to serving as a communication and awareness-raising tool, the information presented in this report helps us to better quantify trends and determine where additional focus is needed – another critical piece of our overall framework to ensure that all Roadrunners have a safe place to study, work and live.

This new report is a direct outcome of the Presidential Initiative on Preventing Sexual Assault and Misconduct launched in February 2019 to provide a framework for the university's commitment to advance a zero-tolerance environment for sexual violence and harassment, and we thank the members of the task force for their important work on these issues.



Taylor Eighmy

President



LT Robinson

Senior Vice Provost
for Student Affairs
and Dean of Students



Suzanne Patrick

Director of Equal Opportunity
Services & Title IX Coordinator

The Equal Opportunity Services/Title IX Office (EOS) at The University of Texas at San Antonio (UTSA) serves students, faculty, staff and visitors across all four of its campuses.

The office is committed to providing the community with a welcoming, fair and impartial environment that can review and address their concerns within the confines of university policies and procedures, as well as state and federal laws. The office handles complaints ranging from discrimination based on protected classes—including race, color, sex, religion, national origin, age, disability, citizenship, veteran status, gender identity/expression or sexual orientation—as well as violations of UTSA’s consensual relationship policy and sexual harassment and sexual misconduct policy. This inaugural report focuses specifically on student related matters of sexual harassment and sexual misconduct.



Overview

Staff

6 staff in the EOS/Title IX Office

- Director and Title IX Coordinator
- Assistant Director and Deputy Title IX Coordinator
- Senior Investigator and Deputy Title IX Coordinator
- Investigator and Deputy Title IX Coordinator
- Senior Investigator and Deputy Title IX Coordinator for the Downtown Campus
- Analyst

All EOS/Title IX staff receive comprehensive training, regularly participating in professional development activities offered by U.T. System, the National Association of College and University Attorneys, the Association of Title IX Administrators and the Texas Association Against Sexual Assault, among others. Staff members are specifically trained to approach matters in a trauma-informed way.

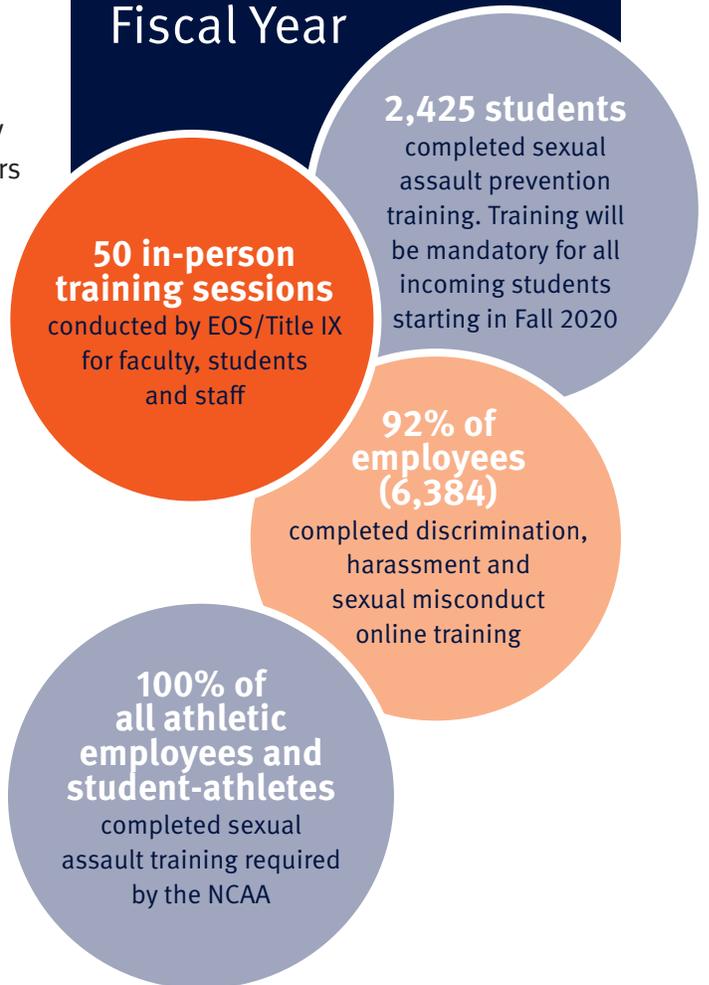
Title IX Training

UTSA utilizes **EVERFI's Sexual Assault Prevention for Undergraduates** (SAPU) course. In a survey of students who took the course in 2018-19:

- 83% feel that UTSA offers good resources for students going through difficult times
- 84% feel that the course increased their understanding of university policies



During the 2018-19 Fiscal Year



Basic Definitions

REPORTS

Any complaint shared with the EOS/Title IX Office is considered a report, including those that are simply consultative in nature. Not all reports become cases.

