



2019 Annual Security And Fire Safety Report

UTSA[®]

The University of Texas at San Antonio[™]

Table of Contents

Message from Chief Lewis	6
Introduction - Annual Security and Fire Safety Report Preparation	7
About UTSA.....	7
UTSA Mission	7
UTSA Vision.....	7
UTSA Core Values	8
Campus Law Enforcement	8
Commissioned Peace Officers	8
University Public Safety Officers and Dispatchers.....	8
Working Relationships with State and Local Law Enforcement	8
Crime Report, Arrest, and Referral Statistics.....	9
Daily Crime Log	9
Encouragement of Prompt Reporting of Crimes	9
Reporting Crimes and Other Emergencies	9
Campus Security Authorities	9
Crimes Occurring Off Campus	10
Security of an Access to Facilities	10
Access to Academic Buildings.....	10
Access to Apartments and Residence Halls.....	10
Maintenance of Facilities and Security Equipment	10
Emergency Management, Response and Evacuation Procedures	11
UTSA Emergency Response Team	11
Emergency Response and Evacuations	11
Confirmation of an Emergency or Dangerous Situation.....	12
Timely Warnings	12
Emergency Notifications & Warning Systems	12
Below are the notification systems used at UTSA:.....	13
Annual Exercises and Drills	14
Community Affairs Section of the Public Safety Department	14
Crime Prevention Programs	14
UTSA Student Conduct and Community Standards	15
Procedures for Disciplinary Action	15

Disposition of the Charges.....	16
Hearing	16
Disclosure of Evidence	17
Institutional Standard of Evidence	17
Order of Proceedings.....	17
Decision of the Hearing Officer	18
Sanctions That May be Imposed	18
Appeal Process.....	18
Student Conduct and Community Standards Sexual Harassment and Sexual Misconduct	18
Appeals	19
Title IX Requirements	21
Handbook of Operating Procedures – 9.24 Sexual Harassment and Sexual Misconduct Policy Statement.....	21
Handbook of Operating Procedures – 9.24 Sexual Harassment and Sexual Misconduct Definitions.....	21
Handbook of Operating Procedures – 9.24 Sexual Harassment and Sexual Misconduct Responsibilities	24
Campus Sexual Assault, Domestic Violence, Dating Violence, and Stalking Victim’s Bill of Rights.....	31
Programs for Awareness and Programs to Prevent Sexual Assault, Domestic Violence, Dating Violence and Stalking ...	32
Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy	33
Violence Against Women Act of 1994 (VAWA) and Reauthorization Act of 2013	33
Introduction.....	33
State Definitions	33
Federal Definitions – Violence Against Women Act 1994.....	34
Procedures to follow if you are a Victim of Sexual Assault, Domestic Violence, Dating Violence or Stalking	35
Notification of Law Enforcement.....	35
Non-Reported Sexual Assault Evidence Program.....	35
Bystander Intervention.....	35
Behavioral Intervention.....	36
Pseudonym/Criminal Charges	36
Police Training	36
Victim Support Services	36
Protective and No Contact Orders:	36
Interim Measures: Assistance with Changes in Academic and Living Situation.....	36
Sex Offender Registration Requirements	37
Drug and Alcohol Policies	37

Drugs.....	37
Alcohol.....	37
Drug and Alcohol Counseling Services on Campus.....	37
Safety Awareness Programs	38
Campus Carry.....	39
General Provisions	39
Specific Exclusions to Concealed Carry of a Handgun	39
Training and Awareness	39
Compliance, Violations and Enforcement	39
Missing Students who Resides On Campus	40
Self-Protection for On-Campus Residence	40
On-Site Staff.....	40
2018 UTSA Main Campus Crime Statistics.....	41
2018 UTSA Downtown Campus Crime Information	41
2017 UTSA Main Campus Crime Statistics.....	42
2017 UTSA Downtown Campus Crime Information	42
2016 UTSA Main Campus Crime Statistics.....	43
2016 UTSA Downtown Campus Crime Information	43
2018 UTSA Main Campus Clery Geography Map	44
2018 UTSA Downtown Campus Clery Geography	45
2018 Institute of Texas Culture Locations – Non-Campus	46
2018 Prevention and Awareness Trainings	47
Fire Safety Report	50
Campus Student Housing Facilities:	50
Fire Statistics.....	50
Fire Safety Systems.....	51
Fire Drills	52
Fire Prevention Policies	52
Fire Safety Education Programs.....	53
Reporting Fires in On-Campus Student Housing	54
Plans for Future Improvements.....	54
Procedures for Evacuation	54

Message from Chief Lewis

Hello Roadrunners,

Welcome to the University of Texas at San Antonio. As mandated by the Jeanne Clery Act we have composed our 2019 Annual Security and Fire Safety Report.

Our UTSA Department of Public Safety Clery Coordinator with the support of our administration and numerous other university departments composed this report. This report is a team effort and serves to inform the university community of our security and fire safety policies, in addition to crime and fire statistical data.

UTSA continues to be a leader in providing a safe environment in which to live, work and learn. We are always using technology and the best nationally recognized practices and procedures to ensure safety on all UTSA campuses.

We were recently recognized as **the thirtieth safest** four-year university in the nation and **second safest** in the State of Texas by ASecureLife, a smart home and security company that researches and reviews the security industry. They ranked the 100 most secure college campuses in the country. UTSA was recognized for its proactive measures to protect students, faculty, staff and visitors on campus.

UTSA takes proactive steps to cultivate a safe campus environment. It offers a variety of programs that encourage personal and community safety, such as It's on Us: Call to Action Day, when Roadrunners take a stand against sexual violence; Party on the Paseo, which allows students to enjoy Fiesta San Antonio in a safe, alcohol-free environment; and National Night Out, a family-friendly event focused on safety and the prevention of crime. Many student organizations also collaborate with UTSA PD to hold safety awareness and education events throughout the year.

Additionally, the university enhanced its Orientation programs for Fall 2019 incoming students to place a greater emphasis on campus safety, and it offers residential curriculum for UTSA students living in on-campus housing. Roadrunners can also connect directly to UTSA PD in addition to online safety resources by downloading the free Live Safe app on their mobile devices. The app crowdsources safety and security notices, offers a SafeWalk feature that allows families and friends to track their loved ones as they walk home, includes an anonymous reporting feature and allows students, faculty and staff to share their location in an emergency.

We ask that the entire university participate in keeping the UTSA community safe by reporting suspicious behaviors or criminal activity by using the Live Safe App or by calling 4911 from any campus phone.

In closing, I would like to thank everyone who had a role in compiling this report and ask that you feel free to contact the UTSA Department of Public Safety with any questions.

Sincerely,

Gerald Lewis Jr.

Associate Vice President for Public Safety/Chief of Police



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 Police Department's Clery Compliance Coordinator prepares the Annual Security and Fire Safety Report. This report is prepared in collaboration with the Office of Emergency Management, Student Affairs, University Housing, University Residence Life, Student Conduct and Community Standards, Counseling Services, Title IX, Environmental Health Safety and Risk Management, 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 the University of Texas at San Antonio. 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 Human Resources 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 or request for a hard copy can be made through the mail or via the internet.

The 2019 Annual Security and Fire Safety Report contains important information regarding campus safety and security. The report provides information about reporting crimes and 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 the University of Texas at San Antonio 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 Emergency Management sends out the Notice of Availability for the Annual Security and Fire Safety Report to students, faculty, and staff. 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 2019 Annual Security and Fire Safety Report is available on the web at:

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

Please browse our website at: <http://www.utsa.edu/publicsafety/pd/> for additional services provided by the UTSA Police Department. UTSA Police Department regularly posts information on:

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 32,000 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. However, for Clery Geography purposes we count two campuses: Main Campus that includes Park West and University Heights as non-campus property and Downtown Campus with Hemisfair Park as a non-campus property. UTSA's Main Campus currently has five residence halls: Alvarez Hall, Chaparral Village, Chisholm Hall, Laurel Village, and the Oaks. The President of the University of Texas at San Antonio 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.

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 UTSA 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 is operational 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. The University of Texas at San Antonio 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 available at iTunes or Google stores and is free to download. Walk-in reports will be taken 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. UTSAPD'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. NOTE: 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

The University of Texas at San Antonio'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. UTSA police 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 that include; 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. The University of Texas at San Antonio 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 with 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. Eleven state certified police telecommunications operators who are also certified 911 operators staff the police communications center.

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. 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 the Office of Student Affairs.

Crime Report, Arrest, and Referral Statistics

The University of Texas at San Antonio 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:

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: Mon-Sat 6am - 10pm, Sun 10:30am - 6:30pm. Closures are in accordance with university operating days.

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.

Reporting Crimes and Other Emergencies

POLICE – FIRE – EMS



Campus Emergency

(210) 458-4911 or 4911 from any university landline
Program the emergency number into your 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; but 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:

Title	Phone #
Senior Vice Provost for Student Affairs & Dean of Students	(210) 458-4120
Prevention, Education, Advocacy, Consultation, Empowerment (PEACE) Center	(210) 458-4077
Director of Housing	(210) 458-6200
Director of Residence Life	(210) 458-6208
Student Conduct & Community Standards	(210) 458-4720
Student Activities	(210) 458-4160
Title IX Coordinator	(210) 458-4120
Athletics	(210) 458-8149
Academic Advising and Support	(210) 458-4302
Student Assistance Services	(210) 458-4040
CLV Director of Residence Life	(210) 877-4017

Crimes can be reported by phone, walk-in meeting, or by appointment. CSA Crime Report forms can be found on the UTSAPD website: <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 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 Student Counseling (210-458-4140) or any of the counselors in the counseling office. 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) because of their function within the scope of their professional license or certification as a counselor. These officials also 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 an Access to Facilities

The University Police Security Services Office is responsible for keys, electronic access control and all associated records. Keys and UTSA Card access to UTSA 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, weekends, and holidays is coordinated with the various 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 door alarms that are monitored by the UTSA Police Department Communications Center. UTSA affiliates are asked to carry their access cards with them to access secure facilities and are provided with security tips on how to keep the campus secure.

Libraries—typically, the John Peace Library opens at 10 am on Sunday and is open Monday through Thursday, 24 hours a day. On Friday and Saturday, the library is open from 9 am to 9 pm. Typically, the Downtown Campus Library is open from 8 am until 10:30 pm Monday through Thursday, 8 am until 6 pm on Friday, 9 am until 6 pm on Saturday and 1 pm until 10:30 pm on Sunday. A full list of hours can

be viewed on the libraries website at:
<https://lib.utsa.edu/about/library-hours>

The Institute of Texan Cultures, a Smithsonian Affiliate, is open from 9 am until 5 pm Monday through Saturday and noon to 5 pm on Sundays.

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 Apartments: The University Oaks Apartments are also operated by Campus Living Villages and located on UTSA property. 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 the Chaparral Village complex 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 the Laurel Village complex is through various pedestrian gates; key card access is required for all pedestrian gates; or the City Center. 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 accessed 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.



The Community Affairs Section staff periodically conducts lighting surveys of the campus grounds and recommends additional lighting to reduce areas of darkness. The Facilities Services staff conduct a monthly lighting survey of campus parking lot lights and building exterior lights to schedule lamp replacements or repairs. Community Affairs, as well as, Security Services

recommends the trimming of shrubbery, trees, and other vegetation to prevent the obstruction of ample lighting on pedestrian walkways. Facilities Services 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.

