



UNIVERSITY OF
ST. THOMAS



2025

ANNUAL SECURITY & FIRE SAFETY REPORT

Including St. Mary's Seminary, Sugar Land Center, and
Shenandoah Center Statistics & Policy Statements

TABLE OF CONTENTS

FROM THE PRESIDENT4

FROM THE CHIEF OF POLICE4

ANNUAL SECURITY AND FIRE SAFETY REPORT5

CAMPUS RESOURCES5

ABOUT THE UNIVERSITY POLICE DEPARTMENT6

REPORTING CRIMES AND OTHER EMERGENCIES6

CAMPUS SAFETY AND CRIME PREVENTION, SECURITY AWARENESS PROGRAMMING, AND RESOURCES.....8

TIMELY WARNINGS10

EMERGENCY RESPONSE AND EVACUATION PROCEDURES11

SECURITY AND ACCESS TO UNIVERSITY FACILITIES15

THE UNIVERSITY’S RESPONSE TO SEXUAL AND GENDER-BASED VIOLENCE16

SEX OFFENDER REGISTRATION- CAMPUS SEX CRIMES PREVENTION ACT50

(HEOA) NOTIFICATION OF VICTIMS OF CRIMES OF VIOLENCE.....50

MISSING STUDENT NOTIFICATION FOR STUDENTS RESIDING ON CAMPUS51

UNIVERSITY POLICIES GOVERNING ALCOHOL AND OTHER DRUGS52

WEAPONS AND FIREARMS57

ANNUAL DISCLOSURE OF CRIME STATISTICS57

HAZING.....60

THE UNIVERSITY OF ST. THOMAS – MAIN CAMPUS65

FIRE SAFETY REPORT68

FIRE STATISTICS.....70

STUDENT HOUSING FIRE DRILL RECORD71

STUDENT HOUSING FIRE SAFETY SYSTEMS DESCRIPTION72

SEPARATE CAMPUSES.....76

ST. MARY’S SEMINARY77

CAMPUS RESOURCE INFORMATION77

CAMPUS ACCESS AND SECURITY77

ALCOHOL77

EVACUATION AND LOCKDOWN NOTIFICATIONS.....77

ANNUAL DISCLOSURE OF CRIME STATISTICS- ST. MARY’S SEMINARY79

SHENANDOAH CENTER	82
CAMPUS RESOURCE INFORMATION.....	82
ANNUAL DISCLOSURE OF CRIME STATISTICS- SHENANDOAH CENTER	83
SUGAR LAND CENTER	86
CAMPUS RESOURCE INFORMATION.....	86
ANNUAL DISCLOSURE OF CRIME STATISTICS- SUGAR LAND CENTER	87

FROM THE PRESIDENT

To the University Community,

The University of St. Thomas is committed to fostering a climate where all students can pursue an outstanding education. To reach that goal, the UST community shares a responsibility to make the campus safe. This annual report documents safety measures and statistics about crime in and near the university community, following federal reporting requirements. It also describes the university's efforts to prevent crime, work with victims, and improve safety. Please take the time to read this report, learn about UST's safety initiatives, and help create a safer university. Thank you for your commitment to creating a safe and inspiring university community in the heart of Houston!

Dr. Sinda Vanderpool

President, University of St. Thomas

FROM THE CHIEF OF POLICE

To our UST community,

In this year's Annual Security Report, you will find important factual information related to criminal activity that occurred in the three previous calendar years. The members of the University of St. Thomas Police Department (USTPD) remain steadfast in our commitment to the safety of all of our students, faculty, staff, and visitors. That commitment manifests itself in a variety of ways, such as ongoing internal analysis as to the what, where, when, why, and how crime occurs and whether there are notable trends that are developing so that we might respond proactively.

One of the most important concepts necessary for maintaining a safe campus is true "community policing." The phrase is often used but seldom fully understood. The bottom line for us is that we must be continually engaged with all segments of our community. USTPD does this through an effective collaborative effort with our official campus partners, such as the Office of the Dean of Students, Emergency Preparedness, Residence Life, and many others. However, one of the most important aspects of community policing is the positive interactions we strive to have with our students via formal and informal relationships. Examples include ongoing safety presentations to student groups, meeting and listening to student government and others about their particular concerns with emphasis on addressing any concerns that might be raised. Our police officers strive to be visible and approachable.

As you read this year's report, please know that your UST Police Department is here for you, and my office is always open to your feedback. Together, we will keep our community safe.

H.E. Jenkins

Chief of Police, University of St. Thomas Police Department

ANNUAL SECURITY AND FIRE SAFETY REPORT

The University’s Annual Security and Fire Safety Report is prepared by the University of St. Thomas (“UST” or “University”) Police Department to comply with the Jeanne Clery Campus Safety Act (20 U.S.C. 1092(f)) (“Clery Act”) and the Higher Education Act of 1965. The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained from the following sources: the UST Police Department, the Local Police Departments, and Campus Security Authorities, for statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law) and to all University Deans, Directors, and Department Heads. Statistical information is requested and provided to the UST Police Department by the employees at the University Counseling and Wellness Services, even though they are not required by law to provide statistics for the compliance document.

It provides information on safety and security at the University. All University community members are encouraged to use this report as a guide for safe practices on and off campus. At the University of St. Thomas, campus safety and security are shared responsibilities. Many departments are dedicated to making the campus a safer place to live and work.

