2020 Annual Security and Fire Safety Report
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Message from VPBA Veronica Mendez and Chief Gerald Lewis

Dear Roadrunners,

We are pleased to share the 2020 UTSA Annual Security and Fire Safety Report. Completed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, this report provides important information on our campus safety policies and programs, crime statistics, fire safety and prevention, and more.

Our Clery Compliance Coordinator developed this report with the support of our administration and numerous other university departments. The information provided in the following pages is a result of a team effort and demonstrates our commitment to transparency in our communications and data sharing.

Providing a safe and welcoming campus environment for the Roadrunner community is paramount, as is ensuring fair and equal treatment for all students, faculty, staff and visitors. UTSA and the department of Public Safety remain committed to providing a safe environment in which to live, learn, and work. We are always seeking innovative technology and nationally recognized practices to enhance our safety on campus.

As a part of our commitment to excellence, UTSA was the first UT System police department to implement Fair and Impartial Policing Training for all department personnel. This training will be provided again this year and will include opportunities for members of the university community to receive instruction. Our faculty and staff recognize the importance of partnering with the community we serve. We rely on the support of each member of our community to support a safe and welcoming campus for all.

This year, our staff will receive comprehensive training in crisis intervention and mental health crises. This crucial training will provide additional support and expertise when responding to these types of incidents.

Finally, we ask all members of our campus community to actively participate in keeping our Roadrunners safe. Reporting suspicious behaviors or criminal activity by calling (210) 458-4242, using the Live Safe App or dialing 4911 from any campus phone.

We extend our sincere thanks to everyone who played a role in composing this report. If you have any questions or would like to share suggestions, please contact Public Safety at UTSAPolice@utsa.edu or our Clery Compliance Coordinator at Clery@utsa.edu.

Sincerely,

Veronica Mendez
Chief Financial Officer and Senior Vice President for Business Affairs

Gerald Lewis Jr.
Associate Vice President for Public Safety and Chief of Police

It is the policy of The University of Texas at San Antonio (UTSA) to provide an educational and working environment that provides equal opportunity to all members of the UTSA community. In accordance with federal and state law, UTSA prohibits unlawful discrimination on the basis of race, color, gender, sex, religion, national origin, age, disability, citizenship, gender identity, gender expression, and veteran status in all aspects of employment and education. Discrimination on the basis of sexual orientation is also prohibited pursuant to this policy (http://www.utsa.edu/hop/chapter9/9-1.html)

If you have any questions about HOP policy 9.01, Nondiscrimination, please contact the following office:

Office of Equal Opportunity Services/ EEO Officer/Title IX Coordinator
210-458-4120
Introduction - Annual Security and Fire Safety Report Preparation

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, The University of Texas at San Antonio (UTSA) Department of Public Safety’s Clery Compliance Coordinator prepares the Annual Security and Fire Safety Report. This report is prepared in collaboration with the Office of Risk and Emergency Management, Student Affairs, University Housing, University Residence Life, Student Conduct and Community Standards, Counseling and Mental Health Services, Title IX, and other university departments. Each entity provides updated information on their policies and procedures, educational efforts, and programs to comply with the Clery Act. Crime Statistics are provided by local police agencies with jurisdiction within the UTSA Clery Geography, UTSA Police Department, and UTSA’s Campus Security Authorities (CSAs). Except where noted, policies indicated in this Annual Security and Fire Safety Report apply to all campuses that comprise UTSA. This report lists statistics for three previous years of reported crimes that occurred on the Main and Downtown campuses. Also included are reported crimes that occurred in off-campus buildings owned or controlled by UTSA and crimes that occurred on any public property within or immediately adjacent to, or accessible from the campus. The report describes institutional policies concerning campus security, alcohol and drug use, crime prevention, safety awareness, crime reporting, sexual assault, and crime-related issues. A copy of this report is available by contacting the Clery Compliance Coordinator at (210) 458-4417 or by accessing our website at:

http://www.utsa.edu/publicsafety/pd/clery_compliance/

All prospective employees may obtain a copy of the report from People Excellence at the UTSA Main Campus, North Paseo Building, 4.170 or through a link on the UTSA jobs website. The report is also available through a link on the admissions webpage for all prospective students. A request for a printed copy can be made through the mail or online.

The 2020 Annual Security and Fire Safety Report contains important information regarding campus safety and security. The report provides information about reporting crimes and the UTSA Police Department’s collaboration with local, state, and federal law enforcement agencies. The report contains information on drug and alcohol abuse, sexual assault prevention and education, weapons on campus, and procedures regarding fire safety. The report encompasses three calendar years of reported crime statistics for all properties owned, leased, or controlled by UTSA and on public property immediately adjacent to and accessible from the campuses. This information complies with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. By October 1st of each year, the Office of Risk and Emergency Management sends out the Notice of Availability for the Annual Security and Fire Safety Report to students, faculty, and staff. This year, the Department of Education extended the deadline to December 31, 2020 for this report due to the ongoing COVID-19 pandemic. The Annual Security and Fire Safety reports are available through the UTSA Police Department’s website for the current year and the past six years.

The 2020 Annual Security and Fire Safety Report is available online:

http://www.utsa.edu/publicsafety/pd/clery_compliance/

For additional services provided by the UTSA Police Department please visit us online: http://www.utsa.edu/publicsafety/pd/

The UTSA Police Department regularly posts information on social media:

Facebook https://www.facebook.com/UTSAPoliceDepartment/
Twitter https://twitter.com/UTSA_police

About UTSA

The University of Texas at San Antonio is a multicultural discovery enterprise institution with more than 34,000 students. It is the largest university in the San Antonio metropolitan region. UTSA has four recognized campuses: Main Campus, Downtown Campus, Institute of Texan Cultures (ITC), and Park West Campus. For Clery Geography purposes we count two campuses: the Main Campus including Park West and University Heights as non-campus property and the Downtown Campus, with Hemisfair Park as a non-campus property. The Main Campus currently has five residence halls: Alvarez Hall, Chaparral Village, Chisholm Hall, Laurel Village, and University Oaks. The President of UTSA is Dr. Taylor Eighmy.

UTSA Mission

The University of Texas at San Antonio is dedicated to the advancement of knowledge through research and discovery, teaching and learning, community engagement and public service. As an institution of access and excellence, UTSA embraces multicultural traditions and serves as a center for intellectual and creative resources as well as a catalyst for socioeconomic development and the commercialization of intellectual property – for Texas, the nation, and the world.

UTSA Vision

To be a premier public research university, providing access to educational excellence and preparing citizen leaders for the global environment.

UTSA Core Values

We encourage an environment of dialogue and discovery, where integrity, excellence, inclusiveness, respect, collaboration, and innovation are fostered.

UTSA Commitment to Inclusivity

The University of Texas at San Antonio, a Hispanic Serving Institution situated in a global city that has been a crossroads of peoples and cultures for centuries, values diversity and inclusion in all aspects of university life. As an institution expressly founded to advance the education of Mexican Americans and other underserved communities, our university is committed to ending generations of discrimination and inequity. UTSA, a premier public research university, fosters academic excellence through a community of dialogue, discovery and innovation that embraces the uniqueness of each voice.
Campus Law Enforcement

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 Systems Community. The UTSA Police Department is responsible for law enforcement, security, and emergency response at the Main Campus, Downtown Campus, Institute of Texan Cultures (ITC), Park West and University Heights. The primary office of the UTSA Police Department is located on the Main Campus in the Bosque Street Building, Rm. 1.400. A satellite police office at the Downtown Campus is located at the Frio Building North 1.528. The UTSA Police Department operates 24 hours a day, 365 days a year, and is staffed by commissioned Texas peace officers and supported by civilian personnel and non-commissioned public safety officers. The university has approximately 140 clearly identifiable outdoor emergency telephones (blue light phones) located throughout the campuses. These phones are located in parking lots, parking garages, and elevators to report crimes, emergencies, or to request police services. UTSA utilizes a smart phone app that connects the user in real-time to online safety resources, to include UTSA specific information. The LiveSafe app is free to download on the Apple App Store or Google Play. Walk-in reports are accepted at either the Main Campus or Downtown Campus offices; however, for faster service, please call the emergency or non-emergency numbers listed in this report. UTSA’s Silent Witness Program is a way for people who have witnessed a crime or suspicious activity at any UTSA campus to report it anonymously. The Silent Witness Program is NOT intended to report crimes in progress. The program can be accessed at:

http://www.utsa.edu/publicsafety/pd/report/

Commissioned Peace Officers

UTSA’s police officers receive their police authority via Article 2.12 of the Texas Code of Criminal Procedure and Article 51.203 of the Texas Education Code. Officers must meet specific employment qualifications and training requirements in order to be licensed peace officers by the Texas Commission on Law Enforcement (TCOLE). UTSA police officers receive their commission as peace officers upon graduation from the University of Texas System Basic Peace Officer Academy or other accredited regional police academy. All commissioned officers are trained in several areas of law enforcement, including; firearms, use of force, legal update, first aid, and CPR. Commissioned officers are authorized to enforce state, local, and federal laws on the university campuses. Officers conduct foot, bicycle, motorcycle, and vehicular patrols on all UTSA properties, including the on-campus housing facilities 24 hours a day.

The principal jurisdiction of peace officers commissioned by The University of Texas System includes all counties in which property is owned, leased, rented, or otherwise under the control of The University of Texas System. UTSA peace officers are authorized by law to function as peace officers outside their primary jurisdiction to assist another law enforcement agency in Texas or to otherwise perform duties as a peace officer on official university business. For UTSA, normal police operations are conducted within the boundaries of property owned, leased, or otherwise under the control of UTSA. These properties include Main Campus, Downtown Campus, Institute of Texan Cultures (ITC), University Heights Tech Center, Park West, and the contiguous areas around each UTSA campus.

University Public Safety Officers and Dispatchers

Public Safety Officers (PSOs) of the UTSA Police Department are civilian employees who have the same level of arrest authority as a citizen as authorized by the Texas Code of Criminal Procedure. PSOs serve as non-sworn support staff for the police department by providing a visible uniform presence in buildings and on university property to deter crime. PSOs report criminal incidents to police officers who are designated first responders. The UTSA Police Department Communications Center is staffed by state certified 9-1-1 operators.

Working Relationships with State and Local Law Enforcement

The UTSA Police Department maintains close working relationships with the San Antonio Police Department, Bexar County Sheriff’s Office, as well as federal, state, and other law enforcement agencies. The UTSA Police Department routinely shares investigative information with these agencies and works closely with the San Antonio Fire Department and EMS. The UTSA Police Department has an inter-local agreement with the San Antonio Police Department to provide law enforcement services to investigate crimes, and to protect life and property within the geographical areas common to the City of San Antonio and UTSA. The San Antonio Police Department and other local law enforcement agencies notify the UTSA Police when crimes occur within their jurisdictions that affect UTSA. A number of recognized student organizations maintain meeting and living facilities off campus. These facilities are not owned or controlled by UTSA. UTSA is routinely informed by other local law enforcement agencies of any criminal activities involving UTSA student organizations. The information in these reports is subsequently shared with Student Affairs.

Crime Report, Arrest, and Referral Statistics

The UTSA Police Department’s crime statistics are categorized according to the Federal Bureau of Investigation’s Uniform Crime Reporting standards without regard to guilt or innocence. Statistics reflect reports made to campus security authorities as well as university, local, and requested police departments and are compiled according to Clery Act guidelines and coordinated by the UTSA Police Department.

Daily Crime Log

Crime Statistics Reports: In addition to the annual crime statistics report required by the Clery Act, the UTSA Police Department posts a public crime log of offenses that occurred with the past 60 days. The crime log can be found at:

http://www.utsa.edu/publicsafety/pd/crime_statistics/

A paper copy is available at the following locations:

Main Campus: Police Department, BOS 1.106, Hours of operation: 24 hours/365 days

Downtown Campus: Police Department, FS 1.528, Hours of operation: 24 hours/365 days
**ITC Security Station:** ITC 1.01.T, Corridor 1, Hours of operation: Monday-Saturday 6:00 a.m. – 10:00 p.m., and Sunday 10:30 a.m. - 6:30 p.m. Closures are in accordance with university operating days.

**Reporting Crimes and Other Emergencies**

**Encouragement of Prompt Reporting of Crimes**

The university encourages prompt reporting of all criminal incidents and medical emergencies to the UTSA Police Department using the telephone numbers listed in this report. Upon receipt of the call, university police officers are dispatched to the site of the incident and have the authority to make arrests, if necessary.

**POLICE – FIRE – EMS**

**Campus Emergency**

(210) 458-4911 or 4911 from any university landline
Program the emergency number into you cell phone

**Campus Non-Emergency**

(210) 458-4242

**Campus Security Authorities**

UTSA acknowledges that some individuals may be hesitant about reporting crimes to the police and may be more inclined to report crimes to other university officials designated by the Clery Act as Campus Security Authorities (CSA). Reports of university crimes can be made to the following offices where Campus Security Authorities are located:

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<tr>
<td>Senior Vice Provost for Student Affairs &amp; Dean of Students</td>
<td>(210) 458-4120</td>
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<td>Prevention, Education, Advocacy, Consultation, Empowerment (PEACE) Center</td>
<td>(210) 458-4077</td>
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<td>Director of Housing</td>
<td>(210) 458-6200</td>
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<td>Director of Residence Life</td>
<td>(210) 458-6208</td>
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<td>Student Conduct &amp; Community Standards</td>
<td>(210) 458-4720</td>
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<td>Student Activities</td>
<td>(210) 458-4160</td>
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<td>Title IX Coordinator</td>
<td>(210) 458-4120</td>
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<td>Athletics</td>
<td>(210) 458-8149</td>
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<td>Academic Advising and Support</td>
<td>(210) 458-4302</td>
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<td>Student Assistance Services</td>
<td>(210) 458-4040</td>
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<tr>
<td>CLV Director of Residence Life</td>
<td>(210) 877-4017</td>
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Crimes can be reported by phone, walk-in meeting, or appointment. CSA Crime Report forms can be found on the UTSAPD website: [http://www.utsa.edu/publicsafety/pd/](http://www.utsa.edu/publicsafety/pd/)

Campus Security Authorities also includes anyone working in campus police, persons responsible for campus security (i.e. housing RAs or Campus Rec), and persons responsible for student and campus activities (i.e. advising, mentoring, coaching, and discipline and campus judicial proceedings). Please contact the UTSA Clery Compliance Coordinator for a complete list of all Campus Security Authorities. Campus Security Authorities may contact the UTSA Clery Compliance Coordinator for assistance in filling out the CSA form. Information from the CSA form is used for collecting data to be included in the annual crime statistics and for creating timely warnings, if necessary. A complainant (victim) may request to make a confidential statement to a Campus Security Authority concerning crimes. These statements made to the CSA are confidential, and no personal data is collected on the CSA form. A complainant may also make a confidential statement to the Director of Counseling and Mental Health Services (210-458-4140) or any of the counselors in the counseling office. Due to their function within the scope of their professional license or certification as a counselor, these officials are exempt from disclosing information to the UTSA Police Department, except by law in cases where there is an immediate threat to the safety of individual, other persons, children, or the elderly. These officials encourage complainants they counsel to report crimes on a voluntary, confidential basis for inclusion in annual crime statistics.

**Crimes Occurring Off Campus**

Crimes occurring off campus should be reported to the San Antonio Police Department at (210) 207-7273, the Bexar County Sheriff’s Office at (210) 335-6000 or the law enforcement agency that has jurisdiction in which the crime occurred.

**Security of Access to Facilities**

Security Services is responsible for keys, electronic access control and all associated records. Keys and UTSA Card access to university buildings, offices, and other facilities are strictly controlled to ensure that only authorized UTSA affiliates have keys or UTSA Card access to facilities. Keys and UTSA Card access to UTSA buildings, offices, and other facilities are issued upon authorization by the appropriate administrative official, per policy 8.04 of the UTSA Handbook of Operating Procedures. A computer based electronic monitoring system located at the UTSA Police Department monitors a network of intrusion alarms, panic alarms and access controlled doors. More information on access to campus facilities can be found in policy 8.04 of the UTSA Handbook of Operating Procedures.

**Access to Academic Buildings**

Academic campus buildings and support facilities are accessible by members of the campus community, guests, and visitors during normal business hours. Academic buildings are card access equipped for access to buildings that are locked after normal building hours or during holidays. Access to classrooms and office buildings for special events after normal business hours, on weekends, or on holidays is coordinated with the campus departments overseeing that particular area or event. Many buildings, offices, labs, computer rooms, and other areas of campus are equipped with card access and alarms that are monitored by the UTSA Police Department Communications Center. UTSA affiliates are asked to carry their cards with them to access secure facilities and are provided with security tips on how to keep the campus secure.
Libraries—the John Peace Library will be open Monday-Thursday from 8:00 a.m. to midnight, Friday from 8:00 a.m. to 8:00 p.m., Saturday from 10:00 a.m. to 6:00 p.m., and Sunday from noon to 8:00 p.m. The Downtown Campus Library is open Monday-Friday from 8:00 a.m. until 5:00 p.m. and closed Saturday and Sunday. Full hours of operation are available online:

https://lib.utsa.edu/about/library-hours

The Institute of Texan Cultures, a Smithsonian Affiliate, is currently closed to the public amid the COVID-19 pandemic. For more information, please visit their website:

https://texancultures.utsa.edu/

Access to Apartments and Residence Halls

Chisholm Hall: Chisholm Hall is operated by Campus Living Villages, a third party provider, but is located on UTSA property. The exterior doors remain locked 24 hours a day. Unlimited access is available to residents via an electronic access control system. Each unit has a front door equipped with a mechanical lock. Guest and visitors must be escorted when in the residence hall.

University Oaks: University Oaks are located on UTSA property and operated by Campus Living Villages, a third party provider. Access to the University Oaks Apartment complex is through access gates for vehicle to the parking lot as well as access gates for pedestrians to the grounds. Each apartment has a front door equipped with electronic access.

Chaparral Village: UTSA Housing and Residence Life operate Chaparral Village. Access to Chaparral Village is through various pedestrian gates or the City Center. Key card access is required for pedestrian gates. Each unit/bedroom is equipped with an electronic lock and PIN code.

Laurel Village: Laurel Village is operated by UTSA Housing and Residence Life. Access to Laurel Village is through various pedestrian gates or the City Center. Key card access is required for all pedestrian gates. Each unit has a front door equipped with an electronic lock and PIN code. Each unit/bedroom is equipped with an electronic lock.

Alvarez Hall: Alvarez Hall is operated by UTSA Housing and Residence Life. The main entrance doors and the residential wings of the building are accessible through an electronic access control system. Access to Alvarez Hall is through the main entrance doors to the lobby. Each unit has a front door equipped with an electronic lock and PIN code. Each bedroom door is equipped with an electronic lock and PIN code.

