Annual Security Report
And Fire Safety Report
2015
(2012-2014)

Prepared by
The University of Texas at Dallas Police
800 W. Campbell Rd.
Richardson, TX 75080
972-883-2222
www.utdallas.edu/police

INTRODUCTION
The University of Texas at Dallas Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the police agencies surrounding each of our campuses, University Housing, Student Judicial Affairs, the Division of Student Affairs and Counseling Services. Each entity provides updated information on their educational efforts and programs to comply with the Act. Except where noted, policies indicated in this annual security report apply to all campuses that comprise the University of Texas at Dallas.

This report includes statistics for the previous three years (2012-2014) concerning reported crimes that occurred on campus, in certain off-campus buildings owned or controlled by UT Dallas and on any public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. You can obtain a copy of this report by contacting 972-883-2222 or by accessing our web site at www.utdallas.edu/police

**Law Enforcement Authority/Other Police Agencies**

UT Dallas Police Department employs both commissioned Police Officers and non-commissioned Public Safety Officers.

UT Dallas Police Officers are vested with full law enforcement and arrest powers under the Texas Code of Criminal Procedure and Section 51.203, Texas Education Code. Officers must meet training requirements mandated by the Texas Commission on Law Enforcement; their police authority extends throughout Dallas and Collin Counties.

Public Safety Officers (PSO) are non-sworn uniformed civilian personnel. These civilian officers perform non-emergency contact functions for the department, thereby increasing the availability of sworn enforcement personnel. These functions include performing directed foot patrols, assisting with facility access, directing traffic where needed, abandoned vehicle calls, perform personnel and property escorts, provide security at certain University events, and provide vehicle assists such as battery jumps or door unlocks. PSO's also serve in fixed post security positions in key buildings on the campus. Public Safety Officers do not have the authority to arrest except as provided for citizens as outlined in the Texas Penal Code.

All criminal incidents within their jurisdiction are investigated by UT Dallas police officers. A cooperative relationship is maintained with local municipal police agencies and county sheriff’s departments as well as the Texas Department of Public Safety and Texas Rangers. A specific Interlocal Agreement between the City of Richardson and the University of Texas at Dallas defines joint jurisdiction and shared resources arrangements for police assistance, jail services, and court services. Interagency cooperation includes training programs, special events, coordination and investigation of serious incidents. Cases are filed with both the Dallas County and Collin County District Attorney offices, depending on the violation location. Information may also be given to the Dean of Students for action involving students.

*The University requests that all crimes or suspected crimes occurring on campus be reported to the UT Dallas Police Department as soon as possible.*

The Archer Center
The Archer Center is located at 1750 Pennsylvania Ave. Suite 900, Washington D.C. The main phone number is 202-955-9091. Selection of participants in Archer programs is based on a competitive application process, and each cohort of Archer Fellows is comprised of the best and brightest students from across the UT System. UT Dallas is the administrative entity for the Archer Center. At the Archer Center, all criminal incidents will be investigated by the Metropolitan Police D.C. (MPDC). The University of Texas at Dallas Police and Metropolitan Police D.C. agencies maintain a cooperative relationship. This cooperation includes sharing of information, coordination and investigation of serious incidents. Cases will be filed by the appropriate Metropolitan Police District Station. The Archer Center and Archer Housing in located in the MPDC District 1. Information may also be given to the Dean of Students for action involving students.

The University requests that all crimes or suspected crimes occurring at the Archer Center, and student housing to be reported to the UT Dallas Police Department as soon as possible; after a report is made to the local Metropolitan Police D.C.

The Callier Center for Communications Disorders (Dallas Campus)

The Callier Center is located at 1966 Inwood Road, Dallas, Texas. All criminal incidents will be investigated by the Dallas Police Department. The University of Texas at Dallas and the Dallas Police Department maintain a cooperative relationship which included information sharing and investigation of serious incidents. Cases may be filed by either jurisdiction. Information may also be given to the Dean of Students for action involving UT Dallas students.

The University requests that all crimes or suspected crimes occurring at Callier Dallas to be reported to the UT Dallas Police Department as soon as possible; after a report is made to the Dallas Police Department.

The Center for Brain Health

The Center for Brain Health is located at 2200 W. Mockingbird Lane, Dallas, Texas. All criminal incidents will be investigated by the Dallas Police Department. The University of Texas at Dallas and the Dallas Police Department maintain a cooperative relationship which included information sharing and investigation of serious incidents. Cases may be filed by either jurisdiction. Information may also be given to the Dean of Students for action involving UT Dallas students.

The University requests that all crimes or suspected crimes occurring at the Center for Brain Health to be reported to the UT Dallas Police Department as soon as possible; after a report is made to the Dallas Police Department.

The Center for Vital Longevity

The Center for Vital Longevity is located at 1600 Viceroy, Suite 800, Dallas, Texas. All criminal incidents will be investigated by the Dallas Police Department. The University of Texas at Dallas and the Dallas Police Department maintain a cooperative relationship which included information sharing and investigation of serious incidents. Cases may be filed by either jurisdiction. Information may also be given to the Dean of Students for action involving UT Dallas students.

The University requests that all crimes or suspected crimes occurring at the Center for Vital Longevity to be reported to the UT Dallas Police Department as soon as possible; after a report is made to the Dallas Police Department.

Access to Campus Facilities
Most campus buildings and facilities are accessible to members of the campus community and their guests and visitors during normal business hours, Monday through Friday, and for limited hours on the weekends (this excludes most holidays). Students have access to the buildings during all scheduled class sessions including laboratory, library study and research periods.

**Buildings Without Electronic After Hours Access**

After normal business hours, including weekends and holidays, all campus buildings are considered closed and secured. Normal business hours may differ from building to building. Faculty and Staff needing entry must present their UT Dallas ID to the officer prior to gaining access to a building. Students desiring to enter a building after hours must have **prior written approval** by the Department Head.

**Buildings With Electronic After Hours Access**

Some buildings have doors that are equipped with the electronic card access system, any employee or students requiring after-hours entry on a regular basis should fill out a Building Access Authorization form to request access on the UT Dallas electronic forms website [http://www.utdallas.edu/forms/](http://www.utdallas.edu/forms/). Malfunctions should be reported immediately to the UT Dallas Police Department (972.883.2222) or to Facilities Management (972.883.2141).

**University Village Apartments:**

Each individual apartment has a front door equipped with a mechanical lock. Security surveys are conducted often to evaluate exterior lighting and grounds. Any malfunctions or safety concerns should be reported to the Housing Director for that complex immediately. UT Dallas Police also report any safety or security concerns to the maintenance department of the apartment complex. UTD Police assist with nightly securing of common areas (club houses) at the apartment complexes on campus.

**University Residence Halls (University Commons)**

The front and rear double doors of the University Residence Halls are open from 8am-12 midnight every day. Access is restricted after hours to residents or University Officials with proper electronic key card access rights. Visitors are required to check in at the information desk located in the lobby and are required to be escorted by a resident of that Residence Hall to their destination. Visitors are allowed up until midnight during the week and on weekends up to 2am.

**The Archer Center**

Access to the UT System Office of Federal Relations and the Archer Center is granted to Archer Fellows as follows:

6PM-9:30PM Monday and Tuesday evenings. Students must check in with the security desk downstairs to gain access to the elevator, which requires a key fob to operate. The security desk has a face book of all Archer Fellows for proper identification. Archer Fellows are given an electronic access code to enter the Archer Center/Office of Federal Relations suite. Students must be chaperoned by an Archer Center employee or professor when in the office after hours or on weekends.

**Archer Intern Housing**
Archer interns are housed in properties managed by the Washington Intern Housing Network. The property is a high rise condominium that is protected by fencing and electronically locking gates that offer restricted access for the residents. There is also a 24 hour concierge and CCTV security cameras in the public and common areas of the property.

Callier Center for Communications Disorders

www.utdallas.edu/calliercenter

The Callier Center is located at 1966 Inwood Road, Dallas, Texas. The center is open from 7:00 AM to 6:00 PM, Monday through Friday. There is UT Dallas Public Safety Officer (PSO) coverage from 5:00 AM to 8:30 PM Monday through Friday. There is PSO coverage On Saturday from 7:30 AM to 5:30 PM. The weekend PSO coverage is being suspended effective September 1, 2015 as a result of new electronically controlled access installation that now allows authorized personnel keycard access on weekend. The main number for the center is 214-905-3003 or 972-905-3000. The PSO station can be reached at 972-883-3020.

The Center for Brain Health

The website for the Center for Brain Health is www.brainhealth.utdallas.edu. The center is located at 2200 W. Mockingbird Lane, Dallas, Texas. The main phone number is 214-905-3007. The number to reach the PSO is 972-883-3222. Access into the center is made through a gate using an electronic keycard. The center is open from 8:00 AM to 5:00 PM, Monday through Friday. There is some research that goes on after hours. There is PSO coverage from 6:00 AM to 8:30 PM, Monday through Friday.

The Center for Vital Longevity

Access to the Center for Vital Longevity is strictly controlled through elevator access controls. Electronic key cards are issued to specific personnel assigned to the Center. All entries are recorded electronically, visitors are accepted by appointment.

Maintenance of Campus Facilities

Campus facilities, lighting and grounds are maintained so as to reduce hazardous conditions. Officers routinely report the need for replacement lights and other physical hazards they observe. Malfunctioning lights and other unsafe conditions are reported to the Facilities Management Department for repair or correction on a daily basis. Facilities Management can be reached by calling 972-883-2141.

Reporting Crimes or Other Emergencies

All university community members and guests of the University are encouraged to report suspected criminal activity to the police as soon as possible. Fires, health emergencies, crimes and violations of University policies and procedures should be reported to the UT Dallas Police department either in person or by telephone by dialing 911 or 972-883-2222. Conspicuously placed, lighted emergency call boxes with direct lines to the UT Dallas Police Department are located throughout campus to facilitate reporting. There are fourteen emergency call boxes within the academic parts of campus, two at the West-tech Building, one at the Center for Brain Health Dallas Campus, and thirty emergency call boxes within the university housing areas. There are call boxes on every floor of all parking structures as well. In addition, many elevators in academic buildings are equipped with intercoms that connect directly with the UT Dallas Police Dispatch Center.

911 Services
Through an Interlocal Agreement, 911 calls originating from the main UT Dallas campus are answered by the Richardson Police Department’s Communications Center which operates a designated Public Safety Answering Point (PSAP) in accordance with the laws of the State of Texas. Calls are screened initially by Richardson to determine the need for a fire or EMS response. Once it is determined the call is for police services on the UT Dallas campus, the call is transferred to the UT Dallas Communications sub PSAP. This is a rapid and direct screen and transfer process.

**UT Dallas-EMERGENCY: POLICE/FIRE*/MEDICAL**

- 911
- For TDD Service (800)-735-2989

**NON-EMERGENCY-UT Dallas**

- UT Dallas Police Dispatch 972-883-2222
- Criminal Investigations Division 972-883-2572
- Crime Prevention Office 972-883-4322
- Callier Security Guard Office 214-905-3020
- Dean of Students/Residential Life 972-883-6391

*The Richardson Fire Department provides emergency fire and medical services to the campus.*

The Archer Center-Washington D.C.

**NON-EMERGENCY – Metropolitan Police Washington D.C.**

[www.mpdc.dc.gov](http://www.mpdc.dc.gov)

- General Information 311
- Victim Specialists Unit 202.724.4339

**First District Station**

415 4th Street, SW  
Washington, DC 20024  
Phone: (202) 698-0555  
Fax: (202) 727-4026

**First District Substation**

500 E Street, SE  
Washington, DC  
Phone: (202) 698-0068  
Fax: (202) 727-4028

311 is a **NON EMERGENCY** toll-free number that allows people in the District to Columbia to request city services and handle police matters that do not require police to respond to a location.

You should call 311 to request city services and information. In addition, you should use 311 to request general information from the Police Department.
Call 311 or 202.737.4404 (for city services and police matters that do not require police to respond to a location)

- Property crimes **no longer in progress**, such as vandalism, thefts, graffiti, stolen autos and garage burglaries
- **Abandoned autos**
- Illegally parked vehicles, **vehicles blocking driveways**
- **Minor vehicle crashes** with no injuries or traffic tie-ups
- **MPD** phone numbers and addresses
- **All other city services**, such as Public Works, Motor Vehicles, Human Services, and the Mayor’s Office
- **Trash pickup** problems
- **City agency phone numbers**, addresses and hours of operations

**Reporting Crimes to other University Officials**

The **Clery Act** also mandates that institutions must disclose statistics both for crimes reported to local Police agencies and crimes reported to campus security authorities. Campus Security Authorities include the following:

An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, the following areas:

- Vice President for Student Affairs
- Dean of Students
- Director of Residential Life
- All head coaches and assistant coaches for all areas in the Athletic Department
- All associate athletic directors
- Peer Advisors
- Student Organization Advisors

An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution

The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many people, students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals. Over 400 individuals on the UT Dallas campus have been identified as CSA’s and have received CSA training through the Office of Compliance.