In compliance with relevant provisions of federal law, the University must make policy and programmatic information available to the campus community and prospective students and employees. Information about these reports and additional material that may be of interest is described below. Printed copies of individual reports (not catalogs) are available upon request. The data contained in this report is for the calendar year January 1, 2024, through December 31, 2024, including the two previous calendar years. To report crimes going forward, please reference the catalog in effect during the 2025-2026 academic year.

CAMPUS RESOURCES

University of St. Thomas

713-522-7911
3800 Montrose Boulevard, Houston, Texas 77006
www.stthom.edu

University Police Department

713-525-3888
Moran Center Parking Center, 1st Floor
3807 Graustark Street, Houston, Texas 77006

Other Key University Offices

Counseling and Wellness Services	713-525-2169
Dean of Students	713-525-3570
Human Resources	713-525-3142
Office of Student Affairs	713-525-3570
Title IX Coordinator for Employees	713-525-3813
Title IX Coordinator for Students	713-525-3570
St. Mary’s Seminary	713-686-4345
Sugar Land Center	855-830-2713
Shenandoah Center	936-414-3573

ABOUT THE UNIVERSITY POLICE DEPARTMENT

ROLE, AUTHORITY, AND TRAINING:

This section focuses on UST Police Department jurisdiction, campus law enforcement authority and arrest powers; its working relationship with state and local police; and the need for accurate and prompt reporting of all crimes to police, including timely warnings of crimes that present a threat to the campus community.

The UST Police Department's primary jurisdiction includes the main campus, St. Mary's Seminary, Sugar Land Center, Shenandoah Center, and other properties owned by the University. USTPD's commissioned police officers are fully empowered by the state and have the authority to stop vehicles, make arrests, and enforce all state laws, as well as UST policies. USTPD commissioned officers have the same authority as Houston police officers, and their officers routinely work and communicate with campus officers on any serious incidents that occur on or near campus. UST does not have officially recognized student organizations that own or control housing facilities outside of the UST core campus. Therefore, local PD is used to monitor and record criminal activity since there are non-campus locations for student organizations.

However, many students live in neighborhoods surrounding UST. While the Houston Police Department has primary jurisdiction in areas off-campus, UST officers can respond to incidents that occur in close proximity to campus. USTPD officers have direct radio communication with the city police to facilitate rapid response in any emergency situation.

WORKING RELATIONSHIP WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES

USTPD has a written Memorandum of Understanding (MOU) with the Houston Police Department that provides for a cooperative arrangement for regional law enforcement and public safety. The MOU pertains to the communication of criminal activity reported to each department as well as requests for assistance in the investigation of some alleged criminal incidents. USTPD also maintains close liaison with the Harris County Sheriff's Office and the Texas Department of Public Safety.

REPORTING CRIMES AND OTHER EMERGENCIES

The Annual Report discloses statistics both for crimes reported to local police agencies and crimes reported to campus security authorities. Campus security authorities (CSAs) include the following:

- A member of a campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, the following positions: Assistant Vice President of Student Affairs and Dean of Students; Director of Residence Life; and all coaches for all areas in the Athletic Department.

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

The intent of including non-law enforcement personnel as CSAs is to acknowledge that many people, students in particular, are hesitant about reporting crimes to the police but might be more inclined to report incidents to other campus-affiliated individuals.

Pastoral and professional counselors who receive confidential reports are not required by the Clery Act to report those crimes to the UST Police Department either for inclusion in UST's annual disclosure of crime statistics or for the purpose of giving a Timely Warning Notice. The UST Police Department encourages and will assist crime victims in the acquisition of pastoral and/or professional counseling when it is requested by the victim or is believed to be appropriate by the officer. However, receiving any such counseling services by a crime victim is strictly voluntary, and any counseling services provided are strictly confidential. Professional and pastoral counselors are encouraged, if and when they deem appropriate, to inform the persons they are counseling of the

procedures for reporting crimes to primary CSAs on a voluntary, confidential basis so that the crimes may be included (on a confidential basis) in the UST annual disclosure of crime statistics for Clery Act purposes.

- Pastoral Counselor – means a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is acting within the scope of that recognition as a pastoral counselor.
- Professional Counselor – means a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is acting within the scope of his or her license or certification.

Several agencies and individuals are involved in the collection of data, including the UST Police Department (USTPD), Dean of Students, Residence Life, Counseling and Wellness Services, Office of the Title IX Coordinator, Campus Security Authorities, the **Houston Police Department** (HPD), and other law enforcement agencies. In addition, the USTPD investigates/reviews all reports of criminal activity reported to police occurring in its jurisdiction, regardless of the source. Campus departments involved in the collection of crime statistics are provided guidance annually regarding the requirements of federal law, including the categorization of criminal activities and tabulation of locations involved in reported crimes and arrests.

USTPD obtains relevant crime statistics from local and other law enforcement agencies, which provide appropriate crime codes, nature, dates, times, and locations of crimes committed within their jurisdictions. The Clery Compliance Officer requests data from law enforcement agencies involved in collecting criminal statistics so the annual report is updated and disseminated to the University community. The published report is available to the general public, and the crime statistics are provided to the **U.S. Department of Education**. With the exception of certain alcohol abuse violations that may be referred for handling by residence hall staff or the Dean of Students, individuals and departments are encouraged to report all crimes to USTPD.

