



THE UNIVERSITY *of* NORTH TEXAS  
HEALTH SCIENCE CENTER *at* FORT WORTH

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## **2022-2023 Annual Security Report**

### **Crime Security Awareness & Prevention**

- [Jeanne Clery Disclosure of Campus Security Policy](#)
- [Campus Crime Statistics 2019-2021](#)
- [Safety Programs and Services, including Sexual Assault and Sexual Violence](#)
- [Drug-Free Schools and Communities Act](#)
- [Violence Against Women Act](#)

<https://unthsc.edu/clery>

## A Message from the HSC Clery Compliance Committee

We are pleased to distribute the 2022-2023 Annual Security Report (ASR) for the University of North Texas Health Science Center at Fort Worth (HSC). The ASR is prepared annually in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and subsequent amendments specified in the Higher Education Opportunity Act (HEOA) and the reauthorization of the Violence Against Women Act (VAWA).

The ASR was prepared by the HSC Clery Compliance Committee, which consists of members from the HSC Police Department, Environmental Health & Safety Office, HSC Campus Human Resources, Office of Institutional Integrity and Awareness, Office of Facilities Management, and the Division of Student & Academic Affairs. The ASR is an overall guide for many safety and security policies at HSC and can serve as a resource regarding education and prevention programs in which all community members are invited to attend. The ASR also provides crime statistics for the 2019-2021 calendar years for your review.

The safety and well-being of our students, faculty, staff, and visitors are of the utmost importance and at the forefront of what we do on a daily basis. HSC works persistently to reduce the risk and potential for crime and other hazardous situations. Safety and security are a shared responsibility at the HSC, and we expect everyone to contribute. "If you see something, say something."

If you have any questions or suggestions regarding this publication, please contact the HSC Police Department at 817-725-2210 or the Division of Student & Academic Affairs at 817-735-2505.

### **Clery Compliance Committee:**

Emily Mire, Ph. D., Chair, Executive Director, Student & Academic Success, Division of Student & Academic Affairs

Chief Richard McKee, HSC Police Department

Renetta Nail, Director, HSC Campus Human Resources

Andrew Arvay, M.S., Director, Office of Care and Civility, Division of Student & Academic Affairs

Chris Erickson, Director, Environmental Health & Safety Office

Desiree Ramirez, Senior Vice President, Chief Integrity Officer, Office of Institutional Integrity and Awareness

Seth Willmoth, Executive Director, Facilities Management

Kory Levingston, Director, Title IX Compliance, Division of Student & Academic Affairs

Lori Saunders, M.S., Director, Center for Student Life

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## The Clery Act

The (Clery Act) is a federal mandate requiring all institutions of higher education that participate in the federal student financial aid program to make known crimes occurring on their campus and in the surrounding community. The Clery Act is enforced by the U.S. Department of Education, and campuses that fail to comply are penalized with hefty fines and may be suspended from participating in federal financial aid programs.

The Clery Act was signed in 1990 and is named after Jeanne Clery. She was a student who was raped and murdered in a residence hall at Lehigh University in 1986. Clery's parents lobbied Congress to enact the law so that parents, students, and faculty know about crimes on campus.

### Compliance with the Clery Act

The Clery Act requires the University of North Texas Health Science Center at Fort Worth (HSC) to provide timely warnings of crimes that represent a threat to the safety of students and employees. The campus security policies are made available to the public on the University website. The act requires HSC to collect, report, and make the Annual Security Report (ASR) available to everyone on campus as well as to the Department of Education annually.

To be in full compliance, HSC must do the following:

1. Publish and distribute the Annual Security Report to current students, prospective students and employees by October 1 of each year. The report must include crime statistics for the past three years, campus policies about safety and security measures, campus crime prevention programs, and list procedures to be followed in the investigations and prosecution of alleged sex offenses.
2. Provide students and employees with timely warnings of crimes that represent a threat to their safety.
3. HSC's Police Department must keep and make available a crime log of all crimes reported to them in the past 60 days.
4. Disclose missing student notification procedures that pertain to students residing in on-campus student housing.
5. Disclose fire safety information for on-campus student housing facilities. Please note: HSC does **not** have on-campus student housing.
6. In addition to the items above, this ASR addresses the Violence Against Women Act (VAWA) amendments to the Clery Act. VAWA expanded the rights afforded to campus survivors of sexual assault, domestic violence, dating violence, and stalking.

## Policy for Preparing and Distributing the Annual Disclosure of Crime Statistics

HSC coordinates the collection and reporting of crime statistics as specified in the Clery Act. HSC compiles crime statistics in accordance with the Uniform Crime Reporting System of the Department of Justice and the Federal Bureau of Investigation. Statistics for the Annual Disclosure of Crime Statistics report are provided by the HSC Police Department (PD) in conjunction with the HSC Division of Student & Academic Affairs, Campus Security Authorities, HSC Environmental Health and Safety Office, HSC Marketing and

Communications Office, and local law enforcement agencies. Campus Security Authorities are required to report on an on-going basis; however, the Clery Compliance Coordinator sends a quarterly reminder via email to Campus Security Authorities (CSA's) requesting information about all Clery Crimes that have occurred on HSC's Clery Geography that were reported to them. HSC PD collects relevant crime statistics from local police agencies by providing them with the physical addresses of properties owned and operated by HSC and those properties that are contiguous to, affiliated with, or adjacent to the properties owned and operated by HSC. The locations include any building or property that is either owned or controlled by an officially recognized organization or agency of HSC. A listing of these properties is kept by the Office of Facilities Management, and can be obtained by contacting (817) 735-2181.

The Clery Compliance Committee, chaired by the Executive Director, Student & Academic Success & Clery Compliance Coordinator, is comprised of the HSC PD Chief and Captain, Director of the Office of Care and Civility, HSC Campus Director of Human Resources, Director of Environmental Health & Safety Office, the Chief Integrity Officer, and the Executive Director, Facilities Management, Director of Title IX Compliance, and the Director for the Center for Student Life. The Clery Compliance Committee meets monthly in person and/or online to:

- Review Clery crimes for the current and previous year to ensure accuracy of reporting in the ASR and the CSSDACT before publication
- Develop audit trails for Clery crimes
- Update the CSA directory
- Review the HSC Clery map
- Gather the number and description of crime prevention, security awareness, and safety education programs
- Compile the draft and final review of the ASR

The Annual Disclosure of Crime Statistics report (also known as Annual Security Report) is distributed annually by hard copy printouts and as an electronic PDF file on the HSC PD website. A notice of the availability of the report is distributed by email to all current employees and students by the October 1<sup>st</sup> deadline each year. Prospective students and prospective employees are directed to the HSC PD website for access to the report when applying for employment or admission online.

The following are the distribution methods for the Annual Disclosure and Crime Statistics report:

- Printed copies are available at the HSC PD and the Division of Student & Academic Affairs.
- Notice of the report's availability is provided by email to all currently enrolled students as well as all faculty and staff on the HSC payroll.
- An electronic PDF file of the report is available for download and printing directly from the HSC PD website at: <http://www.unthsc.edu/police/abandoned-property-list/clery-act/>
- New employees receive notice of the report's availability at New Employee Orientation and new students receive notice of the report's availability at New Student Orientation.

## Campus Security and Crime Awareness

The safety and security of all students and employees is of paramount concern to HSC. Through the teamwork of the University and campus community, HSC consistently strives to be among the safest college campuses in Texas. We work to achieve this by developing a partnership with students, administrators, faculty, and staff. With more than 3,500 students, faculty, and staff, the HSC campus is reflective of the communities it serves and is not immune to societal problems.

Preventing or reducing crime in any community is a tough job. Success in crime prevention and safety at HSC depends in large part on the education and participation of the campus community. The campus community is provided with information about safety programs and services, but individuals are advised that they can make a direct impact on their own security and safety. Each year the HSC Clery Compliance Committee publishes the following report concerning campus security and crime statistics. This report provides information for reporting of crimes, important University policies and procedures, law enforcement authority on campus, and support services for survivors of crimes.

It is the policy of HSC to provide an environment conducive to its educational mission; thus, any conduct that is prohibited by state, federal, or local law is subject to discipline under the provisions of policies stated in the Student Code of Conduct and Civility and HSC general institutional policies, as appropriate. University officials may refer any evidence of illegal activities to the proper local, state, or federal authorities for review and potential prosecution.

## **Campus Safety**

### **Campus Law Enforcement & Jurisdiction**

HSC PD officers are commissioned as peace officers under the Texas Education Code 51.203 and are certified police officers under the requirements of the Texas Commission on Law Enforcement (TCOLE). Additionally, HSC Dispatchers are TCOLE certified. Officers are sworn with the full powers of arrest and may enforce all applicable federal and state laws, as well as local ordinances.

Officers enforce laws throughout Tarrant, Dallas, Denton, and Cooke counties, but focus their primary response and attention to crimes or incidents occurring on HSC property or adjacent streets and crimes involving the University as the object of the offense. Investigations of offenses occurring on campus are generally conducted by the HSC PD, but assistance from local law enforcement agencies is requested when necessary. The department regularly provides assistance to local law enforcement agencies when requested. HSC PD participates in trainings and maintains various other regular associations with local, state, and federal law enforcement agencies.

HSC PD has a cooperative arrangement with the Fort Worth Police Department, including a written Mutual Aid Agreement with the City of Fort Worth which describes each agency's law enforcement responsibilities on and around campus, including the investigation of alleged criminal offenses. HSC PD maintains liaisons with other local, state, and federal law enforcement agencies in support of campus security and safety efforts. These liaisons facilitate interagency cooperation in the investigation of criminal offenses and response to other public safety incidents occurring on campus or throughout the region in support of campus security and safety efforts.

The HSC main campus boundaries are outlined in the Clery map on page 78-79 (Appendix A), along with the addresses of the HSC clinics.

### **Accurate and Timely Reporting of Criminal Offenses**

Individuals should immediately report alleged criminal actions (including sex offenses such as rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking) or emergencies that occur on or off the HSC campus. Reporting of criminal offenses aids the department in informing the community when necessary and assists in the accurate reporting of crime statistics. HSC encourages

accurate and prompt reporting of all crimes to HSC PD and/or the appropriate law enforcement agencies when the survivor of such crime elects to, or is unable to, make such a report. You may report crime through any of the following means:

**For Emergencies:**

- Dial HSC PD at **2600** on campus to *identify your location - dialing 911 DOES NOT identify your location on campus and HSC Police can relay your location to 911 operators*;
- Call the HSC PD from any emergency telephone located throughout the campus;
- Individuals with hearing impairments should dial 800-RELAY TX (TTY).

Emergencies include any crime in progress, medical emergencies, a strange car repeatedly driving in the same area of campus, an intoxicated person, a safety hazard, or any situation that you believe to be suspicious or dangerous.

**For Non-Emergencies:**

- Call the HSC PD at (817) 735-2210 or personally visit the HSC PD at 3600 Mattison Avenue;
- Use one of the marked emergency telephones located throughout the campus;
- Contact an officer in uniform on patrol;
- Request that any campus official assist with reporting the alleged crime;
- TTY callers: 800-RELAY TX;

**Crime Stoppers:**

Anyone with information on criminal activity can contact (817) 469-8477 (TIPS) or [www.469TIPS.com](http://www.469TIPS.com) and may receive a cash award if the tip leads to the arrest and indictment of a criminal offender. The cash award comes from the Crime Stoppers of Tarrant County, a non-profit organization. You may remain anonymous when you report your crime tip. **Students and employees are urged to use this reporting option when anonymity is a primary concern (e.g. drug usage of acquaintances).**

If an individual does not want to report a crime to the police themselves, they may also report crimes to a designated Campus Security Authority (CSA). These designated individuals have significant responsibility for student and campus activities, and as such are provided notice by the Division of Student & Academic Affairs as to the extent of their responsibility and how to report crimes to the HSC PD.

## Voluntary Confidential Reporting

The University, including HSC Police Department, **does allow** individuals to report crimes on a **confidential, voluntary basis** for inclusion in the annual disclosure of crime statistics via the [Person of Concern Reporting Form](#), the Trust Line at (844) 692-6025 or [www.unthsc.ethicspoint.com](http://www.unthsc.ethicspoint.com). The HSC Trust Line is a third-party reporting line, and the Office of Integrity and Awareness will be notified by EthicsPoint that a concern has been documented and will review submitted concerns. Please note, EthicsPoint operates its own secure server to maintain confidentiality. With permission, HSC PD can file a report on behalf of the complainant on the details of the incident without revealing the identity of the complainant (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with the complainant's wish to keep the matter confidential, while taking steps to enhance the future safety of the complainant and others. With such information, HSC can keep an



accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

## Campus Security Authorities (CSAs)

You are encouraged to report alleged crimes by using the above means; however, there are campus officials to whom you may also report a crime who have significant responsibility for student and campus activities. These Campus Security Authorities (CSAs) include individuals whose functions involve building relationships with students and have significant responsibility for student and campus activities.

Campus Security Authorities include the following:

- Members of HSC PD (commissioned and non-commissioned);
- Individuals who have a responsibility for campus security but are not members of HSC PD (i.e. event security);
- Individuals or organizations specified by HSC Policy 1.106, Disclosure of Campus Security and Crime Statistics – Annual Security Report, as someone that students should report criminal offenses; and
- Individuals who have a significant responsibility for student and campus activities, including, but not limited to, student conduct and campus judicial proceedings

A CSA's obligation and responsibility are to report a crime, whether or not the survivor elects to pursue criminal charges or report to the police. Statistics reported to CSAs will be included as appropriate in reported campus crime statistics.

### **IMPORTANT PHONE NUMBERS FOR HSC:**

HSC Police Department (non-emergency): (817) 735-2210

HSC Police Department (emergency): (817) 735-2600

Fort Worth Police Department (non-emergency): (817) 392-4222

HSC PD will review reports of alleged criminal activity and either send an officer immediately or refer the report for subsequent investigation, depending upon the nature and seriousness of the offense -. Individuals reporting an alleged crime should attempt to preserve evidence that might prove the crime was committed. All criminal incidents are investigated by HSC PD. HSC PD response(s) include, but are not limited to:

- Immediate response to emergencies through dispatch of one or more officers;
- Investigation of reports in accordance with HSC PD procedures;
- Arrest and filing of charges, depending upon the circumstances of the incident;
- Referring alleged offenders to appropriate campus agencies, such as the Division of Student & Academic Affairs; and/or
- Making timely warning and reports for crimes that represent a continuing threat to students, faculty, and/or staff.

- **Referring to agency with appropriate jurisdiction in the incident occurred outside of HSC PD Jurisdiction**

Members of the HSC community should report crimes and emergencies to HSC PD in order to be assessed for issuing timely warning notices and for inclusion in the annual crime statistics.

The University encourages its professional counseling staff to inform persons seeking their services of the opportunity to report crimes on a **voluntary, confidential** basis for inclusion in the University's annual disclosure of crime statistics. This process is employed at the discretion of the professional counseling staff, as they deem appropriate.

## Monitoring Non-campus Criminal Activity

HSC-PD jurisdiction includes some non-campus properties. Regular contact between the HSC PD and the Fort Worth PD aids in coordinating the activities of the two agencies. The Fort Worth PD provides the HSC PD with information about criminal activities at non-campus properties that are owned or controlled by the HSC. HSC has no officially recognized student organizations with non-campus locations.

## Notification of Penalty for False Alarm or Report

House Bill 1284 states that each institution of higher education shall notify all students of the penalty for the offense under Section 42.06, Penal Code, or making a false alarm or report involving a public or private institution of higher education. An offense under this section is a Class A misdemeanor unless the false report is of an emergency involving a public or private institution of higher education or involving a public primary or secondary school, public communications, public transportation, public water, gas, or power supply or other public service, in which event the offense is a state jail felony.

## Security of and Access to Campus Facilities

The HSC is an open campus and has public streets running throughout. HSC does not have on-campus student housing. However, access to the campus and university facilities is controlled by written policy and state law. Only authorized students, faculty, staff, and visitors may enter upon or use university facilities. Unauthorized persons, once identified, are asked to leave the campus. Those persons failing to comply with policy, directives, or state law can be prosecuted for trespassing. General buildings are unlocked during business hours of 7:00 am-6:00 pm Monday through Friday. Business hours may be altered at the discretion of HSC administration. Authorized persons must use access cards for access outside those times. Once a person's affiliation with the University has ended, all assigned keys and access cards must be returned to the Access Control office.

### Security of Campus Facilities

HSC PD and/or Public Service Officers regularly patrol the HSC campus grounds and buildings. Facilities personnel maintain University facilities with a concern for safety and security. Lighting surveys are conducted on a regular basis to spot any lighting concerns or areas in need of repair. In addition, defective lighting conditions are reported as detected by building service personnel, Police, and Public Service Officers.

HSC PD conducts security surveys as needed to continually assess facility security needs. Key control is established by University policy and access to building master keys is restricted. Security alarm systems are managed under the control of the HSC PD.

## Security Considerations in the Maintenance of Campus Facilities

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Facilities personnel maintain University facilities with a concern for safety and security. Lighting surveys are conducted on a regular basis to spot any lighting concerns or areas in need of repair. In addition, defective lighting conditions are reported as detected by building service personnel, police, and security officers. The university maintains a Safety Committee that addresses concerns including lighting, risk assessments, etc. The HSC PD conducts security surveys as needed to continually assess facility security needs. Key control is established by HSC PD and access to building master keys is restricted. Security alarm systems are managed under the control of the HSC PD. Students are encouraged to report lighting outages as well as other potential hazards they might observe around campus.

A building representative program identifies a person in charge of every university facility. The building representative works in partnership with HSC PD, maintenance, risk management, and safety personnel to identify and resolve security and safety issues.

## Missing Student Notification

If a member of the HSC community has reason to believe that a student is missing, the individual should contact a Campus Security Authority or HSC PD. If a missing person is reported to any individual or department other than HSC PD, the individual or department receiving the report will immediately contact HSC PD to report the missing person. A student is determined to be missing when their whereabouts are unknown and unexplainable for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the student's behavior patterns, plans or routines. The efforts to locate the student will be collaborative between the Division of Student & Academic Affairs, HSC PD, and the missing student's family and friends. Even though HSC does not have on-campus student housing and is not required to publish a missing student notification policy, we believe that every member of our community is important, and we want to ensure their safety and well-being.

