



St. Mary's University 2021 Annual Security and Fire Safety Report

Containing Information for the 2021-2022 Academic Year

Includes Crime Statistics for 2018, 2019, & 2020



ST. MARY'S
UNIVERSITY

The Catholic and
Marianist University



This annual campus security and fire safety report includes information on crime reporting policies and procedures, timely warnings and campus safety alerts, security policy statements, crime statistics, crime awareness and prevention programs, emergency response and notification protocols and fire safety information at St. Mary's University. This report follows the October 2020 Clery Act Appendix.

In the case of an emergency, alert information will be available on:

- The University's webpage: <https://www.stmarytx.edu/>
- Your St. Mary's email account
- StMU Alert text message emergency notification

210-431-1911	210-436-3472
Emergency Services	University Police
(Available 24/7)	Administration
	210-432-2249
	UPD Office Fax
210-436-3330	
Non-Emergency Services	210-436-4385
(Available 24/7)	Clery Office

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Introduction

Preparing the Annual Disclosure of Crime Statistics

The St. Mary's University Annual Security and Annual Fire Safety Report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (hereafter referred to as "the Clery Act"). This report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain non-campus buildings owned or controlled by St. Mary's University, and on any public property within or immediately adjacent to the campus.

This report is prepared in cooperation with our main campus, distance learning, and the Office of Student Development. Each entity provides updated information on their educational efforts and programs to comply with the Clery Act.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained from the following sources: St. Mary's University Police Department, the San Antonio Police Department, other local law enforcement agencies and non-police officials identified by federal law as Campus Security Authorities. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

Campus crime, arrest, and referral statistics include those incidents reported to the University Police Department, designated campus officials (including but not limited to directors, deans, department heads, designated Residence Life staff, student conduct, advisors to students/student organizations, and athletic coaches), as well as reports submitted anonymously.

The report also includes institutional policies concerning campus security, fire safety, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters.

The entire St. Mary's University community is notified by email of this report's availability each year, and may obtain a copy of this report at the St. Mary's University Police Department (located on the ground level of Treadaway Hall) or online at <https://www.stmarytx.edu/compliance/clery-act-information/>

Daily Crime and Fire Log

In addition to this report, the University Police Department maintains a daily crime and fire log. The information in the daily crime log includes all crimes reported to the University Police Department. The information in the fire log includes information about fires that occur in all on-campus residential facilities, including the nature, date, time, and general location. The daily crime and fire logs are available for public review at the University Police Department Administrative Office in Treadaway Hall during normal business hour

Compliance Statement

To ensure compliance with the Clery Act, St. Mary's University must meet obligations in the following three categories: (1) policy disclosure; (2) records collection and retention; and (3) information dissemination.

Policy Disclosure — St. Mary's University must provide the University community and the public with statements of the current policies and practices regarding procedures for reporting crimes and other emergencies on campus, as well as policies regarding security and access to campus facilities, and policies related to the University Police Department's jurisdiction and working relationships.

Records Collection and Retention — St. Mary's University is required to keep campus records of crimes reported on campus to campus security authorities, make a reasonable, good-faith effort to obtain certain crime statistics from appropriate law enforcement agencies to include in the annual security and fire safety report, and keep a daily crime log open for public inspection.

Information Dissemination — To provide members of the University community with information needed to make informed personal safety decisions, the University will provide the following: 1) Timely warning notifications of Clery Act crimes that represent an ongoing threat to the safety of students and employees; 2) Immediate (emergency) notifications to the University community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees, and; 3) Publish an annual security and fire safety report, make the report available to all current and prospective students and employees.

St. Mary's University is required to report serious crimes as defined by the Clery Act that occur on campus on university owned or controlled property, public property that is within or immediately adjacent to the campus, and non-campus properties. The crimes and disclosures that must be reported include the following:

- Murder and Non-Negligent Manslaughter
- Manslaughter by Negligence
- Sex Offenses (including Rape, Fondling, Incest, and Statutory Rape)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Arrests for Weapon Law Violations
- Arrests for Drug Law Violations
- Arrests for Liquor Law Violations
- Disciplinary Referrals for Weapon Law Violations, Drug Law Violations, or Liquor Law Violations
- Hate Crimes
- Dating Violence
- Domestic Violence
- Stalking
- Unfounded Offenses

In compliance with the University's Equal Opportunity, Non-Discrimination, Sexual and Other Forms of Harassment policy, all employees of the University are classified as Campus Security Authorities and must report such crimes to the University Police Department.

Counselors in Student Counseling Services, Student Health Center employees, staff in the Office of Student Advocacy and Anti-Violence Education (OSAVE), and Marianist Brothers and Priests are exempt from reporting Clery Act crimes to the university when knowledge of the reportable crime has been gained in their professional or pastoral capacity as a part of the University community.

Subsequent to an initial report, University officials may need additional information in order to fulfill the University's response obligations under federal, state, and local laws.

University Police will advise the Title IX Co-Coordinators of any reports that allege violations of the University's Equal Opportunity, Non-Discrimination, and Sexual and Other Forms of Harassment policy. For reports of crimes involving students, the University Police will also notify the Dean of Students.

Crime Reporting Policies and Procedures

St. Mary's University encourages students, employees, visitors, and community members to report all crimes and public safety related incidents to the University Police Department in an accurate and timely manner. The University community is encouraged to report crimes, emergencies, and safety concerns, including when the victim elects to, or is unable to, make such a report by calling the St. Mary's University Police Department.

The St. Mary's University Police Department is available 24 hours a day to answer calls. In response to a call, University Police will either dispatch an officer and/or other emergency services or ask the caller to meet with a UPD officer to file an incident report. All reported crimes will be investigated by University Police when deemed appropriate. Reports involving students are forwarded to the Dean of Students for review and potential judicial action. Any additional information obtained via the investigation may also be forwarded to the Dean of Students.

The University community is encouraged to report crimes, emergencies, and immediate safety concerns promptly and accurately by calling the St. Mary's University Emergency Number:

From an on-campus phone – Dial 1911

From an off-campus phone – Dial 210-431-1911

When reporting an emergency, please provide your name, location, and a brief description of the emergency.

Anyone can always call 9-1-1 and report an emergency to the joint City of San Antonio and Bexar County 9-1-1 service for Police, Fire Department or Emergency Medical Services.

Emergency Call Boxes

Emergency call boxes are located at entrances of Treadaway Hall, Chaminade Hall, Marian Hall, Dougherty Hall, Leies Hall, Lourdes Hall, John Donohoo Hall and Adele Hall, as well as at the east side of the University Center. Other locations include: parking lots B, G, M, O, Q, R and V. In addition, there is a call box at the VIA Bus stop on Camino Santa Maria. The emergency call box will directly connect the caller to the University Police Department for immediate additional assistance.

Police Department Services Numbers

Emergency Police Response:210-431-1911

Reporting crimes and emergencies in progress

Patrol Division/Non-Emergency Police Response and Services.....210-436-3330

All non-emergencies for example: Police/public safety assistance, patrol information, safety escorts, late entry access/passes and unlock/jumpstart vehicle assistance.

Administration.....210-436-3472

Chief of Police, Emergency Management open records, report copies and administrative services

Operations.....210-436-3472

Operations Lieutenant, Crime statistics, victim/witness assistance and community outreach/education

Parking and Traffic Division 210-431-6754

Vehicle registration, parking permits, citations/appeals and reserved parking

Sergeant's Office.....210-431-6755

Self-defense class (RAD) and event security staffing

Investigations.....210-431-6772

Investigations

Title IX Co-Coordinators

1. Janet Guadarrama, Executive Director of Human Resources and Title IX Coordinator
St. Louis Hall, Room 012
210-436-3775
titleix@stmarytx.edu
2. Tim Bessler, Vice Provost of Student Development/Dean of Students and Title IX Co-Coordinator
University Center, Room 229
210-436-3331
titleix@stmarytx.edu
3. John Wickline, Executive Director of Title IX and Clery Compliance (2020-May 2021)
St. Louis Hall, Room 012
4. Brynn Rivera, Deputy Coordinator Title IX & Clery Compliance (Current June 2021)
St. Louis Hall, Room 012
210-436-4385
clery@stmarytx.edu

Campus Security Authorities (CSAs)

Recognizing that many crimes (especially those involving sexual misconduct) are not reported to the police, the Clery Act requires schools to collect data about crimes on and around their campuses from a wide variety of sources, referred to as Campus Security Authorities (CSAs), as defined by federal law. In addition to University Police, any faculty or staff member with "significant responsibility for student and campus activities" is considered a CSA and has duties under the Clery Act.

The Clery Act defines the last category of CSAs broadly to ensure complete coverage and thorough reporting of crimes. While CSAs should be identified by function rather than title, this category typically includes vice presidents, deans, assistant deans, residential services staff, athletic coaches, student activities coordinators, and faculty advisers to student organizations.

The Clery Act defines four categories of CSAs:

- University Police;
- Non-police security staff responsible for monitoring college property;
- People or offices designated by school policy as those to whom or which crimes should be reported;
- Officials with significant responsibility for student and campus activities.

According to the University's Equal Opportunity, Nondiscrimination, Sexual and Other Forms of Harassment Policy, all employees have been classified as CSAs and receive annual training. Under this classification, CSAs are required to report any Clery related offense immediately to the University Police Department.

Members of the community are helpful when they immediately report crimes or emergencies to the St. Mary's University Police Department and/or the Title IX Office and/or the Dean of Student's Office for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

Confidential Reporting Procedures

Community members who are the victim of a crime and do not want to pursue action within the St. Mary's University conduct system may make a confidential report to the University Police Department using the reporting form available online at <https://www.stmarytx.edu/campuslife/police/>

Community members may also file an anonymous report of a Title IX incident the Title IX Administrators using the complaint form available at <https://www.stmarytx.edu/compliance/title-ix/>

Making a confidential report with the University Police Department allows the Chief of St. Mary's University Police Department or his designee to file a report on the details of the incident without revealing the identity or the reporting party. The confidential report allows the University to maintain compliance with applicable federal regulations, as well as aid in the future safety of the community. With such information, the University can keep an accurate record of the number of incidents involving students, determine whether there is a pattern of crime with regard to a particular location, method, or assailant, and alert the University community to potential danger.

If the reported incident involves sexual misconduct, the Police Department is required by federal law to notify the St. Mary's University Title IX Administrators of the incident. Reports filed in this manner are counted and disclosed anonymously in the institution's Annual Security and Fire Safety Report.

Other Confidential Reporting options

At St. Mary's University the following staff members are exempt from the Clery Act's reporting requirements as long as they are working within the scope of their counseling license, religious capacity, or assigned job duties at the time they receive a crime report:

- Licensed professional mental health counselors in the Student Counseling Center or the Counselor Education and Family Life Center
- Pastoral counselors employed by the Marianists or another recognized religious organization to provide confidential counseling to St. Mary community members

Campus "Pastoral Counselors" and "Professional Counselors," when acting as such, are not considered to be a campus security authority for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, the professional counselors at St. Mary's University are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis to the Title IX office, the Dean of Student's Office, and/or the University Police Department.

Emergency Notification and Timely Warning Notification

Emergency Notifications

Universities are required to have and use two types of campus alerts—emergency notifications and timely warnings—to help keep students, staff, and faculty informed about threats to the safety and health of their communities. St. Mary's University uses emergency notifications to provide important information to the community about emergency response and evacuation procedures when a significant emergency or dangerous situation represents an immediate threat to the health or safety of the campus. Examples of these situations include:

- Approaching tornado, hurricane, or other extreme weather conditions
- Armed intruder
- Bomb threat
- Civil unrest or rioting
- Earthquake
- Explosion
- Fire in an on-campus building
- Gas leak
- Outbreak of meningitis, norovirus, or other serious illness
- Nearby chemical or hazardous waste spill
- Terrorist incident

In accordance with the Higher Education Act of 1965, St. Mary's University has a comprehensive communications system to provide prompt Emergency Notification alerts (called StMU Alerts) for incidents involving a potential immediate threat to the health and safety of members of the campus community using both email and text messages. Some buildings have Public Address Systems, which may be used by the University Police Department to communicate with occupants of an individual building, when appropriate. University officials may also use the University website and/or social media to provide information, as well and the content for and activation of these systems is the responsibility of University Communications. If

either these systems fail or the University deems it appropriate, in-person communication or other available forms of communication may be used to communicate an emergency. Additionally, the Texas Education Code Section 51.218 requires the emergency alert system to be an opt-out system.

If the St. Mary's University Police Department, in conjunction with other University administrators, local first responders and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the St. Mary's University community, the following will apply:

1. In the event of an emergency, St. Mary's University will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors.
2. Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, the St. Mary's University Police Department will be responsible for determining if an Immediate (emergency) Notification is warranted, essentially confirming the emergency and immediately notifying the campus community.
3. If an immediate (emergency) notification is needed, it is sent to members of the University community via email and a StMU Alert. The content of the message will be developed, and the message will be sent by the appropriate University Department. The message will be sent to the St. Mary's University community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

Subsequent or follow-up messages will also follow the above-described process and the same systems and will be sent by the University Police Department.

The St. Mary's University Police Department will, without delay, and considering the safety of the University community, determine the content of the notification and initiate the notification, unless doing so will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Before sending an immediate (emergency) Notification, the officer or telecommunicator will, if time permits, notify his/her supervisor when it is determined that a significant emergency or dangerous situation exists. The supervisor will select the appropriate message template or draft a new alert, then send the message to the University community by email and text message. If the supervisor is unable, or if time does not permit, to send an email or text message, the telecommunicator or officer has been given permission to send the appropriate message.

Local San Antonio news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents, and other interested parties. The larger community can also access emergency information via the St. Mary's University homepage and/or social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

The positions listed below have the authority and access to write and issue an immediate (emergency) notification:

University Police Department

- Executive Director and Chief of Police
- Police Lieutenant
- Police Sergeants
- Police Telecommunicators

Office of the President

- Chief of Staff for the President
- Executive Director of University Communications

Student Affairs

- Vice Provost of Student Development and Dean of Students
- Executive Director for Title IX and Clery Compliance

The campus authority and access to issue an immediate (emergency) notification is as follows:

	PRIMARY MESSAGE CREATOR	BACKUP MESSAGE CREATOR	AUTHORITY TO APPROVE AND SEND MESSAGES	PRIMARY MESSAGE DISTRIBUTOR	BACKUP MESSAGE DISTRIBUTOR
EMAIL	StMU Police Dept.	University Communications	StMU Police Dept.	StMU Police Dept.	University Communications
RAVE alert	StMU Police Dept.	University Communications	StMU Police Dept.	StMU Police Dept.	University Communications

Registering for Emergency Notifications

Rave Guardian is a campus safety mobile application that is available to the St. Mary’s University community on Android and Apple devices.

Downloadable for free for smartphones, Rave Guardian allows the campus community to call the University Police Department (UPD) in an emergency from anywhere on campus which can improve response time during an emergency situation. The app also allows the user to share their geolocation with a contact of choice or selected guardians.

The Rave Guardian app also provides, within the application, a personal inbox for each user which allows users to see progress on active cases they have submitted or are involved.

The Safety Timer feature allows users to set a timer when they are traveling to a location on or off campus. If the Safety Timer expires and the user has not checked in that they have arrived at their location, a specified contact, called a Guardian, will be alerted and will be sent to the last location of the user’s phone. When

users create their profile within the app, they must supply the contact information of their contact of choice or selected guardians to the system.

For those who do not have a smartphone, UPD encourages saving the campus police emergency number, 210-431-1911, as a contact so that it can be accessed quickly. If you have questions, contact the University Police Department at 210-436-3330. Please ensure that you are subscribed to the Campus Rave Alert system with your correct contact information at <https://www.getrave.com/login/stmarytx>

Registering for the Emergency Notification System (StMU Alert)

- Go to the University homepage: www.stmarytx.edu
- Scroll to the bottom of the page and locate the “Gateway” link located at bottom of the page on the left-hand side.
- Login to Gateway with your St. Mary’s University username and password.
- After login, locate the Applications file.
- Under Applications, select “Campus Alerts”
- Sign in with your St. Mary’s University Email (user name) and password on this screen (You may have to register if this has not been done previously).
- Upon opening the page, Select USER and input your correct information.
- Select and test that your information is correctly added.

