

# The University of Texas at **TYLER**

TM

**2019**

## **ANNUAL SECURITY & FIRE SAFETY REPORT**



**The University of Texas at Tyler**  
**Annual Security and Fire Safety Report**  
**October 01, 2019**

**ANNUAL SECURITY REPORT**

**The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act** is a federal law that requires colleges and universities to disclose information about crime on and around their campuses. The act is named in memory of Jeanne Clery, a 19-year-old Lehigh University freshman who was assaulted and murdered in her residence hall room on April 5, 1986.

**The annual security report is prepared by the University of Texas at Tyler by the University Police Department. The crime statistics within the report are gathered from direct reports of crime to University Police, outside law enforcement agency statistics for campus geography, from Campus Security Authorities, and any other method, including anonymous reports. The Chief of Police collaborates and consults with other university officials regarding campus security procedures and policies that are included within the report.**

**I. Law Enforcement Authority and Interagency Relations**

The University of Texas at Tyler Police Department, a component of the University of Texas System Police, is recognized as a police agency throughout the State of Texas. The University Police Department is comprised of police Officers, public safety officers, emergency management personnel, communications personnel, traffic and parking personnel, and Administrative Assistants. The Police Department is located at 3410 Varsity Drive in the University Services Center building.

The University Police Department is a full-service law enforcement agency which operates 24 hours a day, 7 days a week, 365 days a year. The Police Officers of the department are vested with all the powers and immunities as other Peace Officers in the State of Texas. The University Police Officers have the authority to make arrests, issue traffic citations, and enforce parking and traffic regulations on the University of Texas at Tyler campus as well as the Palestine and Longview campuses.

The University Police Officers are certified peace officers who have passed the Texas Commission on Law Enforcement (TCOLE) licensing examination for police officers. Police officers with the University Police Department must also receive at least forty (40) hours of in-service training every two years in order to comply with the State of Texas licensing requirements for police officers. The primary jurisdiction of the University police officers is the University campus, but

University officers have jurisdiction county-wide in Smith County, as well as all other counties in which the University of Texas owns or leases property.

The University Police Department also employs University public safety officers, who are civilian personnel, and do not have police authority. The public safety officers are utilized for patrols of the campus, fixed post security details, building lock-ups and unlocks, providing motor vehicle assists, such as vehicle jump starting and vehicle lockout entry, and other service calls as needed. Public safety officers also provide assistance to the University police officers.

The University Police Department works closely with other State, Local, and Federal law enforcement agencies. The University Police Department receives its primary support from the City of Tyler Police Department and the Smith County Sheriff's Department. The University Police Department and the City of Tyler Police Department have a written inter-local working agreement which provides for mutual support during incidents that may require additional resources and personnel.

For crimes occurring on the Palestine or Longview campuses of the University of Texas at Tyler, the University Police Department receives its primary support from the Palestine Police Department and Longview Police Department.

The Palestine Campus of the University of Texas at Tyler is staffed with one full time police officer and one part-time public safety officer. To report an emergency on the Palestine campus, dial 9-1-1. To report a crime that has already occurred, contact the on-duty University police officer, or dial (903) 729-2254 to contact the Palestine Police Department. The University of Texas at Tyler Police Department will work in cooperation with the Palestine Police Department in investigating crimes that occur on the Palestine campus.

The Longview Campus of the University of Texas at Tyler is staffed with one full time police officer and one part-time public safety officer. To report an emergency on the Longview campus, dial 9-1-1. To report a crime that has already occurred, contact the on-duty police officer or dial (903) 237-1199 to contact the Longview Police Department. The University of Texas at Tyler Police Department will work in cooperation with the Longview Police Department in investigating crimes that occur on the Longview campus.

The University of Texas at Tyler leases classroom and office space from Houston Community College as part of the University's Engineering Program. The University of Texas at Tyler students who are enrolled in the program receive their law enforcement support from the Houston Community College Police Department. Students and staff encountering an emergency incident should contact the Houston Community College Police Department by dialing 9-1-1 or (713) 718-8888. Students and staff are offered mass notification services through the Houston Community College and are provided with the website for the Houston Community College Police Department which is located at [www.hccs.edu/district/departments/police/](http://www.hccs.edu/district/departments/police/)

The University of Texas at Tyler Police Department works closely with the Houston Community College Police Department on matters of security to ensure a safe learning and working environment for staff and students.

## **II. Procedures for Reporting Crimes or Emergencies**

The University of Texas at Tyler encourages accurate and prompt reporting of crimes to the University Police and/or other local authorities in a timely fashion. If you have been the victim of, or have knowledge of a crime being committed, contact the authorities as soon as possible. The University Police Department will investigate all crimes occurring in its jurisdiction regardless of delay in reporting, but prompt reporting allows for investigation while witnesses are still available and evidence still exists.

To report an emergency or criminal activity on campus, contact the University Police Department by dialing **(903) 566-7300** or **9-1-1**. There are also numerous Code Blue emergency telephones located throughout the campus grounds. Push button access on these emergency phones connects you directly to a police dispatcher. The University provides the RAVE Guardian mobile phone application which enables users to contact the University Police or 9-1-1 during emergency incidents. In addition to University Police Department personnel, crimes can also be reported to any Campus Security Authority as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act including:

1. All members of the campus police department
2. Contract and event security
3. Faculty or staff advisors to student organizations
4. Athletic Directors, coaches, assistant coaches
5. Leaders of branch or separate campuses
6. Title IX Coordinators
7. Study-Abroad coordinators and on-site trip coordinators
8. Student Affairs Professionals including but not limited to:
  - a. Deans
  - b. Directors and coordinators of student housing
  - c. Resident assistants
  - d. Student discipline and conduct officers (Judicial Affairs)
  - e. Coordinator of Greek affairs

Campus Security Authority's primary responsibility is to report allegations made in good faith to the reporting structure established by the institution.

The University of Texas at Tyler Police Department has concurrent jurisdiction on campus with the City of Tyler Police Department. If you prefer to report a crime to the Tyler Police Department, do so by dialing **(903) 531-1000**. If you have been the victim of or have knowledge of a crime being committed outside the incorporated city limits of Tyler, you may contact the Smith County Sheriff's Department at **(903) 590-2600**. If you need assistance in reporting the crime to local authorities, university police personnel will assist.

## **Voluntary Confidential Reporting**

You may anonymously report a crime or provide other information to the University of Texas at Tyler Police Department by utilizing the Silent Witness Program. Anonymous reports may be made on the University Police website located at

<http://www.uttyler.edu/police/forms/silent-witness.php>

## **Electronic Reporting**

If you are concerned about the behavior of a student, please use the link provided on the Police Department website at <http://www.uttyler.edu/police/student-of-concern-report.php>. Please include all relevant information you can in the form on that page before clicking on the submit button. Please include your contact information so we can follow up if we need more information. **If you have an immediate concern, please contact the University Police Department at (903) 566-7300 or dial 911 if it is an emergency.**

To report crimes, in compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, designated Campus Security Authorities may use the electronic form located at <http://www.uttyler.edu/police/crime-report-form.php> to report electronically. However, if there is a crime in progress, Campus Security Authorities should immediately contact the University Police Department at (903) 566-7300 or by dialing 9-1-1.

## **Confidential Crime Reporting Procedures**

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification as given to those considered to be campus security authorities. Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not to be considered campus security authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

**Pastoral Counselor:** An employee of an institution who is associated with a religious order or denomination recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor:** An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

## **Criminal Activity Off Campus**

When a University of Texas at Tyler student is involved in an off-campus offense, University Police Officers may assist with the investigation in cooperation with local, state, or federal law enforcement. City of Tyler Police routinely work with and communicate with University Police Officers on any serious incidents occurring on campus or in the immediate neighborhood and business areas surrounding campus. The University of Texas at Tyler operates no off-campus housing or off-campus student organization facilities. However, many students live in the neighborhoods surrounding the University of Texas at Tyler. While the Tyler Police Department has primary jurisdiction in all areas off campus, University police officers can and do respond to student-related incidents that occur in close proximity to campus. University police officers have direct radio communications with city police, fire department, and ambulance services to facilitate rapid response in any emergency situation.

## **III. Emergency Notifications, Evacuations, and Lockdown**

### **Emergency Notifications**

It is mandated that all students are automatically signed up for emergency text, email, and phone notifications through the Patriot Alert Emergency Notification System. Students not wishing to receive these alerts must opt out.

Emergencies which may require notification or warning include but are not limited to:

- Bomb threats, active shooters, or other imminent violent threats
- Natural disasters or severe weather
- Fires, natural gas leaks, and hazardous spills
- Building evacuations and lock downs
- Biological or pandemic events
- Power outages and utility failures resulting in an imminent threat
- Campus closure or evacuation
- Other notifications required by law

The concept of notification and warning typically includes the activation of all or part of the layered emergency management organization and communicating with the campus community to ensure that they are aware of a dangerous situation.

When designated authorities determine that it is necessary to notify the campus of an actual or potential emergency, a strategy appropriate to the situation will be implemented. This strategy will involve the coordinated use of many of the components, procedures, and messages described in this report to ensure the effective delivery of notifications and warnings.

Notifications and warnings will serve to mitigate and/or minimize the impact of an emergency on the lives of students, faculty, and staff, the property, and the educational mission of The University of Texas at Tyler.

Together, the components of the systems described in this report, serve as a multi-layered approach to warn the University population.

The University may use one, several, or all of the following components to issue notifications and warnings for emergencies. Only those components deemed appropriate for the situation, in the professional judgment of the Activating Authority, will be used.

Collectively, these components are referred to as the Emergency Communications System.

1. Outdoor Warning System: The University's outdoor warning system issues tone and voice messages in the event of an emergency. The system can also be used for public address. The system is designed to be heard campus-wide by persons outside.
2. Indoor Warning System: Replicates the information provided by the outdoor warning system into most buildings on campus through fire alarm panel speakers.
3. Broadcast Phone Call\*: Students, faculty, and staff will receive phone calls when this system is activated.
4. Broadcast Text (SMS) Message\*: Students, faculty, and staff will receive SMS messages when this system is activated.
5. Broadcast E-mail\*: Students, faculty, and staff will receive an e-mail message sent to their official UT Tyler e-mail address.
6. Broadcast to IP Phones: The University Police Department has the capability of sending out an emergency broadcast over IP phones throughout campus.
7. University Web Site: The University web site will be updated with information and instructions during an emergency situation. A hosted, off-site web site may be used instead of or to supplement the official University web site.
8. Person-to-Person Communication (DSLs): The University's Departmental Safety Liaisons (DSLs) will deliver instructions to persons in their designated buildings/departments if they deem it safe to do so.