Any missing member of the HSC community under the age of 21 will be reported missing to the National Crime Information Center (National Child Search Assistance Act), and an investigation will begin as soon as the missing person report is received. If you receive reliable information that a student cannot be located, please call HSC PD immediately at (817) 735-2600.

Procedures: All concerns regarding a student's unexplained absence or lack of contact that is contrary to the student's normal behavior and/or is unusual based on existing circumstances will be immediately investigated in an effort to locate the student and confirm their safety. If a student is not located for more than 24 hours, an official missing persons' report will be immediately filed with the law enforcement agency within the jurisdiction. The missing student's emergency contacts will be notified regarding the status of the missing persons' report. The Division of Student & Academic Affairs and HSC PD will cooperate with, aid, and assist the primary investigative agency in all ways allowable under the law.

# Emergency Notification, Emergency Response, and Evacuation

## Emergency Preparedness & Response

HSC regularly develops and annually updates plans and procedures for emergency response and evacuation for the campus community. Emergency plans and procedures as well as a variety of additional resources are available for viewing at <https://www.unthsc.edu/safety/>. Possible emergencies that may occur include, but are not limited to, the following:

- Bomb threat
- Campus violence
- Civil unrest
- Explosion
- Fire (localized building fire or wildfire)
- Gas leak
- Hazardous material spill
- Public health crisis
- Severe weather
- Active shooter
- Natural disaster
- Terrorist incident

The Environmental Health and Safety Office is responsible for conducting tests of emergency response and evacuation procedures on at least an annual basis through a variety of drills and exercises designed to assess and evaluate emergency plans and capabilities. Evacuation drills are conducted monthly at the Lena Pope childcare facility, and virtual safety drills are held each month to ensure that plans and procedures are validated for evacuation and reentry. Emergency notification systems are tested at least twice annually. Exercises may include tabletop, functional, full-scale, or any combination thereof. Tests may be announced or unannounced in advance to the campus community. Each test is documented, including at a minimum a description of the test, the date and time, and whether it was announced or unannounced.

Safety drills conducted in 2021 are as follows:

<b>Date</b>	<b>Time</b>	<b>Location</b>	<b>Participants</b>	<b>Description</b>
1/5/21	8am	HP building	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.
1/10/21	All day	All buildings	Utilities operator, safety, contractors	Sprinkler system tests to ensure all fire sprinklers are operative.
1/13/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)
1/19/21	10am	Campus Wide	Building occupants, utilities operator, safety	Test of HSC's indoor & outdoor emergency notification systems to observe and record system operations and automated messaging features.
2/3/21	8am	EAD building	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.
2/10/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)

3/1/21	8am	RES building	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.
3/10/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)
4/2/21	8am	IREB building	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.
4/7/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)
5/3/21	8am	CBH building	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.
5/12/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)

6/1/21	8am	MET building	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.
6/9/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)
7/1/21	8am	LIB building	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.
7/7/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)
7/10/21	All day	All buildings	Utilities operator, safety, contractors	Fire system tests to ensure all audios, visuals, and panels are operative
8/2/21	8am	GSB/FMB/FAC buildings	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.

8/11/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)
9/1/21	8am	All out buildings	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.
9/8/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)
9/21/21	10am	Campus Wide	Building occupants, utilities operator, safety	Test of HSC's indoor & outdoor emergency notification systems to observe and record system operations and automated messaging features.
10/1/21	8am	Bailey building	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.
10/13/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)



11/3/21	8am	EAD building	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.
11/10/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)
12/1/21	8am	HP building	Building occupants, safety	Virtual Fire drill conducted to validate plans and procedures by reminding building occupant evacuation to assembly point and reentry.
12/8/21	9am	Lena Pope	Building occupants, utilities operator, safety	Fire drill conducted to validate plans and procedures by observing and recording building occupant evacuation to assembly point, reentry, and systems (audio, visuals)

Various campus units, including the Environmental Health and Safety Office and HSC PD, utilize outreach programs to train and educate the campus community, providing the knowledge needed to respond appropriately to various types of hazards. Additionally, the Environmental Health and Safety Office is responsible for annually publicizing emergency response and evacuation procedures to the campus community. This publicity occurs primarily through email announcements sent to employees and students throughout the year and in conjunction with tests.

The primary law enforcement responder to emergencies occurring on HSC property is HSC PD. Emergencies requiring a Fire Department/EMS (Emergency Medical Services) response are provided by the City of Fort Worth and MedStar EMS respectively. HSC PD is usually first to respond to emergencies occurring on the HSC campus and works with City of Fort Worth first responders when necessary to resolve the situation.

**Reporting an Emergency**

Students and employees should notify HSC PD of any situation or incident occurring on campus that may constitute an immediate threat to the health and/or safety of students and/or employees. Emergencies may

be reported by dialing 2600 from any campus landline or (817) 735-2600 from any cell phone. Calls to x2600 and to (817) 735-2600 are answered by HSC PD Dispatch.

HSC will review reports of alleged criminal activity and will either send an officer immediately or refer the report for subsequent investigation, depending upon the nature and seriousness of the offense -. Individuals reporting an alleged crime should attempt to preserve evidence that might prove the crime was committed. All criminal incidents are investigated by HSC PD. HSC PD response(s) include, but are not limited to:

- Immediate response to emergencies through dispatch or one or more officers
- Investigation of reports in accordance with HSC PD procedures
- Arrest and filing of charges, depending upon the circumstances of the incident
- Referred alleged offenders to appropriate campus office, such as student conduct.

Members of the HSC community should report crimes and emergencies to the HSC PD in order to be assessed for issuing timely warning notices and for inclusion in the annual crime statistics. The university encourages any counseling professional (off-campus) to inform persons seeking their services of the opportunity to report crimes on a voluntary, confidential basis for inclusion in the university's annual disclosure of crime statistics. This process is employed at the discretion of the counseling professional, as they deem appropriate.

## Emergency Notifications

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, HSC will issue an alert immediately, without delay and upon confirmation, and taking into account the safety of the community, determine the content of notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a survivor or to contain, respond to, or otherwise mitigate the emergency. The following campus officials have been designated to serve as authorized officials who are empowered to approve the content and issuance of emergency notifications:

- President or designee
- Provost
- Chief Operating Officer & Executive Vice President
- Vice President of Operations
  
- Executive Director, Facilities Management
- Media Relations Director or designee
- Communications Director or designee
- Chief of Police or designee
- Senior Police Supervisor on duty
- Safety Director

When an authorized official receives a report of an imminent or already occurring situation that poses an immediate threat to the health or safety of students or employees occurring on campus, they will confirm the report. Depending on the situation, confirmation may be achieved through one or more of the following sources:

- Investigation by HSC PD
- Investigation by other HSC campus units, including but not limited to Environmental Health and Safety Office, Facilities Management, and/or HSC Health
- Investigation by City of Fort Worth Fire Department and/or Police Department
- Tarrant County Emergency Services and/or Health Department
- Texas Department of State Health Services
- Media reports originating from the incident scene

Additionally, HSC PD monitors the Texas Law Enforcement Telecommunications System 24/7 to receive information that could impact campus or the surrounding areas.

The authorized official who received the report will evaluate the information provided or obtained through the sources listed above and, if necessary, confer with any public or campus officials responsible for managing the on-campus emergency to confirm the following:

- A legitimate emergency or dangerous situation exists on campus geography, and
- The emergency or dangerous situation poses an immediate threat to members of the campus community.

If both factors are met, the authorized official will confer with other campus officials as appropriate to prepare the content of the notification and to determine how much information is appropriate to disseminate at different points in time. The determination of how and when an emergency notification will be sent is based on the following factors:

- Nature of incident or threat
- Location of the incident or threat
- Duration of the threat (if known)
- Segment to be notified

The Safety Director will be contacted to issue the emergency notification to the campus community. Depending on the circumstances, HSC may send emergency notification messages to the entire campus community or only a segment of the population. If a confirmed emergency situation appears likely to affect a limited segment of the campus community, emergency notification messages may be limited to that group. If the potential exists for a very large segment of the campus community to be affected by a situation or when a situation threatens the operation of the campus as a whole, then the entire campus will be notified. In any case, there will be a continuing assessment of the situation and additional segments of the campus community may be notified if the situation warrants such action. The Safety Director, Chief of Police, and Media Relations Director work collaboratively to segment the notification when warranted.

The authorized official will, considering the nature of the threat and the population to be notified, choose the appropriate communication tool(s) to utilize. HSC has at its disposal a number of tools that may be used to disseminate emergency notifications to the campus community. Emergency notification will typically be sent via Red Alert through:

- Text message and call to cell phone
- Office phone
- HSC email
- HSC's website or social media

Additional notification methods may include:

- Fire alarms
- Public address systems
- Posted advisory messages
- Emergency responder announcements

Information regarding the status of emergency situations will be gathered by the Environmental Health and Safety Office in collaborating with University departments. The information will be disseminated to both internal and external stakeholders by the Office of Marketing and Communications. This information may come in the form of updates to HSC's website and/or communications directly with the media, if necessary.

The Red Alert system is a mass notification system provided by a third-party vendor, Everbridge. The system has the capability to send messages by voice, text, email, social media, the Alertus Beacons, and the desktop notifier. The Red Alert system is used when there is a significant threat to life and property on campus. This includes the use of the system when an impending threat could affect the campus (ex: tornados). The authorized official will approve the issuance of notification and either issue the notification message or contact a trained user of the notification system to issue the message. As soon as they are reasonably able to do so, the authorized official will notify administration officials. All students and employees are automatically enrolled in Red Alert using the telephone numbers provided during the registration or hiring process. Students and employees are encouraged to check their contact information for accuracy and update it as soon as it changes. In case of an emergency, a message will be sent to each of these numbers. A student or employee may elect not to receive notifications from the HSC. This preference must be submitted electronically or in writing and must be renewed at the start of each academic year. The HSC Red Alert system is tested once each long semester. Red Alert can be updated by logging into <https://my.hsc.unt.edu>. Under the Student tab, click on the "Red Alert – Update Your Information".

The University has installed fifty-two (52) Alert Beacons in high-traffic areas around campus that have been integrated into the University's Red Alert system. Alert Beacons are visual and audio alerting units that are mounted to walls and powered by Ethernet. When there is an emergency on campus, the beacons can be activated through a web application, Everbridge. The beacons will flash red during an emergency, emit a tone, and will display a notification message on its LCD panel. Upon removal of the threat, the beacons can send out an "All Clear" message that will result in the beacons flashing green, emitting a different tone, and displaying a message on the LCD panel.

The City of Fort Worth and Tarrant County have the capability to notify their jurisdictions through multiple methods. The primary method used to notify the community is the Nixle Notification System. The City of Fort Worth and Tarrant County can use the system to send advisories and alerts by voice text and mail.

Unlike Red Alert, students and employees must sign up for a free account at [www.nixle.com](http://www.nixle.com). The City of Fort Worth also has the capability to use reverse 911 to notify residents of an emergency. However, experience shows this can be slow depending on the scope of the calling. In addition to the Nixle Notification System and reverse 911, the City of Fort Worth owns and operates 137 outdoor warning sirens. The sirens are activated when severe weather or other hazardous conditions. (Ex: Hazardous material spill) are present. However, these sirens are intended to be heard outdoors; therefore, anyone who hears the sirens is directed to go indoors and seek additional information.

A combination of some or all of the methods listed above will be used to issue a follow-up message to the campus community. Information regarding the status of emergency situations will be developed and disseminated to the larger community as soon as possible in collaboration with the HSC PD and other campus units. This information may come in the form of updates to the HSC's website and/or communications directly with the media, if necessary.

## Timely Warnings

HSC provides timely warnings to the entire campus community when a crime is reported to have occurred on HSC's Clery Geography (on-campus, public property and non-campus) and is considered to represent a serious or continuing threat to students or employees.

Timely warnings will contain the following:

- Information that will promote safety and aid in prevention of similar crimes;
- Information about how the timely warning will be disseminated; and
- Information about the time, location, and type of crime reported.

Timely warnings will be distributed without any personally identifying information of reporting parties or survivors. Timely warnings can be issued for the following Clery Act crimes and VAWA offenses:

- Aggravated assault
- Arson
- Burglary
- Manslaughter by negligence
- Motor vehicle theft
- Murder/Non-negligent manslaughter
- Robbery
- Sex offenses
- Domestic violence/dating violence/stalking
- Violations of liquor laws, drug laws, or weapons possession laws
- Any criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Bias categories include race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin.

Decisions concerning whether to issue a timely warning will be made on a case-by-case basis by the appropriate campus officials utilizing a decision matrix provided by the Clery Center, and using the following criteria:

- Nature of the crime
- Danger and continuing danger to the campus
- Risk of compromising law enforcement efforts

Criminal reports are considered on a case-by-case basis, depending on the facts and the information known by HSC PD. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other HSC community members and a timely warning may not be distributed. In cases involving sexual assault, reports could potentially occur long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. The HSC PD Police Chief or designee reviews all reports to determine if there is an on-going threat to the community and if the distribution of a timely warning is warranted. Timely warnings may also be posted for other crime classifications and locations, as deemed necessary. These crimes are normally reported directly to the HSC PD. However, sometimes they are reported to a local law enforcement agency or Campus Security Authority (CSA). HSC PD has requested that these law enforcement agencies and CSAs notify HSC PD about crimes reported to them that may warrant a timely warning.

Timely warnings are primarily distributed through the University’s email system but may also be:

- Posted on campus bulletins or other appropriate locations
- Distributed to departments on campus
- Sent via Red Alert
- Distributed via the HSC website and/or social media platforms

Timely warnings are generally written and approved by the HSC PD Chief of Police, or a designee, and then distributed to the community by the HSC PD. Updates to the campus community about any particular case resulting in a timely warning notice may be distributed via email and/or on the HSC website home page.

## Personal Safety and Crime Prevention Programs

New student and new employee orientation sessions are offered throughout the year, depending on start date of employment and matriculation, and provide information designed to educate community members -on campus police and security procedures, awareness programs and crime prevention efforts and practices (safety tips) to encourage students and employees to be responsible for their own security and security of others. HSC PD and the Division of Student & Academic Affairs coordinate to educate the campus community about the Clery Act, Title IX, and how to handle disruptive students.

The following services and programs are provided at the HSC on an ongoing basis in an effort to promote personal safety and crime prevention.

**Security Escort Services:** HSC PD provides a security escort service for the HSC community. The service is available 24 hours a day and is limited to on-campus locations. Call (817) 735-2600 or use an emergency phone to request an escort.

**Emergency Phones:** Over 40 emergency phones have been placed at strategic locations on campus. When the receiver is lifted, the location of the call is automatically identified, and the caller is either connected to HSC PD or can be connected with the HSC PD by pressing one button. Individuals with hearing impairments should dial 800-RELAY TX (Text Telephones-TTY).

**Motorist Assistance:** HSC PD assists the University community when individuals are unable to start their vehicles, retrieve locked keys, etc. A loaner gas container is available by request. Some services are not available at all times, but HSC PD will assist people in obtaining services from another source.

**Personal Safety & Crime Prevention Programs:** Programs designed to make community members aware of security procedures and crime prevention efforts and to encourage individual involvement in personal safety are conducted on the HSC campus. Security awareness programs are built in specifically to Stalking Awareness Month (January), Sexual Assault Awareness Month (April), and Domestic Violence Awareness Month (October) on an annual basis. Additionally, programs are offered by request to individual schools and throughout the academic year to students and employees and include:

- Personal safety and self defense
- Sexual harassment and rape prevention
- Theft prevention
- Handling disruptive individuals
- Alcohol and substance abuse
- Automatic External Defibrillator (AED)
- Cardiopulmonary Resuscitation (CPR)

Locally, the Women's Center of Tarrant County (<http://www.womenscentertc.org/>) and One Safe Place ([www.onesafeplace.org](http://www.onesafeplace.org)) have training and education programs available to teach adults how to reduce their own risk.

An HSC PD officer provides information at New Student Orientation (May, July, and August) about campus security procedures and practices and to encourage students to be responsible for their own security and the security of others. These informational sessions are designed to inform students about the prevention of crimes and to encourage individual involvement in personal safety.

**Emergency Preparedness:** The HSC Environmental Health and Safety Office maintains detailed information regarding the HSC Emergency Management Plan (EMP) and its annexes on SharePoint to ensure that plans are shared among leaders across the University who are involved in an initial emergency response. The EMP addresses immediate emergency response and evacuation procedures that describe the process of notifying the campus community of an emergency or dangerous situation. Additional information may be located within the Environmental Health and Safety Office's policy titled Emergency Management Plan (HSC Policy 4.203). The HSC Environmental Health and Safety Office publishes, on its website, the emergency policies, plans, and procedures for the University to include response and evacuation procedures.

The Environmental Health and Safety Office is involved in education and outreach opportunities to educate both students and employees on the resources available to them and how to respond during emergencies and provides training and education to employees and students via the Learn HSC platform through Bridge.

**Violence Against Women Reauthorization Act of 2013:** The Violence Against Women Act (VAWA) requires institutions of higher education to provide programs to prevent dating violence, domestic violence, sexual assault, and stalking. This includes primary prevention and awareness programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking for all incoming students and new employees, and ongoing prevention and awareness campaigns for current students and current employees. Current programs address the following:

1. HSC prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;
2. Definitions of domestic violence, dating violence, sexual assault, and stalking including state definitions;
3. Definition of consent, in reference to sexual activity;
4. Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual; and
5. Information on risk reduction to consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels, with the intention to decrease perpetration and bystander inaction, while increasing empowerment for victims in order to promote safety and help individuals and communities address conditions that facilitate violence.

## **Dating Violence, Domestic Violence, Sexual Assault, Stalking, Sexual Harassment and Sexual Misconduct**

HSC does not discriminate on the basis of sex in its educational programs, and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, HSC issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, HSC prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the University community.

### **Related University Policies**

HSC prohibits sexual assault, sexual harassment, domestic violence, dating violence and stalking. University policies define these terms and explain how HSC addresses these issues when they are reported to a university official.

The following University policies address these issues:

- Title IX Policy (HSC Policy 7.106)
- Prohibition Against Discrimination, Sexual Misconduct, Harassment and Related Retaliation (HSC Policy 5.106)
- Student Code of Conduct and Civility (HSC Policy 7.105)

### **Survivor Bill of Rights**

The Campus Sexual Assault Victims' Bill of Rights is a federal law that requires all colleges and universities participating in federal student aid programs to give sexual assault survivors certain basic rights. Their rights are:

- Survivors shall be notified of their options to notify law enforcement.



