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# 2021 ANNUAL SECURITY REPORT AND FIRE SAFETY REPORT

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University of the Incarnate Word



OCTOBER 1, 2021

4301 Broadway, San Antonio, TX 78209

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## Emergency Contact Numbers

Law Enforcement Phone Numbers: Police Emergencies ..... 911

University of the Incarnate Word Police Department.....	210-829-6030
4301 Broadway Street, CPO #21 San Antonio, Texas	
847 East Hildebrand Avenue, San Antonio, Texas	
Feik School of Pharmacy.....	(UIW PD) 210-829-6030
703 East Hildebrand Avenue, San Antonio, Texas	
School of Optometry.....	(SAPD) 210-207-7273
9725/9729 Datapoint Drive, San Antonio, Texas	
Bowden Eye Care & Health Center.....	(SAPD) 210-207-7273
2547 East Commerce St., San Antonio, Texas	
ABSN Learning Center.....	(SAPD) 210-207-7273
7330 San Pedro suite #800, San Antonio, Texas	
CommuniCare West.....	(SAPD) 210-207-7273
1102 Barclay, San Antonio, Texas	
Community Eye Center, Ft. Worth.....	(Ft. Worth PD) 817-392-4200
655 Taylor Street, Ft. Worth, Texas	
School of Physical Therapy/Saidoff Center.....	(SAPD) 210-207-7273
9160 Guilbeau Road, San Antonio, Texas	
School of Osteopathic Medicine.....	(SAPD) 210-207-7273
7615 Kennedy Hill Buildings 1-4 San Antonio, Texas	
McCracken House.....	(UIW PD) 210-829-6030
102 Mount Erin Pass, San Antonio, Texas	
UIW Athletics Practice Gymnasium.....	(UIW PD) 210-829-6030
727 East Hildebrand Avenue, San Antonio, Texas	
Saint Anthony Catholic High School.....	(UIWPD) 210-829-6030
3200 McCullough Avenue, San Antonio, Texas	
Northeast Center (Rolling Oaks Mall).....	(SAPD) 210-207-7273
6909 North Loop 1604 East, San Antonio, Texas	
Corpus Christi, Texas.....	(Corpus Christi PD) 361-886-2600
5350 South Staples Street Suite 300, Corpus Christi, Texas	
Laredo, Texas.....	(Laredo PD) 956-795-2800
1710 E. Saunders, Suites B680/B685. Laredo, Texas 78041	
Off-Campus Parking.....	(UIW PD) 210-829-6030
106 Groveland Place, San Antonio, Texas,	4100 Broadway Street, San Antonio, Texas (Back half only)
Watson Lofts.....	(UIWPD) 210-829-6030
Building 1: 152 Burr Road., San Antonio, Texas	Building 2: 151 Perry Court, San Antonio, Texas
Township Apartments.....	(UIWPD) 210-829-6030
	122 Burr Road, San Antonio, Texas

### **International Campus Emergency Contact Information:**

European Study Center.....	+49 7142 956536
161, rue Melanie, 67000 Strasbourg, France	
European Study Center.....	+49 (0) 176 211 34 8 25
106 Bergstrasse. 69121, Heidelberg, Germany	
Centro Universitario Incarnate Word.....	+52 55 5290 0000
Calle Tlacoquemecatl 433, Mexico City, Mexico	
Universidad Incarnate Word Campus Bajio.....	+52 462 624 0715
Carretera Irapuato - Silao km121, Carretera Federal 110, 6553, Irapuato, Gto, Mexico	

## The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

### Background:

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In 1990, Congress enacted the *Crime Awareness and Campus Security Act of 1990* (Title II of Public Law 101-542), which amended the *Higher Education Act of 1965 (HEA)*. This act required all postsecondary institutions participating in HEA's Title IV student financial assistance programs to disclose campus crime statistics, safety and security information. The act was amended in 1992, 1998, 2000 and 2008. The 1998 amendments renamed the law the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act* in memory of Jeanne Clery, a Lehigh University student who was fatally assaulted on campus in 1986.

On March 7, 2013, the *Violence Against Women Reauthorization Act of 2013 (VAWA)* (Public Law 113-14) was signed into law. VAWA includes amendments to the *Clery Act*. These changes require institutions to disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking among other changes.

### Who is responsible for the Annual Security Report at UIW?

The University of the Incarnate Word (UIW) Police Department leads the effort and is responsible for the preparation and distribution of the Annual Security and Fire Safety Report. The UIW Police Department works closely with Residence Life, Office of Student Conduct, the office of Environmental Health Safety & Risk Management, the Office of Human Resources, Title IX and Compliance, and local law enforcement authorities to ensure all information is accurately included within the report. The campus crime, arrests and referral statistics listed in the Clery report are those reported to the UIW Police Department, campus officials or the departments listed above.

The report is available by accessing the Web at:

<https://my.uiw.edu/police/annual-security-report.html>

For a written copy please contact the UIW Police Department by sending an email to ([pdadmin@uiwtx.edu](mailto:pdadmin@uiwtx.edu)) or call 210-829-6030.

**Jeanne Clery**  
1966 - 1986



*"Lest We Forget The Meaning of her Death, That We Must Protect One Another, So That Her Life Will Not Have Been In Vain."*

## Incident Reporting

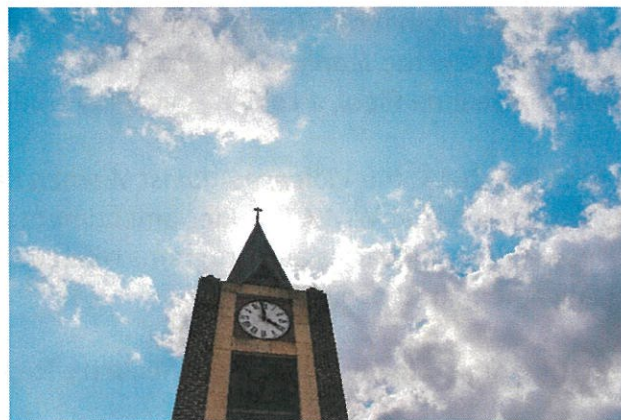
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### Reporting an Incident

Anyone involved in, witness to or suspicious of any criminal activity, motor vehicle accidents or injury accidents should immediately report the incident to UIW Police and to the law enforcement agency for your specific jurisdiction (see Emergency Contact Information)

If you are on the main Broadway campus, incidents can be reported to UIW Police by calling (210) 829-6030, in person at the UIW Police Office located at 4301 Broadway, San Antonio, Texas 78209 within Clement Hall, Room 100, or by accessing emergency call boxes throughout main campus and pressing the red emergency call button. The call box will immediately connect you to the UIW Police Dispatch.

If you are located at a *public property* or *non-campus* location. Incidents should be reported to law enforcement when the victim of a crime elects to, or is unable to, make such a report.



### Anonymous Reporting

Individuals wishing to remain anonymous can do so by submitting an anonymous report form through the UIW Police Department <https://my.uiw.edu/police/reportingform.html>. Individuals who would like to speak with an investigator may call (210) 829-6030 or send an email to ([pdadmin@uiwtx.edu](mailto:pdadmin@uiwtx.edu)).

### Confidential Reporting Resources

Confidential resources include medical providers, mental health providers, certified rape crisis counselors and ordained clergy, all of whom have privileged confidentiality by law. The incidents received by these persons will be reported to the UIW Police Department for statistical purposes only, while the reporting party information will remain confidential unless one of the following conditions exist:

- The complainant gives permission to share such information.
- There is an imminent threat of harm to self or others.
- The conduct involves suspected abuse of a minor under the age of 18.
- As required by court order.

While the above persons are not required by law to report such crimes, we encourage counselors and professional exempt personnel to inform victims of crimes also report such incidents to the UIW Police Department (UIWPD) or Campus Security Authority to help mitigate further potential incidents.

## Campus Security Authorities

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The Jeanne Clery Act directs campuses to identify and define the roles of Campus Security Authorities. Crimes that occur on campus may be reported to any Campus Security Authority (CSA), as defined by the *Clery Act*. A CSA is defined as:

1. A member of the University Police Department or a campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security, but who do not constitute a University Police department or a campus security department under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrance into institutional property.
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.

In addition to Police Officers, the following CSAs for the University of the Incarnate Word have been designated as the preferred people to whom reports should be made.

- Dean of Student Success
- Director of Student Conduct
- Director of Residence Life
- Assistant Director of Residence Life
- Graduate Assistants of Residence Life
- Residence Assistants
- Director of Athletics
- Deputy Athletic Director
- University Police Officer(s)
- Title IX Director
- Title IX Deputy Coordinators



## **Duties of a Campus Security Authority:**

The function of a campus security authority is to report to the official or office designated by the institution to collect crime report information, such as to the campus police department or security department, those allegations of Clery Act crimes the person receives. The CSAs are **not** responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.

Under the Clery Act, a crime is considered as "reported for statistical data purposes" when it is brought to the attention of a campus security authority, the institution's police department or campus safety office, or local law enforcement personnel by a victim, witness, other third party or even the offender. It does not matter whether the individuals involved in the crime, or reporting the crime, are associated with the institution.

If a campus security authority receives a report of a Clery Act related crime, they must immediately file a report to the University of the Incarnate Word Police Department or submit an on-line CSA report at:

[https://my.uiw.edu/police/\\_docs/2019csaform/2019csareportform.pdf](https://my.uiw.edu/police/_docs/2019csaform/2019csareportform.pdf)

CSA reports are used for statistical data collection and evaluation of the necessity of the issuance of an emergency notification or timely warning.

Statistic included within the Annual Security Report are based upon reports of alleged criminal incidents.

It is not necessary for a crime to have been investigated by the Police Department, Office of Student Conduct or Title IX Director for inclusion in the Annual Security Report.



## **Security and Access to Campus Facilities**

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The safety of all community members is a top priority. University of the Incarnate Word (UIW) encourages an open campus for its employees, students, and visitors with minor limitations to ensure the safety of all community members. However, the need to have safety guidelines and protocol are necessary to ensure a safe environment. This section outlines several measures and campus policies to this regard.

While the academic rigor of an open campus exists throughout the day, normal business hours are considered by UIW to be 8 a.m. – 5 p.m., Monday through Friday. After-hours access to facilities must be approved through the department or administrator responsible for the location. Various Offices and Departments provide documentation to the Police Department of events occurring on campus to facilitate guest access.

Environmental Health Safety & Risk Management, together with Facilities Management and UIW Police, address security concerns in maintaining campus facilities. For example, these departments regularly check to ensure pathways are well lit and egress lighting is working in hallways and stairwells, fire systems are operable and locking hardware is properly maintained.

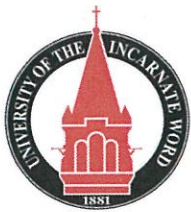
UIW's ID Card and Access System is associated with the student or employees ID card. It allows faculty, staff, and students access to buildings after hours and on weekends. Individuals are granted access according to residence, office location, or by exception. Employees requiring after-hours access to a facility must contact their Vice President, Dean, or designee for approval. Offices and individual residence hall rooms are accessible by lock and key. Facilities are patrolled regularly by UIW police officers. Residence facilities exist only on the main Broadway campus; There are no residential facilities at U.S. based off-campus properties or satellite academic centers.

### **Residence Halls**

Residence Life, Emergency Health, Safety and Risk Management and University Police departments work cooperatively to maintain a safe environment. All UIW Residence Halls (excluding the Avoca Apartments, Watson Lofts and Township Apts.) are equipped with magnetic card readers. These card readers will allow access to a particular hall with a valid ID card. This security measure was implemented to limit access to the living areas on campus.

Special access conditions exist in residence halls that share space with departments that offer student services and allow access to the public to allow for business operations. Access to the residence halls after scheduled business hours is only provided to the residents of the specific residence hall and authorized UIW personnel. UIW residents must always escort all guests through the residence halls.

UIW provides reasonable housing accommodations adequate notice. To request disability accommodations for housing, please contact the Office of Student Disability Services at (210) 829-3997.



## UIW Police Department



The purpose of the University of the Incarnate Word (UIW) Police Department is to enhance the safety, security, and protection of all students, employees, and properties of UIW and its affiliates. The jurisdiction of the officers of the UIW Police Department is authorized by Section 51.212 of the Texas Education Code, under rules and regulations by its Board of Trustees, and such authority includes all the schools and properties under its control, ownership, and/or operation or as otherwise assigned by the University.

The UIW Police Department is under the command of the Chief of Police who commands a staff of sworn police officers and non-sworn personnel. The police force operates 24 hours a day, 365 days a year, to ensure the safety of the UIW community (students, employees, and visitors), and to enforce the laws of Texas and the regulations of the University. The sworn police officers are licensed Texas Peace Officers. Accordingly, UIW officers work as needed with the Bexar County Sheriff's Office, San Antonio Police Department, and other local Law Enforcement Agencies to respond to crime on and around campus.

UIW Police Officers have full law enforcement authority on properties owned and controlled by the University, including streets contiguous and running through the campuses. Full law enforcement authority includes the authority to make arrests. Duties include evaluating current crime trends, conducting routine patrols of campus property, traffic control, responding to emergencies, conducting criminal investigations, and educating the community about safety and security. In addition, the department is responsible for securing buildings and properties.

The UIW Police Department is a multi-service organization. The essence of the Police Mission is to provide effective support, public assistance at every opportunity and a safe environment through safety awareness and law enforcement. The UIW Police Department responds to the changing needs and expectations of the campus community with an emphasis on sensitivity and understanding while providing service to the university. This commitment is achieved through community involvement, organizational effectiveness and accountability, and individual dedication and commitment.

The UIW Police Department's pledge is to recruit and train quality personnel who will become dedicated public servants, sensitive to the needs of the university community. The members of this department make up its most valuable resource and encourage an atmosphere conducive to developing all members to their fullest potential while maximizing their contribution to the university.

UIW Police do not have any written memoranda of understanding (MOU) or any other type of written agreement with any law enforcement agencies for the investigation of alleged criminal offenses. However, the UIW Police Department enjoys a good working relationship with federal, state, county, and local law enforcement authorities. In addition, all federal, state, county, city, and local law enforcement authorities have the authority to make arrests on University property.