Timely Warnings

St. Mary’s University issues timely warnings for Clery Act crimes that occur within the University’s Clery Act geography, are reported to campus security or local police, and are considered to represent a serious or continuing threat to students and employees. The decision to issue a timely warning is made on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the:

- Nature of the crime
- Continuing danger to the campus community
- Possible risk of compromising law enforcement reports

Key Distinctions

	EMERGENCY NOTIFICATION	TIMELY WARNING
Scope	Wide focus on any significant emergency or dangerous situation (may include Clery Act crimes)	Narrow focus on Clery Act crimes reported to CSAs
Why	Triggered by an event that is occurring on or imminently threatening the campus involving an immediate threat to the health or safety of students or employees.	Triggered by crimes reported to UPD or local law enforcement that have already occurred and represent a serious or continuing threat to students and employees.
Where	Only on campus	Anywhere on StMU Clery geography

When	Initiate procedures immediately upon confirmation that a dangerous situation or emergency exists or threatens the campus	Issue a warning as soon as pertinent information is available
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The St. Mary’s University Police Department and University Communications have the authority to provide timely notice to the campus community about Clery Act crimes or other serious or ongoing crimes against people or property that occur on or within the campus boundaries and on public property that is within or immediately adjacent to the campus. The purpose of a Timely Warning is to notify the campus community of the incident and to provide information that may enable community members to protect themselves from similar incidents.

Although not required by Federal Law, timely warning notices may also be distributed for crimes that occur outside these geographic areas if the crime is deemed to pose an ongoing threat to the campus community. A Timely Warning notice for any off-campus crime will be distributed on a case-by-case basis depending on various factors such as the nature of the crime, the exact location, the time of the incident, the local police response and guidance to UPD or other campus officials and the potential direct effect on the campus community.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

All timely warning notices will include the following, unless issuing any of this information would risk compromising law enforcement efforts:

- Date and time or timeframe of the incident
- A brief description of the incident
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips).
- Suspect description(s) when deemed appropriate and if there is sufficient detail (see below)
- University Police contact information
- Other information as deemed appropriate by the University Police Department

The description of subjects in a case will only be included in the timely warning notification if there is sufficient detail to describe the individual. If the only known descriptors are sex and race, that will not be included in the notification. The Violence Against Women Act (VAWA) strictly prohibits publishing victim names in timely warning notifications.

St. Mary’s University will issue a Timely Warning whenever the following criteria are met:

1. A crime is committed
2. The perpetrator has not been apprehended; and
3. There is a substantial risk to the physical safety of other members of the campus community because of this crime.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications, but are not limited to:

- Murder/Non-Negligent Manslaughter
- Aggravated Assault
- Robbery involving force or violence
- Sexual Assault Other Clery crimes as determined necessary by the University Police

Crimes that would not present a continuing threat, and therefore, may not merit a Timely Warning, include the following:

- a. An isolated event between two individuals who know each other that presents no ongoing threat to the community
- b. Crimes in which the perpetrator has been apprehended, thereby eliminating the threat
- c. Crimes in which an identified perpetrator is only targeting specific individuals to the exclusion of others, such as domestic violence.

Timely Warning Notices to the community regarding a delayed or late report of a serious crime or ongoing threat to the campus will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information available.

The University Police Department reviews information that is reported either directly to University Police or indirectly reported by members of the community, Campus Security Authorities, and other local law enforcement to determine if a reported crime poses a serious ongoing threat to members of the University community.

To create a Timely Warning, University Police draft an email containing the proposed timely warning notification and forward it to the Office of Communications. The Office of Communications will review and suggest possible revisions, then send it back to the University Police Department for a final review. Upon determining that the content has met the requirements outlined above, the University Police Department will send out the timely warning notification to all current St. Mary's University students and employees. Updates to the St. Mary's University community about any case resulting in a timely warning notification may also be distributed electronically by email.

These units may collaborate with other University Departments, if time permits, however they have the authority to distribute them without collaboration, if deemed necessary.

The University Police can utilize up to two different methods for distributing the Timely Warning to the campus community. Email is the primary means of disseminating timely warning notifications. University Police can also provide timely warning notifications through the University's "StMU Alert" text messaging, if deemed necessary.

The department may not issue a Timely Warning notification if:

- The department apprehends the subject(s) and the threat of imminent danger for members of the University community has been mitigated by the apprehension.
- If a report was not filed in a timely manner of within two days of incident.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

The campus authority and access to issue a Timely Warning Notification is as follows:

	PRIMARY MESSAGE CREATOR	BACKUP MESSAGE CREATOR	AUTHORITY TO APPROVE AND SEND MESSAGES	PRIMARY MESSAGE DISTRIBUTOR	BACKUP MESSAGE DISTRIBUTOR
EMAIL	StMU Police Dept.	University Communications	StMU Police Dept.	StMU Police Dept.	University Communications
RAVE alert	StMU Police Dept.	University Communications	StMU Police Dept.	StMU Police Dept.	University Communications

Annual Reports

Statistics are compiled on a calendar year basis and are available to the University community and the general public.

The Student Newspaper

The University Police Department provides summarized information on crimes to *The Rattler* student newspaper when requested.

Daily Crime and Fire Log

The University Police Department maintains a daily crime and fire log summarizing incident reports filed by department personnel for review by the University community and the general public.

Security of and Access to Campus Facilities and University Housing

Faculty, staff, and students are encouraged to have a Rattler ID card in their possession at all times and to present it upon request. Rattler ID cards may be obtained in the Louis J. Blume Library, Charles L. Cotrell Learning Commons at the Information Technology Help Desk. Most academic and administrative buildings and facilities are locked and unlocked by the University Police Department daily.

These buildings are accessible to the University community, guests, and visitors during normal business hours with limited access after normal business hours, on weekends and holidays. During normal business hours most academic and administrative buildings are open and accessible to the public. Students requesting admittance into a secured building after normal hours must show their Rattler ID card and an official Late Entry Pass. No exceptions will be made for students who do not have these items. Residence halls and areas are staffed by full-time, live-in Residence Hall Directors, as well as students employed as Resident Assistants. Each residence hall is accessible by key, and exterior entrance doors remain locked 24-hours a day.

Students are encouraged not to loan their key to anyone, and guests are not permitted into residence halls after designated visiting hours. Residents should report lost keys and malfunctioning locks to the Office of

Residence Life. The University Police Department does not unlock residence hall rooms. Requests for Residence Hall room access can be made by contacting the Residence Life office or Director on Duty.

Normal business hours are defined as Monday through Friday, 8 a.m. to 5 p.m., excluding recognized University, local, state, or federal holidays. After-hours is defined as any day of the week outside of those previously listed time frames. As outlined within the University's "After-hours Access for Educational Research Policy," access is not allowed between the hours of 2 a.m. to 6 a.m. in academic or administrative buildings.

Security of Campus

University Police conduct routine patrols of campus buildings, parking lots and grounds to evaluate and monitor security related matters. Housing staff monitor security in the residential facilities and encourage building residents to report suspicious or unusual activity.

Maintenance of Campus Facilities

The University Police Department works closely with other University departments to maintain a safe campus. Maintenance personnel repair locks, doors and windows that have been reported as not operating properly, and grounds personnel maintain trees, shrubbery, and vegetation to ensure that it does not impede lighting, interfere with walkways or create a safety concern.

Jurisdictional, Enforcement and Arrest Authority of University Police

St. Mary's University Police Department is a professional police organization which is dedicated to serving and protecting the St. Mary's University community. To that end, the department is responsible for law enforcement, security, and emergency response on campus. Section 51.212 (a) of the State of Texas Education Code provides that the governing Board of Trustees of respective private institutions of higher education, including private junior colleges, are authorized to employ and commission campus security personnel for the purpose of enforcing the law of this state on the campuses of private institutions of higher education. Any officer commissioned under the provisions of this section is vested with all the powers, privileges, and immunities of peace officers while on the property under control and jurisdiction of the respective private institution of higher education or otherwise in the performance of his/her assigned duties.

While the University Police Department has jurisdiction within all of Bexar County as defined by state law, officers primarily patrol close to the main campus located at One Camino Santa Maria. From time to time, in an emergency situation or upon request of local law enforcement, the University Police will take enforcement actions elsewhere within the county.

St. Mary's University police officers are certified and licensed by the Texas Commission on Law Enforcement as meeting the established training requirements of the State of Texas for Peace Officers. They are armed with firearms and make arrests pursuant to the Texas Code of Criminal Procedure for crimes defined in the Texas statutes. They are supported by non-commissioned civilian staff and state licensed Telecommunicators.

Officers receive training in a wide range of areas to include:

- First aid
- CPR

- Mental health
- Bike patrol
- Underage drinking prevention and enforcement
- Active shooter
- Hostile intruder incidents
- Sexual Assault and Family Violence Investigators (SAFVIC) course

UPD officers are authorized to enforce all campus regulations, local and state laws on University property. Officers conduct foot, bicycle, golf cart and vehicular patrols on all University property and throughout the University Housing community 24-hours a day.

Working Relationships with Local, State and Federal Police Agencies

The University Police Department maintains close working relationships with the San Antonio Police Department, Bexar County Sheriff's Office, and state, federal and other law enforcement agencies. In addition, the University Police Department also works closely with the San Antonio Fire Department, San Antonio Fire Department - Emergency Medical Services and, the respective Offices of Emergency Management.

St. Mary's University Police Department is also connected with the City of San Antonio and Bexar County regional radio system. This radio system covers more than 1,200 square miles (coverage footprint ranging from San Antonio to Austin, all the way to Houston), and is compatible with nearly 10,000 land mobile radios deployed by 40 agencies working in the county, which includes the City of San Antonio, Bexar County Sheriff's Office, 22 smaller cities and towns, four military bases, and federal and state agencies. In addition, the radio system also has interoperable communications with all of the Lower Colorado River Authority's (LCRA's) approximate 9,500 users.

St. Mary's University Police works with other regional university police departments regarding a wide range of crime and safety issues which are unique to college and university campuses. These partners are:

- University of Texas at San Antonio
- University of Texas Health and Science Center at San Antonio
- Texas A&M University – San Antonio
- Trinity University
- University of the Incarnate Word
- Our Lady of the Lake University
- Alamo Colleges

St. Mary's University Police participates in the following regional organizations:

- Alamo Area Council of Governments
- Central Texas Investigators Working Group
- Bexar County Area Chief's Association
- San Antonio Regional University – Emergency Management Planning Group
- San Antonio Regional School District, College and University Police Planning / Working Group.
- St. Mary's University Police Department in partnership with the Federal Bureau of Investigations (FBI), host the San Antonio Business Alliance Conference – Working together to Ensure National Security

The St. Mary's University Police Department has a Memorandum of Understanding (MOU) with the City of San Antonio which addresses the following areas:

- Jurisdiction
- It does NOT pertain to the investigation of alleged criminal incidents
- Notifications of crimes at university locations
- Use of the City of San Antonio Police Department's:
 - Crime Scene Units
 - Bomb Squad
 - SWAT Team
 - Hostage Negotiators
 - Investigative Unit
 - Procedures to be followed regarding the execution of warrants of arrest and search warrants
 - Joint Training ventures

The St. Mary's University Police Department has an inter-agency agreement with the Bexar County Sheriff's Office providing access to the Texas Law Enforcement Telecommunications System (TLETS), the Texas Crime Information Center (TCIC), and the National Crime Information Center (NCIC) and associated systems.

St. Mary's University collaborates with the following federal law enforcement organizations as appropriate:

- FBI
- Joint Terrorism Task Force
- Department of Homeland Security
- Transportation and Security Administration
- United States Marshals Service
- Drug Enforcement Administration
- United States Secret Service
- United States Department of State
- United States Border Patrol
- United States Immigration and Customs Enforcement
- United States Postal Police
- Various United States Armed Forces Criminal Investigations Departments

During the spring semester, St. Mary's University hosts the St. Mary's University Alumni Association Fiesta Oyster Bake®. Oyster Bake is a recognized, volunteer driven, Fiesta San Antonio musical festival, with five simultaneous music stages including, family friendly, jazz, Tejano, rap and hip-hop, county, pop and rock stages.

In 1974, St. Mary's University Oyster Bake became an official Fiesta San Antonio event. This event annually attracts about 86,000 visitors in support of the Alumni Association's goal of fundraising for student scholarships.

During this event many different law enforcement agencies, provide officers to assist with a yearly average of 250 police officers who work this one-and-a-half-day event. There are more than 7,000 civilian volunteers. Each agency represented is covered under the regional Annual Fiesta Oyster Bake Incident Management Plan of Action. The St. Mary's University Alumni Fiesta Oyster Bake Incident Management Plan of Action has received numerous awards and been recognized in the past by Texas Festivals and Events Association for the Best Public Safety/Security Plan for events over \$750,000. In addition, this event and the Incident

Management Plan of Action have also been recognized nationally and internationally by the International Festivals and Events Association. Partner agencies include:

- City of San Antonio
 - Police Department
 - City Marshals
 - Park Police Department
- Bexar County
 - Sheriff's Office
 - District Attorney's Office – Investigators
- Atascosa County Sheriff's Office
- Edgewood Independent School District Police Department
- South San Antonio Independent School District Police Department
- Harlandale Independent School District Police Department
- Southside Independent School District Police Department
- Texas A&M University – San Antonio Police Department
- Live Oaks Police Department
- Natalia Police Department
- Poteet Police Department
- Somerset Police Department
- Universal City Police Department
- Converse Police Department
- Hollywood Park Police
- VIA Metropolitan Transit Police
- Southwest Texas Regional Advisory Council (STRAC)
- Texas Department of Public Safety
- Texas Alcoholic Beverage Commission
- Federal Bureau of Investigation
- Department of Homeland Security – Transportation Security Administration

Emergency Response on Campus

St. Mary's University Police Department has the primary responsibility for law enforcement, security and emergency response on campus. The University Police can be contacted (to report an emergency) 24-hours a day, 365 days a year by dialing extension 1911 from an on-campus telephone or 210-431-1911 from an off-campus telephone.

Summary of the Emergency Response Plan

The University's Emergency Management Plan includes information about the authority of the university in an emergency, concept of operations, assumptions, objectives, activities during different phases of emergency management, levels of response, activation of the plan, command and control, organization, assignment of responsibilities and functions. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University is continuously reviewing processes of the many different educational programs and exercises in order to better prepare the community during emergencies.

St. Mary's University police officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually St. Mary's University Police, San Antonio Police and the San Antonio Fire and Emergency Medical Services Department, who typically respond and work together to manage the incident. Depending on the nature of the incident, other St. Mary's University departments and other local or federal agencies could also be involved in responding to the incident.

St. Mary's University Police Department, in conjunction with other University administrators, local first responders, public health officials, and/or the National Weather Service, are responsible for confirming that there is an emergency or dangerous situation that potentially poses an immediate threat to the health or safety of the campus community. The University will immediately notify the campus community upon the confirmation that a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff is occurring on campus.

In conjunction with other emergency agencies, the University conducts regular emergency response exercises such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

General information about the emergency response and evacuation procedures for St. Mary's University are published each year as part of the institution's Clery Act compliance efforts in the Annual Campus Security and Fire Report. Hard copies of the exercises can be obtained at the University Police Department.

St. Mary's University periodically tests the Emergency Notification System (StMU Alert). The test messages are sent to everyone in the StMU community who has not opted out of the system. Community members who have not signed up to receive emergency messages through the StMU Alert System can do so by going to Gateway web page and following the directions as listed within the report in the section "How to Register for the Emergency Notification System."

The system was used four (4) times to notify the campus community regarding issues either on the campus or next to the campus during the 2020 calendar year.

Residence Hall Fire Alarm and Evacuation Drills

During the 2020 calendar year, the Office of Residence Life, in conjunction with the University Police Department, conducted a series of announced and unannounced fire alarm evacuations for each residence hall during the spring and fall semesters.

An announced drill is defined as a drill that is pre-advertised to let residents of a specific hall know a drill will take place at a certain date and time. An unannounced drill is a drill where most of the participants, or residents in the case of the resident halls, are unaware that a test will take place.

The table provides the date, time, location, whether the drill was announced or unannounced.