- Complainant and respondent must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations.

## Assistance for Survivors: Rights & Options

HSC has procedures in place that are sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, survivor advocacy, student financial aid, legal assistance, visa and immigration assistance and other services on and/or off campus, as well as additional remedies to prevent contact between a complainant and a respondent, such as academic, transportation and working accommodations, if reasonably available. (HSC does not have on-campus housing, therefore, does not have remedial services for housing accommodations). These rights, options and resources are provided in writing to all students and employees upon matriculation, upon hire, in monthly emails, and in annual training. HSC will make such accommodations, if the survivor requests them and if they are reasonably available, regardless of whether the survivor chooses to report the crime to HSC PD or local law enforcement.

Regardless of whether a survivor elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, HSC will assist survivors of sexual assault, domestic violence, dating violence, or stalking and will provide each survivor with a **written** explanation of their rights and options. A victim of crime is defined by Chapter 56 of the Code of Criminal Procedure, as (1) someone who is the victim of sexual assault, kidnapping, or aggravated robbery or who has suffered bodily injury or death because of the criminal conduct of another, (2) the close relative (spouse, parent, adult brother or sister, or child) of a deceased victim, or (3) the guardian of the victim. The law also applies to victims of juvenile crime, including victims who suffer property loss. The State of Texas intends that victims of crime receive the following safeguards, assurances, and considerations. The Texas Constitution (Article I, Section 30) provides victims of violent crimes with the right, upon their request, to receive notice about court proceedings and the conviction, sentence, imprisonment, and release of the respondent.

For more information about victim notification, visit <https://www.texasattorneygeneral.gov/cvs/victim-notification> or call VINE 24-hour information on jail status and court events at 1-877-894-8463.

### **Texas Crime Victim Rights**

Under the criminal justice system in Texas, a victim of domestic violence, dating violence, sexual assault, or stalking has the following rights, under the Texas Crime Victims' Rights – Article 56A.051 of the Code of Criminal Procedure:

A victim, guardian of a victim, or close relative of a deceased victim is entitled to the following rights within the criminal justice system:

- (1) The right to receive from law enforcement agencies adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;
- (2) The right to have the magistrate take the safety of the victim or family into consideration as an element in fixing the amount of bail for the respondent;
- (3) The right, if requested, to be informed;

- a. By the attorney representing the state of relevant court proceedings, including appellate proceedings, and to be informed if those proceedings have been canceled or rescheduled prior to the event; and
  - b. By an appellate court of decisions of the court, after the decisions are entered but before the decisions are made public;
- (4) The right to be informed, when requested, by a peace officer concerning the defendant's rights to bail and the procedures in criminal investigations and by the district attorney's office concerning the general procedures in the criminal justice system, including general procedures in guilty plea negotiations and arrangements, restitution, and the appeals and parole process;
- (5) The right to provide pertinent information to a probation department conducting a pre-sentencing investigation concerning the impact of the offense on the victim and his or her family by testimony, written statement, or any other manner prior to any sentencing of the offender;
- (6) The right to receive information regarding compensation to victims of crime as provided by Subchapter B, including information related to the costs that may be compensated under that subchapter and the amount of compensation, eligibility for compensation, and procedures for application for compensation under that subchapter, the payment for a medical examination under Article 56.06 for a victim of a sexual assault, and when requested, referral to available social service agencies that may offer additional assistance;
- (7) The right to be informed, upon request, of parole procedures, to participate in the parole process, to be notified, if requested, of parole proceedings concerning a defendant in the victim's case, to provide to the Board of Pardons and Paroles for inclusion in the defendant's file information to be considered by the board prior to the parole of any defendant convicted of any crime subject to this subchapter, and to be notified, if requested, of the defendant's release;
- (8) The right to be provided with a waiting area, separate or secure from other witnesses, including the offender and relatives of the offender, before testifying in any proceeding concerning the offender; if a separate waiting area is not available, other safeguards should be taken to minimize the victim's contact with the offender and the offender's relatives and witnesses before and during court proceedings;
- (9) The right to prompt return of any property of the victim that is held by a law enforcement agency or the attorney for the state as evidence when the property is no longer required for that purpose;
- (10) The right to have the attorney for the state notify the employer of the victim, if requested, of the necessity of the victim's cooperation and testimony in a proceeding that may necessitate the absence of the victim from work for good cause;
- (11) The right to require victim-offender mediation coordinated by the victim services division of the Texas Department of Criminal Justice;
- (12) The right to be informed of the uses of a victim impact statement and the statement's purpose in the criminal justice system, to complete the victim impact statement, and to have the victim impact statement considered;
- a. By the attorney representing the state and the judge before sentencing or before a plea bargain agreement is accepted; and

- b. By the Board of Pardons and Paroles before an inmate is released on parole;
- (13) For the victim of an assault or sexual assault who is younger than 17 years of age or whose case involves family violence, as defined by Section 71.004, Family Code, the right to have the court consider the impact on the victim of a continuance requested by the defendant; if requested by the attorney representing the state or by counsel for the defendant, the court shall state on the record the reason for granting or denying the continuance; and
- (14) If the offense is a capital felony, the right to:
- a. Receive by mail from the court a written explanation of defense-initiated victim outreach if the court has authorized expenditures for a defense-initiated victim outreach specialist;
  - b. Not be contacted by the victim outreach specialist unless the victim, guardian, or relative has consented to the contact by providing a written notice to the court;
  - c. Designate a victim service provider to receive all communications from a victim outreach specialist acting on behalf of any person;
  - d. A victim, guardian of a victim, or close relative of a deceased victim is entitled to the right to be present at all court proceedings related to the offense, subject to the approval of the judge in the case;
  - e. The office of the attorney representing the state, and the sheriff, police, and other law enforcement agencies shall ensure to the extent practicable that a victim, guardian of a victim, or close relative of a deceased victim is afforded the rights granted by this article and Article 56.021 and, on request, an explanation of those rights; and
  - f. A judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a right enumerated in this article or Article 56.021. The failure or inability of any person to provide a right or service enumerated in this article or Article 56.021 may not be used by a defendant in a criminal case as a ground for appeal, a ground to set aside the conviction or sentence, or a ground in a habeas corpus petition. A victim, guardian of a victim, or close relative of a deceased victim does not have standing to participate as a party in a criminal proceeding or to contest the disposition of any charge.

**Rights of Victim of Sexual Assault or Abuse, Stalking, Trafficking – Article 56A.052 of Texas Code of Criminal Procedure**

In the rights below, “sexual assault” means an offense under Section 21.02, 21.11(a)(1), 22.011, or 22.021, Penal Code.

- (a) In addition to the rights enumerated in Article 56.02, if the offense is a sexual assault, the victim, guardian of a victim, or close relative of a deceased victim is entitled to the following rights within the criminal justice system:
  - (1) If requested, the right to a disclosure of information regarding any evidence that was collected during the investigation of the offense, unless disclosing the information would interfere with the investigation or prosecution of the offense, in which event the victim, guardian, or relative shall be informed of the estimated date on which that information is expected to be disclosed;

- (2) If requested, the right to a disclosure of information regarding the status of any analysis being performed of any evidence that was collected during the investigation of the offense;
- (3) If requested, the right to be notified;
  - a. At the time a request is submitted to a crime laboratory to process and analyze any evidence that was collected during the investigation of the offense;
  - b. At the time of the submission of a request to compare any biological evidence collected during the investigation of the offense with DNA profiles maintained in a state or federal DNA database; and
  - c. Of the results of the comparison described by Paragraph (B), unless disclosing the results would interfere with the investigation or prosecution of the offense, in which event the victim, guardian, or relative shall be informed of the estimated date on which those results are expected to be disclosed;
- (4) If requested, the right to counseling regarding acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection;
- (5) For the victim of the offense, testing for acquired immune deficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS; and
- (6) To the extent provided by Article 56.06 and 56.065, for the victim of the offense, the right to a forensic medical examination if, within 96 hours of the offense, the offense is reported to a law enforcement agency or a forensic medical examination is otherwise conducted at a health care facility.

(b) A victim, guardian, or relative who requests to be notified under Subsection (a)(3) must provide a current address and phone number to the attorney representing the state and the law enforcement agency that is investigating the offense. The victim, guardian, or relative must inform the attorney representing the state and the law enforcement agency of any change in the address or phone number.

(c) A victim, guardian, or relative may designate a person, including an entity that provides services to victims of sexual assault, to receive any notice requested under Subsection (a)(3).

(d) This subsection applies only to the victim of an offense of human trafficking, sexual abuse of a child under the age of 14 years old, indecency of a child younger than 17 years of age, sexual assault, aggravated sexual assault, stalking, or compelled prostitution as these offenses are defined in the Texas Penal Code. In addition to the rights enumerated in Article 56.02 and, if applicable, Subsection (a) of this article, a victim described by this subsection or a parent or guardian of the victim is entitled to the following rights within the criminal justice system;

- (1) The right to request that the attorney representing the state, subject to the Texas Disciplinary Rules of Professional Conduct, file an application for a protective order under Article 7A.01 on behalf of the victim;

- (2) The right to be informed:

- (A) that the victim or victim's parent or guardian, as applicable, may file an application for a protective order under Article 7A.01 of the Code of Criminal Procedure;

(B) of the court in which the application for a protective order may be filed; and

(C) that, on request of the victim or of the victim's parent or guardian, as applicable, and subject to the Texas Disciplinary Rules of Professional Conduct, the attorney representing the state may file the application for protective order;

(3) If the victim or the victim's parent or guardian, as applicable, is present when the defendant is convicted or placed on deferred adjudication community supervision, the right to be given by the court the information described by Subdivision (2) and, if the court has jurisdiction over applications for protective orders that are filed under Article 7A.01, the right to file an application for a protective order immediately following the defendant's conviction or placement on deferred adjudication community supervision; and (4) If the victim or the victim's parent or guardian, as applicable, is not present when the defendant is convicted or placed on deferred adjudication community supervision, the right to be given the attorney representing the state the information described by Subdivision (2).

### **Additional Rights Concerning Victim Impact Statements**

(a) The Texas Crime Victim Clearinghouse, with the participation of the community justice assistance division of the Texas Department of Criminal Justice and the Board of Pardons and Paroles, shall develop a form to be used by law enforcement agencies, prosecutors, and other participants in the criminal justice system to record the impact of an offense on a victim of the offense, guardian of a victim, or a close relative of a deceased victim and to provide the agencies, prosecutors, and participants with information needed to contact the victim, guardian, or relative if needed at any stage of a prosecution of a person charged with the offense. The Texas Crime Victim Clearinghouse, with the participation of the community justice assistance division of the Texas Department of Criminal Justice and the Board of Pardons and Paroles, shall also develop a victims' information booklet that provides a general explanation of the criminal justice system to victims of an offense, guardians of victims, and relatives of deceased victims.

(b) The victim impact statement must be in a form designed to inform a victim, guardian of a victim, or a close relative of a deceased victim with a clear statement of rights provided by Articles 56.02 and 56.021 and to collect the following information:

- (1) the name of the victim of the offense or, if the victim has a legal guardian or is deceased, the name of a guardian or close relative of the victim;
- (2) the address and telephone number of the victim, guardian, or relative through which the victim, guardian of a victim, or a close relative of a deceased victim, may be contacted;
- (3) a statement of economic loss suffered by the victim, guardian, or relative as a result of the offense;
- (4) a statement of any physical or psychological injury suffered by the victim, guardian, or relative as a result of the offense, as described by the victim, guardian, relative, or by a physician or counselor;
- (5) a statement of any psychological services requested as a result of the offense;
- (6) a statement of any change in the victim's, guardian's, or relative's personal welfare or familial relationship as a result of the offense;
- (7) a statement as to whether or not the victim, guardian, or relative wishes to be notified in the future of any parole hearing for the defendant and an explanation as to the procedures by which the victim, guardian, or relative may obtain information concerning the release of the defendant from the Texas Department of Criminal Justice; and

(8) any other information, other than facts related to the commission of the offense, related to the impact of the offense on the victim, guardian, or relative.

(c) The victim assistance coordinator, designated in Article 56.04(a) of this code, shall send to a victim, guardian of a victim, or close relative of a deceased victim a victim impact statement, a victims' information booklet, and an application for compensation under Subchapter B, Chapter 56, 2 along with an offer to assist in completing those forms on request. The victim assistance coordinator, on request, shall explain the possible use and consideration of the victim impact statement at sentencing and future parole hearing of the offender.

(d) If a victim, guardian of a victim, or close relative of a deceased victim states on the victim impact statement that he wishes to be notified of parole proceedings, the victim, guardian, or relative is responsible for notifying the Board of Pardons and Paroles of any change of address.

(e) Prior to the imposition of a sentence by the court in a criminal case, the court shall, as applicable in the case, inquire as to whether a victim impact statement has been returned to the attorney representing the state and, if a victim impact statement has been returned to the attorney representing the state, consider the information provided in the statement. Before sentencing the defendant, the court shall permit the defendant or the defendant's counsel a reasonable time to read the statement, excluding the victim's name, address, and telephone number, comment on the statement, and, with the approval of the court, introduce testimony or other information alleging a factual inaccuracy in the statement. If the court sentences the defendant to a term of community supervision, the attorney representing the state shall forward any victim's impact statement received in the case to the community supervision and corrections department supervising the defendant.

(f) The court may not inspect a victim impact statement until after a finding of guilt or until deferred adjudication is ordered and the contents of the statement may not be disclosed to any person unless:

- (1) the defendant pleads guilty or nolo contendere or is convicted of the offense; or
- (2) the defendant in writing authorizes the court to inspect the statement.

(g) A victim impact statement is subject to discovery under Article 39.14 of this code before the testimony of the victim is taken only if the court determines that the statement contains exculpatory material.

(h) Not later than December 1 of each odd-numbered year, the Texas Crime Victim Clearinghouse, with the participation of the community justice assistance division of the Texas Department of Criminal Justice and the Board of Pardons and Paroles, shall update the victim impact statement form and any other information provided by the commission to victims, guardians of victims, and relatives of deceased victims, if necessary, to reflect changes in law relating to criminal justice and the rights of victims and guardians and relatives of victims.

(i) In addition to the information described by Subsections (b)(1)-(8), the victim impact statement must be in a form designed to collect information on whether, if the victim is a child, there is an existing court order granting to the defendant possession of or access to the victim. If information collected under this subsection indicates the defendant is granted access or possession under court order and the defendant is subsequently confined by the Texas Department of Criminal Justice as a result of the commission of the offense, the victim services office of the department shall contact the court issuing the order before the defendant is released from the department on parole or mandatory supervision.

## Prohibited and Criminal Conduct

### University Prohibited Conduct

HSC prohibits sexual assault, dating violence, domestic violence (collectively called relationship violence), non-consensual contact, sexual exploitation, sexual harassment, sexual misconduct, stalking, and retaliation. HSC policies define what these terms mean for the purpose of determining if a person violated University policy. The definitions from the relevant policies are listed below. For the purpose of these definitions, a Respondent means an individual or organization identified as possibly having engaged in conduct prohibited under University policy regardless of whether a formal complaint is made. A Complainant refers to an individual who may have been the subject of conduct prohibited under University policy regardless of whether the individual reports the conduct.

**Consent:** Words or actions that show an active, knowing and voluntary agreement to engage in sexual activity. Consent cannot be obtained by force, coercion, manipulation, threats, or when an individual administers any substance to another person, without the person's knowledge, that intentionally impairs the ability of the person to voluntarily consent. Consent is absent when the sexual activity in question exceeds the scope of previously given consent. Consent may be revoked at any time.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship; type of relationship; and the frequency of interaction between the persons involved in the relationship. Includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**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 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.

**Retaliation:** Any adverse action, treatment or condition taken because of an individual's participation in a protected activity (i.e. made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy), including an act intended to intimidate, threaten, coerce, or discriminate that is likely to interfere with or dissuade a reasonable person from opposing discriminatory or harassing practices, filing a sexual harassment complaint, participating in an investigation regarding sexual harassment, or otherwise affecting any right or privilege secured by Title IX or this policy. Retaliation also includes filing a complaint or other action against an individual for alleged violation of HSC policy unrelated to sexual harassment but arising out of the same facts or circumstances as a report of sex discrimination or sexual harassment, or a report or Formal Complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by University policy.

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

- a. Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- b. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- c. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

**Sexual Exploitation:** Taking non-consensual or abusive sexual advantage of another for another's own advantage or benefit, or to benefit or advantage anyone other than the person being exploited, including but not limited to, non-consensual video or audio recording of sexual activity or undetected viewing of another's sexual activity.

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

- a. Quid pro quo: An employee of the institution conditioning the provision of an aid, benefit, or service of the HSC on an individual's participation in unwelcome sexual conduct;
- b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the HSC's education program or activity; or
- c. "Sexual assault" (as defined by the Clery Act), "dating violence," "domestic violence," or "stalking" as defined by the Violence Against Women Act.

Quid pro quo harassment, sexual assault, dating and domestic violence and stalking are not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, because such conduct is sufficiently serious to deprive a person of equal access.

**Sexual Misconduct:** A broad term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature. The term includes, but is not limited to, sexual assault, sexual exploitation, sexual intimidation, sexual harassment, domestic violence, dating violence, and stalking.

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

- a. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## Clery Reportable Sex-Related Crimes

The Clery Act is a federal law that requires HSC to disclose campus security information, including crime statistics for the campus and surrounding areas. The Clery Act requires HSC to count crimes, including



sex-related crimes, using definitions required by the federal government. These are not the definitions HSC uses to determine if a University policy was violated. The following definitions fall under the Clery Act:

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement with consideration of the length of the relationship; type of relationship; and the frequency of interaction between the persons involved in the relationship. Includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**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 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.

**Fondling:** The touching of the private body parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

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

**Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object or oral penetration by a sex organ or another person, without the consent of the victim.

**Sexual Assault:** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

**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.

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

## Criminal Conduct

The State of Texas criminalizes dating violence, domestic violence, family violence, sexual assault, and stalking. Law enforcement can investigate a reported crime. The following definitions are taken from the Texas Family Code and Texas Penal Code:

**Dating Violence:** Defined by the Texas Family Code, Section 71.0021 as an act, other than a defensive measure to protect oneself, by an actor that:

1. Is committed against a victim or applicant for a protective order:
  - a. With whom the actor has or has had a dating relationship; or

- b. Because of the victim's or applicant'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 or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.

