SEC-156: VIOLENCE ON CAMPUS

CHAPTER 4: CAMPUS SECURITY AND PREPAREDNESS

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ADMINISTRATIVE INFORMATION
Responsible Office: Office of Human Resources
Executive Sponsor: Executive Vice President of Business Affairs
Effective Date: January 9, 2015
Next Scheduled Review: December 16, 2019
Contact: policyoffice@utsouthwestern.edu

POLICY RATIONALE AND TEXT

Campus Violence Prohibited
UT Southwestern does not tolerate campus violence, threats of violence, or intimidation. Conduct that may threaten the safety or well-being of individuals affiliated with UT Southwestern or the safety and security of UT Southwestern premises is prohibited. It is the policy of UT Southwestern to maintain a safe and secure campus; to educate employees, students, and trainees about violence awareness and prevention; and to provide support and resources to employees, students, and trainees who have been affected by violence, threats of violence, or intimidation.

Any individual who suspects, witnesses, or experiences campus violence, threats of violence, or intimidation is strongly encouraged to report the incident in accordance with the procedures outlined below. Every supervisor, administrator, and UT Southwestern official is responsible for promptly reporting incidents or threats of campus violence or intimidation that come to their attention. Any individual who engages in campus violence, threats of violence, or intimidation prohibited by this policy will be subject to disciplinary action, up to and including dismissal or non-renewal of appointment.

Examples of prohibited campus violence include but are not limited to:

- Intentionally striking, attempting to strike, or threatening to strike another individual, e.g., hitting, punching, slapping, kicking, elbowing, pushing, or shoving.
- Intentionally causing, attempting to cause, or threatening to cause physical harm or injury to another individual or the individual’s family, friends, or co-workers.
- Intentionally causing, attempting to cause, or threatening to cause damage to UT Southwestern premises or property, or the property of another individual.
- Harassment and stalking.
• Committing, attempting to commit, or threatening to commit any act of sexual violence. See also ETH-154 Sexual Harassment and Sexual Misconduct and EDU-116 Sex Discrimination - Sexual Misconduct, Harassment, and Violence.

• Unlawfully using or attempting to use a weapon or other dangerous device to cause harm to or threaten any individual or to cause or threaten property damage. See also SEC-155 Weapons on Campus.

• Intimidating, coercing, or attempting to intimidate or coerce another individual to engage in any act of campus violence prohibited by this policy.

Retaliation Prohibited
Retaliation is strictly prohibited. Any person who retaliates in any way against an individual who made a good faith report of campus violence under this policy or who utilized any of the UT Southwestern resources outlined herein for those affected by violence may be subject to disciplinary action, up to and including dismissal or non-renewal of appointment. An individual who believes that he or she has been subjected to retaliation in violation of this policy should submit a written complaint, setting out the details of the conduct that is the subject of the complaint, to the Office of Compliance.

Making a False Report or Providing False Information Prohibited
Any person who knowingly and intentionally makes a false report or provides false information regarding an incident of campus violence may be subject to disciplinary action, up to and including dismissal or non-renewal of appointment.

Scope
This policy applies to all UT Southwestern employees, individuals holding a faculty appointment, students, and trainees, as well as any individuals using UT Southwestern premises, services, or resources, or participating in UT Southwestern activities. It applies to conduct regardless of where or how it occurs, including off UT Southwestern premises or via telephonic or electronic means (e.g., text message, e-mail, Facebook, Twitter, Instagram, or instant messenger), if such conduct impacts the education, training, or working environment at UT Southwestern.

Procedures (Including Links to Related Documents)
Reporting Campus Violence
Any individual who suspects, experiences, or witnesses campus violence should make a report in one or more of the following ways. Phone numbers and links are listed below under Contacts and Resources.

Reporting a Campus Violence Emergency: 911 or 214-648-8911
• In cases of emergency or imminent danger, individuals should contact University Police at 911 from a campus extension or at 214-648-8911 from a non-campus extension or by using the emergency blue-light call boxes or elevator phones. Emergencies would include criminal activity in progress (assault, use of a weapon, sexual violence), imminent bodily harm, or actual bodily harm.

• An employee who reports a campus violence emergency to University Police should also notify his or her supervisor as soon as is practicable.

Reporting Non-Emergency Campus Violence
Non-emergency incidents of campus violence should also be reported. Non-emergencies would include non-imminent threats or property damage.