Hall	Date	Time (AM/PM)	Nature: Alarm Announced or or Drill Unannounced Drill	
Dougherty Hall	01/22/2020	8:23 PM	Drill	Unannounced
Bordeaux Hall	01/28/2020	8:15 PM	Drill	Unannounced
Anthony Frederick Hall	01/28/2020	8:45 PM	Drill	Unannounced
John Donohoo Hall	01/28/2020	9:00 PM	Drill	Unannounced
Adele Hall	01/28/2020	9:15 PM	Drill	Unannounced
Our Lady of Lourdes Hall	01/22/2020	8:35 PM	Drill	Unannounced
Andrew Cremer Hall	01/29/2020	8:30 PM	Drill	Unannounced
Herbert and John G. Leies Hall	01/29/2020	8:45 PM	Drill	Unannounced
Perigueux Hall	02/03/2020	9:30 PM	Drill	Unannounced
Chaminade Hall	02/04/2020	9:45 PM	Drill	Unannounced
Treadaway Hall	02/04/2020	10:15 PM	Drill	Unannounced
Marian Hall	02/05/2020	8:59 PM	Drill	Unannounced
Chaminade Hall	09/21/2020	4:34 PM	Alarm	Unannounced
Bordeaux Hall	10/22/2020	7:00 PM	Drill	Unannounced
Adele Hall	10/22/2020	7:10 PM	Drill	Unannounced
John Donohoo Hall	10/22/2020	7:25 PM	Drill	Unannounced
Andrew Cremer Hall	10/22/2020	7:40 PM	Drill	Unannounced
Chaminade Hall	10/25/2020	1:15 PM	Drill	Unannounced
Marian Hall	10/25/2020	1:30 PM	Drill	Unannounced
Herbert and John G. Leies Hall	10/26/2020	7:00 PM	Drill	Unannounced
Dougherty Hall	10/29/2020	3:42 PM	Alarm	Unannounced
Bordeaux Hall	11/02/2020	3:02 PM	Alarm	Unannounced
Chaminade Hall	11/12/2020	11:31PM	Alarm	Unannounced

All locations listed above are located at One Camino Santa Maria, San Antonio, Texas 78228

Summary of Emergency Evacuation Procedures

St. Mary's University Police and the Office of Residence Life coordinates an evacuation drill at least once a year for each residential facility on campus. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. St. Mary's University Police does not tell residents in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on

campus, and other factors such as the location and nature of the threat. In both cases, St. Mary's University Police and Residence Life staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At St. Mary's University, evacuation drills are used to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by St. Mary's University Police and the Residence Life Department to evaluate egress and behavioral patterns. Participating departments identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Shelter-in-Place Procedures – What it means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter in the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, St. Mary's ID card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, including St. Mary's University Police, Residence Life staff members, other University employees, the federal, state or local government, San Antonio Police, or other authorities utilizing the University's emergency communications tools. No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

- If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
- Locate a room to shelter inside. It should be an interior room, above ground level, and without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
- Shut and lock all windows (tighter seal) and close exterior doors.
- Turn off air conditioners, heaters, and fans.

- Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
- Make a list of the people with you and ask someone (Residence Life staff, faculty, or other staff) to call the list in to St. Mary's University Police so they know where you are sheltering. If only students are present, one of the students should call in the list.
- Turn on a radio or TV and listen for further instructions.
- Make yourself comfortable.
- Keep your phone with you for further emergency alerts and news from the University.

Medical Emergencies

When medical treatment or an ambulance service is required for injuries or health related situations, contact the University Police at extension 1911. If the medical emergency is life threatening, call 9-1-1 immediately to request an ambulance and have someone else contact the University Police Department to help.

St. Mary's Policy on Alcohol and Other Drugs

Alcohol

The abuse of alcohol and drugs by members of the University community is incompatible with the goals of an academic institution. St. Mary's University is in compliance with the Drug-Free Schools and Communities Act of 1989. In compliance with the Drug Free Schools and Communities Act, St. Mary's University publishes information regarding the University's educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and University policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for St. Mary's University students and employees. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at:

<https://www.stmarytx.edu/compliance/drug-free-schools/>

In accordance with Texas State Law, St. Mary's does not permit the purchase, possession, use, sale or consumption of alcohol by persons under 21 years of age. The St. Mary's University Police Department is responsible for the enforcement of state underage drinking laws.

Events approved to serve alcohol must be served by either Aramark or third-party vendors, which must be licensed and pre-approved by the Dean of Students Office in conjunction with the Chief of Police. Both the University and Aramark hold beer and wine licenses for the campus. Neither organization's license permits the sale or distribution of any other kind of alcoholic beverage.

- Respect is the foundation upon which the University bases its Alcohol Policy as outlined in the following areas:
- Respect for oneself — Those who are of legal age and choose to drink must never do so in a manner that puts them at personal risk.
- Respect for others — Intoxication is inappropriate behavior and it does not excuse an individual of personal responsibility. Anyone choosing to drink must not drink to a level that the rights and well-being of others might be endangered.
- Respect for property — Research indicates that most campus vandalism and destruction is directly related to alcohol consumption. Each individual will be held responsible for any damage done while under the influence.

Alcohol consumption, even in low doses, significantly impairs the judgment and coordination required to drive a car safely. Low to moderate doses of alcohol also increase the incidence of aggressive acts.

Moderate to high doses of alcohol cause marked impairments in higher mental function. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects described. Repeated use can lead to dependence. Pregnant women who drink alcohol may give birth to infants with fetal alcohol syndrome.

Drugs

Federal law, State law, and University policy prohibit the use, possession, sale, manufacture, or distribution of any illegal drugs. The St. Mary's University Police Department is responsible for the enforcement of both State and Federal drug laws.

Tobacco (Nicotine)

Some 30% of cancer deaths (130,000 per year) are linked to smoking. Chronic obstructive lung diseases such as emphysema are 10 times more likely to occur among smokers than non-smokers.

Smoking during pregnancy also poses serious risks such as spontaneous abortion, pre-term birth, low birth weights, and fetal and infant deaths.

Designer Drugs

In order to circumvent legal restrictions, underground chemists modify the molecular structure of certain illegal drugs to produce designer drugs. Many of the so-called designer drugs are related to amphetamines (MDMA, X). These substances can produce a severe neurochemical change to the brain. Narcotic type drugs (china white) can cause Parkinson's disease-like symptoms (uncontrollable tremors, drooling, impaired speech, paralysis and irreversible brain damage). Amphetamine and methamphetamine type substances cause nausea, blurred vision, chills or sweating and faintness.

Psychological effects include anxiety, depression and paranoia. Designer phencyclidine causes illusions, hallucinations and impaired perception.

Narcotics

Narcotics initially produce feelings of euphoria followed by drowsiness, nausea and vomiting. Users may experience constricted pupils, watery eyes and itching. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Addiction in pregnant women can lead to premature, stillborn or addicted infants who experience severe withdrawal symptoms.

Cocaine

The use of cocaine can cause death by cardiac arrest or respiratory failure. Immediate effects include dilated pupils, elevated blood pressure, heart rate, respiratory rate and body temperature. Occasional use can cause stuffy or runny nose, while chronic use can ulcerate the mucous membrane of the nose. Cocaine can produce psychological dependence; a feeling that the user cannot function without the drug. Crack or freebase rock is extremely addictive, and physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures.

Other Stimulants

Stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. Users may experience sweating, headaches, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause rapid or irregular heartbeat, tremors, loss of coordination and even physical collapse. Persons who use large amounts of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, delusions, and paranoia.

Marijuana (Cannabis)

Use of cannabis may impair or reduce short-term memory and comprehension, alter one's sense of time and reduce ability to perform tasks requiring concentration and coordination, such as driving a car.

Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana can also produce paranoia and psychosis and is damaging to the lungs and pulmonary system. Marijuana smoke contains more cancer-causing agents than tobacco smoke.

Anabolic Steroids

Steroid users subject themselves to more than 70 possible side effects ranging in severity from liver cancer to acne, and include psychological, as well as physical reactions. The liver, cardiovascular and reproductive systems are most seriously affected by steroid use. In males, use can cause sterility and impotence. In females, irreversible masculine traits can develop along with sterility. Psychological effects include very aggressive behavior known as "roid rage" and depression.

Hallucinogens

LSD, mescaline and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness, and tremors. Sensations and feelings may change rapidly. The use may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even after use has ceased. Users of PCP report persistent memory problems and speech difficulties, depression, anxiety, and often violent behavior patterns.

Depressants

The effects of depressants are in many ways similar to the effects of alcohol. Small amounts can produce calmness, relaxed muscles, but somewhat larger doses can cause slurred speech, staggering gait and altered perception. Large doses can cause respiratory depression, coma, and death. The combination of depressants can multiply the effects of the drugs, thereby multiplying the risks. The use of depressants can cause both physical and psychological dependence.

Alcohol and Drug Abuse Resources

Below are alcohol and drug abuse resources available on and off campus.

On-Campus

Student Health Center..... 210-436-3506

Located at Charles Francis Hall. Medical assistance is available through the medical personnel.

Student Counseling Center..... 210-436-3135

Located in the Center for Life Directions. Counseling services are available by a staff psychologist, as well as psychological testing and assessment and individual and group counseling.

University Ministry.....210-436-3213

Located in the Center for Life Directions. Offers pastoral and spiritual counseling and guidance.

Off-Campus

Information concerning off campus resources can be obtained by visiting the Student Counseling Center in the Center for Life Directions building or calling (210) 436-3135.

Legal Sanctions for Illegal Use of Alcohol and Other Drugs

TEXAS STATE LAW

OFFENSE	CLASS / DEGREE	PUNISHMENT
Manufacture or delivery of controlled substance (drugs)	State Jail Felony to First Degree Felony	Minimum: Up to 2 years in jail and a fine of up to \$10,000 Maximum: 15 years to life in jail and a fine of up to \$250,000
Possession of a controlled substance	Class B Misdemeanor to First Degree Felony	Minimum: Up to 180 days in jail and a fine of up to \$2,000 Maximum: 15 years to life in jail and a fine of up to \$250,000
Possession or delivery of marijuana	Class B Misdemeanor to First Degree Felony	Minimum: 180 days in jail or a fine of up to \$2,000, or both Maximum: 5 years to life in jail and a fine of up to \$100,000
Driving while intoxicated (alcohol or other drugs or both)	Class B Misdemeanor Class A Misdemeanor if BAC is equal to or greater than .15 Third Degree Felony if 2 or more prior convictions	Minimum: Confinement of 72 hours unless the driver had an open container of alcohol in his/her possession in which case the offense is a Class B misdemeanor with a minimum term of confinement of six days in jail. Maximum: 2 to 10 years in jail and a fine of up to \$10,000
Public intoxication	Class C Misdemeanor If under 21 years old, Texas Alcoholic Beverage Code apply (Sections 106.071 and 106.115)	Fine up to \$500 and attendance at an alcohol awareness program. Where the offender has previously been convicted twice for an alcohol-related offense by a minor, the punishment is a fine of \$250 to \$2,000, jail time of up to 180 days, community service of 8 to 40 hours, and driver's license suspension for 30 to 180 days and attendance at an alcohol awareness program.

Purchase, consumption, or possession of alcohol by a minor	Class C Misdemeanor	Attendance at an alcohol awareness program. When the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.
Sale of alcohol to a minor	Class A Misdemeanor	Fine up to \$4,000, up to one year in jail, or both, 180-day driver's license suspension
Purchase of alcohol for a minor or furnishing alcohol to a minor	Class B Misdemeanor	Fine up to \$2,000, up to 180 days in jail, or both
Misrepresentation of age by a minor to a person selling or serving alcohol	Class C Misdemeanor	Attendance at an alcohol awareness program, and where the offender is a minor previously convicted twice for alcohol-related offenses, a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both fine and imprisonment; community service of 8 to 40 hours; suspension of Texas Driver's License for 30 to 180 days and attendance at an alcohol awareness program.

FEDERAL LAW

OFFENSE	MINIMUM PUNISHMENT	MAXIMUM PUNISHMENT
Manufacturing, distribution or dispelling of illegal drugs	Imprisonment up to 3 years, and a fine of \$250,000, or both	Life imprisonment (no parole) and fine up to \$8 million (individual) or \$20 million (other)
Possession of illegal drugs	Imprisonment for up to 1 year and a fine of not less than \$1,000 or both	5 to 20 years imprisonment and fine of at least \$5,000 plus investigation/court costs
Distribution of drugs to a person under 21 years of age	Double the federal penalty for distribution of drugs	Triple the federal penalty for distribution of drugs

Weapons

The University Police Department supports a safe and educational environment and enforces all applicable weapons laws as it relates to the campus. All violators of weapons laws will be arrested & prosecuted. In

addition, students will be referred to the Dean of Students Office for additional sanctions. Faculty and Staff found to be in violation will be referred to the Human Resources Department.

As permitted under Texas Senate Bill 11, St. Mary's University does not allow either the possession of a concealed or openly carried handgun or long-gun. After consultation with the University community, on Nov. 6, 2015 St. Mary's University "opted out" of the open carry and campus carry provisions as allowed by the Texas Legislature.

Person(s) excluded from this rule include qualified members of the St. Mary's University Police Department, federal/state/local law enforcement officials, officers and agents, St. Mary's University ROTC (while acting within the scope of their training) and Marianist permanent residents on the premises, or others who are given written permission by the Chief of University Police.

St. Mary's University Policies Related to the Violence Against Women Act

St. Mary's University prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. The University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault, and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

Domestic Violence: A felony or misdemeanor crime of violence committed

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

Dating Violence: 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 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

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual 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 or 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 sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

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

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

Jurisdictional Definitions of Domestic Violence, Dating Violence Sexual Assault and Stalking

Below are definitions for domestic violence, dating violence, stalking, and sexual assault as defined by the State of Texas.

Domestic Violence: In the State of Texas domestic violence is referred to as family violence. Family violence means:

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

Dating Violence: An act, other than a defensive measure to protect oneself, by an actor that:

- is committed against a victim:
 - with whom the actor has or has had a dating relationship; or
 - 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
- 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.

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

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

This section covers the definitions of Sexual Assault, Fondling, Incest, and Statutory Rape. Note: In the State of Texas, Statutory Rape is classified under Sexual Assault.

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

- intentionally or knowingly:
 - causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
 - 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
- intentionally or knowingly:
 - causes the penetration of the anus or sexual organ of a child by any means;
 - causes the penetration of the mouth of a child by the sexual organ of the actor;
 - causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
 - causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
 - causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

Fondling- The State of Texas classifies Fondling under Public Lewdness (Texas Penal Code Sec. 21.07) and Indecent Assault (Texas Penal Code Sec. 22.012).

Public Lewdness- (a) A person commits an offense if he knowingly engages in any of the following acts in a public place or, if not in a public place, he is reckless about whether another is present who will be offended or alarmed by his:

- act of sexual intercourse;
- act of deviate sexual intercourse;
- act of sexual contact; or
- act involving contact between the person's mouth or genitals and the anus or genitals of an animal or fowl.

Indecent Assault. (a) A person commits an offense if, without the other person's consent and with the intent to arouse or gratify the sexual desire of any person, the person:

- touches the anus, breast, or any part of the genitals of another person;
- touches another person with the anus, breast, or any part of the genitals of any person;

- exposes or attempts to expose another person's genitals, pubic area, anus, buttocks, or female areola;
or
- causes another person to contact the blood, seminal fluid, vaginal fluid, saliva, urine, or feces of any person.

If conduct that constitutes an offense under this section also constitutes an offense under another law, the actor may be prosecuted under this section, the other law, or both.

Incest - The State of Texas classifies Incest under Prohibited Sexual Conduct.

Prohibited Sexual Conduct- (a) A person commits an offense if the person engages in sexual intercourse or deviate sexual intercourse with another person the actor knows to be, without regard to legitimacy:

- the actor's ancestor or descendant by blood or adoption;
- the actor's current or former stepchild or stepparent;
- the actor's parent's brother or sister of the whole or half-blood;
- the actor's brother or sister of the whole or half blood or by adoption;
- the children of the actor's brother or sister of the whole or half blood or by adoption; or
- the son or daughter of the actor's aunt or uncle of the whole or half blood or by adoption.

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

- constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:
 - bodily injury or death for the other person;
 - 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
 - that an offense will be committed against the other person's property;
- causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
- would cause a reasonable person to:
 - fear bodily injury or death for himself or herself;
 - fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
 - fear that an offense will be committed against the person's property; or
 - feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

Consent

State of Texas definition of Consent

Though the State of Texas does not specifically identify consent, it does identify the absence or lack of consent based upon Chapter 22 of the Texas Penal Code specifically; 1) if a person is not old enough to legally agree to sex, 2) A person is mentally incapable of understanding the sexual activity, 3) A person is unconscious and unaware of the activity, 4) A person has been drugged or too intoxicated, 5) A person has been threatened or coerced.

St. Mary's University defines consent within the Equal Opportunity, Nondiscrimination, Sexual and Other Forms of Harassment Policy. Consent is defined as knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear affirmative expression in words or actions that the other individual consented to that specific sexual conduct. Consent cannot be obtained by threat, coercion, or force. Agreement under such circumstances does not constitute consent.

A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy. It is not an excuse that the individual accused of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other.

Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint, and/or from the taking of incapacitating drugs. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse).

A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Silence or the absence of resistance alone may not indicate consent. A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately.