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 the length of the relationship; the nature of the relationship; and the frequency and type of interaction between the persons involved in the relationship. A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship: under Subsection (b).

**Family Violence (includes Domestic Violence):** Defined by the Texas Family Code Section 71.004 as:

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 in Sections 261.001(1)(C), (E), (G), (H), (I), (J), and (K), 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.

**Sexual Assault:** Defined by the Texas Penal Code, Section 22.011 states that 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 or 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.

A sexual assault under Texas Law is without the consent of the other person if:

1. The actor compels the other person to submit or participate by the use of physical force, violence, or coercion;
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's 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 service provider or a health care service 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;
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; or
12. The actor is a health care services provider who, in the course of performing an assisted reproduction procedure on the other person, uses human reproductive material from a donor knowing that the other person has not expressly consented to the use of material from that donor.

**Stalking:** Defined by the Texas Penal Code, Section 42.072 as 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 (Harassment), or that the actor knows or reasonably knows 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.

## Procedures & Information for Reporting a Complaint

If any member of the HSC community is a survivor of sexual assault, including rape, acquaintance rape, sexual harassment, relationship violence, stalking, or sexual violence, there are many services available to assist, but first, the individual's safety is of utmost importance. If you or a member of the community is a survivor and it occurs on campus, please contact HSC **Police Department @ (817) 735-2600, 3600 Mattison Avenue, Fort Worth, TX 76107**. If you or a member of the community is a survivor and it occurs off campus, please contact the **Fort Worth Police Department or local police @ 911**.

A person who has experienced domestic violence, dating violence, sexual assault, stalking, sexual misconduct, or who believes such conduct may have occurred may file a formal complaint with the **Division of Student & Academic Affairs** (Student Service Center 220; (817) 735-2505; <https://www.unthsc.edu/TitleIXReportingForm>) or the **Title IX Coordinator**, Kory Levingston, Carl E. Everett Education and Administration Building room 286; (817) 735-2594; kory.levingston@unthsc.edu. Individuals wishing to remain anonymous may report suspected assault or retaliation to the HSC Trust Line ([www.unthsc.ethicspoint.com](http://www.unthsc.ethicspoint.com); 844-692-6025). Victims of domestic violence, dating violence, sexual assault or stalking are provided information in writing on the procedures they should follow, their rights, options, and resources including:

- a. Importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order;
- b. How and to whom the alleged offense should be reported;
- c. Options about the involvement of law enforcement and campus authorities including notification of the victim's option to:
  - Notify proper law enforcement authorities; including on-campus and local police.

- d. Available assistance of campus authorities in notifying law enforcement authorities, if the victim chooses;
- e. Right to decline notifying such authorities;
- f. Rights of victims and the institution's responsibility for orders of protection, "no contact" orders, restraining orders, or similar lawful orders issued by criminal, civil, or tribal courts, or by the institution.

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, HSC will provide written notification to students and employees about accommodations available to them, including academic, transportation, protective orders, and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations.

HSC has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, sexual misconduct, and stalking. Procedures include informing individuals in writing about their right to file criminal charges as well as the availability of counseling, health services, mental health services, financial aid/assistance, transportation, survivor advocacy, legal assistance, visa and immigration assistance, and other services on and/or off campus, as well as additional remedies to prevent contact between a complainant and a respondent, such as academic, transportation, and working accommodations, if reasonably available upon matriculation, hire, and through monthly emails and annual training. HSC does not have on-campus housing, but can provide resources for other housing arrangements, if reasonably available. HSC will make such accommodations if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to the HSC Police Department or local law enforcement. Students should contact the **Care Team** (Student Service Center 204; (817) 735-2740; [careteam@unthsc.edu](mailto:careteam@unthsc.edu)) and employees should contact **Wanda Boyd, Assistant Vice Chancellor, Diversity, Equity & Inclusion**; [Wanda.Boyd@untsystem.edu](mailto:Wanda.Boyd@untsystem.edu); 1901 Main Street, Dallas TX, 75201; 972-338-1411 for accommodations.

### **Preserving Evidence**

Following an assault, find a safe place away from the attacker and out of danger. To preserve physical evidence, survivors should not bathe, urinate, douche, shower, drink, smoke, or change clothes. This will preserve evidence that can be used later if a survivor decides to file a police report and press charges. Survivors should go to a local hospital for a sexual assault examination and to receive prompt, thorough medical care. Survivors may choose to have someone take them to the emergency room or a police officer can meet them at their location to provide transportation.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a survivor chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with HSC PD or other law enforcement to preserve evidence in the event that the survivor changes their mind at a later date.

A forensic examination can be obtained at John Peter Smith Hospital, 1500 S. Main Street, Fort Worth, Texas, 76104. Receiving a SANE exam does not commit you to full prosecution, and you may receive a

SANE exam without reporting to the police. Instead, it will preserve any potential evidence if you decide you would like to prosecute at a later date.

## Procedures for Reporting Criminal Offenses

Students, faculty, staff, and guests are expected to report all crimes to the HSC PD or the City of Fort Worth Police Department in a timely manner. Any suspicious activity or person seen in parking lots or loitering around vehicles or inside buildings should also be reported to HSC PD. To report a crime or an emergency on the HSC campus, call HSC Police Department at (817) 735-2600. To report a non-emergency, call HSC Police Department at (817) 735-2210. Dispatchers are available at these respective telephone numbers 24 hours a day to answer your call. Crimes related to sexual misconduct may also be reported to the Title IX Coordinator, Kory Levingston at (817) 735-2594. In response to a call, the HSC Police Department will take the required action, dispatching an officer or asking the victim to report to the Police Department to file an incident report. All Public Safety incident reports involving students may be referred to the appropriate HSC official for review and potential disciplinary action. Incidents are reviewed by the HSC Police Chief of Police, or designee, to determine if a timely warning notice is appropriate. HSC PD will investigate a report when it is deemed appropriate. Additional information obtained via the investigation may also be forwarded to the appropriate HSC official. If assistance is required from the Fort Worth Police Department, HSC PD will make contact and request an officer. Crimes should be reported to HSC PD in order to provide Timely Warning notices to the community, when appropriate, and to ensure inclusion in the annual crime statistics report.

## Who Can I Talk To?

If a survivor chooses to report sexual assault, domestic violence, dating violence, sexual misconduct, or stalking to the police, the police officer will need to obtain a statement describing the details of the crime. The list of resources below can provide support to survivors.

**The Women's Center:** A member of the Crisis Intervention & Advocacy Services from **The Women's Center** (24-hour crisis hotline: 817-927-2737 or 817-927-4039) may be contacted to meet with survivors at the emergency room upon request. The Women's Center counselors will talk with survivors and inform them of their options involving counseling and emergency sheltering.

**One Safe Place:** One Safe Place can provide emergency assistance for domestic violence survivors. They can be contacted at (817) 916-4323 or (817) 885-7774.

**Title IX Coordinator:** The Title IX Coordinator oversees the university's response to reports and complaints of sex discrimination (including sexual assault, sexual misconduct, domestic violence, dating violence, and stalking). The Title IX Coordinator can receive a complaint from a student, provide information and answer questions about students' rights or course of action available to students, and can answer questions about the university's policies and procedures relating to sex discrimination, as well as provide the information in writing. HSC Title IX Coordinator, Kory Levingston, is located in the Carl E. Everett Education and Administration Building room 286 and can be contacted at [kory.levingston@unthsc.edu](mailto:kory.levingston@unthsc.edu) or (817) 735-2594.

**Care Team:** The Care Team is available to help students find an advocate during the process. An advocate's role is to connect students who have been impacted by domestic violence, dating violence, sexual assault, sexual misconduct, or stalking to resources such as counseling, health and mental services, safety, academic concerns, legal concerns, etc., and act as their advocate. The Care Team can assist a student with filing protective orders, completing crime victim's compensation applications, contacting professors for absences related to an assault, and connecting students to the many other resources that

are available, both on and off campus. The Care Team can be contacted at 817-735-2740 or <https://unthsc.edu/personofconcern>.

**Student Assistance Program:** A survivor can receive 24/7 confidential counseling and support from the HSC LifeWorks/Student Support Program @ 866-743-7732 or [us.myissp.com](http://us.myissp.com).

**Employee Assistance Program:** A survivor (employee) can receive 24/7 confidential counseling and support from the UNT System Employee Assistance Program @ 855-784-1806 or [guidanceresources.com](http://guidanceresources.com).

**Rape Crisis Hotlines:** Community rape crisis hotlines can also provide assistance and support to survivors.

Rape Crisis and Victim Services - Fort Worth: (817) 927-2737 or (817) 927-4039

Rape Crisis and Victim Services – Dallas: (214) 590-0430

Rape Crisis and Victim Services – Denton: (940) 382-7273

## Will My Name Be in The Report?

When reporting to the police, a survivor may choose a pseudonym (fictitious name) and address to maintain confidentiality, or a pseudonym will be assigned by HSC PD at the request of the survivor. There is a possibility that courtroom testimony may be required if the case goes to trial.

When reporting to the University (through the Division of Student & Academic Affairs, Title IX Coordinator, or Office of Equity, Diversity & Inclusion), a survivor can request anonymity. The University will evaluate all requests for anonymity in the context of the University's responsibility to provide a safe and nondiscriminatory environment for all students, and HSC will respond to the survivor with a decision on the request for anonymity. Reports of domestic violence, dating violence, sexual assault, sexual misconduct, or stalking are maintained confidentially. If the University investigates a report, the complainant's identity may become known to the respondent. The University strictly prohibits retaliation against any person for making a complaint or participating in an investigation and can take interim measures to protect against retaliation.

A completely anonymous report can be made to the University at <https://www.unthsc.edu/TitleIXReportingForm> or via the Trust Line at [www.unthsc.ethicspoint.com](http://www.unthsc.ethicspoint.com) or 844-692-6025. EthicsPoint is a third-party reporting line. The Office of Integrity and Awareness will be notified by EthicsPoint that a concern has been documented and will review submitted concerns. EthicsPoint operates its own secure server to maintain confidentiality.

## HSC's Procedures for Responding to a Report of Domestic Violence, Dating Violence, Sexual Assault, Stalking, Sexual Harassment, or Sexual Misconduct

**Reporting Options.** Reports can be made via the following options:

- 1) In-person appointment.
  - a) HSC Title IX Compliance Office; Email: [titleix@unthsc.edu](mailto:titleix@unthsc.edu); Phone: **817.735.2594**
  - b) UNT System Office of Equal Opportunity; Email: [hurs.eo@untsystem.edu](mailto:hurs.eo@untsystem.edu); Phone: **972.338.1125**
- 2) Online/Anonymous
  - a) Title IX/Sexual Misconduct/Discrimination Reporting Form at [click here](#).

- b) Anonymous reports can be made via HSC Trust Line at: [www.unthsc.ethicspoint.com](http://www.unthsc.ethicspoint.com) or (844) 692-6025. Employees who have a duty to report must also inform the Title IX Coordinator.

\* While verbal reports of Sexual Misconduct will be received and responded to as appropriate considering the wishes of the reporting individual(s) and the circumstances of each case, HSC strongly recommends reports of violations of this policy be submitted in writing. The written complaint should identify the parties involved; describe the policy violation, including when and where it occurred; and identify by name or description any witnesses and/or evidence. Written complaints will be treated as confidentially as practical and shared only on a need-to-know basis. The report must include all information concerning the incident known to the reporting person that is relevant to the investigation and, if applicable, redress of the incident, including whether an alleged victim has expressed a desire for confidentiality in reporting the incident.

### **Duty to Report**

Employees and individuals authorized to act on behalf of the University who become aware of suspected domestic violence, dating violence, sexual assault, sexual harassment, sexual misconduct, or stalking are required to report the suspected violation immediately to the Title IX Coordinator. The report must include all information concerning the incident known to the reporting person including whether the possible victim has expressed a desire for the report to remain confidential.

#### Exceptions to Duty to Report

- a. Confidential Employees, as defined by University policy, are obligated to report sexual harassment and other sexual misconduct to the Title IX Coordinator. When reporting as a Confidential Employee, these individuals shall state only the type of incident reported and shall not include other information that would violate a student's request for privacy. However, Confidential Employees who become aware of alleged sexual misconduct while operating outside the confidential aspect of their work are not Confidential Employees with respect to that particular incident and have the same duty to report as a non-Confidential Employee.
- b. A person is not required to make a report under this section concerning an incident in which the person was a victim of sexual harassment or other sexual misconduct.
- c. A person is not required to make a report pursuant to University policy concerning an incident of which the person received information due to a disclosure made at a sexual harassment, sexual assault, dating violence, or stalking public awareness event sponsored by the University or by a student organization affiliated with the University.

Students and other individuals, including guests of the University, are encouraged to report suspected sexual assault or retaliation to the Title IX Coordinator. The survivor has the right to **decline** to notify law enforcement.

By calling, writing, or coming into the office to report in person, HSC will provide resources in writing, on and/or off campus, to include medical and health, to persons who have been survivors of sexual assault, domestic violence, dating violence, sexual misconduct, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic violence, dating violence, sexual misconduct, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.



## **Remedial and Interim Measures**

HSC may take administrative action to protect the complainant, the respondent, and any other individual against prohibited conduct or to ensure the prompt and efficient completion of an investigation. Interim measures are not disciplinary in nature and must be consistent with other University policies. Interim measures may be initiated only after consultation with the Division of Student and Academic Affairs, Provost and Vice President of Academic Affairs, Human Resources, or the Office of Equity, Diversity & Inclusion, as appropriate. Information on remedial, interim or protective measures is provided in writing to students and employees. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by HSC.

Interim measures for employees may include, but are not limited to, placing the employee who is accused of violating this policy on administrative leave with pay, reassignment to a different supervisor or position, temporarily modifying work schedules and assignments, suspending business relationships, and disciplinary action up to and including termination from employment.

Interim measures for students may include, but are not limited to, administrative directives for no contact, altered academic arrangements, student financial aid/assistance, transportation, health services, Visa and immigration assistance, assistance in notifying local law enforcement, and assisting with blocking directory information, and other University resources on and off campus. HSC does not have on-campus housing, but can provide resources for other housing arrangements, if reasonably available. Additionally, personal identifiable information about the complainant will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Public information requests are reviewed by the UNT System Public Information Coordinator and Office of General Counsel. Further, HSC will maintain as confidential, any accommodations or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the ability of HSC to provide the accommodations or protective measures. Determinations regarding what information should be shared and with whom are made by the Title IX Coordinator.

**No Contact Directive:** HSC may issue an institutional "No Contact" directive if deemed appropriate or at the request of the complainant or respondent. "No contact directive" means a directive from the university to cease all communication and contact with one or more individuals for a specified period when the university reasonably believes the directive is necessary to protect the health, safety, or welfare of any member of the university or the university community, including to prevent retaliation or harassment. The directive prohibits the student from communicating or contacting the identified individuals through friends, relatives, acquaintances, social media, or other means, except as set out in the directive.

To the extent of the complainant's cooperation and consent, HSC offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal University investigation of the complaint.

**Survivor Advocacy:** Complainants should also know that they can have a survivor advocate accompany them during the sexual assault exam if an advocate is available at the time of the examination.

**Protective Orders:** Further, HSC complies with Texas law in recognizing orders of protection. Family violence is a serious threat to society and its members. Survivors of family violence are entitled to the

maximum protection permitted by law. A protective order is a civil court order issued to prevent continuing acts of family violence. Family violence is basically defined as any act by one member of a family or household intended to physically harm another member, a serious threat of physical harm, or the abuse of a child. Family includes blood relatives or relatives by marriage, former spouses, parents (married or not) of the same child, foster parents and foster children, or any member or former member of a household (people living in the same house, related or not). In order to request a protective order, an application must be completed and include an affidavit or declaration. After the forms are completed, they must be submitted to the courthouse. The forms may be filed in one of three places: 1) the county where you live, 2) the county in which the other person lives, or any Texas county in which the violence occurred. You cannot be charged a fee by a court in connection with filing, serving, or entering a protective order. For detailed information concerning protective orders and how to obtain one please visit the following website: <https://texaslawhelp.org/toolkit/i-need-protective-order>. Additional resources can also be found on the following website: <https://www.texasattorneygeneral.gov/cvs/protective-orders>. HSC Care Team Members have received training on how to obtain a protective order and can provide this information to students.

**Providing Support and Information to the Complainant**

1. Depending on when reported (immediate vs. delayed report), HSC will provide the complainant with access to medical care. HSC will identify medical facilities with a Sexual Assault Nurse Examiner.
2. HSC will provide written information to the complainant on how to preserve evidence.
3. HSC will assess immediate and ongoing safety needs of the complainant.
4. HSC Care Team and/or HSC PD will provide information to the complainant on how to request a temporary protective order.
4. HSC will assist the complainant with contacting local police if the complainant requests AND the complainant will be provided with contact information for the local police department.
5. HSC will provide the complainant with referrals to on and off-campus mental health providers.
6. HSC will assess the need to implement interim or long-term protective measures, such as academic and working accommodations. HSC does not have on-campus housing, but can provide housing resources, if necessary. “No Contact” directives between both parties can also be implemented. A “No Contact” directive may impose a limited or campus-wide directive between two parties involved in the complaint when the fear of retaliation or harassment may be present through processes outlined in the Student Code of Conduct and Civility. Specific instructions will accompany the “No Contact” directive outlining expected behavior and can include face-to-face contact, correspondence, email, social media, telephone, or soliciting others to contact another person.
7. HSC may issue a “Notice of Trespass” directive to respondent prohibiting the respondent from being present on HSC property if deemed appropriate.
8. HSC will provide a copy of the Title IX, Student Code of Conduct & Civility, and Prohibition Against Discrimination, Sexual Misconduct, Harassment and Related Retaliation Policy to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution.
9. HSC will inform the complainant and respondent simultaneously in writing of the outcome of the investigation, whether or not the respondent was found responsible, whether or not the respondent will

be administratively sanctioned, and the complainant and respondent's options to request a review of the outcome.

10. HSC will enforce the non-discrimination and anti-retaliation policies and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

11. Level of evidence if based on the preponderance of evidence. The preponderance of evidence is defined as the amount of information necessary to establish whether an allegation is more likely than not to have occurred (i.e., more likely true than not true). It is also referred to as the greater weight of the evidence.