All residents should immediately report lost access cards and keys, malfunctioning locks, and gates to their respective Director for On-Campus Housing.

Maintenance of Facilities and Security Equipment

UTSA Police Department staff regularly test the emergency telephones and security equipment including door alarms, panic alarms, security cameras, and card access hardware. Security Services staff coordinate with appropriate personnel and security contractors to repair equipment that is inoperable. Officers report hazards discovered during routine patrols to Security Services as needed.

Community Affairs periodically conducts lighting surveys of the campus grounds and recommends additional lighting to reduce areas of darkness. Facilities conducts a monthly lighting survey of campus parking lot lights and building exterior lights to schedule lamp replacements or repairs. Community Affairs, and Security Services recommends the trimming of shrubbery, trees, and other vegetation to prevent the obstruction of ample lighting on pedestrian walkways. Facilities and Community Affairs routinely evaluate lighting upgrade recommendations. Improvements typically include the placement of additional or upgraded lighting in buildings, parking lots, in areas with heavy landscaping, and along pedestrian walkways. Community Affairs or the Security Services Director conducts periodic security assessments when repeated crimes occur within a short time frame or when a crime trend at a particular location identifies the need for security improvements.

There are 140 outdoor emergency telephones located on the Main Campus and eight are located at the Downtown Campus. Campus elevators and parking garages are equipped with emergency telephones. All emergency telephones connect directly to the UTSA Police Communications Center. There are approximately 1100 security cameras installed at designated campus locations, based on security needs. These locations include the pedestrian areas of Chaparral Village, Laurel Village, Alvarez Hall, restricted work areas, research laboratories, building interiors, designated parking lots, and parking garages as well as walkways and other critical areas. Security cameras are monitored in the Police Communications Center. Students, faculty and staff are encouraged to report safety concerns, exterior lighting, and emergency telephone malfunctions to the UTSA Police Department at (210) 458-4242.

Emergency Management, Response and Evacuation Procedures

The UTSA Office of Risk and Emergency Management (OREM) is committed to openly engaging the university community in preparation, response, recovery, and mitigation of emergencies through an all-hazards approach. OREM’s highest priority is to help provide a safe and secure environment for UTSA students, faculty, staff, and visitors. The Office of Risk and Emergency Management works cooperatively with all members of the UTSA community, the University of Texas System, City of San Antonio, and State of Texas to achieve this objective. To further enhance safety and security programs on campus, the OREM identifies key partnerships, critical infrastructure, and essential resources through planning and preparedness initiatives, which provide the foundation for recovery processes from emergencies and disasters should they occur on a UTSA campus. OREM encourages the university community to stay engaged in preparedness by knowing what types of threats or hazards are of concern on campus, how to prepare for and respond to emergencies, and the importance of staying informed during an emergency.

UTSA Emergency Response Team

The UTSA Emergency Response Team (ERT) is activated as needed to manage UTSA’s response to an emergency incident. The ERT is comprised of members from Business Affairs, Student Affairs, Academic Affairs, Information Technology, University
Communications, Campus Services, Facilities, UTS, People Excellence, the Police Department, and other supporting departments. During an actual emergency, the ERT evaluates information from various sources and provides feedback and support to the Director of Risk and Emergency Management. Every ERT member receives specialized training to prepare them for the challenges presented by a critical incident. The ERT’s support role during an emergency incident is carried out in UTSA’s Emergency Operations Center (EOC). The EOC is equipped with technology to view local media, monitor social media, access campus security cameras feeds, manage emergency warning systems, and provide a coordination point for decision-making. The UTSA Director of Risk and Emergency Management is responsible for overall management of EOC operations.

Emergency Response and Evacuations

The UTSA Police Department is the primary first responder to any emergency on all UTSA campuses. University and city emergency responders, such as UTSA’s Office of Risk and Emergency Management, San Antonio Fire Department, and San Antonio Police Department among others, may also respond to the emergency scene depending on the scope of the emergency.

Preparedness is everyone’s responsibility, and OREM has developed an Emergency Response Guide (ERG) that has been distributed and posted in classrooms, hallways, meeting spaces, and areas where large crowds gather indoors. The guide provides information regarding protective actions to be taken during emergencies, such as an active threat, suspicious package discovery, tornadoes and severe weather, hazardous materials, and medical emergencies among other situations. Additionally, the ERG outlines how to shelter-in-place, and what to do during an evacuation, such as following the instructions of first responders, using appropriate exits, helping those who require evacuation assistance, communication, and seeking the appropriate rally point. The ERG also provides emergency contact phone numbers for several campus services. All university facilities have evacuation maps next to the elevators or major entrances in each building at all campuses. OREM also coordinates the Floor Captain program, which trains volunteer faculty and staff on evacuation procedures, shelter-in-place procedures, utilizing Evac-chairs (mobility impaired evacuation chairs), fire safety, incident command system, crime prevention, and active shooter response. Floor Captains provide assistance during building evacuations, shelter-in-place orders, campus emergencies, and general safety outreach, in addition to supplementing emergency first responders as conditions warrant.

Confirmation of an Emergency or Dangerous Situation

To confirm that a significant emergency or dangerous situation is occurring on campus, UTSA police officers are dispatched to the location where the incident has been reported. If responding officers confirm that a significant emergency or dangerous situation is occurring, the police field supervisor will ensure that appropriate UTSA officials are notified for information purposes and potential administrative support action. Patrol field supervisors have the authority to activate emergency notifications, via the dispatch center, to campus community members who are affected by the emergency or dangerous situation in consultation with the Chief of Police as time permits. The Chief of Police or designee will promptly notify UTSA and department administrators of major incidents.

Timely Warnings

When a Clery reportable offense occurs, the Chief of Police or designee conducts a timely review of the circumstances surrounding the offense as soon as pertinent information is available. The incident is assessed to determine if the offense constitutes a continuing threat to students, faculty, and staff. If the offense presents a continuing threat the Chief or designee orders the distribution of a timely warning. The department of Public Safety is responsible for sending timely warnings, with the Police Communications Center serving as the alternate. The Chief of Police or designee composes the timely warning, and appropriate emergency notifications are provided to the campus community, to include posting on the UTSA Campus Alerts website at https://alerts.utsa.edu/.

Timely warnings include as much specific information as is available about the crimes, providing information that will help students, faculty, and staff to protect themselves from similar incidents. Victims’ names are withheld for confidentiality purposes. The timely warning may be distributed to students, faculty, and staff through social media outlets, mass email distribution, desktop notifications, safety apps, printed flyers on public/office bulletin boards, the UTSA Giant Voice mass notification system (indoor/outdoor speakers), and the UTSA Alerts emergency notification system (ENS). UTSAPD may withhold the information required above if there is clear and convincing evidence that the release of the information would jeopardize the safety of an individual or an ongoing criminal investigation, cause a suspect to flee or evade detection, or result in the destruction of evidence. UTSAPD will disclose any information withheld for these reasons once safety or the criminal investigation is no longer jeopardized. If the decision is made to disseminate a timely warning, coordination with other university departments is considered; however, the Chief of Police shall not be bound to consult with other departments if doing so would cause a timely warning delay that could endanger members of the community. The goal of all timely warnings are to ensure the safety and security of the community through the dissemination of appropriate information and protective measures.

Emergency Notifications & Warning Systems

Upon the confirmation of a significant emergency or dangerous situation involving an immediate life safety threat to students, faculty, or staff occurring on any UTSA campus, the Director of Risk and Emergency Management or designee will, without delay, notify the campus community. The content of the notification is determined by the Director of Risk and Emergency Management, in consultation with the Chief of Police and University Relations (if time permits), and take into account the safety of the UTSA community. The Director of Risk and Emergency Management, or designee, will activate appropriate mass notification systems, unless in the professional judgment of emergency response officials, the notifications will compromise efforts to assist victims or to contain, respond, to or otherwise mitigate the emergency. The notification will contain information and instructions to students, faculty, and staff that will enable them to take reasonable protective or safety measures to escape from, shelter-in-place, or avoid the emergency location. Initial notifications are made upon confirmation that an emergency incident has occurred or is imminent to life safety or campus operations. Additional follow-up notifications are made as new information about the emergency is obtained that will provide additional protective instructions or a status update.
UTSA provides various methods to notify students, faculty, and staff of a developing situation or emergency. OREM coordinates the UTSA Alerts emergency notification system and the Giant Voice outdoor/indoor mass notification system. These robust technologies allow UTSA students, faculty, and staff to receive life safety and security messages at any of the UTSA campuses or via their mobile/landline devices. Providing multiple alerting methodologies ensures UTSA is prepared for all types of emergencies. All UTSA mass notification systems are designed to utilize pre-scripted messages, as well as customized emergency communication to meet the needs of the incident. Police dispatchers, emergency management staff, and police commanders are trained to activate the mass notifications systems, including how to develop messages and alerts. All trained staff regularly test the system as a means of ongoing training, troubleshooting, and developing familiarity with the systems. Messages and alerts, either initiated by dispatch or emergency management leadership, have the ability to quickly alert the UTSA community via text, landline phone, cell phone, email, desktop features, wall-mounted beacons, or through the outdoor/ indoor mass notification system. Persons authorized to make notification decisions include the Chief of Police or his designee, Director of Emergency Management, and on-duty police supervisors in consultation with the aforementioned authorities.

Families and external agencies also have access to emergency information through the UTSA Campus Alerts website, as well as a recently implemented alerting “opt-in” text feature for guests and visitors. The Campus Alerts website is routinely updated during an emergency, and provides an outlet for internal and external stakeholders to quickly review updates during a rapidly developing situation or emergency. This website also serves as a clearinghouse of campus emergency preparedness information, as well as road closures, class cancellations, general alerts, and other areas of interest to the UTSA community. For more information, visit the Campus Alerts website at https://alerts.utsa.edu/.

**Below are the notification systems used at UTSA:**

**UTSA Alerts Emergency Notification System:** In the event of a campus-wide incident threatening life safety, the university will activate the UTSA Alerts System, which is an enhanced emergency telephone, text and email notification system for students, faculty, and staff. When activated, the system will send emergency information and protective actions to registered recipients. Visitors, guests, and parents can text “UTSAguest” to “226787” and they are subscribed for temporary alerts while visiting campus. This information is provided to camp directors, as well.

**Giant Voice Mass Notification System:** UTSA has an indoor and outdoor mass notification system at the Main Campus, Downtown Campus, and Institute of Texan Cultures. The system features eight outdoor siren towers that optimally can be heard within 1,600 feet of each tower on the Main Campus. In an emergency, the high-power sirens broadcast alerts via a live or recorded voice message tailored to the emergency situation. Most buildings feature an indoor emergency notification system, which utilizes the fire alarm system speakers to broadcast emergency messages.

**Alertus Desktop Notification, Beacons & e-Panic Buttons:** UTSA employs an emergency desktop notification system called Alertus. During a campus emergency, OREM has the capability to send a desktop notification, as well as push messages to wall-mounted beacons (where available), with life safety information via a scrolling ticker, pop-up window, or a full-screen override. Additionally, the ePanic buttons on university desktop computers allow students, faculty, and staff to send a silent alert to PD dispatch if they should find themselves in distress. Information on the ePanic buttons can be found on the FAQ page at https://alerts.utsa.edu/.

**UTSA Mobile App:** UTSA maintains a smartphone mobile app that includes an “emergency info” section with quick access to emergency resources. From the app, users can click on the emergency info section and have access to direct dial options for emergency and non-emergency purposes, link directly to the Campus Alerts website, call the emergency hotline at (210) 458- SNOW (7669), and have access to the emergency response guide. The UTSA app is available for download through app stores for Apple, Android, and Google Play.

**LiveSafe:** Live Safe is a free app available for download that connects the user in real-time to online safety resources, to include UTSA specific information. The app allows the user access to safety and security information, submit reports of suspicious or dangerous activity and include pictures, videos and/or text messages. The user can provide information anonymously or share their information when submitting tips. The user has the option of utilizing the Safe Walk feature that allows anyone in the user’s contact list to virtually watch them walk from one location to another.

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

**Campus Alerts Website:** UTSA Emergency Management maintains the Campus Alerts website to keep students, faculty, and staff, and the general public informed on the status of university operations on a daily basis. Managed by OREM and University Relations, the site is a single source for information on the status of on-going emergencies, a clearinghouse for preparedness tips and information, university resources, university severe weather closures, health, and other emergencies. The website is accessible from a link at the footer of all UTSA websites. Campus Alerts can be found at https://alerts.utsa.edu/.

**National Weather Service Accreditation:** UTSA is accredited as a Storm Ready University, and was recently recertified from 2019 - 2023. Storm Ready is a National Weather Service program created to ensure American communities have advance warning systems and methodologies to alert their residents of hazardous weather. As part of the StormReady Accreditation Team, the UTSA Director of Emergency Management assists the NWS to certify agencies/organizations across the San Antonio metro on a regular basis.

(210) 458-SNOW (ext. 7669): UTSA has an emergency recorded message phone line. UTSA faculty, staff, students, parents, and visitors can call 458-SNOW (or extension 7669 from a UTSA line) at any time for information about the university regarding the status of classes and employee work schedules.

**Social Media:** The use of social media sites provides a valuable means of interacting with the community. UTSA utilizes social media websites to enhance communication and can disseminate information related to campus emergencies, crime alerts, or issues concerning public safety.

1. UTSA PD Facebook: @UTSAPoliceDepartment
2. UTSA PD Twitter: @UTSA Police
3. OREM Facebook: @UTSAOEM
4. OREM Twitter: @UTSA OEM
Digital Signage – UTSA TV: University Technology Solutions (UTS) manages a number of televisions across UTSA campuses that regularly post information and bulletins. Emergency notifications can be displayed on these televisions when needed.

Annual Exercises and Drills

UTSAPD, OREM, and campus leadership regularly participate in planned exercises, drills, and coordination activities to test emergency plans and capabilities. These preparedness and mitigation exercises provide the campus Emergency Response Team and university departments the opportunity to learn their roles, responsibilities, and procedures before an actual emergency. All exercises with the Emergency Response Team and President’s Emergency Advisory Council are designed following federal and state guidelines to ensure consistency with the National Incident Management System and Incident Command System. Emergency exercises evaluated with after action reports, meetings, and identify discussion of lessons learned to explore new or improved means of coordination before, during, and after an emergency at any UTSA campus.

Exercises, drills, evacuations and activities are conducted annually and announced/published (when they occur) on the UTSA Campus Alerts website, as well as via email to students, staff, and faculty. Some drills are unannounced to test the responsiveness of building occupants, such as during fire drills. After each activity, the alerts website is reset to reflect “normal operations.” Communication to the campus community is important before testing emergency systems or exercises so as to not alarm building occupants and to ensure external partners are aware of the activities. All exercise and drill reports are maintained internally with UTSAPD and within OREM. When warranted, external agencies participate in these exercise drills, including the San Antonio Fire Department, San Antonio Police Department, and other county, state, and federal emergency management agencies.

Community Affairs Section of the Public Safety Department

The UTSA Police Department Community Affairs Section (CAS) plays a critical role in the department’s efforts to reduce crime and its effect on the community. Collaboration with UTSA department leaders, student organizations, community organizations, and state associations provides avenues to better serve UTSA community. Employees of the UTSA Police Department participate annually in local and national events. Members of the Community Affairs Section manage comprehensive programs involving crime prevention and awareness education, risk reduction, community outreach efforts, and crime victim liaison services.

Crime prevention presentations on personal safety, self-defense seminars, alcohol and drug awareness, interpersonal violence, stalking prevention, sexual assault awareness, burglary and theft prevention, as well as office safety are presented to UTSA students, faculty, staff, and community members. The Community Affairs Section provide crime prevention tips and resource via social media outlets and UTSA Police Department Website. Programs are designed to encourage students and employees to be responsible for their own security and the security of others. CAS officers are Certified Crime Prevention Specialists by the Texas Commission on Law Enforcement. Personnel conduct office security studies, lighting surveys, and threat assessments.

Community outreach efforts focus on building partnerships with members of the UTSA community. CAS officers partner with campus housing departments, student organizations, and other departments to achieve a cohesive crime prevention minded community.

Dedicated crime victim liaison officers work with victims of violent and non-violent crimes to provide support and university resources. The liaison officers assist victims of family and dating violence, sexual assault, human trafficking, and stalking, in addition to obtaining protective orders and referrals for medical and counseling services. If victims are eligible to apply for Crime Victim Compensation Assistance through the Texas Attorney General’s Office, officers are available to assist.

For additional information on CAS programs, contact the Community Affairs Section at utsapdcommunityaffairs@utsa.edu or call (210) 458-6250.

Crime Prevention Programs

Hazing Prevention – Hazing 101: Fraternities, sororities, and other registered student organizations can request hazing prevention presentations from the UTSA Police Department and Student Activities. These presentations address both legal and student conduct consequences of engaging in this behavior as well as providing appropriate behavior guidelines.

Operation Identification: Operation identification is an on-going program that involves the engraving of a state’s driver license number on valuable items of personal property such as laptops and bicycles. Engravers are available at the UTSA Police Department or by contacting the Community Affairs Section at (210) 458-6250 to make an appointment. This program is offered several times annually, usually in the fall semester.

National Night Out: National Night Out is an annual event where the UTSA Police Department and the campus community partner to enhance community awareness and engagement in preventing crime. Over 1,000 students typically attend this event.

Printed Crime Prevention Literature: Crime prevention literature related to personal safety, identity theft, auto theft prevention, and residential security is available at designated locations throughout campus. Specialized crime prevention literature is available upon request. The UTSA P olice Department website offers downloadable crime prevention brochures.

Risk Reduction

Alcohol

• If you choose to drink, know your limits and stick to them.
• Avoid parties where “getting wasted” is the only reason for going.
• Go out with trusted friends, and return home with trusted friends. Do not leave friends behind.
• Adopt a “sober buddy” system - designate one person who will remain sober and watch out for friends.
• Do not allow friends to wander off with someone they do not know well.
• If someone has passed out, do not leave them alone.

Warning signs of controlling or possible abusive behavior:

• A person engineers a situation in which a woman or man is isolated from others.
• You are in a social setting in which there is heavy drinking and bystanders are enabling and encouraging risky behavior.

• A person is intoxicated and lacks the ability to make sound judgments and/or demonstrates or indicates support of behavior that is aggressive or violent.

**Warning signals that a person may not be capable of consenting to sexual activity:**

• A person demonstrates an inability to make sound judgments.

• A person’s speech is slurred, they seem “out of it,” they are stumbling, etc.

• A person is passed out.

The following suggestions are measures you can take to reduce your risk of becoming a victim of sexual assault:

• Set limits regarding your use of alcohol consumption and what you want or do not want sexually.