TITLE IX REPORTS

Reports are classified as Title IX when the complaint is determined to be potentially in violation of UTSA's consensual relationship, sexual harassment or sexual misconduct policies, or matters of discrimination that are based on sex and gender.

TITLE IX CASES

Title IX reports become **cases** when the EOS/Title IX office determines it qualifies to proceed through the formal or informal resolution process. Some reports never become cases, either because they are simply consultative in nature, because the reporter decides they do not wish to proceed, or because the report was anonymous and there was not enough information provided to move forward.

IN THIS ANNUAL REPORT

Title IX protects all UTSA community members, including students, faculty and staff. The data presented on the next page focuses on **student-on-student Title IX reports and cases**. Future issues of this annual report will be more expansive and include faculty-on-student and staff-on-student Title IX data, as well as other EOS matters.

RELEVANT POLICIES

From UTSA's Handbook of Operating Procedures (HOP)

- 9.01 Nondiscrimination
- 9.02 Persons with Disabilities
- 9.04 Consensual Relationships
- 9.24 Sexual Harassment and Sexual Misconduct

Title IX Reporting Process

When a complaint is received by the EOS/Title IX office, the Title IX Coordinator or designee will conduct a preliminary assessment to determine whether an informal or formal resolution should occur.

INFORMAL

Anyone filing a complaint may choose to use the informal process. Assistance through this process may include providing the complainant with strategies for communicating with the offending party that his or her behavior is unwelcomed and should cease, or directing a UTSA official to inform the offending party to stop the unwelcomed conduct. Complainants may use this option before—or instead of—filing a formal complaint, but is not required to do so.

This option is not permitted for stalking, dating violence, sexual assault or sexual violence cases as dictated by the Violence Against Women Act (see HOP 9.24).

FORMAL

Once a formal complaint is received, the EOS/Title IX office will evaluate the information and send a formal notification to the respondent. EOS will then move through the formal process to determine if there is a policy violation or if there is enough information to substantiate the claim. Upon conclusion of a case which involves students, the report will be sent to the Student Conduct and Community Standards (SCCS) office for adjudication.

The university may initiate an investigation regardless of whether or not a complaint is received if there is any potential health or safety risk to the campus.

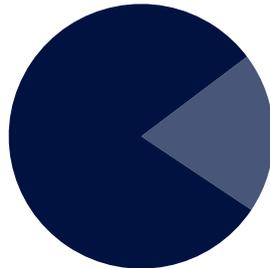
Title IX Annual Report

2018-2019 FISCAL YEAR

Reporting Period | August 1, 2018 - July 31, 2019

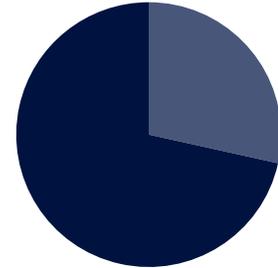
421 Total Reports

received by EOS/Title IX Office involving students, faculty and staff



103 of the 421 (24%) were classified as **student-on-student Title IX reports**

62 of 103 (60%) did not become cases*



41 of the 103 (40%) became **student-on-student Title IX cases**

36 of the 41

were sexual misconduct cases

- » 7 cases where students requested interim measures only**
- » 9 cases where students consulted with EOS/Title IX office but did not want to pursue a case
- » 5 cases where there was no finding of a policy violation
- » 8 cases where EOS was unable to substantiate a policy violation
- » 7 cases where a of policy violation was found. Of these:
 - 3 were suspended from UTSA
 - 4 still pending outcome or hearing with SCCS

5 of the 41

were sexual harassment cases

- » 2 cases where students requested interim measures only**
- » 3 cases where students consulted with EOS/Title IX office but did not want to pursue a case

*There are several reasons why a report may not become a case, such as when they are simply consultative in nature, when the report is anonymous and there is not enough information to move forward, or when the reporter decides they do not wish to proceed.

**Prior to or during an investigation, the EOS/Title IX office can take immediate action to implement interim measures to assure the safety and well-being of the complainant and respondent, to maintain an environment free from harassment, discrimination or retaliation, and to protect the safety and well-being of community members.