The University of the Incarnate Word Police Department is located at 4301 Broadway Street, San Antonio, Texas 78209 within Clement Hall, Room 100.

The University of the Incarnate Word utilizes Private Security Officers who have authority under Texas Occupations Code Chapter 1702 and related administrative rules at the following locations.

1. School of Optometry (9725/9729 Datapoint Dr, SA TX)
2. Bowden Eye Care & Health Clinic (2547 E. Commerce, SA TX)
3. School of Physical Therapy-Saidoff Center (9160 Gilbeau Rd SA TX)
4. School of Osteopathic Medicine (7615 Kennedy Hill Bldgs. 1-4 SA TX)

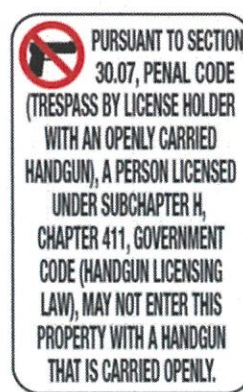
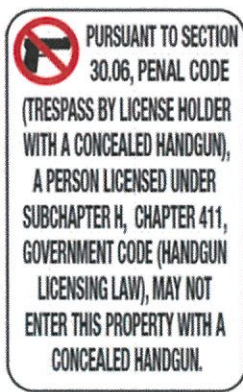
The San Antonio Police Department responds to calls for service and is responsible for the investigation and filing of any criminal offenses at the above locations.

### The University of the Incarnate Word is a weapons-free campus

The University of the Incarnate Word will exercise the “opt out” provision of Texas Senate Bill 11, also known as the “Campus Carry” law, after discussions with the campus community.

### UIW Weapons Policy:

Pursuant to the Texas Penal Code, Sections 30.05(Criminal Trespass) A person may not enter the premises with a firearm, illegal knife, club or other prohibited weapon, 30.06 (Trespass by License Holder with a Concealed Handgun) and 30.07 (Trespass by License Holder with an Openly Carried Handgun), a person licensed under subchapter H, Chapter 411, Government Code (Handgun Licensing Law), may not enter the UIW property with a concealed handgun, or a with a handgun that is carried openly. The use, possession or carrying of any weapon, including but not limited to a concealed handgun, by any person on UIW property (except for authorized weapon(s) carried by police officers) is prohibited and in violation of State law.



## **Timely Warning, Campus Safety Alerts and Emergency Notifications**

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### **Emergency Notifications**

When any significant emergency or dangerous situation occurs on the campus involving an immediate threat to the health or safety of students or employees, an emergency notification will be distributed to the University community immediately upon confirmation that a dangerous situation or emergency exists or threatens.

Once a significant emergency or dangerous situation has been reported, University Police officials will seek to confirm the information reported through various investigative methods. At that time, University Police will determine if an initial emergency notification will be issued to the entire campus community and how much information is appropriate to disseminate at different points in time. University Police are responsible for activating an emergency notification to the campus community through various modes of communication.

When an emergency notification is required, the Chief of Police or designee will issue the emergency notification through various modes of communication. These modes of communication may include, but are not limited to: Voice Mass Notification System (VMNS), RAVE alerts via text messaging and/or emails, notice on the University website (<http://www.uiw.edu>), KUIW radio, a fire alarm, UIW's official Facebook page (<http://www.facebook.com/uiwcardinals>), or UIW's official Twitter account at (<http://www.twitter.com/uiwcardinals>).

The University of the Incarnate Word will, without delay and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Director of Communications and Marketing will be notified as soon as possible of the emergency notification issued to the campus community to coordinate release of consistent information through all university communication mediums. Notices to be posted on the University website (<http://www.uiw.edu>), KUIW radio, UIW's official Facebook page (<http://www.facebook.com/uiwcardinals>), and UIW's official Twitter account (<http://www.twitter.com/uiwcardinals>) will be provided to the Director of Communications and Marketing for posting.

During a significant emergency or dangerous situation, law enforcement will direct students and employees to a safe location. For information regarding emergency response and evacuation, please see (<https://my.uiw.edu/safety/emergencies.html>).

Monthly tests of the Voice Mass Notification System (VMNS) and RAVE alert system are scheduled during both the Fall and Spring semesters. Tests of the VMNS and RAVE Alert systems may be announced or unannounced. Emergency response and evacuation procedures will be distributed to the campus community via email.

A test of the emergency notification and evacuation procedures will be held once per year. All documentation of this test, including: a description of the test, the date the test was held, the time the test started and ended, and whether the test was announced or unannounced will be kept by Environmental Health, Safety and Risk Management.

Anyone with information about a significant emergency or dangerous situation on campus is asked to immediately report it to UIW Police Department by telephone at (210) 829-6030 or in person on the first floor of Clement Hall.



### **Timely Warnings (Clery Act)**

Pursuant to provisions in the Clery Act, the UIW will issue a timely warning as soon as pertinent information is available and when a Clery Act reportable crime is reported to UIWPD or a designated campus security authority that occurred in a Clery Act defined geographical area, and a case-by-case analysis of pertinent facts is completed, and a determination is made that an on-going or continuing threat to the community exists. This is different than an emergency notification which pertains to imminent threat.

Clery Act crimes include: Murder/Non-Negligent Manslaughter; Manslaughter by Negligence; Rape; Fondling; Incest; Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; Arson; Dating Violence; Domestic Violence; Stalking; Illegal Weapons Possession; Drug Law Violations; Liquor Law Violations and Hate Crimes.

The Chief of Police (or designee) in concert with the director of Marketing and or the VP for Administration and Finance, is responsible for decision to issue a timely warning if it is determined whether the incident, given the above conditions and analysis, meets the following criteria: (1) if the incident is a Clery Act reportable crime; (2) the incident occurred in a geographical reportable area; and (3), the incident poses a serious threat or ongoing threat to the community.

If it is determined that a timely warning will be issued, the dissemination of the timely warning will be disseminated in manner that likely to reach the entire community, including but not limited to the following methods:

- Employee and student group email distribution
- UIW's website ([www.uiw.edu](http://www.uiw.edu))
- Key public area ingress/egress points to campus or buildings
- Social Media such as Facebook ([www.facebook.com/uiwcardinals](https://www.facebook.com/uiwcardinals)) or Twitter ([www.twitter.com/uiwcardinals](https://www.twitter.com/uiwcardinals)).
- RAVE Mobile Alert System

For clarification purposes and to avoid confusion between timing warnings and other safety related correspondence, a Clery Act timely warning will be titled **Timely Warning Bulletin**. This document will include the following:

- A statement that the timely warning is being issued in compliance with the Clery Act to provide preventive information and to aid members from becoming a victim of a crime.
- That a Clery Act reportable crime has occurred.
- The date, time, and location the crime occurred.
- The date of the Timely Warning Bulletin.
- A description of the suspect, and name if known, whether the suspect is still at large and evading arrest.
- Preventive information related to the type of crime which occurred and that could help others from becoming a victim of a similar crime.

A timely warning will not include the name of the victim or any information that could identify the victim of crimes of sexual violence to include rape, dating violence, domestic violence, or stalking. A timely warning will be delayed only if its issuance would compromise the apprehension of the suspect or compromise law enforcement efforts to investigate the crime.

UIW will issue a timely warning to enable members of the campus community to protect themselves. The timely warning will include all information that would promote safety and that would aid in the prevention of similar crimes. Timely warnings will be issued as soon as the pertinent information is available unless issuing a warning will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the situation.

UIW may, in appropriate circumstances, include personally identifiable information in a timely warning. Although personally identifiable information is generally protected from disclosure under The Family Educational Rights and Privacy Act (FERPA), such information may be released in an emergency (34 CFR 99.31(b) (6) and 99.36).

Anyone with information about a Clery Crime on campus is asked to immediately report it to UIW Police Department by telephone at (210) 829-6030 or in person on the first floor of Clement Hall.

## Emergency Evacuation

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In the event of a significant emergency or imminent threat to the safety of the UIW community, local law enforcement will be the first to respond and confirm the threat or emergency. Once confirmed, the Chief of Police or designee will be notified of the incident and if necessary, contact the Emergency Response Team as well as local authorities.

### **Campus or Building Evacuation**

**Building Evacuation** - Building Evacuation will occur if a fire alarm is sounding or is deemed necessary. All individuals in the building are to immediately vacate the premises according to the Evacuation Plans posted throughout the building or by using the closest exit. No one is to enter the building until clearance is issued by law enforcement, fire department, other designated authorized personnel, and not before the alarm is silenced.

**Campus Evacuation** - Authorization of a Campus wide evacuation will be issued by the Emergency Response Team or the President's Office. Details of the evacuation and safe return will be provided through the various notification systems available to UIW.

### **Testing of Evacuation Procedures**

During the beginning of every semester, all residents are required to attend hall meetings which will cover building and campus emergencies and evacuations. The UIW Police Department, Environmental Health Safety & Risk Management Officer, and Residence Life coordinate unannounced evacuation procedures every semester for all residence halls. Resident evacuation is timed to ensure that all subjects within the building evacuate in a quick and efficient manner. Once the drills have been conducted, the Environmental Health Safety & Risk Management Manager or designee informs residents of the evacuation time and reiterates various exits available and safety techniques to minimize confusion, injuries, or fatalities.

The purpose of these drills is to prepare residents for an emergency and provide them with the skills to react in a controlled and confident manner. During the drills, a variety of issues are presented to encourage residents to use the various exit plans available to them.

For the complete Emergency Response and Evacuation Plan and Map, please visit: <https://my.uiw.edu/safety/docs/erep2017.pdf> and [https://blackboard.uiwtx.edu/bbcswebdav/pid-2451936-dt-content-rid-10391814\\_1/orgs/RiskAndSafety/evacmap2017.pdf](https://blackboard.uiwtx.edu/bbcswebdav/pid-2451936-dt-content-rid-10391814_1/orgs/RiskAndSafety/evacmap2017.pdf)

All students and employees are enrolled in the Rave Alert system. You can verify your information at: <https://www.getrave.com/login/uiw>.

## Notification of Missing Student

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Pursuant to section 488 of the Higher Education Opportunity Act of 2008 and adapted from the UIW Police Department's Missing Persons Protocol, this policy and procedure will apply to all students residing in on-campus housing and in response to a missing student report.

### Policy

A student may be considered a missing person by the University when his/her whereabouts are unknown and unexplained for a period that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject's behavior patterns, plans or routines.

Any time a student is believed to be missing, whether the student is a campus resident, the appropriate police department should be contacted. The University Police Department, Dean of Student Success, and the Director of Residence Life will work together to locate missing students, notify appropriate local law enforcement, and check on the welfare of such students. As part of the residential check-in procedure and university enrollment process, all students are afforded the opportunity to provide, on a voluntary basis, contact information for individuals to be notified in case of emergency, and this emergency contact will serve as a contact if the student goes missing unless the student specifies otherwise.

Registered contact information will remain confidential, accessible to campus officials and may not be disclosed except to law enforcement personnel in the furtherance of a missing person investigation.

Anyone who believes a student to be missing should report their concern to the UIW University Police Department at (210) 829-6030. Most missing person reports in the university environment result from a student changing his/her routine without informing his/her roommates and/or friends of the change.

Every report made to University Police will be followed up with an immediate investigation once a student has been missing for 24 hours, though instances of bizarre disappearances, suspected kidnapping, or potential crimes will be acted upon immediately when reported.

### Procedures

If a residential student is presumed to be missing, the university will notify the emergency contact, parent, or legal guardian within 24 hours after it has been determined that the student is missing. For students under the age of 18, a call will be made to the custodial parents, regardless of who is designated by the student as the emergency contact within 24 hours.

If emergency contact notification is necessary, University Police will place the call.



The university official receiving the report will collect and document the following information at the time of the report:

- The name and relationship of the person making the report.
- The date, time, and location the missing student was last seen.
- The general routine or habits of the suspected missing student (e.g., visiting friends who live off campus, working a job away from campus) including any recent changes in behavior or demeanor.
- The missing student's cell phone number (if known by the reporter).
- Whether a local police department has been notified.

Upon notification from any entity that a student may be missing, the University may use any of the following sources to assist in locating the student:

- Call the student's room.
- Go to the student's residence hall room.
- Talk to the student's RA, roommates, and suite mates to see if anyone can confirm the missing student's whereabouts and/or confirm the date, time, and location the student was last seen.
- Secure a current student ID or other photo of the student from a friend.
- Call and text the student's cell phone and call any other numbers on record.
- Send the student an email.
- Check all possible locations mentioned by the parties above including, but not limited to library, residence hall lounges, classroom, and recreational facilities, etc.
- Contact or call any other on-campus or off-campus friends or contacts. This could include checking a student's social networking sites such as Facebook and Twitter.
- Ascertain the student's car make, model and license plate number.

### **Information on Registered Sex Offenders**

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Information regarding registered sex offenders provided by the state of Texas may be obtained through the Texas Department of Public Safety Registered Sex Offenders website at: (<https://records.txdps.state.tx.us/SexOffender/PublicSite/Index.aspx>). UIW does not maintain a Sex Offenders' database.

## **Student Disciplinary Investigation and Procedures**

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The University of the Incarnate Word (UIW) community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. A community exists based on shared values and principles. At UIW, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Student Handbook and Student Code of Conduct. These standards are embodied within a set of core values that include integrity, fairness, respect, community, and responsibility. When members of the community fail to exemplify these values, campus conduct proceedings are used to assert and uphold the Student Handbook and Student Code of Conduct.

Ultimately, each member of the UIW community is expected to assume responsibility for their conduct and to assume reasonable responsibility for the behavior of others. On occasion, this will involve kind and courteous admonition done when one member observes another engaged in inappropriate conduct.

The behavioral misconduct process at UIW is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform their behavior to community expectations, the behavioral misconduct process may determine that they should no longer share in the privilege of participating in this community.

Students should be aware that the behavioral misconduct process is quite different from criminal and civil court proceedings. Procedures and rights in behavioral misconduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Fair process, within these procedures, assures written notice and a hearing before an objective decision-maker.

No student will be found in violation of the Student Code of Conduct without information showing that it is more likely than not that a policy violation occurred, and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

The Director of Student Advocacy and Accountability is the person designated by the Dean of Campus Life, who has been charged by the President of the University, for the administration of the Student Code of Conduct, also to be known as the Chief Judicial Officer for student behavioral misconduct.