• Be aware of verbal and nonverbal cues that can alert you to a problem.

• Trust your feelings and acknowledge the warning signals that arise in social/potentially intimate situations.

• Communicate what you want or do not want clearly.

• Avoid secluded places at the beginning of relationships.

• Become comfortable with the idea that you might have to be rude, make noise, yell, etc. to remove yourself from a possible sexual assault situation. Do not worry about hurting the other person's feelings.

• Be aware of your own assumptions and stereotypes regarding sex and alcohol.

• Ask yourself what are your expectations regarding sex in a specific social/intimate setting.

• Be aware of how your expectations regarding sex and the use of alcohol might be affecting your interpretation of cues and signals being given by another person.

• Respect the limits of others when it comes to alcohol consumption and sexual activity.

• Be aware of how alcohol is affecting your judgments and/or behaviors.

• If alcohol is affecting you negatively, stop drinking and/or drink water or eat food to minimize the alcohol’s effect.

• Understand that intoxication is a stop sign for sex. Stop and ask the other person what they want.

• Ask yourself if the person is capable of consent given their level of intoxication.

Additional information regarding prevention, risk reduction, and awareness training is located in various sections of this report.

**UTSA Student Conduct and Community Standards**

Student Conduct and Community Standards (210-458-4720), located in the Student Union, Room 2.02.18, administers the disciplinary process using the Engagement, Personal Development, Interpersonal Development, and Community Membership (E.P.I.C) Journey Sanctioning Model. This developmental approach to conduct includes combining consistently applied inactive sanctions such as probation and deferred suspension, with active experiences, in order to engage the student in risk education and learning. This combination of sanctions provides a journey intended to transform the student’s decision-making patterns.

By enrolling at UTSA, a student neither loses the rights nor escapes the responsibilities of citizenship. All students are expected to obey federal, state, and local laws; the Rules and Regulations of the Board of Regents of The University of Texas System; the rules and regulations of UTSA; and directives issued by an administrative official in the course of their duties. Students who enroll at the university are charged with the obligation to conduct themselves in a manner compatible with the university’s function as an educational institution. Consequently, conduct that interferes with the use or utilization of university facilities by other persons may be sanctioned regardless of whether such conduct is specifically proscribed by the provisions of the Student Code of Conduct. The Student Code of Conduct can be found at:

[http://catalog.utsa.edu/policies/administrativepoliciesandprocedures/studentcodeofconduct/](http://catalog.utsa.edu/policies/administrativepoliciesandprocedures/studentcodeofconduct/)

**Procedures for Disciplinary Action**

**Student Conduct and Community Standards Investigation**

Upon receiving information that any student has allegedly violated Regents’ Rules, university regulations, or administrative rules, Student Conduct and Community Standards shall investigate the alleged violation. In cases where the alleged violation is sexual harassment, sexual misconduct, or sexual violence, Equal Opportunity Services (EOS) will conduct the investigation. Investigations by Student Conduct and Community Standards are conducted in a manner that is:

• Prompt, fair and impartial from the initial investigation to the final result.

• Completed within the timeframes specified by institutional policy that includes extensions of timeframes for good cause with written notice to the accuser and accused and the reason for the delay.

• Conducted in a manner transparent and consistent with institutional policy, Student Conduct and Community Standards may dismiss the allegation as unfounded or summon the student. Student Conduct and Community Standards may summon any student by written request for a meeting for purposes of the investigation and/or to discuss the allegations. The written request shall specify a place for the meeting and a time at least three (3) weekdays after the date of the written request if the request is sent regular mail, or at least two (2) weekdays after the date of the request if the request is sent by email or hand delivered. The written request may be mailed to the address appearing in the records of the Office of the Registrar, emailed to the student at the email address on record with the System institution, or may be hand delivered to the student.

If a student fails to appear without good cause, as determined by Student Conduct and Community Standards, the office may bar or cancel the student’s enrollment or otherwise alter the status of the student until the student complies with the summons, or the office may proceed to implement the disciplinary hearing procedures provided in Section 501, et seq. The refusal of a student to accept delivery of the notice, the failure to maintain a current address with the Office of the Registrar, or failure to read mail or emails shall not be good cause for the failure to respond to a summons. The purpose of the meeting is to allow Student Conduct and Community Standards to discuss, for the purposes of investigating, the alleged
Incident/violation(s) with the student. At this meeting, the student is given a copy of the Student Code of Conduct.

**Student Code of Conduct – Sec. 402. Disposition of the Charges**

Pending a hearing or other disposition of the allegations against a student, the Dean of Students may take such interim disciplinary action as is appropriate to the circumstances when such action is in the best interest of the institution. This includes but is not limited to an immediate suspension and bar from the campus when it reasonably appears from the circumstances that the continuing presence of the student poses a potential danger to persons, property, or a potential threat for disrupting any activity authorized by the university. The Dean of Students may withhold the issuance of an official transcript, grade, diploma, certificate, or degree to a student alleged to have violated a rule or regulation of System or its institutions, which would reasonably allow the imposition of such sanctions. The Dean may take such actions pending a hearing, resolution by administrative disposition, and/or exhaustion of appellate rights if the Dean has provided the student an opportunity to provide a preliminary response to the allegations and in the opinion of the Dean, the best interests of Systems or the institution would be served by this action. When interim disciplinary action has been taken, a hearing of the charges against the student will be held under the procedures specified in Section 501, et seq. A hearing following interim disciplinary action will generally be held within 10 days after the interim disciplinary action has been taken; however, at the discretion of the Dean of Students, the 10-day period may be extended for a period not to exceed an additional 10 days. As an alternative to a hearing of the charges before a Hearing Officer, the accused student may choose to have the charges disposed of in accordance with an administrative decision as set forth under procedures specified in Section 402.

**Disposition of the Charges**

**Student Code of Conduct, Sec. 402. Disposition of the Charges**

The Student must choose one of two decision-making approaches: (1) an administrative decision made by Student Conduct and Community Standards; or (2) a formal hearing. When the student elects not to dispute the facts upon which the charges are based and agrees to the sanctions Student Conduct and Community Standards assesses, the student may execute a written waiver of the hearing procedures yet retain the right to appeal the decision of Student Conduct and Community Standards only on the issue of the sanction. This administrative disposition shall be final, and there shall be no subsequent proceedings regarding the charges. In any case, where the accused student disputes the facts upon which the charges are based and elects the formal hearing as the decision-making approach, or refuses to execute a written waiver of a hearing, such charges shall be heard and determined by a fair and impartial Hearing Officer. A Hearing Officer will be chosen in accordance with the procedures of the institution.

**Student Code of Conduct – Sec. 503 Challenge to the Hearing Officer**

An accused student may challenge the ability of the Hearing Officer to render a fair, impartial, and objective decision. The challenge must be made in writing and submitted to the Hearing Officer through Student Conduct and Community Standards at least three (3) days prior to the hearing. The reason or reasons upon which the challenge is based shall be set forth fully and shall be confined solely to the fairness and objectivity of the Hearing Officer. It shall be up to the Hearing Officer to determine whether they can render a fair and objective decision in the case. In the event the Hearing Officer disqualifies themselves, a substitute will be chosen in accordance with procedures of the institution.

**Hearing**

If the student chooses to invoke a formal hearing, the proceeding will be conducted in a manner that is consistent with The University of Texas at San Antonio’s policies and procedurally transparent to the accused and accused.

**Student Code of Conduct – Sec. 501. Notice of Hearing**

Student Conduct and Community Standards shall notify the accused student in writing of the statement of charges and a summary statement of evidence supporting the charge; the name of the person who will act as Hearing Officer; the date, time, and place of the hearing; and that both the accused student and Student Conduct and Community Standards will be accorded the following rights in connection with such hearing:

1. The right to have actual copies of documents that each intends to present, including a list of names of witnesses and a brief summary of their testimony;
2. The right to appear, present testimony of witnesses and documentary evidence, cross-examine witnesses, and be assisted by an advisor of choice. The advisor may be an attorney. If the accused student’s advisor is an attorney, Student Conduct and Community Standards’ advisor may be an attorney from the Office of General Counsel of the System. An advisor may confer with and advise Student Conduct and Community Standards or the accused student, but shall not be permitted to question witnesses, introduce evidence, make objections, or present argument to the Hearing Officer; and
3. The right to have all proceedings at the hearing recorded electronically. The recording of the hearing shall be made under the direction of the Hearing Officer.

The required notice shall be delivered in person to the student or sent by regular mail or email, addressed to the accused student at the address appearing in the Office of the Registrar’s records, and shall be mailed at least 10 days prior to the date specified for the hearing. A notice sent by regular mail will be considered to have been received on the third day after the date of mailing, excluding any intervening Sunday. Student Conduct and Community Standards is also responsible for notifying the accusing student of the hearing date, time and location, if they are to be present. The requirements of this paragraph shall not be applicable in any case where immediate interim action has been taken in accordance with Section 403.

**Student Code of Conduct – Sec. 502. Postponement of Hearing**

Upon a showing of good cause by either the accused student or Student Conduct and Community Standards, the Hearing Officer may postpone the hearing or by agreement of the student and Student Conduct and Community Standards. Requests for postponement shall be in writing and shall set forth the facts upon which the party relies as constituting good cause. The application for postponement must be presented to the Hearing Officer and the opposing party no later than the third day preceding the date specified for the hearing. Any application received after that date will be granted only in the case of extreme hardship or emergency. Upon granting a postponement, the Hearing Officer shall notify the accused student and Student Conduct and Community Standards of the new date, time, and place for the
hearing. It shall be the responsibility of the accused student and Student Conduct and Community Standards to notify their respective witnesses accordingly.

**Disciplinary Hearing Results**

Disclosure to Victims. Upon receiving a written request, The University may disclose to an alleged victim of any crime of violence or a non-forcible sex offense (as those terms are defined in 34 C.F.R. 99.39), the final results of any disciplinary proceeding conducted by the University against the alleged perpetrator of such crime or offense with respect to such crime or offense, regardless of whether the alleged perpetrator was found responsible for violating the University’s rules or policies with respect to such crime or offense. If the alleged victim is deceased, the disposition of records is a matter of state laws regarding inheritance and the next of kin or estate of the deceased victim shall be treated as the alleged victim for purposes of this paragraph.

**Disclosure of Evidence**

In order that the case be fully developed for the benefit of the Hearing Officer, Student Conduct and Community Standards and the accused student shall be required to disclose to each other the names of the witnesses they expect to be present and actual copies of documents and other evidence relied upon. The parties are encouraged to exchange this information at the earliest practical time but not later than five (5) days prior to the date of the hearing. Upon objection by the opposing party, witnesses or other evidence not so disclosed will be excluded by the Hearing Officer unless it be shown by the party offering same that the existence of the testimony to be given by the witness or the evidence offered was unknown to the offering party five (5) days prior to the date of the hearing and could not have previously been discovered by the use of reasonable diligence. The provisions of this section shall not prohibit either party from offering at the hearing evidence that is strictly in rebuttal to evidence offered by the other party.

**Institutional Standard of Evidence**

The term “evidence” refers to the means by which alleged facts are either proved or disproved. It includes the testimony of witnesses and documentary or objective exhibits offered by the parties. The Hearing Officer shall be the sole judge of the admissibility of evidence, the credibility of the witnesses, and the weight to be given to the evidence or any inference drawn therefrom. The Hearing Officer may ask questions of witnesses, the parties, or their counsel as may be deemed appropriate to ascertain the facts, or to aid the Hearing Officer in deciding upon the admissibility of evidence, the credibility of a witness, or the weight given to evidence admitted. The Hearing Officer is entitled to have the advice and assistance of legal counsel from the Office of General Counsel of the System. Legal rules of evidence do not apply to student conduct hearings. Either party may object to the admission of evidence upon any ground that they deem appropriate. The Hearing Officer shall rule upon such objections and either admit or exclude the objectionable evidence. The Hearing Officer upon objection of either party will exclude evidence that is irrelevant, immaterial, or unduly repetitious. Documents, letters, writings, pictures, drawings, or objects that a party plans to offer in evidence shall first be given to the Hearing Officer to be marked and identified as the exhibit of that party and listed by the Hearing Officer. After being marked and identified, each exhibit shall be shown to the opposing party. Unless the opposing party disputes the authenticity of the exhibit or has no knowledge with respect thereto, the exhibit may be offered without authentication; however, the exhibit may be objected to on grounds other than authenticity. Student Conduct and Community Standards shall have the burden of proceeding with the evidence and proving the charges by the greater weight of the credible evidence.

**Order of Proceedings**

The hearing shall be called to order and shall proceed in the following manner:

1. The Hearing Officer shall read the charges against the accused student, explain the rights of the parties, and entertain questions from either party concerning the procedures to be followed;
2. Student Conduct and Community Standards shall proceed to present evidence in support of the charges;
3. The accused student shall present evidence in support of their defense to the charges;
4. Each party may then present rebuttal evidence;
5. Argument may then be presented by each party; and
6. Student Conduct and Community Standards may recommend a sanction to be assessed by the Hearing Officer. The recommendation may be based upon past practice of the University for violations of a similar nature, the past disciplinary record of the student, or other factors deemed relevant by Student Conduct and Community Standards. An accused student who fails to appear in person at their disciplinary hearing shall remain accountable. The hearing will be held without the accused student’s presence, and the Hearing Officer will render a decision.

**Decision of the Hearing Officer**

The Hearing Officer shall render and send to Student Conduct and Community Standards and the student a written decision that contains findings of fact and a conclusion as to whether the accused student is responsible for the violations as charged. Upon a finding of responsibility, the Hearing Officer shall assess a sanction of sanctions specified in Section 301 and/or Section 303.

**Sanctions That May be Imposed**

The disciplinary actions assessed in a particular case will be dependent upon the nature of the conduct involved, the circumstances and conditions that existed at the time the student engaged in the conduct, and the results that followed as a natural consequence of the conduct. Sanctions can include:

1. Disciplinary warning
2. Disciplinary probation
3. Withholding grades, official transcript or degree
4. Bar against readmission or drop from current enrollment
5. Restitution
6. Suspension of rights and privileges
7. Failing grade
8. Suspension
9. Expulsion
10. Educational Programs
11. Revocation of degree, denial of degree, and/or withdrawal of diploma
12. Deferral of sanction
13. Other sanctions as deemed appropriate under the circumstances.
**Appeal Process**

**Student Code of Conduct – Sec. 701. Right to Appeal**

The accused student may appeal a disciplinary sanction assessed by Student Conduct and Community Standards in accordance with Section 702 of the Student Code of Conduct. Either the accused student or Student Conduct and Community Standards may appeal the decision of the Hearing Officer in accordance with Section 703 of the Student Code of Conduct. In cases dealing with alleged violations of the University’s Policy on Sexual Harassment and Sexual Misconduct, the accused student, student complainant, and/or Student Conduct and Community Standards may appeal the findings to the Provost or their designee.

**Student Code of Conduct – Sec. 811 Communication of Sanctions**

All parties are notified, in writing, about the outcome of both the complaint and the appeal. The decision of the Provost or their designee is the final appellate review.

UTSA simultaneously notifies both the accuser and accused in writing of:

- The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking;
- The institution’s procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available;
- Any change to the result; and
- When such results become final

**Title IX Requirements**

Title IX prohibits discrimination on the basis of sex in education programs or activities operated by recipients of Federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discriminations prohibited by Title IX. Title IX requires The University of Texas at San Antonio to take immediate action to eliminate harassment, prevent its recurrence, and address its effects. The Title IX Coordinator is responsible for the administrative investigation of claims of sexual harassment and sexual violence, and ensuring there are appropriate grievance procedures for prompt and equitable resolution of student sex discrimination complaints. The university’s Title IX investigation is different from a law enforcement criminal investigation, and a law enforcement investigation does not relieve the University of its independent Title IX obligations to investigate conduct. Title IX investigations and hearings are conducted by university officials who receive training related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process at least annually.

**Handbook of Operating Procedures – 9.24 Sexual Harassment and Sexual Misconduct Policy – Reporting Incidents**

General Statement Empowering Community. This Policy distinguishes between reporting sexual misconduct incidents and filing Formal Complaints. Reporting Sexual Misconduct incidents informs the University of the incident(s), which allows the institution to provide Supportive Measures (as outlined in Section 5.2 of this Policy) to the Complainant, Respondent, and any other individuals related to the incident as appropriate, and does not necessarily result in the initiation of the Grievance Process (as outlined in Section 6 of this Policy). All Complainants who report incidents of Sexual Misconduct will be offered individualized Supportive Measures. If Complainants wish to initiate the Grievance Process, they should file a Formal Complaint. As explained in more detail below (including exceptions and details as to applicability), generally speaking, the Grievance Process may involve an investigation into the incident and a hearing to determine the responsibility of the Respondent.

Any person may report Sexual Misconduct, Retaliation, or other conduct prohibited under this Policy to the Title IX Coordinator. Any person may report an incident, whether or not the person reporting is the person alleged to be the victim of the incident, and it can be a verbal or written report to the Title IX Coordinator:

Suzanne Patrick
Title IX Coordinator, Director of Equal Opportunity Services & Title IX Office
North Paseo Building (NPB), Suite 5.130
Reporting to Law Enforcement. You may also file a police report with The University of Texas at San Antonio Police Department (UTSA PD) at (210) 458-4242 (non-emergency) or (210) 458-4911 (emergency) or with the City of San Antonio Police Department (210) 207-7273 (non-emergency) or 911 (emergency) or to other local law enforcement authorities. The EOS/Title IX Office, and other University offices, such as the PEACE Center, can help individuals contact these law enforcement agencies. Employees and students with protective or restraining orders relevant to a complaint are encouraged to provide a copy to the University Police Department. A protective or restraining order can be submitted to UTSA PD at police.communications@utsa.edu.

Reporting to Outside Entities. You may also contact the following external agencies:

For students:

- Office for Civil Rights
  U.S. Department of Education
  1999 Bryan Street, Suite 1620
  Dallas, Texas 75201-6810
  Phone: (214) 661-9600
  Fax: (214) 661-9587

- Office for Civil Rights
  U.S. Department of Health and Human Services
  1301 Young Street, Suite 1169

For employees:

- U.S. Equal Employment Opportunity Commission
  Dallas District Office
  207 S. Houston Street, 3rd Floor
  Dallas, Texas 75202
  Phone: (800) 669-4000
  Fax: (214) 253-2720

- Texas Workforce Commission
  Civil Rights Division
  101 E. 15th Street
  Room 144-T
  Austin, Texas 78778-0001
  Phone: (512) 463-2642
  Fax: (512) 463-2643

Confidential Support and Resources. Students may discuss an incident with Confidential Employees or an off-campus resource (e.g., rape crisis center, doctor, psychologist, clergyperson, etc.) without concern that the person’s identity will be reported to the EOS/Title IX Office. Employees may also seek assistance from the Employee Assistance Program, their own personal health care provider, the clergyperson of their choice, or an off-campus rape crisis resource without concern that the person’s identity will be reported to the EOS/Title IX Office.