Employees Required to Report

UTSA employees are required to report any relevant incidents they personally witness or hear about to the EOS/Title IX Office. Recently, the state legislature in Texas further solidified this obligation by requiring all faculty and staff of public and private institutions to report incidents of sexual harassment, sexual assault, dating violence or stalking. The state has imposed disciplinary and criminal penalties for employees who fail to report these matters to their institution's Title IX Coordinator or a Deputy Title IX Coordinator. UTSA takes this obligation seriously and expects faculty and staff to comply with these state regulations.

Reasons for Students to Report

Members of the UTSA student community are encouraged to share information regarding discriminatory behavior with the EOS/Title IX Office to ensure a safe environment for all to live, learn and work. Reported incidents help the EOS/Title IX Office to address concerns, improve the campus culture and ensure a safe climate.

Not only is reporting is the right thing to do, it also helps to:

- Assist parties with referrals to both on and off campus resources
- Facilitate interim measures prior to, or during, an investigation to alleviate a hostile environment for the parties
- Share valuable information that can assist UTSA in monitoring incidents and tracking trends for education and prevention
- End inappropriate behaviors through sanctions ranging from training, reprimands and disciplinary proceedings

Raising Awareness

The EOS/Title IX office engaged in several activities during 2018-2019 to raise awareness and encourage reporting. Activities included:

- Increasing training and awareness about the EOS/Title IX Office
- Staffing monthly information tables in the Student Union
- Participating in campus events such as Call to Action Day and National Night Out
- Working closely with Student Conduct and Community Standards (SCCS), Behavioral Intervention Team, Student Ombudsperson and other entities to provide more seamless referrals around campus
- Providing more faculty and staff training regarding responsible employee obligations
- Referring parties to robust support services from UTSA partners listed in the Resources Section of this report
- Opening a Downtown Campus office for the 2019-2020 academic year. This office will give faculty, students and staff a chance to interact face to face with EOS/Title IX staff on a regular basis, and the office will be able to provide more training and outreach to the Downtown Campus community.

Resources

Student Health Services

Student Health Services, part of the Division of Student Affairs, provides medical care to all currently enrolled students. Services offered include sexually transmitted infection screening, assessment for prophylactic treatment for sexually transmitted infections, and pregnancy testing.

For UTSA students needing to see a Sexual Assault Nurse Examiner (SANE), Student Health Services will assist in coordinating transportation to an appropriate facility.

- 6 patients sought medical attention at Student Health Services due to sexual assault
- 1 patient sought medical attention at Student Health Services due to relationship violence

Phone: (210) 458-4142



Counseling and Mental Health Services

UTSA Counseling and Mental Health Services (CMHS) provides a range of service options for students who report experiencing some type of sexual or interpersonal violence. Services provided include individual counseling, consultation, crisis intervention, walk-in consultation, crisis phone intervention, on-line self-help, and referrals, including for medical evaluation/treatment, judicial/legal options, and academic relief.

When a student reports a sexual assault to a CMHS clinician, the clinician uses the Survivor of Sexual Assault Check List to ensure that the student is treated with care and respect and that the safety, health, and welfare of the student is assessed. Additionally, the clinician provides the student with the Sexual Assault Tool Kit. The kit contains the following: an information book and multiple pamphlets from the Texas Association Against Sexual Assault (TAASA); a sheet of helpful numbers for sexual assault survivors; a sheet with information about Title IX; the Texas Crime Victims' Compensation Program Application; and a business card from The Rape Crisis Center.

CMHS staff members are provided with annual training and in-services on topics such as trauma-informed care, Title IX resources, community resources, and treatments for PTSD. CMHS has an assigned staff liaison who stays up to date on campus policies, administrative processes, laws, and community resources, and provides staff members with current information.



Counseling and Mental Health Services tracks sexual violence through the Sexual Assault Related Clinical Activity (SARCA) appointment code. During the period from 9/1/2018 to 8/27/2019, this code was used 25 times for 18 students:

- Fifteen students attended a total of 22 SARCA appointments
- Eleven students attended one appointment each
- One student attended two appointments
- Three students attended three of these sessions
- Two other students cancelled their SARCA appointments
- One did not show for their appointment

It should be stressed that this data only reflects the number of times that appointments were coded in this way, and it underrepresents the total number of contacts counselors had with students reporting recent and/or historical incidents of sexual violence. Since all interactions with students are confidential, information is not provided about individual students who report sexual assault to on- or off-campus offices or services without the student's written consent.