In Texas, a Juvenile "Child" (meaning a person under the age of 17 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 17 years old is a violation of this policy. The State of Texas defines the age of consent in Penal Code Section 22.011. Sexual assault (c)(1) "Child" means a person younger than 17 years of age.

Use of the Definition of Consent in the StMU Student Conduct Process

St. Mary's University uses this definition of consent to assess whether or not a respondent had knowing, voluntary, and clear permission by word or action to engage in any activity under review of the University's Equal Opportunity, Nondiscrimination, Sexual and Other Forms of Harassment Policy. Any respondent found to have engaged in non-consensual sexual activity will be found responsible for violating this policy.

How to Be an Active Bystander

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 acting to intervene.

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. Further information regarding bystander intervention may be found.

If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another, and it is not safe for you to interrupt.

- 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.
- Confront people who seclude, isolate or attempt to physically or sexually engage other people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior or experience with stalking.
- Refer people to on- or off-campus resources listed in this document for support in health, counseling or with legal assistance.

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.

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment:

- 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.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- 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.
- 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 9-1-1 in most areas of the U.S.).
- 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.
- 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.
- 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.

- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 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)
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - 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.
 - 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.
 - 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.
 - 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.
- 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?
- 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.

Prevention and Awareness 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:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.
- Include a statement that St. Mary's University prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act);
- Provide definition of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- Describe what behaviors and actions constitute consent to sexual activity in the State of Texas and according to University policy and how the University's definition of consent is used in the Equity Dispute Resolution Process.
- Describe and positive options for bystander intervention 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.
- Provide information on risk reduction options designed to decrease perpetration and bystander inaction and to increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provide Information regarding:
 - Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking;
 - How the institution will protect the confidentiality of victims and other necessary parties;
 - Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community; and

- Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures;
- Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking;

Primary Prevention and Awareness Programs

Primary prevention programs are directed at incoming students and new employees. The programs identify sexual assault, dating violence, domestic violence, and stalking as conduct prohibited by St. Mary's University and provide information regarding bystander intervention, risk reduction in recognizing warning signs of abusive behavior, ways to avoid potential attacks, and individuals' rights and options. The trainings also include procedures individuals should follow if sexual assault, dating violence, domestic violence, or stalking occurs and procedures the institution will follow when one of these behaviors is reported.

These programs are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexual interactions, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Primary prevention programs include the following:

- Incoming undergraduate students are required to complete the *U Got This* program before the start of their first fall or spring semester on campus. This online interactive training program incorporates compliance mandates into learning objectives and confronts attitudes and behaviors, such as unsafe alcohol and drug use, which contribute to gender-based violence.
- During Zaragoza new students are also provided a link to Run Hide Fight®, an active shooter safety video provided with permissions and acknowledgement to the City of Houston Mayor's Office of Public Safety and Homeland Security.
- Primary prevention and awareness programming and related institutional procedures and resources is provided at incoming graduate and School of Law orientations by representatives from the Dean of Students office, University Police Department, Human Resources and Title IX Administration.

Resident Assistants (RAs) take part in role-play scenarios during their annual training to review how to handle alcohol violations, drug violations, sexual assault, domestic violence, stalking, and assaults within on campus residence facilities. During this training University police Department officers provide a drugs and alcohol presentation as well as a controlled marijuana burn to help staff identify the smell of marijuana. RAs are also provided an overview of the history of the Jeanne Clery Act, requirements for emergency notifications and timely warnings, and which crimes are documented annually for compliance purposes.

- New employees are provided a welcome packet with information, and are scheduled to complete a series of online training modules on Title IX, sexual harassment in the workplace, and other compliance trainings.
- All employees were also required to complete the Know Be4 online security awareness training during the fall 2020 semester

Ongoing Prevention and Awareness Campaigns

Ongoing prevention and awareness campaigns are sustained, community-focused programming, initiatives, and strategies intended to increase understanding of and build skills for addressing dating violence, domestic violence, sexual assault, and stalking. St Mary's University employs group presentations, movies, video games, flyers, online training and other strategies for prevention and awareness campaigns. Many freshman classes also require attendance or offer extra credit opportunities for attending a program. Through referrals and research, programming is maintained each year.

The same information included in the institution's primary prevention and awareness programs is incorporated into ongoing prevention and awareness campaigns. Various departments on campus support ongoing campaigns for students and employees as described below.

The St. Mary's University Police Department offers a Rape Aggression Defense (RAD) class. RAD is a rape-awareness and self-defense class dedicated to teaching women defensive concepts and techniques against various types of assault, by utilizing easy, effective and proven self-defense tactics. The realistic and comprehensive curriculum begins with awareness, prevention, risk reduction, and avoidance, and progresses to the basics of hands-on defense training. Classes are taught by certified RAD instructors, several of which are University Police Department members.

The Office of Student Advocacy & Anti-Violence Education (OSAVE) works in primary partnership with the Dean of Students Office, Title IX, Residence Life, and the University Police to provide confidential victim services to students who are impacted by gender-based violence while enrolled at StMU. In addition to these primary partnerships, OSAVE collaborates campus wide with University offices, academic departments, and registered student organizations to provide consistent, comprehensive, and culturally response education on healthy relationships and violence prevention.

In 2020, OSAVE hosted or co-hosted 40 student-focused programs, which included:

- Alcohol Awareness and Sexual Assault (2) – This presentation examines the link between alcohol use and sexual violence. Specifically, highlight the predatory ways sexual perpetrators target people based on their intoxicated state, and how bystanders can intervene when they see predatory behavior taking place.
- Bystander Intervention Workshops (10) – Using the *Intervene* curriculum by Cornell University, these workshops include filmed scenarios demonstrating how bystanders can help intervene in problematic situations. Seven different types of situations are addressed in the film, including an alcohol-related sexual assault, hazing, an alcohol emergency, emotional distress, and bias at a college party.
- Consent 101 (2) - This presentation discusses consent and how Texas criminal law defines (or does not define) consent in cases of sexual violence. Specifically, the presentation addresses how alcohol and drugs impact one's ability to consent to sexual activity.
- Consent and Coercion (3) – This presentation describes how consent is negated when coercive tactics are used to manipulate a situation. Specifically, define consent, coercion, and provide common examples of coercive behaviors. Also discuss mixed signals, and talk about the importance of setting and respecting boundaries in relationships.
- Healthy Relationships (3)- This workshop provides an overview of behaviors that are present in healthy relationships. Discussed are different types of relationships, consent in all relationships, boundaries, and respect.
- Understanding Dating Violence (2)- This presentation provides information on common patterns of relationship abuse, statistics in vulnerable communities, impacts of dating violence, and supportive measures for survivors.

- Other presentations (10)- These provide information on topics ranging from stalking, sexual violence, gender inequality, mental health, and sex trafficking.
- Information tables (7) – These information tables occurred pre-pandemic and provided information on topics ranging from stalking, sexual violence, dating violence, mental health, and healthy relationships.
- Mandatory virtual prevention program (1) – All incoming Fall 2020 students were required to complete Catharsis Productions’ violence prevention training, “U got This!”

Staff trainings facilitated or hosted by OSAVE in 2020 included:

- Community Coordinated Response Team Meetings (4) – Meetings included invited speakers from community organizations, facilitated discussions on sex trafficking, dating/domestic violence, and sexual violence, provided information about how gender-based violence impacts the StMU community, and laid out plans for future survivor’s outreach and prevention education.
- OSAVE Service Overview (1) – Provided staff with information on how OSAVE can support students with victim services and violence prevention education.
- VAWA Adjudicator Training (1) – Provided asynchronous virtual training to judicial board members who are responsible for conducting trauma informed Title IX investigations into complaints of gender-based violence on campus.

What to do if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

An on-campus victim of a domestic violence, dating violence, sexual assault or stalking should first get to a safe place and call the University Police at extension 1911 from an on-campus telephone, (210) 431-1911 from an off-campus or cell phone, or use the blue light telephones strategically placed throughout the campus. The StMU Police Department can also assist in the reporting of a sexual assault occurring off campus by contacting the San Antonio Police Department or the appropriate investigating police jurisdiction. StMU Police department officers can also assist victims in seeking medical attention and contacting either a support person, counselor, campus minister or a representative from The Rape Crisis Center of San Antonio.

A victim of sexual assault should also consider seeking medical attention as soon as possible at Methodist Specialty and Transplant Hospital (8026 Floyd Curl Drive San Antonio, TX 78229), which offers access to a Sexual Assault Nurse Examiner (SANE) who has received special training to conduct charge sexual assault evidentiary exams at no cost for survivors. In the State of Texas, evidence may be collected even if the victim chose not to make a report to law enforcement.

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, healthcare providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. 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 adjudicators/investigators or police.

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 University Police or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

It is the policy of the St. Mary's University Police Department to conduct investigations of all domestic violence, dating violence, sexual assault or stalking complaints with sensitivity, compassion, patience, and respect for the victim. Investigations are conducted in accordance with guidelines established by the Texas Penal Code, Code of Criminal Procedure, and the Bexar County District Attorney's office. All information and reports of sexual assault are kept strictly confidential.

In accordance with the Texas Code of Criminal Procedure Article 57, victims may use a pseudonym to protect their identity. A pseudonym is a fictitious name or set of initials chosen by the victim to be used in all public files and records concerning the sexual assault. Victims of sexual assault are not required to file criminal charges or seek judicial actions through the University disciplinary process; however, they are encouraged to report the assault and partake of medical and social services.

Additional medical and personal assistance services may be obtained from the following areas:

On Campus

Office of Student Life: 210-436-3331

Health Center: 210-436-3506

Student Counseling Center: 210-436-3135

University Ministry: 210-436-3213

Off Campus

Alamo Area Rape Crisis Center (24-hour hotline): 210-349-7273

Methodist Specialty and Transplant Hospital: 210-575-8168 8026 Floyd Curl Dr., San Antonio, TX 78229 A sexual assault treatment nurse (SANE nurse) is on duty 24-hours a day, seven days a week.

Victim Assistance

Victim assistance is available through the Dean of Students Office at extension 3331 or 210-436-3331, and the University Police Department at extension 4334 or 210-431-4334. Additional information can also be obtained from

San Antonio Police Department's Victim Advocacy Section210-207-2141
Main Station - 315 South Santa Rosa

Bexar County Family Justice (domestic/dating violence, stalking).....210-631-0100

The Office of the Attorney General/Crime Victims' Compensation1-800-983-9933

Victims Advocacy Services Offered by San Antonio Police Department

Services are provided by Crisis Response Team members made up of police officers and caseworkers assigned to each San Antonio Police Department substation.

Services Include: Victims' Services, Violence Prevention, Crisis Intervention Counseling, Case Management, Child and Family Counseling, Support Groups, Information and Referrals. To contact a Victim Advocacy Direct Service Provider or seek the assistance of the Crisis Response Team assigned to your service area, please use the following telephone numbers:

Main Station	315 South Santa Rosa	210-207-2141
Central Substation	515 S. Frio	210-207-4013
East Substation	3635 E. Houston	210-207-2062
North Substation	13030 Jones Maltsberger	210-207-8129
Prue Rd Substation	5020 Prue Rd	210-207-2201
South Substation	711 W. Mayfield	210-207-8701
West Substation	7000 Culebra	210-207-7916

Assistance can also be obtained from the Bexar County Family Justice Center located at 903 W. Martin #48-2; 210-631-0100 or by contacting the Family Violence Prevention Services (The Battered Women and Children's Shelter) at 210-733-8810.

Involvement of Law Enforcement and Campus Authorities

Although the university strongly encourages all members of its community to report violations of this policy to law enforcement (including on campus law enforcement and/or local police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. Both the Dean of Students office and the Human Resources office can assist any victim with notifying law enforcement if the victim so desires.

Reports should be made directly to the University Police Department, located in Treadaway Hall, or by calling 210-431-1911 for an emergency or 210-436-3330 for a non-emergency. Additional information about the University Police department may be found online at: www.stmarytx.edu/police. Once contact is made with the Police Department, they will speak to you and inform you of your options for resolving the situation.

The San Antonio Police Department may also be reached directly by calling 9-1-1 for an emergency or 210-207-7273 for a non-emergency. Reports can also be filed in person by visiting the West Substation located at 7000 Culebra Road, San Antonio, Texas 78238. Additional information about the San Antonio Police Department may be found online at www.sanantonio.gov/SAPD.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Community members who have experienced domestic violence, dating violence, sexual assault, or stalking should report the incident promptly to the Title IX administration by calling, writing, or coming into the office to report in person. Reports of all domestic violence, dating violence, sexual assault, and stalking made to University Police will automatically be referred to the Title IX Administrators for investigation regardless of if the complainant chooses to pursue criminal charges.

[Janet Guadarrama](#)

Executive Director of Human Resources and Title IX Coordinator
St. Louis Hall, Room 012
210-436-3725
titleIX@stmarytx.edu

[Tim Bessler](#)

Vice Provost of Student Development/Dean of Students and Title IX Co-Coordinator
University Center, Room 229
210-436-3331
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[John Wickline](#) (2020-May 2021)

Executive Director, Title IX and Clery Compliance
St. Louis Hall, Room 012

[Brynn Rivera](#) (current)

Deputy Coordinator Title IX and Clery Compliance
St. Louis Hall, Room 012
210-436-4385
clery@stmarytx.edu

[University Police](#)

Treadaway Hall, First Floor
210-436-3330 Non-Emergency
210-431-1911 Emergency
stmaryspolice@stmarytx.edu

If a report of domestic violence, dating violence, sexual assault, or stalking is reported to the University, below are the procedures that the University will follow:

Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	<ol style="list-style-type: none"> 1. Assess immediate safety needs of complainant 2. Depending on when reported (immediate versus delayed report), provide the complainant with access to medical care 3. Assist complainant with contacting the University Police, if complainant requests AND provide the complainant with contact information for the appropriate jurisdiction (outside law enforcement) 4. Provide complainant with referrals to on and off campus mental health providers 5. Assess need to implement interim or long-term protective measures, if appropriate 6. Provide the complainant with a written explanation of their rights and options 7. Issue a mutual “No Contact” directive to both parties, if deemed appropriate 8. Provide written instructions on how to apply for Protective Order 9. Provide a copy of the Equal Opportunity, Sexual and Other Forms of Harassment policy to the complainant and discuss timeframes regarding timeframes for inquiry, investigation, and resolution 10. Inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing 11. Enforce the University’s anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation
Stalking	<ol style="list-style-type: none"> 1. Assess immediate safety needs of complainant 2. Assist complainant with contacting the University Police if complainant requests AND provide the complainant with contact information for the appropriate jurisdiction (City of San Antonio, Bexar County, or other outside law enforcement) 3. Provide written instructions on how to apply for a Protective Order 4. Provide written information to complainant on how to preserve evidence 5. Assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Provide the complainant with a written explanation of the victim’s rights and options 7. Issue a mutual No Contact Order to both parties if deemed appropriate

Dating Violence	<ol style="list-style-type: none"> 1. Assess the immediate safety needs of complainant 2. Assist complainant with contacting the University Police, if complainant requests, AND provide the complainant with contact information for the appropriate jurisdiction (outside law enforcement) 3. Provide written instructions on how to apply for Protective Order 4. Provide written information to complainant on how to preserve evidence 5. Assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Provide the victim with a written explanation of the victim’s rights and options 7. Issue a mutual No Contact Order to both parties if deemed appropriate
Domestic Violence	<ol style="list-style-type: none"> 1. Assess immediate safety needs of complainant 2. Assist complainant with contacting the University Police if complainant requests AND provide the complainant with contact information for the appropriate jurisdiction 3. Provide written instructions on how to apply for Protective Order 4. Provide written information to complainant on how to preserve evidence 5. Assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Provide the victim with a written explanation of the victim’s rights and options 7. Provide a mutual No Contact Order to both parties if deemed appropriate

Procedures the University Will Follow When a Crime of Sexual Assault, Domestic Violence, Dating Violence, or Stalking is Reported

Once a report is received, the University’s Title IX Co-coordinators will promptly reach out to both the reporting party and the respondent to offer student support resources as needed, and explain to the process for filing a formal written complaint.

If, in the judgment of the Title IX Administrator(s), and in consultation with appropriate campus officials, the safety or well-being of any member(s) of the University community may be jeopardized by the presence on campus of the accused individual, the Title IX Administrator(s) (or designee) may implement interim remedies intended to address the short-term effects of harassment, discrimination, or retaliation, i.e., to redress harm to the reporting party and the community and to prevent further violations without unreasonably burdening the other party or parties to a complaint.