Approval of emergency notifications and timely warnings will be time dependent and determined by the situation. Authorization will be provided from the highest level listed below as circumstances permit. Notifications involving immediate life safety issues may be sent without delay on short or no notice without full authorization.

1. President
2. Vice President for Academic Affairs (Provost)
3. Vice President for Operations
4. Vice President for Student Success
5. Police Command Staff (Chief, Assistant Chief, Sergeants)

6. Emergency Management Coordinator
7. Director of Environmental Health and Safety
8. Incident Commander (if the University *Emergency Operations Plan* has already been activated).

The Chief of Police or designee will approve all timely warnings in response to a specific crime, such as those required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

The University may receive warning of actual or potential emergency situations, or other serious incidents, from a wide-range of sources, including but not limited to:

1. Texas Law Enforcement Telecommunication System (TLETS) or National Law Enforcement Telecommunication System (NLETS) message from state or local authorities
2. Radio, telephone, e-mail, fax, or in-person from Smith County, City of Tyler, or other public safety agencies and officials
3. Radio, telephone, e-mail, fax, or in-person from members of the UT Tyler community or other citizens
4. NOAA Weather Radio
5. Emergency Alert System
6. News Media

Information on actual or potential emergencies, information about a crime, or information about other serious incidents may be received by different departments and individuals at the University. In order to ensure that the provisions of the emergency notification annex are carried out in a timely and efficient manner, all information and reports will immediately be directed to University Police by calling Ext 7300, 911 or (903) 566-7300.

University Police are responsible for confirming that there is an actual or potential emergency situation, or other incident requiring timely warning.

1. All warning information received will be directed to the University Police supervisor on duty who will confirm the actual or potential emergency situation (or other incident requiring timely warning) and will then notify the Assistant Chief and/or Chief of Police and the Emergency Management Coordinator.
2. The Chief of Police and the Emergency Management Coordinator will use the UT Tyler All-Incident Administrative Notification Plan to make notification to key University officials so they can determine appropriate actions to respond to the situation and the appropriate notifications or warnings to be issued.

3. Designated Activating Authorities, as listed, must determine if an emergency exists and the level (as defined by the *Emergency Operations Plan*), approve activation of the Emergency Communications System if necessary, and determine the appropriate content of the notification or warning before it is disseminated to the University.

**Exception: For notifications and warnings for emergencies that may result in immediate injury or loss of life, e.g., tornado warnings or active shooter situations, or when required by law (Clery Act), University Police and the Emergency Management Coordinator are authorized to perform full activation of the Emergency Communications System and alert the campus community immediately and without further authorization.**

4. Once it is determined by an Activating Authority that there is an actual or potential emergency situation (or other incident requiring timely warning), and that the Emergency Communications System should be activated, the Chief of Police will notify those individuals with activation responsibilities to begin activation procedures.
5. The University will, without delay and taking into account the safety of the University, determine the content of the notification or warning and initiate the Emergency Communications System, unless issuing a notification or warning will, in the professional judgment of the Activating Authority, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency situation.
6. Regular updates will be provided as long as the emergency situation continues and an "all clear" type message will be sent when the emergency situation has been terminated.
7. Emergency information that must be publicly distributed beyond the University community will be coordinated with the Vice President of Marketing/Chief Communications Officer.

In general, the University will issue all emergency notifications and timely warnings to all students, faculty, and staff. Specific segments of the campus community may be designated to receive information if, in the professional judgment of the Activating Authority, wider distribution would compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency situation.

The President, Vice President for Academic Affairs, Vice President for Operations, and the Vice President for Student Success will:

1. Outline general policies on notification, warning, and emergency public information.
2. Approve emergency information to be released to the public through the news media or other means.

3. Annually publicize the University's notification and warning procedures and encourage participation by the campus community.

The Chief of Police will:

1. Develop an adequate notification and warning system.
2. Educate all University Police personnel on the procedures for the activation of the Emergency Communications System.
3. In conjunction with the Emergency Management Coordinator, develop and maintain procedures for operation of the Emergency Communications System, coordinating as necessary with other departments and agencies.
4. In accordance with the emergency notification annex or when directed, activate the Emergency Communications System to alert and provide instructions to the campus community.

The Emergency Management Coordinator will:

1. Provide for maintenance and periodic testing of the components of the Emergency Communications System.
2. In coordination with the Chief of Police, develop operating procedures for the Emergency Communications System, coordinating as necessary with other departments and agencies.
3. Assist in the development of pre-scripted notification and warning messages and media statements.
4. In coordination with the Vice President of Marketing and Communications, educate the University regarding the use of the Emergency Communications System.
5. In accordance with the emergency notification annex or when directed, activate the Emergency Communications System to alert and provide instructions to the campus community.

The Emergency Management Coordinator will supervise regular testing of the Emergency Communications System.

## **Evacuation and Lockdowns**

Evacuation routes are posted in each building on each floor. You should become familiar with the building evacuation routes prior to an emergency.

In certain emergencies, for the safety of the campus community, it may be necessary to either evacuate, shelter in place, or to lock down building(s). During these emergencies, the University emergency personnel will utilize a multi-layered warning system in an effort to inform as many members of the campus community as possible. These warnings will be disseminated by several means including but not limited to emergency text notification system, campus email, voice mail notifications, VOIP notifications, and amplified outdoor and indoor warning systems.

Emergencies which may require evacuation or sheltering-in-place include but are not limited to:

- Bomb threats, active shooters, or other imminent violent threats
- Fires, natural gas leaks and hazardous spills
- Biological or pandemic events
- Natural disasters or severe weather
- Power outages and utility failures resulting in an imminent threat

When designated authorities determine that it is necessary to evacuate or shelter-in-place, a strategy appropriate to the situation will be implemented. This strategy will involve the coordinated use of many of the components, procedures, and personnel described in the annex to ensure an effective response.

In general terms, the University will prefer evacuation during an emergency. Sheltering-in-place should be used when evacuation is not safe, such as in an active shooter incident.

Evacuation or sheltering-in-place will serve to mitigate and/or minimize the impact of an emergency on the lives of students, faculty, and staff, the property, and the educational mission of The University of Texas at Tyler.

When information on an actual or potential emergency situation is received and confirmed by University Police, depending on the nature, severity, and duration of an emergency, combined with the results of the decision criteria set forth in this annex, one of the following actions may be ordered.

## **Evacuation**

Emergencies requiring evacuation include, but are not limited to: fire, gas leak, hazardous material release, flooding, mass casualty incident, major structural concerns to campus buildings, and communicable disease outbreak.

### **Level I Sheltering (Shelter-in-Place)**

Selecting an interior place within a campus building, preferably with no or few windows, and taking refuge. It may include additional precautions such as turning off air conditioners and ventilation systems and closing all windows and doors. Shelter-in-place should be used when movement creates a greater risk.

### **Level II Sheltering (Lockdown)**

A temporary escalation of the shelter-in-place concept and utilized to limit civilian exposure to an active threat (e.g. active shooter, dangerous person). Lockdown involves securing all doors and windows and not allowing entry or exit to anyone until the “all clear” has been sounded.

#### **General Guidance Procedures:**

The following guidance applies to the general campus community during an evacuation:

- A. Know where the nearest exits are located.
- B. Know where the phones and pull stations are and know HOW to turn in an alarm. Become familiar with the location and operation of emergency equipment, including fire extinguishers, first aid kits, spill cleanup kits, and disaster supply kits.
- C. Never block, even temporarily, building evacuation routes and exits.
- D. Never ignore a sounding alarm or official instructions to evacuate a building.
- E. Ensure that those in the general vicinity are aware of the evacuation.
- F. Close, do not lock, doors behind you as you exit your work areas or classrooms.
- G. Leave personal belongings, except those in immediate reach.
- H. Evacuate quickly and calmly, by way of the nearest exit, to a safe distance from the building (500 feet or more). Keep clear of emergency vehicles. Leave sidewalks and roadways clear for emergency responders.
- I. Stay with the group from your area or with your class.

- J. Students in class should check in with their faculty member and faculty/staff should check in with their department head.
- K. Do not re-enter the building until the all clear has been given. Follow instructions given by University Police, Environmental Health & Safety personnel, University administration, or other emergency authorities.
- L. If it is necessary to evacuate the campus in a vehicle, exit in the direction given by University Police or other emergency authority. Do not put your vehicle in a position where it blocks the way for others. Some vehicles may be selected for emergency transportation. If your vehicle is chosen, please cooperate. If the road is not usable, leave your vehicle and evacuate on foot.

### **Testing and Drills**

Evacuation and sheltering-in-place drills shall be conducted at least once every year at unexpected times and under varying conditions to simulate the unusual conditions that occur should an evacuation be necessary. These drills may be obstructed, (having various means of exit made temporarily unavailable) in order to familiarize occupants with secondary routes of evacuation, or unobstructed.

Evacuation drills, which may take the form of a fire-drill, will be coordinated by the Director of Environmental Health and Safety. Evacuation drills shall involve all occupants. Everyone shall leave the building when the fire alarm sounds. Exceptions are strongly discouraged. It may be advisable to notify anyone needing special assistance prior to the planned evacuation drills. Sheltering drills will be coordinated by the Chief of Police and Emergency Management Coordinator. A sheltering drill may take the form of a campus-wide tornado drill, active shooter exercise, or other similar scenario.

In addition, at least once per academic year, in conjunction with a sheltering drill, the President will publicize the evacuation and emergency sheltering annex and will encourage awareness of the same by the campus community.

### **Timely Warnings**

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, timely warnings will be issued to the campus community when a crime or attempted crime occurs within the geographic reporting areas of U.T. Tyler (on-campus, the public property surrounding campus, and off-campus university controlled properties), and that crime represents an ongoing threat to the campus community. These will include all crimes reported to the University Police Department, directly or indirectly. Those alerts will be disseminated by methods including campus email, campus electronic bulletin board postings, postings on bulletin boards inside campus buildings, social networking sites, the University of

Texas at Tyler web site and in certain cases, text messaging. These messages will be issued by the Chief of Police, the University Emergency Management Coordinator, or his/her designee. The identification of victims will remain confidential and will not be made a part of the timely warning issued to the campus community.

#### **IV. Missing Persons**

##### **Response to Missing Person**

Section 485(j), Missing Persons Procedures, of the Higher Education Opportunity Act – 2008, requires all institutions of Higher Education that participate in any Title IV program and provide on-campus housing to students to establish both a Missing Persons Notification Policy and Official Notification procedures for handling missing persons that apply to missing student reports of students who reside on-campus.