Phone: (210) 458-4140

Email: counseling.services@utsa.edu

Bystander Intervention

Bringing in the Bystander® is a bystander intervention workshop with a robust evidence-based curriculum. Rather than focusing strictly on the roles of perpetrator and victim, the highly interactive Bringing The Bystander® curriculum uses a community responsibility approach. It teaches bystanders how to safely intervene in instances where sexual violence, relationship violence or stalking may be occurring or where there may be risk that it will occur. These workshops are taught throughout the year to staff and students and have reached hundreds of students.

Set the Expectations

Effective this Fall 2019 semester, UTSA will be the first university in the nation to implement the Tracy Rule, the most comprehensive Serious Misconduct rule in the NCAA for student athletes.

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UTSA Athletics has joined the #SetTheExpectation Campaign, which is an awareness raising campaign about sexual assault and domestic violence. As a department, all staff and student-athletes have stepped up and pledged that sexual assault and physical violence are never okay. #SetTheExpectation is centered on the following three areas: Commitment to Signing the Pledge, Raising Awareness through Sports, and Education. The pledge states that being involved in college athletics is a privilege and not a right; and it holds signees accountable that if they do not act responsibly and respectfully, then

they could lose the privilege of being a part of the athletic department. This campaign helps foster safer and more respectful cultures within athletics and also the surrounding campus community.

Employee Assistance Program (EAP)

Employee Assistance Program (EAP): The Deer Oaks Employee Assistance Program (EAP) is a free service provided for you and your dependents provided as a benefit by UTSA. This program offers a wide variety of counseling, referral, and consultation services, which are all designed to assist you and your family in resolving work/life issues in order to live happier, healthier, more balanced lives. These services are completely confidential and can be easily accessed by calling the toll-free Helpline. Deer Oaks EAP Services is here for you, 24 hours per day, 7 days per week. Deer Oaks has thousands of counselors available throughout the United States.

Phone: 1-866-327-2400.

The Office of the University Ombuds

➤ Employee Ombudsperson Services

The University Ombudsperson is a neutral individual who listens to complaints and grievances and provides conflict-resolution services for all faculty, staff, and student employees in a safe and welcoming environment. Communications with the Ombudsperson remain strictly confidential unless express permission to do otherwise is granted by the visitor or the Ombudsperson is required to disclose based on applicable University policy, legal

considerations, or a perceived imminent risk of harm to self or others. The Ombudsperson does not advocate on behalf of any one person or group, but will advocate for an unbiased process and consider the rights and concerns of all those involved. The Ombudsperson communicates with various representatives and offices to respond to and help resolve concerns in a timely manner.

A face-to-face visit is typically the most helpful, and the Ombudsperson offers a confidential, safe space to meet. The Ombudsperson will schedule a meeting with employees at a time that works best with their schedules. If an employee is unable to meet in person, a phone conversation is a great alternative. Just remember, email is subject to open records requests. An employee may use email for the initial contact, but do not relay sensitive information.

If an employee works at the Downtown Campus, the Ombudsperson is available to visit with the employee at that location. Please email to schedule an appointment.

Phone: (210) 458-5605

Email: *UniversityOmbuds@utsa.edu*

➤ Student Ombudsperson Services

The Director of Student Ombudsperson Services provides informal, neutral, independent, and confidential problem-solving assistance to registered and former students in a welcoming and safe environment.

The Director of Student Ombudsperson Services helps students through active listening, identifying and reframing issues, exploring possible options and outcomes, and following up as appropriate.

The Director also:

- Conducts an individualized review of a student's record through use of the University's student record system to obtain an overview of the student's enrollment, academic history and program of study.
- Maintains confidentiality unless there is knowledge of a potential substantial risk or threat of harm to self or others or a potential violation of a law or University policy.
- Encourages self-advocacy, timely attention to concerns and relevant deadlines, and the development of a personal action plan to aid in the resolution of complaints and issues.
- Provides information to help students make informed decisions about their enrollment or circumstances and assists them with navigating the University structure and various policies, processes, and procedures.
- Connects students to University support programs and services including referrals to on-campus subject matter experts and other resources in the community.
- Communicates with University personnel, offices, and departments, with permission from the student, to aid in the resolution of complaints and issues in a timely manner.