All students, faculty, staff, and visitors are encouraged to promptly and accurately report all criminal offenses to the following departments so that the crime can be assessed for the need to issue a Timely Warning Notice to the UST campus community if it poses a serious or ongoing threat to the UST community and for the purpose of including the crime in UST's Annual Report of Clery Act crime statistics:

- **UST Police Department:** 3807 Graustark St. (713) 525-3888
- **Title IX Coordinator (Students):** (available during regular business hours) Ben Nguyen, Assistant Vice President and Dean of Students, 3909 Graustark, Room 215Q, Crooker Center, (713) 525-3570.
- **Title IX Coordinator (Employees):** (available during regular business hours, Mon. – Fri.) Tonja King, Interim Associate Vice President of Human Resources, 4203 Yoakum, Room 250, Human Resources Department, (713) 525-3142.

Individuals are also encouraged to promptly report any emergencies they are aware of to the UST Police Department so that emergency warnings can be given to the UST community as appropriate.

All reported criminal incidents are taken very seriously by the UST Police Department and will be thoroughly investigated and, when determined to be appropriate, will be referred by the UST Police Department to the Harris County District Attorney's Office for prosecution or other appropriate action.

In addition to the above means of reporting incidents, you may report crimes you witness or have information about that occur on the UST campus or on adjacent public property to **Houston Crime Stoppers** at (713) 222-8477.

The UST Police Department maintains a daily crime log that is available for review in person by students, faculty, employees, and the public in the lobby of the UST Police Department office located on the 1st floor of the Moran Center Parking Garage, 3807 Graustark St., Houston, Texas.

Each year, enrolled students are notified via email on the website where this report can be accessed and reviewed. Faculty and staff receive similar notifications, either by e-mail or through campus mail. Copies of this report can also be obtained directly from the UST Police Department. All prospective employees may obtain a copy of this report from Human Resources. Copies of this report will be provided to others upon request.

VOLUNTARY CONFIDENTIAL REPORTING

The USTPD encourages anyone who is the victim or witness of any crime to promptly report the incident to the police. USTPD does not have a voluntary confidential reporting

process because police reports are public records under state law, thus, USTPD cannot hold reports of crime in confidence. Confidential reports for the purpose of inclusion in the annual disclosure of crime statistics can be made to any campus security authorities (the primary CSAs are identified in the Reporting and Disclosure Procedures above). In the State of Texas, all employees of public and private higher education institutions must report sexual harassment, sexual assault, dating violence, or stalking against a student or employee to the institution's Title IX Coordinator. Reports to professional and pastoral counselors can be kept confidential. Professional and pastoral counselors are encouraged to inform their clients, if and when they deem it appropriate, of the procedures to confidentially report crimes to primary CSAs, when they deem it appropriate.

REPORTING TO UST POLICE DEPARTMENT

Members of the UST community are encouraged to accurately and promptly report crimes and emergencies to the UST Police Department, including when the victim of a crime elects not to, or is unable to, make such a report. Individuals may report alleged criminal actions (including sex offenses) or emergencies that occur on the University campus through any of the following means:

- Dial 911
- Call USTPD at 713-525-3888 or go to the USTPD station, located at 3807 Graustark Street, Moran Center Parking Garage, 1st Floor
- Use an emergency telephone, designated by a blue light on a black pole marked "Emergency" in locations throughout campus
- Contact an officer in uniform on patrol

RESPONSE TO A REPORT

Dispatchers are available at this respective telephone number (713-525-3888) 24 hours a day to answer your calls. In response to a call, USTPD will take the required action, such as dispatching an officer to the appropriate location or asking the victim to report to USTPD to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record. All USTPD incident reports involving students are forwarded to the Dean of Students Office for review for potential action, as appropriate. USTPD investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Dean of Students Office. If assistance is required from the local police

department or Local Fire Department, USTPD will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene will offer the victim a wide variety of services.

CAMPUS SAFETY AND CRIME PREVENTION, SECURITY AWARENESS PROGRAMMING, AND RESOURCES

It is of critical importance that criminal activity is reported immediately and as accurately as possible.

Police investigations, whether by USTPD or HPD, are hampered by the passage of time and incomplete or inaccurate information. In addition, some crimes pose risks or dangers that must be reported without delay to the campus community to minimize potential harm to individuals and their property. USTPD and University administrators work closely to determine, on a case-by-case basis, when the campus community should be placed on alert regarding potential threats to the safety of its members. Members of the community are helpful when they immediately report crimes or emergencies to USTPD. USTPD will include them in the annual statistical disclosure, assess them, and issue Timely Warning Notices when deemed necessary.

One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of the UST Police Department to inform students of good crime prevention and security awareness practices. USTPD works with students and other campus groups to help educate the University community in crime prevention and reporting. During the 2023-2024 academic year, UST offered approximately 20 crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness, and sexual prevention are some examples of programs offered during this prior academic year.

At the beginning of each academic year, the UST Police Department speaks to groups of students and parents, such as residence life staff and student club and organizational leaders, making them aware of how to contact the UST Police Department for help and also stressing the importance of their reporting to them any suspected criminal or suspicious activity or emergency. Additionally, USTPD personnel give verbal crime prevention tips to students routinely on an informal basis and encourage students to promptly contact

the UST Police Department with any information about any crime on the UST campus or immediately adjoining public property. Upon request, the UST Police Department will also provide safety and crime prevention programs and tips to student organizations, as well as to gatherings of students, faculty, and employees.