Examples of individuals who DO NOT meet the criteria for being campus security authorities include a faculty member who does not have any responsibility for student and campus activity beyond the classroom, clerical staff, custodians and maintenance personnel and cafeteria staff. A pastoral or professional counselor on campus does not have significant responsibility for student and campus activity and are exempt from reporting crimes to the campus police. However, physicians and nurses of the UT Dallas Health Center who treat a victim of a violent crime that occurred on the campus or a facility, under the control of the university, must disclose the reported crime to the university police. They are not required to release the names of victims/patients.

All campus officials, counselors, faculty and staff are encouraged to report all crimes event if not required to do so. The UT Dallas Police Department understands the confidential nature of certain campus officials and will
respect the confidentiality of all information obtained for statistical reporting purposes. Only general information, such as general location, type of crime and date of crime are needed to report crime statistics. Complete reporting by all university members will assist in providing a secure campus environment.

Campus Security Authorities are identified annually and receive annual compliance training as a Campus Security Authority.

**Responsibilities of Campus Security Authorities**

Because of the law’s complex reporting requirements, the most reasonable and effective way to manage the reporting is as follows: If Campus Security Authorities observe any crime listed below, or if any person reveals to a Campus Security Authority, in good faith, that he/she learned of or were the victim of, perpetrator of, or witness to any crime listed below, the Campus Security Authority must immediately notify the UT Dallas Police Department.

Campus Security Authorities can report Clery crimes on the “CSA Report Form” found on the Public Information page of the UT Dallas Police Department web page.

Crimes that should be reported are:

- Murder and non-negligent manslaughter
- Negligent manslaughter
- Sex Offenses*
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Domestic Violence*
- Stalking*
- Dating Violence*
- All hate crimes
- All liquor, drug or weapons law violations resulting in an arrest

*Crimes added for 2014 by the Violence Against Women Act. See definitions at the end of this report.

**Silent Witness Program**
Silent Witness is provided as a service to you. We understand there are times when citizens may wish to provide information to the Police about criminal activity and remain anonymous. Providing for a safe community requires a partnership and a commitment from both Law Enforcement and the communities which they serve. We ask you to help us to serve and protect your community by reporting criminal activity. Please read the following considerations before submitting the form.

- **DO NOT use Silent Witness to report crimes in progress.**
  There may be a delay before an investigator is able to follow up on information provided.
- **For crimes in progress or an incident requiring immediate police response, dial 911 or call UTD Police Communications at 972-883-2222.**
- **It is a violation of the law to make a false report to a law enforcement agency, (Texas Penal Code 42.06), punishable by a fine of up to $4,000 and/or up to one year in jail.**

The Silent Witness Program may be accessed through the following link:


**UT Dallas Missing Person Policy**

**Policy:**
The purpose of this policy is to establish procedures for the University’s response to reports of missing students as required by the Higher Education Opportunity Act of 2008.

This policy applies to students who reside in on-campus housing. For purposes of this policy, a student may be considered a "missing person" when he or she is absent from the University for more than 24 hours without any known reason. A student may also be deemed missing when his/her absence is contrary to his/her usual pattern of behavior and/or unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, or has been with persons who may endanger the student’s welfare.

All residential students will have the opportunity to designate a confidential contact to be notified by the University no more than 24 hours after the student is determined missing. Instructions will be provided on how to register that person’s contact information. All reports of missing students shall be directed to the UT Dallas Police Department, which shall investigate each report and make a determination about whether the student is missing. NOTE: If a missing student is under the age of 18, and is not emancipated, the University will contact the designated confidential contact, but is also required to contact the legal guardian or parent.

[http://www.utdallas.edu/housing/docs/missingstudent.pdf](http://www.utdallas.edu/housing/docs/missingstudent.pdf)

**Procedures for designation of emergency contact information:**

Residential students will be given the opportunity to designate an individual or individuals to be contacted by the University no more than 24 hours after the time that the student is determined to be missing. Student notification of this policy and contact designation procedures will be:

- Included on the UT Dallas residential life/housing Web site
- Discussed during new student orientations and mandatory housing meetings at the beginning of each semester
- Sent to students via University e-mail each semester

**Official notification procedures:**
• Any individual on campus who has information that a residential student may be a missing person must notify the UT Dallas Police Department as soon as possible.
• The UTDPD will gather all essential information about the residential student from the reporting person and from the student's acquaintances. Appropriate campus staff will be notified to aid in the search for the student.
• If the student cannot be located, no later than 24 hours after determining that the residential student is missing, the Dean of Students will notify the confidential contact (for students 18 and over and emancipated minors) and/or the parent/guardian (for students under the age of 18).

**Emergency Alerts**

**The following is Section 51.218 of the Texas Education Code:**

Sec. 51.218. EMERGENCY ALERT SYSTEM. (a) In this section, "institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003.

(b) Each institution of higher education and private or independent institution of higher education shall establish an emergency alert system for the institution's students and staff, including faculty. The emergency alert system must use e-mail or telephone notifications in addition to any other alert method the institution considers appropriate to provide timely notification of emergencies affecting the institution or its students and staff.

(c) At the time a student initially enrolls or registers for courses or a staff member begins employment, the institution shall:

1. obtain a personal telephone number or e-mail address from the student or staff member to be used to notify the individual in the event of an emergency; and
2. register the student or staff member in the institution's emergency alert system.

(d) A student or staff member may elect not to participate in an emergency alert system established under this section. An election under this subsection may be submitted electronically or in writing, as chosen by the institution, and must be renewed at the start of each academic year.

(e) The personal identifying information obtained from an individual for the purpose of the emergency alert system of an institution of higher education, including an e-mail address or telephone number, is confidential and not subject to disclosure under Section 552.021, Government Code.

**The following is UT System Police Policy 813**

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<td>Emergency Notifications and Timely Warnings</td>
<td>813</td>
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<tr>
<td>Effective Date</td>
<td>Revision Date</td>
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<td>May 25, 2012</td>
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I. **PURPOSE**

The purpose of this policy is to ensure the timely dissemination of information in emergency situations or situations in which there is an imminent or continued threat to the safety of the campus community. When members of the campus community have prompt information about threats to their safety, they can make informed decisions about protecting themselves. To that end, each institution police department shall be authorized to craft and publish emergency notifications and timely warnings without first seeking approval from entities outside the department.
This policy is also intended to provide the parameters and guidelines for the relationship between the Chiefs of Police and their institution Presidents during emergency situations and the operational philosophy to be employed in the wake of such emergency situations.

II. POLICY

A. When a threatening or dangerous situation is reported to the Department, the Chief of Police or designee will coordinate a timely review of the circumstances surrounding the situation to determine if the incident represents a continuing threat to the safety of students and employees that would merit an emergency notification or timely warning.

1. Emergency Notifications are triggered by incidents that represent a continuing dangerous or life threatening situation. These situations include, but are not limited to:
   a) significant weather events such as tornadoes, flooding or large hail
   b) safety hazards such as fire, gas leaks, chemical spills or explosions
   c) crimes such as:
      (1) Murder
      (2) Sex Offenses
      (3) Kidnapping
      (4) Robbery
      (5) Aggravated Assault
      (6) Arson
      (7) Any offense involving use of a deadly weapon
      (8) Bomb Threats
      (9) Civil unrest or rioting
      (10) natural disasters such as earthquakes
      (11) the outbreak of a serious illness

2. Timely Warnings are triggered when an institution determines that a crime for which it must report Clery statistics has occurred and the crime presents a serious or continuing threat to students and employees. These crimes may include:
   a) criminal homicide (murder, non-negligent manslaughter and negligent manslaughter)
   b) sex offense (forcible or non-forcible)
   c) aggravated assault
   d) burglary
   e) motor vehicle theft
   f) arson
   g) hate crimes involving any of the above or theft, simple assault, intimidation or destruction/damage/vandalism of property
   h) possession of weapons
   i) drug abuse and liquor law violations

Note: Refer to the Clery Act definitions of these crimes as they may differ from the definitions and elements found in the Texas Penal Code, the Uniform Crime Report or National Incident Based Reporting System.

B. If the reviewer determines that the incident represents a continuing or imminent threat to the campus community, the Chief of Police or designee shall draft, approve and disseminate safety warnings and notifications. This determination should be made by authorities with appropriate training and experience, not by personnel without emergency response expertise. Notifications shall be made by using any or all of the following methods, depending upon what is most appropriate:
   1. A press release distributed to local media organizations;
   2. A public safety warning message disseminated to the campus via mass email, mass text message, and/or mass messaging on social media sites;
   3. A crime bulletin posted on the Department’s web site;
   4. Warnings posted adjacent to the entrances to all campus buildings;
   5. Messages broadcast to the public via speaker systems.
   6. Warning sirens
C. If the decision is made to disseminate an emergency notification or timely warning, coordination with other University departments is encouraged. However, the Chief of Police, or designee, shall not be bound to consult with other departments if doing so would cause a delay that could put members of the community at risk. The key factor is the safety of the community, and each institution's procedures must ensure that emergency notifications will be issued without delay.

D. Emergency notifications and timely warnings should be made with the Clery Act in mind. The process for determining the content of the notifications and actually initiating the notification system must also be disclosed in an emergency response and evacuation procedures policy statement in the Annual Security Report. The institution must disclose whether or not it uses a single office or position or a consultation process.

E. A copy of all notifications or warnings shall be retained for post incident review.

F. The time expended in order to authorize, prepare and disseminate emergency messages shall be as brief as possible—time is of the essence; every effort should be made to have a template prepared for every conceivable emergency to reduce messaging time; decision-making processes at the institution must be as truncated as possible to ensure no time is lost; the Chief of Police will directly and personally notify the institution President of the evolving emergency; the Chief of Police or the senior police commander on duty has the authority to make decisions on the institution’s response to the emergency; the institution President may upgrade the response but may not downgrade the response; decisions must always err on the side of caution and ensuring the safety of students and staff.

G. Regular exercises including table tops, simulations, modeling and full field drills shall be held/sponsored/coordinated by the institution police departments; at least one full field exercise involving the campus community shall be held at least annually (based on calendar year) as directed by the police department.

III. DEFINITIONS

A. Emergency Notification – Under the Clery Act, each institution is required to immediately notify the campus community 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. Notifications are to be issued without delay upon confirmation of the emergency by responsible authorities pre-identified by the institution in their annual Clery Act reports. Emergencies may be localized, therefore notifications may be tailored exclusively to the segment of the campus at risk.

Emergencies where issuing a notification would compromise efforts to assist a victim, contain the emergency, respond to the emergency or mitigate the emergency aren't subject to the emergency notification requirement.

B. Timely Warning - Timely warnings are triggered when an institution determines that a crime for which it must report Clery statistics presents a serious or continuing threat to students and employees. Because the nature of criminal threats often is not limited to a single location, timely warnings must be issued in a manner likely to reach the entire campus community. The Clery Act requires the issuance of warnings in a manner that is timely and that will aid in the prevention of similar crimes. The intent of a warning is to enable people to protect themselves so the warning should be issued as soon as the pertinent information is available. Even if all of the facts surrounding a criminal incident or incidents are not necessarily available, a warning should be issued. Follow up messages with additional information should be issued as more information becomes available. The warning should include all information that would promote safety and that would aid in the prevention of similar crimes.

Crimes that would otherwise be reportable but are reported to a licensed mental health counselor or pastoral counselor — in the context of a privileged (confidential) communication — are not subject to the timely warning requirement.
In the event that a situation arises, either on or off campus, that in the judgment of the Chief of Police, constitutes an ongoing threat, a campus wide “timely warning” will be issued. All Timely Warnings are issued through the university campus e-mail system to students, faculty, and staff.

Emergency Notifications – UT Dallas

Depending on the particular circumstances, especially in all situations that could pose an immediate threat to the community and individuals, the University will issue an Emergency Notification via the UTD ALERT program. Immediate threats could be weather related or other natural disaster, hazardous leak or spill, criminal activity or terrorist activity. UTD ALERT is an opt-out auto enrollment program that sends instant text messages to all students, faculty, and staff with cell phones. The highest ranking police officer on duty at the time of the emergency has the authority to have an Emergency Notification issued as well as which campus group(s) should be notified. The UT Dallas Police Communications Operators are responsible for inputting and sending the actual alert. In addition, an email with the same emergency message is sent to all via UT Dallas email addresses. (Also see “Communicating During an Emergency”)

The Comprehensive Emergency Management Plan (CEMP)

UT Dallas Office of Emergency Management maintains a Comprehensive Emergency Management Plan (CEMP) that meets local, state, and federal standards. The CEMP describes the protocols, resources, response partners, and organizational structure to sustain an all-hazards approach and response on campus. The CEMP is designed to obtain the swiftest, specialized emergency assistance for the protection of life and property at all UT Dallas campuses. The effectiveness of emergency and disaster response plans depends on high skill levels among all those who will execute the plans. This requires training and exercise, both within the University community and with external response partners.

Training

UT Dallas voluntarily complies with federal standards of responder training. The Office of Emergency Management provides essential personnel with specialized training that encompasses their emergency response roles and responsibilities.