Reports of non-emergency campus violence involving employees, volunteers, visitors, contractors, or vendors may be made to any of the following:
• The University Police’s non-emergency phone number or via the online “Report a Crime” form.
• The immediate supervisor, or if the supervisor is unavailable or is the alleged offender, to the department vice president, dean, or administrative equivalent.

• The Office of Compliance

• The Office of Human Resources

Reports of non-emergency campus violence involving students or trainees may be made as follows:

• The University Police’s non-emergency phone number or via the online “Report a Crime” form.

• Students and trainees should also report non-emergency campus violence to the Office of the Vice President for Student and Alumni Affairs or to the appropriate administrative office:
  
  Southwestern Medical School – Office of the Associate Dean for Student Affairs

  Southwestern Graduate School – Office of the Dean

  School of Health Professions – Office of the Dean

  Office of Graduate Medical Education

Reporting Sexual Violence

• Incidents of sexual violence (including domestic violence, dating violence, sexual assault, and stalking) that occurred on campus should be immediately reported to University Police. Incidents of sexual violence occurring in other jurisdictions should be reported to the appropriate local law enforcement authority.

• Incidents of sexual violence (including domestic violence, dating violence, sexual assault, and stalking) involving students or trainees should also be reported to the Title IX Coordinator or a Deputy Title IX Coordinator, regardless of whether the victim intends to make a police report or pursue criminal charges. See EDU-116 Sex Discrimination - Sexual Misconduct, Harassment, and Violence and EDU-116P-01 Sex Discrimination Complaint and Resolution Procedure.

• Incidents of sexual violence (including domestic violence, dating violence, sexual assault, and stalking) involving employees, faculty, and any individual participating in UT Southwestern services, programs, or activities, including but not limited to patients, visitors, volunteers, contractors, and vendors, should also be reported to the Office of Diversity & Inclusion and Equal Opportunity, Division of Equal Opportunity, regardless of whether the victim intends to make a police report or pursue criminal charges. The Office of Diversity & Inclusion and Equal Opportunity, Division of Equal Opportunity, should then report incidents of sexual violence (including domestic violence, dating violence, sexual assault, and stalking) to the Title IX Coordinator or a Deputy Title IX Coordinator. See ETH-154 Sexual Harassment and Sexual Misconduct and ETH-151P-01 Equal Opportunity Complaint Investigation and Resolution Procedure.

Protective or Restraining Orders

Anyone who has been issued a protective order, temporary restraining order, or restraining order that restricts an individual from entering UT Southwestern premises should notify University Police. If a violation of a protective or restraining order is committed on UT Southwestern premises, the violation should immediately be reported to University Police.

Domestic and Family Violence and Dating Violence

UT Southwestern acknowledges that domestic and family violence and dating violence can impact the education, training, and working environment and/or UT Southwestern employees, students, and trainees, even if the incidents occur off UT Southwestern premises or are perpetrated by individuals not affiliated with UT Southwestern. UT Southwestern strongly encourages any employee, student, or trainee who has been affected by domestic and family violence or dating violence to utilize the programs, services, and information available through the Contacts and Resources listed below.
Additional Resources
There are a variety of resources available through UT Southwestern for employees, students, and trainees who have been affected by any kind of campus violence. UT Southwestern also offers training and information about crime prevention and personal safety. UT Southwestern strongly encourages all employees, students, and trainees to utilize the programs, services, and information available through the Contacts and Resources listed below.

Responsibilities
Every individual is responsible for reporting any instance – or potential instance – of campus violence, in accordance with this policy.

Definitions
Campus Violence – any action or behavior that may threaten the safety and well-being of another individual affiliated with UT Southwestern or the safety and security of UT Southwestern’s premises.

Consent – A voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity. Consent to one act does not imply consent to another. Past consent does not imply future consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of consent.

Dating Violence – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined by the victim with consideration of the following factors: (a) the length of the relationship; (b) the type of relationship; and (c) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include domestic violence.

Domestic and Family Violence – includes 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 state of Texas, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the state of Texas.

Harassment – means any act intended to harass, annoy, alarm, abuse, torment, or embarrass another person, including making obscene comments; threatening to inflict bodily injury or property damage; repeated telephone calls, electronic, or written communications reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend the victim.

Information resources – all networks, software, equipment, facilities, and devices that are designed, built, operated, and maintained to collect, process, store, retrieve, display, or transmit UT Southwestern information.

Sexual Assault – a form of sexual violence that includes any offense that meets the definition of rape, fondling, incest, or statutory rape:

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

b) Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

c) Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
d) **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Sexual Violence** – physical sexual acts perpetrated against a person’s will or where a person is incapacitated or otherwise incapable of giving consent. The term includes, but is not limited to, rape, sexual assault, sexual battery, sexual coercion, sexual abuse, indecency with a child, and/or aggravated sexual assault.