Some practices that have been put in place by USTPD include:

- Crime prevention tips to staff or students reporting a crime.
- Safety Week (October and March).
- Monthly reports on inoperable exterior lights, overgrown shrubbery, and unsecured doors, locks, and door problems.
- If a pattern is revealed through the analysis of multiple reports of theft, the department reporting the theft(s) receives recommendations for securing their property and upgrading security.
- Courtesy Notices are left when a vehicle is found unsecured or valuable items are left inside.
- 20 emergency call boxes around campus.
- Daily foot patrols in high-traffic areas.
- Monitoring and responding to alarm calls.
- Mobile patrols 24 hours a day.
- Daily Crime and Fire Log – available in the UST Police Department.

Other Services and Safety Efforts:

- Escorts to campus locations. Call 713-525-3888 for an escort.
- Monitoring and responding to residence hall system alarms.
- On-duty staff make nightly rounds of residence halls.
- Safety programs are offered throughout the year.
- Background check of vendors, contractors, and subcontractors working in residence halls.
- Emergency Management (Active Shooter) planning and training.

Although the UST Police Department has a number of practices in place to keep the University community safe, students and employees are encouraged to take responsibility for their own security and the security of others. Below are

some safety tips for you to consider.

Personal Safety Tips:

1. Know how to contact USTPD (713) 525-3888. Do not hesitate to call the UST Police Department if something doesn't feel right. Trust your instincts. Program the UST Police Department number into your office and cellular phones.
2. If you are on campus working after hours, keep your office doors locked and notify the UST Police Department. Officers will periodically check on you and will arrange an escort to your vehicle if desired.
3. Do not carry unnecessary valuables (jewelry, cash, apparel, etc.). If confronted by any individual(s) demanding your property, turn over any items they demand. Your safety is more valuable than personal property.
4. If possible, walk in groups of two or more. There is safety in numbers.

Vehicle Safety Tips:

1. Do not leave valuables in your vehicle in plain view. This includes laptops, purses, wallets, or anything of value. This is an invitation to potential thieves.
2. Make sure your windows are closed and the doors locked.
3. Make sure you have the right key ready in your hand when you get to your vehicle.
4. If you see anything suspicious, call USTPD at (713) 525-3888.
5. Look around before you get out or unlock your car.

Office Safety Tips

1. Lock your office whenever you leave, even if you will only be gone for a minute.
2. Keep your purse, wallet, and other valuables in a secure location, such as a locked desk or filing cabinet. It only takes a few seconds for a theft to take place.
3. Do not bring excessive amounts of cash to work.
4. Do not leave cash unattended or in the office, especially overnight or over a weekend. Desks and filing cabinets are not secure enough.
5. Protect your property by marking your valuables with a unique identifier.

6. If you are entrusted with a key to a specific area, never lend it to anyone and keep it secure. Report immediately if it is missing or stolen.
7. If you receive an annoying or obscene phone call, hang up. Write down the time of the call, what the caller said, and note any background noises you heard. Call USTPD immediately.
8. Report any suspicious person loitering in your area to USTPD immediately. Be alert to strangers in your office area.
9. Report the loss or theft of keys, equipment, or valuables immediately to USTPD.

Study Abroad Safety Tips

When traveling to a foreign country, students should be aware that what is considered legal in the United States may be illegal in the country they are visiting. A minor violation of U.S. law may be a serious violation of a foreign country's law. Here are some tips for staying safe in a foreign country:

1. Be respectful. Do not make derogatory comments about another country's leaders, culture, or people while you are there. American freedoms of speech, expression, and assembly are not guaranteed in other countries.
2. The legal and civil rights and protections under the law that you enjoy as an American citizen may not be the same in another country.
3. Be aware of the current political situation in the country you are visiting. If there is political unrest, consider delaying or canceling your trip until the situation is resolved.
4. Be aware of the currency exchange rate.
5. Do not wear flashy jewelry or expensive clothing that will make you stand out as a tourist and potential victim.
6. Know where the local police stations and fire station/EMS are located and how to reach them if you need assistance.
7. Take extra prescription/maintenance drugs with you. You may not be able to get them where you are going.
8. There are people out there who do not like America or Americans. If you choose to wear t-shirts, hats, etc., that readily identify you as an American, you may be setting yourself up as a target.
9. Be aware of your surroundings.

For more information about safety tips while traveling abroad, go to the U.S. State Department website at <http://travel.state.gov>.

TIMELY WARNINGS

USTPD has a responsibility to provide timely warnings about reported crimes to the campus community in a manner that will aid in the prevention of similar crimes, as well as providing emergency notifications when the health and safety of the campus community are at risk.

THE DECISION TO ISSUE A TIMELY WARNING

Timely Warning notices are determined by the USTPD Chief of Police. The following information is used during the determination process for issuing a warning:

1. The nature of the crime – Is it a Clery reportable criminal offense, Hate Crime, VAWA offense, or Arrest for a reportable Law Violation? This includes reports of Criminal Homicide, Manslaughter by Negligence, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Dating Violence, Domestic Violence, and Stalking. Additional crimes include Larceny-Theft, Simple Assault, Intimidation, and Vandalism/ Destruction of Property when motivated by Bias or hate crimes. Lastly, offenses of arrests for violations of Weapons, Drug, or Liquor Laws are also Clery reportable crimes.
2. The crime occurred within a Clery reportable geographic location – did the crime occur On Campus, in On-Campus Student Housing, or on Public Property?
3. The continuing danger to the campus community - was this crime serious or does it pose a continuing threat to the campus community?
4. The possible risk of compromising law enforcement efforts - is it possible the issuance of a timely warning would compromise efforts to mitigate the threat?