The University and community resources that provide confidential services are: Student and University Ombudspersons, PEACE Center, Student Health Services and Counseling and Mental Health Services. Confidential Employees who are also deemed Campus Security Authorities (CSA) under the Clery Act must meet Clery reporting responsibilities as well.

Immunity. In an effort to encourage reporting of Sexual Misconduct, the University may grant immunity from student and/or employee disciplinary action to a person who acts in good faith in reporting an incident, filing a Formal Complaint, or participating in a Grievance Process (e.g., investigation, hearing, and/or appeal). This immunity does not extend to the person’s own violations of this Policy.

Handbook of Operating Procedures – 9.24 Sexual Harassment and Sexual Misconduct Definitions

Coercion – The use of pressure to compel another individual to initiate or continue sexual activity against an individual’s will. Coercion can include a wide range of behaviors, including psychological or emotional pressure, physical or emotional threats, intimidation, manipulation, or blackmail that causes the person to engage in unwelcome sexual activity. A person’s words or conduct are sufficient to constitute coercion if they eliminate a reasonable person’s freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include but are not limited to threatening to “out” someone based on sexual orientation, gender identity, or gender expression; threatening to harm oneself if the other party does not engage in the sexual activity; and
threatening to expose someone’s prior sexual activity to another person.

**Complainant** – The individual who is alleged to be the victim of any prohibited conduct under this Policy.

**Confidential Employees** – Confidential Employees include counselors in Counseling and Psychological Services, a health care provider in Health Services, or clergypersons. Additionally, employees who receive information regarding an incident of sexual misconduct under circumstances that render the employee’s communications confidential or privileged under other law (such as attorneys) are also considered “Confidential Employees.” The University has designated the Counseling and Mental Health Services, Student Health Services, PEACE Center and Student and University Ombudspersons as confidential employees. However, all employees designated as Campus Security Authorities (CSAs) under the Clery Act must follow Clery reporting processes as well.

Note: Under state law, Confidential Employees who receive information regarding incidents of sexual harassment, sexual assault, dating violence or stalking committed by or against a student or an employee of the University, are required to report the type of incident to the Title IX Coordinator (or Deputy Coordinators). Confidential Employees may not include any information that would violate a student’s expectation of privacy. The Confidential Employee’s duty to report an incident under any other law also applies. At the University, Confidential Employees report the type of incident to the Title IX Coordinator on a monthly basis using a reporting form.

**Consent** – A voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity. Consent to one act does not imply consent to another. 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. Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of consent.

Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual’s ability to exercise his or her own free will to choose whether or not to have sexual activity.

A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity.

The definition of consent for the crime of sexual assault in Texas can be found in Section 22.011(b) of the Texas Penal Code.

**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 consideration of the following factors:

- a) The length of the relationship;
- b) The type of relationship; and
- c) The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence.

**Domestic (Family) Violence** – includes felony or misdemeanor crimes 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 state of Texas, 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 state of Texas.

**Hostile Environment** – exists when sexual misconduct is sufficiently severe or pervasive to deny or limit the individual’s ability to participate in or benefit from an education program or activity or an employee’s terms and conditions of employment. A hostile environment can be created by anyone (e.g., administrators, faculty members, employees, students, and University visitors) involved in an education program or activity or work environment.

In determining whether sexual misconduct has created a hostile environment, the University considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not adequate, that the conduct was unwelcome to the individual who was mistreated. To conclude that conduct created or contributed to a hostile environment, the University must also find that a reasonable person in the individual’s position would have perceived the conduct as undesirable or offensive.

To ultimately determine whether a hostile environment exists for an individual or individuals, the University may consider a variety of factors related to the severity, persistence, or pervasiveness of the sexual misconduct, including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of the persons involved; (3) the number of individuals involved; (4) the location of the conduct and the context in which it occurred; and (5) the degree to which the conduct affected an individual’s education or employment.

The more severe the sexual misconduct, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single instance of sexual assault may be sufficient to create a hostile environment. Likewise, a series of incidents may be sufficient even if the sexual misconduct is not particularly severe.

**Incapacitation** – Incapacitation is the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. An individual may be incapacitated if they are unaware at the time of the incident of where they are, how they got there, or why or how they became engaged in a sexual interaction.

When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved,
incapacitation is a state beyond being under the influence or impaired by use of the drug. Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated requires an individualized determination.

After establishing that a person is in fact incapacitated, the University asks two questions:

1) Did the person initiating sexual activity know that the other party was incapacitated? and if not,
2) Would a sober, reasonable person in the same situation have known that the other party was incapacitated?

If the answer to either of these questions is “YES,” consent was absent and the conduct is likely a violation of this Policy.

A Respondent will be found to have violated the Policy only if the Respondent knew or should have known that the person was incapacitated.

Intimidation – Unlawfully placing 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.

Other Inappropriate Sexual Conduct – Conduct on the basis of sex that does not meet the definition of “sexual harassment” under this Policy, but is

1) If verbal conduct (including through electronic means), unwanted statements of a sexual nature intentionally stated to a person or group of people, that are objectively offensive to a reasonable person and also so severe or pervasive that they created a Hostile Environment, as defined in this Policy. The type of verbal conduct (if all other elements are met) may include, but is not limited to:
   a) Unwelcome romantic, flirtatious or sexual advances (including explicit or implicit proposition(s) of sexual contact or activity);
   b) Requests for sexual favors (including overt or subtle pressure);
   c) Gratuitous comments about an individual’s sexual activities or speculation about an individual’s sexual experiences;
   d) Gratuitous comments, jokes, questions, anecdotes or remarks of a sexual nature about clothing or bodies;
   e) Persistent, unwanted sexual or romantic attention;
   f) Exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars or other materials; or
   g) Deliberate, repeated humiliation or intimidation.

2) If physical conduct, either:
   a) Sexual exploitation, as defined in this Policy;
   b) Unwelcome intentional touching of a sexual nature;
   c) Deliberate physical interference with or restriction of movement; or
   d) Sexual violence as defined in this Policy.

Participants – The term “participants” includes the Complainant, Respondent, and any witnesses.

Parties – The term “parties” refers to the “Complainant” and the “Respondent” under this Policy.

Preponderance of the Evidence – The greater weight of the credible evidence. Preponderance of the evidence is the standard for determining allegations of prohibited conduct under this Policy. This standard is satisfied if the action is deemed more likely to have occurred than not.

Respondent – The individual who has been reported to be the perpetrator of prohibited conduct under this policy. (For UT-affiliated K-12 schools (e.g., charter schools), a parent or legal guardian of a Respondent may act on behalf of the Respondent.)

Responsible Employee – A University employee who has the duty to report incidents of and information reasonably believed to be Sexual Misconduct to the Title IX Coordinator. All employees are Responsible Employees except Confidential Employees. Responsible Employees include all administrators, faculty, staff, resident life directors and advisors, and graduate teaching assistants. Responsible Employees must report all known information concerning the incident to the Title IX Office, and must include whether a Complainant has expressed a desire for confidentiality in reporting the incident.

Retaliation – Any adverse action (including, but not limited to, intimidation, threats, coercion, harassment, or discrimination) taken against someone because the individual has made a report or filed a Formal Complaint; or who has supported or provided information in connection with a report or a Formal Complaint; participated or refused to participate in a Grievance Process under this Policy; or engaged in other legally protected activities.

Sex Discrimination – Occurs when an individual is treated less favorably on the basis of that person’s sex (including gender), which may also include on the basis of sexual orientation, gender identity, or expression, pregnancy or pregnancy-related condition, or a sex stereotype. Sexual harassment, as defined in this Policy, is a form of sex discrimination.

Sexual Assault– An offense that meets the definition of rape, fondling, incest, or statutory rape:

a) 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.

b) 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 their age or because of their temporary or permanent mental incapacity.

c) Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

d) Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.
Sexual Exploitation – Conduct where an individual takes non-consensual or abusive sexual advantage of another for their own benefit, or to benefit anyone other than the one being exploited. Examples of sexual exploitation include, but are not limited to, engaging in voyeurism; forwarding of pornographic or other sexually inappropriate material by email, text, or other channels to non-consenting students/groups; the intentional removal of a condom or other contraceptive barrier during sexual activity without the consent of a sexual partner; and any activity that goes beyond the boundaries of consent, such as recording of sexual activity, letting others watch consensual sex, or knowingly transmitting a sexually transmitted disease (STD) to another.

Sexual Harassment – Conduct on the basis of sex that satisfies one or more of the following:

- **Quid pro quo:** An employee of the institution conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct;
- **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 University’s education program or activity; or
- “Sexual assault,” “dating violence,” “domestic violence,” or “stalking” as defined in this Policy.

Subsections (a) and (c) in this definition are not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, because such conduct is sufficiently serious to deprive a person of equal access. Therefore, any instance of quid pro quo sexual harassment and any instance of sexual assault, dating violence, domestic violence, and stalking are considered sexual harassment under this Policy.

Sexual Misconduct – This term is broadly defined to encompass sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, stalking, and Other Inappropriate Sexual Conduct.

Sexual Violence – Physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. The term includes, but is not limited to, rape, sexual assault, sexual battery, sexual coercion, sexual abuse, indecency with a child, and/or aggravated sexual assault.

Stalking – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress. For the purposes of this definition--

a) **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.

b) **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.

c) **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Handbook of Operating Procedures – 9.24 Sexual Harassment and Sexual Misconduct - Parties’ Rights Regarding Confidentiality, Request not to Investigate, and Request to Dismiss Formal Complaints

The University has great respect for the privacy of the parties identified in a report or Formal Complaint. Under state law, however, Responsible Employees who receive information of alleged Sexual Misconduct must share that information with the Title IX Coordinator. As such, the University may need to act to maintain campus safety and must determine whether to investigate further, regardless of the Complainant’s request for confidentiality or request to not investigate a report received by the Title IX Coordinator.

In making determinations regarding requests for confidentiality, Complainants’ requests to not investigate, Complainants’ requests to dismiss Formal Complaints, and/or requests to not disclose identifying information to Respondents, the Title IX Coordinator must deliberately weigh the rights, interests, and safety of the Complainant, the Respondent, and the campus community. In cases that rise to the level of a Federal Title IX matter the University may not be able to preserve confidentiality pursuant to Federal Title IX Regulations. Factors the University must consider when determining whether to investigate an alleged incident of Sexual Misconduct include, but are not limited to:

A. The seriousness of the alleged incident;

B. Whether the University has received other reports of alleged Sexual Misconduct by the alleged Respondent;

C. Whether the alleged incident poses a risk of harm to others; and

D. Any other factors the University determines relevant.

Under state law, if the Complainant requests in writing that the University not investigate a report, the University must inform the Complainant of the decision whether or not to investigate.

The Federal Regulations state that UTSA may dismiss the formal complaint or any allegations if at any time during the investigation or hearing: A complainant notifies the Title IX Coordinator in writing that the CP would like to withdraw the formal complaint or any allegations therein; the RP is no longer enrolled or employed by UTSA; or specific circumstances prevent UTSA from gathering evidence sufficient to reach a determination as to the formal complaint or allegations. Upon dismissal, UTSA must promptly send written notice of the dismissal and reason(s) simultaneously to the parties.

If the University dismisses a Formal Complaint (as outlined in Section 6.2(C) of this Policy), the University must provide the Complainant and Respondent a written notice of the dismissal and the reason(s) for the dismissal simultaneously. Additionally, UTSA reserves the right to initiate a complaint under HOP 9.24 that follows the Alternative Grievance Process (Appendix A) in the event that the complaint is dismissed under the Federal Title IX Regulations.

In the course of the Grievance Process, the University may share information only as necessary with people who need to know in compliance with the law, which may include but is not limited to the investigators, witnesses, Complainant, Respondent, parties’ advisors,
hearing officer(s), and the appellate officer(s), if applicable. The University will take all reasonable steps to ensure there is no retaliation against the parties or any other participants in the investigation, hearing, or in any other part of the Grievance Process.

**Handbook of Operating Procedures – 9.24 Sexual Harassment and Sexual Misconduct Resources and Assistance**

1. Immediate Assistance


   a. Healthcare. If you experience sexual violence, you are encouraged to seek immediate medical care. Also, preserving DNA evidence can be key to identifying the perpetrator in a sexual violence case. Victims can undergo a medical exam to preserve physical evidence with or without police involvement. If possible, this should be done immediately. If an immediate medical exam is not possible, individuals who have experienced a sexual assault may have a Sexual Assault Forensic Exam (SAFE) performed by a Sexual Assault Nurse Examiner (SANE) within 4 days of the incident. With the examinee’s consent, the physical evidence collected during this medical exam can be used in a criminal investigation; however, a person may undergo a SAFE even without contacting, or intending to contact, the police. To undergo a SAFE, go directly to the emergency department of [Methodist Specialty and Transplant Hospital](http://www.utsa.edu/health/) or the nearest hospital that provides SAFE services.

   Methodist Specialty and Transplant Hospital
   8026 Floyd Curl Dr
   San Antonio, Texas, 78229
   Phone: (ER) 210-575-8168

   or the nearest hospital that provides SAFE services.

   The cost of the forensic portion of the exam is covered by the law enforcement agency that is investigating the assault or, in cases where a report will not be made to the police, the Texas Department of Public Safety. This does not include fees related to medical treatment that are not a part of the SAFE.

   b. Police Assistance. If you experienced or witnessed sexual misconduct, the University encourages you to make a report to the police. The police may, in turn, share your report with the Title IX Office.

   A police department’s geographic jurisdiction depends on where the incident occurred. Thus, if the incident occurred on the University campus, you may file a report with the UTSA Police Department by calling (210) 458-4242 (non-emergency) or 210-458-4911 (emergency) and Hearing Impaired/TDD: 210-458-4243 or in person at UTSA Police Department at the Main Campus in the Bosque Street Building, Rm. 1.400 and the Downtown Campus in the Frio Building North 1.528, even if time has passed since the assault occurred.

   UTSA Police Department can also assist with applying for any protective orders. Reporting an incident to law enforcement does not mean the case will automatically go to criminal trial or go through a Grievance Process. If the University police are called, a police officer will be sent to the scene to take a detailed statement. A police officer or victim services coordinator may also provide you with a ride to the hospital. You may also file a report with the University police even if the assailant was not a University student or employee. If the incident occurred in the City of San Antonio, but off campus, you may also file a report with the San Antonio Police Department, even if time has passed since the incident occurred. If a report is made to the police, a police officer will usually be dispatched to the location to take a written report.

   c. Counseling and Other Services. If you experience Sexual Misconduct, you are strongly encouraged to seek counseling or medical and psychological care even if you do not plan to request a SAFE or report the incident to the police. You may be prescribed medications to prevent sexually transmitted infections and/or pregnancy even if the police are not contacted or if a SAFE is not performed. Similarly, other individuals impacted or affected by an incident are encouraged to seek counseling or psychological care.

   You may receive medical care at the University’s Student Health Services (for students only), at a local emergency room, or by a private physician. You may also be provided with psychological support by the University Counseling and Mental Health Services (students), Employee Assistance (employees), a referral through the Employee Assistance Program, or a care provider of your choosing.

   Students seeking medical care from Student Health Services should contact:

   Student Health Services:
   [http://www.utsa.edu/health/](http://www.utsa.edu/health/)

   Main Campus Location:
   Recreation Wellness Center - RWC 1.500
   Phone: (210) 458-4142

   Students desiring counseling should contact:

   UTSA Counseling and Mental Health Services
   Main Campus
   RWC 1.810
   210-458-4140

   Downtown Campus
   FS4.556
   210-458-4140

   Faculty and staff should contact:

   Deer Oaks Employee Assistance Program
   1-866-EAP-2400
   1-866-327-2400

   24 hour Access to free Professional Support
   National Relay: 1-800-877-8339
2. Supportive Measures
   a. The University will offer reasonably available individualized services, without any fee or charge, to the parties involved in a reported incident of Sexual Misconduct with or without the filing of a Formal Complaint, when applicable. Supportive Measures may include but are not limited to housing reassignment, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, withdrawal from or retake of a class without penalty, campus escort services, mutual restrictions on contact between the parties, change in work or housing locations, leaves of absences, increased security and monitoring of certain areas of campus, or other similar measures tailored to the individualized needs of the parties.

   Supportive Measures are non-disciplinary and non-punitive measures that do not unreasonably burden the other party. Any disciplinary or punitive measures may only be implemented following the conclusion of the Grievance Process, unless an emergency removal (as outlined in Section 7.1) is appropriate.

   The University will maintain the confidentiality of Supportive Measures provided to the parties, to the extent that maintaining such confidentiality does not impair the ability of the University to provide the Supportive Measures.

   **Handbook of Operating Procedures – 9.24 Sexual Harassment and Sexual Misconduct – The Grievance Process**

1. Key Officials in the Grievance Process
   a. Title IX Coordinator - The Title IX Coordinator is the senior University administrator who oversees the University’s compliance with Title IX. The Title IX Coordinator is responsible for administrative response to reports and Formal Complaints of Sexual Misconduct, Retaliation, and other conduct prohibited under this Policy. The Title IX Coordinator is available to discuss the Grievance Process, coordinate Supportive Measures, explain University policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Deputy Title IX Coordinators to facilitate these responsibilities.

   The Title IX Coordinator has designated the Director of Student Conduct and Community Standards and Associate Dean of Students to facilitate responsibilities for Title IX hearings for faculty, students and staff. The Title IX Coordinator may designate the Assistant Vice President of Talent Cultivation or designee to facilitate faculty and staff hearings in conjunction with the Director of Student Conduct and Community Standards and Associate Dean of Students.

   Any member of the University community may contact the Title IX Coordinator with questions.

   b. Investigator(s). The University will ensure that Formal Complaints are properly investigated under this Policy by investigators assigned to the Formal Complaint. The investigators are neutral and impartial fact-finders, and gather evidence during the investigation. The investigators are responsible for completing an investigation report at the conclusion of the investigation. The EOS/Title IX Office Assistant Director may supervise and advise the Title IX investigators when conducting investigations and update the Title IX Coordinator as necessary to ensure compliance with Title IX. The Title IX Coordinator may designate investigators as Deputy Title IX Coordinators.

   c. Hearing Officer. The hearing officer is responsible for conducting the hearing in an orderly manner, controlling the conduct of all participants and attendees of the hearing, and rendering a written determination regarding responsibility of the Respondent’s alleged conduct charges in an impartial, neutral, and objective manner.