### **Reviewing Reports**

The Title IX Coordinator is the designee that will review all allegations of sexual misconduct, sexual harassment, domestic violence, dating violence, sexual assault, and stalking. The Title IX Coordinator shall consult with the complainant of the alleged offense, if the individual's identity is known, before recommending interim measures or before initiating an investigation. This consultation must include informing the complainant that:

- The complainant may file a criminal complaint with law enforcement officials at any time, and may also **decline** involvement of law enforcement officials;
- HSC has an obligation to remediate reported misconduct and that an investigation may be conducted whether a criminal complaint is filed or not;
- HSC can take measures to protect against continued misconduct and retaliation;
- Voluntary withdrawal of an allegation will not necessarily result in termination of an investigation; and
- The complainant should contact the Title IX Coordinator if retaliation is suspected.

A decision not to investigate a report shall be documented in writing and include the reason(s) for not investigating the allegation(s).

### **Investigating Reports**

All allegations of domestic violence, dating violence, sexual assault, stalking, sexual harassment and sexual misconduct that the Title IX Coordinator determines to be credible shall be investigated promptly. If the complaint of the alleged offense asks the University not to investigate or to delay investigating an allegation of domestic violence, dating violence, sexual assault, stalking, sexual harassment or sexual misconduct, or asks that no disciplinary action be taken, or that the person who allegedly violated the policy not be notified of the allegation, the investigating office shall inform the individual, in writing, of HSC's obligation to meaningfully investigate and respond appropriately to the allegation and that honoring the request could compromise its ability to do so. In determining whether the request can be granted, the Title IX Coordinator shall consider the following factors:

- Seriousness/nature of the allegation;
- Whether the alleged behavior or conduct presents a threat to individuals other than the person who is making the request;

- Whether effective measures can be put in place to protect the individual against continued harm or retaliation;
- Whether delaying an investigation could reasonably result in the destruction or deterioration of potential evidence to corroborate or refute the allegation; and
- Any other information that has a reasonable bearing on the decision.

Individuals will be informed in writing if the request to not take or to delay action is not granted. The notice will include the rationale for the decision.

### **Standard of Proof**

HSC uses a preponderance of evidence as the amount of information necessary to establish whether an allegation of domestic violence, dating violence, sexual assault, stalking, sexual misconduct or sexual harassment was more likely than not to have occurred. Preponderance of evidence is also referred to as the greater weight of the evidence.

### **Timeline and Notifications**

*Investigations.* Investigations are completed expeditiously and the timeline is influenced by the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc. The HSC will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

**Receipt of a Complaint and Preliminary Assessment.** Upon receipt of a complaint, HSC Title IX Compliance Office (or their designee) (hereinafter the “Administrator”) will conduct a preliminary inquiry designed to assess:

- a. HSC policy or policies potentially invoked by the alleged conduct;
- b. The appropriate HSC official to respond to the complaint; and
- c. The best path of resolution for the complaint.

In the event the Administrator determines there are no reasonable grounds that the conduct at issue constitutes a violation of this policy, the Administrator will close the complaint.

After a complaint is reviewed, there are two (2) possibilities that govern how HSC will proceed:

1. The complaint falls within Title IX by including an allegation of sexual assault, dating violence, domestic violence, sexual assault, stalking or sexual harassment based on sex, and meets the jurisdictional requirements under federal regulation.
2. The complaint does not fall within Title IX or is not sexual assault, dating violence, domestic violence, sexual assault, stalking or sexual harassment based on sex, but the allegation includes sex-based discrimination or sexual misconduct prohibited under other institutional policies.

Title IX complaints alleging sexual assault, dating violence, domestic violence, sexual assault, stalking or sexual harassment based on sex, and meet the jurisdictional requirements under federal regulation will be addressed in accordance with the HSC Title IX policy and procedures, referred to as the Title IX Process. Allegations that do not fall within Title IX or are not sexual assault, dating violence, domestic violence,

sexual assault, stalking or sexual harassment based on sex, but the allegation includes sex-based discrimination or sexual misconduct will be addressed in accordance with other HSC policies

## HSC’s Procedures for Resolving a Complaint of Domestic Violence, Dating Violence, Sexual Assault, Stalking, Sexual Harassment, or Sexual Misconduct

**Informal Resolution.** The Administrator will determine whether informal resolution is an appropriate method of resolution based on the information provided about the incident. Options for informal resolution include but are not limited to alternative dispute resolution. If informal resolution is determined to be appropriate, the Administrator will meet separately with both parties to discuss an informal resolution based on the information available. If the proposed informal resolution supports HSC’s mission to provide a respectful environment for its community, the informal resolution will be implemented, and the matter will be closed. When the Respondent is a student, an Informal Resolution will be recorded in the Respondent’s and Complainant’s student file in the Division of Student and Academic Affairs and/or on the student’s transcript if the agreed upon Resolution Agreement sanction includes disciplinary probation, suspension, or dismissal.

**Formal Resolution of a Title IX Complaint (Process A).** If the Administrator determines that a formal investigation is warranted to resolve a complaint, and the complaint falls inside of Title IX jurisdiction, HSC will determine whether an employee or student is responsible for a violation of this policy and what, if any, corrective action is appropriate, in accordance with the following procedures:

- a. *Formal Complaint.* To begin the Grievance Process, the Complainant must sign a Formal Complaint (requesting an investigation) and submit it to the Title IX Coordinator.
- b. *Notice of Investigation and Allegations.* After receiving a Formal Complaint, at a minimum, the Title IX Coordinator will provide the Complainant and Respondent written notice of the Formal Complaint and available HSC resources and assistance.
- c. *Assignment of Investigator.* The Administrator will appoint an investigator or investigative team with experience investigating allegations of sexual misconduct.
- d. *Investigation.* The investigation will be conducted in a manner appropriate in respect of the circumstances of the case. The investigation may include, but is not limited to, conducting interviews of the complainant(s), the respondent(s), and any witnesses; reviewing law enforcement investigation documents, if applicable; reviewing personnel files; and gathering, examining, and preserving other relevant documents and physical, written, and electronic evidence. The parties will be afforded an opportunity to identify and present relevant witnesses and evidence to the investigator, as well as identify witnesses who may have relevant information.
- e. *Adjudication of allegation.* The adjudication of these allegations will be considered by a hearing panel during a live hearing. Both parties will have the opportunity to participate in the hearing, including being accompanied by an advisor, calling witnesses, offering evidence, and questioning the other individual, the other individual witnesses, and the investigator.
  - a. Hearing Procedures
    - i. **Hearings:** Formal hearings will be conducted by the Hearing Officer using a virtual platform, such as Zoom or Microsoft Teams, and will proceed according to the guidelines in this procedure.
    - ii. **Hearing Notice:** The HSC Title IX Compliance Office will provide at least ten (10) days written notice to the parties that includes the date, time, location, the name

of the hearing officer, and the names of all participants of the hearing (all parties, advisors, and witnesses in the investigation report who will testify), purpose of the hearing, a statement of the charges, and a summary of the evidence gathered.

- iii.* **Hearing Officer Duties:** The Hearing Officer is responsible for conducting the hearing in accordance with these procedures. The Hearing Officer will rule on all procedural matters and on objections regarding exhibits and testimony of witnesses at the hearing; may question witnesses who testify at the hearing; and is entitled to have the advice and assistance of an attorney from the University of North Texas System Office of General Counsel.
- iv.* **Title IX Hearing Panel (the Panel):** Once a case is referred to the Hearing Officer for a formal hearing, the Hearing Officer will select two (2) members from the Title IX Hearing Panel Pool to serve as Hearing Panelists.
- v.* **Conflicts of Interest:** Any member of the Panel who has a conflict of interest shall immediately recuse themselves. Conflicts of interest include, but are not limited to, personal knowledge of the facts and circumstances of the allegations or having a family or personal relationship with either the Complainant or the Respondent.
- vi.* **Challenge to the Panel Members:** The Complainant or the Respondent may challenge any Panelist for cause if there is a belief that a member of the Panel cannot render a fair and impartial result. Challenges to any Panelist must be made in writing and delivered to the Title IX Coordinator within four (4) days after notice of the identity of the Panelist. The Title IX Coordinator will determine if cause exists and will excuse any Panelist where cause exists. Under no circumstance will a Panelist be excluded for a reason that would violate HSC's Nondiscrimination policy.
- vii.* **Selection of Replacement Members:** If a member of the Panel recuses themselves or if the Title IX Coordinator excuses a Panelist for cause, then the Hearing Officer will select a replacement member from the Hearing Panel Pool.
- viii.* **Advisors:** While each party's advisor will be present at the hearing and related meetings, the advisor may not participate in the hearing. Other than to request a break or to present a closing statement on the party's behalf, the advisor may not address the Panel and must comport themselves in a manner that is not disruptive to the hearing or meetings. The Hearing Officer has complete discretion to determine whether conduct is disruptive.
- ix.* **Access to Evidence:** Each party and their advisors will have access to all of the evidence from the investigation, including a copy of the completed investigation report at least 10 days before the hearing.
- x.* **Separate Rooms and Virtual Participation:** At the request of either party, the Title IX Compliance Office will arrange for the hearing to occur with the parties located in separate rooms using technology enabling the hearing officer and the parties to simultaneously see and hear the participants answering questions. Participants may appear at the hearing virtually and are not required to be physically present at the same physical location of the hearing.
- xi.* **Questioning of the Witnesses in the Hearing:** The Hearing Officer may, at their discretion, ask questions during the hearing of any party or witness at any time during the proceeding. Each party's advisor will have an opportunity to ask relevant

questions and follow-up questions of the other party and of any witnesses who participate in the hearing, including questions that challenge credibility. Each Advisor has the ability to ask questions directly, orally, and in real time at the hearing. The parties will not be permitted to personally ask questions of the other party or any witnesses who participate in the hearing. The Advisors may ask questions using the following procedure:

- The Advisor will ask a question of the witness.
- Before the witness answers a question, the Hearing Officer will rule as to whether the Advisor's question is relevant to the alleged Title IX Sexual Harassment charges.
- If the Hearing Officer rules the Advisor's question as not relevant, then the Hearing Officer must explain any decision to exclude a question as not relevant.
- If the Hearing Officer allows the question as relevant, the witness will answer it.

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

xiii. **Recording.** The hearing will be recorded in audio or audiovisual format or may be transcribed at the discretion of the HSC Title IX Compliance Office. The recording or transcript, if applicable, will be available for the parties to inspect and review, upon written request.

f. **Determination of Responsibility.** The panel will determine whether a policy was violated based on the preponderance of evidence standard (i.e., more likely than not) to have occurred. If so, the panel will recommend a sanction or disciplinary action to the applicable HSC official. The individuals will be informed in writing of the determination and recommended sanction (if applicable). The Hearing Officer will send a copy of the written determination simultaneously to both parties, which will include the following:

- a. The allegations that potentially constitute Title IX Sexual Harassment prohibited by this policy;
- b. A description of all of the procedural steps of the Formal Grievance Process under this policy;
- c. The findings of fact supporting the Hearing Officer's determination, based on a preponderance of the evidence standard;
- d. The conclusion(s) and a rationale as to whether the Respondent is responsible for each allegation;
- e. The recommended disciplinary sanctions, if applicable; Any other remedies, if applicable, designed to restore the Complainant's access to the education program or activity; and
- f. Procedures and permissible grounds for the parties to appeal, if applicable.

g. **Additional Processes Provided to Students and Employees.**

- a. For students, recommended disciplinary actions will be referred to the Office of Care and Civility for resolution as outlined in the Student Code of Conduct and Civility Policy.
- b. For employees, the recommended sanctions/corrective actions will be referred to Human Resources or the Office of the Provost, as appropriate, for resolution in accordance with applicable Health Science Center disciplinary policies.

h. *Appeals.*

- a. **Appealing a Mandatory or Discretionary Dismissal or Emergency Removal.** Parties have five (5) days after receipt of the notice of mandatory or discretionary dismissal or the emergency removal to submit in writing an appeal of a determination. The appeal will be considered by the designated HSC official. The appeal decision will be communicated in writing to the parties, their advisors (if applicable), and the Title IX Coordinator.
- b. **Appealing the Determination of Responsibility.** Any party may appeal the determination of responsibility. The appeal must be submitted in writing to the Title IX Coordinator within five (5) days of the delivery of the notice of the written determination. An appeal may be based only on the following grounds:
  - i. Procedural irregularity that affected the outcome of the matter;
  - ii. New evidence that could affect the determination of responsibility was not reasonably available at the time the determination regarding responsibility or dismissal was made; and
  - iii. The Title IX Coordinator, Investigator(s), or Hearing Panelist(s) had a conflict of interest or bias for or against the parties, general or specific, that affected the outcome of the matter.

\*If any of the grounds in the Appeal do not meet the above grounds, that request will be denied by the Appellate Authority, and the parties will be notified in writing of the denial and the rationale. If any of the grounds in the Appeal meet the grounds in this policy, then the Appellate Authority will provide written notification to the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the Hearing Panel. The non-appealing party will have five (5) days from the notification of the appeal to submit a written statement in support of, the outcome. The Appellate Authority will release a written Notice of Appeal Outcome within 21 days from the date of the appeal to:

- i. Affirm the determination of responsibility regarding the Respondent's responsibility outlined in the determination report;
- ii. Return the complaint to the hearing panel to address any procedural irregularity or consider any new evidence; or
- iii. Reverse the determination of responsibility.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice will specify the finding on each ground for appeal, and the rationale supporting the findings

- c. **Appealing the Disciplinary Action (for Student Respondent).** In matters of sexual misconduct, domestic violence, dating violence, or stalking, either the Respondent or the Complainant may submit a request for review of assigned disciplinary action(s) by the Senior Vice Provost for Student and Academic Affairs. The final decision will be prepared in accordance with FERPA and delivered to both the Complainant and the Respondent.
- d. **Appealing the Sanction/Corrective Action (for Employee Respondent).** In matters of sexual misconduct, domestic violence, dating violence, or stalking, either the Respondent



or the Complainant may submit a request for review of assigned disciplinary action(s) in accordance with applicable HSC disciplinary policies.

- i. *Notification to parties.* The complainant and the respondent will be notified simultaneously in writing of the result of the investigation, as well as any changes to those results or disciplinary actions prior to the time that such results become final. The determination is final when the deadline date to file the appeal expires, or the date notice of the decision on the appeal is provided.
- j. *Timeline for Resolution.* All disciplinary proceedings will be completed as promptly as circumstances permit, and HSC will communicate regularly with parties to update them on the progress and timing of the process.

**Formal Resolution of a Sexual Misconduct (Non-Title IX) Complaint (Process B).** If the Administrator determines that a formal investigation is warranted to resolve a complaint, and the complaint falls outside of Title IX jurisdiction, HSC will determine whether an employee or student is responsible for a violation of this policy and what, if any, corrective action is appropriate, in accordance with the following procedures:

- a. *Assignment of Investigator.* The Administrator will appoint an investigator or investigative team with experience investigating allegations of sexual misconduct.
- b. *Notice of Investigation and Allegations.* The investigators will provide the Complainant and Respondent written notice of the complaint and available HSC resources and assistance.
- c. *Investigation.* The investigation will be conducted in a manner appropriate in respect of the circumstances of the case. The investigation may include, but is not limited to, conducting interviews of the complainant(s), the respondent(s), and any witnesses; reviewing law enforcement investigation documents, if applicable; reviewing personnel files; and gathering, examining, and preserving other relevant documents and physical, written, and electronic evidence. The parties will be afforded an opportunity to identify and present relevant witnesses and evidence to the investigator, as well as identify witnesses who may have relevant information.
- d. *Written Report.* Both parties will be allowed to inspect the report and will have reasonable and equitable access to all of the evidence relevant to the alleged violation(s) in HSC's possession, subject to FERPA and Texas Education Code, Section 51.971. Each party will have seven (7) business days to submit written comments regarding the investigation to the Title IX Coordinator.
- e. *Determination of Responsibility.* The investigator will make conclusions as to whether the Respondent violated the provisions in this policy. The investigator will determine whether a policy was violated based on the preponderance of evidence standard (i.e., more likely than not) to have occurred. The investigator's findings and conclusions will be shared with the Administrator in a written report. The Administrator must concur with the investigator's conclusions prior to finalizing the determination. The Title IX Coordinator will send a copy of the written determination simultaneously to both parties, which will include information about the appeal process.
  - a. *Determination of No Policy Violation.* If the investigator determines that the Respondent did not violate any provision of this policy, the Administrator will determine and document the appropriate resolution of the complaint and notify the parties of that determination.

- b. *Determination of a Policy Violation.* If the investigator determines there is sufficient information to find, by a preponderance of the evidence standard, that the Respondent violated this policy, the matter will be referred to the appropriate HSC official for corrective action.
  
- f. *Appeals for both Students and Employees Respondents*
  - a. Findings of a violation of this policy may be appealed in writing by either party within five (5) business days from date of notification to the equivalent cabinet member of the position for the employee's area, or designee, or to the Sr. Vice Provost of Student & Academic Affairs for students. Appeals area allowed only on the following bases:
    - i procedural error or omission that significantly impacted the outcome;
    - ii new evidence (i.e. unknown or unavailable during the investigation) that could have significantly impacted the findings; or
    - iii the appropriateness or severity of the sanction(s).
  
  - b. The cabinet member has ten (10) business days to review the appeal and provide a decision in writing to the appealing party. The decision shall be final.
  
  - c. If the cabinet member is party to the complaint, the appeal will be reviewed another cabinet member designated by the president. The reviewing cabinet member will review the appeal and provide a recommendation to the president in writing within 10 business days of receipt of the appeal. The president will provide a final decision in writing to the appealing party within ten (10) business days of the receipt of the recommendation.
  
- g. *Notification to parties.* The complainant and the respondent will be notified simultaneously in writing of the result of the investigation, as well as any changes to those results or disciplinary actions prior to the time that such results become final. The determination is final when the deadline date to file appeal expires, or the date notice of the decision on the appeal is provided.
  
- h. *Timeline for Resolution.* All disciplinary proceedings will be completed as promptly as circumstances permit, and HSC will communicate regularly with parties to update them on the progress and timing of the process.

**Disclosure of Results of Disciplinary Proceedings**

HSC will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or non-forcible sex offense (incest or statutory rape) to the alleged victim or next of kin if the victim is deceased.

## Possible Disciplinary Actions for Students Found Responsible for Domestic Violence, Dating Violence, Sexual Assault, Sexual Misconduct, and Stalking

In all cases, investigations that result in a finding of more likely than not that a student committed domestic violence, dating violence, sexual assault, stalking, sexual harassment, or sexual misconduct will lead to the assignment of disciplinary actions against the student. University disciplinary actions for offenses of sexual assault, sexual misconduct, domestic violence, dating violence, and/or stalking may include permanent no contact directives, loss of privileges, written warning, disciplinary probation, suspension, and expulsion.