DETERMINATION OF CONTINUED THREAT

Timely warning determinations are made on a case-by-case basis when all of the above-listed circumstances have been met, and the crime is considered by the institution as a

serious or ongoing threat to the University community. Timely Warnings are typically issued for the following Clery reportable offenses, but each will be assessed on a case-by-case basis:

- Murder/Non-Negligent Manslaughter
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the USTPD Chief of Police or designee). Often, cases involving sexual assault are reported long after the incident occurred; thus, there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Robbery involving force or violence (cases including pickpocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice but will be assessed on a case-by-case basis)
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger UST community)
- A string of Burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another.
- Major incidents of Arson

Examples of crimes that constitute a continuing threat include but are not limited to:

1. crimes where the perpetrator has not been apprehended, and there is either no apparent connection between the perpetrator and the victim, or
2. where there remains a likelihood the crimes could continue to harm the community.

Crimes that would not constitute a continuing threat include, but are not limited to:

1. Crimes where the perpetrator has been apprehended, thereby neutralizing the threat, or
2. Crimes where the identified suspect targets specific individuals to the exclusion of others, such as in dating or domestic violence situations.

Note: The University of St. Thomas is not required to provide

a timely warning with respect to crimes reported to a pastoral or professional counselor.

WARNING NOTICE CONTENT

The warning must contain sufficient information about the nature of the threat to allow members of the campus to take action to protect themselves. This includes:

- A succinct statement of the incident
- Possible connection to previous incidents, if applicable
- Physical description of the suspect
- Composite drawing of the suspect, if available
- Date and time the warning was released
- Other relevant and important information

In some cases, law enforcement may need to keep some facts confidential to avoid compromising an investigation.

Timely warning notices are typically written and distributed by the USTPD Chief of Police or designee.

TIMELINESS OF THE WARNING

Timely Warning notices will be issued as soon as pertinent information is available, in a manner that withholds the name of the victim as confidential, and in a manner, that is likely to reach the entire campus community and will provide community members with information that may potentially prevent them from being victims of similar crimes.

DISTRIBUTION

The warning must be distributed in a manner reasonably likely to reach the entire campus community.

Depending on the circumstances, any of the following methods, or combination thereof, may be used:

- Campus-wide emails
- Press releases

To ensure that you receive timely warnings sent via text message and email, be sure your contact information is up to date in your **MyStThom** account.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

EMERGENCY MANAGEMENT AT UST

UST maintains an Emergency Management Plan that outlines

the responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization, and specific responsibilities of particular departments or positions. University departments are responsible for developing emergency response and continuity of operations plans for their areas and staff. Emergency Preparedness provides resources and guidance for the development of these plans.

Individuals can report emergencies occurring at the University of St. Thomas by calling (713) 525-3888.

EVACUATION AND RELOCATION

Students, faculty, and staff should follow the below safety procedures in the event of evacuation emergencies, severe or inclement weather, and tornados or hazardous material releases.

Evacuation Procedures

1. Evacuate when prompted by continually sounding fire alarms or by an official announcement.
2. Be aware of and make use of designated primary and alternate evacuation routes.
3. Close classroom or office doors as you leave.
4. Leave the building in an orderly manner without rushing or crowding — do not use the elevators.
5. Provide aid to those who need it in an emergency evacuation.
6. Be aware of and follow instructions given by USTPD and other officials. You may be asked to proceed on foot to designated areas or to evacuate the campus entirely.
7. Always evacuate crosswind and/or upwind away from any emergency by a safe route.
8. Evacuate at least 300 feet from the building and out of the way of emergency vehicles.
9. Report to emergency responders any individuals who have been injured or left behind.
10. Do not re-enter the building until the all-clear is given by an official announcement.

What is an evacuation emergency?

In most cases, evacuations apply only to buildings immediately affected. In some cases, such as local terrorism, flooding, or earthquake, the evacuation could apply to the entire campus. Some potential causes for emergency evacuations may include but are not limited to a major fire or explosion, hazardous materials release,

chemical/biological/radiological spill, structural failure, asbestos release, bomb threat, weapons, or an aircraft collision with a building.

Severe or Inclement Weather Procedures

Students, faculty, and staff should follow the below procedures in the event of a severe or inclement weather warning:

Seek shelter immediately in designated areas.

If you're inside a building:

- a) If possible, go to the lowest level of the building;
- b) stay away from windows;
- c) go to an interior hallway; and
- d) use arms to protect head and neck in a "drop and tuck" position.

If there is no time to get inside:

- a) lie in a ditch or low-lying area or crouch near a strong building;
- b) be aware of the potential for flooding;
- c) use arms to protect head and neck in a "drop and tuck" position; and
- d) use a jacket, cap, backpack, or any similar items, if available, to protect your face and eyes.

SEEKING SHELTER: TORNADOES AND HAZARDOUS MATERIAL RELEASES

Tornado Procedures

In the event of a tornado watch or warning, students, faculty, and staff should take the following steps:

- dial 3888 from a campus phone or 713-525-3888 to report tornado sighting to the USTPD dispatcher; and
- seek safe shelter inside a building, in a ditch, or beside an embankment.

If a tornado is imminent near you:

- a) use interior hallways away from the building's exterior windows as a tornado shelter;
- b) close all doors to rooms with exterior windows;
- c) avoid all windows and other glass areas;
- d) avoid the most dangerous locations of a building, usually along south and west sides and at corners; and

- e) protect yourself by going into a “drop and tuck” position.