The Director of Student Advocacy and Accountability (or designee) will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit. No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some information to support each element of the offense, even if that information is merely a credible witness or a victim's statement. A complaint wholly unsupported by any information will not be forwarded for a hearing.

If an allegation can be disposed of by mutual consent of the parties involved, on a basis acceptable to the parties involved and the Director of Student Advocacy and Accountability (or designee), such disposition will be final and there will be no subsequent proceedings.

The Director of Student Advocacy and Accountability has discretion to refer a complaint for mediation. All parties must agree to mediation and to be bound by the decision with no review/appeal. Any unsuccessful mediation can be forwarded for formal treating and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Director of Student Advocacy and Accountability may also suggest that complaints that do not involve a violation of the Student Code of Conduct be referred for mediation. If the complaint cannot be disposed of in a manner mutually acceptable, the Director of Student Advocacy and Accountability will refer the complaint to a Hearing Officer or Hearing Panel.

Some violations of University policy committed by students residing in the residence halls will be handled by the Director of Residence Life (or designee). Specific sanctions are also listed in the Residence Life Handbook and the Behavioral Misconduct Procedures.

## **Complaints**

Any member of the University community, visitors or guests may file a complaint against any student for misconduct via the following URL: <https://www.uiw.edu/report>.

Complaints are directed to the Director of Student Advocacy and Accountability (or designee) or to the Director of Title IX, when appropriate. All complaints should be submitted as soon as possible after the behavior occurs; however, the University may pursue a complaint at any point after the behavior occurs at its discretion. In most instances, UIW will treat attempts to commit any of the violations listed in the Student Code of Conduct as if those attempts had been completed. UIW reserves the right to initiate a complaint, to serve as Complainant, and to initiate conduct proceedings without a formal complaint by the victim of the alleged misconduct.

UIW will not tolerate intentional false reporting of incidents. It is a violation of the Student Code of Conduct to make an intentionally false report of any policy violation and it may also violate state criminal statutes and civil defamation laws.

## **Review of Complaints**

Once a complaint is received, the Office of Student Advocacy and Accountability may conduct a preliminary investigation into the complaint, which may include contacting relevant parties for additional information. After any preliminary investigation takes place, one of the following options will be selected:

- *No Action* – The report either does not provide enough information to make a preliminary determination as to a Respondent or provide enough information to support an allegation of misconduct. The report may be kept on file for informational purposes.
- *Educational Conversation* – While the report contains relevant information regarding a potential violation, the Office of Student Advocacy and Accountability may not have jurisdiction to bring formal charges. The Office of Student Advocacy and Accountability will summon any Respondent to discuss the concerning behavior and what may occur should future reports be brought to the attention of the University.

- Mediation – Based on the information on the report, mediation to resolve the complaint would be preferable to all parties involved instead of the behavioral misconduct process. If this is the case, the complaint will be referred to an appropriate party to begin mediation. All parties must agree to mediation and with any proposed outcome(s). Should mediation fail to come to an agreeable conclusion, the Office of Student Advocacy and Accountability reserves the right to initiate the behavioral misconduct process.
- Initiation of Behavioral Misconduct Process – There is reasonable cause to support an allegation of misconduct under the Student Code of Conduct. Notice will be served to the Respondent as soon as possible to schedule a meeting.

Once a complaint has been received, and a determination has been made to initiate the behavior misconduct process, the applicable allegations will be considered pending until the process is completed and a determination has been made regarding responsibility for those allegations.

### **Notice of Hearings**

Whenever it is deemed that a meeting and/or hearing must take place, notice will be given to the Respondent in writing and may be delivered by one or more of the following methods:

- Emailed to the student's University-issued email account.
- Mailed to the local or permanent address of the student as indicated in official University records.
- Delivered in person by the Director of Student Advocacy and Accountability (or designee).

Once emailed, mailed and/or received in-person, such notice will be presumptively delivered. For the initial notice of an allegation, the following information will be included:

- The alleged violation(s) and applicable section(s) of the Student Code of Conduct.
- Reference to the Behavioral Misconduct Procedures for applicable procedures that may be used in resolution of the complaint.
- A specified date and time for an Administrative Review with the assigned Hearing Officer to discuss the complaint, the applicable sections of the Student Code of Conduct, and resolution options.

When scheduling meetings, the Office of Student Advocacy and Accountability will refer to University provided class schedules to determine the best possible time to schedule a meeting and will give a minimum notice of three (3) business days prior to a meeting, unless otherwise specified in this document. Students are expected to treat notices from the Office of Student Advocacy and Accountability with the utmost priority and to communicate any potential conflicts as soon as possible. While requests to re-schedule a meeting can be made, they can be denied if deemed for an inadequate reason or deemed an attempt to delay/avoid addressing the allegations.

## **Interim Actions**

In some unique cases, interim actions may need to be put in place to preserve the safety/security of the University and/or members of the University community.

- **No Contact Order**: Contact between students and/or other campus community members is limited. At the discretion of the Director of Student Advocacy and Accountability (or designee), and after investigation, a No Contact Order may be enforced between two or more students. No contact means that while the Complainant and Respondent are on University property or are at any activity or event associated with the University, the Complainant and Respondent may not attempt to communicate with one another. Distance restrictions may also be imposed. Communication includes talking with; attempting to talk with; touching; staring at; writing to; attempting telephone or other electronic contact (e.g., email, Facebook, text); enlisting a proxy (third party) to make contact on one's behalf; or any other form of contact or attempted contact. Appropriate monitoring and notification of provisions may be made to enable enforcement.
- **Interim Suspension**: Interim suspension may be imposed when necessary to protect the health and safety of a student or the community; preserve University property; pursue an investigation and/or hearing; prevent disruption of, or interference with, the normal operations of the University; or allow time for a behavioral mental health assessment or evaluation. Interim suspension will be used for the shortest period possible. During an interim suspension, a student will be denied access to University housing and/or University campuses. As determined appropriate by the Dean of Campus Life and/or the Director of Student Advocacy and Accountability, this restriction includes classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Director of Student Advocacy and Accountability, alternative coursework options may be pursued to ensure as minimal an impact as possible on the Respondent, pending approval of and collaboration with the appropriate Dean(s). may be pursued to ensure as minimal an impact as possible on the accused student/respondent.

## **Conduct Sanctions**

Sanctions are a method of accountability that are imposed as a result of a finding of responsibility for a violation of the Student Code of Conduct. As part of the investigation and/or hearing process, information will be gathered to assign appropriate sanctions. One or more sanctions may be imposed upon any student for a violation of the Student Code of Conduct, with factors such as precedent and previous violation history considered as part of the decision-making process. This list is non-exhaustive.

### **Status Sanctions**

These sanctions reflect a Respondent's standing with the University as it related to their conduct record.

1. **Disciplinary Warning**: A written notice will be sent to the student(s) who violated University policies. It specifies that inappropriate and unacceptable actions have occurred and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.

2. *Disciplinary Probation*: Indicates that further violations may result in suspension or expulsion. Students who are assessed this sanction will be removed from behavioral probation automatically upon expiration of the probationary period and completion of any additionally assigned sanctions.
3. *University Probated Suspension*: The student is suspended and deemed “not in disciplinary good standing” with the University for a specified period. During this time, the student is still permitted to attend classes, but additional violations of the Student Code of Conduct can lead to the immediate removal from courses. Specific limitations or exceptions may be granted by the Director of Student Advocacy and Accountability and terms of this conduct sanction may include, but are not limited to, the following:
  - a. Ineligibility to hold any office in any student organization recognized by the University or hold an elected or appointed office at the University; or
  - b. Ineligibility to represent the University to anyone outside the University community in any way that includes participating in the study abroad program, attending conferences, or representing the University at an official function, event or intercollegiate competition as a player, manager, or student coach, etc.
4. *University Suspension*: The student is immediately separated from the University for a specified period, after which the student is eligible to return. If classes are currently in session, the student will be administratively withdrawn from all classes. A notation will be placed on the student’s transcript. Conditions for readmission may be specified. The student is required to vacate University housing and/or campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Residence Life and the Director of Student Advocacy and Accountability. This sanction may be enforced with a trespass action, as necessary.
5. *University Expulsion*: The student is immediately and permanently separated from the University. The student is barred from being on campus and the student’s presence at any University sponsored activity or event is prohibited. If classes are currently in session, the student will be administratively withdrawn from all classes. A notation will be placed on the student’s transcript. The student is required to vacate University housing and/or campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Residence Life and the Director of Student Advocacy and Accountability. This action may be enforced with a trespass action, as necessary.

### **Housing Sanctions**

These sanctions reflect a Respondent’s standing with the University Housing as it relates to their conduct record.

1. *University Housing Reassignment*: The student is reassigned to another University Housing structure. Residence Life personnel will decide on the structure to which the student will be reassigned.
2. *University Housing Warning*: A written notice will be sent to the student(s) who violated housing and/or University policies. It specifies that inappropriate and unacceptable actions have occurred and that more severe sanctions will result should the student be involved in other violations.
3. *University Housing Probation*: The student is put on official notice that, should further violations of Residence Life or University policies occur during a specified probationary period, the student may immediately be removed from University Housing.

4. University Housing Suspension: The student is removed from University Housing for a specified period after which the student is eligible to return. Conditions for re-admission to University Housing may be specified. Under this sanction, a student is required to vacate University Housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Residence Life. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for University Housing, the student must gain permission from the Director of Residence Life (or designee).
5. University Housing Expulsion: The student's privilege to live in, or visit, any University Housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.

### **Educational Sanctions**

These sanctions are designed to provide education on a specific topic or set of topics, and to encourage reflection on the actions taken.

1. Educational Program: Requirement to attend and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
2. Reflective Activities: This includes required activities such as, but not limited to, writing a letter of apology, writing a reflection paper, etc.
3. Referral to Campus and/or Community Resource(s): This includes required activities such as, but not limited to, seeking academic or personal counseling, speaking with Campus Police, etc.
4. Community/University Service Requirements: For a student or organization to complete a specific supervised university service. This will not fulfill the University's community service requirement for graduation.

### **Restrictions**

These sanctions are limitations placed on a student's ability to access specific buildings, offices, departments, services, or other designated entities because of their misconduct.

1. No Contact Order: Contact between students is limited. At the request of a student, and after investigation by the Director of Student Advocacy and Accountability or designee, a no contact order may be enforced between students. No contact means that while the accused student and/or the Complainant are on University property, or at any activity or event associated with the University, the accused may not attempt to communicate with the Complainant or vice versa. Distance requirements may also be imposed. Communication includes talking with, attempting to talk with, touching, staring at, writing to or about, attempting telephone or electronic contact (e.g., email, social media, fax, pager), enlisting a proxy (third-party) to make contact on your behalf, and/or any other form of contact or communication of any kind. Appropriate monitoring and notification provisions may be made to enable enforcement.

2. Loss of Privileges: The student will be denied specified privileges for a designated period. This may include access to specific buildings, offices, departments, services, or other designated entities.
3. Restriction of Visitation Privileges: May be levied against an individual or individuals residing in University housing. The parameters of the restriction will be specified.

### **Other Sanctions**

1. Fines: Previously established and published fines may be imposed.
2. Restitution: Compensation for damage caused to the University or any person's property. This is not a fine but, rather, a repayment for property destroyed, damaged, consumed, or stolen.
3. Confiscation of Prohibited Property: Items whose presence is in violation of University policy will be confiscated and will become the property of the University. Prohibited items may be returned to the owner at the discretion of the Director of Student Advocacy and Accountability and/or Campus Police.
4. Deferral of sanction: A deferral of sanction (e.g., probation, suspension) may be imposed on a student for whom the specific sanction deferred is appropriate, but for whom there are mitigating circumstances as determined by Office of Student Advocacy and Accountability. If a student is found to have violated any rule of the University while the deferred sanction is in effect, the minimum sanction for such a violation will be the sanction that had been deferred.
5. Group Sanctions: The following sanctions may be imposed upon groups or organizations found to have violated the Student Code of Conduct:
  - One or more of the sanctions listed above, and/or
  - Deactivation, loss of all privileges (including University registration), for a specified or indefinite period.

Sanctions imposed will be implemented immediately unless the Director of Student Advocacy and Accountability delays their implementation in extraordinary circumstances, pending the outcome of the appeal.

Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Associate Provost for Academic Support Services, the Dean of Campus Life or the Director of Student Advocacy and Accountability.



## **Appeals and Final Review**

Individuals who are dissatisfied with a decision of responsibility and/or assigned sanction(s) may file an appeal within five (5) business days of issuance of a written decision. This date is determined by the date on which a decision letter is sent to the Respondent, and not the date the letter is opened. Once the appeal window expires, it will not be re-opened.

Appeals are ordinarily submitted by the Respondent in response to the decision made by the Hearing Officer/Panel. In the event the charges against the Respondent would constitute a “crime of violence” as defined by the Family Educational Rights and Privacy Act (FERPA), the Complainant also has the right to file an appeal of the decision.

Full text of the UIW Student Handbook and Student Code of Conduct may be found at:

**<https://my.uiw.edu/student-advocacy-and-accountability/student-accountability/index.html>**

## **Non-Discrimination Statement**

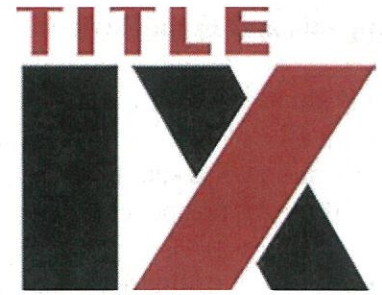
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In compliance with Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and other federal, state, and local laws, The University of the Incarnate Word does not discriminate on the basis of age, race, color, sex, sexual orientation, gender identity, religion, national or ethnic origin, disability, or veteran status in any phase of its employment process, in any phase of its admission or financial aid programs, or other aspects of its educational programs or activities.

Any employee or student who believes that he or she has been subject to conduct that violates this policy or has information about or has witnessed any violation of this policy, should immediately and directly notify his or her dean, supervisor, Director of Student Conduct, or the Director of Human Resources. If you do not feel that the matter can be discussed with your immediate supervisor, or if you are not satisfied with the way your complaint has been handled, you must contact the Director of Human Resources located on the main campus or by telephone as published in the Campus Directory. Students having a complaint should report the harassment to the Dean of Student Success in person or by telephone as published in the Campus Directory. Complaints regarding faculty and students may also be made to the Provost by telephone as published in the Campus Directory. Complaints related to the Sexual Misconduct Policy should be referred to the Title IX Director.