Exercising

The Office of Emergency Management tests the CEMP and Standard Operating Procedures (SOP's) in three ways—

- **Drills**: The Office of Emergency Management provides support in fire drills every week. Fire drills are on a rotating schedule and each building will be tested at least once a year.
- **Exercises**: Exercises test the CEMP with internal and external stakeholders and identifies gaps and lessons learned in the plan. Once the exercise is over, the plan is reviewed and edited to reflect any issues or resolutions that may have occurred in the specific exercise.
- **Actual Events**: When an unplanned incident such as severe weather or power outages occur, the CEMP is activated and essential personnel are tested by the way they respond to the incident.

UT Dallas has an ongoing commitment to provide information that students, faculty, and staff may need to help make their campus safe, and to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The UT Dallas Police are responsible for gathering information from all campus authorities and local law enforcement agencies when compiling the statistics for the annual report. The report is released to the community every year by October 1st via campus wide e-mail sent from the Chief of Police. A copy of the security report may also be downloaded via the UT Dallas Police website, [www.utdallas.edu/police](http://www.utdallas.edu/police).

**Monitoring and Recording Criminal Activity**

The UT Dallas Police Department tracks and records index crimes occurring on **ALL** UT Dallas campuses and in those areas contiguous to the main campus where many students live and frequently access.

In addition, index crimes occurring on **Non-campus** buildings or property owned or controlled by student organizations that are recognized by the university are tracked and recorded. Non-campus buildings or property owned or controlled by the university that are used in direct support of, or in relation to the University’s educational purposes, are frequently used by students, and are not in the same reasonable contiguous geographic area of the University. This includes Callier-Dallas and Center for Brain Health, both located in Dallas and the Archer Center located in Washington, D.C.

**Off-Campus Criminal Activity**

UT Dallas Police does not track or monitor law enforcement proceedings against students for offenses that occur off campus other than by collecting the required statistics on crimes that occur at specified off-campus locations as required by the Clery Act. The UT Dallas Police Department does assist area police departments on incidents upon their request.

**Security Awareness & Crime Prevention**

Security awareness and crime prevention programs are based upon a dual concept of eliminating or minimizing criminal opportunities whenever possible and encouraging students, faculty and staff to share the responsibility for their own safety and for others. Below is a list of the current Crime Prevention and Security Awareness projects and services provided by the UT Dallas Police Department:

1. Crime Awareness programs, including personal and property safety topics are presented by the police department every semester upon request. Many programs are often a team effort between the police and various departments within Student Affairs. Organizations can request programs to be presented to their organization. Please email the police department [police@utdallas.edu](mailto:police@utdallas.edu) to make a request. Our Crime Prevention PSO regularly conduct security assessments, general crime prevention presentations, personal safety presentations, and regular crime prevention tips through Facebook and UTD TV. Crime prevention cards were left on unattended property such as laptops, backpacks, or electronic tablets. There were 33 awareness programs in 2014 covering alcohol, drugs, sexual assault and personal safety.

2. Crime prevention brochures and other printed materials are presented during each registration and orientation session. Crime awareness and crime prevention articles are also available upon request.
3. An electronic security alarm system located at the UT Dallas Police Department 911 Communications Center monitors a comprehensive network of intrusion detection and duress alarm systems. Panic alarms were tested 176 times in 2014.

4. **Operation Identification**: the engraving of serial numbers or owner recognized numbers on items of value and the cataloging of items. Tools are available for checkout at the Police Department and Crime Prevention Office.

5. **Building Security Surveys**: Ongoing comprehensive security surveys of exterior building lighting, exterior doors, security access, video surveillance, and grounds are conducted by facilities management and police employees. There were 7 security surveys performed in 2014.

6. **Lighting Surveys**: Ongoing comprehensive lighting surveys of the entire campus including walkways, parking lots, sidewalks, etc. is conducted using a Greenlee digital light meter. Results are forwarded to Facilities Management for outage and/or deficiency correction. A comprehensive lighting survey was performed on all campus areas with the exception of the residential areas in 2014. New outdoor lighting is being replaced on all the campus malls as the campus landscape project continues.

7. **Maintenance and Repairs**: The Police Department, Environmental Health and Safety Office, and Facilities Management Office are watchful for safety and security considerations in campus maintenance. Inspections of campus facilities by Facilities Management personnel are made regularly so repairs affecting safety or security can be made. Concerns regarding potential safety and security hazards may be reported to any of these groups, as well the Police Department at (972)-883-2222.

8. **Emergency Call boxes**: Emergency call boxes (Blue Phones) located on campus are bronze in color with a blue light above which illuminates at dusk. Call boxes located in parking garages and on walls of some buildings are silver boxes with blue lights. The call boxes located at University Residential areas are blue in color. They are strategically located on the UTD campus and the apartments and are designed for emergency situations. These call boxes are connected directly to the UT Dallas Police Communications Center and have a button to push for service. When the call box is activated an officer is dispatched to the location immediately. The call boxes were tested 50 times in 2014.

9. **Lost & Found**: The UT Dallas Police Department maintains the University’s Lost & Found. If you find an item on campus, please bring it to the Police Department and turn it into an employee of the department. If you have lost an item you can check with Lost & Found by coming to the Police Department or call 972-883-2222. Lost & Found hours of operation are Mon-Fri 7:30am-4:30pm.

10. **Vehicle Assists**: Vehicle assistance is offered to individuals who need a battery jump, or have locked their keys inside their vehicle if the vehicle is not equipped with power locks. To request assistance call 972-883-2222, give your name, vehicle information and location and assistance will be dispatched to your location. There were 885 vehicle/motorist assists in 2014.

11. **Safe Walk Campus Escorts**: Personal safety escorts are available upon request 24 hours a day. To request an escort call 972-883-2222. Give your name and nearest exit door to your location. An officer, PSO, student patrol will meet you at the building and walk you to any area on campus. There were 508 safe walk escorts in 2014.

12. **Student Patrol**: Student patrol is a paid position with the Police Department and they act as extra eyes and ears for the officers. Some of the services they provide are walking escorts and performing other support services roles that do not require a commissioned officer.
13. **Project Exodus**: As an expanded part of our night time Student Patrol Program, the Student Patrol Officers are issued 12” flashing LED wands, reflective vests, and police radios. Exodus personnel station themselves at strategic pathway points between class buildings and parking lots and serve as active security points for students, faculty, and staff walking at night to parking lots. They are highly visible and are trained in police radio communications.

14. **R.A.D. Rape Aggression Defense**: UT Dallas Police participate as a sponsor in the R.A.D. program, offering self-defense training to female students, faculty and staff. UT Dallas Police now offer similar classes for men starting in September 2015. These classes occur several times a semester and are announced via UTD email.

15. **B.A.I.T Behavior Assessment and Intervention Team**: The Behavior Assessment and Intervention Team reviews behavioral incidents and ensures a systematic response to students whose behavior may be disruptive or harmful to themselves or the UT Dallas community and assists in protecting health, safety, and welfare of students and other members of the UT Dallas community. UT Dallas BAIT is comprised of staff personnel from the Police Department, Dean of Students, Student Affairs, Student Counseling and the Dean of Undergraduate Studies.

**Drug and Alcohol Policy**

The University of Texas at Dallas complies with the Federal Drug Free Schools and Communities Act Amendment of 1989 and the Drug Free Work Place Act of 1988. The statement provided below represents the UT Dallas policy with regard to the abuse and/or distribution of alcohol, drugs and chemicals by students, faculty and staff.

1. The illegal possession or use of alcohol, drugs or chemicals on any property under the control of UT Dallas is expressly prohibited.
2. Alcoholic beverages on UT Dallas property are permissible only with prior written Presidential approval for specific events.
3. These standards of conduct apply to all students, faculty and staff of UT Dallas.

The use of alcoholic beverages must be in compliance with Texas State Law and is strictly limited to persons 21 years of age or older. The possession, transportation, and/or consumption of alcohol by individuals less than 21 years of age are strictly prohibited. University Police officers enforce laws regulating the use of alcoholic beverages and underage drinking with arrests, court appearance citations and/or referral to the Office of the Dean of Students.

The University will administer sanctions, at a minimum, for violations of the Student Code of Conduct related to alcohol and drugs; however based on the severity of the infraction, as determined by the hearing officer, the University reserves the right to impose any other penalty as deemed appropriate under the circumstances and in accordance with Title V of the UT Dallas Handbook of Operating Procedures which may be accessed through the following link: [http://www.utdallas.edu/deanofstudents/titlev/](http://www.utdallas.edu/deanofstudents/titlev/)

Sanctions administered for violations of the drug and alcohol policy could include: admonition (written reprimand), probation, suspension to expulsion.

Warning and disciplinary probation may include conditions related to the offense, such as counseling, alcohol and drug education, unpaid work assignments etc.
Suspension of rights and privileges is based upon severity of the infraction as determined by the hearing officer and may include, but is not limited to, prohibition from participation in extracurricular activities, living in campus housing, working on campus, etc.

See Title V, Chapter 49, Section 49.26 for complete nature of disciplinary penalties and Subchapter F for student standards of conduct. This may be accessed through the following link: http://www.utdallas.edu/deanofstudents/titlev/

**Drug and Alcohol Education & Information**

**Students:** UT Dallas Student Wellness Center offers a variety of programs on drug and alcohol education. The University Police assists with these programs as needed. In addition, the Wellness Center provides assessment programs for students. In an effort to help students reduce behaviors that could lead to physical and emotional harm and/or legal and University trouble, the Student Wellness Center offers a confidential, 20-minute alcohol assessment session. By answering a few questions, students can be provided with personalized feedback regarding their alcohol use and potential risks that come with it.

**Employees:** The Employee Assistance Program (EAP) is a confidential source for assessment, problem identification, and referral for a broad range of problems including alcohol and drug abuse. The University provides this confidential service to all benefit eligible faculty, staff and their dependents free of cost. Contact the EAP at 214-648-5330 or 800-386-9156

**On Campus Help**

Alcohol and other drug assistance is available in the form of counseling, assessment, screening and education. Contacting any of the departments below will give you a safe and guided first step in receiving help for yourself or a friend. Know that each department works together to make sure the UT Dallas community receives the most appropriate and effective care possible. In addition, these offices are staffed by professionals who offer a variety of therapeutic services at no charge. All services and records are held confidential in compliance with state and federal laws.

**Assessment**

The following places are for students to go on main campus for an assessment of alcohol and other drug problems or concerns. Individual interviews and tests may be used to assist in determining the nature and extent of substance abuse problems.

- UT Dallas Student Counseling Center 972-883-2575 Student Services Building 4.600
- UT Dallas Women’s Center 972-883-6555 Student Services Building 4.300
- UT Dallas Student Health Center 972-883-2747 Student Services Building 4.700
- UT Dallas Student Wellness Center 972-883-4275 Student Services Building 4.500

**Counseling**
Alcohol and drug counseling is also provided on main campus. Assistance in helping a friend who has an alcohol or drug problem can also be obtained from the Student Counseling Center and Women’s Center.

More service options for students and the community can be found in the resources section which may be accessed through the following link:

http://www.utdallas.edu/counseling/drugs/

**Sexual Assault Policy**

It is the policy of the university to strive to maintain an environment that is free from intimidation and inappropriate sexual conduct. In particular, the university will not tolerate any form of sexual assault, including, but not limited to, acquaintance rape, date rape, sodomy, sexual assault with an object, fondling or any other form of non-consensual sexual activity.

If accused in a sexual offense reported to the UT Dallas Police Department is a UTD student, the case will be referred to the Dean of Students for review of the allegations. The victim and the accused are entitled to the same opportunities to have others present during campus disciplinary hearings. Both the victim and the accused shall be informed of the outcome of any campus disciplinary proceedings. Sanctions may include probation, suspension and/or expulsion. For more detailed information please refer to the UT Dallas Student Code of Conduct, Section 49.25.

[http://policy.utdallas.edu/utdsp5003](http://policy.utdallas.edu/utdsp5003)

**How to file a Sexual Assault Complaint**

The University of Texas at Dallas encourages any person who is the victim of a forcible or non-forcible sexual offense to immediately report the incident to the UT Dallas Police Department. When hesitant to notify the police, victims are encouraged to notify the Office of the Dean of Students, university residential life personnel. Other university personnel, which may be contacted, are the Student Health Center, the Women’s Center and the Student Counseling Center. If the assault occurred outside the UT Dallas campus, the local police department where the assault occurred should be called. UT Dallas personnel will assist in contacting the local police department if the assault occurred off campus if requested by the victim.

There is no requirement to notify law enforcement authorities of a sexual offense; however, the university encourages all victims to do so, university personnel will assist in notifying the university police to report a sexual offense. UT Dallas Police should be notified as soon as possible. The victim should not bathe, douche, or change clothes after the assault in order to preserve evidence necessary for the proof of criminal sexual assault. If needed, contact one of the above mentioned resources, or a support person for assistance.

UT Dallas Police will handle all cases that occur on campus. If transportation is needed to obtain a medical examination, the university police department will arrange for transportation to the hospital. For the protection of the victim, a pseudonym (fictitious name) may be used in the reporting process.

When a student reports that the campus regulation prohibiting sexual assault has been violated, informal procedures that provide for the protection of the emotional health and physical safety of the complainant may be invoked. For example, a student who lives on campus may be moved to another campus living environment if he or she chooses and if accommodations are reasonably available.
Similarly, a complainant may be allowed to make changes in his or her class schedule. Such arrangements will be made through the Office of the Dean of Students. If the complainant provides credible evidence that the accused student has engaged in prohibited sexual assault, the dean may take interim disciplinary action against the accused student as appropriate.