Over 130 outdoor emergency telephones are 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 Emergency Management (OEM) is committed to openly engaging the university community in preparation, response, recovery, and mitigation of emergencies through an all-hazards approach. OEM's highest priority is to help provide a safe and secure environment for UTSA students, faculty, staff, and visitors. The Office of Emergency Management works cooperatively with all members of the UTSA community, University of Texas System, City of San Antonio, and State of Texas to achieve this objective. To further enhance

safety/security programs on campus, the Office of Emergency Management 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. OEM encourages the university community to stay engaged in preparedness by knowing what types of threats/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, Human Resources, 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 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 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 Environmental Health, Safety and Risk Management team, 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 the UTSA OEM has developed an [Emergency Response Guide \(ERG\)](#) that has been distributed and mounted 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. The UTSA OEM 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, general safety outreach, and supplement emergency first responders as conditions warrant.

Confirmation of an Emergency or Dangerous Situation

To confirm 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 the UTSA campus community members who are affected by the emergency or dangerous situation in consultation with the UTSA Director of Emergency Management and the Chief of Police as time permits. Department and UTSA administrators will be promptly notified by the Chief of Police, or designee, 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 to the students, faculty, and staff, then the Chief or designee orders the distribution of a timely warning. The primary division for sending timely warning is the UTSA Office of Emergency Management, and the Police Communications Center as the alternate. The Director of Emergency Management or designee composes the timely warning, and appropriate emergency notifications are provided to the campus community, to include posting on the university's Campus Alerts website at www.alerts.utsa.edu. Victims' names are withheld for confidentiality purposes. 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. 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). UTSA PD 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. UTSA PD 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 Emergency Management or designee will, without delay, notify the campus community. The content of the notification is determined by the Director of Emergency Management, in consultation with the Chief of Police and University Communications (if time permits), and take into account the safety of the UTSA community. The Director of 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. The UTSA OEM 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 www.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 given to camp directors, as well.

Giant Voice Mass Notification System: UTSA also 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 will 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 & e-Panic Buttons: UTSA employs an emergency desktop notification system called Alertus. During a campus emergency, the OEM has the capability to send a desktop notification 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 www.alerts.utsa.edu.

UTSA Mobile App: The university maintains a mobile app for smartphones, whereby an “emergency info” section is included to provide mobile 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 app store or Google Play today.

Campus Alerts Website: UTSA Emergency Management maintains the Campus Alerts website to keep students, faculty, staff, and the general public informed on the status of university operations on a daily basis. Managed by the UTSA Office of Emergency Management and the UTSA Office of University Communications & Marketing, the site is a single source for information on the status of on-going emergencies, a clearinghouse for preparedness tips/information, university resources, UTSA closures prompted by severe weather, health, and other emergencies. The website is accessible from a link at the footer of all UTSA websites. Campus Alerts can be found at www.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 (Facebook, Twitter): 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. PD Facebook: [@UTSAPoliceDepartment](#)
2. PD Twitter: [@UTSA Police](#)
3. EM Facebook: [@UTSAOEM](#)
4. EM Twitter: [@UTSA OEM](#)

Digital Signage – UTSA TV: The Office of Information Technology manages a number of televisions across the university campuses that regularly post information and bulletins. Emergency notifications can be displayed on these televisions when needed.

Annual Exercises and Drills

UTSAPD, OEM, 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; however, 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 the OEM. 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 the University of Texas at San Antonio 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, 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 information via social media outlets, [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 Specialist 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 member 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, 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 communityaffairs@utsa.edu or call (210) 458-6250 or (210) 458-6974.

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, which involves the engraving of a state driver's license number on valuable items of personal property such as laptops and bicycles. Engravers are available at the UTSA Police Department or contact the Community Affairs Section at (210) 458-6250 or (210) 458-6974 to make an appointment to have a personal item engraved by a Crime Prevention staff member. This program is offered several times annually, usually in the fall semester.

National Night Out: National Night Out is an annual event where the police and the UTSA community partner to enhance community awareness and engagement in preventing crime. Over 1000 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 the campus. Specialized crime prevention literature is available upon request. The UTSAPD website also has crime prevention brochures in PDF format.

Additional information regarding prevention 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 The University of Texas at San Antonio, 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 The University of Texas at San Antonio; 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/>

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. 403. Interim Discipline

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 no 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 accuser 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. Student Conduct and Community Standards is also responsible for notifying the accusing student of the postponement if they are to be present.

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. When an accused student is found responsible for the illegal use, possession, or sale of a drug or narcotic on campus, the assessment of a minimum sanction provided in Section 202 (A) (12) is required.

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 of the Dean and/or any sanctions imposed by the Dean of Students and Senior Vice Provost for Student Affairs.

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 Dean of Students and Senior Vice Provost for Student Affairs is the final appellate review.

Student Conduct and Community Standards Sexual Harassment and Sexual Misconduct

Student Code of Conduct – Sec. 801 Investigation

Upon receiving information that any student has allegedly violated the University's Policy on Sexual Harassment and Sexual Misconduct in accordance with [9.24](#) in the [Handbook of Operating Procedures](#) (HOP), the Office of Equal Opportunity Services (EOS) shall investigate the alleged violation and forward the EOS report to the Dean of Students. EOS will provide a letter of finding to both the complainant(s) and respondent(s) providing the final findings of the EOS investigation. If EOS, the Dean, and/or the UTSA Police Department give a "no contact" directive, it shall remain in effect until the final disposition of the case. Complainant(s) and Respondent(s) may request interim remedies and/or measures that may be provided before the end of the EOS investigation.

Student Code of Conduct – Sec. 802. Disposition of HOP 9.24 Violation

After receiving the EOS report, the complainant(s) and respondent(s) have seven (7) business days from the date of the EOS report to submit comments regarding the report to the Dean. The Dean will review the EOS report and any written comments submitted by the respondent(s) and/or complainant(s). After review, the Dean will provide a determination of action, which includes:

1. Requesting further investigation by EOS into the complaint;
2. Dismissing the complaint if it is determined at the completion of the investigation there is no violation;
3. Proceeding with disciplinary charges if the findings are inconclusive and the Dean determines a hearing of the charges would be beneficial; or
4. Proceeding with disciplinary charges if the findings indicate the Policy on Sexual Harassment and Sexual Misconduct was violated.

A decision that the policy was violated shall be made upon the record provided by the EOS investigator, any comments submitted by the complainant(s) or respondent(s), and the totality of circumstances surrounding the conduct complained of, including but not limited to the context of that conduct, its severity, its frequency, and whether it was physically threatening, humiliating, or simply offensive in nature. Facts will be considered on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular sensitivity or reaction of an individual. If additional investigation is requested, no decision regarding charges will be made until the investigation is complete. The Dean's final determination of action will be provided to the complainant(s) and respondent(s) within ten (10) business days if either the complainant(s) and/or respondent(s) submit comments. If the complainant(s) and/or respondent(s) disagree with the final determination of action, they may request and receive a hearing.

Student Code of Conduct – Sec. 803 Disposition of Charges

The complainant(s) and respondent(s) must choose one of two decision-making approaches: (1) an administrative decision made by Student Conduct and Community Standards; or (2) a formal hearing.

Administrative Decision (Waiver)

1. When the respondent(s) elect(s) not to dispute the facts upon which the charges are based and agree 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.
2. The complainant may agree and elect not to dispute the facts upon which the charges are based, and agree to the sanctions Student Conduct and Community Standards assesses.

Formal Hearing

1. Complainant(s) may request a hearing:
 - a. If they disagree with the respondent(s) choice to complete a written waiver of the hearing procedures;
 - b. If the complainant(s) disagree with the sanctions in the waiver, the hearing will be to determine sanctions only; or
 - c. The complainant(s) always retain(s) the right to request and receive a hearing.
2. The respondent(s) may dispute the facts upon which the charges are based and elect the formal hearing as the

decision-making approach, or refuse to execute a written waiver of a hearing.

3. When a hearing is requested, the 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. 804. Burden of Proof

EOS will determine if the student is responsible for violating the University's Policy on Sexual Harassment and Sexual Misconduct, [HOP 9.24](#), and the Dean shall find the student responsible for violating the *Student Code of Conduct* if the greater weight of the credible evidence, or more likely than not the violation occurred, supports the alleged violation(s).

Student Code of Conduct – Sec. 805. Interim Discipline

During the investigation of an alleged violation pursuant to Section 801, EOS may recommend the Dean take interim disciplinary action. The Dean may take interim disciplinary action as is appropriate to the circumstances when such action is in the best interest of the institution, pending a disposition of the allegations against a student. This includes, but is not limited to an immediate suspension and bar from the campus when it reasonably appears from the circumstances the continued presence of the student poses a potential risk that harassment will continue to harm the complaining student, other members of the University community, or any visitor. The Dean may take such actions pending a disposition of the sexual harassment, sexual misconduct, or sexual assault case, and/or exhaustion of appellate rights.

When interim disciplinary action has been taken, a disposition of the charges against the student will be held under the procedures specified in Section 803, *et seq.* A decision pursuant to Section 803 following interim disciplinary action will generally be held within ten (10) business days after the interim disciplinary action was taken; however, at the discretion of the Dean, the 10 business day period may be extended for a reasonable period.

Student Code of Conduct – Sec. 806 Hearing Procedures

In a hearing of the disciplinary charges, both the complainant(s) and the respondent(s) have the right to be present throughout the hearing. Each may have an advisor(s), and both may submit questions to witnesses.

Appeals

Student Code of Conduct – Sec. 807 Right to Appeal

Both the complainant(s) and respondent(s) may appeal a disciplinary sanction(s) assessed by Student Conduct and Community Standards in accordance with Section 803.

The complainant(s), respondent(s), and/or Student Conduct and Community Standards may appeal the decision of the Hearing Officer.

Student Code of Conduct – Sec. 808 Appeals of Sanctions Assessed by Student Conduct and Community Standards

A written appeal of the sanction assessed by Student Conduct and Community Standards must state the specific reasons for the appeal and any argument to the Dean of Students and Senior Vice Provost for Student Affairs with copies provided to the non-appealing parties and to Student Conduct and Community Standards. The appeal must be stamped as received by the Office of the Dean of Students and Senior Vice Provost for Student Affairs no later than fourteen (14) business days after both the appealing and non-appealing parties have been notified of the sanction assessed by Student Conduct and Community Standards. If the sanction assessed by Student Conduct and Community Standards is sent by regular mail, the date the notice or decision is mailed initiates the fourteen (14) business day period for the appeal. Student Conduct and Community Standards and the non-appealing party should be notified by the Office of the Dean of Students and Senior Vice Provost for Student Affairs that an appeal has been received. Student Conduct and Community Standards and the non-appealing party may submit a response to the appeal, which must be received by the Office of the Dean of Students and Senior Vice Provost for Student Affairs no later than five (5) business days after receipt of the appeal with a copy to the other party.

An appeal of the sanction assessed by Student Conduct and Community Standards will be reviewed solely on the basis of the written arguments of the appealing party, non-appealing party, and Student Conduct and Community Standards.