Information about the missing person's notification policy has been added to the UT Tyler Residence Life handbook and website. Additionally, students will have the option to designate another individual as emergency contact when they check in to the university residence halls. Students will also be notified of this policy during their first floor meetings.

The statute leaves it to the institution to determine the events that trigger a report that a student is missing and to whom or how the report is to be made--trigger events and the format in which it will be reported that will be used by The University of Texas at Tyler are listed below. If the student has not designated a contact and/or is not an un-emancipated minor under the age 18, the department must notify the appropriate law enforcement agency.

##### **Trigger Events:**

The report of a missing person is initiated when residence life staff are notified of or become aware of a potential missing student—this is considered to be the trigger event that begins the Missing Person protocol. The 24-hour period begins at the time of notification. Staff should follow missing person procedures to report and investigate the missing person.

Trigger events that would cause a person to be considered missing include contact from concerned individuals, including university officials, about an individual's absence or lack of contact that is contrary to his/her normal behavior and/or if unusual circumstances may have caused the absence.

**Resident Assistant (RA):**

1. Gather all the information from the reporting source: who is the reporting source (name, relationship to missing person and contact information); missing person information: name, age, description (picture if possible), contact information, last seen date/time/location, change in behavior/stress/relationship, and reason for concern.
2. Notify the Head RA and Director of Residence Life of potential missing person.
3. Perform routine checks within on-campus community.
  - a. Check with roommate to see when the missing person was last there.
  - b. Try to call (cell phone), email, or instant message the student.
  - c. Check with the missing person's friends to ask when they last saw/spoke with him/her
  - d. If possible, check social network websites for information about student that may be useful. If you do not have access to the potentially missing student's page, ask his/her friends to check and provide any information that may be useful.

**Head RA Response:**

1. When a resident is reported missing, such information must be immediately communicated to the Director of Residence Life and Judicial Affairs and the University of Texas at Tyler Police Department.
2. The Head RA will make internal checks within the on-campus community and notify the Director with updates. The Director will assist as needed.

**Director of Residence Life Response:**

1. Notify the following offices:
  - University Police
  - Vice President for Student Success
  - Director of Marketing and Communication
  - Behavioral Intervention Team
  - Student Services

2. Director will conduct external checks and work with Head RA on conducting internal checks.
3. Cases believed to involve danger for the missing person should immediately be communicated to the Vice President for Student Affairs and to University Police Department who will expedite the investigations. Due to FERPA regulations, no parents or guardians will be contacted before consulting the Director of Residence Life.
4. Continuously monitor and communicate with all involved individuals and insure that all appropriate parties are notified—including if the resident is located.
5. Possible communication with parents/guardians.

### **Internal Checklist**

- Contact Sodexo to determine whether the resident's ID has been used to gain access to any of the dining facilities. Sodexo cashiers should be alerted to watch for the person.
- Determine whether the resident's mail has accumulated in his or her mail box.
- Check *MyUTTyler* to see if the resident has recently withdrawn.
- Determine whether the resident's ID card has been used to gain access to the resident's living area.
- Gather as much information as possible from the individual who has reported the student as missing (reasons why person is believed to be missing, last date/time of contact, actions the individual has taken to locate the student, etc).
- Check student room, send an email message, and leave a note in the student's room requesting the student to contact you as soon as possible.
- Contact IT staff—call the 24 hour number if after hours – IT staff can view computer lab usage, EID logon's to UT applications, etc.

### **External Checklist**

- Notify University Police to determine if they have had any contact with the resident and to request their assistance with the search.
- Check with University Police to determine if the student has an automobile which may have received some tickets during the timeframe in question.
- Check any leads on the resident's whereabouts provided by other residents and friends.

- 24 hours after the trigger event, if the resident is still missing, do the following:
  - Continually update the Vice President for Student Affairs.
  - Get the names of the student's classes and major department from *MyUTTyler*.
  - The Vice President can assist in contacting the College in which the student is enrolled.

While the above procedures are being followed, there should be an on-going check of other residents on the floor as well as a check for meal plan use and mail pick-up.

All investigating procedures should be completed within 24 hours of the report of a missing student. The completion of these steps will ensure that as much investigation as possible has taken place in attempting to locate the student, so that early contact can be made with the parents, if that is the action to be taken.

Procedures to notify law enforcement without following Missing Person Policy notification procedure:

- Circumstances include but are not limited to suspected foul play.
- Circumstances where the student has expressed suicidal ideology.
- Circumstances where a medical condition may place the student in a life threatening situation.
- Circumstances which are related to a natural disaster or other force of nature that has resulted in a catastrophic situation.
- Student reported missing has not designated an emergency contact.

## **V. Maintenance, Security of, and Access to Campus Facilities**

Residential facilities owned and/or controlled by The University of Texas at Tyler include:

**Ornelas Residence Hall**

**Patriot Village Apartments**

**University Pines Apartments**

**Liberty Landing Apartments**

**Victory Village Apartments**

Police personnel regularly patrol the **University of Texas at Tyler** residential facilities. Resident Assistants are also on duty at all times to assist residents as needed. The University Police Department meets with all Resident Assistants at the beginning of each Fall

semester and periodically throughout the year to discuss security issues. All Resident Assistants are designated as Campus Security Authorities.

Residents are encouraged to contact the police department directly with reports of suspicious activity, crimes in progress, or any security concerns.

Parking lots and campus buildings are patrolled by campus officers to ensure the safety of students, employees, and visitors. Safety issues such as poor lighting, excessive vegetation, and shrubbery growth are reported. Students and employees are encouraged to assist in the safety of the campus community by reporting any safety or security hazards.

Police personnel routinely check doors, lights, and the grounds for defects and unsafe conditions. All safety concerns noted are directed to the Physical Plant for corrections. In addition, the Safety Officer on campus reports any safety issues discovered in relation to the security of the campus and they are brought to the attention of the Chief of Police.

In addition, inspectors with the University of Texas System Police conduct periodic inspections of campus facilities and grounds. Recommendations are made to the Chief of Police and the Office of the President regarding safety and security issues.

### **Access to Campus Facilities**

After normal business hours, including weekends and holidays, non-academic campus buildings are closed and secured in order to protect the safety and security of the university. Academic buildings are normally locked between 10 pm and 6 am. Students and employees needing access to those buildings or rooms may contact the University Police Department at 903-566-7300 for admittance.

### **Residence Life**

UT Tyler Residence Life takes each student's safety very seriously and provides staff members on duty 24 hours a day.

The University of Texas at Tyler recognizes and respects your privacy; however, the University may enter into your apartment/suite at any time in the event of an emergency and at any time for any reasonable purpose, including, without limitation, inspection, cleaning, or maintenance purposes. There may be entry without notice in emergencies where imminent danger to life, safety, health, or property is reasonably feared. Access to apartments or rooms will not be granted to friends, relatives, or other students by staff. You should keep your door closed and locked and contact the front desk or University Police if you have concerns about who is coming into your apartment.

### **Evacuation Procedures:**

In the event of an emergency evacuation, all residents are to leave the complex by the quickest means.

Patriot Village residents should exit by the stairwell closest to their apartment and exit the complex by the east foot gate or the front foot gates. Residents should proceed to Parking Lot 14, the baseball parking lot. Residents must remain in Parking Lot 14 so that an accurate roll can be taken.

Ornelas Hall residents should exit by the nearest stairwell and proceed to Parking Lot 15. Residents must remain in Parking Lot 15 so an accurate roll can be taken.

University Pines residents should exit their buildings and proceed to the foot gate and cross over to the Business building parking lot, Lot 9. Residents should remain in Lot 9 until an accurate role can be taken.

Liberty Landing residents should exit their building and proceed to the interior parking lot closest to their building. Do not congregate in the main drives on the east and west side of the complex, as these routes are needed clear for emergency vehicles.

Victory Village residents should exit their building and proceed to the interior parking lot closest to their building. Do not congregate in the main drives as these routes are needed clear for emergency vehicles.

**Keys:** Residents may not lend their ID card to anyone. Students who violate this policy will be subject to disciplinary action. A lost mail key will result in a \$50 re-core charge. Lost ID cards will result in a \$15 charge. Students who lock themselves out of their room and must be let in by staff will be billed \$10 for the third and any following instances. Activating a new ID to replace a lost ID will be considered a lock-out.

**Unauthorized Entry:** Entry into apartments or suites other than your own, or into offices, meeting rooms, or other restricted areas in University housing is prohibited. Individuals violating this policy will be subject to disciplinary action and a \$50 charge, and could face criminal charges as well.

**Visitation:** Patriot Village apartments offer 24-hour visitation. Twenty-four hour visitation is a privilege that can be revoked if the University finds residents abusing it. Cohabitation, noise, roommate complaints, parties, and other disruptive activities may result in the suspension of this visitation privilege and the establishment of more restrictive visitation hours.

**Ornelas Residence Hall:**

Resident assistants, one head RA, and the ADRL live in Ornelas Hall.

24-hour front desk assistance

Card access locks to the suites

Ornelas Hall residents may have guests of the opposite sex in their rooms from 10 AM until midnight, Sunday through Thursday. Friday and Saturday the hours are from 10AM until 2 AM.

**University Pines Apartments:**

Gated Access

24-hour emergency maintenance and onsite management

Resident Assistants on premises.

**Liberty Landing Apartments:**

Gated Access

24-hour emergency maintenance and onsite management

Resident Assistants on premises.

**Patriot Village Apartments:**

Gated access to the property with card access to all suites.

Live-in resident assistants and a head resident assistant are on site.

Closed circuit security cameras and emergency phones on premises.

24-hour front desk and community center assistance

**Victory Village Apartments**

Gated access to the property

Live-in resident assistants and a head resident assistant are on site.

Closed circuit security cameras and emergency phones on premises.

24-hour front desk and community center assistance

ated access to the property

**VI. Security Awareness and Crime Prevention**

A continuing partnership between the University Police Department and everyone who lives, works, and studies at the University of Texas at Tyler is the key to a safe campus.

Students, faculty, and staff are encouraged to be responsible for their own safety and the safety of others. Alertness, common sense precautions, and concern for others are keys to preventing crime and helping us ensure the safety of our campus. The University of Texas at Tyler Police Department urges you to be aware of your surroundings and environment in order to maintain the highest possible level of safety within the University of Texas at Tyler campus community.