2. Formal Complaints Against Students and Employees
   A. Applicability of the Grievance Process. The Grievance Process in this Policy applies to the following situations:

   - **Students.** The Grievance Process in Sections 6.2 to 6.11 of this Policy applies in the instances where the Respondent is a student (including student employees) at the University at the time of the alleged conduct and where the conduct alleged includes Sexual Harassment as defined by the Federal Title IX Regulations. An Alternative Grievance Process in Section 6.12 of this Policy applies in instances where the Respondent is a student at the time of the alleged conduct and where the conduct alleged does not include Sexual Harassment as defined by the Federal Title IX Regulations.

   - **Employees.** Faculty and Staff. For employees, the Grievance Process in this Policy only applies where all of the following conditions are met; in all other instances, allegations of Sexual Misconduct will be handled in accordance with the Alternative Grievance Process laid out in Appendix A.

   (a) The Respondent is an employee at the University at the time of the alleged conduct;

   (b) The conduct alleged is Sexual Harassment under this Policy;

   (c) The alleged conduct occurred against a person in the United States; and

   (d) Where the Complainant was participating or attempting to participate in an education program or activity at the University. This element is met if the conduct occurred in any of the following: on any University property; during any University activity; in a building owned or controlled by a student organization that is officially recognized by the University; or in instances where the University exercised substantial control over the Respondent and the context in which the alleged conduct occurred.

   **B.** To begin the Grievance Process, the Complainant must sign a Formal Complaint (requesting an investigation) and submit it to the Title IX Coordinator. The Complainant should submit a written statement setting out the known
details of the alleged conduct that is the subject of the Formal Complaint, including the following:

- Complainant’s name and contact information;
- Respondent’s name;
- Detailed description of the alleged conduct or event that is the basis of the alleged violation under this Policy;
- Date(s) and location(s) of the alleged occurrence(s);
- Names of any witnesses to the alleged occurrence(s); and
- The resolution sought.

In lieu of a written statement the complainant may ask the investigator to prepare a statement of what he or she understands the complaint to be and ask the complainant to verify that statement. The Complainant may also submit any documents or information that is relevant to the Formal Complaint.

In a complaint that meets the Federal Title IX Regulation, the Title IX Coordinator may also sign a Formal Complaint against a Respondent (requesting an investigation) and in doing so will initiate the Grievance Process.

C. Mandatory and Discretionary Formal Complaint Dismissals.

- Under Title IX regulations, universities are required to distinguish between prohibited conduct that is “under Title IX” and prohibited conduct that is a violation of university policy. Under Title IX, the University must dismiss a Formal Complaint or the part of the allegations in a Formal Complaint, if applicable, where:
  a) The conduct alleged does not meet the definition of Sexual Harassment in the Federal Title IX Regulations and provided in this Policy;
  b) The alleged conduct did not occur in the University’s education program or activity; or,
  c) The alleged conduct did not occur against a person in the United States.

A dismissal under this provision only applies to allegations of Sexual Harassment under Title IX. In such an instance, the University may still investigate a Formal Complaint for allegations of Sexual Harassment under this Policy. The University may also investigate allegations of prohibited conduct under this Policy, but those allegations will not technically fall “under Title IX” pursuant to the federal Title IX regulations located at 34 C.F.R. Part 106. These will be handled through the Alternative Grievance Process in Appendix A.

ii. The University may dismiss a Formal Complaint, at its discretion, under this Policy’s Grievance Process for any of the following circumstances:

   a) If the Complainant sends a request to the Title IX Coordinator in writing to dismiss a Formal Complaint (e.g., withdraws the Formal Complaint or any allegations therein), as outlined in Section 4 of this Policy;
   b) If the Respondent is no longer enrolled or employed by the University;
   c) Any specific circumstances that prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or any allegations therein; or
   d) The conduct alleged does not meet the definition of any prohibited conduct under this Policy.

iii. If the University dismisses a Formal Complaint, the University must promptly and simultaneously provide both parties a written notice of the dismissal and the reason(s) for the dismissal.

D. Concurrent Criminal or Civil Proceedings. The University will not, as a matter of course, wait for the outcome of a concurrent criminal or civil justice proceeding to take action on a Formal Complaint in a University Grievance Process. The University has an independent duty to respond to Formal Complaints of Sexual Misconduct. At the University’s discretion, the University may delay the investigation or Grievance Process for a brief period due to concurrent criminal or civil proceedings on a case-by-case basis.

3. Written Notice of the Formal Complaint, and Notification of University Offices Offering Assistance

After receiving a Formal Complaint, the Title IX Office will provide a written notice to the parties of the Formal Complaint and available University resources and assistance. The written notice of the Formal Complaint will include the following:

1. A notice of the Grievance Process, as outline in this policy;
   1. A notice of the allegations that potentially constitute prohibited conduct under this Policy, including sufficient details about the alleged conduct, including the identity of the parties, if known, and the date(s), time(s), and location(s) of alleged conduct known by the University at the time of the Formal Complaint;
   1. A statement of the potential policy violations being investigated;
   1. A statement that the Respondent is presumed not responsible for the alleged conduct and that the determination regarding responsibility will be made at the conclusion of the Grievance Process;
   1. Both parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review all evidence;
   1. A statement that the parties may review evidence gathered as part of any investigation;
   1. Provision of this Policy that knowingly making false statements or knowingly submitting false information during the Grievance Process is prohibited and subject to disciplinary action; and
   1. Any other relevant information for the written notice.
4. Informal Resolution Option of Certain Formal Complaints

After the parties have been provided a copy of the written notice of a Formal Complaint, both parties may, in writing, voluntarily agree to use this Informal Resolution option, if applicable, at any point prior to reaching a determination regarding responsibility, but the parties are not required to do so. The Informal Resolution entails the parties forgoing the Grievance Process (including the investigation and hearing, depending on when the parties agree to engage in an Informal Resolution). The Informal Resolution may include a mediation process, for example.

- At any point prior to agreeing to an Informal Resolution, each party has a right to withdraw from the Informal Resolution process and resume the Grievance Process with respect to the Formal Complaint.
- Informal Resolution Availability. The Informal Resolution process is not permitted in cases where Sexual Harassment is alleged in the Formal Complaint. At any point prior to agreeing to an Informal Resolution, the parties have a right to withdraw from the Informal Resolution process and resume the Grievance Process with respect to the Formal Complaint. Informal Resolution may not available where the Respondent has previously participated in the Informal Resolution process.
- Informal Resolution Timeframe. Informal Resolutions of a Formal Complaint will be concluded within 60 calendar days of notice to the University that both parties wish to proceed with the Informal Resolution process. Such notice that the parties wish to proceed with an Informal Resolution process will “pause” the counting of the timeframe to conclude the Grievance Process in Section 6.11 of this Policy, should the Informal Resolution process fail and the parties continue with the Grievance Process.
- Informal Resolution Documentation. Any final resolution pursuant to the Informal Resolution process will be documented and kept for at least seven years as required by law (and see Section 6.10 of this Policy for additional information on Grievance Process Documentation). However, no audio or video recording of the Informal Resolution process will be made. All statements made during the Informal Resolution process cannot be used for or against either party (and the Hearing Officer and Appellate Officer may not consider any such statement(s) made during Informal Resolution) should the parties resume the Grievance Process. Failure to comply with an Informal Resolution agreement may result in disciplinary action.

5. Investigation of the Formal Complaint – Gathering of Evidence

A. After the University provides written notice of a Formal Complaint to the parties, the Respondent will be allowed no more than 10 business days to respond in writing after an interview with the investigator, unless an extension is requested and granted by the investigator.
B. The University will provide written notice to a party whose participation is invited or expected of the date, time, location, participants, and purpose of all meetings, investigative interviews, or other proceedings in the Grievance Process.
C. Evidence. The parties in the investigation may present any information and evidence that may be relevant to the Formal Complaint, and may have an advisor of their choice attend any related interview, meeting, or proceeding in the Grievance Process. Advisors are not permitted to actively participate in meeting or proceedings in the Grievance Process, except as explicitly outline in Section 6.7 (J) of this Policy. The parties may present the names of any fact or expert witnesses who may provide relevant information, and how the witnesses may be relevant to the Formal Complaint. The parties may submit to the investigator any questions they would like asked of any known potential witnesses or parties.

D. Investigation Timeframe. The investigation of a Formal Complaint will be concluded promptly and generally within 90 calendar days of the filling of a Formal Complaint, unless an extension is granted. The parties should be provided updates on the progress of the investigation, as needed.

E. Access to Evidence. Prior to the completion of the investigation report, the investigators will provide access to all evidence obtained (whether relevant or not) as part of the investigation to both parties (and the party’s advisors, if any, upon a party’s signed information release for his or her advisor of choice). Both parties will have at least 10 days to submit a written response. All response to the evidence must be submitted by the party in writing to the investigator and will be considered prior to the investigator completing the investigative report. Advisors are not permitted to submit written responses to the evidence on their own or on behalf of the party they are advising. The investigators will consider all timely responses submitted by the parties.

F. Completed Investigation Report. The completed investigation report will outline each of the allegations that potentially constitutes prohibited conduct under this Policy, provide the timeline (e.g., procedural steps) or the investigation, and fairly summarize relevant evidence, participant statements and responses to questions. The investigator will provide a completed investigation report concurrently to both parties and each party’s advisor, if any, upon a party’s signed information release for their advisor of choice at least 10 days prior to the date of the scheduled hearing to review and provide a written response at the hearing. A copy of the completed investigation report will be issued to the Title IX Coordinator, and to the hearing officer assigned for the hearing.

6. Standard of Evidence & Presumption of Not Responsible. All Grievance Processes will use the preponderance of the evidence standard, as defined in this Policy. By law, it is presumed that the Respondent is not responsible for the alleged conduct unless that determination regarding responsibility is made at the conclusion of the Grievance process. To reflect this presumption, the University’s notice of allegations must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Grievance Process.

7. Live Hearing – Determination of Responsibility

Absent a Formal Complaint dismissal or the parties’ decision to reach an Informal Resolution agreement (if applicable), the
University will provide a live hearing for all Formal Complaints subject to the Grievance Process as outlined in this Policy.

A. Written Notice of the Hearing. The University will provide at least 10 days written notice to participants of the hearing (and the participant’s advisor, if any, upon a participant’s signed information release for their advisor of choice), including the date, time, location, names of all participants of the hearing (including the hearing officer, and all parties and participants in the investigation report), purpose of the hearing, a statement of the alleged conduct charges, and a summary statement of the evidence gathered.

B. Challenges to the Hearing Officer. Either party may challenge the fairness, impartiality or objectivity of a hearing officer. The challenge must be submitted in writing to the hearing officer through the office coordinating the hearing within 4 days after notice of the identity of the hearing officer, and must state the reasons for the challenge. The hearing officer will be the sole judge of whether they can serve with fairness, impartiality, and objectivity. In the event that the hearing officer recuses themselves, an alternative hearing officer will be assigned in accordance with the institution’s procedures.

C. Hearing Officer Duties at the Hearing. The hearing officer will rule on all procedural matters and on objections regarding exhibits and testimony of participants at the hearing, may question participants who testify at the hearing, and is entitled to have the advice and assistance of legal counsel from the Office of General Counsel of the U.T. System.

D. Access to Evidence. Each party will have access to all evidence from the investigation, including a copy of the completed investigation report as outlined in Section 6.5 (F) in this policy.

E. Separate Rooms and Virtual Participation. At the request of either party, the University will provide the hearing to occur with the parties located in separate rooms with technology enabling the hearing officer and the parties to simultaneously see and hear the participants answering questions. Participants may appear at the hearing virtually, and are not required to be physically present at the same physical location of the hearing.

F. Each party may make opening and closing statements. Advisors may not deliver these opening or closing statements.

G. Privileged Information Excluded. No person will be required to disclose information protected under a legally recognized privilege. The hearing officer must not allow into evidence or rely upon any questions or evidence that may require or seek disclosure of such information, unless the person holding the privilege has waived the privilege. This includes information protected by the attorney-client privilege.

H. Advisor of Choice. Each party may have an advisor of their choice at the hearing. If a party does not have an advisor, the University will provide one. Advisors are not permitted to actively participate in the hearing, except for asking questions of the other party and any other witnesses. In addition, witnesses may have an advisor of their choice at the hearing.

I. Questioning of the participants in the hearing: The hearing officer may, at the hearing officer’s discretion, ask questions during the hearing of any party or witness and may be the first person to ask question of any party or witness. Each party’s advisor will have an opportunity to ask relevant questions and follow-up questions of the other party and of any witnesses that participate in the hearing, including question that challenge credibility. Each advisor has the ability to ask questions directly, orally, and in real time at the hearing. The parties will not be permitted to personally ask questions of the other party or any witnesses that participate in the hearing. The advisors may ask questions under the following procedure:

- The advisor will ask a question of the applicable participant.
- Before the participant answers a question, the hearing officer will rule as to whether the advisor’s question is relevant to the alleged conduct charges.
- If the hearing officer rules the advisor’s question as not relevant, then the hearing officer must explain any decision to exclude a question as not relevant. If the hearing officer allows the question as relevant, the participant will answer it.

Prior Sexual History: A Complainant’s sexual predisposition or prior sexual behavior are not relevant except where questions and evidence about a Complainant’s prior sexual behavior are offered to prove that someone other than the Respondent committed the alleged conduct charged by the Complainant or if the questions or evidence concern specific incidents of the Complainant’s prior sexual behavior with the Respondent and are offered to prove the Complainant’s consent of the alleged conduct.

Not submitting to cross examination: If a party or witness refuses to submit to any cross-examination questions during the hearing, the hearing officer will not rely on any statement of that party or witness, when reaching a responsibility determination. The hearing officer will not draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the hearing or refusal to answer questions.

J. Hearing Officer Determination. The hearing officer will issue a written determination, which must include the following:

- The allegations that potentially constitutes prohibited conduct under this Policy;
• A description of all the procedural steps of the Grievance Process under this Policy (from receipt of a Formal Complaint to the determination regarding responsibility of the Respondent, including any notifications of the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held);
• The findings of fact supporting the hearing officer’s determination;
• The conclusion(s) and rationale(s) as to whether the Respondent is responsible for each allegation;
• The disciplinary sanctions, if applicable;
• The remedies, if applicable, designed to restore the Complainants access to the education program or activity; and
• The institution’s procedures and permissible bases for the parties to appeal, if applicable.

The hearing officer will send a copy of the written determination concurrently to the parties, in addition to the Dean (for student Respondents) or appropriate administrator (for employee Respondents) and the Title IX Coordinator.

K. The hearing will be recorded in audio or audiovisual format. The recording will be available for the parties to inspect and review, upon request during the appeal process. The parties must make a request to receive this recording.

8. Sanctions and Remedies. The following sanctions and remedies may be considered by the hearing officer in accordance with this Policy:

A. Possible Sanctions and Remedies for Student Respondents:
• Educational training;
• No shared classes or extra-curricular activities;
• No contact directive;
• Disciplinary probation;
• Withholding of grades, official transcript, and/or degree;
• Bar against readmission, bar against enrollment, drop from one or more classes, and/or withdrawal from the University
• Suspension of rights and privileges, including but not limited to participation in athletics or extracurricular activities;
• Denial of degree;
• Suspension from the University for a specific period of time. Suspension is noted on the academic transcript with the term “Disciplinary Suspension.” The notation can be removed upon the request of the student in accordance with the University’s procedures when all conditions of the suspension are met;
• Expulsion (permanent separation from the University). Expulsion creates a permanent notation on the student’s academic transcript;
• Revocation of degree and withdrawal of diploma; and/or

B. Possible Sanctions and Remedies for Employee Respondents:
• Employee probation;
• Job demotion or reassignment;
• Suspension with or without pay for a specific period of time;
• Termination;
• Ineligible for rehire; and/or
• Other sanction(s) or remedies as deemed appropriate under the circumstances.

9. Appeals and Additional Processes Provided to Students and Employees

Appeals. Either party may appeal in writing to a hearing officer’s determination regarding a Respondent’s responsibility under the Grievance Process or from the University’s dismissal of a Formal Complaint (or any allegations in the Formal Complaint) within 10 days of such a determination, on the following basis:

• A procedural irregularity that affected the outcome of the matter;
• There is new evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; or
• The Title IX Coordinator, investigator(s), or hearing officer had a conflict of interest or bias for or against the parties (generally, or specifically in this matter) that affected the outcome of the matter.

The appellate officer must not be the same as the Title IX Coordinator, investigator(s), or hearing officer in the Grievance Process. Both parties will be notified in writing when an appeal is filed and the appeal procedures will apply equally for both parties.

Any non-appealing party (or the University) will have 7 days from the notification of an appeal to submit a written statement in support of the outcome. The decision-maker on the appeal will release a written decision within 21 days from the date of the appeal.

The appellate officer will release a written decision within 21 days from the date of the appeal to:

• Affirm the hearing officer’s determination regarding the Respondent’s responsibility and affirm the disciplinary sanctions and remedies, if applicable;
• Affirm the hearing officer’s determination regarding the Respondent’s responsibility and amend the disciplinary sanctions and remedies, if applicable;
• Remand the process back to the hearing stage for the hearing officer to remedy any procedural irregularity or consider any new evidence;
• Reverse the hearing officer’s determination of the Respondent’s responsibility and amend the disciplinary sanctions and remedies, if applicable; or
• Affirm or amend the sanctions and/or remedies outlined in the administrative disposition issued under this Policy.

10. Grievance Process Documentation. The University (through the appropriate office(s)) will retain all of the documentation included in the Grievance Process for at least seven years, in accordance with state and federal records laws and University policy. All documentation of records are private and confidential to the extent possible under law. Student records of the Grievance Process are disciplinary records under Family Educational Rights and Privacy Act (FERPA). Employee records of the Grievance Process are subject to the Freedom of Information Act (FOIA) and the Texas Public Information Act (TPIA), and included in the employee’s official employment record.

11. Grievance Process Timeframe. The entire Grievance Process will be completed in no more than 150 calendar days from the filing of the Formal Complaint. However, the circumstances may require a temporary delay in this timeframe and the University may extend this timeframe for good cause. In such an instance, the University will provide written notice to the parties of the delay or extension and the reason(s) for the action. Good cause may include considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The time period in this section does not include the period the parties attempted but failed to reach an agreement in the Informal Resolution Process, if applicable, and in such a case, the Grievance Process timeframe will be extended by the period the parties attempted to reach an Informal Resolution.

12. Alternative Grievance Process for Students – Applicable Exceptions for Non-Federal Title IX Formal Complaints. Please see Appendix A.