The action of the Dean of Student and Senior Vice Provost shall be communicated in writing to the appealing party, non-appealing party, and Student Conduct and Community Standards within thirty (30) business days after the appeal and related documents have been received.

The decision of the Dean of Student and Senior Vice Provost is final.

Student Code of Conduct – Sec. 809. Appeals of Decision of Hearing Officer

A written appeal of the decision of the Hearing Officer must state the specific reasons for the appeal and any argument to the Dean of Student and Senior Vice Provost with a copy to the non-appealing parties. The appeal must be stamped as received by the Office of the

Dean of Students and Senior Vice Provost for Student Affairs no later than fourteen (14) business days after the appealing party has been notified of the decision of the Hearing Officer. If the notice of the decision of the Hearing Officer is sent by regular mail, the date the notice or decision is mailed initiates the fourteen (14) business day period for the appeal. The Office of the Dean of Students and Senior Vice Provost for Student Affairs shall notify the non-appealing parties that an appeal has been received and they may submit a response to the appeal that must be received by the Office of the Dean of Students and Senior Vice Provost for Student Affairs no later than five (5) business days after receipt of the appeal with a copy to the other parties. The appeal of the decision of the Hearing Officer will be reviewed solely on the basis of the record from the hearing.

Student Conduct and Community Standards will submit the record from the hearing to the Dean of Student and Senior Vice Provost as soon as it is available to their office.

The action of the Dean of Student and Senior Vice Provost shall be communicated in writing to the appealing and non-appealing parties within thirty (30) business days after the appeal and related documents have been received.

The Dean of Student and Senior Vice Provost may approve, reject, or modify the decision in question, or may require the original hearing be reopened for the presentation of additional evidence and reconsideration of the decisions.

The decision of the Dean of Student and Senior Vice Provost is final.

Student Code of Conduct – Sec. 810. Effect of Appeal Upon Disciplinary Action

An appeal of the decision of the Hearing Officer or of a sanction assessed by Student Conduct and Community Standards shall suspend the imposition of the prescribed disciplinary action pending final disposition of the appeal.

If upon final disposition of any case in which the action has been suspended during appeal, the Dean of Student and Senior Vice Provost, whose decision becomes final, finds the original action can no longer be imposed because of passage of time, may specify a new period of time for which the original action will be imposed, or in any case where imposition of the original action will no longer be effective because of a change in the status of the student(s) involved, the Dean of Student and Senior Vice Provost shall prescribe a substitute disciplinary action deemed appropriate to the conduct involved.

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 hearing 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 Statement

The University of Texas at San Antonio (hereafter "University") is committed to maintaining a learning and working environment that is free from discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in educational programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment.

Sexual misconduct is a form of sex discrimination and will not be tolerated. As stated in the definitions, sexual misconduct includes sexual harassment, sexual violence, sexual assault, stalking, domestic violence and/or dating violence. Individuals who engage in sexual misconduct and other inappropriate sexual conduct will be subject to disciplinary action.

The University will take prompt disciplinary action against any individuals or organizations within its control who violate this Policy. The University encourages any student, faculty, staff or visitor to promptly report violations of this Policy to an individual identified as a Responsible Employee, as defined in Section VII.

This policy is the principal prohibition of sexual harassment (including sexual violence), sexual misconduct, domestic violence, dating violence, and stalking regardless of where it occurs, including both on and off University property, if it potentially affects the alleged victim's education or employment.

This Policy applies to all University administrators, faculty, staff, students, and third parties within the University's control, including

visitors and applicants for employment. It applies to conduct regardless of where it occurs, including off University property, if it potentially affects the complainant's education or employment with the University. It also applies regardless of the gender, gender identity or sexual orientation of the complainant or the respondent. In addition, it applies whether the complaint was made by or against a third party, and whether the complaint was made verbally or in writing.

<http://www.utsa.edu/hop/chapter9/9-24.html>

If you have any questions about HOP policy 9.24 Sexual Harassment and Sexual Misconduct, contact the following office:

Suzanne Patrick
Director and Title IX Coordinator
Office of Equal Opportunity Services
North Paseo Building – Suite 5.130
Suzanne.Patrick@utsa.edu
210-458-4120
<https://www.utsa.edu/eos/>

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

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. Past consent does not imply future consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. 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 by the victim with consideration of the following factors:

1. The length of the relationship;
2. The type of relationship; and
3. 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 acts 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 sex-based harassment is sufficiently severe or pervasive to deny or limit the individual's ability to participate in or benefit from the University's programs or activities or an employee's terms and conditions of employment. A hostile environment can be created by anyone involved in a University's program or activity (e.g., administrators, faculty members, employees, students, and University visitors).

First Amendment Considerations: this Policy does not impair the exercise of rights protected under the First Amendment. The University's sexual harassment policy prohibits only sex-based harassment that creates a hostile environment. In this and other ways, the University applies and enforces this Policy in a manner that respects the First Amendment rights of students, faculty, and others.

Incapacitation: A state of being that prevents an individual from having the capacity to give consent. For example, incapacitation could result from the use of drugs or alcohol, a person being asleep or unconscious, or because of an intellectual or other disability.

Intimidation: 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: Includes unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of

a sexual nature directed towards another individual that does not rise to the level of sexual harassment but is unprofessional, inappropriate for the workplace or classroom and is not protected speech. It also includes consensual sexual conduct that is unprofessional and inappropriate for the workplace or classroom.

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

Responsible Employee: A University employee who has the duty to report incidents of Sexual Misconduct to the EOS/Title IX office, or an employee whom an individual could reasonably believe has this duty. Responsible Employees include all administrators, faculty, staff, resident life directors and advisors, and teaching assistants, except any employee with confidentiality obligations as defined in Section IX.A.5.

An employee of the institution obtains a duty to report sexual misconduct when, in the course and scope of employment, the employee receives information about dating violence, stalking, sexual harassment, or sexual assault. The employee is required to report promptly to the Title IX Coordinator or Deputy Title IX Coordinator, and therefore is considered a responsible employee.

Retaliation: Any adverse action threatened or taken against someone *because* the individual has filed, supported, provided information in connection with a complaint of sexual misconduct or engaged in other legally protected activities. Retaliation includes, but is not limited to, intimidation, threats or harassment against any complainant, witness or third party.

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

1. **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.
2. **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
3. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

4. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

Sexual Exploitation: Occurs when an individual takes non-consensual or abusive sexual advantage of another for his or her 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; 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: Unwelcome conduct of a sexual nature including but not limited to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when submission to such conduct is made either explicitly or implicitly a term or condition of a person's student status, employment, or participation in University activities; such conduct creates a Hostile Environment. Sexual Harassment is a form of sexual misconduct that includes:

1. Sexual violence, sexual assault, stalking, domestic violence and dating violence as defined herein.
2. Physical conduct, depending on the totality of the circumstances present, including frequency and severity, including but not limited to:
 1. unwelcome intentional touching; or
 2. deliberate physical interference with or restriction of movement.
3. Verbal conduct not necessary to an argument for or against the substance of any political, religious, philosophical, ideological, or academic idea, including oral, written, or symbolic expression, including but not limited to:
 1. explicit or implicit propositions to engage in sexual activity;
 2. gratuitous comments, jokes, questions, anecdotes or remarks of a sexual nature about clothing or bodies;
 3. gratuitous remarks about sexual activities or speculation about sexual experiences;
 4. persistent, unwanted sexual or romantic attention;
 5. subtle or overt pressure for sexual favors;

6. exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars or other materials; or
7. deliberate, repeated humiliation or intimidation based upon sex

Sexual Misconduct: A broad term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature. The term includes, but is not limited to Sexual Assault, Sexual Violence, Sexual Exploitation, sexual Intimidation, Sexual Harassment, Domestic Violence, Dating Violence and Stalking. Sexual Misconduct can be committed by men or women, strangers or acquaintances, and can occur between or among people of the same or opposite sex.

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--

1. *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.
2. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
3. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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 leading the administrative investigation of reports of Sexual Misconduct and is available to discuss options, provide support, explain University policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Deputy Title IX Coordinators.

UTSA's Title IX Coordinator and Deputy Coordinators are:

Suzanne Patrick, Director of EOS and Title IX Coordinator
Esther Miller-Brown, Assistant Director of EOS and Deputy Title IX Coordinator
Adrienne Rodriguez, Senior Investigator and Deputy Title IX Coordinator
Brette Wurzburg, Senior Investigator and Deputy Title IX Coordinator

Office of Equal Opportunity Services
North Paseo Building – NPB 5.130
Phone number: (210) 458-4120
EOS website: www.utsa.edu/eos

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

A. Applicants/Employees/Students/Visitors

1. Any person who believes that he or she has been subjected to Sexual Misconduct should immediately file a complaint with UTSA's Office of Equal Opportunity Services (the "EOS Office") and utilize the procedures set forth in this policy.
2. Individual(s) who witness or are aware of suspected incidents of Sexual Misconduct are strongly encouraged to immediately report the incident to the EOS Office.

B. Supervisor/Administrator/UTSA official

1. Every supervisor, administrator and UTSA official is responsible for promptly reporting to the EOS Office incidents of Sexual Misconduct that comes to their attention.

C. EOS Office

1. Determines what immediate and effective steps can be taken to end any Sexual Misconduct and protect the alleged victim. This includes taking interim steps during the investigation and any subsequent grievance or disciplinary process while protecting the rights of the accused individual. The EOS Office will coordinate with the appropriate administrative official to implement such steps.
2. Advises alleged victims of their right to file a complaint and/or to participate in the applicable student, faculty or staff discipline process. The EOS Office also must assess the best way to proceed in the event an alleged victim does not wish to file a complaint and/or participate in an investigation or subsequent disciplinary process so as to protect the alleged victim while also ensuring that UTSA maintains an environment free from prohibited discrimination and harassment.
3. Reviews and processes complaints of alleged Sexual Misconduct.
4. Consults with the UTSA Police Department (UTSAPD), as appropriate, in cases involving potential criminal conduct to determine if criminal authorities need to be notified.
5. Advises the alleged victim of the right to file a criminal complaint in cases involving potential criminal conduct.

6. Explains the resolution options available under the Informal and Formal processes, as outlined under Section IX of this policy, and proceeds accordingly.

D. Title IX Coordinator. The **Director of Equal Opportunity Services** serves as UTSA's EEO Officer and Title IX Coordinator (see Section IX below). The EEO Officer/Title IX Coordinator may be reached at 210-458-4120. The Title IX Coordinator

1. Investigates complaints of Sexual Misconduct.
2. Oversees Sexual Misconduct complaints and identifies and addresses any patterns or systemic problems.
3. Meets with students wanting to file complaints or seeking information.
4. Reviews cases brought before disciplinary committees to determine whether the complainant is entitled to a remedy under Title IX that was not available through the disciplinary process.
5. Ensures that periodic assessments are conducted of UTSA's Sexual Harassment programs, policies and procedures.
6. Ensures that UTSA has robust notice practices and education programs for students, faculty, and staff in accordance with Department of Education regulations and guidelines.

E. UTSA Police Department

1. Advises alleged victims of their right to file a Sexual Misconduct complaint under this policy.
2. Provides UTSA officials investigating Sexual Misconduct complaints access to any related UTSA law enforcement records as permitted by state and federal law and so long as it does not compromise any criminal investigation.