In accordance with the Campus Security Act of 1990, the University of Texas at Tyler provides the following information and programs:

- **Daily Crime Log:** A daily crime log is maintained at the University Police Department located at 3410 Varsity Drive and is open to public inspection during regular business hours (Monday through Friday, 8:00 a.m. until 5:00 p.m.). The Daily Crime Log includes any crimes occurring on the Tyler, Palestine, or Longview campus, or any off campus property owned or controlled by the Institution. The crime includes the nature, date, time, and general location of each crime, as well as the disposition, if known.
- **Freshman Orientation:** The University of Texas at Tyler provides all incoming freshman, transfer, and international students with information concerning safety and security. In addition, the University Police Department speaks to incoming freshman students and their parents regarding campus security policy, safety, and security.
- **Emergency Blue Light Phones:** Located in 38 locations throughout campus, including residential facilities, blue light emergency phones provide direct contact to University Police telecommunicators. Press the button on the face of the phone to make contact.
- **Emergency Flip Charts:** Located in every building on campus, these emergency charts provide recommended courses of action to take in the event of an emergency. In addition, the Office of Emergency Management provides an electronic version of the emergency flip chart.
- **RAVE Patriot Guardian Mobile Smartphone App:** Provides the campus community with a smartphone app capable of telephoning and texting University Police, dialing 9-1-1, and setting a safety timer for personal safety, which also serves as a "virtual" walking escort. The app provides GPS capability which assists the police in locating a person in distress.
- **Safety and Prevention Videos on website:** Topics include guidance for active shooter situations, workplace violence, intimate partner/dating violence. Students and staff may login with their uttyler.edu or patriot.uttyler.edu credentials at <http://www.uttyler.edu/police/videos.php>
- **Rape Aggression Defense Program (RAD)** – available to all campus community members upon request
- **Active shooter presentations:** University Police conduct active shooter training presentations at specified times during the year. These are also made available to student and staff groups upon request.
- **Amplified Indoor and Outdoor Emergency Notification System:** During certain emergencies the system will be utilized to notify the campus community of the emergency and recommended course of action.
- **Crime Prevention Materials and Presentations:** These are available at the University Police Department lobby, and upon request.

- **Crime Victim Compensation Act:** Information is available at the University Police Department and is given to anyone who is a victim of a violent crime or a relative of a victim of a violent crime.
- **External Awareness:** Crime prevention statistics and information are distributed through the campus newspaper, bulletin boards, special bulletins, and annual reports.
- **Security Surveys:** Performed regularly to assure that the physical elements that contribute to crime are reduced, i.e., doors are locked, vegetation is under control, and internal and external lighting is appropriate.
- **Safe Walk Program:** Upon request, the University Police Department provides students and employees an escort to their vehicles and/or on campus housing. This service is provided 24/7/365.
- **Operation ID:** Electronic etching pencils are available for checkout at the Police Department if students and employees wish to engrave their driver's license number on their property. This method is valuable in the identification of stolen items.

## **General Safety**

### **1) Fire Alarm**

If you hear a **Fire Alarm:**

- a) Turn off electrical equipment
- b) Close door against fire
- c) Do not use elevators
- d) Use fire exit stairwells
- e) Calmly evacuate to an open area 100 yards away from the affected building

### **2) Fire**

If you discover a **Fire:**

- a) Activate the nearest fire alarm pull station
- b) Dial 911
- c) Notify others in your area
- d) Calmly evacuate to an open area 100 yards away from the affected building

### **3) Bomb Threat**

If you receive a **Bomb Threat:**

- \* Elicit as much information as possible
- \* Calmly notify others in your area
- \* Dial Ext 7300 or 911
- \* Check your immediate area for suspicious objects. **DO NOT HANDLE ANY OBJECT FOUND.**

\*Calmly evacuate to an outside area 500 yards away from the affected building

#### **4) Weather Emergency**

In the event of a **Weather Emergency**:

- \*Take cover in designated "safe areas" or under heavy furniture on the ground floor in the center of a building, away from the outside walls and windows.
- \*If outside and unable to make it to an inside location, take cover and lie flat in the nearest drainage ditch, excavation or ravine.
- \*Avoid auditoriums, lecture halls, laboratories, studios, and hazardous chemical storage areas.

#### **5) Medical Emergency**

If you experience a **Medical Emergency**:

- \*Dial 911.
- \*An employee should also report the injury to his or her supervisor.

### **Safety Tips**

#### **Driving:**

- Always tell someone where you are going and what time you expect to return.
- Never pick up hitchhikers.
- Have your keys out and ready when approaching your vehicle.
- Make an inspection of the interior before you enter your vehicle. Once inside, lock all doors and windows.
- Park in well-lighted areas. Do not park where suspicious persons are loitering.
- Trust and follow your instincts.

#### **Off Campus:**

- Keep doors and windows locked at all times. All exterior doors should be equipped with deadbolt locks.
- Know whom to call in an emergency.
- Do not open your door for anyone you do not know. If a person in uniform knocks and you did not call for assistance, contact the person's place of employment to verify the reason for the visit.
- Use outside lighting and keep shrubbery trimmed around windows and doors.

#### **On Campus:**

- Never leave your personal property unsecured or unattended.
- Look around and be aware of your surroundings when you enter and exit a building.
- Be aware of your surroundings and think about how you would defend yourself. Develop a "game plan" for prevention.
- Avoid walking alone, particularly after dark. If walking alone is unavoidable, be aware of your surroundings.

- Walk with confidence and determination, holding your head up. Look behind and around you frequently.
- Avoid shortcuts. The shortest route is not always the safest route.
- Dress for mobility, particularly after dark.
- Carry your personal belongings in a backpack or similar container that will enable your arms and hands to be free at all times.
- Never allow someone to predict your route of travel. Whether you are driving, biking, walking, or jogging, frequently alter your route between campus and your residence.
- Call (903) 566-7300 for an escort to your car or campus residence if you for any reason fear for your safety.

**On Dates:**

- Know your sexual limits and communicate them clearly and firmly.
- Avoid the use of mind-altering drugs. (This includes alcohol.)
- Listen to and respond to your instincts. They are usually correct.

**Residence Halls:**

- Never prop your door open, even if you will be gone for only a few minutes. Always lock doors, screens, and windows to prevent uninvited access to your room.
- Do not go inside your residence if you return and find that the door is ajar. Immediately notify the police.
- Do not give anyone a key to your room. If you lose your room key, report it immediately to your RA.
- Do not leave valuables in plain sight. Register, engrave, mark, and/or photograph all your valuables including bicycles, stereos, jewelry, vehicles, computers, etc.
- Be aware of suspicious persons and activities. If you observe someone or something suspicious, notify the residence staff and the University Police Department.
- Report any obscene, annoying, or threatening telephone calls to the University Police Department.

**VII. Drug and Alcohol Policy**

**UT Tyler Standards of Conduct**

Subsection 3.21 of Chapter VI, Part One of the Rules and Regulations of the Board of Regents of the University of Texas System provides for the disciplinary action against any student who engages in conduct that is prohibited by state, federal, and local law. This includes those laws prohibiting the use, possession, or distribution of drugs and alcohol.

**UT Tyler Penalties**

UT Tyler maintains a strict zero tolerance policy regarding the use, possession, and distribution of illegal drugs. Students who are found engaging in conduct related to the use, possession, or

distribution of drugs that are prohibited by state, federal, or local law may face arrest and suspension or expulsion from the university. Additional penalties that may be imposed for conduct related to the unlawful use, possession, or distribution of drugs or alcohol include payment for damage to or misappropriation of property, suspension of rights and privileges, suspension for a specified period of time, expulsion, or such other penalty as may be deemed appropriate under the circumstances.

It is important that students are also aware of the many health risks associated with the misuse of alcohol and other drugs.

### **Health Risks of Alcohol and Drugs**

It is important that each student at the University of Texas at Tyler be aware of the health risks and the counseling and rehabilitative programs available as well as standards of conduct and legal and disciplinary sanctions.

**Alcohol.** Health hazards associated with the excessive use of alcohol or with alcohol dependency include dramatic behavioral changes, retardation of motor skills, and impairment of reasoning and rational thinking. These factors result in a higher incidence of accidents and accidental deaths for such persons than non-users of alcohol. Nutrition also suffers and vitamin and mineral deficiencies are frequent. Prolonged alcohol abuse causes bleeding from the intestinal tract, damage to liver, often resulting in cirrhosis, impotence, severe inflammation of the pancreas, and damage to the bone marrow, heart, testes, ovaries, and muscles. Damage to the nerves and organs is usually irreversible. Cancer is the second leading cause of death in alcoholics and is ten times more frequent than in non-alcoholics. Sudden withdrawal of alcohol from persons dependent on it will cause serious physical withdrawal symptoms.

**Drugs.** The use of illicit drugs usually causes the same general type of physiological and mental changes as alcohol, though frequently those changes are more severe and more sudden. Death or coma resulting from overdose of drugs is more frequent than from alcohol, but, unlike alcohol, abstinence can lead to reversal of most physical problems associated with drug use.

**Cocaine.** Cocaine is a stimulant that is most commonly inhaled as a powder. It can be dissolved in water and used intravenously. The cocaine extract (freebase) is smoked. Users progress from infrequent use to dependence within a few weeks or months. Psychological and behavioral changes resulting from the use include over-stimulation, hallucinations, irritability, sexual dysfunction, psychotic behavior, social isolation, and memory problems. An overdose produces convulsions and delirium, and may result in death from cardiac arrest. Discontinuing the use of cocaine requires considerable assistance, close supervision, and treatment.

**Amphetamines (speed, love drug, ecstasy).** Patterns of use and associated effects are similar to cocaine. Severe intoxication may produce confusion, rambling, and incoherent speech, anxiety, psychotic behavior, ringing in the ears, hallucinations, and irreversible brain damage. Intense fatigue and depression resulting from use can lead to suicide. Large doses may result in convulsions and death from cardiac or respiratory arrest.

**Heroin and other Opiates.** These drugs are usually taken intravenously. "Designer" drugs similar to opiates include Fentanyl, Demerol, and "China White". Addiction and dependence develop rapidly. Impaired judgment, slurred speech, and drowsiness characterize use. Overdose is manifested by coma, shock, and depressed respiration, with the possibility of death from respiratory arrest. Withdrawal problems include sweating, diarrhea, fever, insomnia, irritability, nausea, vomiting, and muscle and joint pain.

**Hallucinogens or Psychedelics.** These include LSD, mescaline, peyote, and phencyclidine (PCP or "angel dust"). Use impairs and distorts one's perception of surroundings, causes bizarre mood changes, and results in visual hallucinations that involve geometric forms and colors, and persons or objects. Users who discontinue use experience "flashback", consisting of distortions of virtually any sensation. Withdrawal may require psychiatric treatment for the accompanying persistent psychotic states. Suicide is not uncommon.