Handbook of Operating Procedures – 9.24 Sexual Harassment and Sexual Misconduct – Emergency Removal and Employee Administrative Leave

1. Emergency Removal. A Respondent may be removed from the University’s education program or activity on an emergency basis if, after an individualized safety and risk analysis, it is determined that such a removal is justified because the Respondent poses an immediate threat to the physical health or safety of an individual arising from the allegations of Sexual Misconduct. Under these circumstances, the Respondent will be notified in writing of the emergency removal from the University’s education program or activity, and the Respondent will have an opportunity to immediately challenge the decision following the emergency removal. Within 5 business days of the notification for emergency removal, the student must submit an appeal to the Emergency Appeal Official(s). After receipt of an appeal for emergency removal, the Emergency Appeal Official(s) will have 5 business days to provide the Respondent a written determination regarding the appeal.

2. Employee Administrative Leave. An employee Respondent may be placed on administrative leave, in accordance with the University’s policy and procedures on employee administrative leave, during the pendency of a Grievance Process, as outlined in this Policy.

Handbook of Operating Procedures – 9.24 Sexual Harassment and Sexual Misconduct – Dissemination of Policy and Education Programs

1. This policy will be made available to all University administrators, faculty, staff and students as well as potential applicants and employees online at https://www.utsa.edu/hop/chapter9/9-24.html and in University student catalog(s) and any employee handbook of operating procedures. Periodic notices will be sent to University administrators, faculty, staff and students about the University’s Sexual Harassment and Sexual Misconduct Policy, including, but not limited to, at the beginning of each fall and spring semester. The notice will include information about Sexual Misconduct, Retaliation, and other conduct prohibited under this Policy, including the Formal Complaint procedure, the University Grievance Process, and available resources, such as support services, health, and mental health services. The notice will specify the right to file a Formal Complaint under this Policy, the right to file a police report to law enforcement, the Title IX Coordinator’s contact information, and will refer individuals to designated offices or officials for additional information.

2. Ongoing Sexual Misconduct Training. The University’s commitment to raise awareness of the dangers of Sexual Misconduct includes providing ongoing education through annual training and lectures by faculty, staff, mental health professionals, and/or trained University personnel. Preventive education and training programs will be provided to University administrators, faculty, staff, and students and will include information about primary prevention, risk reduction, and bystander intervention: https://www.utsa.edu/Compliance/TitleIX/TitleIX_Training.htm

3. Training of Title IX Coordinator, Deputy Title IX Coordinator(s), Investigators, Hearing Officers and Appellate Authorities. All Title IX Coordinators, Deputy Coordinators, investigators, and those with authority over University Grievance Processes, and appeals shall receive training each academic year about applicable prohibited conduct, Grievance Processes, due process, and University policies related to Sexual Misconduct. All training materials used to train Title IX-related personnel (e.g., Title IX Coordinators, deputies, investigators, hearing officers, and appellate officers (among others)) will be made available on the University’s website: https://www.utsa.edu/Compliance/TitleIX/TitleIX_Training.htm

4. Annual Reporting and Notice. The University’s Title IX General Policy Statement will be made available to all students, faculty, and employees online (www.utsa.edu/eos), in required publications and in specified departments.

Handbook of Operating Procedures – 9.24 Sexual Harassment and Sexual Misconduct – Additional Conduct Violation under this Policy

1. Retaliation. Any person who retaliates against (a) anyone filing a report of Sexual Misconduct or Formal Complaint, (b) the parties or any other participants (including any witnesses or any University employee) in a Grievance Process relating to a Formal Complaint, (c) any person who refuses to participate in a Grievance Process, or (d) any person who under this Policy opposed any unlawful practice, is subject to disciplinary action up to and including dismissal or separation from the University. If any participant in a Grievance Process believes they have been subject to Retaliation (as defined in this Policy), they should
immediately report the alleged retaliatory conduct to the Title IX Coordinator.

2. False Information and False Complaints. Any person, who in bad faith, knowingly files a false complaint under this Policy or provides materially false information is subject to disciplinary action up to and including dismissal or separation from the University. A determination that a Respondent is not responsible for allegations of Sexual Misconduct does not imply a report, Formal Complaint, or information provided was false. Similarly, a determination that a Respondent is responsible for a policy violation does not imply that a Respondent’s statements disclaiming responsibility were false.

3. Interference with the Grievance Process. Any person who interferes with the Grievance Process (outlined in Section 6 of this Policy) is subject to disciplinary action up to and including dismissal or separation from the University. Interference with the Grievance Process may include, but is not limited to:
   a. Attempting to coerce, compel, or prevent an individual from providing testimony or relevant information;
   b. Removing, destroying, or altering documentation relevant to the Grievance Process; or
   c. Knowingly providing false or misleading information to the Title IX Coordinator, Deputy Title IX Coordinator(s), investigator(s), hearing officer(s), appellate authorities, or encouraging others to do so.

4. Failure to Report for Responsible Employees. Under state law, if a Responsible Employee knowingly fails to report all information concerning an incident the employee reasonably believes constitutes stalking, dating violence, sexual assault, or sexual harassment committed by or against a student or employee at the time of the incident, the employee is subject to disciplinary action, including termination.

For purposes of Failure to Report, the definition of sexual harassment, as defined under state law, is broader than the definition of sexual harassment under this Policy and is defined as: Unwelcome, sex-based verbal or physical conduct that:
   a. in the employment context, unreasonably interferes with a person’s work performance or creates an intimidating, hostile, or offensive work environment; or
   b. in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student’s ability to participate in or benefit from educational programs or activities at a postsecondary institution.

5. No Effect on Pending Personnel or Academic Actions Unrelated to the Complaint. The filing of a Formal Complaint under this Policy will not stop or delay any action unrelated to the Formal Complaint, including: (1) any evaluation or disciplinary action relating to a Complainant who is not performing up to acceptable standards or who has violated University rules or policies; (2) any evaluation or grading of students participating in a class, or the ability of a student to add/drop a class, change academic programs, or receive financial reimbursement for a class; or (3) any job-related functions of a University employee. Nothing in this section shall limit the University’s ability to take interim action or execute an emergency removal.

Campus Sexual Assault, Domestic Violence, Dating Violence, and Stalking Victim’s Bill of Rights

The United States Congress enacted the “Campus Sexual Assault Victim’s Bill of Rights” as a part of the Higher Education Amendments of 1992, as amended by the Campus Sexual Violence Elimination Act (Campus SaVE). This law requires that all universities afford sexual assault victims certain basic rights such as:

- Accuser and accused must have the same opportunity to have others present including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.
- Both parties shall be simultaneously informed of the outcome of any disciplinary proceedings in writing.
- Survivors shall be informed of the options to notify law enforcement, including on-campus and local police.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations, if so requested by the victim and if such accommodations are reasonable available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Programs for Awareness and Programs to Prevent Sexual Assault, Domestic Violence, Dating Violence and Stalking

UTSA provides students, faculty, and staff with ongoing awareness and prevention related to sexual assault, domestic violence, stalking, and dating violence. These initiatives can help campus community members reduce their risk of becoming a victim of sexual assault, domestic violence, dating violence and stalking.

Furthermore, the awareness and prevention programs are designed to be culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and assessed for value, effectiveness. These programs also consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

The 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 our UTSA community. The center’s services are: Prevention, Education, Advocacy, Consultation & Empowerment for students, faculty and staff impacted by interpersonal violence and/or sexual violence and to establish 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.

The UTSA PEACE Center houses the Student Advocate who’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 are able to provide these services in a confidential manner.

The UTSA PEACE Center also houses the Prevention Specialist whose primary role is to provide trainings, workshops, outreach, and awareness in areas related to prevention of sexual violence and interpersonal violence, as well as in trauma informed responses and other topics, in alignment with the national awareness campaigns, related to the umbrella of services. This role is primarily focus on
student programming and is responsible for creating and maintaining social media channels.

The UTSA PEACE Center is the hub for our Campus Violence Prevention Action Team, comprised of approximately 25 members and stakeholders from across campus. This team of faculty, staff, and students have 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 fill the gaps revealed by the data provided to us by the Culture of Respect Collective.

UTSA PEACE Center is located on the Main Campus in the Recreation & Wellness Center 1.802 and can be reached at (210) 458-4077.

Additional prevention, risk reduction, and awareness programs at UTSA are listed below.

**Sexual Assault Awareness Month (SAAM Activities/Programs):** Various departments collaborate each April to participate in this nationwide event by hosting activities that promote sexual assault awareness and prevention. Events include tabling in high traffic areas of campus, workshops, film screenings, discussion groups, social norming campaigns, social media outreach, photo booths and collaboration with registered student organizations. Learn more at http://www.utsa.edu/studentadvocacy/SAAM/index.html

**Call to Action Day:** Each April, UTSA raises awareness of sexual violence prevention through Call to Action Day, a university-wide educational fair. Attendees can ask questions about sexual harassment and sexual assault, obtain information about sexual violence and make a pledge to become an active bystander.

**Take Back the Night:** Each fall, UTSA participates in Take Back the Night, a gender inclusive experience to help college students take back the night and stop intimate and interpersonal violence on campus. Take Back the Night programming encourages students to prevent sexual assault and dating/domestic violence while promoting community resources.

**National Night Out:** This annual fall event aims to decrease crime and increase safety awareness. It features crime prevention information tables, games, food and entertainment.

**Safety Escort Program:** Uniformed UTSA Police Department staff provide escorts around the clock upon request to and from any campus location. Request an escort by calling (210) 458-4242.

**Rowdy Wing Fling:** A program offered to students in the first six weeks of the fall semester that focuses on risk education around the topics of alcohol, drugs, sexual violence, and individual responsibility.

**Party on the Paseo:** An annual spring event that occurs during San Antonio’s FIESTA celebration. The program focuses on alcohol and drug awareness and provides resources available to promote and decrease the risk of alcohol-involved situations, including sexual assaults, violence, and bystander intervention.

**Online Student Sexual Assault Prevention Programs:** This online program, educates students about the elements of healthy relationships, the importance of sexual consent and the role of bystanders in creating safe, healthy communities. This program is required for all first time freshman, transfer students, and incoming graduate students. Ongoing training is available for current students.

**Crime Prevention Presentation:** The UTSA Police Department Community Affairs Section offers a series of presentations to students about personal safety, risk reduction, sexual assault prevention, acquaintance rape, women’s self-defense, and alcohol and drug awareness. Customized crime prevention presentations and literature related to sexual harassment and sexual assault prevention are also available. Learn more: http://www.utsa.edu/publicsafety/pd/general_information/safety_topics/

**Institutional Standards of Conduct Training:** This regular training for faculty, staff, and student employees addresses federal and state laws, particularly those that are relevant to a higher education environment. The training covers sexual harassment, Title IX and Campus SaVE and informs university employees about crime prevention and their mandatory reporting responsibilities.

**Title IX Training:** This comprehensive classroom training about Title IX educates responsible employees about issues related to stalking, dating and domestic violence, and sexual assault.

**Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

**Violence Against Women Act of 1994 (VAWA) and Reauthorization Act of 2013**

On March 7, 2013, President Obama signed a bill that strengthened and reauthorized the Violence Against Women Act of 1994. Included in the bill was the Campus Sexual Violence Elimination Act (Campus SaVE), which amends the Jeanne Clery Act and affords additional rights to campus victims of sexual violence, dating violence, domestic violence, and stalking.

**Introduction**

It is the policy of UTSA to maintain an environment that is free from intimidation and one in which students may be educated to their fullest potential. UTSA fosters an understanding of difference and cultivates the ethical and moral issues that are the basis of a humane social order. Therefore, UTSA prohibits and will not tolerate physical abuse, threats of violence, physical assault, or any form of sexual assault, including but not limited to acquaintance or date rape, domestic violence, dating violence, and/or stalking. In addition, all such acts of sexual violence are considered forms of Sexual Harassment covered under Title IX of the Education Amendments of 1972 (Title IX) and the 1994 Violence Against Women Act.

**State Definitions**

In Texas, the Family Code defines “Family Violence” (domestic violence) to mean an act, other than a defensive measure to protect oneself, by a member of a family against another member of the family that is intended to result in physical harm, bodily injury, or sexual assault or that is a threat that reasonably places the family member in fear of imminent physical harm, bodily injury, or sexual assault. (Texas Family Code 71.004)

“Dating Violence” is defined in Texas as an act, other than a defensive measure to protect oneself, that is committed against a victim with whom the actor has or has had a dating relationship; or because of the victim’s dating relationship with an individual with whom the
actor is or has been in a dating relationship. The act is intended to result in physical harm, bodily injury, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, or sexual assault. A "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature, which is determined based on consideration of the length, nature, frequency and type of interaction between the persons involved in the relationship. (Texas Family Code 71.0021)

The Texas Penal Code defines “Sexual Assault” as an offense if committed by a person that intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; or causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor. (Texas Penal Code Sec. 22.011)

“Without Consent” in regards to sexual assault is defined in Texas Penal Code as:

1. the actor compels the other person to submit by the use of violence;
2. the actor compels the other person to submit by threatening to use violence against the victim or against any other person;
3. the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
4. the actor knows that as a result of mental disease the other person is at the time of the sexual assault incapable of appraising the nature of the act;
5. the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
6. the actor has intentionally impaired the other person's power to appraise the victim's conduct by administering any substance without the victim's knowledge. (Texas Penal Code Sec. 22.011)

Texas law defines “Stalking” when a person commits an offense on more than one occasion and pursuant to the same course of conduct directed specifically at another person, knowingly engages in conduct that:

1. the actor knows or reasonably believes the victim will regard as threatening bodily injury or death for the other person; bodily injury or death for a member of the other person's family or for an individual with whom the other person has a dating relationship; or that an offense will be committed against the other person's property;
2. causes the other person, a member of the other person's family, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or fear that an offense will be committed against the other person's property. Further, it would cause a reasonable person to fear bodily injury or death for themselves; bodily injury or alleged for a member of the person's family or for an individual with whom the person has a dating relationship; or that an offense will be committed against the person's property. (Texas Penal Code Sec. 42.072)

Federal Definitions – Violence Against Women Act 1994

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.

1. The existence of such a relationship shall be 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.
2. For the purposes of this definition:
   a. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
   b. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence: A felony or misdemeanor crime of violence committed...

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. 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
5. 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.

Stalking:

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to...
   a. Fear for the person's safety or the safety of others; or
   b. Suffer substantial emotional distress.
2. For the purposes of this definition:
   a. Course of conduct means two or more acts, including, but not limited to, acts 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.
   b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
   c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, A sex offense is “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 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.

Procedures to follow if you are a Victim of Sexual Assault, Domestic Violence, Dating Violence or Stalking

Anyone who is a victim of any form of sexual assault, domestic violence, dating violence, or stalking should immediately call the UTSA Police Department by dialing 4911 on campus or by calling (210) 458-4911. Reporting these crimes does not mean that the victim has to press charges, whether the offense occurred on or off campus, will be provided with a written explanation of the victim’s rights and options.

UTSA will protect the confidentiality of victims and other necessary parties in all public access records, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925 (a)(20)). UTSA will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of UTSA to provide the accommodations or protective measures.

Notification of Law Enforcement

Victims of sexual assault, domestic violence, dating violence and stalking or persons who have information regarding these crimes are strongly encouraged to report the incident to the UTSA Police Department immediately. It is UTSA’s policy to conduct investigations of all sexual assault, domestic violence, dating violence, and stalking complaints with sensitivity, compassion, patience, and respect for the victim.

Investigations are conducted in accordance with guidelines established by the Texas Penal Code, Code of Criminal Procedure, and the Bexar County District Attorney’s Office. UTSA will report all acts of sexual violence to the Title IX Coordinator on campus. A victim of sexual assault, domestic violence, dating violence or stalking has the right to decline notification or reporting to law enforcement authorities.

Non-Reported Sexual Assault Evidence Program

The Non-Reported Sexual Assault Evidence Program allows survivors of a sexual assault to obtain a forensic medical exam and have evidence collected, without cost to the victim, even if they do not wish to involve law enforcement personnel at the time of its collection. This will secure the evidence while giving the survivor time to consider if they wish to report the assault. The Methodist Specialty and Transplant Hospital located at 8026 Floyd Curl Drive (210-575-8168) employs trained Sexual Assault Nurse Examiners. Sexual assault victims enter through the emergency room, but have a separate waiting area and exam room. A victim may bring a friend to the hospital for support. A Rape Crisis Center Advocate can be present to offer emotional support. If the assault occurred weeks or months before, medical attention is still important. Contact UTSA’s Community Affairs Section at (210) 458-6250 or the Student Health Services’ Women’s Resource Center at (210) 458-6829 for more information or assistance. Student victims of sexual violence can also contact the Title IX Coordinator in the Office of Equal Opportunity Services at (210) 458-4120.

Bystander Intervention

Bystander intervention is defined as the willingness to take action and help someone in time of need. Safe and positive options for bystander intervention will be in place for an individual who intervenes to prevent harm when there is a risk of sexual assault, domestic violence, dating violence, and stalking against a person. Safe and positive options for bystander intervention include:

- Get others involved
- Call UTSA Police (210) 458-4911
- Report to a 24-hour Crisis Helpline – for emotional support (210) 458-4140
- Report to the Equal Opportunity Services office (210) 458-4120

Getting others involved and reporting potential or actual crimes to the police or UTSA officials helps to mitigate risk for the bystander and serves to ensure that the victim receives appropriate care as well as addressing the offender’s behavior. UTSA has a Beaks Up Speak UP program designed to establish a culture of care where bystanders would not stand idly by when trouble reared its head, but rather would choose to intervene for one another.

www.utsa.edu/beaksup/
Behavioral Intervention

The Behavioral Intervention Team (BIT) is dedicated to a proactive, coordinated, and planned approach to the identification, prevention, assessment, management and reduction of interpersonal and behavioral threats to the safety and well-being of UTSA students, faculty, staff, and visitors. Anyone can report concerning or threatening behavior to the Behavioral Intervention Team by submitting an online referral at www.utsa.edu/bt or speaking with a team member.

Pseudonym/Criminal Charges

All information and reports of sexual assault are kept strictly confidential. In accordance with the Texas Code of Criminal Procedures Art. 57, victims may use a pseudonym to protect their identity. A pseudonym is a set of initials or a fictitious name chosen by the victim to be used in all public files and records concerning the sexual assault. The victims of sexual assault, domestic violence, dating violence, and stalking are not required to file criminal charges or seek judicial actions through the university disciplinary process. However, victims are encouraged to report the assault in order to provide the victim with physical, academic and emotional assistance.

Police Training

UTSAPD officers attend the Sexual Assault Family Violence Investigators Course (SAFVIC). This course is specifically designed to provide law enforcement officers with the tools they need to effectively investigate and prevent sexual assault and family violence. The curriculum covers crucial aspects for law enforcement’s response to these crimes, as well as the creation and use of community-based resources to assist law enforcement’s efforts.