F. Student Counseling Services

1. Is available to all UTSA students, including victims of Sexual Harassment and intimate partner violence to provide such individuals with support and to advise them of their options under UTSA policy and procedures.

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

A. Filing a Complaint and Reporting Violations

1. All administrators, faculty, staff, students, and third parties are strongly encouraged to immediately report any incidents of Sexual Misconduct to the Office of Equal Opportunity Services (EOS). Individuals shall not be penalized, disciplined, or prejudiced who in good faith report a violation of policy, procedure or law.
 - a. Anonymity. Individuals wishing to remain anonymous can file a complaint in any manner, including by telephone or written communication to EOS; however, electing to remain anonymous may greatly limit the University's ability to stop the conduct, collect evidence, or take effective action against individuals or organizations accused of violating the Policy.
 - b. Confidentiality. The University has an obligation to maintain an environment free of sexual

harassment and sexual violence, thus many University employees have mandatory reporting and response obligations and may not be able to honor a complainant's request for confidentiality. Complainants who want to discuss a complaint in strict confidence may use the resources outlined in Section IX.A.5 below, "Confidential Support and Resources".

- c. Timeliness of Complaint. Complaints should be reported as soon as possible after the complainant becomes aware of the inappropriate conduct. Delays in reporting can greatly limit the University's ability to stop the conduct, collect evidence, and/or take effective action against individuals or organizations accused of violating the Policy.
2. Responsible Employees. Incidents of Sexual Misconduct may also be reported to Responsible Employees. Responsible Employees who are made aware of incidents of Sexual Misconduct must immediately report those incidents to EOS. Responsible Employees can find contact information for EOS at the following website: <http://www.utsa.edu/eos/>
3. Reporting to Law Enforcement. Complaints of Sexual Misconduct may also be made to The University of Texas at San Antonio Police Department (UTSAPD) at (210) 458-4242 (non-emergency) or 4911 (emergency on campus) or to other local law enforcement authorities 911 (emergency off campus). The UTSAPD can help individuals contact off campus law enforcement agencies if required or requested. Employees and students with protective or restraining orders relevant to a complaint are encouraged to provide a copy to the UTSA Police Department.

If a complaint of Sexual Misconduct is reported to the UTSAPD, it shall advise the complainant of his or her right to file a complaint under this Policy. To the extent allowed by law and University policy, the UTSAPD shall also notify EOS of the complaint, and provide EOS access to any related University law enforcement records, so long as doing so does not compromise any criminal investigation.

4. Reporting to Outside Entities. An individual wishing to make a complaint of Sexual Misconduct may also contact the U.S. Department of Education, Office for Civil Rights (OCR):

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

Employees may also contact the U.S. Equal Employment

Opportunity Commission to complain of sex discrimination or sexual harassment:

U.S. Equal Employment Opportunity Commission

Dallas District Office
207 S. Houston Street, 3rd Floor
Dallas, TX 75202
Phone: (800) 669-4000
FAX: (214) 253-2720

Website: <http://www.eeoc.gov/employees/howtofile.cfm>

5. Confidential Support and Resources. Physical and mental health care professionals (including those who act in that role under the supervision of these individuals), are prohibited by confidentiality laws from reporting any information about an incident to anyone, in any way that identifies the victim, without the victim's permission. Thus, students may discuss an incident with a counselor in Counseling Services or a health care provider in Health Services, or an off-campus resource (i.e. rape crisis center, doctor, psychologist, etc.) without concern that the incident will be reported to the Title IX Coordinator or UTSAPD. Employees may also seek assistance from the Employee Assistance Program, their own personal health care provider, or an off-campus rape crisis resource without concern that the incident will be reported to the Title IX Coordinator or UTSAPD. The University and community resources that provide such services follow:

- a. The UTSA Counseling Services:
<http://www.utsa.edu/counsel/index.html>
Main Campus Location: Recreation Wellness Center - RWC 1.810
Phone: (210) 458-4140
Downtown Campus Location: Buena Vista Building - BV 1.308
Phone: (210) 458-2930
- b. The UTSA Student Health Services:
<http://www.utsa.edu/health/>
Main Campus Location: Recreation Wellness Center - RWC 1.500
Phone: (210) 458-4142
Downtown Campus Location: Buena Vista Building - BV 1.308
Phone: (210) 458-2930

Please refer to Off Campus Confidential Resources websites for information.

- c. The Rape Crisis Center - San Antonio -
<http://rapecrisis.com>
24-Hour Crisis Hotline: (210) 349-7273
7500 W US Hwy 90
San Antonio, TX 78227
- d. Bexar County Family Justice Center:
<http://www.bcfjc.org/contact.html>
Domestic Violence Assistance:

<http://home.bexar.org/DA/DomesticViolence.html>

Protective Orders:

<http://www.bcfic.org/Legal.html>

General Office Phone: (210) 631-0100

Emergency: Dial 911

6. Immunity. In an effort to encourage reporting of Sexual Misconduct, the University may grant immunity from student disciplinary action to a person who voluntarily initiates a report of sexual misconduct or assists a complainant, if that person acts in good faith in reporting a complaint or participating in an investigation. This immunity does not extend to the person's own violations of this Policy.

B. Parties' Rights Regarding Confidentiality. The University has great respect for the privacy of the parties in a complaint. Under federal law, however, Responsible Employees who receive a report of sexual misconduct must share that information with EOS. Those individuals may need to act to maintain campus safety and must determine whether to investigate further under Title IX, regardless of the complainant's request for confidentiality. In the course of the investigation, the University may share information only as necessary with people who need to know to fulfill the purposes of this Policy and applicable law, such as investigators, witnesses, and the respondent.

1. Retaliation. The University will take all reasonable steps to ensure there is no retaliation against a complainant, respondent or any individuals engaged in this protected activity. An administrator, faculty member, student or employee who retaliates in any way against an individual who has brought a complaint pursuant to this policy or an individual who has participated in an investigation of such a complaint is subject to disciplinary action, including dismissal.
2. Confidentiality for Student Records. The University will comply with the Family Educational Rights and Privacy Act (FERPA), with Texas Education Code Sec. 51.971 and other confidentiality laws as they apply to Title IX investigations. To the extent possible, the University will also protect the privacy of all parties to a report of Sexual Misconduct.

C. Other Victim Resources

1. Healthcare. An individual who experiences any form of sexual, domestic, or dating violence is 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 in San Antonio or the nearest hospital that provides SAFE services.

For more information about the SAFE, see <http://hopelaws.org/> or <https://www.texasattorneygeneral.gov/victims/sapcs.shtml#survivor>. 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.

Police Assistance. The University encourages individuals who have experienced sexual violence to make a report to the police. It is important to note that a police department's geographic jurisdiction depends on where the sexual violence occurred. Many offices on campus can assist students in filing a police reporting including but not limited to UTSA Peace Center, EOS/Title IX Office and the Student Ombudsperson.

Reporting an assault to law enforcement does not mean that the case will automatically go to criminal trial or to a University disciplinary hearing. If the University police are called, a uniformed officer will be sent to the scene to take a detailed statement. A ride to the hospital may be provided by the police department counselor. A report may be filed with the University police even if the perpetrator/respondent was not a University student or employee. If the incident occurred in the City of San Antonio but off campus, a report may be filed with the San Antonio Police Department (SAPD), even if time has passed since the assault occurred. If a report is made to the police, a uniformed officer will usually be dispatched to the location to take a written report. UTSAPD can assist with providing information on how to file any protective orders. For further information, see the UTSAPD website:

<http://www.utsa.edu/publicsafety/pd/>

Counseling and Other Services. A person who has experienced Sexual Violence is strongly encouraged to seek medical and psychological care even if he or she does not plan to request a SAFE or report the assault to the police. They may be prescribed medications to prevent sexually transmitted infections and/or pregnancy if they seek medical assistance.

Medical care can be provided at UTSA Health Services (for students only), at a local emergency room, or by a private physician. Psychological support can be provided by UTSA's Counseling Services (students), or a referral through the Employee Assistance Program (employees), or a care provider of the individual's choosing.

2. Interim Measures and Ongoing Assistance. In addition to the services provided by on and off-campus providers, EOS/Title IX office can take immediate action to implement interim measures to assure the safety and well-being of the

complainant and respondent, to maintain an environment free from harassment, discrimination or retaliation, and to protect the safety and well-being of community members. Interim 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 reasonably 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.

D. Intake Procedures and Protocol

1. Key Officials in an Investigation
 - a. Title IX Coordinator.
 - b. Investigators. The Title IX Coordinator will ensure that complaints are properly investigated under this Policy. The Title IX Coordinator will also ensure that investigators are properly trained to conduct investigations that occur under this Policy. The Title IX Coordinator shall supervise and advise the Title IX investigators as necessary.
2. Assessment of Complaint. The Title IX Coordinator or designee will conduct a preliminary assessment of the complaint and determine whether a formal resolution or an informal resolution should occur. Informal resolution may be appropriate: With a complaint solely of sexual harassment, not including sexual violence as defined in this Policy; and when the complainant requests an informal resolution or both parties are categorically similar (i.e. employee/employee or student/student).
3. Notification of University Offices Offering Assistance. After receiving a complaint, the Title IX Coordinator or Deputy Coordinators shall inform and provide the complainant contact information of available University resources and assistance. The Title IX Coordinator will take into consideration requested confidentiality.
4. Informal Resolution. A complainant may use this option instead of or before filing a formal complaint, but is not required to do so. Also, this option is not permitted for

Sexual Assault or Sexual Violence cases. Anyone who believes that he or she has been subject to Sexual Misconduct may immediately file a formal complaint as described in Section IX.A of this Policy.

- a. Informal Assistance. In certain complaints, an individual may not wish to file a formal complaint. If informal assistance is deemed appropriate by the Title IX Coordinator or Deputy Coordinators, the individual will be provided assistance in informally resolving the alleged sexual harassment. Assistance may include providing the complainant with strategies for communicating with the offending party that his or her behavior is unwelcomed and should cease, or directing a University official to inform the offending party to stop the unwelcomed conduct. However, the University may take more formal action, including disciplinary action, to ensure an environment free of sexual harassment, violence or misconduct.
 - b. Timeframe. Informal resolutions should be completed no later than 30 calendar days after the Title IX Coordinator receives the request for informal resolution.
 - c. Confidentiality and Documentation. The Title IX Coordinator will document and record informal resolutions. The EOS office will retain the documentation. If the individual's wish to remain anonymous limits the University's ability to establish facts and eliminate the potential harassment, the University will attempt to find the right balance between the individual's desire for privacy and confidentiality and its responsibility to provide an environment free of sexual harassment.
 - d. Graduation. The graduation of a complainant or respondent does not affect EOS's duty to investigate and resolve an open complaint.
5. Formal Complaint and Investigation.
- a. Formal Complaint. To begin the investigation process, the complainant should submit a signed, written statement setting out the details of the conduct that is the subject of the complaint, including the complainant's name, signature, and contact information; the name of the person directly responsible for the alleged violation; a detailed description of the conduct or event that is the basis of the alleged violation; the date(s) and location(s) of the occurrence(s); the names of any witnesses to the occurrence(s); the resolution sought; and any documents or information that is relevant to the complaint.