**Solvent inhalants, e.g., glue lacquers, plastic cement.** Fumes from these substances cause problems similar to alcohol. Incidents of hallucinations and permanent brain damage are more frequent.

**Marijuana (Cannabis).** Marijuana is usually ingested by smoking. Prolonged use can lead to psychological dependence, disconnected ideas, and alteration of depth perception and sense of time, impaired judgment, and impaired coordination.

**Damage from intravenous drug use.** In addition to the adverse effects associated with the use of a specific drug, intravenous drug users who use un-sterilized needles, or who share needles with other drug users can develop AIDS, hepatitis, tetanus (lock jaw), and infections of the heart. Permanent brain damage may also result. The use of alcohol and many of these drugs cause birth defects of a very serious nature.

### **Drug and Alcohol Policies**

The unauthorized purchase, manufacture, distribution, possession, sale, storage, or use of an illegal drug, alcoholic beverage, or controlled substance while on campus or on property owned or controlled by the University is prohibited. In addition to imposition of disciplinary sanctions such as suspension for a period of time and suspensions of rights and privileges from the University, students, employees, and visitors may face prosecution and imprisonment under Federal and Texas laws which make such acts felony and misdemeanor crimes. Individuals, regardless of age or life stages, become vulnerable to developing addiction to alcohol and other drugs as a result of the stress and frustration they experience. It is important that each student at The University of Texas at Tyler be aware of the health risks and the counseling and rehabilitative programs available as well as standards of conduct and legal and disciplinary sanctions.

The possession, sale, or the furnishing of alcohol on the University campus is governed by The University of Texas at Tyler alcohol policy and Texas state law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the Texas Alcoholic Beverages Commission (TABC). However, the enforcement of alcohol laws on-campus is the primary

responsibility of the University Police Department. The University campus has been designated "Drug free" and only under certain circumstances and locations is the consumption of alcohol permitted. This policy is strictly enforced by the University Police Department.

Persons under the age of 21 who are found to have alcoholic beverage in their possession may be charged with "Minor in Possession of Alcoholic Beverage, a Class C Misdemeanor which carries a fine of up to \$500, possible loss of their driver's license, as well as facing university disciplinary action.

Persons at least 21 years of age who are found to have alcoholic beverages in their possession while on campus property and not in an authorized location may face disciplinary action by the University. **This policy does not apply to Liberty Landing apartments. Persons 21 years of age or older may possess and consume alcoholic beverages inside of their residence, but must not make those beverages accessible to minors.**

It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. Violators are subject to being prosecuted for a Class A Misdemeanor for which the punishment is confinement up to one (1) year and a \$4000 fine.

Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.

#### **Counseling and Rehabilitation Programs**

The Student Counseling Center provides substance abuse counseling and educational opportunities for students who are seeking assistance or who are referred for issues related to alcohol and other drug abuse. All services provided through the center are confidential in accordance with state and federal laws. No information becomes part of a student's academic record.

The Center for Students in Recovery (CSR) provides a supportive community where students in recovery and in hope of recovery can achieve academic, personal and professional success while enjoying a genuine college experience free from alcohol and other drugs. Services include open 12-step all addictions meetings, meetings for friends and family, student organization and activities, service opportunities, resources and referrals.

Off campus referral resources can be found through the CSR website  
**[www.uttyler.edu/recovery](http://www.uttyler.edu/recovery)**

#### **Campus Awareness and Education**

The Student Health and Wellness office has alcohol and other drug abuse educational information and programs available for students, faculty, and staff. On-line and in-person

programs focused on healthy decision-making, bystander intervention, and addiction resources are organized throughout the academic year. **Student Health and Wellness is located in the University Health Clinic, room 147.** More information can be found online at [www.uttyler.edu/wellness](http://www.uttyler.edu/wellness)

#### **VIII. Dangerous Weapons on Campus**

**Beginning August 1, 2016, persons possessing a License to carry a handgun may carry that handgun on the grounds and inside of the buildings of the University of Texas at Tyler. Persons licensed to carry must at all times keep the handgun concealed. The University of Texas at Tyler is not an Open-Carry premises.**

**The following applies to those who are not licensed to carry a firearm:**

As a component of the University of Texas System, The University of Texas at Tyler is an institution of higher education, complete with training and teaching centers and students. It is in the interest of the safety of students, employees, and visitors, that there is no tolerance for dangerous weapons by unlicensed persons on the campus of the University of Texas at Tyler. A dangerous weapon is described as any firearm, explosive device, or illegal knife. The campus is described as the grounds, upon which the University is located, as well as the buildings and vehicles within that boundary. To possess a dangerous weapon means to have that weapon under your control while on campus. **Section 46.03 of the Texas Penal Code states that "A person commits an offense if, with a firearm, or explosive weapon, or illegal knife, he intentionally, knowingly or recklessly goes on the premises of a school or educational institution, whether public or private, unless pursuant to written regulations or written authorization of the institution. An offense under this section is a third degree felony".** Remember that it is in the interest of the safety of our students, employees, and visitors that this regulation will continue to be enforced. There is never an excuse for an unlicensed individual bringing a dangerous weapon into any building on campus.

**More information and the complete policy on campus conceal carry can be found at  
<http://www.uttyler.edu/about/campus-carry/index.php>**

#### **IX. Violence Against Women Reauthorization Act of 2013**

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

sexual assault, and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of the University of Texas at Tyler's policy concerning sexual misconduct, follow the provided links:

<http://www.uttyler.edu/hop/>

Sexual Harassment Complaint Investigation and Grievance

<http://catalogs.uttyler.edu/en/UTTyler/HOP/Series-200-General-Policies-and-Procedures/2-4-3-Sexual-Harassment-Complaint-Investigation-and-Grievance>

**A. Definitions**

The Texas Penal Code defines "consent" as assent in fact, whether express or apparent.

"Effective consent" includes consent by a person legally authorized to act for the individual.

Consent is not effective if:

- 1) If induced by threat or fraud;
- 2) Given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable decisions;

Sexual Assault means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting System. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

Statutory Rape is defined a non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Texas Penal Code Chapter 22, section 22.011 defines sexual assault as**

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.

**Domestic Violence:** The term "domestic violence" means

1) Felony or misdemeanor crimes of violence committed—

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

2) For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

A person is guilty of domestic assault in Texas if he commits an assault against a family member, household member, or a current or past dating partner. An assault consists of:

- intentionally, knowingly or recklessly causing bodily injury to another person
- intentionally or knowingly threatening another person with imminent bodily injury; or
- intentionally or knowingly causing physical contact with another that the offender knows or reasonably should know the victim will find provocative or offensive.

**Dating Violence:** The term "dating violence" means violence committed by a person

- 1) who is or has been in a social relationship of a romantic or intimate nature with the victim and
- 2) the existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-

Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Texas Family Code, section 71.0021 defines DATING VIOLENCE as:

"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).

**Stalking:** The term "stalking" means

- 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - (i) fear for the person's safety or the safety of others; or
  - (ii) suffer substantial emotional distress.
- 2) For the purposes of this definition—

- (i) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
  - (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - (iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.
- 3) For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Texas Penal Code Chapter 42, section 42.072:**

A person commits an offense of Stalking 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) the actor knows or reasonably believes the other person will regard as threatening:
  - (A) bodily injury or death for the other person;
  - (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
  - (C) that an offense will be committed against the other person's property;
- (2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or fear that an offense will be committed against the other person's property; and
- (3) would cause a reasonable person to fear:
  - (A) bodily injury or death for himself or herself;
  - (B) 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; or
  - (C) that an offense will be committed against the person's property.

**B. Education and Prevention Programs**

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

1. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
2. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Defines what behavior and actions constitute consent to sexual activity in the State of Texas and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;
- d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- e. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students, participating in and presenting information and materials during new employee orientation, and ongoing educational programs for staff and students.

The University offered the following **primary prevention and awareness programs for all incoming students** in 2018:

Type	Topics	Offered
LGBTQ+ Allyship trainings	gender and sexuality	Jan; March; May
6 Unequal Partners workshops	healthy relationship skill building	Feb-April; Sept-Nov
5 films with discussion	gender, consent, survivor support, bystander intervention	April; October
tabling	sexual assault, domestic violence	April; October
training	bystander intervention in high risk drinking situations	July
facilitated discussion	consent	August
Interdepartmental co-sponsorship: Library	gender, relationship diversity	Sept

Name of Program	Date Held	Location	Topics Covered
New Student Orientation	Summer 2018	UC Theatre	DoV, DV, SA, S, Sexual Harassment, Title IX
New Student Orientation	Summer 2018	UC Theatre	DoV, DV, SA, S, Sexual Harassment, Title IX
New Student Orientation	Summer 2018	UC Theatre	DoV, DV, SA, S, Sexual Harassment, Title IX
New Student Orientation	Summer 2018	UC Theatre	DoV, DV, SA, S, Sexual Harassment, Title IX
New Student Orientation	Summer 2018	UC Theatre	DoV, DV, SA, S, Sexual Harassment, Title IX
New Student Orientation	Summer 2018	UC Theatre	DoV, DV, SA, S, Sexual Harassment, Title IX
New Student Orientation	Summer 2018	UC Theatre	DoV, DV, SA, S, Sexual Harassment, Title IX
New Student Orientation	Summer 2018	UC Theatre	DoV, DV, SA, S, Sexual Harassment, Title IX
Transfer Orientation	August 2018	UC Theatre	DoV, DV, SA, S, Sexual Harassment, Title IX

\*DoV=Domestic Violence, DaV=Dating Violence, SA=Sexual Assault, S=Stalking

<b>Types of Presentations</b>	<b>Date Range in Academic Yr.</b>	<b>Subject of Presentation</b>
6 Tabling events	January, April, October	Stalking, sexual violence, bullying, intimate partner violence
11 workshops	January, February, September, October	Building healthy relationship skills, bystander intervention, LGBTQ+ allyship
4 Film screenings with facilitated discussions	March, April, May, October	Prevention of gender-based and race-based violence
2 Presentations to residents	February	Consent, relationships, sexual responsibility
1 Certification training	June	Bystander intervention for high risk drinking behaviors (TiPS)
8 Facilitated discussions	Entire academic year	Bystander intervention, survivor support, allyship & activism
10 Presentations to new students	May – August	Bystander intervention, consent
Social media curation	Entire academic year	Bystander intervention, consent, healthy relationships

The University offered the following **primary prevention and awareness programs for all new employees** in 2018:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location</b>	<b>Topics Covered</b>
New Employee Orientation	2 Sessions Every Monday	Human Resources	Workplace Harassment, Sexual Assault Resources/Response/ Title IX
Employee Compliance Training	Ongoing for all new FT/PT hires	Canvas	Workplace Harassment, Sexual Assault Resources/Response / Title IX