Victim Support Services

Written information and assistance is available for the victim through the following resources:

- UTSA Counseling and Mental Health Services (210) 458-4140
- Student Health Services (210) 458-4142
- UTSA PEACE Center, Confidential Advocacy Services (210) 458-4077
- Rape Crisis Hotline (210) 349-7273
- Rape Crisis Center (210) 521-7273
- The Bexar County Family Justice Center (210) 208-6800
- The Office of Student Life (210) 458-4720

These departments can provide support services to the victim and specifically assist the victim with reporting a sexual assault, domestic violence, dating violence, or stalking to the UTSA Police Department. The UTSA Police Department Community Affairs Section is available to all victims to provide an immediate safety plan, written information about personal safety, information and assistance in obtaining protective or no contact orders, information and assistance with campus housing relocation for campus residents, Texas Crime Victims’ Rights, Texas Crime Victims Compensation Fund, and other related information upon request.

Reports of sexual assault, domestic violence, dating violence, and stalking can also be made to the San Antonio Police Department at (210) 207-7273 or the Bexar County Sheriff’s Office at (210) 335-6000.

The UTSAPD Community Affairs Section can assist the victim in contacting these agencies, if requested. Support can also be provided to the victim for visa and immigration assistance by the UTSA International Students Services Office at (210) 458-7202 and for student financial aid by the UTSA Student Financial Aid and Enrollment Services Office at (210) 458-8000.

Protective and No Contact Orders:

Victims of sexual assault, domestic violence, dating violence, and stalking are eligible to apply for protective orders and/or no-contact orders or similar lawful orders issued by a criminal, civil, or tribal court and/or Office of Student Conduct and Community Standards. Protective Orders may prohibit the offender from committing further acts of family violence; or harassing or threatening the victim, either directly or indirectly by communicating the threat through another person. A “No Contact Order” is a court order or administrative order that prohibits someone from contacting another person in any way. Texas law provides for the criminal enforcement of valid protective orders issued by a Texas court and valid out of state protective orders. For more information on protective orders, contact the UTSAPD Community Affairs Section at (210) 458-6250 or (210) 458-6974 or the Bexar County Family Justice Center at (210) 208-6800.

Supportive Measures: Assistance with Changes in Academic and Living Situation

The EOS/Title IX office can assist with supportive measures prior to or during an investigation. The EOS/Title IX office provides this in their CARES document. In addition to the services provided by on and off-campus providers, the EOS/Title IX office can take immediate action to implement supportive 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. Supportive measures are designed to ensure equal access to educational programs and activities as well as equal access to the workplace.

The following list is not exhaustive and each situation will be handled on a case-by-case basis to evaluate what might be reasonable available under the specific circumstances:

- Class schedule or dorm room changes
- Work schedule changes
- Transportation assistance
- Change in dining location
- Excused absences or substitute assignments
- Escorts for safe movement within the campus community
- University-issued stay away orders or agreements
- Supportive measures- counseling, mental health, medical services
- Assistance acquiring victim advocacy services from local providers
- Assistance acquiring VISA and immigration information
- Assistance acquiring student financial aid information
- Assistance acquiring legal services information

Parties are encouraged to communicate any other needs regarding protective measures that may not be listed and, if available additional protective measures may be provided.
Sex Offender Registration Requirements

Federal law requires convicted sex offenders to register with local law enforcement in the jurisdiction where they live as well as those who have indicated that they are enrolled, employed, or carrying on a vocation at institutions of higher learning. That information is provided to the Texas Department of Public Safety, which maintains a public database of names, crimes, and addresses. Information concerning Sex Offender Registration information and registered sex offenders is found at the Texas Department of Public Safety web site for Sex Offender Registration:

https://records.txdps.state.tx.us/SexOffender/index.aspx

Drug and Alcohol Policies

The Drug Free School and Communities Act of 1989 requires institutions of higher education to adopt and implement programs to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol. UTSA is a drug free school and complies with the Drug Free Workplace Act of 1990. Information concerning these programs must be distributed to students annually. For information regarding these policies, please refer to the Drug-Free Schools and Communities Act provided by the Office of the Dean of Students and Senior Vice Provost for Student Affairs and the 2020-2021 Student Information Bulletin, Section F. Drug Free Schools & Communities Act located at:

http://catalog.utsa.edu/policies/administrativepoliciesandprocedure/s/drugfreeschoolsandcommunitiesact/

Additionally, in compliance with the Education Department General Administrative Regulations - Part 86 and the Drug Free Schools and Campuses Regulations: A Guide for University and College Administrators, UTSA People Excellence annually documents the university’s efforts regarding compliance to the act in December. A memo is generated certifying UTSA’s compliance with the regulation, along with documentation of all UTSA compliance actions.

UTSA is committed to maintaining a safe and healthy environment for the campus community. Alcohol and other drugs should not interfere with UTSA’s educational mission. All UTSA students, faculty, staff, administrators, and visitors are subject to local, state, and federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs.

Drugs

The unlawful manufacture, distribution, dispensing, possession, or use of illegal drugs on any UTSA campus or at any UTSA sponsored event held off campus is prohibited. No one may use illegal substances, or abuse legal substances, including alcohol, in a manner that impairs performance of assigned tasks.

Texas law prohibits the medically unsupervised use, possession, sale, manufacture, or distribution of drugs classified as illegal; or the use, possession, sale, manufacture, or distribution of prescription medication used in an illegal manner or used in a manner other than that prescribed. Students determined to be in violation are subject to arrest, criminal prosecution, and referral to Student Conduct and Community Standards for disciplinary action. Additional policies on drugs regulated by campus housing may apply at campus housing facilities.

The UTSA Student Code of Conduct prohibits the use, manufacture, possession, sale, or distribution on campus of the substances defined and regulated under the Texas Health and Safety Code; except as may be allowed by the provisions of such articles.

Alcohol

The use of alcoholic beverages must comply with Texas law and is strictly limited to persons 21 years of age or older. The possession, transportation, and/or consumption of alcohol by individuals less than 21 years of age is strictly prohibited. UTSA police officers enforce laws regulating the use of alcoholic beverages and underage drinking. Officers may issue court appearance citations or affect an arrest if required by law. In addition, student violators are referred to the Student Conduct and Community Standards office and Housing and Residence Life as appropriate. Alcoholic beverages may not be consumed or possessed in public areas of the university, except for approved catered events and the Chil’s restaurant in the Student Union or at authorized off-campus facilities. Additional policies on alcohol regulated by Housing and Residence Life apply at campus housing facilities. According to the UTSA Student Code of Conduct, the use or possession of any intoxicating beverage is prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural facilities, housing facilities (except at University Oaks with specific restrictions), and all other public areas. Regarding the possession and consumption of alcoholic beverages, Texas state law will be strictly enforced on the campuses at all times.

Drug and Alcohol Services on Campus

As a part of Counseling and Mental Health Services, the UTSA Recovery Center, a collegiate recovery program, provides a continuum of care for alcohol and other drugs, including education and prevention, assessment and intervention, and recovery support for students in long-term recovery. Students can participate in individual consultations to determine appropriate recommendations. Interventions include BASICS/CASICS, a 2-session brief intervention that provides education about and assessment of the use of alcohol and marijuana with the aim of reducing consequences of use. Some students may benefit from a more long-term approach, which includes an in-depth substance use assessment and ongoing solution-focused sessions and/or referrals to community treatment providers. Students in recovery from addiction or destructive behaviors can benefit from mutual aid groups, including 12-step meetings, SMART recovery, or a harm-reduction approach. The Recovery Center provides a space where in or interested in recovery can socialize, build community, and feel safe, accepted, and supported.

Student Health Services (210) 458-4142 is located in the Recreation and Wellness Center, Room 1.500 and no appointment is required. Student Health Services provides referrals for education and other support services to students dealing with alcohol and drug issues. Student Health Services offers a Peer Education Program, whose mission is to promote healthy lifestyles and better decision making to the UTSA community by providing accurate health information and resources to students. The program consists of Peer Educators who are UTSA student volunteers who provide peer-to-peer education on various health topics through fun and interactive games and discussions. Peer Educators work together to promote wellness by increasing awareness of student health issues and encouraging positive lifestyles. Topics covered in the Peer Education Program include:
These programs include:
- Departments in providing alcohol and drug awareness programs.
- UTSA’s 248 student organizations regarding drug and alcohol use and risk education staff to facilitate discussions with representatives of student organizations. Campus wide programs with educational messages regarding alcohol and drugs are offered throughout the year. Educational programs include Rowdy Wing Fling, Party on the Paseo, and Late Night at the Rec. Classroom and student organization presentations are also offered.

Student Conduct and Community Standards (210-458-4720) located in the Student Union, Room 2.02.18, administers the disciplinary process using the E.P.I.C. (Engagement, Personal development, Interpersonal development, and Community membership) Journey Sanctioning Model. This developmental approach to conduct includes combining consistently applied inactive sanctions such as probation and deferred suspension, with active experiences, in order to engage the student in risk education and learning. This combination of sanctions provides a journey intended to transform the student’s decision-making patterns.

The UTSA Police Department collaborates with other campus departments in providing alcohol and drug awareness programs. These programs include:
- National Collegiate Drug & Alcohol Week
- Spring Break Safety
- U in the Driver Seat
- Late Nite @ the Rec
- Rowdy Wing Fling

People Excellence offers the Employee Assistance Program, a confidential service that includes short-term assessments, counseling, prevention, education, crisis intervention, and referral for a wide range of issues including substance abuse. Learn more:

http://www.utsa.edu/hr/EmployeeRelations/eapinfo.html

Safety Awareness Programs

UTSA encourages all students and employees to take an active role in their own security and practicing good safety habits. The university offers a number of campus-wide educational programs, including:

Roadrunner Days: A series of required events for all freshmen and transfer students that traditionally takes place on the two days prior to the first day of classes and held once a year that includes elements of safety and security from UTSA PD.

Health Services Information Fairs: Held twice a year to give faculty, staff, and student’s information on various health issues to include HIV awareness, drug and alcohol dependency issues, and sexual assault awareness.

International Student Orientation: Usually held three times a year for international students to gain knowledge of UTSA student support services and academic life, and to reduce anxiety about the transition to U.S. college life.

Student Health Services - Alcohol and Drugs Presentation: This is a peer-led discussion on the risks of alcohol and drug use that is presented to student organizations, in a classroom or conference setting, and offered several times during the year.

UTSA PEACE Center: The PEACE Center provides confidential advocacy services to students, faculty, and staff who have experienced incidents related to sexual violence. Advocates utilize a comprehensive approach to assist victims with getting their core needs met in the following areas: safety, healing, justice, and restitution.

State Mandated Risk Management Training for Student Organizations: In September 2007, the State of Texas passed a law requiring student organization leaders and advisors to attend a training course that covers seven risk management topics that include alcohol, drugs, hazing, sexual harassment, firearms, weapons, travel and behavior at organization events. It is the hope of both the State of Texas and UTSA that students will practice risk management techniques in order to have safe student organizations.

UTSA Student Organizations: Organizations are required to send two student leaders each academic year to a state mandated risk management training course provided by Student Activities. Advisors of student organizations are required to attend at least one training. Once the organization has had two leaders attend a training session, it is the duty of those representatives to ensure that members of their organization are aware of the information presented.

E.P.I.C Journey: Administered by Student Conduct and Community Services, the E.P.I.C. Journey model is a developmental approach to conduct intended to transform the student’s decision making patterns.

Beaks Up Speak UP: Recognize. Choose. Act. View the UTSA Call to Action Day Video

These programs are offered at scheduled times during the year and all university community members are encouraged to attend.

Campus Carry

General Provisions

Subject to applicable Texas or federal laws and rules adopted by UTSA, individuals holding a valid license to carry (LTC) or the former state designation for the same, Concealed Handgun License (CHL), will be allowed to carry their Handgun, concealed on their person on the Campuses of UTSA, except in areas designated as Exclusion Zones as outlined in Appendix A.

Pursuant to Texas Penal Code Sections 46.035 and 30.07, the open Display of a Handgun in plain view of another person on UTSA campuses is never allowed except by authorized individuals, such as...
Licensed peace officers of the UTSA Police Department, or other commissioned peace officers.

While UTSA will employ all reasonable means to clearly delineate Exclusion Zones by signage in accordance with Texas law, it is the responsibility of the License Holder to know, understand, and follow these rules and applicable laws while on UTSA campuses. Holders of such permits are bound by state and federal law and may face criminal or civil penalties for violation of those statutes.

Authorized LTC Holders are not required to disclose their status to anyone other than a law enforcement officer. UTSA will not maintain a list of LTC Holders. This information is not a matter of public records. UTSA employees (other than law enforcement officers) may not, under any circumstances, require students or employees to disclose their LTC status.

UTSA will not provide gun storage on Campuses. LTC Holders must keep their Concealed Handguns in a secure location, on, or about their person at all times. For the purposes of this policy and subject to the requirements of Texas law, “on or about one’s person” means close at hand and within such distance of the LTC Holder so that, without materially changing his/her position, the LTC Holder could get his/her hand on it. UTSA recommends the use of holsters or protective covers.

LTC Holders are responsible for safeguarding their Handguns at all times and must take all necessary precautions to ensure their handguns are secured in a manner that is most likely to prevent theft, loss, damage, misuse, or accidental discharge. LTC Holders are liable for any and all damage, injury, liability, loss, cost, or expense, directly or indirectly resulting from or arising out of an accidental or inadvertent discharge of their Concealed Handgun or their violation of this policy.

**Specific Exclusions to Concealed Carry of a Handgun**

The UTSA President is the only person with the authority to declare a specific area as an Exclusion Zone. Therefore, except as provided herein, without the express written consent of the President, no faculty member, staff member, student, or student groups may designate an area as an Exclusion Zone.

Subchapter H, Chapter 411 of the Texas Government Code gives the presidents of public universities the ability to designate gun-free zones on their campuses. UTSA has identified Exclusion Zones based on applicable laws and regulations, the general makeup of the campus population in those areas, safety considerations, and any unique material characteristics of the areas. The Texas Government Code 411.2031(d-1) and the Texas Penal Code 30.06 require notice to be given regarding areas where LTC Holders may not carry. Signage will be provided for these areas, using the required wording. A list of Exclusion Zones can be found in Appendix A.

**Training and Awareness**

Mandatory training regarding information about the Campus Carry Law and procedures for responding to violations or associated emergencies will be provided to faculty, staff and students.

**Compliance, Violations and Enforcement**

Compliance is the responsibility of all persons on UTSA Campuses. It is the responsibility of the LTC Holder to know, understand, and follow this policy and applicable laws while on UTSA Campuses. LTC Holders are bound by state and federal law and may face criminal or civil penalties for violation of those statutes.

Any violation of this policy by members of the UTSA community will be dealt with in accordance with applicable University policies and procedures, which may include disciplinary actions up to and including termination of employment for employees or expulsion for students.

Violations of this policy by anyone not a member of the UTSA community will result in removal from UTSA property. Suspected violations of law will be reported to the UTSAPD or other law enforcement agencies and may result in criminal penalties.

Individuals should report noncompliance to UTSAPD who will forward potential violations to the Office of Institutional Compliance and/or People Excellence or Student Conduct and Community Standards.

**Missing Students who Resides On Campus**

If any person has reason to believe that a student is missing, he or she should immediately notify the UTSA Police Department (UTSAPD) at (210-458-4911). Missing students who reside in on campus housing (Alvarez Hall, Chaparral Village, and Laurel Village) may also be reported to the Director and/or Associate Director for UTSA Housing and Residence Life (210-458-6200) and they will immediately notify the UTSA Police Department. Depending on jurisdictional issues, UTSAPD will generate a missing person report, initiate an investigation and/or assist outside law enforcement agencies in the furtherance of a missing person investigation by sharing relevant investigative information.

Prior to moving into on campus housing, all students have the option of designating someone as their “Missing Person” contact. This designation is confidential and can be the same as or different than the person designated as the student’s “emergency” contact. UTSAPD shall notify the Missing Person contact within 24 hours of its determination that a student is missing. If the missing student is under the age of 18 and is not an emancipated individual, UTSAPD will also notify the student’s parent or legal guardian. The confidential contact information is restricted and will only be used by authorized campus officials and/or law enforcement in the furtherance of a missing person investigation as well as appropriate campus officials and/or law enforcement as necessary in compliance with all applicable privacy laws. Students who wish to identify and select a confidential contact can do so through their respective on-campus housing management.

Regardless of whether the student has identified a contact person, if the student is above the age of 18, or is an emancipated minor, the person determining that the student is missing or the campus representative to whom the report is made, will inform the local law enforcement agency that has jurisdiction in the area within 24 hours that the student is missing.

**Self-Protection for On-Campus Residence**

- **BE AWARE!** Residents should be familiar with who lives in their building and who does not.

Report any suspicious person or activity immediately to UTSA Housing and Residence Life at (210) 458-6200, or the UTSAPD at (210) 458-4242.
Always lock your door and windows. Lock them especially at night before you go to bed or when you are alone in your apartment. Make sure you have your ID with you when you lock your door.

Promptly report any unlocked doors and windows, or any door and window that is not locking securely.

DO NOT OPEN your door to STRANGERS! Never unlock your door for a person you cannot identify, or for persons who refuse to sufficiently identify themselves. If such a situation occurs, do not hesitate to contact HRL or the UTSAPD.

Report all suspicious telephone calls to a staff member. Never give your credit card number, social security number, or student ID number over the phone.

Whenever possible, travel with a group, especially at night or early morning. Always alert your roommate, a friend, or a staff member as to your destination and when you expect to return.

Travel in well-lighted areas at night and early in the morning.

Avoid shortcuts through dark, wooded, or deserted areas.

Whenever possible, walk facing traffic so you can better judge potential traffic hazards and decrease the possibility of being followed by someone in a vehicle. Step away from alleys and recessed doorways.

Park in the best-lighted area you can find. If you park early and leave late, take the time in the afternoon to move your car to a well-lighted area. Report areas that are not well lighted. Notify a staff member if you notice an exterior light that is not working.

Keep car keys in your hand when walking to your car. These can be used as a weapon. This also cuts down the time it takes to get into your car. Check beneath your vehicle as well as in the back seat to ensure no one is hiding there.

Never leave keys in your car, even if you plan on being gone from your car only a few moments. It takes less than a minute to steal a typical locked vehicle, and a few seconds to steal a car with keys in the ignition. It is also against the law to leave your vehicle running with keys in the ignition.

Keep car doors locked when riding in any vehicle.