All cases reported to the police department are investigated as criminal acts according to the Texas Penal Code. Criminal investigations are independent of any Code of Conduct violations being investigated by the Dean of Student’s Office. The police department notifies the Dean of Students of any reported sexual assault. In turn, sexual assaults reported to sources on campus other than the police department are required to advise the victim to contact the police. When a victim refuses to report the assault to the police, the source must notify the police department using the “Crime Incident Reporting Form” located on the Public Information page of the police department web page.

Sexual assaults of any nature may also be reported to the UT Dallas Title IX Coordinator, James Dockery, 972-883-2292.

**Sexual Assault Educational Resources**

The below resources are available to provide support services for anyone affected by any form of sexual assault. Students who may have been assaulted by someone who is not affiliated with the university may also contact any of the available university support services. Educational and preventive programs that address the issue of sexual assault are available along with brochures and other materials.

**Sexual Assault Recovery**

UT Dallas provides confidential help for students who have experienced sexual violence. Students may visit the Student Counseling Center in Room 4.600 of the Student Services Building during business hours to schedule a sexual assault consultation or counseling appointment.

**Consultation**

Consultations are available for support and information, as a student decides what to do next after a recent assault.

Consultations for an assault that occurred within the last five days will be seen as soon as possible. Other assault consultations will be scheduled within one week of contact with the Student Counseling Center. If a student is in crisis, the student should inform a staff member at the front desk of the center.

**Counseling**

Counseling is available to help survivors work through any feelings they may have following a sexual assault. Counseling for all assaults will follow the SCC procedure to be scheduled for the next available appointment. For more information, call 972 883-2575.

**Emergency After Hours**

For sexual assault emergencies after business hours, please call the 24-hour rape crisis hotline at 972-641-7273. You will be connected with a sexual assault advocate from the Dallas Area Rape Crisis Center. If you are in Collin County, you may choose to call the Turning Point hotline at 800-886-RAPE. If you are in danger or need immediate medical attention, call 911.
Student Counseling Center 972-883-2575
http://www.utdallas.edu/counseling
Individual and group counseling

24 Hour Hotline (Sponsored by Dallas Area Rape Crisis Center) 972-641-7273

Educational Programs

Student Health Center 972-883-2747
http://www.utdallas.edu/healthcenter
Testing for sexually transmitted diseases after an assault

Student Wellness Center 972-883-4275
http://www.utdallas.edu/studentwellness/
Educational & prevention information
Presentations upon request
Sexual assault prevention information
Date rape prevention presented to all new members of Greek organizations

UT Dallas Police Department 972-883-2331
http://www.utdallas.edu/police
Crime prevention presentations related to sexual assault
R.A.D. Rape Aggression Defense Program
Campus Safety Escort service
Crime statistics information

Residential Life/Housing 972-883-6391
http://www.utdallas.edu/housing
Peer Advisor training on issues related to sexual assault
On-site educational programs and Individual and group support and follow-up

Off Campus Resources

Collin County
The Turning Point 1-800-886-7273
www.theturningpoint.org

Dallas County
The Family Place 214-941-1991
www.familyplace.org
Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act (also known as the Wetterling Act) is a federal law enacted on October 28, 2000. That provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.

This act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in the act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders and requires the United States Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.

UT Dallas Police Policy on Sexual Assault Investigation

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NUMBER: 11.2.7  EFFECTIVE DATE: January 1, 2004

ACCREDITATION STANDARDS: UT SYSTEM REFERENCE

CHIEF OF POLICE

PURPOSE
To support sexual assault victims in obtaining physical and emotional assistance and to establish procedures for the officer’s initial contact with sexual assault victims.

POLICY
It is the policy of this Department to investigate all reports of sexual assault occurring on this campus with sensitivity and respect for the victim in accordance with guidelines established in the Texas Penal Code, Texas Code of Criminal Procedure and the Collin and Dallas County District Attorney’s Offices.

PROCEDURE
I. Human Relations Issue
   A. The officer should attempt to gain the victim’s confidence and establish a relationship of trust with the victim and his/her family.

   1. Officers must treat the victim with compassion, consideration, understanding and patience while collecting necessary evidence and asking pertinent questions.

   2. When talking to the victim, the officer must attempt to use language appropriate to the victim’s age, intelligence and emotional condition.

   3. Officers will use medical terms when referring to various parts of the body avoiding all slang.

   4. Officer must not ask any questions which are irrelevant to the investigation.

   5. During the course of investigation, officers must not express to the victim any personal opinion as to whether or not a sex offense has been committed.
6. During the course of investigation, officers will under no circumstances undertake to perform a physical examination of sexual assault victim.

7. An officer dispatched to a hospital or doctor’s office to investigate the offense will leave the room during the physical examination of the sexual assault victim.

8. If the victim requests to speak to a female officer, every effort will be made to accommodate the request.

B. Initial Police Contact With The Sexual Assault Victim

1. A preliminary interview with the victim is necessary so that the responding officer can relay information that may be vital to the apprehension of the offender.

2. When possible, the victim will be interviewed at UTD PD in a quiet, non-threatening environment where minimal interruptions can occur.

3. The victim’s needs should be provided where minimal whenever possible, to include refreshments.

4. The responding officer should obtain the following information necessary to complete the original offense report:

   a. specific offense committed, including a description of what happened and the elements of the crime(s).

   b. when and where the sexual assault took place,

   c. the extent of the injuries sustained by the victim,

   d. the identity or description of the offender(s), if known,

   e. where the offender(s) live and/or work, if known,

   f. the direction in which the offender(s) fled the scene and by what means, including a description of any vehicle.

   g. names, addresses, phone numbers of witnesses and another person who can contact the victim,

   h. Victim’s home, work and third person contact phone number and address.

5. The officer assigned to respond to a sexual assault complaint is responsible for the preliminary investigation and should contact the shift supervisor, who will contact the Patrol Commander.

6. If the victim is in need of immediate medical attention, the officer will summon emergency medical service (EMS) and administer first-aid.

7. Evidence collected at the crime scene (bed linens, weapons, victim’s clothing) will be collected in accordance with appropriate procedures established by UTD PD Standard Operating Procedures 22 and 23.

8. Preliminary questioning of the victim is conducted by one or no more than two officers who should speak to the victim privately, away from all other witnesses or onlookers.

9. The victim should be asked to undergo a sexual assault kit examination by a physician at a local
hospital, which may provide the following:

a. important evidence necessary for the investigation

b. medical treatment which the victim may require for possible pregnancy, disease or injury

c. successful prosecution of the offender

d. the cost of the medical examination is not paid by the victim, if it is conducted at the hospital.

10. If 120 or more hours (5 days) have transpired between the time of the sexual assault and the reporting time, the victim is encouraged to seek medical attention from his/her private physician.

11. If the victim insists that the initial medical examination be performed by his/her private physician, an attempt is made to persuade the victim to have the examination performed at a local hospital emergency room.

12. If the victim agrees to have the medical examination at the hospital, the officer will immediately notify the hospital and the victim will be transported by EMS, if necessary.

13. The officer will accompany the victim to the hospital and following the examination, if possible, will return the victim to UTD PD for further questioning.

14. At the hospital, the officer should provide the staff with any available information about the sexual assault which may assist in the examination and evidence collection procedures.

15. The officer will provide the hospital staff with the UTD PD case number. If a number is not available at the time the victim is brought in for the examination, the officer will notify the hospital as soon as a case number is available and provide that number to hospital staff.

16. The hospital evidence custodian will release the sexual assault kit which will entered in to evidence per SOP 22 and 23.

17. The officer must include the name of the attending physician in the report.

18. The officer should obtain a signed Release of Medical Information Form from the hospital and include it with the case package when the case is presented to the district attorney.
C. Emergency Notification

1. The UTD PD administration will be contacted in accordance to Standard Operating Procedure 14.1.1. Notification.

2. The Office of Student Affairs will be notified immediately in all cases of sexual assault of a student.

D. Follow-up Procedures

1. The detective assigned to investigate the sexual assault case will have the case from assignment until close of the investigation.

2. If the victim requests to speak to a female officer, every effort will be made to provide one for the victim. The victim may have a friend or parent present (only one of the victim’s choice) during the oral interview, as moral support. The friend or parent should not speak or answer questions for the victim.

3. The detective shall provide the victim with a sexual assault packet consisting of resources and benefits available.

E. Comprehensive Follow-up Procedures

1. The detective will arrange for a comprehensive interview with the victim. At this time a written statement will be obtained from the victim.

2. The detective, the victim, and a friend or parent (only one of the victims’ choice) will be present during the interview. The friend or parent should not speak or answer for the victim.

3. The detective will explain to the victim that some of the questions asked during the interview may seem embarrassing or even insulting, but they are necessary to:
   a. Help uncover the identity and/or modus operandi of the offender, and;
   b. Help prepare the victim for questioning by defense counsel in court.

4. The detective will always present questions in a manner that encourages conversation rather than implies interrogation.

5. The detective will explain the judicial process to the victim in detail with regard to what will occur following the arrest and prosecution of the case through the district attorney’s office.

Revised 7/24/08

The Discipline Process and Rights of Students:

The Policy on Student Discipline, Code of Conduct, the Disciplinary Process and Rights of Students is attached to this Report.
Bystander Intervention – Comet Voice

What is Bystander Intervention?

Bystander intervention means recognizing a potentially harmful situation and choosing to respond in a way that could positively influence the outcome.

Steps to Intervention

1. **Recognize** the potential harm
2. **Choose** to respond
3. **Take action**

Barriers to Intervention

**Bystander effect** is a social phenomenon where a large group of individuals witnessing a violent act are less likely to intervene. Other barriers include:

- Diffusion of responsibility: “I’m sure someone else will do something, so I don’t need to.”
- Displacement of responsibility: “I’m not responsible, it’s someone else’s problem.”
- Pluralistic ignorance: “No one else thinks this is a problem, so it’s not a big deal.”
- Fear of retaliation: “I’m afraid of what will happen to me if I do anything.”
- Fear of negative attention: “I’ll be embarrassed if I do anything.”

What is a Harmful Situation?

A harmful situation is anything that constitutes a negative physical, mental, social or emotional response affecting a community, a group of individuals or a single person.

Examples of Harmful Situations

- Sexual assault
- Dating/relationship violence
- High-risk drinking
- Drug use/abuse
- Hazing
- Physical fights
- Mental health concerns
- Suicidal threats
- Stalking
- Hate speech
- Harassment
- Bias incidents
Forms of Intervention

**Direct action** is an approach to intervening that requires articulation or expression of concern with the situation.

- Ask questions/get clarity.
- Create a distraction.
- Talk/address directly.

**Indirect action**, also known as a ‘detour’ approach, involves less visible forms of intervening.

- Get other people involved.
- Call 911 or the UTD Police (972-883-2222).
- Report behaviors to the Behavior Assessment and Intervention Team (BAIT).
- Report on-campus crimes or crimes involving/among UT Dallas students that happened off-campus to Campus Security Authorities CSA’s)
- Call attention to the situation to those around you who may be able to help.

Registered sex offender information may be found at:

Texas Department of Public Safety:  [https://records.txdps.state.tx.us/DPS_WEB/SorNew/index.aspx](https://records.txdps.state.tx.us/DPS_WEB/SorNew/index.aspx)


City of Dallas:  [http://www.ci.dallas.tx.us/dpd/sexoffendersrequest.htm](http://www.ci.dallas.tx.us/dpd/sexoffendersrequest.htm)

**Emergency Management Planning**

The University has developed a plan that addresses the emergency management system for extraordinary situations that are likely to have a catastrophic effect on the normal functioning of the University and the surrounding area. The Emergency Operation Plan has been developed to respond to the needs of the University during a disaster and will be placed into operation by the President of The University of Texas at Dallas when an incident reaches proportions beyond the capacity of routine procedures.

This plan establishes policies, procedures, and an organizational structure that will guide the campus in any emergency situation. Further, as appropriate, building managers must formulate their own action plans and disaster operations checklists that will be used to complement the Emergency Operation Plan.

An “Emergency and Disaster” pamphlet is provided for all members of the community. This pamphlet outlines procedures that should be followed during emergencies including, but not limited to tornado warnings, bomb threats, floods, and terrorist attacks. This pamphlet is available by contacting the UT Dallas Office of Emergency Management (972.883.2420) or the UT Dallas Police Department.
Communicating During an Emergency

Outdoor Warning System

Outdoor warning sirens are used to warn the public of an approaching hazard, one of them being to warn against a potential threat or natural disaster in the immediate area.

The University of Texas at Dallas has installed an outdoor warning system (OWS) as an additional method to warn the campus of impending or current dangerous situations. This is in addition to the City of Richardson's sirens, one of which is located on the UTD campus. The system has siren and voice capability. We will test the system the first Wednesday of each month at noon to ensure the system is functioning properly and so the campus community becomes familiar with the sound and recognizes and pays attention to the voice messages.