Additional information can be found in the following Title IX section.

## **Information on Dating Violence, Domestic Violence, Sexual Assault & Stalking**



Unlawful discrimination has no place at the University of the Incarnate Word (UIW). It violates the University's core values, including its commitment to equal opportunity and inclusion, and will not be tolerated. Sex discrimination and harassment are prohibited by this University of the Incarnate Word policy and can constitute violations of state and/or federal law. State and federal law, including Title IX of the 1972 Education Amendments (34 C.F.R 106), prohibits sex-based discrimination in all the University's programs and activities, and Title VII of the 1964 Civil Rights Act, and its state counterpart, TEX. LAB. CODE ANN §§ 21.001—21.446, prohibits sex-based discrimination in employment. University of the Incarnate Word policy, the Violence Against Women Act (VAWA), as amended, Texas Education Code Chapter 51, Subchapters E-2 and E-3, and other state and federal laws prohibit sexual assault, stalking and relationship violence (including dating and domestic violence).

### **Prohibited Conduct**

The UIW is committed to providing a campus environment free of sex and gender-based discrimination, and sex and gender-based harassment. To that end, the University of the Incarnate Word prohibits sexual misconduct that, under this policy, can include:

- (1) sexual harassment
- (2) sexual assault
- (3) sexual exploitation
- (4) stalking
- (5) relationship violence (including dating and domestic violence)

Under UIW's policy, sexual misconduct can occur in any sex configuration (i.e., between the same sex or different sex) and regardless of sexual orientation or gender identity. The University of the Incarnate Word in accordance with State law and federal laws prohibits retaliation for complaints made in good faith.

Sexual misconduct is not limited to the workplace or the educational environment. It can extend beyond University property and could occur at any University sponsored program, activity, or event in the United States. Sexual misconduct can occur between students, employees and third parties such as visitors, vendors, contractors, and other community members. The University of the Incarnate Word will consider the effects of the off-campus conduct when evaluating whether there is a hostile environment on campus.

## Selected State of Texas Definitions

**Sexual Assault:** (a) A person commits an offense if the person:

- (1) intentionally or knowingly:
    - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
    - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
    - (C) 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; or
  - (2) intentionally or knowingly:
    - (A) causes the penetration of the anus or sexual organ of a child by any means;
    - (B) causes the penetration of the mouth of a child by the sexual organ of the actor;
    - (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
    - (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
    - (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
- (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:
- (1) the actor compels the other person to submit or participate using physical force or violence;
  - (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;
  - (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 or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
  - (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 or control the other person's conduct by administering any substance without the other person's knowledge;
  - (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
  - (8) the actor is a public servant who coerces the other person to submit or participate;
  - (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
  - (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or
  - (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code. **Tex. Penal Code § 22.011.**

**Assault:** (a) A person commits an offense if the person:

- (1) intentionally, knowingly, or recklessly causes bodily injury to another, including the person's spouse;
  - (2) intentionally or knowingly threatens another with imminent bodily injury, including the person's spouse;
- or

- (3) intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative. **Tex. Penal Code § 22.01.**

**Dating Violence:** (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:

- (1) is committed against a victim:
- (A) with whom the actor has or has had a dating relationship; or
  - (B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
- (2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- (b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:
- (1) the length of the relationship;
  - (2) the nature of the relationship; and
  - (3) the frequency and type of interaction between the persons involved in the relationship.
- (c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b). **Tex. Fam. Code § 71.0021.**

**Family Violence:** "Family violence" means:

- (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;
- (2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or
- (3) dating violence, as that term is defined by Section 71.0021. **Tex. Fam. Code § 71.004.**

**Household:** "Household" means a unit composed of persons living together in the same dwelling, without regard to whether they are related to each other. **Tex. Fam. Code § 71.005.**

**Member of a Household:** "Member of a household" includes a person who previously lived in a household. **Tex. Fam. Code § 71.006.**

**Stalking:** (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

- (1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:
- (A) bodily injury or death for the other person;
  - (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or

- (C) 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 household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
- (3) would cause a reasonable person to:
- (A) fear bodily injury or death for himself or herself;
  - (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
  - (C) fear that an offense will be committed against the person's property; or
  - (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended. **Tex. Penal Code § 42.072.**

**Consent:** To be effective, consent must be an informed, deliberate, and voluntary decision to engage in mutually acceptable sexual activity.

### What is consent?

Consent occurs when individuals willingly, unambiguously, and knowingly agree to engage in sexual activity. Consent can be given by words or actions if those words or actions create clear, mutually understandable permission regarding the conditions of sexual activity.

It is important to remember that:

- Consent to one sexual act does not constitute or imply consent to another act.
- Previous consent cannot imply consent to future sexual acts.
- Consent cannot be assumed based on the parties' relationship status or sexual history together.
- Consent can be withdrawn by any person, at any time during the encounter.
- Consent must be knowing and voluntary.

Consent can never be given by:

- Someone who is incapacitated.
- A person can be incapacitated by using drugs, alcohol, or any other intoxicating substance, or when they are unconscious, asleep, or otherwise unaware the sexual activity is occurring. It is a violation of the Sexual Misconduct Policy to engage in sexual activity with someone an individual knew or should have known was incapacitated.
- Someone under the legal age of consent.
- The legal age of consent in Texas is seventeen (17). Sexual activity with a person who is under the age of consent (17) is an automatic violation of the Sexual Misconduct Policy, regardless of whether the person under the age of 17 was a willing participant in the conduct.
- Someone who is mentally disabled or cognitively impaired.
- Certain mental disabilities or cognitive impairments can cause a person to be unable to knowingly consent to sexual activity. It is a violation of the Sexual Misconduct Policy to engage in sexual activity with a person whose mental disability or cognitive impairment renders them incapable of giving consent and the disability/impairment is known or should have been known to the non-disabled sexual partner.

## Consent and the Use of Alcohol or Drugs:

**Engaging in sexual activity while under the influence of alcohol or drugs can impair an individual's ability to make sure they have received consent. The use of alcohol and/or drugs by the person initiating sexual activity will never be an excuse for failing to obtain consent.**

**Force:** The use of force to cause someone to engage in sexual activity is by definition, non-consensual contact. Force is not limited to physical violence, but also includes threats, intimidation, abuse of power, or any combination of these behaviors.

**Physical Force, Violence:** Physical force is the use of power, violence, or strength upon another person's body. An individual's use of physical force, or violence, or threat of physical force or violence to make another person participate in or perform a sexual activity they might not have otherwise agreed to, or did not want to engage in, is a violation of this Sexual Misconduct Policy.

**Threats:** A threat often occurs when someone says or implies that there will be negative consequences from failing to acquiesce to or comply with sexual activity. It is a violation of this policy if an individual uses threats to make another person participate in or perform a sexual activity that they might not have agreed to engage in otherwise.

**Intimidation or Abuse of Power/Authority:** Intimidation or abuse of power/authority occurs when individuals use their real or perceived authority to influence other people to acquiesce or submit to sexual activity.

The University of the Incarnate Word's Employee Handbook contains a Consensual Relationship Policy that prohibits employees from engaging in romantic and/or sexual conduct with or directed toward any employee whom that person supervises or evaluates in any way. The Consensual Relationship Policy can be found in Section 9.8 of the UIW Employee Handbook on the Human Resources website at <https://my.uiw.edu/hr/>.

## Risk Reduction Tips

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act.

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor "**NO!**" clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.

## **Bystander Intervention**

The university expects all community members to take reasonable and prudent actions to prevent or stop a crime. Taking action may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. Community members who choose to exercise this positive moral obligation will be supported by the university and protected from retaliation.

**Ask yourself is it safe to intervene:** Safety is key in deciding when and how to respond to domestic and sexual violence while it is occurring. If the situation is already violent or looks like it is escalating quickly, do not directly intervene. **Call 9-1-1.**

**Distract:** If you have decided that you can safely intervene, you can create a distraction in an indirect and non-confrontational way. You can disrupt the situation just by talking, like striking up a conversation about anything to help keep a potentially dangerous situation from escalating. Your goal is to prevent a situation from getting worse, or better yet, buy enough time to check in with the potential victim and ask them if they are okay.

**Direct:** If you do not have a lot of time, you can still speak out and say what is happening is not right and reassure the mistreated person they do not deserve these actions. If you feel comfortable approaching the victim, you could check in and simply say, “I’m concerned about what just happened. Is anything wrong?” You can also let them know that free and confidential help is available help for victims, their children & pets. Save the number of the National Hotlines in your phone in case you meet someone who needs it.

**Delegate:** If you do not feel comfortable directly talking with someone or distracting them, look for someone else who might be able to help you intervene – power in numbers can be one of the most valuable tools, or you can look for someone else who might be in a better position to get involved – i.e., tell the bouncer, find the person’s friends, or call the authorities.

## **Prevention and Awareness Programs and Awareness Campaigns for Students and Employees**

Some programs and awareness campaigns offered to the UIW community include, but are not limited to:

- Orientation Presentation for incoming students and family members on UIW’s Sexual Misconduct Policy, consent, and bystander intervention.
- Mandatory Student Training for all incoming new and transfer students on UIW’s Sexual Misconduct Policy, sexual violence prevention, consent, and bystander intervention.
- Training on UIW’s Sexual Misconduct Policy and Mandatory Reporting for all current and new employees.
- Ongoing awareness campaigns on sexual assault, dating and domestic violence, stalking and sexual harassment.
- Sexual Assault Awareness and Prevention Month: multiple events throughout April, including a mobile “It’s On Us” Pledge and social media campaign.
- A campus-wide bystander intervention campaign called “Not In My Nest.”

## **Procedures to follow if a Crime of Sexual Assault, Domestic Violence, Dating Violence or Stalking Has Occurred**

If you have experienced any act of the behaviors described in this policy, the University of the Incarnate Word encourages you to seek help and support by reporting this conduct. The University will provide individuals with the support options, as appropriate, regardless of whether the individual chooses to file a disciplinary or a criminal complaint.

Reporting sexual misconduct can be difficult and complainants may experience a multitude of emotions when considering whether to report the conduct. The University encourages complainants to prioritize their personal safety and physical/emotional well-being to maintain health and safety.

The University of the Incarnate Word seeks to empower complainants to know that here are multiple options to address this conduct, both through our disciplinary process and/or through the legal system.

The following hospital offers the services of a Sexual Assault Nurse Examiner (SANE) who has special training in medical examinations as well as the legal, forensic, and psychological needs of a complainant of sexual misconduct:

**Methodist Specialty and Transplant Hospital**  
**8026 Floyd Curl Drive**  
**San Antonio, TX 78229**  
**(210) 575-8110**

The Sexual Assault Response Team at Methodist Specialty and Transplant Hospital provides a compassionate environment for sexual assault survivors ages 18 and up. Through an exclusive agreement with local law enforcement agencies, a Sexual Assault Nurse Examiner (SANE) trained by the Texas Attorney General's office, provides comprehensive care to sexual assault survivors, and collects physical evidence that can be used to prosecute offenders. Follow-up care, counseling and treatment of related injuries are also provided.

A Methodist Healthcare chaplain and advocate from the Rape Crisis Center provide counseling and support to the survivor and family.

One of the roles of the SANE procedures is to assist in the gathering of legal, physical, and forensic evidence. Gathering of physical evidence can provide important evidence in support of criminal charges. Complainants who may wish to pursue criminal action (or wish to keep that option available), should be aware of the importance of immediately reporting the incident so that physical evidence can be preserved at the scene, as well as on the person. However, complainants should know that while a delay in reporting could limit the amount of physical and other evidence available which could impact a criminal investigation, they can always report the incident days, weeks, months or even years after the sexual misconduct occurred.

It may be difficult to know in the immediate aftermath of a sexual assault whether an individual will want to pursue legal charges. Having evidence collected does not commit an individual to reporting or prosecuting the assault. Evidence can usually be collected up to five (5) days after an assault, though likelihood of capturing evidence decreases with time. Showering, urinating, and brushing teeth may destroy evidence. Clothing and bedding may contain evidence and can be taken to Methodist Specialty and Transplant Hospital in a **paper bag** (**not plastic**). Drugs used in a sexual assault often leave the body very quickly.



It is also important to consider preserving other forms of evidence, including but not limited to: text messages, emails, social media postings, photographs and/or video.

Crimes of Sexual Assault, Domestic Violence, Dating Violence or Stalking can be reported to UIW Police, the Title IX Director, online at [www.uiw.edu/titleix](http://www.uiw.edu/titleix) and by clicking on the **“Report an Incident”** button.

You have the right to make a separate report to law enforcement. The University of the Incarnate Word will honor a complainant’s decision either to pursue a law enforcement remedy or to decline to pursue that avenue of remedy. If you require assistance in making a report to law enforcement, we will be able to assist you.

The University of the Incarnate Word will provide support services or “interim measures” for students and employees with sexual misconduct concerns, as appropriate. These support services or interim measures are available to individuals even if they choose not to file or pursue a disciplinary complaint or if the status of a respondent to the University is unclear. Various available and appropriate interim measures include but are not limited to health and counseling services, no-contact orders, no trespass orders, schedule and housing changes, academic supports or adjustments, and information about financial aid issues. These support services and interim measures will be available to them at any time, including through an investigative process and after the conclusion of the adjudication process. Interim measures will be implemented in a manner that will minimize the burden on the parties involved whenever possible.

The Director of Student Advocacy and Accountability or other designee are responsible for ensuring the implementation of support services and interim measures and can provide information regarding available options in consultation with other relevant University of the Incarnate Word administrators.

If a complainant requests that their name not be revealed to the respondent or asks that the University not to investigate or seek action against the respondent, the Title IX Director, in consultation with other administrators, will consider several factors in determining whether the University can honor that request, the University’s ability to respond fully to the incident, including pursuing disciplinary action against the alleged respondent, may be limited. However, the University of the Incarnate Word may be able to take steps to limit the effects of sexual misconduct and prevent sexual misconduct such as providing increased monitoring, supervision or security at a location where sexual misconduct occurred.