The University offered the following **ongoing awareness and prevention programs for employees** in 2018:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location</b>	<b>Topics Covered</b>
Employee Compliance Training	Feb 2017 for current FT/PT employees	Canvas	Workplace Harassment, Sexual Assault Resources/Response / Title IX
CSA Training	Annual	Canvas	Campus Security Authority Reporting, Policy and Procedure

### **C. Procedures for Reporting a Complaint**

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the University Police or to local law enforcement. Students and employees should contact:

Blake Bumbard  
Title IX Coordinator  
Office of Title IX  
Phone: 903.565.5760  
Email: [bbumbard@uttyler.edu](mailto:bbumbard@uttyler.edu)

Elizabeth Caulkins  
Title IX Investigator  
Office of Title IX  
Phone: 903.566.6189  
Email: [ecaulkins@uttyler.edu](mailto:ecaulkins@uttyler.edu)

Ona Tolliver  
Deputy Title IX Coordinator  
Interim Vice President for  
Student Affairs  
Phone: 903.565.5651  
Email: [otolliver@uttyler.edu](mailto:otolliver@uttyler.edu)

Stefani Webb  
Deputy Title IX Coordinator  
Athletics  
Phone: 903.565.5980  
Email: [swebb@uttyler.edu](mailto:swebb@uttyler.edu)

David Hill  
Title IX Investigator  
Residence Life & Judicial Affairs  
Phone: 903.566.7028  
Email: [dhill@uttyler.edu](mailto:dhill@uttyler.edu)

Complaints may be filed electronically at: <http://www.uttyler.edu/titleix/>

Complaints may also be filed by contacting The University of Texas at Tyler Police Department:  
<http://www.uttyler.edu/police/> or by phone at 903-566-7300

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at Trinity Mother Frances Hospital or East Texas Medical Center offering physical evidence recovery kit collection and access to forensic nurse examiners/sexual assault nurse practitioners. In Texas, evidence may be collected even if you chose not to make a report to law enforcement. The identity of the victim remains confidential.

**Preserving Evidence:** It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University hearing boards/investigators or police. Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The University will assist any victim with notifying local police if they so desire. The City of Tyler Police Department may also be reached directly by calling (903)531-1000 or in person at 711 West Ferguson, Tyler, Texas. Additional information about the Tyler Police department may be found online at: [www.tylerpolice.com](http://www.tylerpolice.com)

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the University's Title IX Coordinator:

Blake Bumbard  
Phone: 903-565-5760  
Email: [bbumbard@uttyler.edu](mailto:bbumbard@uttyler.edu)

by calling, writing or coming into the office to report in person and to Campus Police (if the victim so desires.) The University will provide resources, on campus off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the University Police Department or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, the below are the procedures that the University will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

The standard of evidence in all judicial investigations and proceedings regarding sexual assault, dating violence, domestic violence, and stalking is preponderance of the evidence.

#### **D. Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In Texas, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

1. to protection from threats of harm, arising from cooperation with peace officers or prosecutors.
2. to have your safety, and that of your family, taken into consideration when bail is being considered.
3. to be informed about court proceedings, including whether they have been canceled or rescheduled.

4. to information about procedures in criminal investigations and to information about procedures in the criminal justice system, including plea bargaining.
5. to complete a Victim Impact Statement, detailing the emotional, physical and financial impact that the crime has had on you and your family, and to have that statement considered by the judge at sentencing and by the parole board prior to taking any parole action.
6. to be informed about the Crime Victims Compensation Fund, the payment of certain medical expenses for victims, and the availability of social service agencies that may provide assistance.
7. to be notified about parole proceedings.
8. to include information in the defendant's file to be considered by the Board of Pardons and Paroles.
9. to be present at all public court proceedings related to the offense, if the presiding judge approves.
10. as the victim or witness to be provided with a separate and secure waiting area while waiting to testify.
11. to prompt return of any property of the victim when the need for that property has passed.
12. to have the prosecutor notify the employer of the need for the victims' cooperation during the investigation and trial.
13. to counseling on request regarding AIDS and HIV infection, testing for AIDS and HIV infection and testing for sexual assault victims.

Further, The University of Texas at Tyler complies with Texas state law in recognizing orders of protection (Protective Orders). The University ensures full compliance with protective orders issued from the court and assists victims in maintaining their safety. Any person who obtains a protective order from Texas or any reciprocal state should provide a copy to Campus Police and the Office of the Title IX Coordinator. A complainant may then meet with Campus Police to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus.

This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services. Protective orders may be available for victims by contacting the Smith, Anderson, and or Gregg County District Attorney's offices.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent,

university offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement.

Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims nor house identifiable information regarding victims in the campus police departments Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request of the University of Texas at Tyler Title IX Coordinator.

### **Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking (On-Campus)**

In the event a sex offense is committed on campus, the victim should report the incident immediately to the University Police Department located at 3410 Varsity Drive in the University Service Center building, or by calling 9-1-1 or 903-566-7300. A University Police Officer will respond as soon as possible to begin the investigation. An officer will assist the victim in getting medical attention, if necessary, and preserving any evidence that would support the allegation of a sex offense. The Police Department will follow state law as it relates to charges and arrests made as a result of the investigation. If the victim does not wish to report the sexual offense to the University Police Department, he or she may report the incident to the City of Tyler Police Department. An officer with the University Police Department will assist the victim in contacting the City of Tyler Police Department. The victim is encouraged to call a friend to be with them during the initial investigation. The Student Counseling Center is available for help to victims, if they desire. Students who are victims of a sex offense have the option of changing their academic and living conditions after an alleged sex offense, if the victim requests those changes and the changes are reasonably available. The Counseling Center is located in University Center, Room 3170, or can be called at 903-566-7254. Other counseling and crisis centers in the area include:

**Crime Victim's Assistance**

UT Tyler Police Department Dispatch	9-1-1 or 903-566-7300
UT Tyler Police Department Administrative	903-566-7060
Smith County District Attorney's Office	903-590-1720
East Texas Crisis Center	903-509-2526
Battered Spouse/Family Abuse Hotline	1-800-252-5400
Batterers' Group (Men)	903-509-2526

**Emergency Health Care/Trauma Centers**

East Texas Medical Center	903-597-0351
Trinity Mother Frances Hospital	903-593-8441

**Sexual Assault**

Incest Support Groups	903-509-2526
East Texas Crisis Center	903-509-2526
Women's Center of East Texas	1-800-441-5555

**Legal Aid**

Sexual Assault Legal Hotline	1-888-296-7233
Family Law Hotline	1-800-777-3247
Family Violence Legal Line	1-800-374-4673

**Suicide**

Andrew's Center	903-597-1351
-----------------	--------------

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

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

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

## **How to be an Active Bystander**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.

We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

## **Risk Reduction**

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.

5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:

- a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## **E. Adjudication of Violations**

Whether or not criminal charges are filed, the university or a person may file a complaint under the Sexual Harassment policy alleging that a student or employee violated the University's policy on Sexual Harassment.

### **The steps:**

Student Conduct Process

Investigation: Review the incident report and examine any evidence that is relevant to the case. Interview relevant witnesses. Seek out additional evidence and witnesses.

Summons: Send the accused an official summons via the student email system, by mail, or by hand delivery. We will likely include a no-contact order with the victim in this summons, and may place interim restrictions if appropriate.

**Meeting OR Hearing:** The administrative meeting is a meeting with a judicial officer who will review the available information and the student's account of what happened. The Judicial Hearing is a formal hearing heard by a hearing officer selected from UT Tyler's faculty.

**Sanctions/follow-up:** If the student is found in violation, the student will be assigned sanctions by the judicial officer (in the case of an administrative meeting) or the hearing officer (in the case of a full hearing). The person who assigns the sanctions will send the student written notice of the finding and any sanctions assigned, along with information on the sanctions' deadlines and information on how to complete them.

**Appeal:** The student has 2 weeks to file a written appeal. All appeals are heard by the President of UT Tyler. The President's decision is final. Victims of Title IX offenses also have the right to file an appeal within 2 weeks.

**Anticipated timelines:**

The student conduct process usually has the meeting 2 days after the conclusion of the investigation if the summons is sent by email or hand delivery. The meeting will take place three days later if the summons is sent by mail. The student has 2 weeks to file an appeal and the university has 30 days to respond to the appeal.

**Decision-making process:**

In the case of an administrative meeting, the conduct officer reviews the available information and determines whether or not (preponderance of the evidence) it is more likely than not that the student committed an act that violates our policies.

In the case of a hearing, the hearing officer reviews the submitted evidence, including the questions and answers asked of any witnesses, and then determines whether or not it is more likely than not that the student committed an act that violates our policies.

How the institution determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault or stalking:

If the incident is severe enough to warrant removal from UT Tyler (which would likely include most cases of dating violence, domestic violence, and sexual assault, and may include stalking and sexual harassment cases), AND if the student is contesting the charge, the university will use a full hearing.

If the incident does not warrant removal from UT Tyler (which would likely include some less severe cases of sexual harassment and possibly stalking), OR if a student facing removal from UT Tyler is not contesting the charge, the university will use an administrative meeting.

Reports of all domestic violence, dating violence, sexual assault and stalking made to University Police will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

The university disciplinary process is consistent with the institution's policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. Usually, the resolution of complaints of sexual misconduct are completed within 60 days of the report, however the proceedings timeframe allows for extensions for good cause with notice to the accuser and the accused of the delay and the reason for the delay. Investigators and hearing board members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. The policy provides that:

1. The accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing board that protects the safety of victims and promotes accountability;
2. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
3. The institution will allow for timely access to the accuser, the accused and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meeting and hearings;
4. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
5. The institution provides the accuser and accused the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. An advisor may only consult and advise his or her advisee, but not speak for the advisee (victim or alleged perpetrator) at any meeting or hearing;
6. A student conduct decision is based on the preponderance of evidence standard, i.e. "more likely than not to have occurred" standard. In other words, the conduct process asks: "is it more likely than not that the accused student violated the university's Student Conduct Code?";
7. The accuser and the accused will be notified simultaneously in writing of the result of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final; and
8. The accuser and the accused each have the right to appeal the outcome of the hearing by submitting a written appeal within 2 weeks and will be notified simultaneously in

writing, of any change to the result prior to the time that it becomes final and of the final result after the appeal is resolved.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university's policy against Sexual Harassment located at [Sexual Harassment Complaint Investigation and Grievance](#)

[http://catalogs.uttyler.edu/en/UTTyler/HOP/Series-200-General-Policies-and-Procedures/2-4-3-Sexual-Harassment-Complaint\\_ Inv&Grievance](http://catalogs.uttyler.edu/en/UTTyler/HOP/Series-200-General-Policies-and-Procedures/2-4-3-Sexual-Harassment-Complaint_Inv&Grievance)

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the university's ability to respond to the complaint may be limited.