Indoor Warning System

The UT Dallas campus utilizes a Simplex Fire Alert System in buildings throughout the main campus. Twenty of the most centrally located and heavily utilized buildings on the main campus are connected through a central alert panel located in the UT Dallas Police Dispatch Center. This panel can be accessed by police personnel to make emergency announcements and notifications to any or all of those buildings simultaneously. This system is utilized to activate pre-recorded announcements or ad hoc announcements for specific incidents on campus.

UTD Alert Text Messaging

The UT Dallas campus provides service for emergency alert text messaging through UTD Alert. The University of Texas at Dallas utilizes Roam Secure Alert Network (RSAN) which can be quickly implemented to send messages simultaneously to multiple media, including SMS text and email notification.

Students, faculty and staff are automatically signed up for UTD Alert, the University's text messaging system, by entering or by updating their cell phone numbers in the University's information system. UTD Alert is an "opt-out" program.

When circumstances alter normal campus operations or affect safety, the University will use the cell phone numbers to send text alerts. Cell phone numbers are protected by applicable privacy laws and will not be sold or rented by the University or its vendors. Standard messaging rates may apply.

Students, faculty and staff can visit utdallas.edu/textme and choose either “For Students” or “For Faculty & Staff.” Step-by-step instructions tell users how to enter or check their mobile phone numbers.

One-to-one communication and UTDPD loud speakers

Depending on the campus location and the severity of a situation, UTDPD or a building supervisor may ask occupants to evacuate the building or to "lock down" or "shelter in place."

The fire alarm also may be activated to notify occupants of an emergency involving the facility.

UTDPD officers also may utilize their in-car loudspeaker to provide announcements and emergency commands to large crowds either outside or near doors and windows of a building.
**Tightrope Video Text**

Tightrope is a program that automatically converts text messages sent over the RSAN Mass Notification System to scrolling text over numerous integrated flat screen TV's located in common areas around campus in both academic and nonacademic buildings such as the Student Union, Student Services Building, and others.
HEOA FIRE SAFETY REPORT

Policies and Procedures

FIRE PREVENTION – HAZARDS / FLAMMABLES

In the event you witness smoke or fire please call 9-1-1 immediately. Fire can cause significant damage and threaten human life. The role you play in campus safety is extremely vital. Listed below are suggestions to help prevent fires in the apartment homes:

- Turn off and unplug all non-essential appliances immediately after use, including such items as curling irons, hot pots, irons, and popcorn poppers.
- Remain in your room when any electrical appliance is in use.
- The use of objects with open flames (includes but is not limited to, candles, potpourri, stenos, and incense); combustible decorations and chemicals are prohibited in housing at all times.
- Open element appliances (hot plates, indoor grills, immersion heating coils, and heaters) are also prohibited.
- Multiple outlet connections are prohibited unless they contain a circuit breaker and carry an “Underwriter’s Laboratory” (UL) approval.
- Check for frayed cords and do not locate electrical cords under rugs or other items that permit heat build-up in the cord.
- Do not block any exits.
- The use of halogen lamps is prohibited.
- When using microwave ovens, be sure to check cooking instructions for microwave cooking, not conventional cooking.
- You may not store gasoline in your apartment or on the patio or balcony.
- Report any fire safety hazards immediately to the appropriate University Village office.

It is recommended that all power strips used for protection of computers and other electrical equipment have a 1449 UL listed surge suppression rating with sufficient joule capacity.

FIRE / SECURITY EQUIPMENT / EVACUATIONS

University Village and the University are committed to maintaining high standards for health, safety and security in the housing areas. Individuals who jeopardize the health, safety, and security of others by not following health and safety procedures will be subject to fines and possible disciplinary proceedings, leading up to termination of housing privileges. All residents and their guests must recognize the importance of the following health and safety regulations.

If you discover a fire, make sure that all other persons are out of the suite/apartment. Leave the area and close the door behind you. Pull the nearest fire alarm station and then call 9-1-1 as soon as you are safely clear of the immediate threat.

All residential buildings in the housing community are provided with a fire alarm system designed to alert the building occupants of emergency conditions which include manual fire alarm pull stations located at all major exits. Selected buildings have automatic detection systems (i.e. smoke detectors) which are intended to protect special hazards or equipment. Upon sensing smoke or heat conditions or the activation of a manual pull station by building occupants, the alarm systems will sound bells, horns or horn/strobe devices. Upon hearing or seeing any of these devices, all building occupants should evacuate the building from the nearest exit and report to their designated assembly area.

At the assembly area, details of the incident and the "all-clear" notice will be provided to evacuees by the housing personnel or emergency responders. In many buildings the alarm may only sound for 5-10 minutes and then stop. This does not mean you should remain in the building, nor does it mean the problem is resolved.
Buildings 43-46, 48-51 and 53-67 are equipped with automatic fire sprinkler systems in addition to fire alarms. A fire sprinkler system is designed to automatically apply water to a fire within an apartment or building. The sprinkler heads respond to heat in immediate proximity of the ceiling above a fire. Only the sprinkler heads over the fire will open and spray water to extinguish or reduce the spread of the fire. **Do not hang anything on or near a sprinkler head. Avoid behavior which may cause an accidental trigger of the sprinkler head (i.e. horseplay, throwing a football indoors, etc).** You may be held responsible for any and all damages to the premises should you accidentally trigger a sprinkler head to open.

Monthly, University Village personnel will conduct regular inspections of all fire and safety equipment as part of the monthly preventative maintenance routine. **Tampering with smoke detectors, fire sprinklers, fire alarm pull stations, fire extinguishers, fire hoses, door alarms, door/hardware/closing mechanisms and “EXIT” signs and lights is prohibited.** Such action is a misdemeanor offense and violators are not only subject to fines and disciplinary procedures but legal prosecution and eviction. To ensure a safe environment for all, University Village has implemented a staggered fine for first, second and third violations. It is important to note that although an escalated fine is in place, any and all violations may lead to any of the above mentioned actions.

- First sanction: $100 fine
- Second sanction: $150 fine + referral for UTD disciplinary action
- Third sanction: $300 fine + UTD referral w/possibility of early Housing Agreement termination.

When exiting a building during a life-threatening emergency, proceed as quickly as possible to your dedicated assembly area. Please become familiar with the dedicated evacuation area for your building.

Buildings 38-41: Central parking area between the phases (congregate closest to the dividing channel to allow access to emergency vehicles).

Buildings 43-51: Campus parking lot on east side of Drive H, across from Phase VI.

Buildings 61-63: Central parking area, closest to University Village Information Center.


Residence Halls: Exit the building per the emergency exit map installed on the back of your suite door. Proceed to the parking lot on the west side of the building if exiting through the rear doors. Proceed to the parking lot near building 66 if exiting through the front doors.

**EVACUATIONS**

- Evacuate the building immediately when you hear the alarm or if instructed by a fire responder.
- Close the door behind you and take personal items only if it is safe to do so.
- Use stairways, not the elevator. Remain Calm and help others if necessary.

**APPLIANCES**

**Apartments**

Appliances included in your apartment are as follows: refrigerator, stove/range, microwave (in some units), vent-a-hood, washer and dryer. Please see *Maintenance Tips* section of this handbook for more information. Electrical appliances not allowed in the apartments include, but are not limited to: air conditioning units, room water coolers, camping stoves, halogen lamps, potpourri pots, hot oil popcorn poppers, any appliance with an open coil, and space heaters.
Residence Halls

Electrical appliances not allowed in the residence hall include, but are not limited to: air conditioning units, room water coolers, camping stoves, ceiling fans, electric skillets or woks, griddles, halogen lamps, potpourri pots, hot oil popcorn poppers, hot plates, oven broilers, power tools, any appliance with an open coil, space heaters, toasters, or toaster ovens. The hall staff will confiscate unauthorized or misused appliances, and the individuals responsible will be subject to disciplinary action. Allowed appliances include: Coffee pots with auto shutoff, hot pots with auto shutoff, microwave/refrigerator.

SMOKING

The right to a smoke-free environment prevails over the right to smoke. Smoking is allowed only within the privacy of the individual unit, if all roommates agree, or 20-feet away from apartment units. Smoking is prohibited in the Residence Hall and all public areas (e.g. community centers and study rooms). Smokers are responsible for properly disposing all smoking materials. For fire safety reasons, use of coal, and/or leaf burning pipes/inhalers are strictly forbidden indoors, including covered areas.

HEALTH, SAFETY, & PREVENTATIVE MONTHLY MAINTENANCE

University Village representatives will perform inspections to ensure health and safety standards are being met and to identify potential hazards. Residents will receive advance notification and will be expected to cooperate. Inspections will focus on the following, but are not limited to this list:

Safety Equipment
- Smoke detectors
- Sprinkler heads
- Other security features (self-closing door hinges, window & door locks, etc)

Fire Hazards
- Frayed and/or overloaded electrical wiring
- Stacks of newspapers or magazines
- Covered heaters
- Build-up of grease in ovens, broilers, or on stovetops
- Storage of gasoline or other flammable materials, or gas powered vehicle in unit
HEOA 2012-2014 Fire Safety Report

<table>
<thead>
<tr>
<th>Incident #</th>
<th>Date</th>
<th>Apt #</th>
<th>Resident(s) Involved</th>
<th>Cause of Fire</th>
<th>Property Damage (Y/N)</th>
<th>Value of Property Damage ($)</th>
<th>Resident Property Damage (Y/N)</th>
<th>Value of Resident Property Damage ($)</th>
<th>Injuries Requiring Medical Treatment (Y/N)</th>
<th>Comments</th>
<th>Death (Y/N)</th>
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HEOA 2010-2012 FIRE SAFETY REPORTING

University Housing Fire Safety Systems

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*No hate crimes reported for the years 2012 – 2014.
*2012 Motor Vehicle Theft Reported-4 Except Cleared-1
*2013-3 Sexual Assaults reported in Student Housing, 2 were unfounded
2014-1 Motor Vehicle Theft reported then unfounded
*2014-11 total burglaries reported; 2 were unfounded, 1 on campus 1 in Student Housing Facilities
*Sexual Offenses: New requirement for 2014, sexual assault offense are now broken down into four specific categories
# UT Dallas Main Campus

## Arrests for Liquor Law, Drug and Weapons Violations

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>Year</th>
<th>On Campus</th>
<th>Residential Facilities</th>
<th>Non-Campus Buildings &amp; Property</th>
<th>Public Property</th>
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## Judicial Referrals for Liquor Law, Drug and Weapons Violations

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No hate crimes reported 2012-2014
### Arrests for Liquor Law, Drug and Weapons Violations

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*No hate crimes reported for the years 2012 – 2014.

### Judicial Referrals for Liquor Law, Drug and Weapons Violations

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### Archer Center:

Get up-to-date information on homicides, arrests and firearm recoveries in DC. Or use the links below to view annual official crime statistics for recent years or preliminary monthly statistics for the current year. Crime statistics are available for each police district and citywide.

## Callier Center Dallas
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No hate crimes reported 2012-2014
### Callier Center Dallas
**Arrests for Liquor Law, Drug and Weapons Violations**

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### Callier Center Dallas
**Judicial Referrals for Liquor Law, Drug and Weapons Violations**

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No hate crimes reported 2012-2014
# Center for Brain Health Dallas

**Arrests for Liquor Law, Drug and Weapons Violations**

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<td></td>
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No hate crimes reported 2012-2014
## Arrests for Liquor Law, Drug and Weapons Violations

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>Year</th>
<th>On Campus</th>
<th>Residential Facilities</th>
<th>Non-Campus Buildings &amp; Property</th>
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<tr>
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## Judicial Referrals for Liquor Law, Drug and Weapons Violations

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>Year</th>
<th>On Campus</th>
<th>Residential Facilities</th>
<th>Non-Campus Buildings &amp; Property</th>
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### Additional Crimes as Specified by the Violence Against Women Act 2014

<table>
<thead>
<tr>
<th>Offense (Crimes Not Reported By Hierarchy)</th>
<th>Year</th>
<th>On Campus</th>
<th>Residential Facilities</th>
<th>Non-Campus Buildings &amp; Property</th>
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<td>Domestic Violence</td>
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<td>3</td>
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<td></td>
<td>2014</td>
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<td>6</td>
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</table>

**VAWA** (Violence Against Women Act statistics are a new requirement for 2013)
Definitions

**Negligent Manslaughter** - The killing of one human being by another through gross negligence.

**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 putting the victim in fear.

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

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

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

**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.

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

**Drug Abuse Violations** - Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, and codeine); marijuana; synthetic narcotics (Demerol, Methadone), and dangerous non-narcotic drugs (GHB, Rohypnol, and Ecstasy).

**Liquor Law Violations** - The violation of laws or ordinances prohibiting: manufacture, sale, transporting, furnishing, possessing or consuming of intoxicating beverages by a minor; driving under the influence as a minor; maintaining unlawful drinking places; bootlegging; operating a still; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. ("Public Intoxication" and "Driving While Intoxicated" are Penal Code violations and are not included in this definition.)
Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

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

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

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

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

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

Sex Offenses-Non-forcible: Unlawful, non-forcible sexual intercourse.