Interim remedies are non-disciplinary, non-punitive individualized supportive measures that are offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent. As it relates to safety determinations, these decisions will be made in consultation with the Chief of Police (or designee). Supportive measures should be equitable and appropriate, making every effort to avoid depriving any student of their education. The University can make such accommodations available regardless of whether the reporting party chooses to report the crime to University Police or local law enforcement.

Supportive measures may include, but are not limited to, referral to counseling and health services or to the Employee Assistance Program, extensions of time or other course-related adjustments, modifications of work or class schedules, campus escort services, visa and immigration assistance and other services, mutual restrictions on contact between the parties, changes in work or housing locations, increased security and monitoring of certain areas of campus, curricular and co-curricular restrictions, interim suspension, and other similar accommodations.

Confidentiality/Privacy of Accommodations and Supportive Measures

The University will maintain as private any accommodations or supportive measures provided to the extent that maintaining such privacy would not affect the ability of the institution to provide the accommodations or supportive measures. The title IX Administrator (s) will determine what information and to whom information will be disclosed based on the circumstances of the allegation, the individuals involved, and related safety needs. The identity of an alleged victim of sexual harassment, sex-based misconduct, sexual assault, dating/domestic violence, or stalking may only be disclosed to the following:

- a. persons employed or under contract with the institution, who are necessary to conduct an investigation of the report or any related hearings
- b. a law enforcement officer as necessary to conduct a criminal investigation of the report
- c. the person or persons alleged to have perpetrated the incident, to the extent required by other law
- d. potential witnesses to the incident as necessary to conduct an investigation of the report

Assistance for Victims: Rights and Options

Regardless of whether a reporting party elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist reporting parties of sexual assault, domestic violence, dating violence, and stalking and will provide each person with a written explanation of their rights and options. Such written information will include the following information:

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

Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

Community members who file a report are advised that hat options such as protective orders and criminal trespass warnings may be available through local law enforcement agencies and the student judicial system as well as provide information on their right to file criminal charges.

St. Mary's University complies with Texas law in recognizing orders of protection. Any person who obtains an order of protection from Texas or any reciprocal state should provide a copy to the University Police Department

and the Title IX campus administrators. A complainant may then meet with University Police to develop a Safety Action Plan, which is a plan for University 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, 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).

No Contact Orders. St. Mary's University No Contact Orders are issued by the Office of the Dean of Students, or designee, and are not criminally enforceable. The Office of Human Resources may issue a No Contact Order for matters involving employees.

Victim Rights: Victims have the right to request a No Contact Order from the University and, if the request is granted, the right to expect the university to promptly address any known actual or attempted violations of this order by other members of the St. Mary's student community. **Additionally, victims have the right to request the Dean of Students (or their designee) to cancel or extend the No-Contact order beyond the determined end date of the initial order.**

Institution's Responsibility: The University issues No Contact Orders when needed to safeguard for the University community, regardless of the wishes of the parties involved. The Dean of Students Office (students) and Human Resources/Title IX Office (employees) are the only St. Mary's University offices which can issue No-Contact Orders. The University will review any student request for a No-Contact Order to determine the purpose, scope, and suitability of a no-contact order to address the student's circumstances.

The designated University official will meet with each No-Contact request recipient to a) present them with their copy of the University No Contact request, b) explain their rights, responsibilities and behavioral expectations under this agreement, and c) advise them of the range of University penalties that can be applied to students who violate the terms of this agreement.

To enforce compliance with the terms of any No-Contact Order, the Dean of Students office will promptly address any known actual or attempted violations of this order by other members of the StMU student community.

The Dean of Students Office may provide additional No Contact Order support such as relocating a reporting victim, coordinating class schedule modifications and serving as a liaison between the students and faculty or other members of the University community as necessary to support implementation of the Order.

Protective Orders: Individuals may apply for protective orders through the Texas criminal justice system. A protective order is an interim protective measure that requires the recipient to stay away from the protected individual's home, workplace, and/or children's schools (if the children are protected persons in the order) depending on the documented circumstances. It can require the recipient to stop communicating with the protected individual in a harassing or threatening manner, attend counseling, pay child support, and/or pay spousal support. An application for a protective order may be filed by an individual, a prosecuting attorney, or the Texas Department of Family and Protective Services (1-800-252-5400) on behalf of an individual. The application is obtained through contacting the Bexar County District Attorney's Office Protective Order Unit at (210) 631-0100 or applying for on line for a protective order through the agency website at <https://bexarcountyprotectiveorders.org/> UPD (210-436-3330) will also provide assistance in applying for protective orders. Information associated with applying for a protective order is found on the following webpages: <https://www.bexar.org/1442/Protective-Orders> and <https://guides.sll.texas.gov/legal-forms/protective-orders>.

The application for a protective order must be filed in either the county where the applicant lives, the county where the recipient lives, or the county of occurrence. The applicant's address can be kept confidential if the legal criteria for a protective order is met. The county or district attorney's office will prepare and file all of the paperwork necessary to request a protective order from a court. Such orders provide effective tools for law enforcement when they are called

upon to protect an individual and their family. Additionally, an emergency protective order may be recommended and automatically issued by the court following the original report and arrest of the respondent. A hearing is held later to determine if the order should be extended or modified.

St. Mary's University Police is notified of protective orders that exist in the campus and surrounding area. Local law enforcement agencies are also notified of all existing protective orders in their area. If the requestor or other institutional personnel become aware that a protective order is violated, UPD should be contacted immediately at 210-436-3330. Responding agencies can also be contacted for protective order violations including San Antonio Police Department (210) 207-6710 or the Bexar County Sheriff's Department (210) 335-6000. Violating protective orders generally carry authority for the violator's immediate arrest by UPD or other law enforcement agencies.

St. Mary's University can also interim suspend a respondent from campus on an emergency basis provided that the university:

- Undertakes an individualized safety and risk analysis
- Determines that an immediate threat to the physical health and safety of any student or other individual arising from the allegations of sexual harassment justifies removal
- Provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

During an interim suspension, alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student. St. Mary's University may also place a "non-student employee respondent" on leave during the duration of a grievance process. The Title IX Administrator(s) have sole discretion to implement or stay an interim suspension for a student, staff, or administrator under investigation for an alleged violation of this policy, and to determine its conditions and duration. Violation of an interim suspension under this policy will be grounds for expulsion or termination. For allegations involving faculty, the Provost and Vice President for Academic Affairs may interim suspend a faculty member on the recommendation of the Title IX Administrator(s), pending the completion of the investigation process.

Students and employees should contact the following offices for more information on StMU support resources:

Employees

Janet Guadarrama

Executive Director of Human Resources and Title IX Coordinator

St. Louis Hall, Room 012

210-436-3725

titleix@stmarytx.edu

Brynn Rivera

Deputy Coordinator Title IX and Clery Compliance

St. Louis Hall, Room 012

210-436-4385

clery@stmarytx.edu

Students

Tim Bessler

Vice Provost of Student Development/Dean of Students and Title IX Co-Coordinator

University Center, Room 229

210-436-3331

titleix@stmarytx.edu

John Wickline (2020-May 2021)

Executive Director, Title IX and Clery Compliance

St. Louis Hall, Room 012

Governmental Judicial Orders of Protection

Type of Order	Who can file	Court	Based On
Peace Bond (Not criminally enforceable)	An individual (who is not a household or family member) to post a bond conditioned that the individual will not commit a specific act of harm for a period of one year.	Justice of the Peace Courts where victim lives, where abuser lives or has a business, or where incident(s) occurred	A provable reason to believe that the offense was intended to be committed or that the threat was seriously made. The judge may issue a Peace Bond or may request a hearing on the matter.
Ex parte Family Violence Protective Orders (Temporary protective order) IS CRIMINALLY ENFORCEABLE and valid till it expires or a Final Protective Order is in place.	A victim of: <ul style="list-style-type: none"> • Domestic / family violence • Stalking • Dating violence • Sexual assault • Human trafficking 	District or County Court where victim lives, where abuser lives or has a business, or where incident(s) occurred	Intended to stop the abuser from engaging in further abuse, family violence, or other threatening or harassing behavior until a full court hearing for a Final Protective Order is held.
Final Protective Order IS CRIMINALLY ENFORCEABLE and valid for up to two years.	A victim of: <ul style="list-style-type: none"> • Domestic / family violence • Stalking • Dating violence • Sexual assault • Human Trafficking 	District or County Court where victim lives, where abuser lives or has a business, or where incident(s) occurred	Intended to stop the abuser from engaging in abusive, threatening or harassing behavior, and from contacting the victim in any way. Once issued during a final court hearing, it is intended to protect the victim and his/her children from further abuse and violence.

<p>Magistrate’s Order of Emergency Protection (EPO) IS CRIMINALLY ENFORCEABLE as a Class A Misdemeanor punishable by \$4,000 fine and up to one year in jail.</p>	<p>A victim of:</p> <ul style="list-style-type: none"> • Domestic / family violence • Stalking • Dating violence • Sexual assault • Human Trafficking <p>Others who can file an EPO:</p> <p>victim’s guardian</p> <p>A peace officer</p> <p>The state Attorney General</p>	<p>Must be issued by the Magistrate when the arrested person is taken in front of the magistrate for the initial appearance.</p>	<p>Discretionary order: An EPO may be issued after an arrest for an offense involving family violence, sexual assault, aggravated sexual assault or stalking.</p> <p>Mandatory Order: Must be issued after an arrest for an offense involving family violence, if serious bodily injury to the victim occurred, a deadly weapon was used or exhibited during the commission of the crime.</p>
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Individuals seeking Orders of Protection are required to apply directly for these services with the Bexar County District Attorney’s Office. Protection from abuse orders may be available through the Bexar County Family Justice Center, 1123 N. Main Ave., Ste. 100, San Antonio, Texas 78212. Either the person making the application and/or the actor need to reside in Bexar County, Texas to be eligible to apply.

Accommodations and Protective Measures Available for Complainants

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

At the victim’s request, and to the extent of the victim’s cooperation and consent, University offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, or transportation situations regardless of whether the victim chooses to report the crime to University Police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall.

Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc. To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact the appropriate office listed below.

Students: Dean of Students Office
University Center, 2nd Floor 210-436-3331
deanofstudents@stmarytx.edu

Staff: Human Resources
 St. Louis Hall, Room 012
 210-436-3725
humanresources@stmarytx.edu

Faculty: Provost and Vice President for Academic Affairs
 St. Louis Hall, Room 116 210-436-3716
otvpaa.office@stmarytx.edu

On- and Off- Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, St. Mary's University will provide written notification to students and employees, who are victims, about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement, both within the institution and in the greater San Antonio, Texas area:

Law Enforcement Resources

NAME	PHONE	LOCATION	WEBSITE
University Police Department	Non-Emergency: 210-436-3330 Emergency: 210-431-1911	Treadaway Hall	https://www.stmarytx.edu/campuslife/police/
San Antonio Police Department	Non-Emergency: 210-207-7273 Emergency: 911	315 S Santa Rosa Ave. San Antonio, TX 78207	https://www.sanantonio.gov/SAPD
Bexar County Sheriff's Office	Non-Emergency: 210-335-6010 Emergency: 911	200 North Comal Street San Antonio, TX 78207	https://www.bexar.org/600/Sheriffs-Office

Counseling and Mental Health Resources

NAME	PHONE	LOCATION	WEBSITE
Student Counseling Center	Appointments: 210-436-3135 After hours Emergency: 210-825-3622	Center for Life Directions	https://www.stmarytx.edu/campuslife/student-services/counseling/

University Ministry	210-436-3213	Center for Life Directions	www.stmarytx.edu/spiritual
San Antonio Counseling and Behavioral Center	210-614-4990	4201 Medical Drive Suite 330 San Antonio, TX 78229	https://sacounselingcenter.com/
San Antonio Metropolitan Health District	210-207-8780	332 W. Commerce San Antonio, TX 78205	https://www.sanantonio.gov/Health

Medical Resources

NAME	PHONE	LOCATION	WEBSITE
Student Health Center	210-436-3506	Charles Francis Hall	https://www.stmarytx.edu/campuslife/student-services/health-center/
Methodist Specialty and Transplant Hospital	210-575-8168	8026 Floyd Curl Dr San Antonio, TX 78229	https://sahealth.com/locations/methodist-hospital-specialty-and-transplant/
Alamo Area Resource Center (HIV testing / LGBTQ friendly)	210-625-7200	303 N. Frio San Antonio, TX 78207	https://www.aarcsa.com/

Support, Advocacy, Legal Assistance and Other Resources

NAME	PHONE	LOCATION	WEBSITE
Student Advocacy and Anti-Violence Education (OSAVE)	210-436-3837	Center for Life Directions	email: osave@stmarytx.edu
Dean of Students Office	210-436-3331	University Center	email: deanofstudents@stmarytx.edu
Human Resources Office	210-436-3725	St. Louis Hall Room 102	email: humanresources@stmarytx.edu
International Student & Scholar Services	210-431-5091	St. Louis Hall Room 105	https://www.stmarytx.edu/campuslife/student-services/international/

The Rape Crisis Center	24-hour hotline 210-349-7273	4606 Centerview Dr. Suite 200 San Antonio, TX 78228	https://rapecrisis.com/
SAPD Victims Services	210-207-7273	315 S Santa Rosa Ave. San Antonio, TX 78207	https://www.sanantonio.gov/SAPD/Victims-Advocacy
Center for Legal and Social Justice St. Mary's School of Law	210-431-2596	2507 NW 36th St. San Antonio, TX 78228	https://law.stmarytx.edu/academics/special-programs/center-legal-social-justice/
National Sexual Assault Hotline	1-800-656-HOPE	n/a	https://www.rainn.org/
National Domestic Violence Hotline	1-800-799-SAFE	n/a	https://www.thehotline.org/

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

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

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

Confidentiality

Once a formal complaint of sexual harassment or misconduct is received, except as otherwise required by FERPA, The Clery Act, Title IX or other applicable laws, the identity of a reporting party who is the subject of a report must remain confidential and may only be disclosed to:

- Persons employed by St. Mary's University who are necessary to conduct an investigation of the report or any related hearings
- A law enforcement officer as necessary to conduct a criminal investigation of the report
- The person or persons alleged to have perpetrated the reported incident, to the extent required by law
- Potential witness to the incident as necessary to conduct an investigation of the report.

Although St. Mary's University will make every effort to keep the identity of any formal sexual harassment reporting party(s) private, federal law requires this information to be shared with the following parties: respondent, witness or reporter associated with a complaint of sexual harassment, and incident investigators, hearing and/or appeals panel.

Complainants who are employees may request that directory information on file with the University be withheld by contacting Human Resources. Complainants who are students may request that directory information on file with the University be withheld by contacting the Office of the Registrar.

Regardless of whether a victim has opted-out of allowing the University to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, 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 or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the complainant and other personally identifiable information about the victim will be withheld.

Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

In all cases in which St. Mary’s University has jurisdiction to address formally-reported incidents of domestic violence, dating violence, sexual assault, and stalking which are reported to the Institution, the Equal Opportunity, Nondiscrimination, Sexual Harassment, and Other Forms of Harassment Policy will be followed.

The University’s disciplinary process includes a prompt, fair, and impartial process from the initial investigation and final resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution’s policy and that is transparent to the accuser and the accused.

However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained in numerous areas. Title IX Coordinators are trained on Initial Screenings of Title IX Reports, Title IX Hearings, Title IX Investigations, and Title IX Litigation Updates. Title IX Investigators are trained on Title IX Investigator Training. Title IX Hearing Officers and Hearing/Appeals Panelists are training in Title IX Decision-Maker Training. All are trained annually on issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Links to these trainings can be found at <https://www.stmarytx.edu/compliance/title-ix/>

Furthermore, each policy provides that:

- The complainant and the respondent will have timely notice for meetings at which the complainant or accused, or both, may be present
- The complainant, the respondent and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meetings and hearings
- The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the respondent

- The complainant and the respondent will have the same opportunities to have others present during any institutional disciplinary proceeding. The complainant and the respondent each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding
- The University will not limit the choice of advisor or presence for either the complainant or the respondent in any meeting or institutional disciplinary proceeding. Typically, advisors are members of the campus community, but the parties may select whomever they wish to serve as their advisor
- The complainant and the respondent will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
- Where an appeal is permitted under the applicable policy, the complainant and the respondent will be notified simultaneously in writing, of the procedures for each party to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the complainant and the respondent will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the University or a person may file a complaint under the Equal Opportunity, Nondiscrimination, Sexual Harassment, and Other Forms of Harassment Policy.

1. How to File a Disciplinary Complaint Under This Policy

Generally, any person may report sexual harassment or misconduct (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Administrator(s), or by any other means that results in the Title IX Administrator(s) receiving the person's verbal or written report.