## Possible Sanctions for Employees Found Responsible for Domestic Violence, Dating Violence, Sexual Assault, Stalking, Sexual Harassment or Sexual Misconduct

Following a disciplinary proceeding, investigations that result in a finding of more likely than not that an employee committed domestic violence, dating violence, sexual assault, stalking, sexual harassment, or sexual misconduct will lead to the imposition of corrective action against the employee. University corrective actions for offenses of sexual assault, sexual misconduct, sexual harassment, domestic violence, dating violence, and/or stalking may include verbal or written warning, probation, loss of merit or raises for a period not to exceed one year, reduction in salary for a period of one year, reduction in rank with a loss of salary, revocation of tenure, suspension with or without pay for a specific period of time, and termination.

### Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers, services, or is a student.

This information can be found on the TxDPS website at: [http://www.txdps.state.tx.us/administration/crime\\_records/pages/sexoffender.htm](http://www.txdps.state.tx.us/administration/crime_records/pages/sexoffender.htm)

Information regarding registered sex offenders in Tarrant County may be obtained by contacting the Tarrant County Sheriff's Office, the Fort Worth Police Department, or by going to <http://access.tarrantcounty.com/en/sheriff.html> For statewide information, contact the Texas Department of Public Safety or go to <http://www.txdps.state.tx.us/>.

## Education and Prevention Programs

All students and employees within our campus community deserve to feel safe and supported. HSC prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking (for definitions of how we define these incidents within our policy, please see page 32) and works year-round to provide you with education, tools, and resources to recognize concerning or harmful behaviors and strategies for intervening or to help others get the support they need. As a part of these efforts, HSC provides primary prevention and awareness campaigns for all students and employees. HSC engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating

violence, domestic violence, sexual assault, sexual misconduct, and stalking. HSC considers our own unique campus when designing these programs, to ensure they:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels so that we can address actual issues that may influence how or if violence is occurring within our own community and how the programs can meet our collective needs.

You will notice some common themes throughout our programs. All of the programs will reinforce that dating violence, domestic violence, sexual assault, and stalking is unacceptable (and prohibited) within our campus community. This section provides an overview of education and prevention programs and explains how HSC:

- a. Addresses how we define these terms under HSC policy;
- b. Addresses the definitions provided by state law that describe what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Defines what behavior and actions constitute consent to sexual activity in the State of Texas;
- d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Safe and positive options refer to actions such as watching out for others, confronting individuals and speaking out when you witness concerning behavior, believing disclosures told to you by others, and referring individuals to on and off-campus resources. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and talking action to intervene;
- e. Provides information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for survivors in order to promote safety and to help individuals and communities address conditions that facilitate violence. This definition of risk reduction includes giving bystanders tools to overcome barriers that might lead them not to intervene, so the strategies provided above are not just bystander intervention, but can also be considered risk reduction. It is up to us as a community to look out for one another and create the safe environment all our students and employees deserve. Risk reduction information shared includes strategies on increasing situational awareness and the development of preventative strategies with tailored responses to foster empowerment and a mindset of looking out for one another;
- f. Gives you more information about our institution's disciplinary process, which is also explained on pages 39-51; and
- g. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Due to COVID-19, most programs were offered in a virtual setting in live, pre-recorded, and informational based formats. During the 2021 calendar year, some programs were able to be adapted to a hybrid format to promote program accessibility.

**Primary prevention programs** are defined as programming, initiatives, and strategies intended to stop dating violence, domestic violence, sexual assault, sexual misconduct, and stalking before they occur through the promotion of positive and health behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions. HSC offers programs that promote healthy relationships and communication skills, moderation in alcohol consumption and safe rides, and common courtesy. In the descriptions of our programs below, you'll get a sense of what programs focus on these ideas and encourage you and your peers to intervene if appropriate.

**Awareness programs** are defined as community-wide (anyone can access) or audience-specific (targeted towards a certain segment of our community or students or employees specifically) programming, initiatives and strategies that increase audience knowledge, and share information and resources to prevent violence, promote safety and reduce perpetration. Our awareness programs may address primary prevention specifically, but may also raise knowledge about these types of crimes and how they can impact a campus community.

**Ongoing prevention and awareness campaigns** are programming, initiatives and strategies that are sustained over time and that focus on increasing the understanding of topics of relevant to and skill for addressing dating violence, domestic violence, sexual assault, sexual misconduct, and stalking, using a range of strategies with audiences throughout the institution. They also promote awareness of the services and programming that HSC has available to address these issues. Ongoing prevention and awareness campaigns at HSC include:

- Communication strategies such as social media posts, emails, printed materials and tabletop information in various academic buildings;
- Programming coordinated with and delivered to individual groups on campus, as requested; and
- Information booths at student resource fairs and other campus events.

The information we have included above reflects that we stress in our programming the need for consent and respect for a partner's boundaries at all times, especially when engaging in sexual activity, not pressuring others to consume alcohol or any other harmful behaviors, and reinforcing resources within the community to access safe rides or other safety support.

The details of the programs we offer are listed below – we hope we will see you at some of them this year. For more information on these offerings, please contact the Office of Care and Civility at [OCC@unthsc.edu](mailto:OCC@unthsc.edu) or the HSC Title IX Coordinator at [kory.levingston@unthsc.edu](mailto:kory.levingston@unthsc.edu).

HSC has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students at every new student orientation via in person and email, and participating in and presenting information and materials during new employee orientation.

HSC offered the following primary prevention & awareness programs for incoming students in 2021:

Name of Program	Date Held	Location Held	Prohibited Behavior Covered
New Student Orientation	1/4/21- 1/11/21	Online	DaV, DoV, SA, S
New Student Orientation	3/8/21- 3/15/21	Online	DaV, DoV, SA, S
New Student Orientation	5/25/21- 6/1/21	Online	DaV, DoV, SA, S
New Student Orientation	5/25/21- 5/28/21	Online	DaV, DoV, SA, S
New Student Orientation	5/30/21- 6/3/21	Online	DaV, DoV, SA, S
New Student Orientation	7/12/21- 7/16/21	MET/Online	DaV, DoV, SA, S
New Student Orientation	8/2/21-8/6/21	EAD/Online	DaV, DoV, SA, S
New Student Orientation	8/9/21- 8/13/21	RES/Online	DaV, DoV, SA, S
New Student Orientation	8/16/21- 8/20/21	EAD/Online	DaV, DoV, SA, S
New Student Orientation	8/16/21- 8/23/21	Online	DaV, DoV, SA, S
International New Student Orientation	8/20/21	MET/Online	DaV, DoV, SA, S
New Student Orientation	10/11/21- 10/18/21	Online	DaV, DoV, SA, S

\*Program Title: Care Team/Title IX/Campus Safety

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, and S means Stalking*

HSC New Student Orientation presentation provides information about sexual assault support resources and services; how to report crimes, domestic violence, dating violence, sexual assault, and stalking; campus safety; alcohol and drug prevention programs; and consent. All new students are provided resource cards on how to report and where to get help that attach to their student ID badges that are required for each student to have on their person while on campus. Additionally, campus and environmental safety information is also covered to ensure that both risk and protective factors are addressed from a comprehensive and holistic perspective.

HSC offered the following ongoing awareness and prevention programs for students in 2021:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Prohibited Behavior Covered</b>
Stalking Awareness Month	January	Online	S
Health Relationships Social Media Campaign	February	Online	DoV, DaV, SA, S
Healthy Relationships and Emotional Intelligence	2/5/21	Online	DoV, DaV, SA, S
Wellness Week	3/15/21-3/19/21	Online	DoV, DaV, SA, S
National Drug and Alcohol Fact Week	3/22/21-3/26/21	Online	DoV, DaV, SA, S
Sexual Assault Awareness Month	April	Online	DoV, DaV, SA
Women's Center of Tarrant County Training: Creating Protective Factors to Prevent Sexual Violence	4/21/21	Online	DoV, DaV, SA
Women's Center of Tarrant County Training: Trauma Informed Responses to Survivors of Sexual Violence	4/23/21	Online	DoV, DaV, SA
RSO Officer Training	April	Online	DoV, DaV, SA, S
Mental Health Month Campaign	May	Online	DoV, DaV, SA, S
Title IX for Graduate Students	June*	Online	DoV, DaV, SA, S
Welcome Back to HSC Social Media Campaign	July	Online	DoV, DaV, SA, S
Title IX for Graduate Students	August*	Online	DoV, DaV, SA, S
RSO Officer Training	August	Online	DoV, DaV, SA, S
Welcome Back to HSC Campaign	August	MET	DoV, DaV, SA, S
Campus Safety Awareness Month	September	Online	DoV, DaV, SA, S
Domestic Violence Awareness Month	October	Online, MET, Fitness Center, Library, CBH	DoV, DaV, SA, S
Domestic Violence Awareness: Safe Haven	10/13/21	EAD	DoV, DaV, SA, S
Bystander Intervention/Title IX Overview Workshop	10/19/21	EAD	DoV, DaV, SA, S
GoVember	November	Online/MET/Fitness Center/Library	DoV, DaV, SA, S
Preventing Discrimination and Harassment	11/11/21	Online	DoV, DaV, SA, S

Conversations on Domestic Violence	11/17/21	EAD	DoV, DaV, SA, S
Title IX Open House	12/1/21	EAD	DoV, DaV, SA, S
Student Rights Under Title IX	12/15/21	Online	DoV, DaV, SA, S
Food Pantry	January - December	Student Service Center 220	DoV, DaV, SA, S

*\* Note: Title IX for Graduate Students is an online training required of all new and current students and administered through the university compliance management system. Students must complete the training by the university deadline.*

**Stalking Awareness Month** offers bystander intervention displays with printed information on stalking awareness and prevention, as well as reporting and where to get help. In addition, all students are provided information regarding stalking awareness, campus and community resources via email, Engage, and social media.

**Healthy Relationships Social Media Campaign** focused on providing education on the Wheel of Power and Control (abusive and violent behaviors used to establish a pattern of intimidation and control in relationships), signs of a healthy relationship, and campus and community resources.

**Relationships and Emotional Intelligence** is a presentation that educates participants on the elements of emotional intelligence and the role it plays in healthy relationships.

**Wellness Week** is used to promote campus and community resources that promote student wellbeing, safe relationships, and community belonging through social media campaigns, education on relationship building, and emotional intelligence.

**National Drug and Alcohol Fact Week** promotes campus and community resources, drug and alcohol education, and recovery-based information via social media and Engage.

**Mental Health Month Campaign** promotes infographics, campus and community resources, and offers Question Persuade Refer (QPR) suicide prevention training information, mental health 101 training with the goal of reducing stigma and promoting help seeking.

**Title IX Training for Graduate Students** is required of all new and current students. The training includes information on prevention and awareness of domestic violence, dating violence, sexual assault, and stalking, as well as how to report and where to get help.

**RSO Officer Training** is required of all students that serve as officers in a registered student organization and includes information on risk management, how to report and where to get help for issues of domestic violence, dating violence, sexual assault, and stalking and how their roles as student leaders contributes to safe communities.

**Sexual Assault Awareness Month** offers bystander intervention displays with printed information on sexual assault awareness and prevention, as well as reporting and where to get help. Additionally, a series of infographics and resources were distributed in a virtual format that covered, consent, prevention strategies, reporting options, and information on campus and local resources.



[Creating Protective Factors to Prevent Sexual Violence Training](#) is a collaborative virtual presentation between the Women's Center of Tarrant County and the Office of Care and Civility that provided information on key definitions, impact, risk and protective factors, and support strategies as it relates to sexual violence and survivors.

[Trauma Informed Responses to Survivors of Sexual Violence](#) is a collaborative virtual presentation between the Women's Center of Tarrant County and the Office of Care and Civility that provided information on key definitions, impact, risk and protective factors, and support strategies as it relates to sexual violence and survivors.

[Welcome Back to HSC Social Media Campaign](#) is an online campaign to promote mental health, wellbeing, and basic needs resources available to students on campus.

[Welcome Back to HSC Resource Campaign](#) is an in-person tabling event to educate and promote mental health, wellbeing, and basic needs resources available to students on campus.

[Campus Safety Awareness Month](#) provided education on the Clery Act, Title IX, hazing prevention, and bystander intervention via social media and internal HSC communication platforms.

[Domestic Violence Awareness Month](#) offers bystander intervention displays with printed information on domestic violence assault awareness and prevention, as well as reporting and where to get help. Additionally, a series of infographics and resources were distributed in a virtual format that covered, consent, prevention strategies, reporting options, and information on campus and local resources.

[Domestic Violence Awareness: SafeHaven](#) is a presentation by SafeHaven of Tarrant County that addressed stalking, domestic violence, and other associated behaviors.

[Bystander Intervention/Title IX Overview Workshop](#) is a presentation held by the HSC Title IX Coordinator to help the HSC campus community build confidence for situations where third-party intervention is necessary by sharing practical information regarding the prevention of harassment, sexual assault, and rape.

[Preventing Discrimination and Harassment](#) is a presentation held in collaboration with the Title IX Compliance Office and the HSC Integrity and Awareness Office to provide resources to the campus community and share expertise on Title IX and Title VII reporting and prevention.

[Conversation on Domestic Violence](#) is a presentation held by community experts on how to recognize domestic violence and how to identify community resources.

[GoVember](#) is a series of campus events and health education campaigns to promote and highlight stress reduction and resource utilization.

[Title IX Open House](#) is an event to provide information on sexual assault awareness, prevention, response, and resources to the campus community.

[Student Rights Under Title IX](#) is an online virtual session held by the Title IX Compliance Office to provide students with information on their rights under Title IX in addition to information on what, where, and how to report prohibited conduct.

[Victim's Rights against Domestic Violence](#) is a collaborative virtual presentation between the Women's Center of Tarrant County and the Office of Care and Civility that provided educational information on domestic violence and local resources available to support survivors.

Food Pantry is open to the HSC community and provides free contraceptives and non-perishable food items to any student in need. Information and resources regarding where to get help and how to report are provided in the Food Pantry.

HSC offered the following primary prevention & awareness programs for all incoming employees in 2021:

Name of Program	Date Held	Location Held	Prohibited Behavior Covered
New Employee Orientation	January 6 & 20	Online	DaV, DoV, SA, S
New Employee Orientation	February 3 & 17	Online	DaV, DoV, SA, S
New Employee Orientation	March 3 & 17	Online	DaV, DoV, SA, S
New Employee Orientation	April 7 & 21	Online	DaV, DoV, SA, S
New Employee Orientation	May 5 & 19	Online	DaV, DoV, SA, S
New Employee Orientation	June 2 & 16	Online	DaV, DoV, SA, S
New Employee Orientation	July 7 & 21	Online	DaV, DoV, SA, S
New Employee Orientation	August 4 & 18	Online	DaV, DoV, SA, S
New Employee Orientation	September 1 & 15	Online	DaV, DoV, SA, S
New Employee Orientation	October 6 & 20	Online	DaV, DoV, SA, S
New Employee Orientation	November 3 & 17	Online	DaV, DoV, SA, S
New Employee Orientation	December 1 & 15	Online	DaV, DoV, SA, S

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, and S means Stalking*

HSC New Employee Orientation presentation provides information about sexual assault support resources and services; how to report crimes, domestic violence, dating violence, sexual assault, and stalking; campus safety; and alcohol and drug prevention programs.

HSC offered the following ongoing awareness and prevention programs for employees in 2021:

Name of Program	Date Held	Location Held	Prohibited Behavior Covered
Stalking Awareness Month	January	MET, CBH, Library, FAC	S
Sexual Assault Awareness Month	April	Online	DoV, DaV, SA
Domestic Violence Awareness Month	October	Online	DoV, DaV, SA, S
Domestic Violence Awareness: SafeHaven	10/13/21	EAD	Dov, DaV, SA, S
Bystander Intervention/Title IX Overview Workshop	10/19/21	EAD	DoV, DaV, SA, S

Preventing Discrimination and Harassment	11/11/21	Online	DoV, DaV, SA, S
Title IX Open House	12/1/21	EAD	DoV, DaV, SA, S
Employee Rights Under Title IX	12/16/21	Online	DoV, DaV, SA, S
Sexual Harassment Training	*January – December	Online & In Person	SA

\* Note: Sexual Harassment Training is required of all new employees and annually for current employees and administered through the university compliance management system. Employees must complete the training by the university deadline.

**Sexual Harassment Training** is provided once per year online and in person, by request via the Title IX Coordinator. Training includes information about where to report, how to get help, relationships between students and employees, and resources available.

**Employee Rights Under Title IX** is an online virtual session held by the Title IX Compliance Office to provide employees with information on their rights under Title IX in addition to information on what, where, and how to report prohibited conduct.

## Resources

### Assistance for Survivors: Rights and Options

Regardless of whether a survivor elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, HSC will assist survivors of sexual assault, domestic violence, dating violence, and stalking and will provide each survivor a written explanation of his or her rights and options. Such written information will include:

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred;
- Information about how the institution will protect the confidentiality of victims and other necessary parties;
- A statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- A statement regarding the institution’s provisions about options for available assistance and how to request accommodations and protective measures; and
- An explanation of the procedures for institutional disciplinary action.

A victim of crime is defined by Chapter 56 of the Code of Criminal Procedures as (1) someone who is a victim of sexual assault, kidnapping or aggravated robbery or who has suffered bodily injury or death because of the criminal conduct of another, (2) the close relative (spouse, parent, adult brother or sister, or child) of a deceased victim or (3) the guardian of a victim. The law also applies to victims of juvenile crime, including victims who suffer property loss. The State of Texas intends that victims of crime receive the following safeguards, assurances and considerations: The Texas Constitution (Article I, Section 30) provides victims of violent crime with the right, upon their request, to receive notice about court proceedings and the conviction, sentence, imprisonment and release of the respondent. For more information about victim notification, visit <https://texasattorneygeneral.gov/cvs/victim-notification> or call VINE 24-hour information on jail status and court events: (877) 894-8463.