The University may initiate an investigation regardless of the manner in which a complaint is received or whether a complaint is received at all. However, the complainant is strongly encouraged to file a written

complaint. If the complaint is not in writing, the investigator should prepare a statement of what he or she understands the complaint to be and ask the complainant to verify that statement. If a complaint is received by an individual other than the Title IX Coordinators, the individual receiving the complaint should refer the complaint to the Title IX Coordinators.

b. Investigation.

(1) An investigator will be assigned to investigate the complaint.

(a) Within ten (10) work days of receipt of a complaint, the EOS investigator, as appropriate, may either dismiss the complaint or authorize an investigation of the complaint. A complaint may be dismissed if the facts alleged in the complaint, even if taken as true, do not constitute Sexual Misconduct; the complaint fails to allege any facts that suggest Sexual Misconduct occurred; or the appropriate resolution or remedy has already been achieved, or has been offered and rejected.

(b) If it is determined that a complaint will not be investigated, the EOS Office will contact the complainant and/or send the complainant a notification letter explaining the reason for the dismissal. The complainant has 15 (fifteen) work days of the notification to appeal the decision not to proceed with a complaint investigation to the Executive Director of Institutional Compliance and Risk. The written appeal must explain why the decision to dismiss the complaint was in error. The Executive Director of Institutional Compliance and Risk will respond within twenty (20) work days of receipt of the appeal. The Executive Director of Institutional Compliance and Risk decision is final. If the decision to dismiss is overturned, the complaint is sent back to the EOS Office for investigation in accordance with the procedures outlined in this Policy.

(2) As part of the investigation process, the complainant and the respondent will be provided notice of the complaint and allowed a reasonable time to respond in writing as determined by the EOS Office.

(3) A respondent's failure to participate in the investigation will not prevent an investigation from taking place or a decision from being made. Student respondents who fail to participate may be referred to Student Conduct and Community Standards for their failure to participate. Employee respondents who fail to

participate may be referred to Employee Relations or their Supervisor for failure to participate. The complainant and the respondent may present any document or information that is believed to be relevant to the complaint.

(4) Persons thought to have relevant information to the complaint will be interviewed, and those interviews will be appropriately documented. Both the respondent and the complainant may recommend witnesses for interviews and suggest questions that should be asked. Neither the complainant nor the respondent will attend these interviews or the gathering of the evidence.

(5) The investigation of a complaint will be concluded as soon as possible after receipt of the written complaint. In investigations exceeding 60 calendar days, a justification for the delay will be presented and reviewed by the Executive Director of Institutional Compliance and Risk.

(6) After the investigation is complete, a written report will be issued to the appropriate administrator. The appropriate administrator will depend on the status of the respondent (i.e., student, faculty or employee). The report shall include a recommendation of whether a violation of the policy occurred, an analysis of the facts discovered during the investigation, any relevant evidence, recommended disciplinary action if a violation of the policy occurred, and any recommended remedial action (see a list of possible remedies for students at Appendix A.).

(a) Factual findings and a preliminary conclusion of whether a policy violation occurred shall be based upon a preponderance of the evidence standard. The EOS Office also may make recommendations to resolve any workplace issues it may discover during the investigation process regardless of whether Sexual Misconduct can be substantiated.

(7) Notice to Employees: A copy of the report will be provided to the complainant, the respondent, and the vice president or dean who has authority over the respondent. (The vice president or dean may delegate responsibility for reviewing the EOS report and any submitted comments and taking the actions identified in (e) below.) The complainant and respondent have seven (7) work days from the date of the report to submit comments regarding the report to the appropriate vice president or dean.

(8) Notice to Students: In accordance with the Family Education Rights and Privacy Act (FERPA) and the Texas Education Code, Section 51.971, in complaints involving student-on-student conduct,

the complainant and the respondent will receive a redacted copy of the report and a letter stating the findings and recommendations included in the report provided to the Dean of Students (DOS). The complainant and respondent have seven (7) work days from the date of the report to submit comments regarding the report to the DOS. (Students can find additional information on the DOS review process in the Student Code of Conduct Sec. 801.)

- (9) Within ten (10) work days of receiving any comments submitted by the complainant or respondent, or, if no comments were submitted, within seven (7) work days of the date of the report, the appropriate vice president for staff or dean for faculty who has authority over the respondent or the DOS for students will take one of the following actions:

- (a) Notify both the complainant and respondent that a review is in progress;
- (b) Request the EOS Office to do further investigation into the complaint;
- (c) Dismiss the complaint if the results of the completed investigation are inconclusive or there is not a preponderance of the evidence (i.e., there is insufficient reasonable, credible evidence to support the allegation(s)); or
- (d) Find that the policy was violated.
 - (i) A decision that this policy was violated shall be made upon the record provided by the investigator and any comments submitted by the complainant or respondent; and shall be based on the totality of circumstances surrounding the conduct complained of, including but not limited to: the context of that conduct, its severity, frequency, whether it was physically threatening, humiliating, or was simply offensive in nature. Facts will be considered on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular sensitivity or reaction of an individual.
 - (ii) If it is determined that the Policy was violated, the appropriate vice president for staff or dean for faculty who has authority over the respondent or the DOS for students will refer the matter for disciplinary action under the applicable disciplinary policies and procedures. NOTE: Applicable disciplinary policies and procedures

depend on the status of the respondent (i.e., student, faculty or employee).

(10) Implementation of Disciplinary Action

(a) Staff and Faculty

- (i) Implementation of disciplinary action against faculty and staff will be handled in accordance with UTSA's policy and procedures for discipline and dismissal of faculty and employees. Disciplinary actions can include, but are not limited to, written reprimands, the imposition of conditions, reassignment, suspension, and dismissal.
- (ii) Both the complainant and the respondent shall be afforded an opportunity to appeal any disciplinary action imposed by utilizing the established policies governing such appeals:
 - 1. Faculty: HOP policy [2.34 Faculty Grievance Procedure](#)
 - 2. Staff: HOP policy [3.03 Discipline and Dismissal of Personnel](#), or HOP policy [3.04 Grievances of Non-Faculty Employees](#).

(b) Students

- (i) Implementation of disciplinary action against students will be referred to the Office of Student Conduct and Community Standards for processing in accordance with the Student Code of Conduct. The Student Code of Conduct is located in the UTSA Information Bulletin at www.utsa.edu/infoguide. Student disciplinary actions may include, but are not limited to, probation, suspension, or expulsion.
- (c) Both the complainant and the respondent shall be afforded an opportunity to appeal any disciplinary action imposed by utilizing the established policies governing such appeals: [Student Code of Conduct Section 701](#), et seq.

In accordance with federal law, when disciplinary action is commenced because of a violation of this policy, the above policies will provide both parties equal opportunities in all aspects of the process including notices and advisor representation. Further, the standard of proof in determining the outcome will be the "preponderance of the evidence," as defined in this policy.

- 6. Standard of Proof. All investigations under this policy will use the preponderance of the evidence standard to determine violations of this policy.

7. Timelines. Barring any unforeseen and reasonable delays, the University will endeavor to resolve complaints under this Policy no later than 60 calendar days after the initial report was received by the Responsible Employee or the EOS office. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

At the request of law enforcement, the University may defer its fact-gathering until after the initial stages of a criminal investigation. The University will nevertheless communicate with the complainant regarding his/her Title IX rights, procedural options, the status of the investigation, and the implementation of interim measures to ensure his/her safety and well-being. The University will also communicate with the respondent regarding his/her Title IX rights, procedural options and information regarding the status of the investigation. The University will promptly resume its fact gathering as soon as law enforcement has completed its initial investigation, or if the fact-gathering is not completed in a reasonable time.

The filing of a complaint under this policy does not excuse the complainant from meeting time limits imposed by outside agencies. Likewise, the applicable civil or criminal statute of limitations will not affect the University's investigation of the complaint.

8. Remedies. The University will take appropriate disciplinary action(s), including but not limited to separation from the university for students and termination for employees, for violations of Title IX. The University may additionally take the following actions to resolve complaints of Sexual Misconduct, prevent any recurrence and, as appropriate, remedy any effects:
 - a. Ensuring the complainant and respondent do not share classes, working environments or extracurricular activities;
 - b. Making modifications to the on campus living arrangements of the respondent or complainant (if the complainant requests to be moved);
 - c. Providing comprehensive, holistic victim services including medical, counseling and academic support services, such as tutoring;
 - d. Providing the complainant extra time to complete or re-take a class or withdraw from a class without an academic or financial penalty;
 - e. Determining whether Sexual Misconduct adversely affected the complainant's University standing;
 - f. Designating an individual specifically trained in providing trauma-informed comprehensive services to victims of Sexual Violence to be on call to assist victims whenever needed;

- g. Conducting, in conjunction with University leaders, a University climate check to assess the effectiveness of efforts to ensure that the University is free from Sexual Misconduct, and using that information to inform future proactive steps that the University will take;
- h. Providing targeted training for a group of students if, for example, the sexual harassment created a hostile environment in a residence hall, fraternity or sorority, or on an athletic team. Bystander intervention and Sexual Harassment/Violence prevention programs may be appropriate;
- i. Issuing policy statements or taking other steps to clearly communicate that the University does not tolerate Sexual Misconduct and will respond to any incidents and to an individual who reports such incidents.

This list is not exhaustive and may include additional remedies. These remedies are separate from, and in addition to, any interim measures that may have been provided before the end of the University's investigation. If the complainant did not take advantage of a specific service (e.g., counseling) when offered as an interim measure, the complainant should still be offered, and is still entitled to, appropriate final remedies that may include services the complainant declined as an interim measure. A refusal at the interim stage does not mean the refused service or set of services should not be offered as a remedy.

E. Provisions Applicable to the Investigation

1. Assistance. The respondent and complainant may each identify an advisor (who may be an attorney) of their choosing during the entire EOS/Title IX process. The advisors are allowed to be present for the purpose of providing support to the individual directly and are not allowed to actively participate in any meeting or interview. The University reserves the right to remove or dismiss disruptive advisors or those who do not abide by restrictions on participation. Additionally, the University is not required to reschedule a proceeding or meeting if the advisor cannot attend a proceeding or meeting. An individual named by either party as a witness or potential witness should not serve in the role of advisor to either party.
2. Time Limitations. Time limitations in these procedures may be modified by the Title IX Coordinator or appropriate administrator on a written showing of good cause by the complainant, respondent, or the University.
3. Concurrent Criminal or Civil Proceedings. The University will not wait for the outcome of a concurrent criminal or civil justice proceeding to take action. The University has an independent duty to investigate complaints of sexual misconduct. (Except as provided in Section IX.D.7).
4. Documentation. The University shall document complaints and their resolution and retain copies of all materials in accordance with state and federal records laws and University policy.