Hazardous Material Procedures

Students, faculty, and staff should observe the following steps in the event of a hazardous material release on campus:

- a) You will receive a shelter-in-place announcement.
- b) Immediately move indoors.
- c) Close all windows and doors to shelter and seal as best you can, using towels, clothes, or paper.
- d) If there appears to be air contamination within the shelter, place a paper mask, wet handkerchief or wet paper towel over the nose and mouth for temporary respiratory protection.
- e) Continue to follow instructions given by the responding authorities.

When else is it important to seek shelter?

The procedures described above for tornados and hazardous material releases are known as shelter-in-place procedures. Sheltering-in-place is the use of any classroom, office, or building for the purpose of providing temporary shelter. Shelter-in-place procedures are internationally recognized as standard practices of providing shelter for any of the following reasons: a chemical truck overturning, tornado, chemical train derailment, chemical facility accident, pipeline rupture, terrorist attack, the release of biological agents, release of chemical agents, drilling accident, hazardous materials release, or radiological release.

DRILLS, EXERCISES, AND TRAINING

In conjunction with other emergency agencies, the University conducts emergency response drills and exercises each year, such as tabletop 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.

The campus makes available a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all the requirements of the Higher Education Opportunity Act.

Emergency communication processes are tested yearly to include a campus-wide email which contains information and directions to resources regarding emergency communication, response, evacuation, and shelter procedures.

Each occupied building receives annual evacuation drills during the calendar year with residential facilities receiving one per semester. All documentation is retained by the Emergency Management Coordinator for a minimum of seven years and includes the exercise description, date, time and whether the test was announced or unannounced. This information for the most recent year is included in the Annual Fire Safety Report.

Notifications/ Testing Dates for 2024:

- January 16, 2024, at 5:37 pm: Inclement Weather- Unannounced
- August 5, 2024, at 10:00 am: Test of System- Unannounced
- September 27, 2024, 10:00 am: Test of System- Unannounced

Notifications/Testing Dates for 2023:

- March 3, 2023, at 11:30 am: Test of System- Unannounced
- August 30, 2023, at 11:00 am: Gas Leak- Unannounced
- September 2, 2023, at 10:00 am: Water Leak- Unannounced
- September 29, 2023, at 10:00 am: Test of System- Unannounced
- October 25, 2023, at 2:00 pm: Internet Outage- Unannounced

Notification/Testing Date for 2022:

- March 7, 2022, at 1:00 pm: Test of System- Unannounced
- September 20, 2022, at 11:00 am: Test of System- Unannounced

EMERGENCY NOTIFICATIONS

University Communication of Emergency

Emergencies may range from inclement weather to building evacuations to campus closures. The University has a variety of tools to communicate with the public in the event of these and other possible emergencies. Depending on the type of emergency, the University may use some or all of the following tools to communicate with faculty, staff, and students:

- a) Text Messaging Service. The University contracts with a third-party vendor that provides the technological ability to send text messages to members of the campus

community. Only text messages about emergencies and messages used periodically to test the system are sent. Any data provided to the vendor by the University is protected by contractual arrangements. Students, staff, and faculty are automatically enrolled to receive emergency university communications via text message and can update their contact information at [myStThom](#).

- b) University Group E-mail. During emergencies, UST Safety Alert sends an "urgent" group e-mail to every student, faculty, and staff member. The message directs individuals to the emergency website for additional information and instructions.
- c) Voice Mail to Office Telephones. This system leaves a voice message on every faculty and staff member's office phone on campus.
- d) Local News Media. The University Marketing and Communications office sends press releases and makes calls to contacts on a local media list. Because of the transient nature of its population, the University depends a great deal on broadcast media to notify students, faculty members, and staff members of emergencies before or during their commutes.
- e) Public Safety Patrol Car Announcements. USTPD patrol cars are equipped with public address systems that officers can use to provide instructions to pedestrians during emergencies.
- f) Telephone Tree. The President's Office has a telephone tree of department contacts, which is activated during an emergency.
- g) Face to Face Communication. In addition to, or in lieu of, the systems listed above, face-to-face communication may also be used.

The implementation of each tool described above is assigned to an individual with a minimum of two backups who can also handle the communications task. Individuals with electronic communication tools assigned to them have remote access (from their homes, etc.) to those tools.

The process used to confirm a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees is as follows:

- Initial confirmation by USTPD may occur by observation of a police officer, multiple witness telephone calls, alarms activating in the USTPD patrol offices, or a confirmed report from other emergency responding agencies (such as the [Houston Police Department](#), [Houston Fire](#)

[Department or the Harris County Sheriff's Office](#)).

- The USTPD Chief of Police communicates situational information to the University administration regarding the safety of the campus community. Upon considering the information, administration representatives develop the message content and activate campus-wide communications. The expectation of this process includes dissemination via text, email, and campus desktop messaging, which are activated directly by USTPD dispatch in extremely urgent situations where immediate action is required. Based on the confirmation of an ongoing threat, campus notification activation may include individual buildings, geographic zones, or the entire campus. An immediate notification would not occur if doing so will compromise efforts to assist a victim, contain the emergency, respond, or otherwise mitigate the emergency.
- The notification content will contain pre-scripted brief messages or tailored content developed in consultation with the USTPD Chief of Police or designee. This notification to the public may include protective actions or measures.
- Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

In addition to the University's text alert method of emergency communication, USTPD may employ a variety of communication methods to inform building occupants or a larger portion of campus about imminent safety threats. Communication methods will be employed based on a number of factors that will be evaluated for each incident, such as the nature and extent of the threat, technology available in the building or area, time of day, etc. Other communication methods may include the use of fire alarm systems, handheld or vehicle-mounted bullhorns, portable radios, desktop pop-up alerts, mass media, door-to-door notifications, and social networking sites. Campus alert notifications will be posted on UST's homepage, [www.stthom.edu](#). The local 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 [UST homepage](#) and/or social media.