If a student is on the Downtown Campus, the Student Ombudsperson is available to meet with the student at that location. Please email or call to schedule an appointment.

Phone: (210) 458-4040

Email: *studentombuds@utsa.edu*

Behavioral Intervention Team

As with any community, there may be times when UTSA faculty, staff or students become concerned with the behavior of another community member. Examples of such concerns include, but are not limited to

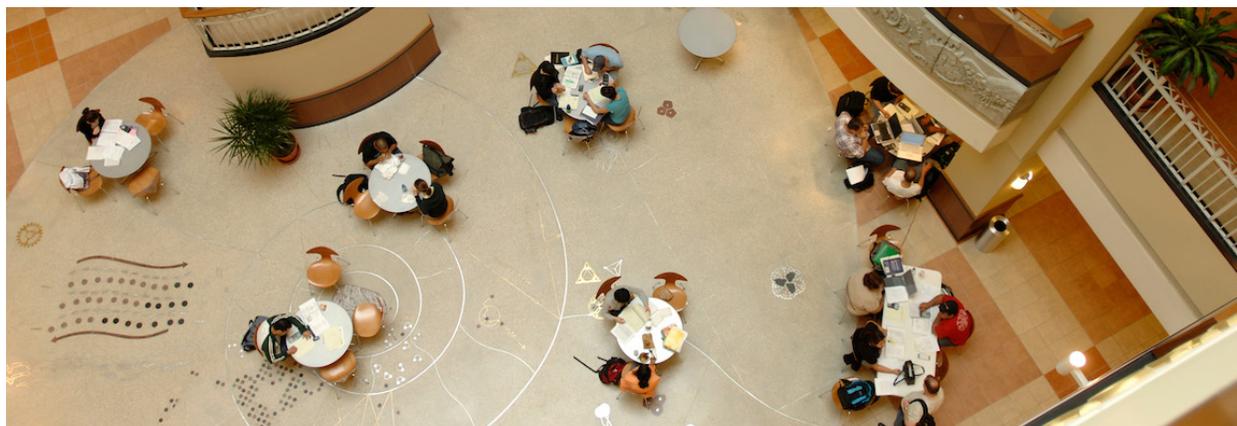
- A university community member submits written materials that contain wording that seems alarming or out of context.
- A university community member may notice a colleague whose behaviors or comments may be significantly different than his or her typical behaviors (i.e., decreased stability and/or increasing irritability, etc.)
- A roommate or friend may have become increasingly withdrawn or moody, or has not been seen or heard from for a period of time that is out of the ordinary.
- An acquaintance may not be respecting appropriate personal boundaries (i.e., inappropriate communications or stalking) in a manner that makes another community member uncomfortable.
- A community member notices another member who has an absence of emotional response (i.e. appears to be boiling under the surface, ready to burst) to a situation, which is a change from his or her normal behavior.

An interdisciplinary partnership that includes staff members from the Office of Student Life, Office of Legal Affairs, University Ombudsperson, Office of Equal Opportunity Services/Title IX, Counseling Services, Academic Affairs, Human Resources and UTSAPD is in place to **respectfully, confidentially, and professionally** respond to such concerns that members of the University community may have.

Any person reporting an emergency on campus should call UTSA Police at 210-458-4911 immediately. Any person reporting an emergency off campus should call 911 immediately. The police can conduct welfare checks and assess for threat of harm to self (including suicide) and/or harm to others.

A Behavioral Intervention Team (BIT) Incident Report can be filed in addition to calling the police. Please note that BIT records are subject to the Texas Public Information Act (TPIA) and potentially releasable to the public. To the extent possible and permitted by law, the BIT will try to maintain the confidentiality of its records, but the only way for a reporter to guarantee their anonymity is to not include their identifying information. The BIT will respond to anonymous reports but unfortunately cannot follow up with the reporter. If choosing to submit a report anonymously, the reporter should provide any additional identifying information for the person of concern, as several people can have the same name.

For more information visit: utsa.edu/bit



Police Department

The University of Texas System Police is charged with the responsibility of protecting the life and property of individuals who comprise the student body, faculty, and staff of the University of Texas System community. The UTSA Police Department is responsible for law enforcement, security, and emergency response at the UTSA Main Campus, Downtown Campus, Hemisfair Park (ITC), Park West and University Heights Tech Center. Officers patrol University grounds and facilities on foot, on bicycles, on motorcycles, and in patrol cars. The University police department alone cannot ensure or guarantee a crime-free living or working environment. Safety is a collaborative effort. It is the responsibility of everyone to work in partnership with the police department with the goal of keeping the campuses and community safe. The primary office of the UTSA Police Department is located on the Main Campus in the Bosque Street Building, 1.400. A satellite police office at the Downtown Campus is located at the Frio Street Building 1.303. The UTSA Police Department is operational 24 hours a day, 365 days a year, and is staffed by commissioned Texas peace officers, non-commissioned public safety officers, and supported by civilian personnel.