F. Dissemination of Policy and Educational Programs

1. The policy will be made available to all University administrators, faculty, staff, and students online at [<https://www.utsa.edu/hop/chapter9/9-24.html>] and in University publications. Periodic notices will be sent to University administrators, faculty, staff and students about the University's Sexual Misconduct Policy. The notice will include information about Sexual Misconduct, including the complaint procedure, and about University disciplinary policies and available resources, such as support services, health, and mental health services. The notice will specify the right to file a complaint under this Policy and with law enforcement and will refer individuals to designated offices or officials for additional information.
 2. Ongoing Sexual Misconduct Training. The University's commitment to raising awareness of the dangers of Sexual Misconduct includes offering ongoing education through annual training of faculty, staff, mental health professionals, and students. The University will periodically educate and train employees and supervisors regarding the Policy and conduct that could constitute a violation of the Policy. Preventive education and training programs will be provided to University administrators, faculty, staff, and students and will include information about risk reduction, including bystander intervention. Training on Sexual Misconduct policy and procedures will be provided to law enforcement personnel, including training on their obligation to advise University administrators, faculty, staff, and students of their rights to file a complaint under this Policy and their right to file a criminal complaint.
 3. Training of Coordinators, Investigators, Hearing and Appellate Authorities. All Title IX Coordinators, Deputy Coordinators, investigators, and those with authority over Sexual Misconduct hearings and appeals shall receive training each academic year about offenses, investigatory procedures, due process, and University policies related to Sexual Misconduct.
- G. Additional Conduct Violations**
1. Retaliation. Any administrator, faculty member, student or employee who knowingly and intentionally retaliates in any way against an individual who has brought a complaint under this Policy, participated in an investigation or disciplinary process of such a complaint, or opposed any unlawful practice, is subject to disciplinary action up to and including dismissal or separation from the University.
 2. False Complaints. Any person who knowingly and intentionally files a false complaint under this Policy is subject to disciplinary action up to and including dismissal or separation from the University. A finding of non-responsibility does not indicate a report was false.
 3. Interference with an Investigation. Any person who knowingly and intentionally interferes with an ongoing investigation conducted under this Policy is subject to disciplinary action up to and including dismissal or separation from the University. Interference with an ongoing investigation 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 investigation; or
 - c. Providing false or misleading information to the investigator, or encouraging others to do so.
 4. No effect on Pending Personnel or Academic Actions Unrelated to the Complaint. The filing of a complaint under this Policy will not stop or delay any action unrelated to the complaint, including:
 - a. 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;
 - b. 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
 - c. Any job-related functions of a University employee. Nothing in the section shall limit the University's ability to take interim action.
- H. Documentation.** The University shall confidentially maintain information related to complaints under this Policy, as required by law. The Title IX Coordinator will document each complaint or request for assistance under this Policy, whether made by a victim, a third party, or anonymously, and will review and retain copies of all reports generated as a result of investigations. These records will be kept confidential to the extent permitted by law. Any person who knowingly and intentionally makes an unauthorized disclosure of confidential information contained in a complaint or otherwise related to the investigation of a complaint under this Policy is subject to disciplinary action.
- I. Annual Reporting and Notice.** The University's Title IX General Policy Statement will be made available to all students, faculty, and employees online, in required publications and in specified departments. On an annual basis, and upon any updates to this Policy, the University will send notice of its compliance with Title IX as required by law. The annual notice shall designate the Title IX Coordinator and Deputy Coordinators, explain which offenses are prohibited and where to report violations of this Policy, provide information regarding victim resources, and provide a link to this Policy and other related University websites.

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

The University of Texas at San Antonio 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.

Resources, programs and events include:

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; 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. Currently there is one (1) Student Advocate. However, with the expansion of our services it has been determined that the Director/Prevention Coordinator is the designated Advocate for staff and faculty offering the same supportive services.

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

The UTSA PEACE Center is also the hub for our Campus Violence Prevention Action Team, who has approximately 25 members/stakeholders from across campus. This team of staff/faculty/students have completed a rigorous evaluation from the Culture of Respect Collective program and are 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.

Contact Information: UTSA PEACE Center, RWC 1.802, 210-458-4077.

Sexual Assault Awareness Month (SAAM Activities/Programs): Various UTSA departments collaborate each April to participate in this nationwide event by hosting activities that promote sexual assault awareness and prevention. Events include tabling events 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. At UTSA, 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 from anywhere on campus to any other location on campus. Request an escort at 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 focuses on resources available to promote and decrease the risk of alcohol-involved situations, i.e. 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. Additionally, ongoing training is available for all current students.

Crime Prevention Presentation: The UTSA Police Department Community Affairs Section, established in 1994, offers a series of presentations to students about personal safety, 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 at:

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 the 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 Policy

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 The University of Texas at San Antonio 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 death 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 must press charges; take the case to criminal trial and/or a university disciplinary hearing.

A victim may be undecided about filing criminal charges, but it is very important to report to the police, preserve evidence and going to a hospital for forensic collection of physical evidence that may assist in proving that a criminal offense occurred and may be helpful in obtaining a protective order. Treatment at a hospital is also important for the treatment of injuries and emotional trauma. A victim may always exercise the option to file criminal charges later.

Victims may also report in a confidential manner to any of the following: the University Counseling Services at (210-458-4140) or Student Health Services at (210-458- 4142).

Any student or employee victim who reports to UTSA that has been a victim of sexual assault, domestic violence, dating violence, and stalking, 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 the UTSA PD'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 PD 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 want 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. UTSA PD's Community Affairs Section at (210) 458-6250 or (210) 458-6974 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 Campus Crisis Helpline (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 ugly 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 The University of Texas at San Antonio 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/bit 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 police 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

Information and assistance is available for the victim through the UTSA Counseling Services (210-458-4140), Student Health Services (210-458-4142), Rape Crisis Hotline (210-349-7273), Rape Crisis Center (210-521-7273), The Bexar County Family Justice Center (210-208-6800), and the Office of Student Life (210-458-4720). These departments can provide support services to the victim and specifically assist the victim in 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. 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.

Interim Measures: Assistance with Changes in Academic and Living Situation

The EOS/Title IX office can assist with interim measures prior to or during an investigation. In addition to the services provided by on and off-campus providers, the EOS/Title IX office can take immediate action to implement interim measures to assure the safety and well-being of the complainant and respondent, to maintain an environment free from harassment, discrimination or retaliation, and to protect the safety and well-being of community members. Interim 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 at:

<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 following: Drug-Free Schools and Communities Act provided by the Office of the Dean of Students and Senior Vice Provost for Student Affairs; 2018-2019 Student Information Bulletin, Section F. Drug Free Schools & Communities Act located at:

<http://catalog.utsa.edu/policies/administrativepoliciesandprocedures/drugfreeschoolsandcommunitiesact/>

In addition, the Education Department General Administrative Regulations - Part 86, complying with the Drug Free Schools and Campuses Regulations: A Guide for University and College Administrators, UTSA's Human Resources department annually documents the UTSA's efforts regarding compliance to the act in December. A memo is then 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 the 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 the Office of 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. If a student is found responsible for the illegal use, possession, or sale of a drug or narcotic on campus, the minimum sanction shall be suspension from the institution for a specified period of time, and/or suspension of rights and privileges.

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 Chili'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 the University Oaks Apartments 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 Counseling Services on Campus

Counseling Services (210-458-4140) provides short-term counseling for students. The office is located in the Recreation and Wellness Center, Room 1.810. Counseling Services provides individual alcohol and drug related consultations, substance abuse assessments, and feedback. Referrals for education and other support services to

students dealing with alcohol and drug issues are provided, to include maintaining recovery. Students can also seek support and guidance on starting 12- step recovery groups on campus.

Counseling Services uses online, anonymous assessments using AUDIT Alcohol for alcohol abuse and ASSIST Substance Use for substance abuse to give students feedback on alcohol and drug use, potential risks of substance use, and ways to reduce harm associated with misuse of substances.

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:

- Alcohol
- Flu
- Time management
- Nutrition
- Healthy relationships
- Tobacco
- Body image
- Financial health
- Stress
- Sexual health
- Physical activity
- Skin care

The Office of Student Activities (210-458-4160) located in the Student Union, Room 1.210 and provides a variety of programming opportunities and events for students. Training is provided to the Student Activities Risk Education staff to facilitate discussions with representatives of UTSA's 248 student organizations regarding drug and alcohol use and misuse among student organizations. Campus wide programs with intentional 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.

Office of 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.

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

Human Resources offers employees the Employee Assistance Program through the Human Resources website at:

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

The Employee Assistance Program is a confidential service that includes short-term assessments, counseling, prevention, education, crisis intervention, and referrals for a wide range of issues including substance abuse.

Safety Awareness Programs

The University of Texas at San Antonio encourages all students and employees to take an active role in their own security and practicing good safety habits. UTSA has a number of campus-wide educational programs such as orientation for new students, faculty, and staff to include:

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 UTSAPD and the Office of Environmental Health, Safety, and Risk Management.

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, academic life, and reduce anxiety about the transition to U.S. college life.

Environmental Health, Safety, and Risk Management (EHSRM): EHSRM's goal is to work with the university community in making The University of Texas at San Antonio a safer and healthier place to work and study through a variety of training classes offered through Human Resources Training. About 45 different classes are offered throughout the year.

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.

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: are required to send two student leaders each academic year to a state mandated risk management training course provided by the Office of 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 EPIC Journey model is a developmental approach to conduct intended to transform the student's decision making patterns.

Beaks Up Speak UP: Recognize. Choose. Act. [UTSA Call to Action Day Video](#)

These programs are offered at scheduled times during the calendar year and all university community members are encouraged to attend. The programs are designed to inform students, faculty, and staff about campus safety and security procedures.

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 UTSA PD or other law enforcement agencies and may result in criminal penalties.

Individuals should report noncompliance to UTSA PD who will forward potential violations to the Office of Institutional Compliance and/or Office of Human Resources or Office of 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 (UTSA PD) 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, UTSA PD 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. UTSA PD 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, UTSA PD 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.

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 HRL at (210) 458-6200, or the UTSA PD 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 UTSA PD.
- 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.

To contact an RA on-call staff member, please call:

- 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.

2018 UTSA Main Campus Crime Statistics

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

Offense Type	On Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facilities
Murder/Non Negligent Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Rape	6	0	0	6	6
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	1	0	0	1	0
Burglary	7	0	0	7	4
Motor Vehicle Theft	3	0	0	3	0
Arson	0	0	0	0	0
Weapons Law Arrests	1	0	1	2	0
Drug Law Arrests	58	1	9	68	41
Liquor Law Arrests	62	0	8	70	51
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0	0
Drug Law Violation Referred for Disciplinary Action	127	1	0	128	106
Liquor Law Violation Referred for Disciplinary Action	36	0	2	38	33
Violence Against Women Act – Offenses	On Campus	Non-Campus	Public Property	Total	On Campus Student Housing Facilities
Domestic Violence	1	0	0	1	1
Dating Violence	14	0	1	15	11
Stalking	3	0	0	3	1

2018 UTSA Downtown Campus Crime Information

Offense Type	On Campus	Non-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Weapons Law Arrests	0	0	0	0
Drug Law Arrests	3	1	2	6
Liquor Law Arrests	0	28	0	28
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0
Drug Law Violation Referred for Disciplinary Action	0	0	0	0
Liquor Law Violation Referred for Disciplinary Action	0	0	0	0
Violence Against Women Act – Offenses	On Campus	Non-Campus	Public Property	Total
Domestic Violence	1	0	1	2
Dating Violence	0	0	0	0
Stalking	0	0	0	0

Through police investigation, one robbery at main campus, one robbery at downtown campus, 1 motor vehicle theft, and 1 burglary were unfounded and not included in the above statistics.