### **Confidentiality**

The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

### **Sanctions and Protective Measures**

In all cases, investigations that result in a finding of more likely than not that a violation of the Sexual Harassment policy occurred will lead to the initiation of disciplinary procedures against the accused individual. University sanctions including: all offenses have the full range of disciplinary sanctions available: warning, probation, suspension, expulsion. Sanctions are assigned based upon the findings of the judicial officer or hearing officer's investigation. The University may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking which may include some or all of the following actions: interim suspension, interim removal from housing, no-contact order, bar from certain offices/locations on campus, interim bar/trespass warning from all of campus. For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not

limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the University of Texas at Tyler.

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

#### **X. Registered Sex Offender Policy**

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the University of Texas at Tyler Police Department is providing a link to the Texas state sex offender registry.

Persons wishing to inquire concerning registered sex offenders on campus may search the Texas Department of Public Safety registered sex offender database. That database can be accessed at <https://records.txdps.state.tx.us/SexOffenderRegistry>. A specific link is provided for searching by institution of higher education.

Registered sex offenders who are students, staff, faculty, or volunteers on campus are required to notify the law enforcement agency in which they are registered of their affiliation with the University of Texas at Tyler. Registered sex offenders are further required to notify the Chief of Police of the University of Texas at Tyler of their affiliation.

The University of Texas at Tyler Police Department maintains a list of registered sex offenders who are either a student, staff, faculty member, or volunteer on campus. This list is open to public inspection during regular business hours (8am-5pm) Monday through Friday.

#### **XI. Availability of Annual Security Report Notice**

The Annual Security Report will be made available on the University Police web site at <http://www.uttyler.edu/police/forms/annual-security-report.pdf>. All campus community members will receive an email containing this direct link to the Annual Security Report. This email will be disseminated no later than October 1 of each year, as well as to new students and new employees at the beginning of the Spring semester. In addition, paper copies of the Annual Security Report are available upon request during regular business hours (Monday through

Friday, 8:00 am- 5:00 pm) at the University Police Department located at 3410 Varsity Drive, University Service Building (USC).

## **XII. Availability of Daily Crime Log**

The University of Texas at Tyler Police Department maintains a daily log containing a record of all crimes report to the University police department or to a campus security authority. That information includes the nature, date, time, and general location of each crime, as well as the disposition of the complaint, if known.

Exceptions to disclosures in the daily crime log include instances in which disclosure of the information is prohibited by law or where such disclosure would jeopardize the confidentiality of the victim.

If there is clear and convincing evidence that the release of information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in destruction of evidence, such information may be withheld until that damage is no longer likely to occur from release of such information.

The daily crime log may be viewed during normal business hours, Monday through Friday, 8am-5pm upon request.

## **XIII. Crime Statistics**

Crime statistics for Tyler, Palestine, and Longview campuses of the University of Texas at Tyler, as well as the space leased by The University of Texas at Tyler at the Houston Community College are detailed as follows:

**The University of Texas at Tyler – Main Campus  
Crime on Campus Report 2016 - 2018**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
<b>Murder and Non-Negligent Manslaughter</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Negligent Manslaughter</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Forcible Sex Offenses</b>  R-Rape      F-Fondling	2016	1R, 1F	1R, 1F	2R	0	3R, 1F
	2017	2R	2R	0	0	2R
	2018	2R, 1F	0	0	0	2R, 1F
<b>Forcible Sex Offenses- Not Reported to Police</b> (reported to other campus officials) (Included in above totals)	2016	1R, 1F	1R, 1F	2R	0	3R, 1F
	2017	1R	1R	0	0	1R
	2018	2R	2R	0	0	2R
<b>Non-Forcible Sex Offenses</b>  S-Statutory Rape      I-Incest	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Non-Forcible Sex Offenses- Not Reported to Police</b> (reported to other campus officials)	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Robbery</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Aggravated Assault</b>	2016	0	0	0	0	0
	2017	1	1	0	0	1
	2018	0	0	0	0	0

Burglary	2016	5	4	0	0	5
	2017	4	2	0	0	4
	2018	3	2	0	0	3
Motor Vehicle Theft	2016	1	0	0	0	1
	2017	1	0	0	0	1
	2018	1	0	0	0	1
Arson	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

**Violence Against Women Reauthorization Act of 2013 Statistics  
The University of Texas at Tyler - Main Campus**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
Domestic Violence	2016	2	1	0	0	2
	2017	0	0	0	0	0
	2018	1	0	0	0	1
Dating Violence	2016	1	1	0	0	1
	2017	3	1	0	0	3
	2018	0	0	0	0	0
Stalking	2016	1	1	0	0	1
	2017	1	0	0	0	1
	2018	5	3	0	0	5

**The University of Texas at Tyler - Main Campus  
Arrests for Liquor Law, Drug and Weapon Violations**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
<b>Liquor Law Violations</b>	2016	22	22	0	0	22
	2017	27	26	0	0	27
	2018	24	2	0	1	25
<b>Drug Violations</b>	2016	0	11	0	0	11
	2017	25	20	0	0	26
	2018	43	38	0	5	48
<b>Weapons Violations</b>	2016	1	0	0	0	1
	2017	0	0	0	0	0
	2018	0	0	0	0	0

**The University of Texas at Tyler – Main Campus  
Judicial Referrals for Liquor Law, Drug and Weapons Violations**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
<b>Liquor Law Violations</b>	2016	51	51	0	0	51
	2017	47	44	0	0	47
	2018	47	45	0	0	47
<b>Drug Violations</b>	2016	31	28	0	0	31
	2017	25	24	0	0	25
	2018	14	9	0	0	14
<b>Weapons Violations</b>	2016	1	1	0	0	1
	2017	0	0	0	0	0
	2018	0	0	0	0	0

**The University of Texas at Tyler – Palestine Campus  
Crime on Campus Report 2015 - 2017**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total

<b>Murder and Non-Negligent Manslaughter</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Negligent Manslaughter</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Forcible Sex Offenses</b> R-Rape      F-Fondling	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Forcible Sex Offenses- Not Reported to Police</b> (reported to other campus officials) (Included in above totals)	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Non-Forcible Sex Offenses</b> S-Statutory Rape      I-Incest	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Non-Forcible Sex Offenses- Not Reported to Police</b> (reported to other campus officials)	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Robbery</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Aggravated Assault</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Burglary</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

<b>Motor Vehicle Theft</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Arson</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0

**Violence Against Women Reauthorization Act of 2013 Statistics  
The University of Texas at Tyler - Palestine Campus**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
<b>Domestic Violence</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Dating Violence</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Stalking</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

**The University of Texas at Tyler – Palestine Campus  
Arrests for Liquor Law, Drug and Weapon Violations**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
Liquor Law Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Drug Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Weapons Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

**The University of Texas at Tyler – Palestine Campus  
Judicial Referrals for Liquor Law, Drug and Weapons Violations**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
Liquor Law Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Drug Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Weapons Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

**The University of Texas at Tyler – Longview  
Crime on Campus Report 2015 - 2017**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
<b>Murder and Non-Negligent Manslaughter</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Negligent Manslaughter</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Forcible Sex Offenses</b>  R-Rape      F-Fondling	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Forcible Sex Offenses- Not Reported to Police</b> (reported to other campus officials) (Included in above totals)	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Non-Forcible Sex Offenses</b>  S-Statutory Rape      I-Incest	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Non-Forcible Sex Offenses- Not Reported to Police</b> (reported to other campus officials)	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Robbery</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Aggravated Assault</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

Burglary	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Motor Vehicle Theft	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Arson	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0

**Violence Against Women Reauthorization Act of 2013 Statistics  
The University of Texas at Tyler - Longview Campus**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
Domestic Violence	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Dating Violence	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Stalking	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	1	0	0	0	1

**The University of Texas at Tyler – Longview Campus  
Arrests for Liquor Law, Drug and Weapon Violations**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
Liquor Law Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Drug Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Weapons Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

**The University of Texas at Tyler – Longview Campus  
Judicial Referrals for Liquor Law, Drug and Weapons Violations**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
Liquor Law Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Drug Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Weapons Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

**The University of Texas at Tyler – Houston Community College Alief Hayes Campus Leased Space  
Crime on Campus Report 2015 - 2017**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
<b>Murder and Non-Negligent Manslaughter</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Negligent Manslaughter</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Forcible Sex Offenses</b>  R-Rape      F-Fondling	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Forcible Sex Offenses- Not Reported to Police</b> (reported to other campus officials) (Included in above totals)	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Non-Forcible Sex Offenses</b>  S-Statutory Rape      I-Incest	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Non-Forcible Sex Offenses- Not Reported to Police</b> (reported to other campus officials)	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Robbery</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
<b>Aggravated Assault</b>	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

Burglary	2016	1	0	0	0	1
	2017	2	0	0	0	2
	2018	0	0	0	0	0
Motor Vehicle Theft	2016	1	0	0	0	1
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Arson	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

**Violence Against Women Reauthorization Act of 2013 Statistics  
The University of Texas at Tyler-Houston Community College Alief Hayes Campus Leased Space**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
Domestic Violence	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Dating Violence	2016	0	0	0	0	0
	2017	1	0	0	0	1
	2018	0	0	0	0	0
Stalking	2016	0	0	0	0	0
	2017	1	0	0	0	1
	2018	1	0	0	0	1

**The University of Texas at Tyler – Houston Community College Alief Hayes Campus Leased Space  
Arrests for Liquor Law, Drug and Weapons Violations**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
Liquor Law Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Drug Violations	2016	1	0	0	0	1
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Weapons Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

**The University of Texas at Tyler – Houston Community College Alief Hayes Campus Leased Space  
Judicial Referrals for Liquor Law, Drug and Weapons Violations**

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Buildings & Property	Public Property	Total
Liquor Law Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Drug Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0
Weapons Violations	2016	0	0	0	0	0
	2017	0	0	0	0	0
	2018	0	0	0	0	0

**The University of Texas at Tyler  
Reports Unfounded by Police 2016 - 2018**

Offense Type	Year	Main Campus	Palestine Campus	Longview Campus	Houston Alief Hayes
<b>Murder &amp; Non-Negligent Manslaughter</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Negligent Manslaughter</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Forcible Sex Offenses</b>	2016	1	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Non-Forcible Sex Offenses</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Robbery</b>	2016	1	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Aggravated Assault</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Burglary</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	1	0	0	0
<b>Motor Vehicle Theft</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	1	0	0	1

<b>Arson</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Domestic Violence</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Dating Violence</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Stalking</b>	2016	0	0	0	0
	2017	1	0	0	0
	2018	0	0	0	0

## **Hate Crimes**

For the years 2016, 2017, and 2018 there were no criminal offenses reported to have occurred on the University of Texas at Tyler main campus, the Palestine campus, the Longview campus, nor space leased by UT Tyler at the Houston Community College Alief Hayes Campus that manifested evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity/national origin or disability.