Phone: (210) 458-4242

Email: UTSAPolice@utsa.edu

Live Safe

LiveSafe is a smartphone app available for download that connects the user in real-time to online safety resources. It also includes UTSA specific information. The UTSA LiveSafe app allows the user to receive crowdsourced security and safety notices; invite friends to virtually SafeWalk home; submit reports of suspicious or dangerous activity and include pictures, videos or text; or instantly share location with the UTSA Police in an emergency. With the LiveSafe app, the user has the option of reporting anonymously through the app.

Download the LiveSafe app from the App Store or Google Play today.

For more information, browse to: utsa.edu/publicsafety/livesafe



UTSA PEACE Center

The UTSA PEACE Center, established in the Fall of 2019, is charged with providing campus-wide comprehensive programming and education, as well as advocacy services for every member of the UTSA community. The Center's services are: prevention, education, advocacy, consultation and empowerment for students, faculty and staff impacted by interpersonal violence and/or sexual violence. The Center also establishes a comprehensive prevention model for the entire campus, providing trauma-informed programming including outreach and awareness campaigns, as well as bystander intervention trainings along with various essential trainings for students, faculty and staff as requested.

➤ Student Advocate

The Student Advocate's primary role is to provide an alternative option for students to disclose sexual violence/ interpersonal violence incidents and receive confidential support such as: psychosocial assessment; risk assessment/danger assessment; safety planning; crisis intervention; case management; problem solving; education on Title IX process; support through administrative and/or criminal processes; and referrals as needed. The Student Advocate is a professional staff member with a clinical behavior background and is able to provide these services in a confidential manner. Currently, there is 1 Student Advocate. With the expansion of services, it has been determined that the Director/Prevention Coordinator will be the designated Advocate for staff and faculty offering the same supportive services.

➤ Prevention Specialist

The Prevention Specialist's primary role is to provide trainings, workshops, outreach, awareness in the areas related to prevention of sexual violence and interpersonal violence, as well as in trauma-informed responses and other topics which align with the national awareness campaigns that are ongoing and related to the umbrella of services. This role is also responsible for creating and maintaining social media channels because this individual will primarily focus on programming for students. The Director/Prevention Coordinator primarily focuses on prevention and programming specific to staff and faculty.

➤ Campus Violence Prevention Action Team

This committee has approximately 25 members/stakeholders from across campus. This team of staff, faculty, and students has completed a rigorous evaluation from the Culture of Respect Collective program and is currently in the process of creating an inaugural Comprehensive Prevention Plan for the entire campus to implement improvement based on data provided by the Culture of Respect Collective.

Location: RWC 1.802

Phone: (210) 458-4077

President's Initiative on Preventing Sexual Assault and Misconduct

The President's Initiative on Preventing Sexual Assault and Misconduct cultivates a zero-tolerance environment for all forms of sexual violence and harassment at UTSA. The initiative elevates university-wide efforts through a framework of task forces charged with tackling various aspects of this critical work. A steering committee will evolve the initiative over time, creating additional pathways for institutional, systemic and culture change by gathering input from stakeholders, monitoring progress and proposing changes to policies and procedures when course correction is needed.

This initiative will broaden UTSA's programming and outreach efforts in tandem with membership in the Culture of Respect Collective, a rigorous two-year program created by the National Association of Student Personnel Administration and designed to help institutions improve their approaches to addressing sexual violence on their campuses. Once implemented, an expansive set of training opportunities will equip students, faculty and staff with tools for prevention and bystander intervention. As a result, the University will be better positioned to quantify trends and monitor progress through improved incident data governance.

For more information: utsa.edu/strategicplan/presidential-initiatives/preventing-sexual-assault

Safe Campus Website

As colleges and universities across the United States reaffirm their commitment to preventing sexual violence, UTSA continues to take steps to address the matter head on. This site serves as a clearinghouse for all the university's related services and resources and will be updated regularly.

For more information: utsa.edu/safecampus