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

Statutory Rape—Non-forcible sexual intercourse with a person who is under the statutory age of consent.
Definitions of VAWA Crimes

Domestic Violence

VAWA/Clery – A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; or by a person with whom the victim shares a child in common; or by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Texas Family Code Definition (Family Violence) - Sec. 71.004. FAMILY VIOLENCE. "Family violence" means:

(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;

(2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household;

Sec. 71.003. FAMILY. "Family" includes individuals related by consanguinity or affinity, as determined under Sections 573.022 and 573.024, Government Code, individuals who are former spouses of each other, individuals who are the parents of the same child, without regard to marriage, and a foster child and foster parent, without regard to whether those individuals reside together.

UT Dallas Definition – NONE

Sexual Assault

VAWA/Clery - An offense that meets the definition of rape, sodomy, sexual assault with an object, fondling, incest, or statutory rape as used in the FBI's UCR program.

Texas Penal Code Sec. 22.011. SEXUAL ASSAULT. (a) A person commits an offense if the person:

(1) intentionally or knowingly:
(A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
(B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
(C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or

(2) intentionally or knowingly:
(A) causes the penetration of the anus or sexual organ of a child by any means;
(B) causes the penetration of the mouth of a child by the sexual organ of the actor;
(C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
(D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
(E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
Stalking

**VAWA/Clery** – 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.

**Texas Penal Code** Sec. 42.072. **STALKING.** (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

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

**UT Dallas Definition** – Not defined

Dating Violence

**VAWA/Clery** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating violence includes sexual or physical abuse or threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

The existence of such a relationship shall be determined by the victim with consideration of the length of the relationship, and the frequency of interaction between the persons involved in the relationship.

**Texas Family Code** - Sec. 71.0021. **DATING VIOLENCE.** (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:

1. is committed against a victim:
   - (A) with whom the actor has or has had a dating relationship; or
   - (B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

2. is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

1. the length of the relationship;
2. the nature of the relationship; and
3. the frequency and type of interaction between the persons involved in the relationship.

(c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).
Consent

Texas Penal Code - A sexual assault under Subsection (a)(1) is without the consent of the other person if:
(1) the actor compels the other person to submit or participate by the use of physical force or violence;
(2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;
(3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
(4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
(5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
(6) the actor has intentionally impaired the other person’s power to appraise or control the other person’s conduct by administering any substance without the other person’s knowledge;
(7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
(8) the actor is a public servant who coerces the other person to submit or participate;
(9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person’s emotional dependency on the actor;
(10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person’s emotional dependency on the clergyman in the clergyman’s professional character as spiritual adviser; or
(11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

 UT Dallas – Although the new VAWA compliant policies and definitions are under current final review by UT System, UT Dallas began providing the following information in June 2014 to all Orientation attendees: Consent is:

Unambiguous
Freely given
Active - ability/right to change your mind at any time
Coherent/conscious
Cannot be inferred
Cannot be obtained from someone who is mentally or physically incapacitated
Consent to previous sexual acts does not imply consent;
nor does consent to some acts imply consent to others.
Consent is the active, sober verbal “yes” and not the absence of “no”.

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General Safety Tips

- Avoid walking alone, particularly after dark. Contact UT Dallas Police for a safety escort whenever possible. If walking alone is unavoidable, be aware of your surroundings and let someone know when to expect you.
- Avoid shortcuts. The shortest route is not always the safest route. Walk along the midpoint between curbs and buildings and away from alleys and bushes.
- Dress for mobility, particularly after dark.
- Avoid deserted areas, poorly lit streets, alleys, and pathways.
- Never jog alone.
- When walking or jogging, go against the flow of traffic; that makes it harder for motorists to bother you. (If harassed from a car, walk or run in the opposite direction. Scream if you are truly frightened.)
- Do not jog while wearing stereo headphones. It’s important to be alert to what’s happening around you.
- Carry your personal belongings in a backpack or similar container that will enable your arms and hands to be free at all times.
- Avoid approaching your car with bundles that restrict use of your arms. If you’ve been shopping, ask the store for assistance.
- Always have your keys ready to unlock the door to your car or residence and enter without delay. Lock the doors after you get inside.
- Before entering your car, look in the back seat and on the floorboard.
- Always lock car doors and windows when you leave or enter your car.
- Never leave belongings in plain view in your car. Lock them in the trunk.
- If someone in a vehicle attempts to stop you - even to ask for directions - do not get close to the vehicle.
- Register, engrave, mark, and/or photograph all your valuables including bicycles, stereos, jewelry, vehicles, computers, etc.
- Never get on an elevator with someone who looks suspicious. If someone who looks suspicious gets on, get off immediately.
- Avoid using ATMs in dark, isolated areas; it’s best to use machines that are highly visible in public areas such as supermarkets.
- Never flash your cash. Always have “emergency” change for a phone call.
- Be responsible with alcohol. If you are intoxicated, you are fewer alerts and an easier target for robbers and attackers.

University Village Apartments Safety Tips

- Never leave your door open, even if you will be gone for only a few minutes; especially, never prop any door open. Always lock doors, screens, and windows to prevent uninvited access to your room.
- Don’t mark your apartment/room key or key chain with your name, address, or telephone number.
- Do not give anyone a key to your apartment/room.
- Do not leave valuables in plain sight.
- Never let strangers into your apartments. This puts you and others at risk.
- Be aware of suspicious persons and activities. If you observe someone or something suspicious, notify the hall staff and the UT Dallas Police Department, 972.883.2222.
Subchapter A. General Provisions

Section 49.01: Purpose

a. Pursuant to the Regents Rules, the University of Texas at Dallas has developed its policy regarding student conduct and discipline in accordance with the UT System model policy. Each student is charged with notice and knowledge of and compliance with the contents and provisions thereof. The Dean of Students Office encourages student learning, growth, and development by promoting awareness of the University’s expectations of behavior, holding students accountable for violations of these expectations, and developing educational sanctions designed to address the consequences of student decisions.

b. All students are expected and required to obey federal, state and local laws and to comply with System and university rules and regulations.

c. Students are responsible to both civil and criminal authorities. Disciplinary action pursuant to these regulations may be carried out prior to, simultaneously with, or following civil or criminal proceedings. Disciplinary outcomes including finding of responsibility and sanctions shall not be subject to change because of criminal or civil outcomes.

Section 49.02: Scope

a. This policy applies to student organizations as well as individual students. Student organizations are accountable for the conduct and actions of their members.

b. An individual who is not currently enrolled as a university student remains subject to the disciplinary process for conduct that occurred while a student. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree even when the conduct occurs prior to the beginning of classes and in between semesters. This includes conduct that is discovered after the awarding of a degree.

c. A student is subject to discipline for prohibited conduct that occurs on or off campus. University officials determine when to bring charges for off-campus conduct pursuant to this policy. Factors considered in determining whether to bring disciplinary charges for off campus conduct include, but are not limited to, whether the conduct impairs, interferes with, or obstructs any institutional activity or the mission, processes, and functions of the institution and whether the conduct impacts members of the university community.

Section 49.03: Definitions

a. In this chapter, unless the context requires a different meaning,
   1. a "day" means Monday through Friday except for days on which the University is officially closed or when regularly scheduled classes are suspended due to emergency situations;
   2. "dean" means the Dean of Students or a delegate of the Dean;
3. "vice president" means the Vice President for Student Affairs;
4. "president" means the President of The University of Texas at Dallas;
5. "student" means a person enrolled or formerly enrolled at the university and is eligible to continue
   enrollment in the semester or summer session that follows, a person accepted for admission or
   readmission to the university, or a person who engaged in prohibited conduct at a time when he or she
   met any of the prior;
6. "university" means The University of Texas at Dallas;
7. "System" means The University of Texas System;
8. "university rule" means a rule, a regulation or instruction contained in the university's Handbook of
   Operating Procedures or other official university publication or document;
9. "Hearing officer/discipline committee" means the individual or individuals selected in accordance with
   procedures adopted by the university pursuant to the recommendation of the Vice President for Student
   Affairs to hear disciplinary charges, make findings of fact, and, upon a finding of responsibility, impose
   the appropriate sanction(s);
10. "campus" consists of all real property, buildings, or facilities owned or controlled by UT Dallas.
11. "faculty" means any tenured or non-tenured, full or part-time instructor whose responsibility includes
   teaching;
12. "hearing advisor" means the individual who is responsible for oversight of administrative duties during or
   prior to the hearing;
13. "complainant" is defined as The University of Texas at Dallas or the person making a referral to the Dean
   of Students;
14. "respondent" is defined as the student or student group alleged to have violated the student standards of
   conduct in a complaint filed with the Dean of Students;
15. "sanction" is a consequence imposed in response to a violation of university rules, policies or
   procedures.
16. "May" is used in the permissive sense.
17. "Shall," "should," and "will" are used in the imperative sense.

Sections 49.04: Confidentiality of Disciplinary Process

In accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 USC 1232g, a student's
disciplinary files are considered "educational records." These records are confidential and may only be accessed by
the student and as otherwise provided by law.

In cases involving student conduct, the dean will notify the referring individual of the outcome of the disciplinary
process as necessary for the referring individual to perform their duties and as permitted by law. In cases of
academic dishonesty, the dean will promptly notify the appropriate faculty member regarding the outcome of the
disciplinary process so that the outcome may be properly recorded. In either case, the dean will notify other
appropriate university officials as necessary and as permitted by law.

Subchapter B. Administration of Discipline

Section 49.05: Dean

a. The dean has primary authority and responsibility for the administration of student discipline.
b. It shall be the dean's responsibility to investigate allegations that a student has violated a Regents' Rule, university or System rule, or any provision of federal, state, and/or local laws.

c. In carrying out these responsibilities, the dean works cooperatively with academic administrators and faculty members in the disposition of academic dishonesty and with staff members in Residential Life in the disposition of campus housing violations. The dean may seek, as needed, additional information from individuals who have expertise relative to the case, especially in instances of academic dishonesty involving technical material, projects, or assignments.

Section 49.06: Faculty Role in Academic Violations

a. Judgments of academic dishonesty are distinguished from academic judgments concerning whether a student has or has not completed an assignment as required. The former involve considerations of misconduct and sanctioning and are the responsibility of the Dean of Students.

Under authority delegated by the dean, a faculty member who has reason to suspect that a student has engaged in academic dishonesty may conduct a conference with the student in compliance with the following procedures:

1. the student will be informed that he/she is believed to have committed an act or acts of academic dishonesty in violation of the Student Code of Conduct;
2. the student will be presented with any information in the knowledge or possession of the instructor which tends to support the allegation(s) of academic dishonesty;
3. the student will be given an opportunity to present information on his/her behalf;
4. after meeting with the student, the faculty member may:
   a. choose not to refer the allegation(s) if he/she determines that the allegation(s) are not supported by the evidence; or,
   b. refer the allegation(s) to the Dean of Students along with a referral form and all supporting documentation of the alleged violation. The faculty member should forward the recommended sanction to be assessed or remedy to be applied if a student is found to be responsible for academic dishonesty;
5. the faculty member is encouraged to consult with the dean of students in determining the recommended sanction;
6. the faculty member must not impose any independent sanctions upon the student in lieu of a referral to the Dean of Students;
7. referrals should be submitted within a reasonable time, generally within one week after the alleged incident.

If the faculty member chooses not to meet with the student, he/she must forward the appropriate documentation to the Dean of Students. The faculty member should attempt to inform the student of the allegation and notify the student that the information has been forwarded to the Dean of Students for investigation.

b. Upon receipt of the referral form and supporting material/documentation from the faculty member, the dean shall proceed under Subchapter D. If the student is found in violation of the code of conduct, the dean will review the student's prior disciplinary record and assess sanctions appropriate to the circumstances. The dean will inform the student and the faculty member of the decision.
c. If a student withdraws from a course and is ultimately found responsible for academic dishonesty, the grade sanction, ie. "F" in the course, that is assessed by the hearing officer/discipline committee will replace any withdrawal notation on the transcript.

d. The student, pending disciplinary action, remains responsible for all academic exercises and syllabus requirements. The student may remain in class if the student's presence in the class does not interfere with the professor's ability to teach the class or the ability of other class members to learn. (See Section 49.07 for additional information regarding the removal of a student from class)

Section 49.07: Faculty Role in Removal for Misconduct

a. Primary responsibility for managing the classroom environment rests with the faculty. Misconduct reported by faculty will usually involve disruptive behavior in class or in relation to a class. Under authority delegated by the dean, a faculty member who has reason to believe that a student has engaged in disruptive behavior may do one of the following:
   1. If the disruptive behavior was directly witnessed by the faculty member or if the faculty member has clear documentary evidence, the case should be referred directly to the dean with the reasons and/or evidence for the charge and a recommendation for resolution. The dean shall proceed under Subchapter D; or
   2. If the disruptive behavior was not directly witnessed by the faculty member but was witnessed or reported by students or others, the faculty member may meet with the student(s) involved and discuss the alleged violation and the evidence that supports the allegation. Such meetings should be documented to the extent possible. After such meeting or meetings, the faculty member may refer the allegation(s) with the assembled documentation to the dean with a recommendation for resolution, or choose not to refer the allegations to the dean if the faculty member concludes that they are not supported by the evidence.
   3. If the faculty member considers the behavior of the student menacing or threatening, he or she may ask the Dean of Students to remove the student from his or her class or from the campus with immediate effect until the matter is formally resolved. This request may be made while the faculty member is still assembling the documentation of the misconduct in question, or it may accompany the documentation.

b. Students who engage in any acts that result in disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period. This provision is not designed to be used as a means to admonish classroom dissent. The expression of a disagreement with the instructor is not in itself disruptive behavior.

c. A student who repeatedly engages in disruptive classroom behavior shall be referred by the faculty member to the dean who will proceed under the provisions of Subchapter D.

d. A student will not be removed permanently from the classroom without review by the Dean of Students.