The University of the Incarnate Word seeks to empower complainants by informing them that there are options to address sexual misconduct through our disciplinary process and/or through the legal system. Complainants can use any or all these options simultaneously to address sexual misconduct. The University affirms the right of complainants to decide whether they wish to be involved in any process to address sexual misconduct—or not. However, should the conduct at issue pose a threat to campus safety (which includes but is not limited to threats of further violence, the use of weapons and/or repeat offenders), the University must act regardless of whether the complainant wishes to proceed with their individual employee or student complaint. Under these circumstances and whenever possible, the University will inform the complainant of its need to move forward prior to commencing an investigation of its intent to disclose the identity of the complainant. A complainant may receive interim measures, support, and safety services regardless of the level of participation or engagement with applicable procedures or guidelines.

Students who wish to receive *confidential* support services are encouraged to report this conduct to the counselors at the University of the Incarnate Word Behavioral Health at (210) 832-5656 and/or to seek medical services at University of the Incarnate Word Health Services at (210) 829-6017.

The University of the Incarnate Word will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims, both within the institution and in the community.

The University of the Incarnate Word will provide written notification to victims about available options and assistance in the following, including how to request these changes and who to contact at the institution: academic situations, living situations, transportation situations, working situations, and protective measures.

Following a report of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University of the Incarnate Word will provide the student or employee a written explanation of the student's or employee's rights and options.

### **Disciplinary Procedures for Cases of Alleged Sexual Assault, Dating Violence, Domestic Violence, or Stalking**

Allegations of Sexual Misconduct of the University of the Incarnate Word will be handled under the Sexual Misconduct Adjudication Process (SMAP).

There is no time limit for the submission of a complaint alleging Sexual Misconduct. A complaint may be filed at any time during the semester if the Complainant and the Respondent (accused party) are participating or attempting to participate in a University education program or activity. A complaint received after the semester has ended or during a University break may result in a short delay in the adjudication of the complaint. The Title IX Director, Title IX Investigator and/or the Title IX Deputy Coordinators will make every effort to try and conduct investigations during school breaks or between school years unless doing so would sacrifice witness availability or otherwise compromise the process.

The University of the Incarnate Word may be limited in its ability to respond or investigate if a party is not participating in an education program or activity or if the incident took place outside of the United States. The University of the Incarnate Word seeks to adjudicate all complaints in a prompt and equitable manner. The University of the Incarnate Word will make a good faith effort to conduct a fair, impartial investigation in a timely manner designed to provide all parties with resolution.

A person who has experienced an incident of Sexual Misconduct, including sexual harassment, sexual assault, relationship violence, stalking, sexual exploitation, and any other sexual misconduct committed by a University of the Incarnate Word student, may file a complaint online at [www.uiw.edu/titleix](http://www.uiw.edu/titleix) or with the Title IX Director.

After an initial report is filed online, a Complainant will be contacted, and the Title IX Investigator will be assigned. The Title IX Investigator will contact the Complainant and attempt to schedule an initial meeting to determine how and if the Title IX office may proceed with the investigation. The Complainant is welcomed to bring a support person to any meetings with the Title IX Investigator.

At the meeting with the Complainant, the Title IX Investigator will explain the rights and responsibilities of the Complainant, explain the prohibition against retaliation, explain the Sexual Misconduct Adjudication Process and provide the Complainant a copy of the relevant policies and a Title IX Complaint Options form. At this initial meeting, the Complainant will be required to sign a Non-Retaliation Acknowledgement, agreeing to refrain from any retaliatory conduct against the Respondent or any witnesses in the matter. The Complainant will be given an opportunity to decide how they wish to proceed with the complaint.

### **1. Title IX Complaint Options**

A complainant shall file a formal complaint with the Title IX Office to proceed with a formal investigation. The formal complaint must be signed and dated by the complainant.

The investigator will provide the complainant with a decision form that includes four options. Those options are:

- a. File a formal complaint and proceed with a formal investigation process including hearing.
- b. File a formal complaint and proceed with an informal investigation process that does not include a hearing.
- c. Not file a formal complaint proceed with an informal resolution process that may include informal agreement or mediation.
- d. Not proceed with any formal complaint or informal resolution process and no further action will be taken.

Although each investigation will vary based on allegations, scope and other factors, the Complainant and Respondent in each case will be permitted to describe their allegations in support of or in response to the complaint, suggest witnesses to be interviewed and present evidence.

Interviews will be the primary method of collecting information as part of the fact-finding investigation. It is the responsibility of the Title IX Investigator, not the parties, to gather the evidence relevant to the complaint from the parties and witnesses, to the extent reasonably possible.

The person against whom the disciplinary complaint is brought is called the Respondent. The Respondent shall be given written notification when a disciplinary complaint has been filed against him/her. The Respondent must meet with the Title IX Investigator. The Respondent is welcomed to bring a support person with them to any meetings with the Title IX Investigator.

At this meeting, the Title IX Investigator will discuss with the Respondent the nature of the Complaint, explain the rights and responsibilities of the Respondent, explain the prohibition against retaliation, explain that the Respondent is presumed not responsible or innocent, explain the Sexual Misconduct Adjudication Process and give the Respondent a copy of the relevant policies. At this initial meeting, the Respondent will be required to sign a Non-Retaliation Acknowledgement, agreeing to refrain from any retaliatory conduct against the Complainant or any witnesses in the matter.

Refusal or failure by the Respondent to meet and cooperate with the Title IX Investigator regarding this matter or to sign the Non-Retaliation Acknowledgment, as determined by the Title IX Coordinator and/or the Director of Student Advocacy and Accountability or designee, may result in either (1) an automatic suspension of the Respondent from the University, and/or (2) the adjudication of the disciplinary complaint without input from the Respondent.

## Fact-Finding Investigation

It is the responsibility of the Title IX Investigator to gather evidence relevant to the Complaint and the facts raised in the parties' interviews, to the extent reasonably possible. Either party has the right to raise any concerns he/she may have regarding a possible conflict of interest with any of the Title IX Investigator. If the Title IX Investigator has a conflict of interest, they may recuse themselves from the investigation. Parties must raise the issue of a conflict of interest within *three (3)* days of learning the identity of the Title IX Investigator. Failure to raise a conflict concern within *three (3)* days of learning the identity of the Title IX Investigator will act as a waiver of any perceived conflict. During the investigation, the Title IX Investigator may utilize some or all the following procedures, in whatever order the Title IX Investigator deems most appropriate. The scope of the Fact-Finding Investigation will not be limited to information provided by the parties or to the violations outlined in the disciplinary complaint. In all cases, the Title IX Investigator will conduct an adequate, reliable, and impartial investigation into the allegations of the disciplinary complaint, reviewing all evidence deemed to be relevant.

1. Document Review: The Title IX Investigator will then attempt to obtain any of the documents or other materials deemed relevant to the investigation. Both parties have the right to gather, provide, and present relevant evidence during the investigation process. Additionally, both parties have the right to inspect and review any evidence that is gathered and presented by either party.
2. Party Interviews: The Title IX Investigator will interview the Complainant and the Respondent separately. This meeting is an opportunity for the participant to discuss his/her recollection of the event in question, voice any concerns and to work with the Title IX Investigator to determine what information may be helpful and relevant in the investigation of the allegations. Interviews will be the primary method of collecting information as part of the fact-finding investigation. Parties may also discuss the impact that this experience has had on them. The Title IX Investigator may interview the parties more than once, as necessary. The Complainant's or Respondent's support person may accompany them to all the meetings with the Title IX Investigator but *may not* participate in the conversation. Prior to sitting in on any interviews, the support person will be required to sign a Non-Retaliation Acknowledgment, agreeing to refrain from any retaliatory conduct against the Complainant or any witnesses in the matter. Failure to sign a Non-Retaliation Acknowledgement will result in the support person being excluded from the interview.
3. Witness Interviews: The Title IX Deputy Coordinators assigned as Investigators will attempt to contact and interview any witnesses identified by the parties that the Title IX Deputy Coordinators assigned as Investigators deems to be relevant to the resolution of the disciplinary complaint. The Title IX Investigator may also interview any other persons which they find to be potentially relevant to this matter. Witness *may not* bring support persons to their interviews. Prior to being interviewed, a witness will be required to sign a Non-Retaliation Acknowledgment, agreeing to refrain from any retaliatory conduct against the parties or any witnesses in the matter. The Title IX Investigator will employ best efforts to interview relevant witnesses who are no longer on campus, attempting to contact them by telephone or email.

4. *Expert Witnesses*: The Title IX Investigator reserves the right to consult with any experts which they deem necessary to the determination of the facts of this case. An expert witness could be consulted to review or provide a professional opinion regarding evidence discovered in the Fact-Finding Investigation.

### **Investigation Report**

Once the Fact-Finding Investigation has been completed, the Title IX Investigator will evaluate the information obtained during this process. The Title IX Investigator will prepare a report summarizing and analyzing the relevant facts received through the Fact-Finding Investigation, noting any supporting documentation. The Title IX Investigator will allow the parties to review and respond to the preliminary Investigation Report. The final Investigation Report will be provided to the parties' advisors to utilize in a formal hearing and shall not be given to any third party, except as required by court order.

### **Title IX Hearing**

When either party chooses to proceed with a formal process the hearing process shall take place. All parties, advisors, witnesses, and support persons shall conduct themselves with professionalism and decorum during the live hearing. At the hearing, each party shall be given the opportunity for relevant questions and cross-examination to be conducted by the party's advisor. Questioning may be done of the other party and any witnesses and may include challenging credibility. All questioning, including cross-examination, at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by the complainant or respondent personally. A hearing officer will be assigned to the individual case. The hearing officer will render a decision based on all evidence, statement's, investigator's reports, etc. that are submitted during the hearing. This decision shall be made using the preponderance of evidence standard.

### **Title IX Decision**

Upon determining that all the issues regarding the disciplinary complaint have been fully investigated, the Hearing officer (in a formal complaint with a hearing) or Decision-Maker (in a formal complaint without a hearing) shall issue a decision by issuing a Notice of Decision.

The Hearing officer or decision-maker will make the decision based on the preponderance of the evidence standard—that is whether the facts presented in the Investigation Report support a finding that it is more likely than not that University policy has been violated. Decision-Maker will base their decision solely on the information presented in the Investigation Report and its attachments.

The Hearing officer or Decision-Maker may issue the following decisions to a disciplinary complaint:

- A finding that a University policy was *violated*. The appropriate department shall determine the disciplinary action.
- A finding that a University policy was *not violated* as there is insufficient information to substantiate the allegations of the disciplinary complaint. The Complaint will be dismissed.

Once the Hearing officer or Decision-Maker's decision has been issued, both the Complainant and the Respondent will be notified simultaneously. Each party will receive a copy of the Notice of Decision. If the decision results in disciplinary action that sanction shall be passed off to the appropriate sanctioning department.

If a report of stalking or domestic violence that does not meet the Title IX criteria (not gender or relationship based), it may be forwarded to Law Enforcement or Office of Student Advocacy and Accountability on a case-by-case basis.

### **Appellate Process**

Both the Complainant and Respondent are entitled to appeal the Title IX Director's decision issued through the Sexual Misconduct Process. The person filing the appeal is the Appellant. An appeal must be filed, in writing, within *five (5)* business days of receiving the Notice of Decision. The opposing party will be notified if an appeal has been filed. In some situations, both parties may file an appeal. In this situation, the Appellate Panel will consider and review both appeals together.

An appeal should be filed with the Title IX Director, Alexandria Salas via email at: [ansalas@uiwtx.edu](mailto:ansalas@uiwtx.edu).

The appeal will be considered by an impartial, trained, three-person Appellate Panel. These panelists will be specially trained in the adjudication of Sexual Misconduct. The decision regarding the composition of the Appellate Panel will be made at the discretion of the Title IX Director. In considering the appeal, the Appellate Panel will be given the appeal, the Investigation Report, and the decision to review.

There are three grounds on which a decision can be appealed:

1. **Procedural Error**: The Appellant alleges there was a deviation or change from the procedures outlined in the Sexual Misconduct Adjudication Process which adversely impacted the outcome of the matter. If the Appellate Panel determines that there was a procedural error which could have altered the outcome of the case, the matter will be remanded to the Hearing Officer or decision-maker for a determination regarding the impact of the procedural error on the outcome of the complaint.
2. **New Evidence**: The appellant alleges that, after the issuing of the Title IX Director's Decision, new evidence became available which would have impacted the outcome of the disciplinary complaint. The appellant must: (i) present the new evidence; (ii) show why it was unavailable prior to the decision; and (iii) show that the new evidence could have altered the outcome of the complaint. The opposing party will be given an opportunity to rebut these assertions by the Appellant. If the Appellate Panel determines that there is evidence that meets these requirements, it will remand the matter to the Title IX Investigator for additional investigation (if necessary) and review by the Hearing Officer or Decision-Maker considering the new evidence.
3. **Conflict of Interest**: The appellant alleges that the Title IX Coordinator, the Title IX Investigator, Hearing Officer, or Decision-Maker had a conflict of interest or bias that affected the outcome of the matter. If the Appellate Panel determines that there was a conflict of interest or bias that affected the outcome of the case, the matter will be remanded back to the part of the process in which the conflict of interest arose. Depending on the party that was deemed to be in conflict or bias then that person shall be replaced with a person who is impartial and is deemed to not have a conflict or bias.

## **Sanctioning Process**

In the event of a policy violation, the appropriate University office will review several factors in determining appropriate discipline including the nature of the violation and the severity and pervasiveness of the conduct, as well as any steps necessary to address and prevent future concerns. Individuals found in violation of University of the Incarnate Word policy will be subject to disciplinary action. At any point in the investigative process, including at the beginning or conclusion of an investigation and/or at the disciplinary state, the University of the Incarnate Word may implement interim measures to address the safety of the parties, other witness, or the University community. Interim measures are also available to those who decide against filing a complaint or choose not to pursue a complaint.

## **Document Retention**

*Document Retention:* After the decision has been issued, and after all appeals by the parties have been exhausted, all materials created by or reviewed by the Title IX Director and/or the Title IX Investigator will be maintained by the University and for purposes of Title IX Compliance in accordance with retention policies.