2017 UTSA Main Campus Crime Statistics

There were no hate crime reported at either campus in 2017. After an analysis, the 2017 crime statistics were adjusted.

Offense Type	On Campus	Non-Campus	Public Property	Total	On Campus Student Housing
Murder/Non Negligent Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Rape	7	1	0	8	7
Fondling	1	0	0	1	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Robbery	1	0	0	1	1
Aggravated Assault	0	0	0	0	0
Burglary	5	0	0	5	3
Motor Vehicle Theft	3	0	0	3	0
Arson	1	0	0	1	0
Weapons Law Arrests	0	0	1	1	0
Drug Law Arrests	83	0	9	92	49
Liquor Law Arrests	32	0	5	37	14
Weapons Law Violations Referred for Disciplinary Action	2	0	0	2	0
Drug Law Violation Referred for Disciplinary Action	96	0	0	96	89
Liquor Law Violation Referred for Disciplinary Action	72	2	0	74	64
Violence Against Women Act – Offenses	On Campus	Non-Campus	Public Property	Total	On Campus Student Housing
Domestic Violence	2	0	0	2	1
Dating Violence	10	0	0	10	8
Stalking	5	0	0	5	0

2017 UTSA Downtown Campus Crime Information

Offense Type	On Campus	Non-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	0	0	0	0
Fondling	1	0	0	1
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	1	0	0	1
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Weapons Law Arrests	0	0	0	0
Drug Law Arrests	1	0	9	10
Liquor Law Arrests	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0
Drug Law Violation Referred for Disciplinary Action	0	0	0	0
Liquor Law Violation Referred for Disciplinary Action	0	0	0	0
Violence Against Women Act – Offenses	On Campus	Non-Campus	Public Property	Total
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Stalking	0	0	0	0

Through police investigation one robbery, two motor vehicle thefts, and one stalking, all at Main Campus were unfounded and not included in the above statistics.

2016 UTSA Main Campus Crime Statistics

There were no hate crimes reported at either campus in 2016. After an analysis, the 2016 crime statistic were adjusted.

Offense Type	On Campus	Non-Campus	Public Property	Total	On Campus Student Housing
Murder/Non Negligent Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Rape	3	0	0	3	1
Fondling	4	0	0	4	1
Incest	0	0	0	0	0
Statutory Rape	1	0	0	1	1
Robbery	2	0	0	2	0
Aggravated Assault	1	0	0	1	0
Burglary	11	0	0	11	10
Motor Vehicle Theft	15	0	0	15	0
Arson	0	0	0	0	0
Weapons Law Arrests	1	0	0	1	0
Drug Law Arrests	96	0	15	111	49
Liquor Law Arrests	105	0	4	109	69
Weapons Law Violations Referred for Disciplinary Action	2	0	0	2	1
Drug Law Violation Referred for Disciplinary Action	134	1	0	135	110
Liquor Law Violation Referred for Disciplinary Action	115	0	0	115	85
Violence Against Women Act – Offenses	On Campus	Non-Campus	Public Property	Total	On Campus Student Housing
Domestic Violence	2	0	0	2	0
Dating Violence	3	0	0	3	3
Stalking	1	0	0	1	0

2016 UTSA Downtown Campus Crime Information

Offense Type	On Campus	Non-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Weapons Law Arrests	0	0	0	0
Drug Law Arrests	3	0	0	3
Liquor Law Arrests	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0
Drug Law Violation Referred for Disciplinary Action	0	0	0	0
Liquor Law Violation Referred for Disciplinary Action	0	10	0	10
Violence Against Women Act – Offenses	On Campus	Non-Campus	Public Property	Total
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Stalking	0	0	0	0

In 2016, of the 15 motor vehicle thefts 13 were golf carts. A suspect was identified, arrested and is consider innocent until proven guilty in a court of law. Through police investigation, one rape and one robbery were unfounded and are not included in the 2016 statistic above.