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

a) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

b) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

c) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Students** – individuals who are enrolled and in attendance at the UT Southwestern Medical School, the Graduate School of Biomedical Sciences, or the School of Health Professions.

**Trainees** – residents, fellows, and postdoctoral scholars appointed to academic training positions.

**UT Southwestern Premises** – any area owned, operated, leased, occupied, or controlled by UT Southwestern, including buildings and structures, grounds, parking structures, enclosed bridges and walkways, sidewalks, parking lots, and UT Southwestern owned or leased vehicles.

**UT Southwestern Resources** – a moveable tangible item placed into service for UT Southwestern operations, with the benefit of the item extending beyond one year from the date of the acquisition (e.g., furniture, modular furniture, equipment, computers, weapons, etc.), as well as intangible items such as information resources or intellectual property.

**Weapon** – includes a firearm, explosive weapon, machine gun, short-barrel firearm, firearm silencer, knuckles, armor-piercing ammunition, zip gun, chemical dispensing device (other than a small chemical dispenser sold commercially for personal protection), tire deflation device, illegal knife, switchblade knife, or club.

**RELATED STATUTES, POLICIES, OR STANDARDS**

- Regents’ Rule 30103 Standards of Conduct
- EMP-351 Discipline and Discharge of Classified Employees
- EDU-151 Student Conduct and Discipline
- EDU-116 Sex Discrimination - Sexual Misconduct, Harassment, and Violence
- EDU-116P-01 Sex Discrimination Complaint and Resolution Procedure
- SEC-155 Weapons on Campus
- ISR-104 Acceptable Use of Information Resources
- ETH-201-Protection from Retaliation for Reporting Suspected Wrongdoing
- ETH-154 Sexual Harassment and Sexual Misconduct
- ETH-151P-01 Equal Opportunity Complaint Investigation and Resolution Procedure
- Chapter 261, Texas Health and Safety Code
- Chapter 48, Texas Human Resources Code
- Chapter 91, Texas Family Code
• Chapter 42, Texas Penal Code
• Chapter 261, Texas Family Code
• Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681

**Policy History**

December 3, 2015: At the suggestion of the Office of General Counsel, added the third paragraph under Reporting Sexual Violence to address reporting of sexual violence by employees, faculty, and individuals participating in UT Southwestern services, programs, and activities.

May 15, 2015: Revised the definition of Consent, Dating Violence, Domestic and Family Violence, Sexual Assault, Sexual Violence, and Stalking to align with the model policy from the UT System Office of General Counsel.

January 9, 2015: Developed and published as new policy SEC-156 Violence on Campus

**Contacts and Resources**

**Campus-wide Resources**

**University Police**
- On-Campus Emergency Number: 911
- Off-Campus Emergency/Cell Number: 214-648-8911
- On-Campus Non-Emergency Number: 88311
- Off-Campus Non-Emergency Number: 214-648-8311

"Report a Crime" via the University Police Crime Prevention web page

**University Police Annual Security Report**

**UT Southwestern Emergency Response Guide**

**Office of Compliance** 214-648-6024

**Compliance Hotline** 877-507-7319

The Compliance Hotline is a confidential third-party reporting service that operates 24 hours a day, 7 days a week, and 365 days a year. Calls can be made anonymously or you may leave your name. Allegations are forwarded to UT Southwestern and will be promptly investigated.

**Title IX Coordinator or Deputy Title IX Coordinator**

The Title IX Coordinators have specialized training and are knowledgeable about sexual violence, including domestic violence, dating violence, sexual assault and stalking. They can assist individuals affected by sexual violence with accessing campus and community resources and pursuing a complaint.

**Employee Resources**

**Employee Assistance Program**
- 214-648-5330 or toll-free at 800-386-9156
- Email: eap@utsouthwestern.edu

**Office of Human Resources**
- 214-648-9810
- Designated Employee Relations Representatives
Student and Trainee Resources

- Office of Student and Alumni Affairs: 214-648-5617
- Student Wellness and Counseling Services: 214-645-8690
- Southwestern Medical School – Office of the Associate Dean for Student Affairs: 214-648-2168
- Southwestern Graduate School – Office of the Dean: 214-648-0715
- School of Health Professions – Office of the Dean: 214-648-1500
- Office of Graduate Medical Education: 214-648-3433