All documents retained at the conclusion of a resolution of a complaint will be maintained by the University of the Incarnate Word in a safe and confidential manner.

## **Cooperation & Retaliation**

Cooperation and truthfulness by all participants are expected in all investigations. The University of the Incarnate Word recognizes the importance of privacy and confidentiality in these matters and the Title IX Director, Title IX Deputy Coordinators, Title IX Investigator, Hearing Officers, and Decision-Makers will uphold the privacy and confidentiality of all parties to the extent practicable. Some individuals filing complaints or involved in an investigation may want their identity to remain confidential. In some instances, the respondent can be spoken to without the complainant being identified. In other cases, issues of confidentiality must be balanced against the University of the Incarnate Word's need to investigate and take appropriate action. While discretion remains important, parties are not restricted from discussing and sharing information relating to their complaints with others who may support them or assist them in presenting their case.

Any member of the University of the Incarnate Word community has the right to raise concerns about or file a good faith complaint of discrimination without fear of retaliation. It is unlawful, and it is a violation of University of the Incarnate Word policy to retaliate against an individual for filing a complaint of discrimination or for cooperating in a discrimination investigation.

Retaliation against anyone who reports an incident of discrimination, brings forward a complaint, or who in any way participates in an inquiry or investigation of discrimination is **strictly prohibited**. Retaliation is also prohibited against anyone who opposes, in a reasonable manner, an act or policy believed to constitute a violation of the University of the Incarnate Word non-discrimination/sexual misconduct policies. Retaliation includes things like hostility, intimidation, threats, or in any way discriminating against an individual because of the individual's complaint or participation in the investigative process. Any person who retaliates against an individual reporting discrimination, filing a discrimination complaint, or participating in a discrimination investigation is subject to disciplinary action.

## **Additional Information**

For additional information regarding the UIW Sexual Misconduct Policy, the Sexual Misconduct Adjudication Processes, reporting options, on & off-campus resources, and other items pertaining to the Sexual Misconduct & Title IX office, please visit: <https://my.uiw.edu/titleix/index.html>





## Crime Prevention, Security Awareness Training and Fire Safety Programs

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Members of the University of the Incarnate Word (UIW) community are encouraged to be responsible for their own personal safety and security and the safety of others in the university community.

The UIW engages in comprehensive educational programming to prevent all crime, including domestic violence, dating violence, sexual assault, and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for the entire campus community. Campus security, crime prevention, and fire safety procedures are discussed during new student orientation, new resident orientation, parent/family orientation and new employee orientation. Members of UIW Police Department, Environmental Health Safety and Risk Management, and Title IX Director conduct crime prevention, general security and safety awareness presentations, sexual assault, domestic violence and dating violence, stalking, etc. prevention and response presentations when requested by various community groups, including students and employees of the University of the Incarnate Word. During these presentations, the following information is typically provided: crime prevention tips, fire safety information, various crime statistics, information regarding campus security procedures and practices, sexual misconduct policy and procedures, campus, and community resources for victims of crime, and encouragement to participants to be responsible for their own safety and security and for the security and safety of others on campus.

Some programs offered to the UIW community include, but are not limited to:

- **General Prevention Programs:** The UIW Police Department officers patrol buildings, parking areas and other open areas to help in the deterrence of crime. The UIW Police Department provides after-hour escorts to students and employees.
- **Civilian Response to an Active Shooter Event (C.R.A.S.E):** C.R.A.S.E is a community/individual based program for the response to an active shooter event as well as other emergencies. Topics discussed will be the “Run, Hide, Fight” philosophy, history of active shooter events, and will provide an open forum for discussion. Hosted by UIW Police Department.
- **Stay Smart, Stay Safe:** A program designed to provide safety awareness and to educate students about which agency to report certain situations. Hosted by International Students & Scholar Services includes representatives from the FBI, DHS, UIW Police Department, and UIW’s Title IX Director.
- **Film and Conversations about Domestic Violence and Sexual Assault:** A film on domestic violence and sexual assault, accompanied by a discussion with community leaders and resources. Hosted by Graduate Research Librarian/Title IX Deputy Coordinator.
- **Leadership and Choices:** A presentation for students that includes a review of the policies in the UIW Student Handbook, reviewing definitions, signs, symptoms, prevention, and reporting on issues of alcohol, drugs, social media and posting, behavior on and off campus, sexual misconduct, bystander intervention, resources, and reporting. Hosted by Judicial Educator.

- **Operation Identification:** Operation Identification is a program providing information on various methods of marking and identifying valuable property (textbooks, computers etc.) and recording of identifying information (make, model, serial number). Should a theft occur, this is the first information that a police officer will need to investigate the crime. Hosted by UIW Police Department.
- **Burglary and Theft Prevention:** A presentation designed to provide our community with the proper education and awareness for utilizing preventive measures to reduce the opportunity for criminal acts to occur. Thefts of backpacks, purses, laptops, phones, and other electronic gadgets are the most prevalent crime on campus. By working with the police and following a few common-sense recommendations, you can significantly reduce the chances of a thief stealing University or personal property. Hosted by UIW Police Department.
- **StormReady:** The National Weather Service StormReady Program helps arm America's communities with the communication and safety skills needed to save lives and property before, during and after the event. StormReady helps community leaders and emergency managers strengthen local safety programs. StormReady communities, counties, Indian nations, universities and colleges, military bases, government sites, commercial enterprises and other groups are better prepared to save lives from the onslaught of severe weather through advanced planning, education, and awareness. No community is storm proof, but StormReady can help communities save lives. Hosted by Emergency Health Safety and Risk Management.
- **Car Care Clinic:** Car Care Clinics are annual events that provide a vehicle safety check free of charge. Equipment such as lights, windshield wiper blades, windshield washer fluid, tire pressure and oil condition are checked. The purpose of the events is to provide a basic safety check for vehicles prior to leaving campus for an extended break. Hosted by UIW Police Department and local auto service stations.
- **Oct-SOBER-fest:** Oct-SOBER-fest is an annual event centered on reducing underage drinking, binge drinking and driving while intoxicated including the physical and legal consequences surrounding each. Participants are encouraged to participate in hands on demonstrations using "Drunk Goggles" allowing individuals the opportunity to experience the dangers of impairment from drugs and alcohol without suffering the real consequences. Hosted by Student Success and UIW Police Department.
- **Personal Safety:** A presentation providing information to help increase "situational awareness" while on and off campus, recognizing potential threats and hazards as well as suspicious activity. Self-defense options, tools and techniques are discussed including the pros and cons of each. Hosted by UIW Police Department.

**“Sexual Assault Awareness Month (SAAM)”**: Sexual Assault Awareness Month (SAAM) is an annual campaign to raise public awareness about sexual assault and educate communities and individuals on how to prevent sexual violence. Each year during the month of April, state, territory, tribal and community-based organizations, rape crisis centers, government agencies, businesses, campuses, and individuals plan events and activities to highlight sexual violence as a public health, human rights and social justice issue and reinforce the need for prevention efforts. The theme, slogan, resources, and materials for the national SAAM campaign are coordinated by the National Sexual Violence Resource Center each year with assistance from anti-sexual assault organizations throughout the United States. These events are hosted by Title IX Director.

- **“It’s On Us” Pledge and Social Media Campaign**: Launched in September 2014, “It’s On Us” is a national movement to end sexual assault. “It’s On Us” asks everyone – students, community leaders, parents, organizations, and companies – to step up and realize that the conversation changes with us. It is a rallying cry to be a part of the solution. The campaign combines innovative creative content and grassroots organizing techniques to spark conversation on a national and local level. Over the past two years, almost 300,000 people have taken a stand against sexual violence by taking the “It’s On Us” pledge. Hosted by Title IX Director.
- **National Night Out**: National Night Out is an event that enhances the relationship between neighbors and law enforcement while bringing back a true sense of community. Furthermore, it provides a great opportunity to bring police and neighbors together under positive circumstances. The state of Texas and select areas celebrate the first Tuesday in October. Hosted by Residence Life and UIW Police Department.

All crime prevention programs are offered several times during the calendar year and are available upon request.

Resident students must also attend mandatory hall meetings throughout the school year pertaining to a variety of topics including alcohol, drugs, sexual assault, personal security, and residence hall security.

UIW recognizes the importance of providing a safe and healthy work environment for its employees. Employees are expected to participate in safety programs and are required to observe safety rules, regulations and instructions provided in UIW Safety Handbook as well as State and Federal Law.

### **Required Programs for New Students**

The University of the Incarnate Word provides online alcohol education and sexual assault prevention. All first year and new transfer students are required to take each of these online courses. The programs are offered free of charge to the student and must be completed by the posted deadline date to ensure eligibility for registration the following semester.

#### **Know Your Limit: Topics Covered**

- The importance of moderating alcohol intake.
- The dangers of binge drinking.
- Ways to intervene if friends have had too much to drink.

### **Impressions (Student Sexual Assault): Topics Covered**

- Culture of Care
- Prevention
- Reporting
- Consent
- Adjudication

### **Lasting Choices: Protecting Our Campus from Sexual Assault: Topics Covered**

- Sexual assault investigations
- The role of alcohol in sexual assault
- How to report incidents
- Intervention strategies

### **UIW Policy Acknowledgement: Topics Covered**

- Review the UIW Sexual Misconduct Policy
- Review the UIW Student Handbook
- Complete the Electronic Policy Acknowledgement Form

### **Workplace Violence Prevention**

UIW is committed to preventing workplace violence and to maintaining a safe work environment. UIW has adopted guidelines to deal with acts of violence, intimidation, harassment, or other threatening forms of behavior that may occur on its premises, or between employees at UIW sponsored events. UIW is committed to taking a proactive stance to ensure that a safe working environment is provided for all employees. It is every employee's responsibility to assist in establishing and maintaining a violence-free environment. Therefore, each employee is expected to report those incidents that constitute acts of violence or threats of violence.

Without exception, acts of violence and threats of violence are not permitted and will not be tolerated. All such acts and threats, even those made in apparent jest, will be taken seriously and will lead to discipline up to and including termination.

Possession of non-work-related weapons on UIW premises or at UIW sponsored events shall constitute a threat of violence. Any direct or indirect indication of intent to harm a person or damage UIW property, whether communicated verbally or nonverbally, shall also be regarded as a threat of violence.

## Drug and Alcohol Policy

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To comply with the Drug Free Schools and Communities Act of 1989 and subsequent amendments, UIW policy expressly forbids possession and/or consumption of alcohol by students, employees or guests who are under the minimum legal drinking age of 21 years. Possession of drug paraphernalia and the use, manufacture, sale, or distribution of illegal drugs, whether on or off campus, by any student is also prohibited. Students and employees are also subject to all applicable legal sanctions under local, state, and federal law for any offenses involving illicit drugs on University property or at University sponsored activities.

The University affirms that illegal drug use is wrong and harmful. The use of illegal drugs and alcohol abuse by students and employees could result in cognitive deficits, loss of productivity and other health risks. These risks include an increased incidence of accidents which may result in death or permanent injury.

Students exhibiting signs of excessive alcohol consumption will, at a UIW Police officer's discretion, be transported via Emergency Medical Services (EMS), and at the student's expense, for medical attention. Refusal to cooperate with EMS personnel may result in arrest for Emergency Detention to ensure the student's health and safety.

### Policy on Parental Notification

The University of the Incarnate Word reserves the right to notify parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The University may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations.

The University of the Incarnate Word will attempt to contact the parents/guardians of a student to inform them of situations in which there is a health and/or safety risk. The University of the Incarnate Word also reserves the right to designate which University employees have a legitimate need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA) and will share information accordingly.

The following sections describe UIW's policy regarding the sale, service, distribution, and consumption of alcoholic beverages on University property or at University sponsored events in accordance with federal, state, and local laws.

### Basic Guidelines

1. Students who are 21 years of age or older are permitted to possess and consume alcohol in designated University housing rooms, if not residing with minors or if minors are not present. Students who are of legal drinking age may **not** share or provide alcohol to any students, employees or guests who are under 21 years of age.
2. Those under the minimum legal drinking age of 21 years are **not** permitted to possess or consume alcohol or provide alcohol beverages to others anywhere on University property or at University sponsored events.
3. Drinking games are prohibited on campus.

4. The University will not sell, serve, or permit the sale of alcohol on campus except in specifically designated building or facilities named by the President of the University. The Dean of Campus Life will maintain a current list of those facilities authorized for an alcohol permit on a permanent or temporary basis.
5. Alcohol beverages may not be possessed or consumed in classrooms, hallways, residence hall lounges, on athletic grounds, in the pool area, or in campus public areas including parking lots, streets and sidewalks or any other area unless designated by the President of the University. Any area on campus can be designated for "temporary use" at the discretion of the President or Dean of Campus Life.
6. Alcoholic beverages may be sold, served, or consumed in special use facilities only if the activity is (a) in compliance with law, and (b) occurs at social gatherings approved by the Dean of Campus Life or the President of the University.
7. Any sponsoring person or organization must obtain prior written approval from the Director of Campus Engagement for the sale, service, or consumption of alcoholic beverages for a specific event. The Dean of Campus Life reserves the right to deny the sale or consumption of alcoholic beverages at any event with sound reason.
8. The Director of Campus Engagement may approve alcoholic beverages at events meeting all the following conditions (a) The event is held in a special-use location, facility, or building; (b) The event is requested by an administrator, faculty, staff, student organization, University department or division; (c) the event will have a majority of individuals over 21 years of age in attendance; (d) Food is served and alternate non-alcoholic beverages are provided; (e) The sale and serving of alcoholic beverages be discontinued at least one hour before the event ends; (f) proper security for the event is provided at ticket booths and distribution areas where alcohol is sold or served and officers patrol the event location; and (g) Alcohol is dispensed by a licensed Texas Alcohol Beverage Commission.
9. The Dean of Campus Life, UIW Police Chief, Director of Special Events, and Director of University Events and Student Programs (if student group or organization) will determine the adequate number of security officers for the event.