Once this complaint has been formally received in writing, the Title IX Administrator(s) will also promptly reach out to both the reporting party and the respondent to offer student support resources as needed, discuss the availability of supportive measures with or without the filing of a formal complaint, and explain to the process for filing a formal complaint.

A "formal complaint" is defined as a document filed by a reporting party or signed by a Title IX Administrators alleging discriminatory misconduct against a respondent and requesting that the school investigate the allegation of discriminatory misconduct. A formal complaint can be filed directly by a reporting party with a Title IX Administrators if the reporting party is participating in an education program or activity of the University or is attempting to participate in an education program or activity. To meet the University's obligation under federal law, if the violation of policy includes crimes that must be reported under the Clery Act, the employee and the Title IX Coordinator must immediately notify the University Police to determine whether a Timely Warning is necessary or required.

2. How the University Determines Whether this Policy Will be Used

All complaints are filed through the University's Equity Dispute Resolution Process. An initial screening of the complaint will be assessed to determine jurisdiction of the complaint.

If the "formal complaint" is received and the complainant is participating in an educational program or activity at the time of the formal complaint, and the allegations meet the definition of sexual harassment as defined in the Department of Education's 2020 Title IX Final Ruling, and the act(s) took place in the United States, then the University will adjudicate under the guidance set in the Interim Adjudication Guidance for Title IX Reports of Sexual Harassment and Misconduct. ([Interim Adjudication Guidance for Title IX Reports of Sexual Harassment and Misconduct - Policy Library \(stmarytx.edu\)](https://www.stmarytx.edu/interim-guidance))

If the “formal complaint” does not meet all the criteria, the “formal complaint” must be dismissed under this adjudication guidance. Such dismissal does not preclude University action provision of the Equity Dispute Resolution Process, Code of Student Conduct, Personnel Manual, or Faculty Handbook.

If the allegation appears to indicate a policy violation, or if the University, based on the alleged policy violation(s), wishes to initiate an investigation, then the Title IX Administrator(s) will appoint one or more persons to conduct an investigation into the allegation, usually within five (5) business days of determining that an investigation is warranted. If circumstances require, the Title IX Administrator(s) may designate an individual or individuals external to St. Mary’s University to conduct the investigation.

Once the Title IX Administrator(s) decides to open an investigation that may lead to disciplinary action against the responding party, a detailed written notice will be issued to the responding party of the allegation(s) constituting a potential violation providing sufficient time to prepare a response before any initial interview with the investigator(s). Details in the written notice shall include:

- The identities of the parties involved
- The specific actions listed in Section II that were allegedly violated
- Other alleged policy violations associated with the underlying violation
- The precise conduct allegedly constituting the potential violation
- The date and location of the alleged incident and other content as dictated by state and federal law.

This notice will also affirm that the respondent is presumed innocent and that any determination of responsibility will be made at the end of this process.

Investigation findings and standard of evidence used in this determination

University investigators would then conduct a thorough, reliable, and impartial investigation, to include interviews with relevant parties and witnesses, obtaining available evidence, and identifying sources of expert information, if necessary.

At the conclusion of this process, the investigators submit a report that fairly summarizes all relevant evidence. Both the complainant and the respondent will then have the opportunity to review and submit a response to these findings. Following this response period, the Title IX Administrator(s) will accept or remand the investigation report for additional information and then give notice to the relevant parties of the next steps the University will take to resolve the allegations.

Resolution if Evidence does not support a finding of a policy violation

If the Title IX Administrator(s) affirms that the preponderance of evidence does not support a finding of a policy violation, the parties will be notified and the process will end unless the reporting party requests that the Title IX Administrator(s) make an extraordinary determination to re-open the investigation or to forward the matter for a hearing. In the event of no finding of a policy violation, no documents associated with the investigation of a complaint will be shared with any party.

Under federal law, universities are required to dismiss a formal complaint of sexual misconduct that would not constitute sexual harassment if proven, did not occur in a university educational activity, or did not occur against a person within the United States. St. Mary’s University reserves the right to address reported violations under the Code of Student Conduct, Employee Manual, Faculty Handbook, or other dispute resolution or grievance process in the event that the complaint cannot be pursued under the Title IX procedure described in this Notice.

The University may also dismiss a case if the reporting party notifies the Title IX Administrator(s) in writing that he or she would like to withdraw the complaint, the respondent is no longer enrolled or employed by the school, or specific circumstances prevent the University from gathering sufficient evidence to decide. Should an initial review of a formal

complaint result in a determination that no further investigation is warranted, the Title IX Administrator(s) will give notice to both parties as appropriate.

Resolution if Evidence does support a finding of a policy violation

If the Title IX Administrator(s) affirms that the preponderance of evidence supports a finding of a policy violation, the Title IX Administrator(s) may recommend informal resolution, a resolution without a hearing, or a formal hearing, based on the following criteria.

- 1. Informal resolution:** Title IX Administrators will determine if an informal resolution is appropriate based on the willingness of the parties, the nature of the conduct at issue, and the susceptibility of the reported conduct to conflict resolution.
- 2. Resolution without a hearing:** If the accused individual accepts the findings of the investigation or admits responsibility for all or some of the alleged policy violations at any point in the process, the Title IX Administrators will assign an appropriate sanction or responsive actions.
- 3. Formal resolution through live hearing:** As required under Title IX, St. Mary's University must conduct a live hearing to resolve all formal complaints of sexual misconduct that are not dismissed or resolved through the use of informal resolution methods previously described in this document. If either the complaining party or the responding party rejects the sanction(s) or corrective action(s), a live hearing will be held on the sanction(s) or corrective action(s) according to the procedures outlined in the Equity Dispute Resolution Process and the Adjudication Guidance for Title IX Reports of Sexual Harassment and Misconduct.

A. Notification of charges

At least five (5) business days prior to the formal hearing, or as far in advance as is reasonably possible if an accelerated hearing is scheduled with the consent of the parties, the appointed decision maker or Chair for the hearing will send a letter to the parties with the following information:

- A detailed description of the alleged violation(s), a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result;
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities. If any party does not appear at the scheduled hearing, the hearing will be held in their absence. For compelling reasons, the Chair may reschedule the hearing.
- The parties may have the assistance of an adviser of their choosing at the hearing. The advisor may not be a party or a witness to the allegation, or related allegation(s), under consideration by the Hearing Panel.
- Hearings for possible violations that occur near or after the end of an academic term will be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the University.

B. Pre-Hearing Procedures

Hearings will be convened within fifteen (15) business days of the respondent's written notification to the Title IX Coordinator(s) rejecting one or more of the investigative findings and will be conducted in private. Participants of the hearing are limited to the Chair (who cannot be the same person as the Title IX Coordinator or the investigator, the members of the Hearing Panel, the investigator(s) who conducted the investigation on the allegation(s), the reporting party(s) and respondent(s), advisers to the parties, and any called witnesses.

All parties must submit to the Panel Chair the names of witnesses intended to be called during the hearing. The Panel Chair will provide to the complainant and respondent with the names of the Hearing Panel members, written

investigative findings report, pertinent documentary evidence, and the list of witnesses at least five (5) business days prior to the hearing date.

Should either party object to any Hearing Panel member, he/she must raise all objections, in writing, to the Panel Chair immediately. Hearing Panel members will only be unseated if the Panel Chair concludes that their reported bias precludes an impartial hearing of the allegation. Additionally, any panelist who feels he/she cannot make an objective determination must recuse himself or herself from the proceedings when notified of the identity of the parties and all witnesses in advance of the hearing.

If alternative questioning mechanisms are desired, (screens, use of video communication, questions directed through the Panel Chair, etc.), the parties must request them from the Panel Chair at least three business days prior to the hearing. The Chair, in consultation with the parties and investigators, may decide in advance of the hearing that certain witnesses do not need to be physically present if their testimony can be adequately summarized by the investigator(s) during the hearing.

C. Live hearing

As required under Title IX, St. Mary's University must conduct a live hearing to resolve all formal complaints of sexual misconduct that are not dismissed or resolved through the use of informal resolution methods previously described in this document.

The decorum of the live hearing is regulated by the Panel Chair, who serves as the final decision-maker for this process. Details of decorum requirements of the live hearing will be sent to both parties ahead of the live hearing. If decorum is violated the Panel Chair will bar the offending party from the process. At the discretion of the Panel Chair, a pre-hearing conference may be conducted as needed.

All live hearing proceedings are private. All persons present at any time during the hearing are expected to maintain the privacy of the proceedings, subject to University consequences for failure to do so. While the contents of the hearing are private, the parties have discretion to share their own experiences if they so choose and should discuss doing so with their advisers. There will be no observers in the hearing.

The Panel Chair will allow witnesses who have relevant information to appear during the portion of the hearing in order to respond to specific questions from the panel or the advisors for the parties involved. In hearings involving more than one respondent or in which two reporting parties have accused the same individual of substantially similar conduct, the standard procedure will be to hear the allegations jointly; however, the Panel Chair may permit the hearing pertinent to each respondent to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each respondent.

The live hearing shall also be informed and guided by the following requirements:

- At the live hearing, the Panel Chair must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.
- Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
- At the request of either party, the university must provide for the entire live hearing (including cross-examination) to occur with the parties located in separate rooms with technology enabling the parties to see and hear each other.
- Only relevant cross-examination and other questions of disputed facts may be asked of a party or witness. Before a reporting party, respondent, or witness answers a cross-examination or other question, the Panel

Chair must first determine whether the question is relevant and explain to the party's advisor asking cross examination questions any decision to exclude a question as not relevant.

- If a reporting or responding party does not have an advisor present at the live hearing, the school must provide, without fee or charge to that party, an advisor of the school's choice who may be, but is not required to be, an attorney to conduct cross examination on behalf of that party.
- If a party or witness does not submit to cross-examination at the live hearing, the Panel Chair must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the Panel Chair cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination other questions.
- Live hearings may be conducted with all parties physically present in the same geographic location or, at the school's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually.
- Unless the Panel Chair determines it is appropriate, no one will present information or raise questions concerning: (1) incidents not directly related to the possible violation(s) unless they show a pattern, or (2) the sexual history of or the character of the reporting party or respondent.
- The findings of the investigation are not binding on the panel, though any undisputed conclusions of the investigation report will not be revisited, except as necessary to determine sanctions or corrective actions.
- St. Mary's University will create an audio or audiovisual recording, or transcript, of any live hearing. Hearings are recorded for purposes of review in the event of an appeal. No person will be given or be allowed to make a copy of the recording. Persons given access to the recording will be required to sign an agreement confirming that they will protect the privacy of the information contained in the recording.

D. Decisions

The Hearing Panel will deliberate in closed session to determine whether the respondent is responsible or not responsible for the violation(s) in question. The panel will base its determination on a preponderance of the evidence (i.e., whether it is more likely than not that the respondent committed each alleged violation). If a respondent is found responsible by a majority of the panel, the panel will recommend appropriate sanctions to the Title IX Administrator(s).

The Hearing Officer will prepare a written deliberation report and deliver it to the Title IX Administrator(s), detailing the panel's findings of fact, conclusions as to whether the facts support a finding of responsibility for the alleged violation(s), how each member voted, the information cited by the panel in support of its conclusions, and any information the Hearing Panel excluded from its consideration and why. The report shall include any recommended sanctions and the rationale for such sanctions. This report must be submitted to the Title IX Administrator(s) within five (5) business days of the end of deliberations.

The Title IX Administrator(s) will notify the respondent and reporting party of the final determination within five (5) business days of receipt of the deliberation report. This notification will include any initial, interim, and/or final decision of the University, any sanctions imposed by the University, and the rationale for the result and the sanctions. Such notification, along with notification of the University's procedures to appeal, shall be simultaneously provided in writing to both parties. The notification may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official University records; or emailed to the parties' University-issued email account.

E. Appeals

Both the reporting party and the respondent to a complaint may appeal a determination regarding responsibility and the University's dismissal of a formal complaint or any related allegations. All appeals must be submitted in writing to the Title IX Administrator(s) within three (3) business days of the delivery of the decision.

All appeals must be submitted in writing to the Title IX Coordinator within three (3) business days of the delivery of the written finding of the EDRP. A three-member panel of the EDRP designated by the Title IX Coordinator that was not involved in the allegation previously will consider student, staff and administrator appeal requests.

Both the complainant and respondent may file an appeal on the following grounds:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.)
- To consider new evidence that was unavailable during the original hearing or investigation, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included
- The Panel Chair, investigator, or panel member(s) had conflicts of interest or bias that affected the outcome of the matter
- The sanctions fall outside the range of sanctions, if any, the University has designated for this offense.

Additional principles governing the hearing of appeals include the following

- To successfully rebut the presumption that the original finding(s) and/or sanction(s) is reasonable and appropriate, a showing of clear error to the investigation must be demonstrated.
- Appeals are not intended to be a full re-hearing of the allegation(s). Appeals are confined to a review of the investigator report, written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal. Appeals granted based on new evidence should normally be remanded to the original Hearing Panel for reconsideration. [Other appeals may be remanded at the discretion of the Title IX Administrator(s), or heard by the three-member Appeals panel.]
- The Appeals Panel has ten (10) business days to consider the appeal.
- The Appeals Panel will prepare a written statement and deliver it to the Title IX Administrator(s), detailing the determination of the Panel, how each member voted, the information cited by the Appeals Panel in support of its recommendation, and any information the Panel excluded from its consideration and why. This report must be submitted to the Title IX Administrator(s) within five (5) business days of the end of their deliberations.
- The Title IX Administrator(s) will render a written decision on the appeal to all parties within five (5) business days from receipt of the Appeal Panel's statement.
- In the event of an unsuccessful appeal, final determinations and/or identified sanction(s) will stand and are final.
- Once an appeal is decided, sanctions that make a student ineligible to return to St. Mary's University for a reason other than an academic or financial reason will be noted on the student's University transcript.
- Once an appeal is decided, the outcome is final; further appeals are not permitted. The Title IX Coordinator will inform the accused individual and accusing party of the final appeal determination within three (3) business days of the end of deliberations. Notification will be made in writing and may be delivered by one or more of the following methods: in person;

mailed to the local or permanent address of the parties as indicated in official University records; or emailed to the parties' University-issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

Faculty appeals will be consistent with the process described in the Faculty Handbook, with results of the appeal reported to the Title IX Coordinator.

3. Sanctions

Staff Sanctions

Sanctions and corrective actions for staff who has engaged in conduct violating the Equal Opportunity, Nondiscrimination, Sexual Harassment, and Other Forms of Harassment Policy include, but are not limited to, verbal and written warning, required counseling, demotion, suspension with pay, suspension without pay, and dismissal, in accordance with the terms of Section 5.0 Separation from Employment in the University's Personnel Manual.

Faculty Sanctions

Sanctions and corrective actions for faculty who have engaged in conduct violating the Equal Opportunity, Nondiscrimination, Sexual Harassment, and Other Forms of Harassment Policy will be consistent with sanctioning information found in the *Faculty Handbook*.

- Dismissal for Cause- Severance action by which St. Mary's University terminates its contract with the faculty member for just cause
- Depending on the circumstances, the Provost and Vice President for Academic Affairs may elect to impose a disciplinary action short of dismissal, such as suspension for a period of time or withdrawal of faculty privileges. In unusual circumstances, the Provost and Vice President for Academic Affairs may take disciplinary action without previous citation or warning.
- Suspension may also be the temporary separation of a faculty member from the University when it is determined by the President that there is a strong likelihood that the faculty member's continued presence at the University poses an immediate threat of harm to the University community. Such suspension shall be with pay and shall last only so long as the threat of harm continues or until dismissal for cause occurs.
- In view of the past merits of the faculty member, final action by the Provost and Vice President for Academic Affairs may take a milder form of temporary suspension rather than outright dismissal. Such suspension may not last beyond a full year, but may entail the total or partial discontinuance of all salaries and benefits, the suspension of all promotion and salary increments, and the temporary suspension or withdrawal of all faculty privileges.
- The Faculty Senate Executive Committee shall serve in an advisory capacity to the Provost and Vice President for Academic Affairs on such matters and shall be called upon to review cases where the faculty member questions the decision. The Provost and Vice President for Academic Affairs' decision after such a review, shall be final.

Student Sanctions

One or more of following sanctions and corrective actions may be imposed upon any student for any single violation of the Equal Opportunity, Nondiscrimination, Sexual Harassment, and Other Forms of Harassment Policy or the Code of Student Conduct. On inquiry, the Office of the Dean of Students may — as permitted by law and/or with consent of the

student — release information regarding conduct records and sanctions to employers, licensing agencies, certifying boards, graduate programs, government background inspectors, and transferor institutions.