**Assistance and Support Available to Survivors**

HSC may issue an institutional no contact directive if deemed appropriate. For students, the no contact directive is issued through procedures outlined in the Student Code of Conduct and Civility. To the extent of the survivor's cooperation and consent, University offices will work collaboratively to ensure that the complainant's health, physical safety, work and academic status are protected. For example, if reasonably available, a survivor may be offered changes to academic or working situations, counseling, health services, visa and immigration assistance, assistance in notifying appropriate law enforcement, financial aid/assistance, and off campus housing resources (since HSC does not offer on-campus housing).

**Confidentiality**

Victims may request that directory information on file with the University be withheld by request through the Survivor Advocate.

Regardless of whether a victim has opted-out of allowing the University to share directory information, personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need to know, i.e. those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures.

Additionally, personal identifiable information about the survivor will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the survivor (for example, publicly available record-keeping for purposes of the Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20)). The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is used on the basis of a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Further, HSC will maintain as confidential, any accommodations or protective measures provided to the survivor to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. To allow students to report sexual assault without fear of recrimination, the university grants amnesty to employees and students for conduct violations (e.g. underage drinking or illegal drug use) if the individual witnesses or is victimized by a sexual assault incident that occurred in connection with a violation of the Student Code of Conduct and Civility.

**On and Off Campus Services for Victims**

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, HSC will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and assistance in notifying appropriate local law enforcement. These resources include the following:

## **On Campus Support Resources**

### **Survivor Advocate (non-confidential)**

Student Service Center 204; (817) 735-2740; [careteam@unthsc.edu](mailto:careteam@unthsc.edu); <https://www.unthsc.edu/care-and-civility/>.

A survivor advocate connects students who have been impacted by violence to resources (e.g. counseling, health, safety, academics, etc.) and acts as their advocate. The advocate can assist a student by assisting with filing protective orders, completing crime victim's compensation applications, contacting professors for absences related to an assault, and connecting students to the many other resources that are available, both on and off campus.

### **Division of Student & Academic Affairs**

Student Service Center 220; (817) 735-2505

<https://www.unthsc.edu/students/>

The Division of Student & Academic Affairs investigates prohibited conduct by students, takes interim and remedial actions to prevent misconduct or retaliation, and sanctions students found responsible for engaging in prohibited conduct.

### **Title IX Coordinator**

Kory Levingston, Carl E. Everett Education and Administration Building room 286; (817) 735-2594;

[kory.levingston@unthsc.edu](mailto:kory.levingston@unthsc.edu) <https://www.unthsc.edu/title-ix/>

The Title IX Coordinator investigates prohibited conduct by students and towards students in relation to Title IX. The Title IX Coordinator also takes interim and remedial actions to prevent misconduct and retaliation. The Title IX Coordinator is the employee designated by the President to implement, monitor, and enforce the HSC's Title IX program.

### **HSC Police Department**

3600 Mattison Avenue, Fort Worth, TX 76107; (817) 735-2600 (emergency); (817) 735-2210

<https://www.unthsc.edu/police/>

The HSC Police Department is the law enforcement agency responsible for protecting the HSC campus and investigating crimes that take place on campus.

### **Student Support Program (My SSP)/LifeWorks (confidential) <https://us.myissp.com/> or 866-743-7732**

My SSP is a confidential, voluntary counseling and resource referral service operated by LifeWorks and is provided free of charge to students for issues such as anxiety/stress/depression; anger management; drug or alcohol abuse; relationships and parenting; balance life/school/work; and housing/financial/legal assistance.

### **International Services (Visa and Immigration Assistance)**

<https://www.unthsc.edu/students/international-student-and-scholar-services/>

Student Service Center, Suite 220, (817) 735-2780

### **Student Financial Aid**

Student Service Center, Suite 150, (817) 735-2626

### **Student Health Services**

855 Montgomery St. 3<sup>rd</sup> Floor North, Fort Worth, TX 76107; (817) 735-5051; [StudentHealth@unthsc.edu](mailto:StudentHealth@unthsc.edu)

<https://www.unthsc.edu/students/student-health/>

The Student Health Services provides medical care to students. The SHS can assist survivors with post-assault care, treatment of injuries, testing and treatment of sexual transmitted infections, testing for pregnancy, and referrals to community health resources as needed.

### **UNT System Office of Diversity, Equity, and Inclusion**

Associate Vice Chancellor, Office of Diversity, Equity, and Inclusion, Wanda Boyd; [Wanda.Boyd@untsystem.edu](mailto:Wanda.Boyd@untsystem.edu); (214) 571-2424 <https://www.unthsc.edu/administrative/equal-employment-opportunity/eo-contact-information/>

The Office of Equal Opportunity works with HSC Campus Human Resources to address prohibited conduct by employees. They also provide assistance and support to employees who experience prohibited conduct.

### **Employee Assistance Program (confidential) 855-784-1806 or [gudianceresources.com](http://gudianceresources.com) (Web ID: UNTS)**

The UNT System Employee Assistance Program provides the following services at no-cost to employees: counselors, resources, and legal assistance through confidential emotional support, work-life solutions, legal guidance, financial resources, critical incident stress management, and online support.

### **HSC Health Priority Care Clinic**

855 Montgomery St., 3<sup>rd</sup> Floor North, Fort Worth, TX 76017; (817)-735-2273

The HSC Health Priority Care Clinic provides same and next day healthcare to employees and their families.

### **Community Resources**

Domestic Violence Against Women and Children	(877) 701-SAFE (7233)
MHMR of Tarrant County	(817) 569-4300 or (817) 335-3022
National Stalking Resource Center	<a href="http://www.victimsofcrime.org">www.victimsofcrime.org</a>
Rape Crisis and Victim Services - Fort Worth	(817) 927-2737 or (817) 927-4039
Rape Crisis and Victim Services - Dallas	(214) 590-0430

Rape Crisis and Victim Services - Denton	(940) 382-7273
Safe Haven of Tarrant County	(817) 535-6462
Student Support Program (confidential counseling)	(866) 743-7732
Women's Center Counseling Services	(817) 927-4000 or (817) 927-4040
One Safe Place	(817) 885-7774 or (817) 916-4323

**Other Resources**

Rape, Abuse, and Incest National Network: <http://www.rainn.org>

U.S. Department of Justice: <https://www.justice.gov/ovw/sexual-assault>

U.S. Department of Education, Office of Civil Rights: <http://ed.gov/about/offices/list/ocr>

**Protecting Minors on Campus**

There are occasions when minors (children under the age of 18) are on campus as visitors, volunteers or as participants in a program. HSC Campus Programs and Activities Regarding Minors Policy (3.105) requires criminal background screening for individuals participating in campus programs involving minors. Texas State Law requires anyone who suspects child abuse or neglect to report those suspicions to the Texas Department of Family and Protective Services (DFPS) or to a local law enforcement agency, including HSC PD. HSC notifies all students, faculty, and staff to be aware of their obligation to report suspected abuse if they have seen or have reason to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person. This obligation applies to ALL members of the University community, including faculty, administrators, staff, and even students. In addition, there are special reporting obligations for certain employees defined as "professionals." Professionals, including "teachers, nurses, doctors, day care employees, and employees of a clinic or health care facility that provides reproductive services", have a special duty to make a report not later than 48 hours after suspecting that a child has been or may be abused or neglected or a victim of indecency with a child. A "child" is a person under 18 years of age. As part of campus awareness about Child Abuse, HSC informs the campus community through online employee training, in person presentations to students, and periodic campus emails of the following:

1. Any person who has questions about whether they should report suspicions of child abuse, may (but are-not required to) contact the Institutional Compliance Office or Student Affairs Office, as appropriate.
2. Reports of suspected child abuse shall immediately be made to either:
  - a. Local or state law enforcement, including the HSC Police Department at (817) 735-2600; or
  - b. The Department of Family and Protective Services (CPS) at (800) 252-5400 or online at [www.txabusehotline.org](http://www.txabusehotline.org)

3. These reports should try to identify, if known, the name and address of the child, the name and address of the person responsible for the care, custody, or welfare of the child; and any other pertinent information.
4. Any person who acts in good faith to report suspected child abuse is immune from civil or criminal liability. Failure to report may be a misdemeanor when a person has cause to believe a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect. Any person who knowingly fails to report suspected child abuse or neglect commits a Class A misdemeanor which is punishable by up to 1 year in jail and/or a fine of up to \$4,000.

(Tex. Family Code §§ 261.101-109)

## Alcohol and Drugs

It is the policy of the HSC to promote a safe, healthy and productive learning and working environment free from the influences of drugs and alcohol. As a health science center, HSC is responsible for the management of public health and well-being. HSC must set an example to ensure the safety, health, and welfare of its employees, students, and the citizens which it serves, by taking the appropriate steps for maintaining a drug-free workplace as mandated by State and Federal governments.

The abuse of alcohol and other drugs by members of the University community is incompatible with the goals of our academic institution and HSC has policies in place addressing both. HSC policies prohibit and HSC PD enforce laws regarding the unlawful distribution, possession, use, or illegal sale of alcoholic beverages, controlled substances and illegal drugs on campus.

HSC is concerned with the academic success of students and offering a safe work environment to faculty and staff members. Substance abuse programs have been developed at HSC in order to ensure alcohol and other drugs do not interfere with the goals of the student or staff/faculty member. These programs offered at HSC are designed to:

- Publish and enforce policies for employees and students to promote an educational environment free from the abuse of alcohol, illicit or other drugs;
- Educate the campus community about the health risks associated with the abuse of alcohol and other drugs;
- Provide confidential, effective assistance to students and employees who seek help for substance abuse problems; and
- Create a campus environment that promotes and reinforces healthy lifestyles and responsible decision making.

## Drug Free Workplace

### **Drug Free Workplace (Grantees Other Than Individuals)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605, and 85.610, the institution certifies that it will or will continue to provide a drug-free workplace by:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's



- workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- B. Establishing an on-going drug-free awareness program to inform employees about:
    - a. The dangers of drug abuse in the workplace;
    - b. The institution's policy of maintaining a drug-free workplace;
    - c. Any available drug counseling, rehabilitation, and employee assistance programs and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
  - C. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
  - D. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
    - a. Abide by the terms of the statement, and
    - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than 5 calendar days after such conviction;
  - E. Notifying the agency, in writing, within 10 calendar days after receiving notice under this subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S. W. (Room 3124, GSA Regional Office Building No. 3), Washington, D.C. 20202-5140. Notice shall include the identification number(s) of each affected grant;
  - F. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:
    - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1972, as amended; or
    - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;
  - G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

**Drug Free Workplace (Grantees Who Are Individuals)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605, and 85.610:

1. As a condition of the grant, the Institution certifies that it will not engage in the unlawful manufacture, distribution, possession, or use of a controlled substance in conducting any activity with the grant; and
2. If any officer or owner of the Institution is convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, the Institution will report the conviction, in writing, within 10 calendar days of the conviction to: Director, Grants and Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No. 3), Washington, D.C. 20202-5140. Notice shall include the identification number(s) of each affected grant.

## Alcohol Policies

HSC policies prohibit and HSC PD enforce laws regarding the illegal possession, use, and illegal sale of alcoholic beverages and enforces Texas underage drinking laws. The legal drinking age in Texas is 21. The University has established specific policies for drinking on campus:

- Individuals under the age of 21 may not use, sell, or possess alcoholic beverages in or on any property under the control or jurisdiction of HSC.
- Alcoholic beverages may not be served, consumed, sold, or possessed by persons of legal drinking age in or on any property under the control or jurisdiction of the University except at specific locations, times, and under conditions designated by the University.
- Employees may not use, sell, or possess alcoholic beverages while on active duty and are prohibited from working while intoxicated.

In regard to alcohol, the Student Code of Conduct & Civility states that grounds for disciplinary action could occur when there is conduct that adversely affects the HSC community, including public intoxication; driving under the influence; driving while intoxicated; and use, possession, illegal sale, or distribution of alcoholic beverages, except as expressly permitted by law and HSC policy. The Drug-Free Workplace Policy (05.508) states that “the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance and the abuse of alcohol in the workplace is expressly prohibited.”

## Drugs and Inhalants

Students and employees may not use, possess, sell, manufacture, or distribute illegal drugs, inhalants, or controlled substances (narcotics or dangerous drugs), be in possession of drug paraphernalia, or misuse any legal drug or other substance in or on University owned or controlled property or as a part of any University sponsored activity. HSC PD enforces both federal and Texas state laws pertaining to the illegal possession, use and sale of illicit drugs.

Employees are prohibited from the unlawful possession, use, sale, or distribution of illegal drugs on all HSC property and as part of any official HSC activity under the HSC Drug Free Workplace Policy (05.508). The Student Code of Conduct & Civility outlines the University’s policies for students relating to drugs and the process used to resolve alleged violations of those policies.

## Penalties

**Students:** Penalties that may be imposed for conduct related to the unlawful use, possession, or distribution of drugs or alcohol are: probation, payment for damage to or misappropriation of property, loss of rights or privileges, suspension for a specified period of time, expulsion, or such other penalty as may be deemed appropriate under the circumstances. Students are advised that cumulative offenses will be cause for more serious consequences, including but not limited to suspension or expulsion.

**Employees:** The unlawful manufacturing, distribution, dispensing, possession or use of a controlled substance and the abuse of alcohol in the workplace is expressly prohibited. Penalties for violations of HSC policies range from mandatory participation in a drug abuse assistance or rehabilitation program to dismissal.

Information regarding alcohol and drug violations can be found in the following policies: Drug Free Workplace (05.508), Drug and Alcohol Testing (05.509), and Performance Counseling and Discipline (05.901).

The possession, consumption, sale, or use of alcohol and drugs on University premises (except as authorized by the University) is defined as a major violation of HSC's policy, Performance Counseling and Discipline (05.901) and is prohibited.

Individual students, employees, and organizations violating University policies or engaging in conduct that is prohibited by state, federal, or local law are subject to discipline under the provisions of policies stated in the HSC Student Code of Conduct & Civility and other HSC policies, as applicable. In addition, University officials may refer any evidence of illegal activities to the proper local, state, or federal authorities for review and potential prosecution.

## **Federal Penalties**

### **Penalties under Federal Law**

Federal law prohibits the manufacture, distribution, or dispensing, or possession with intent to manufacture, distribute, or dispense, a controlled substance. The following summarizes selected provisions of federal laws which provide criminal and civil penalties for unlawful possession or distribution of drugs. See [https://www.dea.gov/sites/default/files/2018-06/drug\\_of\\_abuse.pdf#page=30](https://www.dea.gov/sites/default/files/2018-06/drug_of_abuse.pdf#page=30) for updated information.

#### **Federal Penalties and Sanctions for Illegal Possession of Controlled Substances**

21 U.S.C. 844(a) Simple Possession: 1st Conviction: Up to one-year imprisonment, or fined at least \$1,000, or both. After one prior drug conviction: At least 15 days in prison, not to exceed 2 years; or fined at least \$2,500; or both. After two or more prior drug convictions: At least 90 days in prison, not to exceed 3 years; or fined at least \$5,000; or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years; or fined at least \$1,000; or both, if: 1st conviction and the amount of crack possessed exceeds 5 grams; 2nd crack conviction and the amount of crack possessed exceeds 3 grams; 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

Special sentencing provisions for possession of flunitrazepam: Imprisonment for not more than 3 years; fines as provided in other 844(a) convictions; and upon conviction, a person who violates this subsection shall be fined the reasonable costs of the investigation and prosecution of the offense.

21 U.S.C. 881(a)(4) Criminal Forfeiture: Forfeiture of vehicles, boats, aircraft or any other conveyance which are used, or are intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance or the raw materials, products, or equipment used to manufacture the controlled substance.

21 U.S.C. 844a Civil Penalty for Possession of Small Amount of Certain Controlled Substances: Any individual who knowingly possesses a controlled substance that is a personal use amount shall be liable for a fine up to \$10,000.

21 U.S.C. 862 Denial of Benefits: Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second

and subsequent offenses for possession of controlled substances. Increased penalties apply if convicted for drug trafficking.

Note: These are only federal penalties and sanctions. Additional local penalties and sanctions may apply.

Federal Trafficking Penalties: Updated information about federal drug trafficking penalties for most drugs can be found at the following website: [https://www.dea.gov/sites/default/files/2018-06/drug\\_of\\_abuse.pdf#page%3D30](https://www.dea.gov/sites/default/files/2018-06/drug_of_abuse.pdf#page%3D30). Information about federal drug trafficking penalties for marijuana, hashish, and hash oil can be found on the same website.

The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$8 million if an individual and \$20 million if other than an individual.

### **Health Risks Associated with the Use of Drugs and Alcohol**

Specific serious health risks are associated with the use of alcohol and illicit drugs. Some of the major risks are listed below.

#### Alcohol and Other Depressants (barbiturates, sedatives, and tranquilizers)

Addiction, accidents as a result of impaired ability and judgments, alcohol poisoning, overdose when used with other depressants, damage to a developing fetus, heart and liver damage.

#### Marijuana

Impaired short-term memory, thinking, and physical coordination. Can cause panic reaction and increase the risk of lung cancer and emphysema. Can interfere with judgment, attention span, concentration, and overall intellectual performance. Impairs driving ability. May cause psychological dependence and compromise the immune system.

#### Cocaine

Addiction, cardiovascular system damage including heart attack, brain damage, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants, such as speed and uppers.

#### Nicotine

Tobacco smoke contains thousands of chemical compounds, many of which are known to cause cancer. Nicotine, which is a central nervous system stimulant, produces an increase in heart and respiration rates, blood pressure, adrenaline production, metabolism and compromises the immune system. People can rapidly become physically and psychologically dependent on tobacco.

#### Inhalants

Inhalants are a diverse group of chemicals that easily evaporate and can cause intoxication when their vapors are inhaled. Most inhalants are central nervous system depressants. The use of these drugs slows down many body functions. High doses can cause severe breathing failure and sudden death. Chronic abuse of some of these chemicals can lead to irreversible liver damage and other health problems.

#### Heroin and Other Opiates

These drugs usually are taken intravenously. "Designer" drugs similar to opiates include fentanyl, Demerol and "china white." Addiction and dependence develop rapidly. Use is characterized by impaired judgment, slurred speech and drowsiness. Overdose is manifested by coma, shock and

depressed respiration, with the possibility of death from respiratory arrest. Withdrawal problems include sweating, diarrhea, fever, insomnia, irritability, nausea and vomiting, and muscle and joint pains.

#### Prescription Drug Abuse

Adverse reactions, dependency, withdrawal, and overdose.

## **Alcohol and Drug Counseling and Treatment Resources**

Every student and staff member should read and become familiar with the policies on alcohol and other drugs. Students, faculty and staff can access all HSC policies and all student policies at <https://app.unthsc.edu/policies>.