### **Procedures for Serving Alcohol on Campus**

1. A request for approval of service and consumption of alcoholic beverages at an on-campus event will be directed to the Dean of Campus Life at least thirty (30) business days prior to the event. Sponsors initiating such a request should obtain an "alcoholic beverage activity permit" from the Dean of Campus Life or the Director of Special Events.
2. At least fifteen (15) working days prior to the date of the proposed event, the sponsor should take the completed form to the Director of Special Events, who will inform the sponsor of any specific policy or procedural limitations regarding the use of the facility. If the Director of Special Events approves the proposed event, they will sign the "alcoholic beverage activity" permit and return it to the sponsor.

3. If the University's food service contractor will be used to serve the alcoholic beverages, the sponsor must contact the contractor at least fifteen (15) working days prior to the proposed event. The food service contractor should inform the sponsor of all requirements for service on the proposed date, and will coordinate TABC permits, if necessary.
4. The sponsor should then contact the UIW Police Chief at least fifteen (15) working days prior to the scheduled event to determine the need for officers at the scheduled event. The Director will assign the number of officers and assess the costs to be incurred by the sponsor. If they approve the proposed event, the Director will then sign the alcoholic beverage permit and return it to the sponsor.
5. The sponsor will deliver the form to the Dean of Campus Life. If the Dean approves the event, they will sign the form, notify the sponsor, and send copies to offices involved in coordination of the event.
6. After the Dean of Campus Life approves the event, the sponsor will notify the Director of Special Events who will then place the event on the University Calendar.
7. If a planned event is canceled, the sponsor is responsible for notifying the Dean of Campus Life, the UIW Police Chief, Special Events and Dining Services as soon as possible. The University will ensure that all permits required by the Texas Alcohol Beverage Commission (TABC) are approved prior to the activity.
8. Student organizations or groups should review the Student Organization Handbook - Requirement for Securing an Alcohol Permit at <https://www.uiw.edu/studentlife/organizations/index.html>.

### **Violations of the University Alcohol and Drug Policy**

UIW prohibits the unauthorized possession, use, or distribution of alcoholic beverages to others except as expressly permitted by law and UIW's Alcohol Policy. Students who violate these policies can expect significant sanctions, up to and including suspension or expulsion from the University. UIW's conduct system allows parent/guardians to be notified when their student who is under 21 years old has been found responsible for violating the alcohol policy.

Possession of drug paraphernalia and the use, manufacture, sale, or distribution of illegal drugs, whether on or off campus, by any student is prohibited, in accordance with federal, state, and local laws. Students who violate these policies can expect significant sanctions, up to and including suspension or expulsion from the University however, this policy provides flexibility for the University in addressing drug related offenses which occur on or off campus. Moreover, it permits the University to address its fundamental Mission of holistic education and the development of human potential.

While recognizing that there is a need to address violations related to the use or possession of controlled substances, the University must address the education and well-being of all its students and employees. In addition to University-imposed sanctions, students and employees are subject to all legal sanctions under federal, state, and local law for any offenses involving illegal drugs on University property or at University activities.

## **Voluntary Disclosure/Safe Harbor**

A student who has engaged in prohibited drug/banned drug or alcohol use is encouraged to seek assistance from the Office of Student Advocacy and Accountability by voluntarily disclosing use prior to a report of an alcohol or drug violation.

If the student seeks assistance prior to being identified as having violated this policy, the impermissible use will not be deemed an offense for purposes of determining sanctions under this policy. The Dean of Campus Life and the Director of Student Advocacy and Accountability will work collaboratively to enforce this policy and to support all students participating in the Voluntary Disclosure/Safe Harbor program. Any student entering the Safe Harbor program may be required to take a drug test (at the student's expense) to establish a baseline for follow up testing.

Upon requesting Safe Harbor, a student must meet with Dean of Campus Life or the Director of Student Advocacy and Accountability. This meeting must take place within 7 days of the student's request for Safe Harbor. The purpose of the meeting is to discuss the student's needs, and an initial plan to address the student's illegal alcohol or other drug use (e.g., substance abuse assessment, counseling, treatment, etc.).

While participating in the Safe Harbor program, the student must fulfill the planned requirements assigned by the Dean of Campus Life/Director of Student Advocacy and Accountability. (Requirements will include speaking/meeting with a counselor/therapist about their substance abuse, receiving a substance abuse assessment from an assigned agency, etc.). The student will be permitted to remain in Safe Harbor for a reasonable period as determined by their treatment plan.

If a student fails to meet with the Dean of Campus Life/Director of Student Advocacy and Accountability within the 7-day timeframe, the request for Safe Harbor is considered null and void, and the student is subject to all potential consequences of illegal drug use. Failing to complete the treatment plan and/or any other requirements from the Dean of Campus Life/Director of Student Advocacy and Accountability or designee, and/or having a positive test for any banned substance that indicates new use after entering the program will be deemed a first offense under this policy.

If a counselor/therapist determines that a student-athlete should not continue participation, the student-athlete will not be permitted to return to participation until re-entry into intercollegiate sports is deemed appropriate.

At the conclusion of the treatment plan, the student will be required to undergo a screening to verify that the student is free of illegal substances.

For questions about the alcohol or drug policy or available resources, please contact:

Matthew Carpenter  
Director of Student Advocacy and Accountability  
Telephone: (210) 805-5864  
Email: [macarpen@uiwtx.edu](mailto:macarpen@uiwtx.edu)  
Location: Student Engagement Center 3150

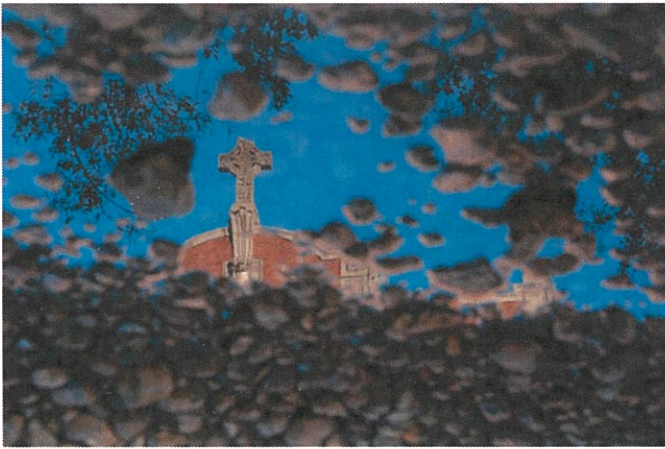


## **Alcohol and Other Drug Resources and Prevention Education Opportunities:**

Students are encouraged to participate in co-curricular alcohol and other drug education/prevention programming offered throughout the year. The programming is both active and passive and is free to enrolled students. The activities include such events as: National Night Out, Guest Speakers, On-line programs; Risk Management Training; Residence Life programming, etc.

For Employees, free, confidential initial counseling for alcohol and drug abuse issues is available to employees through Employee Assistance Plan, and other referral resources. Services will include assessment, individual counseling, referral, and case management.

Educational programs and materials are also available. A list of programs is available for those employees who wish to seek help for drug and alcohol abuse problems.



Our group medical plan provides certain benefits for employees who receive such services. Employees should consult their insurance booklet or contact the Office of Human Resources for further information.

Employees who request assistance or referral for drug or alcohol abuse will not be disciplined for making the request but, depending on the nature of the job, may be temporarily transferred, or placed on a leave of absence if safety considerations so require.

Employees experiencing problems with drugs or alcohol are encouraged to seek assistance before detection of drug or alcohol abuse subjects them to disciplinary action. Once an employee is found to have violated this policy, his/her offer to be referred for rehabilitation on a voluntary basis will not necessarily limit disciplinary action and may have no bearing whatsoever.

## Additional Drug, Alcohol and Mental Health Resources

### Resources

<u><i>Academic Support Services</i></u> Chapel Building, Room 16 (210) 805-3005	<u><i>Mission and Ministry</i></u> Administration Building, 1st Floor (210) 829-3128	<u><i>Student Disability Services</i></u> Administration Building, Room 51 (210) 829-3997
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<u><i>Office of Title IX</i></u> Administration Building, 4th Floor (210) 283-6977	<u><i>Student Advocacy and Accountability</i></u> SEC, Suite 3150 (210) 829-6034	<u><i>University Police</i></u> Clement Hall (210) 829-6030
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<u><i>Behavioral Health*</i></u> Administration Building, 4 <sup>th</sup> Floor (210) 832-5656	<u><i>Health Services*</i></u> Agnese/Sosa Residence Hall, Ground Floor (210) 829-6017	<u><i>Psychiatric Services*</i></u> UIW Health Services Clinic (210) 829-6017
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\*Please note, students must be physically in the state of Texas for these remote health services

### 24/7 Hotlines

CareConnect Hotline  (888) 857-5462	The Center for Health Care Services  (800) 316-9241  (210) 223-7233 (Crisis)	National Suicide Prevention Lifeline  (800) 273-8255	Veterans Crisis Line   (800) 273-8255 (Press 1)
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### Community Health Resources Hospitals

Christus Santa Rosa, Alamo Heights Hospital	Methodist Specialty & Transplant Hospital	Northeast Baptist Hospital	University Health System
(210) 294-8000	(210) 575-8110	(210) 297-7005	(210) 358-8145
403 Treeline Park, San Antonio, TX 78209	8026 Floyd Curl Drive, San Antonio, TX 78229	8811 Village Drive #300, San Antonio, TX 78217	4647 Medical Drive San Antonio, TX 78229

### Minor Emergencies

Alamo Heights Minor Emergency  (210) 930-4500	Texas MedClinic  (210) 349-5577
6496 N New Braunfels Ave, San Antonio, TX 78209	Various Locations in San Antonio

### Resources for Alcohol and Other Drugs

Alcoholics Anonymous (210) 828-6235 8804 Tradeway San Antonio, TX 78217	Esperanza Area Narcotics Anonymous (210) 434-0665 3701 W. Commerce San Antonio, TX 78207	Palmer Drug Abuse Program (210) 227-2634 111 Dallas Street San Antonio, TX 78205	San Antonio Council on Alcohol & Drug Abuse (210) 225-4741 7500 U.S. Hwy 90W #100 San Antonio, TX 78227
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### Resources for Mental Health

Christus Santa Rosa Health Care (210) 704-3007 333 N. Santa Rosa, San Antonio, TX 78207	Laurel Ridge Treatment Center (210) 491-9400 17720 Corporate Woods Dr., San Antonio, TX 78259	National Alliance on Mental Illness (210) 734-3349 510 Belknap Place, San Antonio, TX 78212
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San Antonio Behavioral Health (210) 541-5300 8550 Huebner Road, San Antonio, TX 78205	OLLU Community Counseling Svc (210) 434-1054 590 N. General McMullen, Suite 3 San Antonio, Texas 78228	St. Mary's Family Counseling Ctr (210) 438-6411 251 W. Ligustrum, San Antonio, TX 78228
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UT Health San Antonio (210) 567-5448 Please contact the TCC Clinic Manager, Megan Fredrick	UTSA Sarabia Center (210) 458-2055 501 W. César E. Chávez Blvd., San Antonio, TX 78207
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### Other Resources

Catholic Charities (210) 337-1133 711 Madonna, San Antonio, TX 78216	Center for Health Care Services (210) 261-1000 3031 IH-10 West, San Antonio, TX 78201	Family Violence Prevention Center (Domestic Abuse Treatment Ctr) (210) 733-8810 7911 Broadway St., San Antonio, TX 78209
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Family Violence Prevention Services (210) 930-3669 Contact Via Telephone	Jewish Family Services of San Antonio (210) 302-6920 12500 N.W. Military, San Antonio, TX 78231	San Antonio Rape Crisis Center 24-hour crisis hotline (210) 349-7273 7500 W U.S. Hwy 90, San Antonio, TX 78227
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# Statistical Data: Criminal Offenses, Arrests, & Judicial Referrals (by Campus)

## 1. University of the Incarnate Word – Main Campus

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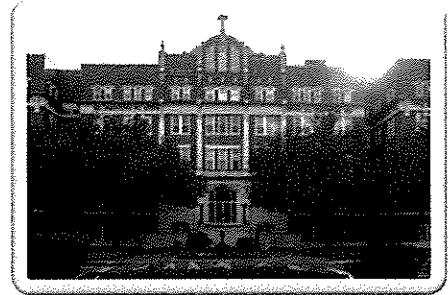
4301 Broadway, San Antonio, TX

Includes the following locations:

- Main Campus
- Feik School of Pharmacy
- McCracken House

Includes Non-Campus Properties:

- Northeast Campus (Rolling Oaks Mall), San Antonio TX
- ABSN Learning Center, San Antonio TX
- Saint Anthony Catholic High School, San Antonio TX
- Corpus Christi Center, Corpus Christi TX
- Professional Golf Management Center, San Antonio TX
- European Study Center, Strasbourg France
- European Study Center, Heidelberg, Germany (Closed March 2020)
- Centro Universitario Incarnate Word, Mexico City Mexico
- Universidad Incarnate Word Campus Bajio, Irapuato Mexico



## 2. School of Physical Therapy and Saidoff Center

On-Campus Properties:

- University of the Incarnate Word School of Physical Therapy and Saidoff Center
- There are no residential facilities at this location.
- There are no 'non-campus' properties for this location.

## 3. Rosenberg School of Optometry

On-Campus Properties:

- University of the Incarnate Word Rosenberg School of Optometry
- There are no residential facilities at this location.

Non-Campus Properties:

- Bowden Eye & Health Care Center, San Antonio TX
- CommuniCare West, San Antonio TX
- Community Eye Center, Fort Worth TX
- Laredo Medical Center, Suites #B680 and B685, Laredo TX

#### 4. University of the Incarnate Word School of Osteopathic Medicine

##### On-Campus Properties:

- University of the Incarnate Word School of Osteopathic Medicine
- There are no residential facilities at this location

Statistical data was requested for the following Non-Campus locations from local law enforcement with no response:

- European Study Center, Strasbourg, France
- European Study Center, Heidelberg, Germany
- Centro Universitario Incarnate Word, Mexico City, Mexico

The University of the Incarnate Word does not have any off-campus student organizations with non-campus housing facilities.

The information appearing on the following pages contain statistical data relating to Clery reportable crimes using data obtained by the University of the Incarnate Word Police Department from outside law enforcement agencies, Title IX, and the Office of Student Conduct.