Section 49.08: Staff Role in Removal for Misconduct

a. Misconduct reported by staff will usually involve menacing or abusive behavior to which they are subject to as representatives of university offices. Under authority delegated by the dean, a member of the university staff who has been subject to abusive or menacing behavior or who has witnessed menacing, abusive, or disruptive behavior may do either of the following:
1. Call the campus police to have the offending person escorted off campus. The police will report the matter to the Dean of Students. The dean shall proceed under Subchapter D; or
2. Report the matter to his/her supervisor and the Dean of Students. The report should include the staff person's written account of the incident and any additional documentation that might be available. The dean shall proceed under Subchapter D;

b. If the misconduct or disruptive behavior was not directly witnessed by the staff person but was witnessed or reported by students or others, the staff person may either refer the matter to the Dean of Students directly or refer the witnesses to the supervisor of the department. In the former case, the staff person should provide as much documentation as possible. The dean shall proceed under Subchapter D.

Section 49.09: Reserved

Subchapter C. Student Standards of Conduct

Section 49.10: Code of Conduct

The University of Texas at Dallas has rules and regulations for the orderly and efficient conduct of their business, and each student is charged with notice knowledge of and compliance with the contents and provisions thereof.

Because the value of an academic degree depends on the absolute integrity and character of the student the university expects all students to maintain a high level of responsibility with respect to their behavior. As a member of the university community, it is imperative that a student maintain a high standard of individual responsibility and civility.

The dean may initiate disciplinary proceedings under Subchapter D against a student accused of a violation of the Code of Conduct upon complaint by a faculty member, a student or other source.

Any behavior which may have been influenced by the use of drugs or alcoholic beverages shall not in any way limit the responsibility of the student for the consequences of his or her actions.

Disciplinary action may be initiated for misconduct which includes:

a. **Plagiarism:** The adoption or reproduction of ideas, words, statements, images or works of another person as one's own without proper acknowledgement.
b. **Cheating:** Using or attempting to use unauthorized materials, information, or study aids in any academic exercise. Academic exercise includes all forms of work submitted for credit or hours.
c. **Fabrication:** Falsification or creation of any information, data or citation in an academic exercise.
d. **Collaboration and/or Collusion:** Seeking or providing aid to another student in completion of any assignment submitted for academic credit without permission from the faculty member.
e. **Violation of State or Federal Laws:** Any violation of a federal state, or local law either on or off campus.
f. **Firearms, dangerous weapons, explosives and hazardous materials:** Unless authorized by law, possession or use of any type of explosive, firearm, imitation firearm, ammunition, hazardous chemical or weapon while on campus or on any property or in any building owned or controlled by the System or the university.
g. **Conduct dangerous to others:** Any conduct that endangers the health or safety of another; this includes but is not limited to physical abuse, verbal abuse, threats, intimidation, harassment and coercion.
h. **Stalking:** Conduct directed at a specific person that would cause a reasonable person to feel fear of bodily harm or an offense against property.

i. **Theft, Misappropriation or Unauthorized Sale:** Any act or attempted act of theft, misappropriation or unauthorized possession or sale of university property or services or property belonging to another.

j. **Misuse or Damage to Property:** Any act of vandalism, damage, destruction or misuse of university property or that of another.

k. **Hazing:** Engaging in hazing, submitting to hazing, or failing to report first-hand knowledge of hazing incidents; such conduct is prohibited by state law. Hazing is defined by state law as, "...any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students at an educational institution." Any person with knowledge that a specific hazing incident has occurred on or off campus must report the incident to the dean.

l. **Alcohol:** Using or possession of alcoholic beverages on property and in buildings and facilities owned or controlled by the System or the university, unless permitted by law and university policy.

m. **Drugs:** Unless authorized by state and federal law, the use, possession or manufacture of any drug or controlled substance or sale or distribution of any such drug or controlled substance.

n. **Drug Paraphernalia:** The use or possession of equipment, products, or material which is used or intended for use in manufacturing, growing, using or distributing any drug or controlled substance.

o. **Gambling:** Engaging in illegal gambling.

p. **Obstruction of or Interference with Institutional Activities or Facilities:** Any interference with or obstruction of any institutional program, activity, event or facilities, including, but not limited to:
   1. Any unauthorized occupancy or entry of institution or institutionally controlled facilities or blockage of access to or from such facilities;
   2. Interference with the right of any institution member or other authorized person to gain access to any institution or institutionally controlled activity, program, event or facility;
   3. Any obstruction or delay of emergency personnel in the performance of their duties;
   4. Leading, inciting or participating in activities to disrupt scheduled activities of the University; or,
   5. Interference with the instructor's ability to teach class or the ability of other students to participate in the instructional activity.

q. **Violation of General Rules and Regulations:** Violation of any rule or regulation including the failure to perform any required action or the performance of any prohibited actions.

r. **Identification Cards or Documents:** Any forgery, alteration of or unauthorized use of institution documents, forms, records, or identification cards, including the giving of false information to University personnel or the withholding of necessary information in connection with a student's admission, enrollment or status at the university.

s. **Sexual Misconduct:** Including sexual harassment and non-consensual sexual contact.

t. **Disruptive conduct:** Engaging in disorderly, lewd, indecent, inappropriate, loud, or obscene conduct or behavior that interferes with the orderly functioning of the university or interferes with an individual's pursuit of an education.

u. **Attempted or Unauthorized access to institutional facilities and/or grounds:** Engaging in the unauthorized use or occupancy of property, buildings, or facilities owned or controlled by the System or the university.

v. **Failure to comply with the instructions of a University official:** Failing to comply with a verbal or written request or instruction of an official of the university or the System acting in the course of his or her duties.
w. Abuse of the Discipline Process:
   1. giving false testimony or other evidence at a campus disciplinary or other administrative proceeding;
   2. disruption or interference with the orderly conduct of a judicial proceeding;
   3. knowingly making a false allegation or filing a false complaint;
   4. any attempt to influence the impartiality of a Discipline Committee member or hearing officer;
   5. verbal or physical harassment or intimidation of a Discipline Committee member, hearing officer, complainant or witness;
   6. failure to comply with the sanctions imposed by the Discipline Committee or hearing officer.

x. Skateboards, Skates, Bicycles or similar devices: The using of skateboards, roller skates, roller blades, and bicycles inside university facilities or in unauthorized outdoor areas.

y. Attempts and Aiding and Abetting the Commission of Offenses: Attempts, aids, abets, conspires, hires, has knowledge of, or is present during the planning or commission of any offense listed in this chapter.

z. Motor Vehicles: Failure to register a motor vehicle used on the campus with Parking and Transportation Services.

aa. Duplication or Unauthorized Possession of Keys: Making, causing to be made, or possessing any key for a University facility without proper authorization.

bb. Unauthorized Surveillance: Making unauthorized video or photographic images of a person in a location in which that person has a reasonable expectation of privacy. This includes but is not limited to taking video or photographic images in shower/locker rooms, residence hall rooms, and men's or women's restrooms and storing, sharing, and/or distributing such unauthorized images by any means.

Section 49.11 - 49.14: Reserved

Subchapter D. Disciplinary Proceedings and Disposition

Section 49.15: Investigation

a. All allegations and information that a student has engaged in conduct proscribed herein shall be given to the dean.

b. Action under this chapter may go forward regardless of other possible or pending administrative, civil or criminal proceedings arising out of the same or other events.

c. The dean shall investigate the alleged violation. The investigation shall include an attempt to confer with the accused student concerning the allegations. Following completion of the investigation, the dean may:
   1. dismiss the allegation;
   2. proceed administratively under Section 49.16; or
   3. prepare a hearing notice based on the allegation and proceed under Section 49.18.

d. Pending a hearing or other disposition of allegations against a student, the dean may take such immediate interim disciplinary action as is appropriate to the circumstances when such action is in the best interest of the institution. This includes but is not limited to a suspension and ban from the campus when it reasonably appears to the dean from the circumstances that the continuing presence of the student poses a potential danger to persons or property or a potential threat for disrupting any activity authorized by the university. In the case of interim discipline, a hearing will generally be held under the hearing procedures specified in Section 49.18-21 within three (3) days after the interim disciplinary action was taken; however, at the discretion of the dean the three (3) day period may be extended for a period not to exceed an additional ten
(10) days. Any further extensions will be for good cause as determined by the Vice President for Student Affairs.

e. Notwithstanding the above, the dean may withhold the issuance of an official transcript, grade, diploma, certificate, or degree to a student alleged to have violated a rule or regulation of the System or the university that would reasonably allow the imposition of such sanction. The dean may take such action pending a hearing, resolution by administrative disposition, and/or exhaustion of appellate rights if the dean has provided the student an opportunity to provide a preliminary response to the allegations and, in the opinion of the dean, the best interests of the System or the university would be served by this action.

Section 49.16: Administrative Disposition

a. In any case where the accused student elects not to dispute the facts upon which the charges are based, the student may execute a written waiver of the hearing procedures and accept the sanction(s) or reserve the right to appeal the sanction(s).
b. An appeal of the sanction will be to the president of the university. The appeal is considered on the basis of written arguments of the student and the dean.

In the event a student disputes the facts and/or allegations or at the discretion of the Dean of Students, a hearing before the Discipline Committee may be arranged.

Section 49.17: Discipline Committee

In those cases in which the respondent disputes the facts and/or allegations upon which the alleged conduct violations are based, or at the discretion of the Dean of Students such allegations shall be heard and determined by a fair and impartial panel comprised of UT Dallas faculty, selected from a pool as determined by the academic senate, and UT Dallas students.

The Discipline Committee shall:

1. maintain an orderly hearing and permit no person to be subjected to abusive treatment and may eject or exclude anyone who refuses to be orderly;
2. render and provide the dean and the respondent a written decision that contains findings of fact and a conclusion as to whether the respondent is responsible for the violations as charged;
3. upon a finding of responsibility, assess the relevant sanction(s);
4. in cases involving a crime of violence, notify the alleged victim of the decision. The alleged victim, upon receipt of information regarding the decision, shall be bound to keep in confidence such information.

Section 49.18: Student Rights and Hearing Procedures

a. The following rights and procedures are provided to the respondent and/or complainant as specified:
1. The respondent shall be advised of the time, place and location of the hearing at least five (5) days in advance.

2. The respondent shall be advised in writing of the alleged violations of which he/she is being charged.

3. All parties will make available in the Dean of Students office a list of witnesses, a summary of expected witness testimony, and copies of documents to be presented at the hearing at least three (3) days prior to the hearing.

4. Each party shall have the right to appear, present documentary evidence, present and question witnesses and be assisted by one advisor of his/her choice. An advisor may not serve as a witness. An advisor may confer with and advise their respective party, but shall not be permitted to question witnesses, introduce evidence, make objections, or present arguments to the Discipline Committee. If the respondent's advisor is an attorney, the dean's advisor may be an attorney. If the student chooses an advisor who is an attorney, the student must give written notice of the name and address of the attorney to the dean at least three (3) days before the time set for commencement of the hearing.

5. The respondent may challenge the impartiality of a member of the Discipline Committee. The challenge must be in writing, stating the reasons for the challenge, and be submitted to the Dean of Students at least three (3) days prior to the hearing. The member challenged shall determine whether he/she can serve with fairness and objectivity.

6. Formal rules of evidence do not apply. No evidence other than that admitted at the hearing shall be considered by the Discipline Committee.
   a. The Discipline Committee may exclude evidence which in its judgment is immaterial, irrelevant, or unduly repetitious;
   b. Generally, evidence is relevant if it tends to prove or disprove the facts at issue.
   c. Statements of witnesses should generally be based upon the personal knowledge or observation of the witness. Written statements will be accepted at the discretion of the Hearing Officer/Discipline committee;
   d. Evidence that is merely cumulative of evidence already in the record may be excluded by the Discipline Committee upon objection or upon a determination by the Discipline Committee that it is merely repetitious. The Discipline Committee has the discretion to determine when further evidence on an issue becomes repetitive.

7. The dean has the burden of going forward with the evidence and has the burden of proving the charges by the greater weight of credible evidence

8. Any party has the right to appeal.

9. The hearing will be recorded and becomes a part of the official record of the hearing.
   b. Such hearings shall be closed to all persons other than the respondent, the dean, an advisor for each of them, the Discipline Committee members, witnesses while they are presenting evidence, and the hearing advisor.