**On-Site Staff**

Chaparral Village has 22 Resident Assistants who live on-site. Laurel Village has 15 Resident Assistants who live on-site. Alvarez Hall has 16 Resident Assistants who live on-site. There are also four professional staff members living on-site who provide support to the RAs. Together, these staff members provide after-hours emergency coverage.

**Contact an RA on-call staff member:**

- Chaparral Village Buildings 1, 2, 3, 4, 5, and 12  
  • (210) 889-0481
- Chaparral Village Buildings 6, 7, 8, 9, 10, and 11  
  • (210) 336-2578
- Laurel Village Buildings 1, 2, 3, and 4  
  • (210) 336-2541
- Laurel Village Buildings 5, 6, 7, and 8  
  • (210) 889-0026
- Alvarez Hall North Tower  
  • (210) 315-7139
- Alvarez Hall South Tower  
  • (210) 315-3631.
### 2019 Main Campus Crime Statistics

There were no hate crimes reported at either campus in 2019.

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**Violence Against Women Act Offenses**

<table>
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</table>

Of the thirteen reported rapes, five were associated with the same individuals.

Through police investigation, one stalking was unfounded and not included in the above crime statistics.

### 2019 Downtown Campus Crime Statistics

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
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<tbody>
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<tr>
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</tr>
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**Violence Against Women Act Offenses**

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<td>Stalking</td>
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</table>

The murder/non-negligent manslaughter involved two unaffiliated persons after an assault occurred outside Clery geography and was investigated by SAPD.

Through police investigation, one rape was unfounded and not included in the above statistics.
2018 Main Campus Crime Statistics

There were no hate crimes reported at either campus in 2018.

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Total</th>
<th>On Campus-Student Housing</th>
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<tbody>
<tr>
<td>Murder/Non-Negligent Manslaughter</td>
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### Violence Against Women Act Offenses

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Total</th>
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<tbody>
<tr>
<td>Domestic Violence</td>
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</table>

Through police investigation, one robbery and one motor vehicle theft were unfounded.

2018 Downtown Campus Crime Statistics

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Total</th>
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<tbody>
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<td>1</td>
</tr>
<tr>
<td>Incest</td>
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### Violence Against Women Act Offenses

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Total</th>
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<td>Stalking</td>
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As a result of a comprehensive review some statistics were revised.
2017 Main Campus Crime Statistics

There was one Hate Crime of Intimidation with a bias of religion reported on campus in 2017.

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Total</th>
<th>On Campus-Student Housing</th>
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### Violence Against Women Act Offenses

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<tr>
<th></th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Total</th>
<th>On Campus-Student Housing</th>
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</table>

Through police investigation, there were two unfounded motor vehicle thefts and one unfounded stalking.

2017 Downtown Campus Crime Statistics

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Total</th>
</tr>
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### Violence Against Women Act Offenses

<table>
<thead>
<tr>
<th></th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Violence</td>
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<td>0</td>
</tr>
<tr>
<td>Dating Violence</td>
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<tr>
<td>Stalking</td>
<td>0</td>
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</tr>
</tbody>
</table>

As a result of a comprehensive review some statistics were revised.
Fire Safety Report

The Higher Education Opportunity Act, enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an Annual Fire Safety Report that contains information about campus fire safety practices and standards of the institution. Details of the information required by this act for The University of Texas at San Antonio (UTSA) are below.

Definitions

The following terms are used in this report. Definitions have been obtained from the Handbook for Campus Safety and Security Reporting.

- **On-Campus Student Housing**: A student housing facility owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.

  This term refers only to structures containing residential occupancy for students. It does not include neighborhood centers within student housing developments, campus facilities (administrative, academic, library, student life, or support) where students may overnight on a transient basis, vehicles, locations off UTSA property, or outdoor locations of any kind.

- **Fire**: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. Fire does not include controlled burning, even when that event is contrary to policy, such as candles, smoking, or other open flames, when that open flame does not result in property damage.

Campus Student Housing Facilities:

UTSA has five on-campus student facilities, describes below. UTSA Housing and Residence Life (HRL) operates three locations:

- Alvarez Residence Hall
- Chaparral Village
- Laurel Village

Learn more about HRL by visiting [http://www.utsa.edu/housing/](http://www.utsa.edu/housing/).

Campus Living Villages (CLV) operates two locations:

- Chisholm Hall
- University Oaks Apartments


Fire Statistics

<table>
<thead>
<tr>
<th>Fire Statistics - Alvarez Residence Hall 6908 N. Loop 1604W, San Antonio, TX 78249</th>
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<tr>
<td><strong>Number and Causes of Fires</strong></td>
</tr>
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<tr>
<td>2019</td>
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<td>2018</td>
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<td></td>
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<td>2017</td>
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<th>Fire Statistics - Chaparral Village 6910 N Loop 1604W, San Antonio, TX 78249</th>
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<td><strong>Number and Causes of Fires</strong></td>
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</tbody>
</table>
Fire Safety Systems

Alvarez Residence Hall, a 618-bed four-story residence hall, built in 2013, consists of II-B (unprotected non-combustible) construction with 30-minute demising walls separating sleeping units. Alvarez Hall has full automatic fire sprinkler coverage and addressable local and building fire alarms with manual and automatic initiation. The fire alarm system reports to the UTSA central monitoring station at the UTSAPD Dispatch Center. UTSA has installed portable fire extinguishers inside the building.

Chaparral Village, built in 2004 with type V-A (protected wood frame) construction, consists of three-story multi-building development. Student housing structures within the development have automatic smoke detectors with local alarm and building-wide alarms with manual initiation. The fire alarm system reports to the UTSA central monitoring station at the UTSAPD Dispatch Center. All buildings in the development have full sprinkler coverage. UTSA has provided portable fire extinguishers outside the buildings.

Chisholm Hall, built in 1986 of type II-B (unprotected non-combustible) construction, is a single four-story residential building. Chisholm has local and building fire alarms with manual and automatic initiation. The fire alarm system reports to the UTSA central monitoring station at the UTSAPD Dispatch Center. The building has full sprinkler coverage. CLV has provided portable fire extinguishers inside the building.

Laurel Village, built in two phases in 2007 and 2008 with type V-A (protected wood frame) construction, consists of three-story multi-building development. Student housing structures within the development have local and building fire alarms with manual and automatic initiation. The fire alarm system reports to the UTSA central monitoring station at the UTSAPD Dispatch Center. All buildings in the development have full sprinkler coverage. UTSA has provided portable fire extinguishers outside the buildings.

University Oaks, built in three phases in 1992, 1993, and 1994 with type V-A (protected wood frame) construction, consists of three two-story multi-building developments. Student housing structures within the development have local alarms with automatic initiation. CLV has installed portable fire extinguishers in the buildings. In 2011, Campus Living Villages upgraded the fire alarm systems to provide manual initiation and improved audible alarm coverage in all three phases of the development, including notification of emergency forces through a remote monitoring service.
Fire Drills

Occupants of on-campus student housing facilities with centrally monitored fire alarm systems (Chaparral Village, Laurel Village, and Alvarez Hall) perform drills on fire evacuation at least once per year per building. CLV performs one fire drill per semester at Chisholm Hall and each of the residential facilities in University Oaks. To create and sustain a culture of preparedness, fire drills are unannounced to residents and occur at times of high-expected occupancy.

<table>
<thead>
<tr>
<th>Development</th>
<th>On-campus Student Housing Buildings</th>
<th>Drills per building per year</th>
<th>Drills per year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alvarez Residence Hall</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Chaparral Village</td>
<td>12</td>
<td>1</td>
<td>12</td>
</tr>
<tr>
<td>Laurel Village</td>
<td>8</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Chisholm Hall</td>
<td>1</td>
<td>2</td>
<td>84</td>
</tr>
<tr>
<td>University Oaks</td>
<td>42</td>
<td>1</td>
<td>8</td>
</tr>
<tr>
<td>Total</td>
<td>64</td>
<td>7</td>
<td>107</td>
</tr>
</tbody>
</table>

Fire Prevention Policies

UTSA HRL and CLV policies prohibit open flames, candles, smoking indoors, modification of fire safety devices (sprinklers, smoke detectors, extinguishers, etc.), and initiating false alarms. Campus policies prohibit storage and use of propane cylinders.

<table>
<thead>
<tr>
<th>Topic</th>
<th>Development</th>
<th>Policy Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appliances</td>
<td>CLV (Chisholm)</td>
<td>L20. APPLIANCES - Each electrical appliance should display the Underwriters Laboratory (UL) approval designation. At no time are appliances with an exposed heating element allowed. Residents are responsible for keeping appliances turned off when not in use. Microwave ovens more than 750 watts are prohibited. Hot plates, toaster ovens, toasters, open-faced electrical or heating appliances with exposed heating elements are not permitted for use in the residence hall room.</td>
</tr>
<tr>
<td>Appliances</td>
<td>CLV (University Oaks)</td>
<td>L13. APARTMENT UNITS – We recognize the importance of personalizing your Apartment. However, in order to comply with fire codes (which exist for your protection and safety), to reduce the risk of accidents, and to prevent other damage to the Apartment, we have established the policies that follow. If you fail to follow these policies, we may sanction you and/or charge you fines and costs. A. Hot plates, toaster ovens, toasters and open-faced electrical or heating appliances with exposed heating are not allowed. B. All electrical appliances must display a label indicating that such appliances has been tested by a Nationally Recognized Testing Laboratory such as the Underwriters Laboratory (U.L.) or Intertek ETL Mark acceptable to the state fire marshal and/or other authority having jurisdiction. Residents are responsible for keeping appliances turned off when not in use. Microwave ovens with more than 750 watts are prohibited. C. You may not use halogen lamps, candles, incense or any open flame in your Apartment. If the power goes out, use flashlights only for light. Do not store flammable liquids in or around your Apartment.</td>
</tr>
<tr>
<td>Appliances</td>
<td>HRL (All)</td>
<td>Sharing a residential community includes sharing the utility capabilities of that facility. Outlets and overall electrical capacity in all student-housing areas can be easily overloaded. As a result, students must use caution and limit their use of electrical equipment in the residential buildings to minimize risk of harm to them and the community. At no time are appliances with exposed heating elements, or surfaces hot to the touch allowed. Avoid Fire Hazards • Avoid electrical overloads. • Electrical appliances must be approved by HRL.</td>
</tr>
<tr>
<td>Smoking</td>
<td>CLV (All)</td>
<td>L9. SMOKING PROHIBITED – Smoking is strictly prohibited within the confines of the apartment complex. You will be assessed a $100 fine each time you are found in violation of this policy, in addition to any cleaning or damage costs associated with smoking in the apartment. Evidence of smoking may include, but is not limited to, ashes, odor, cigarette butts, smoke, and paraphernalia. Students caught smoking may face disciplinary sanctions and through the University judicial process, face the loss of student status.</td>
</tr>
<tr>
<td>Smoking</td>
<td>HRL (All)</td>
<td>UTSA is a tobacco and smoke free campus, and at such time, smoking and the use of Tobacco Products will be prohibited in and on all University-owned and leased property to include buildings, grounds, University Housing areas, parking lots and structures, green space, sidewalks, walk ways, as well as personal vehicles on the property. The Tobacco Free and Smoke Free Campus policy is contained in Section 9.36 of UTSA’s Handbook of Operating Procedures. Tobacco Products is defined as including but not limited to cigarettes (of any kind including herbal/spice cigarettes), cigars, pipes, water pipes (hookah), bidis, kretakes, electronic cigarettes, and smokeless tobacco, snuff and chewing tobacco. Violations of this policy may result in additional cleaning charges to remove the smell associated with smoking in an apartment or stains associated with chewing tobacco.</td>
</tr>
</tbody>
</table>
L7. FIRE SAFETY - The greatest threat to any community is that of a fire. Fire can produce deadly smoke, heat and toxins. Therefore, it is imperative that you take all attempts to prevent a fire from starting and to protect the lives of your roommates and yourself should a fire occur. To assist you we have installed a smoke detector in every room.

A. LIGHTING SOURCES & OPEN FLAMES – You may not use halogen lamps, candles, incense or any open flame in your room. No candle type products are permitted such as but not limited to any wax and hot plate items, candles with removed wicks, etc. If the power goes out, use flashlights only. Do not store flammable liquids in or around your Apartment.

Open Flames  CLV (Chisholm)  L7. FIRE SAFETY – The greatest threat to any community is that of a fire. Fire can produce deadly smoke, heat and toxins. Therefore, it is imperative that you take all attempts to prevent a fire from starting and to protect the lives of your roommates and yourself should a fire occur. To assist you we have installed smoke detectors and a fire extinguisher in each unit.

A. LIGHTING SOURCES & OPEN FLAMES – you may not use halogen lamps, candles, incense or any open flame in your Apartment. No candle-type products are permitted such as but not limited to any wax and hot plate items, candles with removed wicks, etc. If the power goes out, use flashlights only. Do not store flammable liquids in or around your Apartment.

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Open Flames  HRL (All)  Avoid Fire Hazards
- No open flames.

Further information about these policies may be found in housing agreement documents, linked below:


Fire Safety Education Programs

Members of UTSA Housing and Residence Life staff, including Resident Assistants, receive training in fire prevention, emergency response, and emergency management.

Members of Campus Living Villages staff, including Residential Assistants, receive training in emergency management protocols, including fire alarm activation.

Some UTSA students and employees receive fire safety training as part of organized safety, health, and environmental protection training programs. Exposure to this training content depends on the roles and responsibilities of the student or employee.

The Office of Risk and Emergency Management makes fire safety and prevention training available to UTSA employees and on-campus student residents upon request.

Reporting Fires in On-Campus Student Housing

In all instances of fires, call the UTSA Police Department (210) 458-4911.

Fire reporting in UTSA on-campus student housing varies by housing development. For purposes of including a fire in the statistics in the annual fire safety report, the following personnel can be notified, in addition to the UTSAPD:

- Chaparral Village, Laurel Village, Alvarez Residence Hall
  - Associate Director Housing Operations, Housing and Residence Life
  - Associate Director Education and Residence Life, Housing and Residence Life

- Chisholm Hall, University Oaks
  - Residential Advisor
  - CLV professional staff
  - Residential Life Coordinator
  - Director of Operations
Plans for Future Improvements

UTSA and Campus Living Villages intend to expand and develop fire protection and fire drills in on-campus student housing facilities, and fire prevention policies, as necessary.

Procedures for Evacuation

The UTSA Community Emergency Response Guide and the UTSA Fire and Life Safety Manual include emergency procedures for fire.

**Fire:**

Pull the nearest fire alarm and leave via the preplanned evacuation route if safe to do so. Dial 4911 or 911 (UTSA Phone) and give your name and location of the fire. (If necessary, dial 911 from another building)

*When a fire alarm sounds, occupants should:*

Proceed immediately to an exit according the posted evacuation plan and move a safe distance away from the building. If the primary exit is blocked, choose the best alternate route. If time permits, close doors and windows behind you. Do not use an elevator.

*If there is smoke in the area, remain close to the floor.*

Before passing through any door, feel the metal doorknob. If it is hot, do not open the door. Before opening a door, brace yourself against it slightly; if heat or heavy smoke are present, close the door and stay in the room. If you cannot leave the room:

- Open the windows.
- Seal the cracks around doors with clothing or other material, soaked with water if possible.
- Hang an object (bed sheet, jacket, shirt, etc.) out the window to gain attention.
- Shout for help.
- If possible, call 458-4911 or 911 (UTSA phone) and report that you are trapped.
- If all exits are found to be blocked, go to a room as far as possible from the fire, close the door and follow the above procedures.

As with any emergency, the best advice is to be prepared by familiarizing yourself with evacuation route plans.

The UTSA Housing and Residence Life Handbook outlines additional procedures for evacuation in Alvarez Hall, Chaparral Village and Laurel Village.

**Fire Alarm**

In the event of a general fire alarm, all occupants are to calmly exit the building immediately and gather at the meeting point for your building, or 50 to 150 feet away. If able, occupants should gather cell phones, wallets, and keys on their way out. Once at their meeting point, occupants should provide HRL staff members with their contact information. This will help the department keep an accurate track of residents.

*Fire Evacuation for Housing Residence Life Residents (Laurel Village, Chaparral Village and Alvarez Hall)*

The presence of smoke and/or heat will automatically activate the alarm system. In case of a fire alarm:

- Get out as quickly as possible. Call UTSAPOD at (210) 458-4911 to report the fire and tell them where you live.
- Close your bedroom door on the way out to prevent the fire from spreading.
- Check to see that your roommates are aware of the fire alert.
- Proceed quickly and quietly as you exit the building.
- Follow all instructions from the staff and fire department personnel. In the event of a fire alarm, residents must evacuate the buildings immediately. Never assume it is a false alarm. Once outside, report the fire immediately.
- Chaparral Village buildings 1-5 and 12 should meet in parking lot R2 in front of the City Center. Chaparral Village buildings 6-11 meet in parking lot R 3. Laurel Village buildings 1-4 should meet in parking lot R 2. Laurel Village buildings 5-8 should meet in parking lot R 1. Residents of Alvarez Hall North Tower should meet in parking lot R 2. Residents of Alvarez Hall South Tower should meet in parking lot R 1. All residents should wait for instructions from an HRL staff member, UTSAPOD, or fire personnel.
- **STAY OUT** of all buildings until an official “all clear” has been issued.
- If you are unable to evacuate your room or unit, please take the precautions you feel necessary and appropriate to secure your safety.

Possible precautions include:

- Turn on lights, raise blinds, and open drapes to improve visibility for rescue workers.
- Close all windows so additional oxygen will not spread the fire.
- Put on a non-flammable coat for protection against heat, flames, and inclement weather.
- Put on hard-soled shoes to protect from hot or slippery floors and broken glass.
- Dampen a towel to put over your face in case of heavy smoke.
- If trapped in your room, check the door prior to exiting. Feel for heat. If the door is cool, leave the room. If the door is hot, do not open the door. Hang a towel from your window to notify safety personnel that you are in your room.
Campus Living Villages’ Emergency Procedures Manual has additional procedures for evacuation in Chisholm Hall and University Oaks.

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2019 UTSA Main Campus Clery Geography Map

- **Campus**
  - Main Campus

- **Public Property**
  - Public Property

- **Residence Hall**
  - University Oaks Phase 3
  - University Oaks Phase 2
  - University Oaks Phase 1
  - Chisholm Hall
  - Chaparral Village
  - Alvarez Hall
  - Laurel Village

- **Non-Campus Property**
  - Park West
2019 UTSA Downtown Campus Clery Geography

Downtown Campus
- Monterey
- Downtown Campus
- Cattleman's Square Lot
- Durango Loop Lot

Public Property
- Public Property
Non-Campus Property
- ITC
- Alamodome
- Blue Star Art Complex