##### Clery Geography:

Crime statistics are classified and counted pursuant to the Clery Act statute. They fall into four geography classifications:

**On-Campus:** Any building or property owned or controlled by an institution within the same reasonably geographic area and used by the institution in direction support of, in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably to the area identified in the first part of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**On-Campus Student Housing/Residential:** housing facilities include all graduate and undergraduate housing and parking facilities that are physically attached to and accessed directly from the student housing facilities. On-Campus Housing is a subset of the On-Campus category.

**Non-Campus:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably continuous geographic area of the institution.

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to and accessible from the campus. For UIW, this is the perimeter of campus from the sidewalk or boundary closest to campus, the public road for that sidewalk or boundary, and the sidewalk or boundary across the street.

**NOTE:** The statistical data was gathered from various sources such as the UIW Police Department, the Office of Title IX and Compliance, Office of Student Advocacy and Accountability, and confidential reporting sources. We attempt as much as possible to verify the accuracy of the information received from the various resources.

**CLERY CRIME STATISTICS 2018 – 2020 / BROADWAY (MAIN) CAMPUS**

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Murder	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	1	0
Manslaughter by Negligence	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Rape	2020	2	2	0	0
	2019	4	3	0	0
	2018	3	1	0	0
Fondling	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Incest	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Statutory Rape	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	1	0
Robbery	2020	0	0	0	0
	2019	1	0	0	0
	2018	1	0	0	0
Aggravated Assault	2020	0	0	0	0
	2019	2	1	0	0
	2018	4	0	0	0
Burglary	2020	2	1	1	0
	2019	0	0	0	0
	2018	2	0	1	0
Motor Vehicle Theft	2020	0	0	3	0
	2019	0	0	4	0
	2018	1	0	5	0
Arson	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0

**\*\*One of the Rape incidents listed in 2020 occurred in 2019 but was reported in 2020**

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Dating Violence	2020	2	2	0	0
	2019	4	4	0	0
	2018	6	4	0	0
Domestic Violence	2020	0	0	0	0
	2019	3	2	0	0
	2018	0	0	0	0
Stalking	2020	2	2	0	0
	2019	6	3	0	0
	2018	2	0	0	0

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor law arrests	2020	0	0	0	0
	2019	1	1	0	0
	2018	2	0	0	0
Liquor law referrals	2020	12	12	0	0
	2019	64	64	0	0
	2018	23	23	0	0
Drug law arrests	2020	0	0	0	0
	2019	1	0	0	0
	2018	0	0	1	0
Drug law referrals	2020	8	8	0	0
	2019	17	15	0	0
	2018	13	10	0	0
Weapons law arrests	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	1	0	0
Weapons law referrals	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2020	0
	2019	0
	2018	0

There were no reported HATE CRIMES in any of the Clery categories in 2020, 2019 or 2018.

**CLERY CRIME STATISTICS 2018 – 2020/ SCHOOL OF PHYSICAL THERAPY**

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Murder	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Manslaughter Negligence	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Rape	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Fondling	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Incest	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Statutory Rape	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Robbery	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Aggravated Assault	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Burglary	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Motor Vehicle Theft	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Arson	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0



OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Dating Violence	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Domestic Violence	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Stalking	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor law arrests	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Liquor law referrals	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Drug law arrests	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Drug law referrals	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Weapons law arrests	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Weapons law referrals	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2020	0
	2019	0
	2018	0

There were no reported HATE CRIMES in any of the Clery categories in 2020, 2019 or 2018.

**CLERY CRIME STATISTICS 2018 – 2020 / ROSENBERG SCHOOL OF OPTOMETRY**

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Murder	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Manslaughter by Negligence	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Rape	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Fondling	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Incest	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Statutory Rape	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Robbery	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Aggravated Assault	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Burglary	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Motor Vehicle Theft	2020	0	-	0	0
	2019	0	-	0	0
	2018	1	-	0	0
Arson	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Dating Violence	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Domestic Violence	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Stalking	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor law arrests	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Liquor law referrals	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Drug law arrests	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Drug law referrals	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Weapons law arrests	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Weapons law referrals	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2020	0
	2019	0
	2018	0

There were no reported HATE CRIMES in any of the Clery categories in 2020, 2019 or 2018.

<b>CLERY CRIME STATISTICS 2018-2020 / SCHOOL OF OSTEOPATHIC MEDICINE</b>					
<b>OFFENSE</b>	<b>YEAR</b>	<b>CAMPUS</b>	<b>CAMPUS RESIDENTIAL</b>	<b>NON-CAMPUS</b>	<b>PUBLIC PROPERTY</b>
Murder	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Manslaughter by Negligence	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Rape	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Fondling	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Incest	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Statutory Rape	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Robbery	2020	0	-	0	0
	2019	0	-	0	3
	2018	0	-	0	0
Aggravated Assault	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Burglary	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Motor Vehicle Theft	2020	0	-	0	0
	2019	1	-	0	0
	2018	0	-	0	0
Arson	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Dating Violence	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Domestic Violence	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Stalking	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor law arrests	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Liquor law referrals	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Drug law arrests	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Drug law referrals	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Weapons law arrests	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
Weapons law referrals	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2020	0
	2019	0
	2018	0

There were no reported HATE CRIMES in any of the Clery categories in 2020, 2019 or 2018.

## Crime Definitions

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### Federal Bureau of Investigation Uniform Crime Reporting/National Incident-Based Reporting System Crime Definitions

Excerpted from the Implementing Regulations of the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" (originally the Campus Security Act) originally published in the Federal Register on April 29, 1994 (Vol. 59, No. 82) and November 1, 1999 (Vol 64, No. 210).

The following definitions are to be used for reporting the crimes listed in 34 CFR sec. 668.46 (previously 668.47) in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the Uniform Crime Reporting Handbook.

The definitions of forcible and non-forcible sex offenses are excerpted from the National Incident - Based Reporting System Edition of the Uniform Crime Reporting Handbook.

#### **Crime Definitions from the Uniform Crime Reporting Handbook**

**Arson** – Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Criminal Homicide-Manslaughter by Negligence** – The killing of another person through gross negligence.

**Criminal Homicide-Murder and Non-Negligent Manslaughter** – The willful (non- negligent) killing of one human being by another.

**Robbery** – The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault** – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied using a weapon or by means likely to produce death or great bodily harm. (It is not necessary that the injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.).

**Burglary** – The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned including joyriding.).

**Weapon Law Violations** – The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

**Drug Abuse Violations** – Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations** – The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Sex Offenses (Forcible)** – Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

**Forcible Rape** – The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

**Forcible Sodomy** – Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Sexual Assault with An Object** – The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Forcible Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

**Sex Offenses-Non-forcible** – Unlawful non-forcible sexual intercourse.

**Incest** – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence, Dating Violence, and Stalking additions from the Violence Against Women Reauthorization Act of 2013 (VAWA):

**Domestic Violence:**

A Felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence:**

The term “dating violence” means violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim;
- The existence of such a relationship shall be determined based on the reporting party’s statement with consideration of:
  - The length of the relationship;
  - The type of relationship;
  - 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.
- Dating violence does not include acts covered under the definition of domestic violence.

**Stalking:**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress. For the purposes of this definition:
- 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.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.



**Hate Crimes** – Any of the above offenses, and any other crime involving bodily injury reported to local police agencies or campus security authority, that manifest evidence that the victim was intentionally selected because of the perpetrator’s bias or the perpetrator perceived the person to be in one of the protected group categories. Additionally, on August 14, 2008, the Clery Act was amended to include larceny/simple assault, intimidation, and destruction/damage/vandalism (except arson) as reportable categories of hate crimes. This provision made the Department of Education’s campus hate crime categories identical to the crime categories that have been collected by the Federal Bureau of Investigation (FBI) under the Hate Crime Statistics Act (HCSA) since 1991. These new reporting categories are only reported if motivated by bias as determined by one of the designated bias categories. The types of bias categories include race, gender, religion, sexual orientation, ethnicity, national origin, gender identity, and disability.

**Definitions:**

To ensure uniformity in reporting nationwide, the following definitions have been adopted for use in hate crime reporting:

- **Bias**—A preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, or ethnicity/national origin.
- **Bias Crime**—A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as Hate Crime.

**Note:** Even if the offender was mistaken in his/her perception that the victim was a member of the group he or she was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

**Unfounded Crime Reports** - According to Uniform Crime Report (UCR) guidelines, a reported offense can be cleared as unfounded by a sworn law enforcement authority “if the investigation shows that no offense occurred nor was attempted.” These cases thus remain as official crime reports and are included in the departmental statistics; however, they are explicitly labeled as “unfounded” cases within UCR reports on the various index crimes. According to UCR guidelines, the statistics on unfounded cases should include crime reports that are either: False or Baseless.

Sex Offenses Definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

Source: Federal Register, April 29, 1994, Vol. 59, No. 82; Federal Register November 1, 1999, Vol. 64, No. 210.Statistical Information/Crime Statistics

## 2021 Annual Fire Safety Report

(Report data generated and maintained by the Department of Environmental Health Safety & Risk Management - EHSRM)

The Higher Education Opportunity Act (HEOA) of 2008 requires colleges that maintain any on-campus student housing facilities to distribute an annual fire safety report. The Annual Fire Safety Report (AFSR) must be made available to all enrolled students and current employees. Colleges must also provide prospective students and prospective employees access to the report and the exact electronic address if the report is reported online. The AFSR includes statistics for the three most recent calendar years, the number of fires and their causes, number of injuries, number of deaths, property damage, description of each housing facility fires safety system, number of fire drills held during the previous calendar year, polices on portable electrical appliances, smoking, open flames, procedures for evacuation, fire safety education and training, titles of each person or organization to which students and employees should report a fire and plans for future improvements to campus fire safety.

The AFSR statistics for 2020, 2019 and 2018 are the same. This chart reflects all three years.

Location	Cause	Injuries	Deaths	Property Damage
Avoca A	n/a	0	0	0
Avoca B	n/a	0	0	0
Avoca C	n/a	0	0	0
Avoca D	n/a	0	0	0
Avoca E	n/a	0	0	0
Hillside 1	n/a	0	0	0
Sky View	n/a	0	0	0
St. Joseph's	n/a	0	0	0
Watson Apartments	n/a	0	0	0
Township Apartments	n/a	0	0	0
Joeris	n/a	0	0	0
Skyroom/McCombs Center	n/a	0	0	0
Clement	n/a	0	0	0
Dubuis Residence Hall	n/a	0	0	0
Agnese/Sosa-Living Center	n/a	0	0	0

Description of each housing Facility Fire Safety System:

- **Avoca A and B apartments:** are protected by a fire alarm system monitored by a commercial central station service, smoke alarms and smoke detectors in each sleeping room.
- **Avoca C, D and E apartments:** are protected by a complete automatic sprinkler system, a fire alarm system monitored by a commercial central station service and smoke alarms and smoke detectors in each sleeping room.
- **Hillside I, Skyview, Joeris, McCombs Center/Sky Room dorms, Agnese/Sosa, Clement, Township and Watson** are protected by a complete automatic sprinkler system, smoke alarms and smoke detectors in each sleeping room, fire alarm system monitored by a commercial central station service, egress corridors and stairwells are fire rated.
- **St. Joseph's** are protected by a fire alarm system monitored by a commercial central station service, smoke alarms and smoke detectors in each sleeping room.
- **Bishop Claude Dubuis Residence Hall:** under renovation beginning in 2020

Number of regular mandatory supervised fire drills:

- Campus Life, Environmental Health Safety and Risk Management office (EHSRM) and University Police conduct fire drills for each campus living facility every semester, resulting in 22 fire drills each year.

#### **2020 Fire Safety and Emergency Training/ Fire Extinguisher Training**

- Main Campus – August 2020

#### **Fire Drills**

- Main Campus – Nov-Dec 2020
- Residence Halls Spring- Feb 2020
- Residence Halls Fall- September 2020

#### **New Student Safety Training**

- General Safety, Active Shooter, Fire Safety – August 2020

#### **Resident Assistant Fire Academy**

- Smoke house, Lecture, Emergency Evacuation, Fire Extinguisher Training – August 2020

#### **Policies on portable electrical appliances, smoking and open flames:**

- Smoking is prohibited on all University property. Furthermore, the littering of cigarette butts in common areas on campus is prohibited. The first violation will result in a \$50 fine and subsequent violations are \$100 each and may include disciplinary sanctions.

- Due to electrical requirement and safety precautions, appliances with exposed heating elements, sun lamps, tanning beds, space heaters, ceiling fans, black lights, microwave ovens more than 750 watts, hot plates, electric frying pans, toaster ovens, George Foreman type grills, rice cookers, crock pots, open-faced electrical or heating appliances, outside antennas of any kind are not permitted in residence halls rooms. The storage of any flammable fluid is not allowed.
- Because of the fire hazard presented by burning candles, incense, potpourri pots and other devices, which use an open flame, these items are not allowed in the residence halls. Unlit candles are not permitted. Failure to follow the Candle/Incense Policy will result in confiscation of the materials and a \$25 fine will be imposed. A \$50 fine will be imposed for each subsequent violation of this policy.

#### Fire Safety Education Program:

- The EHSRM office conducts fire and life safety training every semester to the Residence Life staff, students and university staff.

#### Reporting a Campus Housing Fire:

- All fires on campus should be immediately reported to the UIW Police Department at (210) 829-6030 and the Director of Environmental Health, Safety, Risk Management, at (210) 829-6035.

#### Future Fire Safety Plans:

- UIW plans to connect all campus buildings including all campus housing to the Campus wide Mass Notification System. UIW is also developing plans to sprinkler all campus housing.

#### Evacuation plans:

- UIW has an Emergency and Response and Evacuation plan. The plan can be accessed by going to EHSRM page at: <https://my.uiw.edu/safety/>
- UIW has developed a tiered emergency response and evacuation program to alert students and employees in the event of an emergency on campus. UIW's tiered system incorporates a written Emergency Response and Evacuation Plan, a Mass Notification System (MNS), a text messaging system (RAVE), and web-based alerts via UIW's home page. The MNS system will broadcast voice alerts to students, faculty, staff, and visitors in the event of an emergency through high power speaker array. The campus warning system broadcasts alerts via a secure network that continues to operate during a disaster. In the event of an emergency on campus the tiered system is capable of informing individuals of immediate dangers, both indoors and outdoors, quickly, and accurately.