**Student Support Program (SSP)** - Professional counseling and psychiatric care for students is available through the SSP. The SSP provides support for anxiety, stress, depression, anger management, drug or alcohol abuse, abusive relationships, home/life/school/work balance, and housing/financial/legal assistance. The SSP is a twenty-four hour/seven days a week phone and on-line service available to students at 866-743-7732 or [us.myissp.com](http://us.myissp.com).

**Employee Assistance Program (EAP)** The EAP is designed to aid employees in managing daily responsibilities, life events, work stresses or issues affecting quality of life. Confidential services are provided at no cost to employees and their benefits eligible dependents including assessments, referrals and short-term problem resolution, by calling a toll-free number of available 24 hours a day, 7 days a week at (855) 784-1806.

In addition to the toll-free number, the EAP has established GuidanceResources Online, an online database housing over 1500 tip sheets, resources, interactive tools, prevention guides and self-assessments geared towards assisting employees with various work and personal issues, with substance abuse and treatments as one of the main areas of focus.

Solution-focused counseling is short-term in nature and focuses on solutions rather than problems. Counselors work with the client to develop an action plan and can help employees and their families with challenges that may affect their personal lives, relationships, job performance, and work behavior. Referrals to external resources are also provided to employees and their family members if issues expand beyond the scope of the EAP.

The EAP offers trainings geared towards addressing the topic of substance abuse. The course, "Addiction Resource Guide" is designed to increase employees' knowledge of the problems associated with alcohol and drug abuse in the workplace, as well as to assist in identifying the signs and symptoms of substance abuse.

Employees of HSC with health insurance benefits may have coverage for assistance with drug or alcohol related problems and should check with the health insurance provider for the specifics, if any, included in their policy.

A brochure, *Illicit Drugs and Alcohol Abuse*, is also distributed through the Human Resources website at <https://www.unthsc.edu/administrative/human-resource-services/drug-free-workplace/>.

[Drug-Free Schools and Communities Act \(DFSCA\)](https://www.unthsc.edu/care-and-civility/wp-content/uploads/sites/48/DAAPP-Biennial-Report-2022.pdf) is intended to combat substance abuse on college campuses through methods of punishment, rehabilitation, and prevention. This act requires institutions of higher education to establish policies that address unlawful possession, use, or distribution of alcohol and illicit drugs. The DFSCA also requires the establishment of a drug and alcohol prevention program, and can be found at <https://www.unthsc.edu/care-and-civility/wp-content/uploads/sites/48/DAAPP-Biennial-Report-2022.pdf>.

## Drug and Alcohol Abuse Prevention

The Drug Free Schools and Campuses Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFSCA) of 1989 requires institutions of higher education to certify it has adopted and implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs both by students and employees both on its premises and as a part of any of its activities. At a minimum, each institution of higher education must annually distribute the following to all students and employees:

- A written statement about its standards of conduct that prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees;
- A written description of the legal sanctions imposed under university, local, state, and federal laws for the unlawful possession or distribution of illicit drugs and alcohol;
- A written description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- A written description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to employees or students; and
- A statement that the institution of higher education will impose disciplinary sanctions on students and employees and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of standards of conduct.

The law further requires that institutions conduct a biennial review of its program with the following objectives:

- Assess the effectiveness of the drug and alcohol abuse prevention programs;
- Evaluate the consistency of sanctions imposed for violations of its disciplinary standards and codes of conduct related to drugs and alcohol;
- Identify areas requiring improvement or modification; and
- Produce a report of biennial review findings.

## Penalties Under Texas Law

Manufacture or delivery of controlled substances (drugs): Minimum jail term up to 2 years and a fine up to \$10,000; Maximum imprisonment for life and a fine up to \$250,000

Possession of controlled substances (drugs): Minimum jail term not more than 180 days and a fine up to \$2,000 or both; Maximum imprisonment for life and a fine up to \$250,000

Delivery of marijuana: Minimum jail term not more than 180 days and a fine up to \$2,000 or both; Maximum imprisonment for life and a fine up to \$100,000

Possession of marijuana: Minimum jail term not more than 180 days and a fine up to \$2,000 or both; Maximum imprisonment for life and a fine up to \$50,000

Driving while intoxicated (includes intoxication from alcohol, drugs, or both): Minimum license suspension of at least 60 days; Maximum jail term not more than 180 days and a fine up to \$2,000 or imprisonment up to 10 years and a fine up to \$10,000

Public intoxication: Minimum fine not to exceed \$500; Maximum varies with age and number of offenses

Purchase of alcohol by a minor: Minimum fine not to exceed \$500; Maximum varies with number of offenses or at least 8 hours of community service and 30-day license suspension

Consumption or possession of alcohol by a minor: Minimum fine not to exceed \$500; Maximum varies with number of offenses or at least 8 hours of community service and 30-day license suspension; Mandatory Alcohol-Awareness classes

Providing alcohol to a minor: Minimum fine not to exceed \$4,000 or confinement in jail for not more than one year, or both; if binge drinking involved, driver's license suspension for 180 days, 20-40 hours of community service, and alcohol awareness classes

## University Resources

Care Team	(817) 735-2740 or <a href="mailto:CareTeam@unthsc.edu">CareTeam@unthsc.edu</a>
Division of Student & Academic Affairs	(817) 735-2505
Title IX Coordinator, Kory Levingston	(817) 735-2594 or <a href="mailto:kory.levingston@unthsc.edu">kory.levingston@unthsc.edu</a>
Student Health Clinic	(817) 735-5051
Student Support Program/LifeWorks	(866) 743-7732
HSC Human Resources	(817) 735-2690 or <a href="mailto:HSC.HR@untsystem.edu">HSC.HR@untsystem.edu</a>
Employee Assistance Program	(855) 784-1806

HSC cares about our students' success, not only academically, but emotionally and physically. Because of our commitment, we provide services across campus that responds to our students' unique needs. But sometimes, students do not ask for help when they need it. Through the creation of a collaborative interdisciplinary team, the University will provide a caring, confidential program of identification, intervention and response in order to provide students with the greatest chance for success and the university community with the greatest level of protection.

### **The mission of the HSC Care Team is to:**

Contribute to healthier communities by assisting in promoting the health, safety, and well-being of the HSC community.

## Crime Reporting

### Definitions Used in Collection of Crime Statistics

**Clery Crimes include:** aggravated assault; arson; burglary; dating violence; domestic violence; drug abuse violations; liquor law violations; motor vehicle theft; murder and non-negligent manslaughter; negligent manslaughter; robbery; stalking; sex offenses; hate crimes; and weapons (carrying, possessing, etc.)

- **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.
- **Assault, Aggravated:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- **Assault, Simple:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft.
- **Campus Security Authority:** “CSA” means an individual with responsibility for campus safety and security. This includes campus police, individuals who are responsible for monitoring buildings or university grounds or with similar security responsibilities who are not part of campus police; individuals or organizations who are specifically identified to receive reports of criminal offenses; and university officials with significant responsibility for student and campus activities, including but not limited to student discipline and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a CSA when acting as a pastoral or professional counselor.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement with consideration of the length of the relationship; type of relationship; and the frequency of interaction between the persons involved in the relationship. Includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
- **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 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.
- **Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrest for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.



- **Fondling:** Touching of private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or mental capacity.
- **Hate Crimes:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Larceny-Theft (Except Motor Vehicle Theft):** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included but embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- **Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.
- **Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Motor Vehicle Theft:** Theft or attempted theft of a motor vehicle.
- **Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Includes any gender or victim or perpetrator.
- **Robbery:** 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.
- **Sex Offenses:** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
- **Sexual Assault:** The intentional or knowing penetration, no matter how slight, of the sex organ or anus with any body part or object, or oral sex, without the person's consent. May also be referred to as rape.
- **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. 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. A 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.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.
- **Weapons Law Violations: (carrying, possessing, etc.):** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

**Hate Crimes include:** race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability.

- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.
- **Ethnicity:** A preformed negative opinion or attitude toward a group of persons whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often a shared religion) and/or ideology that stresses common ancestry.
- **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender nonconforming individuals.
- **National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Race:** A preformed negative opinion or attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

**Crimes evaluated for bias for inclusion in hate crime statistics:** Murder and non-negligent manslaughter, sex offenses including rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property.

## Definitions of Geography

- **Clery Geography:** Includes on campus, public property, and non-campus.
- **Non-campus Building or Property:** Any building or property owned or controlled by a student organization recognized by the University; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, HSC's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the University.
- **On Campus:** Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the University and used by the University in direct support of, or in a manner related to, the University's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the geographic area of the University that is owned by the University but controlled by another person, is frequently used by students, and supports institutional purposes.
- **Public Property:** All public property that is within the same reasonably contiguous geographic area of the University, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the University if the facility is used by the University in direct support of, or in a manner related to the University's educational purposes.

A map indicating the boundaries can be found at <http://www.unthsc.edu/police/> and is on pages 78-79 (Appendix A).

### HSC's Crime Statistics 2019-2021

Offense (Criminal)	Year	On Campus	Non-Campus	Public Property	Total
Murder/Non-Negligent Manslaughter	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Rape	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Fondling	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Incest	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Statutory Rape	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Robbery	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Aggravated Assault	2020	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

Burglary	2021	1	0	0	1
	2020	1	0	0	1
	2019	3	1	0	4
Motor Vehicle Theft	2021	1	0	0	1
	2020	0	0	0	0
	2019	0	0	0	0
Arson	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

<b>Offense</b>					
<b>(Arrests &amp; Disciplinary Referrals)</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Total</b>
Arrests: Weapons Law	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Disciplinary Referrals: Weapons Law	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Arrests: Drug Law	2021	0	0	0	0
	2020	0	0	0	0
	2019	1	1	3	5
Disciplinary Referrals: Drug Law	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Arrests: Liquor Law	2021	0	0	0	0
	2020	0	0	0	0

	2019	0	0	0	0
Disciplinary Referrals: Liquor Law	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

Offense (VAWA)	Year	On Campus	Non-Campus	Public Property	Total
Domestic Violence	2021	0	0	0	0
	2020	1	0	0	1
	2019	0	0	0	0
Dating Violence	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Stalking	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

\*The chart includes statistics from outside law enforcement agencies. \*\*HSC does not have any on-campus housing facilities.

**Hate Crimes:** No hate crimes were reported for 2019,2020, or 2021 within the Clery geography. The definitions for hate crime bias categories are listed on pages 73-74.

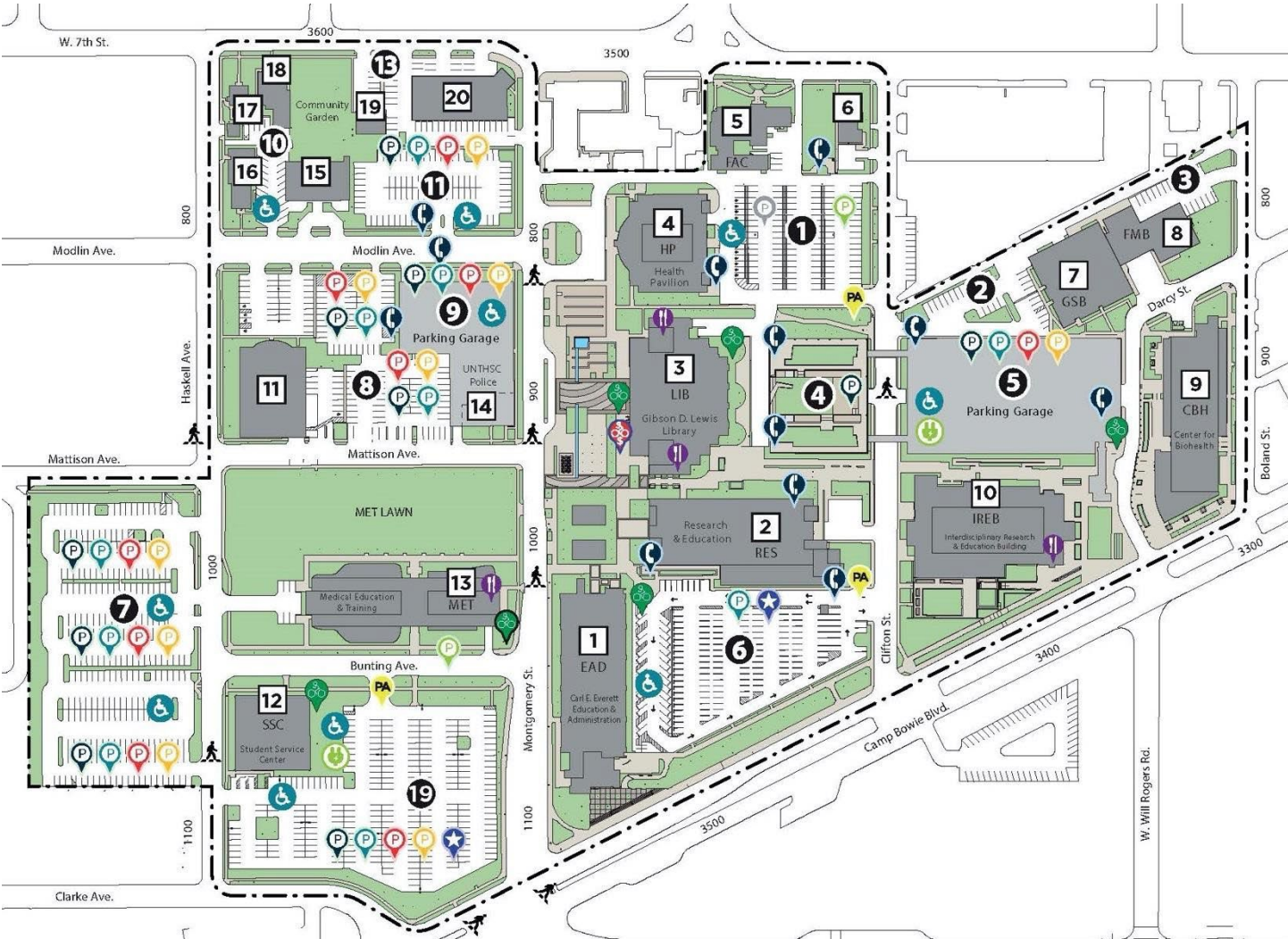
**Unfounded Crimes:** No unfounded crimes were reported for 2019,2020, or 2021. Unfounded Crimes can only be determined by Law Enforcement.

HSC PD maintains a daily crime log, which contains information about crimes that are reported to HSC PD. The crime log is accessible online at <https://www.unthsc.edu/links/index.php/crime> or in person at HSC PD during normal business hours.

To request a copy of this report, please contact the Division of Student & Academic Affairs at (817) 7352505, [studaffr@unthsc.edu](mailto:studaffr@unthsc.edu); or at Student Service Center 220.

# APPENDIX A: HSC Clery Map

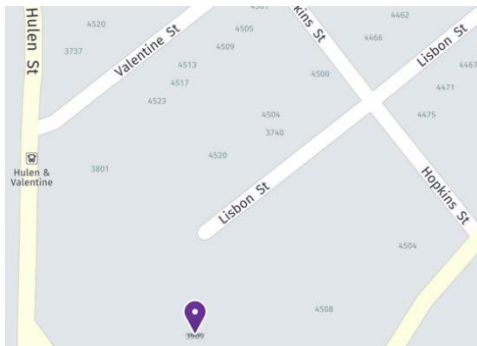
HSC Main Campus: 3500 Camp Bowie Blvd., Fort Worth, TX 76107



### HSC Remote Locations

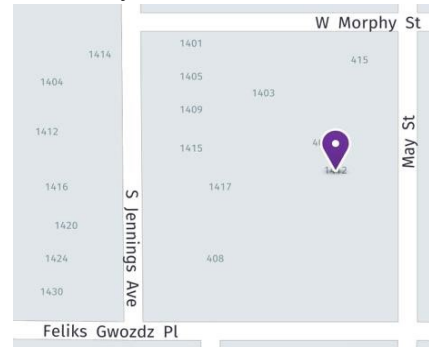
#### HSC Bailey Avenue

550 Bailey Avenue Fort Worth, TX 76107



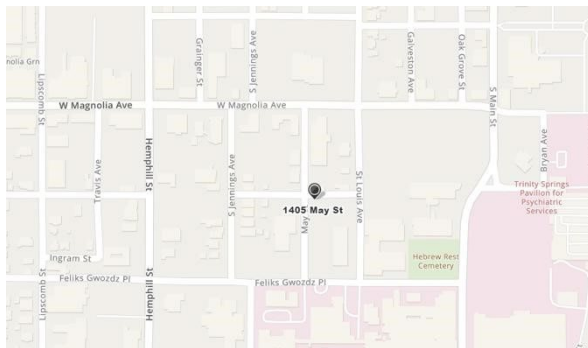
#### HSC May Street

1412 May Street, Fort Worth, TX 76104



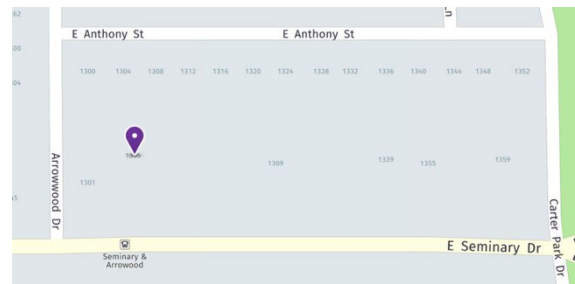
#### HSC May Street

1405 May Street, Fort Worth, TX 76104



#### HSC Health Seminary Clinic

1305 E Seminary Drive, Fort Worth, TX 76115



## Student Consumer Information – HSC

The Higher Education Opportunity Act of 2008 (HEOA) requires that postsecondary institutions participating in federal student aid programs make certain disclosures to students. This information is disclosed to you as a student at HSC in compliance with federal law. For additional information, including requesting a paper copy of any materials, please visit <https://www.unthsc.edu/students/student-consumer-information/>

### **Division of Student & Academic Affairs**

Physical Address: Student Service Center, Suite 220

Mailing Address: 1051 Haskell Avenue, Fort Worth, TX 76107

(817) 735-2505 (phone); (817) 735-0448 (fax) <https://www.unthsc.edu/students/>

### **HSC Police Department**

3600 Mattison Drive, Fort Worth, TX 76107

(817) 735-2600 (emergency); (817) 735-2210 (non-emergency) <https://www.unthsc.edu/police>