- a. **Warning:** A written notice will be sent to the student(s) who violated University policies and/or rules. It specifies that inappropriate and unacceptable actions have occurred and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.
- b. **Restitution:** Compensation for damage caused to the University or any person's property. This is not a fine but, rather, a repayment for property destroyed, damaged, consumed, or stolen.
- c. **Fines:** Reasonable fines may be imposed.
- d. **Community/University Service Requirements:** For a student to complete a specific supervised university service.
- e. **Loss of Privileges:** The student will be denied specified privileges for a designated period of time.
- f. **Confiscation of Prohibited Property:** Items whose presence is in violation of University policy will be confiscated and will become the property of the University.
- g. **Behavioral Requirement:** This includes required activities such as, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
- h. **Educational Program:** Requirement to attend, present or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a 10 program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audiences may be restricted.
- i. **Restriction of Visitation Privileges:** May be levied on residential or non-resident students. The parameters of the restriction will be specified.
- j. **University Housing Probation:** The student is put on official notice that, should further violations of Residence Life or University policies occur during a specified probationary period, the student may immediately be removed from University housing. Regular probationary meetings may also be imposed.
- k. **University Housing Reassignment:** The student is reassigned to another University housing facility. Residence Life personnel will decide on the reassignment details.
- l. **University Housing Suspension:** The student is removed from University housing for a specified period of time after which the student is eligible to return. Conditions for readmission to University housing may be specified. Under this sanction, a student is required to vacate University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Housing and Residence Life. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for University housing, the student must gain permission from the Director of Housing and Residence Life (or designee).
- m. **University Housing Expulsion:** The student's privilege to live in, or visit, any University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.
- n. **University Probation:** The student is put on official notice that, should further violations of University policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.
- o. **Eligibility Restriction:** The student is deemed "not in disciplinary good standing" with the University for a specified period of time. Specific limitations or exceptions may be granted by the Director of Judicial Affairs and Community Education and terms of this conduct sanction may include, but are not limited to, the following:
 1. Ineligibility to hold any office in any student organization recognized by the University or hold an elected or appointed office at the University; or
 2. Ineligibility to represent the University to anyone outside the University community in any way including: participating in the study abroad program, attending conferences, or representing the University at an official function, event or intercollegiate competition as a player, manager or student coach, etc.

- p. **University Suspension:** The student is separated from the University for a specified minimum period of time, and upon the satisfaction of specific conditions, after which the student is eligible to return. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Coordinator of Judicial Affairs and Community Education. This sanction may be enforced with a trespass action as necessary. This sanction may be noted as a Conduct Suspension on the student's official academic transcript
- q. **University Expulsion:** The student is permanently separated from the University. The student is barred from being on campus and the student's presence at any University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. This sanction will be noted as a Conduct Expulsion on the student's official academic transcript.
- r. **Other Sanctions:** Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Director of Judicial Affairs and Community Education or designee.

University-Initiated Protective Measures

In addition to those protective measures previously described 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 may 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 St. Mary's University.

HEOA Notification to Victims of Crimes of Violence

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.

Sex Offender Registration

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

Sex Offender Registration

Under Section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), convicted sex offenders must register with the Texas Department of Public Safety. You can link to this information, which appears on the Texas Department of Public Safety website, by accessing <https://publicsite.dps.texas.gov/SexOffenderRegistry/Search>.

When conducting a search of the registry, select "Institution of Higher Education" and select "St. Mary's University of San Antonio" for results.

Missing Person Protocol

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing for 24 hours, he or she should immediately notify University Police at (210) 436-3330. The University Police Department will generate a missing person report and initiate an investigation. If members of the St. Mary's University community believe that a student has been missing for 24 hours, it is critical that they report that information to St. Mary's University Police Department by calling (210) 436-3330.

In addition to registering an emergency contact, students residing in on-campus housing will be informed annually that they have the option to identify confidentially an individual to be contacted by St. Mary's University in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, St. Mary's University will notify that individual no later than 24 hours after the student is determined to be missing. Students are advised that, in the event a student under 18 years of age and not emancipated, St. Mary's University must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. A student who wishes to identify a confidential contact can do so through the StarRes website. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement as appropriate. When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, and that this information will be accessible only to authorized campus officials and law enforcement and that it may not be disclosed outside of a missing person investigation.

After investigating the missing person report, should UPD determine that the student is missing and has been missing for more than 24 hours, St. Mary's University will notify San Antonio Police Department (or the local law enforcement with jurisdiction in the area the student is missing), unless the local law enforcement agency was the entity that made the determination that the student is missing, and the student's missing person contact no later than 24 hours after the student is determined to be missing. If the student has not listed a missing person contact, St. Mary's University will notify the student's emergency contact. If the missing student is under the age of 18 and is not an emancipated individual, St. Mary's University will notify the student's parent or legal guardian, any other missing person contact, and San Antonio Police Department within 24 hours after UPD has determined that the student has been missing for 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, St. Mary's University will inform the San Antonio Police Department (or the local law enforcement with jurisdiction in the area the student is missing) that the student is missing within 24 hours.

Campus Safety and Crime Prevention

Crime prevention and security awareness procedures are discussed during new student orientation (Zaragoza), when University Police officials participate in forums and meetings to address students and explain University crime prevention, security measures and procedures. The Office of Residence Life also holds residence hall meetings to inform students of security matters. The University Police Department provides crime prevention notifications to employees and students by email when an officer notices a possible opportunity for victimization regarding their vehicle or property. Crime prevention and security awareness presentations, when requested, are also provided to community groups, students, and University staff by the University Police Department. During these presentations the following information is typically provided: crime prevention tips; statistics on crime at St. Mary's University; information regarding campus security procedures and practices, including encouraging participants to be responsible for their own security and for the security of others on campus.

During a normal (Non-Pandemic) year, St. Mary's University's University Police Department and Residential Life offices would offer multiple formal campus safety and crime prevention and awareness events and programs.

This year, 2020, outside of the 20 formal Residential Life fire drills, only informal prevention and awareness opportunities were feasible. OSAVE presentations were included as part of sanctions. University Police offered Bike Safety Awareness with every bike registration.

During a typical academic year, the following safety and awareness programs are offered to students, faculty, and staff:

Crime Prevention and Awareness Programs and Literature

Crime prevention presentations pertaining to personal safety, students traveling abroad (outside U.S.), sexual assault prevention, alcohol and drug awareness, and burglary and theft prevention are conducted as needed for faculty, staff and students. Specialized crime prevention presentations are available upon request. Partnership programs to include university police and SAPD units for Pre- Fiesta Awareness and Safety Issues. Crime prevention literature related to personal safety, auto theft prevention, residential security and consumer awareness is available in the University Police Department, and specialized crime prevention literature is available upon request. Area Lighting Surveys are conducted on the grounds to ensure adequate and proper lighting throughout the University.

In addition to these programs, the University has adopted a Safety Awareness training which seeks to educate the faculty and staff of the campus regarding fire safety, active shooter situations, bomb threats and the most common instance of "slip, trips and falls". These programs were administered to different university departments and schools, throughout the year in a small setting allowing a better exchange of information and interaction with the presenters.

Office of Residence Life and University Police Partnerships

The University Police and the Office of Residence Life recognize that a close and positive working relationship is one of the best ways to make sure that the resident students of St. Mary's University are safe and able to concentrate on their academic goals. The partnership is demonstrated by weekly meetings between the two departments where an exchange of information occurs and where clarification can be found. In addition, the two departments frequently train together on matters of responding to alcohol related incidents, active shooter incidents, mental health related incidents, and fire drills.

Sexual Assault Prevention Programs Rape Aggression Defense (RAD)

The RAD Systems of Self Defense offers programs for women, children, men, and seniors. These offerings provide a truly holistic approach to self-defense education, supporting the necessity of continuous learning in order to provide realistic options for each population as they go through life. Each of these programs includes educational components comprising lecture, discussion, and physical resistive strategies. All of which are facilitated by certified RAD instructors supported by a network of dedicated professionals who honor one another's students through our unique Lifetime Return and Practice Policy.

Safety Escorts

On-campus safety escorts are available 24-hours a day, seven days a week. Any person who is concerned about their personal safety can contact the University Police Department and an officer will arrive to escort you to

another on campus location. The officer may perform the escort by either walking with the person, using a golf cart, or using a patrol vehicle.

Lost and Found

Lost-and-found items are turned over to the University Police Department's property custodian, who makes every effort to return items to their owners. If an owner cannot be contacted, the property will be logged and held for 90 days. After 90 days, unclaimed property will be disposed of or auctioned off at the discretion of the Chief of Police.

Limited Vehicle Assistance

Vehicles unlock services and battery jumpstarts are offered 24-hours a day.

Operation Identification

An on-going program that involves engraving valuable, personal items with a driver's license, student ID number or personal identifier.

Community-Oriented Policing

Community policing recognizes that police rarely can solve public safety problems alone and encourages interactive partnerships with relevant stakeholders. The large range of potential partnerships can be used to accomplish the two interrelated goals of developing solutions to problems through collaborative problem solving and improving public trust.

The St. Mary's University Police Department collaborates with all aspects of the campus community and the greater-area community to address crime and the reasons behind crime. Internally, the University Police partners with campus organizations such as the Student Government Association, Greek Life, Athletics Department, Facilities Department, the Faculty Senate, Human Resources, the Office of International Student and Scholar Services, and Military Science/ Reserve Officer Training Corps (ROTC).

Police Officer Specialized Training

At St. Mary's University Police Department, we take our commitment to the community very seriously and invest in training our staff and officers to a higher standard. All officers who are hired are required to have attended a State of Texas certified Basic Police Academy which consists of a minimum 643 hours of training. However, the regional police academy which the St. Mary's University Police prefer to hire applicants from is the Alamo Area Council of Governments – Law Enforcement Academy has a minimum requirement of 925 hours of training. In addition, University Police officers can be certified by TCOLE.

Upon being licensed as a peace officer, each officer employed is then required to attend the following training within their first year of employment:

- Crisis Intervention Training/Mental Health Peace Officer
- Oleoresin Capsicum (OC) Spray "Pepper Spray"
- Expandable Baton
- International Police Mountain Bike Association – Police Cyclist Course
- First AID, CPR, Automated External Defibrillator (AED)
 - Federal Emergency Management Agency (FEMA) Courses

- Introduction to Incident Command System ICS-100
- Incident Command System for Single Resources and Initial Action Incidents ICS- 200
- National Incident Management System ICS-700
- National Response Framework, an Introduction ICS-800

Information and Emergency Call Boxes

Emergency call boxes are located at the main entrances of Treadaway, Chaminade, Marian, Dougherty, Lourdes, John Donohoo, and Adele Halls, as well as at the east side of the University Center. Other locations include: parking lots B, M, N, O, R and V. The emergency call box will directly contact the University Police Department. The information/emergency call box telephone system is a part of an on- going effort to make the University Police Department more accessible.

Annual Disclosure of Crime Statistics

Annual crime statistics for the University are provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Crime statistics are collected from reports made in good faith from the University Police Department, other local and state law enforcement agencies, the Dean of Students Office, and designated campus security authorities as defined under the Clery Act (including, but not limited to Residence Life, Student Conduct, Athletics, and the Title IX Coordinator), and are compiled by the University Police Department. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

Requesting Crime Statistics from Other Law Enforcement Agencies

St. Mary's University monitors and records criminal activities that occur on or near University non-campus properties and on public property surrounding the University by contacting local law enforcement agencies each year. The following law enforcement agencies assist the University Police Department by providing crime statistics each calendar year:

- San Antonio Police Department
- Bexar County Sheriff's Department
- Bandera County Sheriff's Office
- Kerr County Sherriff's Office

Monitoring and Recording of Student Criminal Activity at Non-campus Locations of Registered Student Organizations

St. Mary's University does not have any registered student organizations that own or control housing facilities outside of the St. Mary's University core campus.

University Campus Crime Statistics

Location definitions for campus crime statistics

- **On-Campus**

- Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls
- Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor)

- **On-Campus Student Housing**

CRIME STATISTICS: CRIMINAL OFFENSES						
Offense		On Campus	On-Campus Student Housing Facilities	Non-Campus Building or Property	Public Property	Unfounded Crimes **
CRIMINAL HOMICIDE						
Murder and Non-negligent Manslaughter	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
SEX OFFENSE REPORTING						
Rape	2020	5	5	0	0	0
	2019	7	6	0	0	1
	2018	4	3	0	0	0
Fondling	2020	3	2	0	0	0
	2019	3	1	0	0	0
	2018	2	2	0	0	0
Incest	2020	0	0	0	0	0
	2019	0	0	0	0	0

	2018	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	1	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0
	2019	2	2	0	0	0
	2018	3	3	0	0	0
Burglary	2020	1	1	0	0	0
	2019	11	8	0	0	0
	2018	8	4	0	0	0
Motor Vehicle Theft	2020	2	0	0	0	0
	2019	2	0	0	0	0
	2018	2	0	0	0	0
Arson	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0

(Under the Clery Act, an institution that has on-campus student housing facilities must separately disclose two sets of on-campus statistics: A) The total number of crimes that occurred on campus, including crimes that occurred in student housing facilities; and B) The number of crimes that occurred in on-campus student housing facilities as a subset of the total.)

- Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.
- **Non-Campus**
 - Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
 - Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
 - This section includes the property lists off campus located on the Off-Campus Property List located at the end of this document.
- **Public Property:**

- All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

*Reported Crimes are allegations of crimes reported in good faith to the University. These crimes do not have to be investigated or adjudicated to count as a reported statistic in the *Annual Campus Security Report & Annual Fire Safety Report*. Reported crimes may involve individuals not associated or affiliated with St. Mary's University. Reported crimes may also include information from an anonymous reporting source.

** Unfounded Crimes – See page 72

CRIME STATISTICS: Violence Against Women Act (VAWA) Offenses						
Offense		On Campus	On-Campus Student Housing Facilities	Non-Campus Building or Property	Public Property	Unfounded Crimes **
Domestic Violence	2020	0	0	0	0	0
	2019	3	1	0	0	0
	2018	3	2	0	0	0
Dating Violence	2020	1	1	0	0	0
	2019	4	4	0	0	0
	2018	8	4	0	0	0
Stalking	2020	4	2	0	0	0
	2019	7	3	0	0	0
	2018	15	9	0	0	0

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION									
Offense		ARRESTS				REFERRAL FOR DISCIPLINARY ACTION			
		On Campus	On-Campus Student Housing Facilities	Non-Campus Building or Property	Public Property	On Campus	On-Campus Student Housing Facilities	Non-Campus Building or Property	Public Property
	2020	0	0	0	0	0	0	0	0

Weapons Violations	2019	0	0	0	0	1	1	0	0
	2018	1	1	0	0	0	0	0	0
Drug Law Violations	2020	17	7	0	0	13	13	0	0
	2019	19	12	0	0	4	4	0	0
	2018	17	3	0	0	2	1	0	0
Liquor Law Violations	2020	31	26	0	0	26	26	0	0
	2019	17	10	0	0	10	10	0	0
	2018	31	18	0	0	14	12	0	0

HATE CRIME STATISTICS

2020	Zero (0) hate crimes, as defined by applicable federal law, were reported at St. Mary's in 2020
2019	Zero (0) hate crimes, as defined by applicable federal law, were reported at St. Mary's in 2019
2018	Zero (0) hate crimes, as defined by applicable federal law, were reported at St. Mary's in 2018

UNFOUNDED CRIME STATISTICS

2020	Zero (0) crimes were unfounded by St. Mary's University Police Department in 2020.
2019	For 2019, one instance of sexual assault was reported on campus but determined by St. Mary's University Police Department to be unfounded after a full investigation.
2018	Zero (0) crimes were unfounded by St. Mary's University Police Department in 2018

NOTE: The above listed arrests and judicial referrals are for legally defined crimes in the local jurisdiction where the crime is reported. These do not include incidents that are exclusively violations of the St. Mary's University Student Code of Conduct, Residence Life Policies, or other University policy, that are not also criminal law violations according to the local jurisdiction.