Section 49.19: Notices

a. The dean shall prepare notices as appropriate to the student charged.

b. A student may be sent a written notice/summons from the dean requiring a meeting for purposes of the investigation and/or to discuss the allegations. The written correspondence shall specify a place and time for the meeting. If the correspondence is sent first-class mail, at least three (3) days' notice must be given. If the correspondence is sent via email or hand delivered at least two (2) days' notice is required. The
correspondence may be mailed to the address appearing in the records of the registrar, e-mailed to the student at the student's UTD e-mail address, or may be hand delivered to the student.

c. If a student fails to respond to a written notice/summons without good cause, as determined by the dean, the dean may alter the status of the student's enrollment until the student complies with the notice, or the dean may proceed to implement hearing procedures in accordance with Section 49.18.

d. Except in those cases where immediate interim disciplinary action has been taken, the dean shall initiate hearing procedures against the respondent by providing the student at least five (5) days written notice of the date, time, and place of the hearing and the names of those individuals who may serve on the Discipline Committee. The hearing notice letter shall provide a statement of the accusation(s) and a summary statement of the evidence supporting the accusation(s).

e. The hearing notice may be delivered in person to the student, emailed to the student's UTD email address or mailed to the student at the address appearing in the registrar's records. A hearing notice will be considered to have been received on the third day after being sent, excluding any intervening Saturday or Sunday. The date for a hearing may be postponed for good cause by agreement of the student and Dean of Students.

f. A hearing notice sent to the address listed in the registrar's records shall constitute full and adequate notice. The failure of a student to provide the registrar with a current address, the refusal to accept delivery of the letter, or failure to read mail or e-mail shall not be a good cause for failure to respond to the notice.

g. If a student fails without good cause, as determined by the dean, to comply with a hearing notice sent under Subsection D, the hearing will proceed as scheduled and the student will be notified of the decision of the Discipline Committee in accordance with Section 49.17.

Section 49.20: Reserved

Section 49.21: Conduct of Hearings

a. Hearings shall proceed generally as follows:
   1. the hearing officer/chair will determine whether the respondent was informed of his or her rights in accordance with Section 49.18;
   2. the dean presents opening statements and evidence;
   3. the respondent presents his or her opening statements and evidence;
   4. the dean calls any witness(es). The respondent will have the right to question those witnesses.
   5. upon completion of presentation of the dean's witnesses, the respondent shall present his/her witnesses(either directly or through the Hearing Officer/Committee), and the dean shall have the right to question any witnesses;
   6. each side may offer summary comments, beginning with the dean;
   7. the hearing officer/committee will have the opportunity to question all parties and witnesses involved at any time during the hearing;
   8. the hearing officer/committee will determine whether or not the student is responsible.
   9. if the student is found responsible, sanctions will be determined.
   10. if the student is found responsible by the Discipline Committee for the allegation(s), sanction(s) as determined by the Discipline Committee will be imposed.
   11. In the case of academic dishonesty, the recommended sanction as provided by the faculty member, will be considered by the Discipline Committee. Should the student be absolved of the allegations of
academic dishonesty by the Discipline Committee, the faculty member will reassess the student's grade based on this finding.

b. Consolidated Hearings
   1. Where more than one student is charged with conduct arising out of a single occurrence, or out of connected multiple occurrences, a single hearing may be held for all of the students so charged. Such students may request that their case be consolidated with others, or separated from others.
   2. the dean of students shall make determinations regarding consolidation.

Section 49.22: Reserved

Section 49.23: Disciplinary Records

a. Disciplinary records shall be maintained as provided herein:
   1. The university shall maintain a permanent disciplinary record for every student assessed a sanction of suspension, expulsion, denial or revocation of degree and/or withdrawal of diploma.
   2. Records developed in cases in which a lesser sanction has been imposed will be retained for a period of five (5) years after date of action unless sanctions or the dean specify that they should be retained for a longer period.
   3. A disciplinary record shall reflect the nature of the charge, the disposition of the charge, the sanction assessed and any other pertinent information. This disciplinary record shall be maintained by the Office of the Dean of Students. It shall be treated as confidential, and shall not be accessible to or used by anyone other than the dean or university officials with legitimate educational interests, except upon written authorization of the student or in accordance with applicable state or federal laws, court order or subpoena.
   b. The dean may notify the registrar and/or other appropriate administrative offices of disciplinary sanctions in compliance with FERPA regulations.

Section 49.24: Reserved

Subchapter E. Sanctions

Section 49.25: Sanctions

a. Sanctions that may be imposed include, but are not limited to:
   1. Written or verbal warning. The student will be notified that continuation or repetition of the specified conduct may be cause for further disciplinary action.
   2. Developmental probation. Requires a student or members of an organization to satisfy conditions related to the violation, such as counseling, educational seminars, or periodic meetings with a designated University official. This may be effective in providing educational opportunities for the student to participate in discussions that will explore alternative behaviors.
   3. Educational sanction. An educational sanction may include the requirement to complete or attend educational activities, programs, or presentations, or any other learning experience deemed necessary.
4. **Disciplinary probation.** Disciplinary probation identifies a specified period of time during which the student or organization is required to comply with terms and conditions that include not engaging in further conduct in violation of this Chapter. Any conduct in violation of these regulations while in a probationary status may result in the imposition of a sanction of suspension or expulsion or the removal of an organization's official registration.

5. **Withholding of grades, official transcript of degree.** May be imposed until all disciplinary processes are complete and sanctions, if any, are fulfilled. The dean may take such action pending a hearing and/or exhaustion of appellate rights when in his or her opinion, the best interests of the system or the university would be served by this action.

6. **Restriction against readmission and/or cancellation of enrollment.**

7. **Restitution or reimbursement.** Reimbursement for damage to or misappropriation of university or individual property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

8. **Suspension of rights and privileges.** A student or organization may have specific privileges removed or restricted as a way to learn from the consequences of their behavior. During the period of suspension, the student or organization may be prohibited from participation in athletic or extracurricular activities; taking part in a registered student organization's activities and attending its meetings or functions; denial of use or access to facilities, living in on-campus housing or representing the University in any way.

9. **Grade Modification.** Academic sanctions, including failing grades, may be assigned to a student for a course or assignment in which he or she was found responsible for academic dishonesty. If a student withdraws from a course in which disciplinary action is pending and is ultimately found responsible for academic dishonesty, the grade sanction, i.e. "F" in the course, determined by the Discipline Committee/Hearing Officer will replace any withdrawal notation on the transcript.

10. **Denial of degree.**

11. **Community service hours.** A student may be required to complete a specified number of community service hours.

12. **Suspension.** Suspension from the university is for a specified amount of time and prohibits, during the period of suspension, the student from entering the university campus, except in response to an official request. The student must comply with all conditions imposed prior to reenrollment.

13. **Expulsion.** Permanent separation of the student from the university.

14. **Deferred suspension.** Suspension will be postponed, but will be automatic if the student commits any additional rule violations while on deferred suspension.

15. **Revocation of degree of withdrawal of diploma.** May be imposed when the violation involves academic dishonesty that is discovered after awarding of the degree.

16. other sanctions as deemed appropriate under the circumstances.

b. In the case of hearings regarding allegations against a student organization, additional sanctions are authorized in Chapter 45. No former student who has been suspended or expelled for disciplinary reasons from an institution of the system shall be permitted on the campus of any UT System institution during the period of such suspension or expulsion without the prior written approval of the chief student affairs administrator of the institution at which the suspended or expelled student wishes to be present.

Section 49.26-29: Reserved
Subchapter F. Appeal of Decisions

Section 49.30: Procedures

a. A student may appeal a disciplinary sanction assessed by the dean. A student and/or the dean may appeal the Hearing Officer/ Discipline Committee decision to the president by following the procedures set forth in this section.

b. The appealing party must submit a written appeal (hardcopy only; no electronic submissions), stating the specific reasons for the appeal and any argument, to the president of the university, with a copy to the other party(s). The appeal must be stamped as received by the President's Office no later than three (3) days after the appealing party has been notified of the sanction assessed by the dean, the decision of the Discipline Committee, or the decision of the hearing officer. If the notice of sanction assessed by the dean, the Discipline Committee, or the decision of the hearing officer is sent by mail, the decision will be considered to have been received on the third day after the mailing, excluding any intervening Saturday or Sunday. If the decision is sent via email, the decision will be considered to have been received on the second day. The date of receipt will initiate the three day appeal period. The non-appealing party may submit a response to the appeal, which must be received by the President's Office no later than three (3) days after the receipt of the appeal with a copy to the other party.

c. The appeal of the decision of the hearing officer or Discipline Committee will be reviewed solely on the basis of the official record from the hearing. The official record will consist of the recording of the hearing, the documents received in evidence and the decision of the Discipline Committee or Hearing Officer. At the request of the president, the recording of the hearing will be transcribed.

d. Should the president so request, the dean shall cause the recording of the hearing to be transcribed and shall send the record to the president with a copy to the student. At the discretion of the president both parties may present oral arguments in an appeal from the decision of the hearing officer or Discipline Committee.

e. Upon consideration of the appeal, the president may:
   1. Approve, reject, or modify the decision.
   2. Modify the sanction to make it more or less severe.
   3. In the event of a formal hearing, may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision.

f. The action of the president shall be communicated in writing to the student and the dean generally within fourteen (14) days after the appeal and related documents have been received. The decision of the president is final.

Subchapter G. Sexual Assault

Section 49.38: Sexual Assault

a. It is the policy of the university to strive to maintain an environment that is free from intimidation and inappropriate sexual conduct. In particular, the university will not tolerate any form of sexual assault, including, but not limited to, acquaintance rape, date rape, sodomy, sexual assault with an object, fondling or any other form of non-consensual sexual activity.
b. A student who individually, or in concert with others, participates or attempts to participate in a sexual offense, regardless of whether it takes place on or off campus, is subject to disciplinary action under Subchapter C, notwithstanding any action that may or may not be taken by the civil authorities.

c. The university encourages any person who is the victim to immediately report the incident to any of the "Campus Security Authorities" (university police, office of the Dean of Students, university residence life personnel and Deans, Directors, Department Heads, except those with significant counseling responsibilities). Other university personnel which may be contacted are Student Health Services and the Women's Center. There is no requirement to notify law enforcement authorities of a sexual offense; however, the university encourages all victims to do so and university personnel will assist in notifying local and campus police to report a sexual offense. University police should be notified as soon as possible (the preservation of evidence is crucial in a sexual offense case). Do not bathe, shower, douche, or change clothing. If needed, contact one of the above mentioned resources, or a support person for assistance. University police will handle all cases that occur on campus. If transportation is needed to obtain a medical examination, the university police department will arrange for transportation to the hospital. For the protection of the victim, a pseudonym can be used in the report process.

d. When a student reports that the campus regulations prohibiting sexual assault have been violated, informal procedures that provide for the protection of the emotional health and physical safety of the complainant may be invoked. For example, a student who lives on campus may be moved to another campus living environment if he or she chooses and if accommodations are reasonably available. Similarly, a complainant may be allowed to make changes in his or her class schedule. Such arrangements will be made through the Office of the Dean of Students. If the complainant provides credible evidence that the accused student has engaged in prohibited sexual assault, the dean may take interim disciplinary action against the accused student as appropriate.

e. A student who wishes to file a complaint that will be addressed by the University disciplinary system should contact the Dean of Students at 972-883-6391. A student may choose to file a complaint with the dean whether or not the student chooses to press criminal charges. A student who wishes to file a complaint against a faculty or staff member may contact the dean as well. Procedures for discipline and dismissal of staff and faculty are outlined in the university Handbook of Operating Procedures.

f. Notwithstanding the rights of the accused student, faculty or staff member, a complainant under this policy is entitled to the following rights:
1. The right to present his/her testimony during the disciplinary hearing.
2. The right to have a support person present. This person is not entitled to represent the complainant nor to assist the complainant with his or her testimony. If the support person is to act as a witness, the hearing officer may require him or her to testify prior to the hearing.
3. The right not to have evidence of his or her past sexual history with third parties admitted as evidence.
4. The right to have the hearing closed to spectators.
5. The right to know the outcome of the hearing to the extent permitted by the federal Family Educational Rights and Privacy Act.

f. The University Counseling Center (972-883-2575) and the Dallas County Rape Crisis Center (214-653-8740) and the Collin County Rape Crisis Center (972-881-0088) are available to provide support services for anyone affected by any form of sexual assault. Students who may have been assaulted by someone who is not affiliated with the university may also contact any of the available university support services.

Below is a list of educational and preventative programs and support services on campus that address the issue of sexual assault. Brochures and other printed materials are available from each office. Additional information may be obtained by calling the numbers listed.

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STUDENT COUNSELING CENTER 972-883-2575
Individual and group counseling
Educational Programs

STUDENT HEALTH CENTER 972-883-2747
Educational and prevention information
Testing for sexually transmitted diseases after an assault
Presentations upon request

SUMMER ORIENTATION PROGRAMS--NEW STUDENT PROGRAMS 972-883-2456
Programs to provide awareness of sexual assault on campus
Resources for prevention and support

THE UNIVERSITY OF TEXAS AT DALLAS POLICE 972-883-2331
Crime prevention presentations that include issues related to assault
Escort service
Crime statistics information

RESIDENTIAL LIFE/HOUSING 972-883-5361
Peer Adviser training on issues related to sexual assault
On-site educational programs
Individual and group support and follow-up