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, university

officials will immediately notify the campus community without delay. The USTPD Chief of Police will communicate situational information to the University administration regarding the safety of the campus community. Upon considering this information, administration representatives develop the message content and activate communications. The USTPD Chief of Police, or designee, will determine and develop the content of the message and will use some or all of the systems described below to communicate the threat to the UST Community or to the appropriate segment of the community if the threat is limited to a particular building or segment of the population.

The exception to this process includes the dissemination of information via text, email, phone, and desktop pop-up messaging, which are activated directly by USTPD dispatch in extremely urgent situations where immediate action is required. UST will take into account the safety of the community, determine the content of the notification, and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: USTPD, **Houston Police Department**, and/or the **Houston Fire Department**) compromise efforts to assist a victim, contain the emergency, respond, or otherwise mitigate the emergency. The larger community is notified via social media and local website postings.

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.

University emergency communication representatives include the following:

Rave Alert System (USTAlerts)	
Primary	
Message Creator	Bridget Richardson richarbr@stthom.edu Marketing Communications

Authority for Approving and Sending Messages	Dr. Sinda Vanderpool president@stthom.edu , President Dawn Koenning dawnkoe@stthom.edu Senior VP of University Advancement and External Relations H.E. Jenkins jenkinhe@stthom.edu Assistant VP and Chief of Police
Secondary	
Message Creator	Dawn Koenning dawnkoe@stthom.edu Senior VP of University Advancement and External Relations
Authority for Approving and Sending Messages	Dr. Sinda Vanderpool president@stthom.edu , President Dawn Koenning dawnkoe@stthom.edu Senior VP of University Advancement and External Relations H.E. Jenkins jenkinhe@stthom.edu Assistant VP and Chief of Police

SECURITY AND ACCESS TO UNIVERSITY FACILITIES

MAINTENANCE OF UNIVERSITY FACILITIES

UST maintains campus facilities in a manner that minimizes hazardous and unsafe conditions.

Services include attention to lighting (including emergency lighting during power failures), locking all entrances on a regular schedule, security programming (including fire safety drills, rape awareness programs, theft reduction programs), card access system, controlled keyway lock system, building rounds and door checks performed by student staff, and enforcement of a guest escort policy in residential facilities.

ACADEMIC, ADMINISTRATIVE, & RESIDENCE HALL ACCESS

During normal business hours, the administrative and

academic facilities at UST are open and accessible to students, staff, faculty, and visitors of the University. After normal business hours and during breaks, these facilities are locked and only accessible to authorized individuals. USTPD officers conduct routine security and safety patrols of academic and administrative buildings to monitor conditions and report any unusual circumstances.

Residence Life and Dining Services spaces, including, but not limited to, lounges and common areas within the residence halls, outdoor patios, and courtyards directly outside the residence halls, are for the use of residents and invited guests. Note that quiet hours and courtesy hours must be followed in all Residence Life spaces. Students may not use property, buildings, facilities, or University resources to operate a for-profit business. Authorized use must be conducted in compliance with applicable Student Handbook policies, rules of the institution, University computing policies, and federal, state, and local laws and regulations. Residents who use residence hall facilities for unauthorized purposes are subject to disciplinary action.

All on-campus student residential facilities are designed to limit and control access to the non-public areas through the use of a card access system. Student residents are required to use their identification cards to enter the secured areas of the residence halls. Students are instructed not to allow others to enter without using their own card access. Residents are also instructed and encouraged to lock their rooms when they leave the area.

SECURITY OF CAMPUS

Police officers conduct routine patrols of campus buildings (including residential facilities) to evaluate and monitor security-related matters.

THE UNIVERSITY'S RESPONSE TO SEXUAL AND GENDER-BASED VIOLENCE

INTRODUCTION

University of St. Thomas ("UST" or "the University") is committed to the religious, ethical, and intellectual traditions of Catholic higher education, which includes cultivating a diverse and inclusive community that recognizes the value of each individual and allows persons to learn and work in an environment free from harassment and discrimination. As part of this effort, UST will respond

to sex-based harassment and discrimination and through clear policies and grievance procedures, educational programming, employee training, and sanctioning offenders of this policy and commit itself to maintaining a safe and healthy educational and employment environment. This comprehensive policy is created and implemented by UST to address allegations of sexual harassment, sexual assault, domestic violence, dating violence, and stalking in addition to other prohibited misconduct as identified and defined herein.

UST prohibits all forms of sex and gender-based harassment, as well as the offenses of sexual assault, dating violence, domestic violence, and stalking (collectively referred to in this policy as "Sexual Misconduct" and constitutes "Prohibited Conduct" under this policy.) These offenses may also be prohibited by Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. ("Title IX"), by the Clery Act and Section 304 of the Violence Against Women Reauthorization Act of 2013 ("VAWA"), Title VII of the Civil Rights Act of 1964, and other applicable statutes, to include Texas S.B. No. 212. This Policy prohibits a broad continuum of behaviors, some of which are not prohibited under Title IX or other laws. Their inclusion in this Policy reflects UST's standards and expectations for a respectful working and learning environment where everyone is free to work and learn safely so they might become the best version of themselves.