Campus Map and Off Campus Property List

ST. MARY'S UNIVERSITY CAMPUS MAP



MAP KEY

- 39 Adele Hall**
 - 31 Albert B. Alkek Business Building
 - 43 Alumni Athletics & Convocation Center
Bill Greehey Arena
 - 10 Alumni Pavilion
 - 45 AT&T Center for Information Technology
 - 23 Blume Library
Corell Learning Commons
Starbucks
The Pub at St. Mary's
 - 37 Bordeaux Hall**
 - 30 Case Maria Marianist Residence
 - 6 Center for Life Directions
 - 9 Chaminade Hall*
 - 3 Chaminade Tower
Admission Office
 - 7 Charles Francis Hall
 - 41 Cremer Hall**
 - 35 Donohoo Hall**
 - 27 Dougherty Hall**
 - 46 Founders Hall**
 - 34 Frederick Hall**
 - 8 Garni Science Hall
 - 24 Law Administration Building
Law Admissions Office
 - 25 Law Classroom Building
Law Classroom
 - 33 Law Library
Law Alumni Room
Law Commons
 - 44 Leies Hall**
 - 32 Lourdes Hall**
 - 12 Marian Hall*
 - 11 Marianist Residence
 - 21 Moody Life Sciences Center
 - 56 Périgieux Hall**
 - 26 Rabs Law Building
 - 2 Reinbolt Hall
Assumption Chapel
 - 22 Richter Math-Engineering Center
 - 1 St. Louis Hall (Administration)
Business Office
Financial Assistance
Registrar's Office
 - 36 St. Mary's Research Center
National Archives, Marianist Province of the
United States
 - 18 Treadway Hall*
Guadalupe Chapel
Recital Hall
University Police
 - 38 University Center
Barnes & Noble at St. Mary's
Campus Life
- Residence hall**
*The Village at St. Mary's**

OFF-CAMPUS LOCATIONS

	CLSJ	Center for Legal and Social Justice 2507 NW 36th Street
	CEFLC	Counselor Education and Family Life Center 251 W. Ligustrum Drive



ST. MARY'S
UNIVERSITY

The Catholic and
Marianist University

Off-Campus Property List

- St. Mary's University Center for Legal and Social Justice – 2507 N.W. 36th Street, San Antonio, TX 78228
- St. Mary's University Counselor Education and Family Life Center – 251 W. Ligustrum San Antonio, TX 78228
- Marianist Leadership Program – 543 Westminster Ave, San Antonio Texas 78228 – Started August 2014. Discontinued March 2017.
- St. Mary's University – Vacant Land – Medina Lake; Avenue Q & 14th Street, Lots 1-24, Lakehills, TX 78063
- Camp Tecaboca-Camp Retreat-5045 Junction Highway, Mountain Home, TX 78058

This list is composed from insurance coverage documents, institutional program MOUs and contracts, residential provided information, and recognized student groups.

Annual Fire Safety Report

On Aug. 14, 2008, the Higher Education Opportunity Act (HEOA) reauthorized and expanded the Higher Education Act of 1965 to require institutions with on-campus housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. In compliance with this requirement, St. Mary's University collects and publishes an annual Fire Safety Report which contains the following information:

- Fire statistics listed for each on-campus student housing facility
- Description of the fire safety system for each on-campus student housing facility
- The number of fire drills held the previous calendar year
- Institutional policies or rules on portable electrical appliances, smoking and open flames in student housing facilities
- Procedures for student housing evacuation
- Policies for fire safety education and training programs for students, staff, faculty
- A list of the titles of each person or organization to which individuals should report that a fire has occurred
- Plans for future improvements in fire safety

Definitions for the following terms in this report have been obtained from the Higher Education Opportunity Act.

FIRE - Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

ON-CAMPUS STUDENT HOUSING - A student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within a reasonable contiguous area that makes up the campus.

FIRE SAFETY SYSTEM - Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

St. Mary's University also keeps a public fire log as part of the 3 most recent calendar years' worth of crime statistics. Consumers may access the Annual Security and Fire Safety Report by visiting the University Compliance Services Clery Act webpage.

Reporting a Fire

In case of a fire in a campus building or residence hall, contact the University Police at extension 1911 or by calling 210-431-1911. The San Antonio Fire Department can be reached directly at 911 on campus or 210-207-7744 for non-emergencies. If assistance is required from the San Antonio Police Department or the San Antonio Fire Department, the University Police Department will contact the appropriate agency.

Reports of fire (no matter how minor) or activated fire alarms are documented in an incident report by Residence Life. If a member of the St. Mary's University community finds evidence of a fire that has been extinguished, and the person is not sure whether St. Mary's University Police Department has already responded, the community member should immediately notify St. Mary's University Police Department at

210-431-1911 Emergency to investigate and document the incident for disclosure in the University's annual fire statistics.

Procedures for Student Housing Evacuation in Case of a Fire

In the event of a fire, all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the St. Mary's University Police Department. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

Description of On-Campus Housing and Fire Safety Systems

St. Mary's University has 13 residence halls that provide students with a home-away-from-home, many of which offer living learning communities that include both academic and recreational focuses. We have three freshmen experience buildings, Dougherty, Lourdes and Marian halls that all freshmen are required to live in unless they are a part of a specific living community.

Adele Hall

Adele Hall is a "super-single" housing option. This two-story residence hall offers a private exterior room entrance and a private bathroom for a single person. Each room has built-in closets and drawers with a twin bed, desk and chair for each person, and doors opening to a courtyard with picnic space.

Chaminade Hall

Chaminade Hall was renovated in 2016, with all new room furniture, updates to lounges, study spaces, and the addition of a baking station and a full-sized kitchen. This hall is available for undergraduate, graduate, and law students that are at least 21 years old. This three-story, suite-style residence hall offers single rooms. Each room has an interior hallway entrance, sink, closets, and drawers, with an extra-large twin bed, desk and chair for each resident.

Andrew Cremer Hall

Andrew Cremer Hall is available for undergraduate students and is a part of The Village at St. Mary's. Cremer Hall is home to the Rowdy Rattlers themed community. Cremer Hall is a three-story residence hall that offers a private room entrance and private bathroom for two people of the same gender in each room. Each room has built-in closets and drawers with a twin bed, desk and chair for each person.

John Donohoo Hall

John Donohoo Hall, also known as JD, is home to the Honors Living Learning Community, available to all classifications of undergraduate students accepted into the Honors Program. Limited space is available for students not in the Honors Program. This two-story residence hall is part of The Village at St. Mary's and offers a private room entrance that faces the courtyard. Each room has a private bathroom, with two people of the

same gender in each room. JD Hall rooms have built-in closets and drawers with a twin bed, desk and chair for each person.

Dougherty Hall

Remodeled in 2018, Dougherty Hall is one of our primary freshman and first-year halls and is home to the Political Science Living Learning Community. As a two-story, suite-style residence hall, Dougherty accommodates two people per room that are the same gender by room and suite. Each room has an interior hallway entrance, built-in closets, drawers and desks with a chair and twin bed for each person. Dougherty Hall has two wings connected by a shared common area with one hall entrance to the building through the main lobby.

Founders Hall

Founders Hall is a primarily second-year and sophomore hall for the 2018-2019 academic year and is home to the Psychology Living Learning Community. This three-story hall has double-occupancy rooms that are the same gender by room and suite. Some double-occupancy rooms share a suited bathroom and a few have a private bathroom. Each room has an interior hallway entrance, built-in closets and a sink.

Bordeaux Hall (previously Archbishop Flores Hall)

Bordeaux Hall is a “super-single” housing option. This two-story residence hall offers a private exterior room entrance and a private bathroom for a single person. Each room has built-in closets and drawers with a twin bed, desk and chair for each person, and doors opening to a courtyard with picnic space.

Anthony Frederick Hall

Anthony Frederick Hall, also known as AF, is home to the Marianist Leadership Program Living Learning Community open to all classifications of undergraduate students approved by the Marianist Leadership Program Coordinator. Limited space is available for students not in the Marianist Leadership Program. This two-story residence hall is part of The Village at St. Mary’s and offers a private exterior room entrance that faces a courtyard. Each room has a private bathroom with two people of the same gender in each room.

Herbert and John G. Leies Hall

Leies Hall is a three-story building open to upperclassman students as a part of The Village at St. Mary’s. It has an exterior common area entrance and an interior room entrance. Leies Hall is a quad suite with four people of the same gender each receiving a private room while sharing a common living space and bathroom. There is a built-in sink, closet, drawers and desk with a moveable twin bed and chair in each private room.

Our Lady of Lourdes Hall

Lourdes Hall is a primarily freshman and first-year hall and is home to the Rattlers Have Hearts Themed Living Community. This two-story hall has rooms configured to house two residents of the same gender per room with a private bathroom and built-in closets and drawers. These rooms come with two beds, desks and chairs. Lourdes has a full kitchen available for residents to request to use. Lourdes has two entrances and all rooms open to an interior hallway.

Marian Hall

Marian Hall is home to our Biology and Science Learning Living Communities, which include biology, pre-health, science, technology, engineering and mathematics majors from all undergraduate classifications. In order to live in this building, residents must be pre-approved by the Marian Hall Director and complete an agreement to participate in the Biology or Science LLCs. This three-story split-level building has interior entrances to the suite-style rooms with two people assigned to each room that are the same gender by room and suite. Each room has built-in closets, drawers and a sink, and each resident has a desk, chair and twin bed that can be rearranged in the room.

Treadaway Hall

Treadaway Hall is open to all undergraduates and has private rooms and community bathrooms. This hall is perfect for someone who likes a space to themselves with the ability to still feel connected to a community of students. In this four-story building, students are assigned by the same gender by wing. Each room comes with a built-in closet, drawers, sink, desk, chair and bed. This building is a hub for many things going on around campus from Mass to concerts. It is connected to Guadalupe Chapel, ROTC, and the Music Department, Mail Center, faculty and staff offices and has a large courtyard with benches and picnic tables to enjoy.

Perigueux Hall

Perigueux Hall is the newest residence hall at St. Mary's, opened in fall 2017, and is the first completed phase of a multi-phase construction project that established The Village at St. Mary's.

This contemporary, suite-style living community is for junior- and senior-level students with four private rooms and two complete bathrooms. Each bedroom has a built-in closet, a desk and chair, drawers and XL twin bed that can be rearranged in the room. Each suite comes with a furnished living room space that includes a couch, chair, entertainment stand and coffee table. Every suite also has a kitchenette, which includes a table and four stools, full-size refrigerator and microwave.

This four-story building has a full-sized kitchen and study lounge/area on each floor and gives students views of downtown San Antonio and of our beautiful campus including Dickson Stadium. Shared amenities of Perigueux include an outdoor swimming pool and a grill and picnic area.

Fire Safety Systems in St. Mary's University Residential Facilities 2019

All addresses at One Camino Santa Maria, San Antonio, TX 78228

<u>Building</u>	<u>Fire Alarm System</u>	<u>Fire Extinguishers</u>	<u>Full Sprinkler System</u>	<u>Evacuation Plans & Placards</u>	<u>Smoke Detection</u>	<u>Number of Fire Drills</u>
Adele Hall	X	X		X	X	2
Chaminade Hall	X	X		X	X	2
Cremer Hall	X	X		X	X	2
John Donohoo Hall	X	X		X	X	2
Dougherty Hall	X	X		X	X	2
Founders Hall	X	X	X	X	X	2
Archbishop Flores Hall (Offline for the 2018-2019 Year; name changed to Bordeaux Hall in Fall 2019)	X	X		X	X	1
Anthony Frederick Hall	X	X		X	X	2
Leis Hall	X	X	X	X	X	2
Lourdes Hall	X	X		X	X	2
Marian Hall	X	X		X	X	2
Treadaway Hall	X	X		X	X	2
Perigueux Hall	X	X	X	X	X	1

Fire Safety and Security Guidelines

Cooking in Rooms/Restricted Items

Cooking in residence hall rooms can create a fire hazard. Only the appliances listed below are permitted:

- Blenders and mixers
- Coffee makers/pots
- Crock pots
- Microwave ovens (small)
- Refrigerators (small)
- Toasters (small, non-toaster ovens)

Cooking is not permitted in lounges, lobbies or hallways, except in an Office of Residence Life provided microwave oven or cooking spaces. Portable electrical appliances with exposed heating elements or open flames are not permitted. Never leave an appliance in use unattended.

These items include but are not limited to the following:

- Cappuccino makers
- Coffee makers/pots
- Cup warmers
- Electric skillets
- Hot air popcorn maker
- Hot plates/hot pots
- Popcorn poppers that use oil
- Single burners (w/coil heating element)
- George Foreman grills
- Toaster ovens

Other Restricted Items

The following items have been identified as fire hazards due to their exposed heating elements or open flames and therefore are not permitted:

- Candles
- Halogen light fixtures
- Incense
- Potpourri burners (either with candles or electrical plugs)
- Soldering irons
- Smoking
- Open Flames

NOTE: If any of the restricted items are found in a room, that item will be confiscated and returned at the end of the semester. (See CLS 5: Confiscated Items in *Your Guide to Community Living on Campus*)

Response to a Fire Condition or Alarm

In residence halls and academic buildings, when a fire condition (visible fire, smoke, or the smell of smoke) is present or fire alarm occurs, the entire building must be immediately evacuated until the source of the condition or alarm has been determined.

The first priority of the University Police Department when responding to fire alarm activation is life safety and making sure that everyone is out of the building. The University Police will then investigate the source of the fire condition or alarm.

Either the University Police or the alarm-monitoring company will notify the San Antonio Fire Department if assistance is required to determine the source of the fire condition.

Occupant response actions:

- If an alarm is activated:
 - If there is smoke in the room, keep low to the floor.
 - Try to exit the room. Feel the doorknob. If it is hot, do not open the door.
 - If the doorknob is not hot, brace yourself against the door and crack it open. If there is heat or heavy smoke, close the door and stay in your room.
 - Don't panic.
 - Seal up the cracks under the door with sheets or towels. If there is smoke in the room, crack a window open, if possible, to allow for ventilation.
 - Hang a sheet or towel from the window to announce that you are in the room. Call University Police at extension 1911 or 210-431-1911. Be sure you give your exact location and room number.
 - Wait for rescue by fire officials.
- If an alarm activates and you can evacuate:
 - Close the doors behind you.
 - Leave the building by the quickest and safest route.
 - If a phone is available, call the University Police at extension 1911 or 210-431-1911.
 - Move away from entrances.
 - Wait for clearance from fire officials or University Police to return to the building.
- If you believe there is a fire or fire condition and the system has not activated:
 - Call University Police at extension 1911 or at 210-431-1911 immediately.
 - Activate the nearest fire alarm pull station.
 - Leave the building.
 - Move away from entrances.
 - Wait for clearance from fire officials or University Police to return to the building.

Fire Safety Education and Training

In a normal year (Non-Pandemic), the Office of Facilities Services conducts a fire extinguisher training annually which is directly geared towards all members of the Office of Facilities Services and the University Police Department. This training is advertised and open to all members of the University Community.

Important Contact Information for Reporting Fires:

University Police Department

210-431-1911 Emergency

210-436-3330 Non-Emergency

Office of Facilities Services

210-436-3335

Future Improvements in Fire Safety

At this time, the Office of Facilities Services does not have any plans for fire safety improvements. All buildings are currently within code.

University Fire Statistics

2018 Fire Statistics for the Annual Fire Safety Report

Statistics and Related Information Regarding Fires in Residential Facilities (All Residential Facilities are located in San Antonio, Texas 78228)

Residential Facilities Hall Names	Total Number of Fires	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire*
Adele Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Chaminade Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Andrew Cremer Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
John Donohoo Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Dougherty Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00

Founders Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Archbishop Flores Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Anthony Frederick Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Herbert and John G. Leies Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Our Lady of Lourdes Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Marian Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Treadaway Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Marianist Leadership Program 543 Westminster	0	None Reported	0	0	0.00
Perigueux Hall One Camino Santa Maria	1	Unintentional- Mechanical	0	0	0-99.00

2019 Fire Statistics for the Annual Fire Safety Report

Statistics and Related Information Regarding Fires in Residential Facilities (All Residential Facilities are located in San Antonio, Texas 78228)

Residential Facilities Hall Names	Total Number of Fires	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire*
Adele Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00

Chaminade Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Andrew Cremer Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
John Donohoo Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Dougherty Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Founders Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Archbishop Flores Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Anthony Frederick Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Herbert & John G. Leies Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Our Lady of Lourdes Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Marian Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Perigueux Hall One Camino Santa Maria	0	Unintentional- Mechanical	0	0	0.00
Treadaway Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00

2020 Fire Statistics for the Annual Fire Safety Report

Statistics and Related Information Regarding Fires in Residential Facilities (All Residential Facilities are located in San Antonio, Texas 78228)

Residential Hall	Total Number of Fires	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire*
Adele Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Chaminade Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Andrew Cremer Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
John Donohoo Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Dougherty Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Founders Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Archbishop Flores Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Anthony Frederick Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Herbert and John G. Leies Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Our Lady of Lourdes Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Marian Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00

Perigueux Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00
Treadaway Hall One Camino Santa Maria St.	0	None Reported	0	0	0.00