2018 UTSA Main Campus Clery Geography Map



Campus

- Main Campus

Public Property

- Public Property

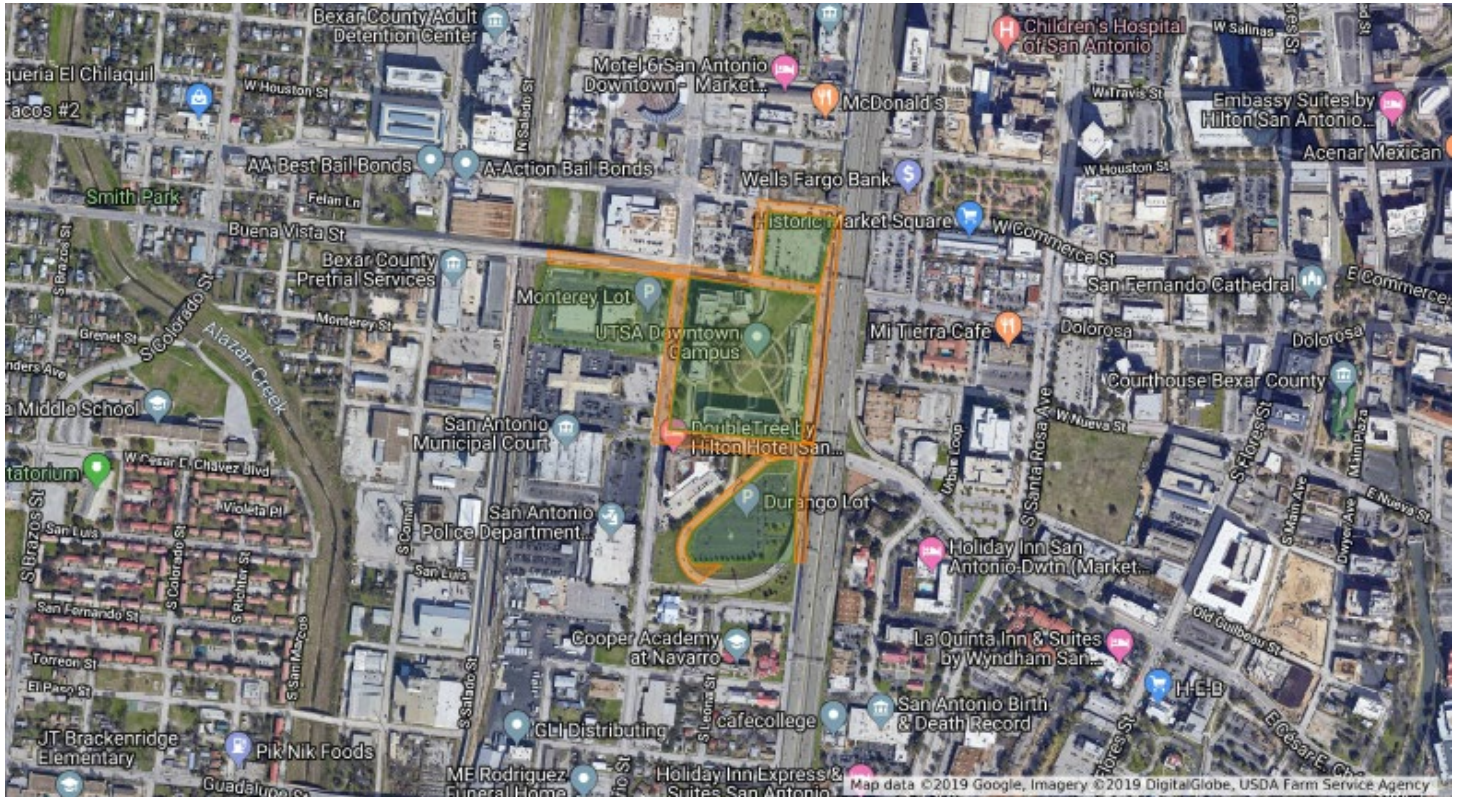
Residence Hall

- 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

2018 UTSA Downtown Campus Clery Geography



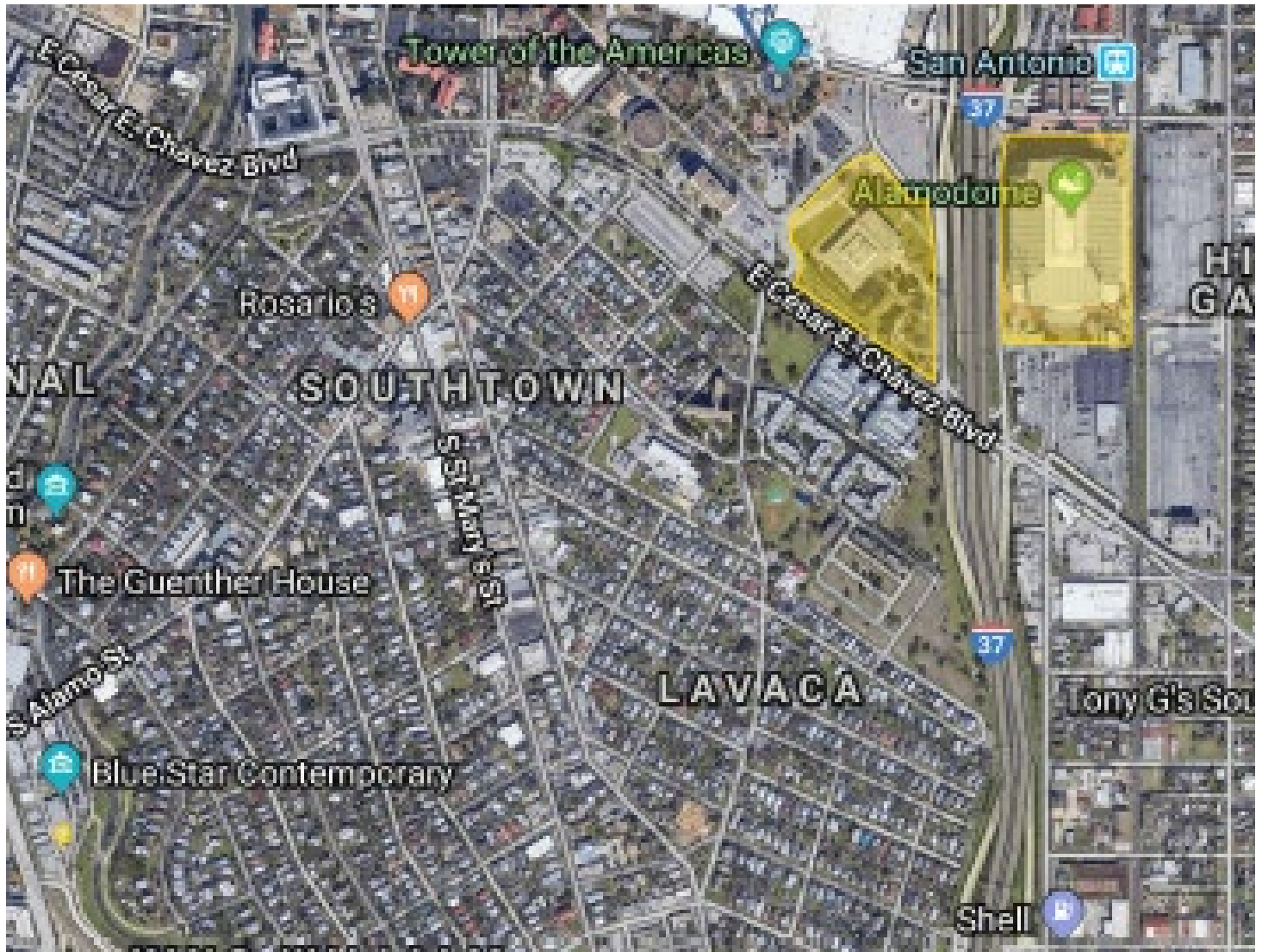
Downtown Campus

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

Public Property

- Public Property

2018 Institute of Texas Culture Locations – Non-Campus



Non-Campus Property

- ITC
- Alamodome
- Blue Star Art Complex

2018 Prevention and Awareness Trainings

Event	Topic	Date(s)	Sponsoring Dept	Focus Group
National Collegiate & Drug Alcohol Week	Alcohol & Drug Awareness	1/24/18 & 1/26/18	UTSA PD	UTSA Community
Spring Break Safety	Alcohol & Drug Awareness	3/2, 3/6, 3/9	UTSA PD	UTSA Community
Tabling Event	Alcohol & Drug Awareness	6/27, 6/28	UTSA PD	UTSA Community
U in The Driver Seat	Alcohol & Impaired Driving Awareness	10/23/2018	Sigma Lambda Gamma & UTSA PD	Students
Late Nite @ the Rec	Alcohol Awareness	8/18/2018	UTSA PD	Students
RHA Welcome Back Pool Party	Alcohol Awareness	8/19/2018	UTS Resident Hall Assistants & UTSA PD	UTSA Residents
Rowdy Wing Fling	Alcohol Awareness	9/19/2018	Student Activities & UTSA PD	Students
Tabling Event	Alcohol Awareness & Emergency Preparedness	3/21, 3/28, 9/20, 9/27	UTSA PD	UTSA Community
Athletic AIS	Alcohol Awareness & Sexual Violence Prevention	10/16, 10/17, 10/25	UTSA PD & Athletics	UTSA Freshman Athletes
Operation ID	Anti-Theft	8/22, 8/29, 9/5, 9/12	UTSA PD	UTSA Community
Bike Repair Workshop	Bicycle Safety	4/6/2018	UTSAPD & Rec Wellness	UTSA Community
UTSA Business Affairs Forum	Business Affairs Services	5/17/2018	UTSA Business Affairs	Business Affairs Staff
Prep Orientation	Campus Safety	5/1, 6/1, 7/17	UTSA PD	UTSA Prep Participants
Roost Ball Doubles Competition	Community Relations	10/17/2018	UTSA SU Programs & UTSA PD	Students
Heroes & Helpers Christmas Event	Community Relations	12/8/2018	UTSA PD	Youth of surrounding community
SAPD NNO Kick-Off	Community Relations/ Crime Reduction	9/28/2018	San Antonio Police Department	UTSA & Surrounding Community
UTSA National Night Out	Community Relations/ Crime Reduction	10/2/2018	UTSA PD	UTSA & Surrounding Community
Community Response to Active Shooter Event	Community Response to Active Shooter Event	2/13, 8/13, 9/21, 9/25, 9/18	UTSA PD	UTSA Community
Human Resource Training	Community Response to Active Shooter Events	2/2, 2/18, 5/22	UTSA PD	Staff & Faculty
Public Safety Town Hall Meeting	Community Safety	7/21/2018	San Antonio PD, UTSA, UTSA PD	UTSA & Surrounding Community
Conflict Resolution	Conflict Resolution	8/14/2018	UTSA PD	Recreation Center Staff

Little Black Dress	Dating Violence Awareness & Prevention	10/29/2018	Delta Xi Nu Multicultural Sorority & UTSA PD	UTSA Community
Women of Honor	Dating Violence Awareness & Prevention	10/30/2018	UTSA Women of Honor & UTSA PD	WOH Members
Tabling Event	Dating Violence Prevention Outreach	2/2, 2/7, 2/9, 2/16, 2/23	UTSA PD	UTSA Community
Take Back the Night	Domestic & Dating Awareness & Prevention	10/11/2018	UTSA College of Women's Study & UTSA PD	UTSA Community
Toxic - Healthy Relationships	Domestic & Dating Violence	4/2/2018	UTSA Health Services	UTSA Community
Injury & Violence Prevention	Domestic & Dating Violence	4/5/2018	UTSA PD	UTSA Community
Human Resource Training	Floor Captain Training	3 classes each semester	The Office of Emergency Management	Staff & Faculty
Tabling Event	LiveSafe Safety App	9/11, 9/18	UTSA PD	UTSA Community
Human Resource Training	New Employee Development	2 classes each month	UTSA Human Resources & UTSA PD	Staff & Faculty
Orientation Resource Fair	Overall Campus Safety , Resource, and Services	5/1, 6/12, 6/14, 6/19, 6/26, 7/10, 7/17, 7/24, 7/26, 7/31, 8/7, 8/10, 8/11	UTSA Orientation & UTSA Departments	New Students
Graduate Orientation	Overall Safety & Resources	1/6/2018	UTSA Graduate Student Orientation	Graduate Students
UTSA Day	Personal Safety	4/14/2018	UTSA	UTSA Community
Personal Safety Presentation	Personal Safety	8/15/2018	UTSA PD	UTSA Admissions Staff
Self Defense Program	Personal Safety	9/11, 9/13	UTSA PD	Students
Personal Safety Presentation	Personal Safety	12/10/2018	UTSA PD	Undergraduate Administration Staff
ASSETS Symposium	Personal Safety & Conflict Resolution	10/27/2018	Tomas Rivas Center & UTSA PD	Staff
Rowdy Health Fair	Personal Safety & UTSA Resources	10/31/2018	UTSA Health Services	UTSA Community
Coffee with the COPS	Relation Building	3/7/2018	UTSA PD	UTSA Community
Self-Defense Program- 1/22 (15 attendees)	Self Defense	1/22/2018	Delta Xi Nu MultiCultural Sorority	Students
College Life Skit & Panel Discussion	Sexual Assault Prevention & UTSA Resources	6/5, 6/6, 6/12, 6/13, 6/19, 6/20, 6/26, 6/27, 7/10,	UTSA Orientation & UTSA Departments	New Students

		7/11, 7/17, 7/24, 7/25, 7/31, 8/1, 8/7		
It's On Us Outreach	Sexual Violence Awareness & Prevention	3/19/2018	Sigma Lambda Beta	UTSA Community
It's On Us- Call To Action Day	Sexual Violence Awareness & Prevention	4/3/2018	UTSAPD & IFC	UTSA Community
Tabling Event	Sexual Violence Awareness & Prevention	4/13, 4/27	UTSA PD	UTSA Community
Tabling Event	Suicide Prevention	9/6, 9/13,	UTSA PD	UTSA Community
Texas Laws -AIS Class	Traffic Stops- What do I do?	3/9/2018	UTSA PD	UTSA Freshman students

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. Below details all the information required by this Act for The University of Texas at San Antonio.

Definitions

The following terms are used with 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** – Is 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 department (HRL, <http://www.utsa.edu/housing/>) operates three of these:

- Alvarez Residence Hall (formerly San Saba Hall)
- Chaparral Village
- Laurel Village

Campus Living Villages (CLV, www.mystudentvillage.com/university/university-of-texas-san-antonio/) operates two of these:

- Chisholm Hall
- University Oaks apartments

Fire Statistics

Fire Statistics - Alvarez Residence Hall 6908 N. Loop 1604W, San Antonio, TX 78249						
Number and Causes of Fires			Property Damage (\$)		Injuries (count)	Deaths (count)
			Facility	Occupants		
2018	2	Cooking	0	0	0	0
		Electrical short	0	50	0	0
2017	0		0	0	0	0
2016	0		0	0	0	0

Fire Statistics - Chaparral Village 6910 N Loop 1604W, San Antonio, TX 78249						
Number and Causes of Fires			Property Damage (\$)		Injuries (count)	Deaths (count)
			Facility	Occupants		
2018	1	Accidental - Unknown	5,234	0	0	0
2017	1	Electrical short	0	20	0	0
2016	1	Smoking	0	15	0	0

Fire Statistics – Chisholm Hall 6960 N Loop 1604W, San Antonio, TX 78249						
Number and Causes of Fires			Property Damage (\$)		Injuries (count)	Deaths (count)
			Facility	Occupants		
2018	0		0	0	0	0
2017	0		0	0	0	0
2016	0		0	0	0	0

Fire Statistics – Laurel Village 6904 N Loop 1604W, San Antonio, TX 78249						
Number and Causes of Fires			Property Damage (\$)		Injuries (count)	Deaths (count)
			Facility	Occupants		
2018	0		0	0	0	0
2017	2	Cooking	100	0	0	0
		Candle	0	0	0	0
2016	0		0	0	0	0

Fire Statistics University Oaks I & II – 6685 UTSA Boulevard, San Antonio, TX 78249 University Oaks III – 6707 UTSA Boulevard, San Antonio, TX 78249						
Number and Causes of Fires			Property Damage (\$)		Injuries (count)	Deaths (count)
			Facility	Occupants		
2018	0		0	0	0	0
2017	0		0	0	0	0
2016	0		0	0	0	0

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 Residence 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 UTSA Police Department 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 Police Department Dispatch Center. All buildings in the development have full sprinkler coverage. UTSA has provided portable fire extinguishers outside the buildings.

Chisholm Hall, built in 1982 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 Police Department 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 Police Department 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 Residence 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.

Development	On-Campus Student Housing Building	Drills per building per year	Drills per year
Alvarez Residence Hall (formerly San Saba Hall)	1	1	1
Chaparral Village	12	1	12
Chisholm Hall	1	2	2
University Oaks	42	2	84
Laurel Village	8	1	8
Total	64	7	107

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. Further, campus policies prohibit storage and use of propane cylinders.

Topic	Development	Policy Text
Appliances	CLV (Chisholm)	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.
Appliances	CLV (University Oaks)	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. ... C. 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. D. 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.
Appliances	HRL (All)	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.

Smoking	CLV (All)	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.
Smoking	HRL (All)	<p>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, kreteks, electronic cigarettes, and smokeless tobacco, snuff and chewing tobacco.</p> <p>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.</p>
Open Flames	CLV (Chisholm)	<p>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.</p> <p>...</p> <p>C. 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.</p>
Open Flames	CLV (University Oaks)	<p>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.</p> <p>...</p> <p>C. 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.</p>
Open Flames	HRL (All)	<p>Avoid Fire Hazards</p> <p>...</p> <ul style="list-style-type: none"> • No open flames.

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

<http://www.utsa.edu/housing/documents/pdfs/housing-handbook.pdf>

<https://www.mystudentvillage.com/us/university-oaks/resources/>

<https://www.mystudentvillage.com/us/chisholm-hall/resources/>

Fire Safety Education Programs

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

Members of the CLV 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.

UTSA's Environmental Health, Safety, and Risk Management department 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 University of Texas at San Antonio Police Department (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 UTSA Police Department:

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 CLV 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 to 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 the follow the above procedures.

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

HRL's Housing Handbook has 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 UTSAPD 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, UTSAPD, 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.

CLV's Emergency Procedures Manual has additional procedures for evacuation in Chisholm Hall and University Oaks.

Fire Evacuation for Campus Living Residents (Chisholm Hall and University Oaks)

- Get out as quickly as possible. Call UTSAPD 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.

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