## **2019 Annual Fire Safety Report**

The **Higher Education Opportunity Act**, enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. Elements of the campus fire safety program consist of: fire safety statistics, description of on-campus fire safety systems, inspection, testing, and maintenance of fire detection and suppression systems, prevention policies and practices, fire safety educational and training initiatives, emergency evacuation procedures, and proposed plans for future improvements to the residence hall campus fire safety program. The annual fire safety report summarizes the elements of the campus fire safety program, which is administered and maintained by the Environmental Health and Safety (EH&S) Department.

It is the policy of The University of Texas at Tyler to promote safe environmental conditions for faculty, staff, students, and visitors. The primary objective of the campus fire safety program is to recognize hazardous conditions and take appropriate action before such conditions result in a fire emergency. This goal is accomplished by:

- Conducting periodic review and update of fire prevention policies,
- Conducting regularly scheduled fire drills in the on-campus housing facilities,
- Promoting fire safety awareness for employees and students by conducting training programs on fire prevention and emergency evacuation procedures,
- Inspecting, testing, and maintaining fire protection systems in accordance with National Fire Protection Association (NFPA) standards,
- Mitigating fire hazards identified during bi-annual fire safety inspections performed by the Texas State Fire Marshal Office, and scheduled inspections by the University's property insurance loss control consultant,
- Performing plan review and code consultation related to current capital improvement and remodeling projects.

### **A. 2018 Fire Statistics for On-campus Student Housing Facilities**

The data presented in the following table summarizes the reported fires that occurred in housing facilities from January through December for the years 2016 through 2018. Please note that the housing facilities presented in the following table are located on campus property. Ornelas Hall, Patriot Village, Liberty Landing (formerly Eagle's Landing), and Victory Village Apartments are operated and managed by UT Tyler and University Pines is operated and managed by a private company. Fire statistics from off campus housing is not included in this report. All fires that occur in campus housing facilities are reported to the Environmental Health and Safety Department.

**The University of Texas at Tyler  
Fire Statistics on Campus 2016 - 2018**

Year	Residence	Number of Fires	Causes	Injuries	Fatalities	Value of Property Damage	# of Fire Drills
2016	Liberty Landing Apartments (former name Eagle's Landing)	0	N/A	N/A	N/A	N/A	2
	Ornelas Hall	2	All accidental cooking	0	0	\$0	2
	Patriot Village Apartments	11	All accidental cooking	0	0	\$0	2
	University Pines Apartments	0	N/A	N/A	N/A	N/A	2
2017	Liberty Landing Apartments (former name Eagle's Landing)	0	N/A	N/A	N/A	N/A	2
	Ornelas Hall	2	All accidental cooking	0	0	N/A	2
	Patriot Village Apartments	12	All accidental cooking	0	0	N/A	2
	University Pines Apartments	1	Accidental cooking	0	0	\$1200	2
2018	Liberty Landing Apartments (former name Eagle's Landing)	0	N/A	N/A	N/A	N/A	2
	Ornelas Hall	3	All accidental cooking	0	0	N/A	2
	Patriot Village Apartments	8	All accidental cooking	0	0	N/A	2
	University Pines Apartments	0	N/A	N/A	N/A	N/A	2
	Victory Village (new to University in summer 2018)	0	N/A	N/A	N/A	N/A	1

**B. Description of On-Campus Student Housing Fire Safety Systems:**

1. Ornelas Hall

- a. The entire building is protected by an automatic, supervised wet pipe sprinkler system that is integrated with the fire alarm system
- b. A supervised fire alarm system is present and is monitored by East Texas Alarm
- c. Smoke alarms are located in each sleeping room, and in common areas in suites

- d. Multi-purpose ABC dry chemical fire extinguishers are installed on each floor as well as throughout the common areas and mechanical spaces in the complex.
- e. Other features include an emergency generator to power emergency lights, exit signs to illuminate the means of egress, and the fire pump for the sprinkler system. Elevators, magnetically propped open fire-rated door assemblies, air handling units, and stairwell doors are also integrated with the fire alarm system.
- f. Egress corridors and stairwells are fire rated
- g. Residents with disabilities are accommodated according to their needs

2. Patriot Village – 2 Residential Buildings and 1 Community Center

- a. Both residential buildings are protected by an automatic, supervised wet pipe sprinkler system that is integrated with the fire alarm system and the community center is protected by an automatic, supervised dry pipe system.
- b. A supervised fire alarm system is present and is monitored by East Texas Alarm
- c. Smoke alarms are located in each sleeping room and in common areas
- d. Multi-purpose ABC dry chemical fire extinguishers are installed in the kitchen of each apartment, mechanical spaces in the complex, and the community center
- e. Other features include battery powered emergency lights to illuminate the means of egress.
- f. Egress corridors and stairwells are outside and are protected by an automatic, supervised sprinkler system that is integrated with the fire alarm system.
- g. Residents with disabilities are accommodated according to their needs

3. Liberty Landing (formerly Eagle's Landing) – 13 Residential Buildings and 1 Community Center

- a. Each building is protected by an automatic, supervised sprinkler system.
- b. Smoke alarms are located in each sleeping room and in common areas.
- c. Egress corridors and stairwells are outside.
- d. Multi-purpose ABC dry chemical fire extinguishers are installed in the kitchen of each apartment, and the clubhouse
- e. Residents with disabilities are accommodated according to their needs
- f. A supervised fire alarm system is present in each building and is monitored by East Texas Alarm

4. University Pines – Managed by a private property management company

- a. Smoke alarms are located in each sleeping room and in common areas
- b. Egress corridors and stairwells are outside
- c. Multi-purpose ABC dry chemical fire extinguishers are installed in the kitchen of each apartment, and the community center
- d. Residents with disabilities are accommodated according to their needs
- e. A supervised fire alarm system is present and monitored by Rudd Contracting Co., Inc.

5. Victory Village – 4 Residential Buildings and 1 Community Center

- a. Each building is protected by an automatic, supervised sprinkler system.
- b. Smoke alarms are located in each sleeping room and in common areas.
- c. Egress corridors and stairwells are outside.
- d. Multi-purpose ABC dry chemical fire extinguishers are installed in the kitchen of each apartment, and the clubhouse
- e. Residents with disabilities are accommodated according to their needs
- f. A supervised fire alarm system is present in each building and is monitored by East Texas Alarm

**Inspection, Testing, and Maintenance of Fire Detection and Protection Equipment**

The EH&S Department administers this element of the campus fire safety program at Ornelas Hall, Patriot Village, Liberty Landing, and Victory Village with support from Residence Life and fire protection contractors. The University Pines fire detection and protection program is administered by the property management company and fire protection contractors. All fire protection equipment located on-campus housing is tested, inspected, and maintained in accordance with applicable NFPA standards.

**C. Number of regular mandatory supervised fire drills:**

Each on-campus housing facility has one fire evacuation drill conducted at least one time per semester.

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

On campus housing facilities have prohibitions against the following activities:

1. Smoking is prohibited on campus. Residents are responsible for the repair or replacement of any furniture, walls, ceilings, etc., damaged by smoke.
2. The possession or burning of incense, charcoal, lighter fluids, kerosene, oil lamps or other flame-emitting articles are prohibited in accordance with the State Fire Marshall. Decorative candles may be displayed only if the wick has been cut to prevent further burning. Evidence that a candle has been burned is

grounds for the candle to be removed and disciplinary action to be taken. Lava lamps and halogen lights are prohibited.

3. Small appliances such as toasters and blenders are allowed at Patriot Village, Liberty Landing, and Victory Village. Ornelas Hall residents are only allowed to have microwaves, mini refrigerators, and coffeemakers.
4. Misuse of extension cords. If extension cords or multi-plug devices are used, they must be constructed from heavy-duty materials, consisting of 12, 14, or 16 gauge wire. They must be UL approved three-wire grounded units. Multi-plug power strips must be rated for a maximum of 15 amps and have a built in circuit breaker. All power strips must be plugged into the wall. They may not be plugged into another extension cord. Power strips must be on the floor, not hanging from desks or other furniture, cables and cords may also not cross doorways, they should run along the wall and behind furniture.
5. Tampering with emergency devices puts everyone at risk and is therefore prohibited. Emergency devices include, but are not limited to smoke detectors, pull stations, door closures, sprinkler heads, fire alarm stations, and fire extinguishers. Tampering with emergency devices may result in criminal prosecution, disciplinary action and any charges that may be incurred. Propping exterior doors open is considered a violation of this policy.
6. Storing or using fireworks of any kind in or on University property including in vehicles is prohibited.
7. Bringing or keeping distillates such as fuels, solvents, or highly combustible substances in a suite, room or storage space or vehicle parked on campus is prohibited. This restriction applies to any container, tank, cylinder, or other device (empty or otherwise) used to contain or store combustible substances.

**E. Fire safety education and training programs for students, faculty and staff:**

The EH&S Department provides training to residence assistants prior to the start of every regular semester. Topics include a review of the fire prevention policies, weather safety, emergency procedures, and hands-on fire extinguisher training. The training includes information on fire protection features of facilities, fire prevention, emergency procedures, and hands-on fire extinguisher use.

Fire safety training programs are also provided to other student, staff, and faculty groups on campus by request. This program typically consists of a review of fire prevention policies, emergency procedures, and hands-on fire extinguisher training.

**F. Plans for future improvements in fire safety:**

Per the requirement of the National Fire Protection Agency, the antifreeze solutions in the external fire sprinkler systems at all 13 Liberty Landing buildings will be replaced with the appropriate UL listed antifreeze solution.

The UT Tyler campus became a Tobacco free campus in August 2016.

<http://www.uttyler.edu/human-resources/wellness/tobacco-cessation/index.php>

### Contact Information

Department	Campus	Off-Campus and University Pines residents
Emergency (Police-Fire-EMS)	911	911
Police Dispatch (24-hours)	7300	(903) 566-7300
Environmental Health and Safety	7011	(903) 566-7011