UST will investigate and attempt to resolve all complaints of Prohibited Conduct in a prompt, fair, and impartial manner. The University will treat all individuals involved with dignity and respect. All processes are driven by objective fact-finding and approached from a neutral standpoint, including the presumption that a Respondent is not responsible for a violation of this policy prior to a finding that supports that.

With this in mind, members of the University community are expected to conduct themselves in a manner that respects the inherent dignity of all people and refrains from any form of harassment or discriminatory practices, including all forms of Prohibited Conduct as defined in this policy. This policy has been developed to reaffirm these principles, to provide explicit information regarding when and how the University will respond to allegations of sex-based Prohibited Conduct, and to provide accountability for conduct that violates this policy.

In addition to discrimination based on sex, the University prohibits discrimination including discrimination based on

race, color, national origin, age, sex, sexual orientation, religion, disability, and veteran status. The University's commitment to nondiscrimination applies to admissions, employment, and access to and treatment in University programs and activities. The University's full *Equal Employment Opportunity Policy*, Number H.01.03, has been established for the purpose of responding to allegations of unlawful discrimination.

Inquiries regarding the application of this policy and the respective grievance procedures used to resolve complaints might be referred to the recipient's Title IX Coordinator(s), to the U.S. Department of Education's Office for Civil Rights, or both.

Definitions

Complainant

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual misconduct.

Respondent

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Party

"Party" means either the Complainant(s) or Respondent(s) in an investigation or action relating to a report of Prohibited Conduct.

Confidential Resources

"Confidential Resources" are designated by the University to provide students with Complainants, emergency, and ongoing support and to advise the Complainant on options for reporting violations of this policy.

In light of Texas S.B. No. 212, an employee of a postsecondary educational institution designated by the institution as a person with whom students may speak confidentially concerning sexual harassment, sexual assault, dating violence or stalking or who receives information regarding an incident under circumstances that render the employee's communications confidential or privileged under other law, shall not provide any identifying information regarding the reporter, including

to the institution's Title IX Coordinator(s), without explicit consent from such reporter unless there is an imminent threat of serious harm to the individual or to others, or a legal obligation to reveal such information (e.g. if there is suspected abuse or neglect of a minor). Confidential Resources may submit non-identifying information about violations of this policy to the UST Police Department for the purposes of anonymous statistical reporting under the Clery Act. Employees can ensure confidentiality by utilizing non-university confidential resources.

Title IX Coordinator(s)

The "Title IX Coordinator(s)" is responsible for overseeing the University's response to reports of Sexual Misconduct on campus and oversees the University's centralized response to ensure compliance with Title IX and the Clery Act (VAWA) as it relates to the accurate reporting of and response to sexual harassment and the VAWA offenses. The Title IX Coordinator(s) is also responsible for coordinating the effective implementation of supportive measures and remedies. The Title IX Coordinator(s) or the President may delegate responsibilities under this policy to a designee, who will be appropriately trained per the requirements of Title IX and VAWA. For purposes of this policy, any reference to the Title IX Coordinator(s) should be read as the "Title IX Coordinator(s) or other designee."

In accordance with Texas S.B. No. 212, the Title IX Coordinator(s), not less than once every three months, shall submit to the President a written report on reports received including information regarding the investigation of those reports, the disposition, if any, of any disciplinary processes arising from those reports, and the reports for which the institution declined to proceed with a disciplinary process. Further, if the Title IX Coordinator(s) has cause to believe that the safety of any person is in imminent danger because of the incident, the President shall be notified. Lastly, at least once every fall or spring semester, the President shall submit¹ to the institution's governing body and post on the institution's website a report concerning the reports received under this policy. Such a report shall never reveal the identity of a Complainant, Respondent, or

received more than five reports.

¹ If the institution falls below 1,500 enrolled students, the President must submit and post a report if the institution

Witness as defined in this document.

Investigator

The "Investigator" is the person assigned to conduct the investigation upon the signing of a Complaint and a request for a Formal Resolution Process. The Investigator may be a Title IX Coordinator(s), an employee, or a contracted service provider.

Decision-Maker

The "Decision-Maker" is the person or persons that will make the determination of responsibility for Emergency Removal and at the conclusion of an Informal or Formal Resolution Process or following an appeal. The Decision-Maker will provide the determination in writing and cannot be the same person as the Title IX Coordinator(s) or the Investigator on a case arising out of the same facts or circumstances. In the case of an Appeal, the Decision-Maker will be different from the person or persons who made the initial determination. The Decision-Maker may be an employee or a contracted service provider. The University retains the right to establish a pool of cross-trained individuals who may serve in the capacity as an Investigator or one of the Decision-Makers; however, they would never hold more than one position during a particular complaint.

Title IX Personnel

"Title IX Personnel" includes all individuals whose duties include the resolution of reports and complaints of student and employee violations of this policy. All Title IX personnel shall receive annual training as required by Title IX, VAWA, and Texas law. Employees falling under this description include, without limitation, the Title IX Coordinator(s), Investigators, Decision-makers, members of campus security, and any contracted service providers of UST with any of the responsibilities outlined herein.

Mandatory Reporters

All faculty and staff members who are not Confidential Resources are "Mandatory Reporters." A Mandatory Reporter who witnesses or receives information regarding the occurrence of an incident that the employee believes could constitute an offense as defined in this policy shall promptly report such information to the institution's Title IX Coordinator(s) in person or via email. A report to a faculty or staff member does not result in a Complaint for the purpose of triggering an investigation or Informal or Formal

Resolution Processes; however, Texas law requires the reporting of that information by the Mandatory Reporter to the institution's Title IX Coordinator(s).

Texas has both civil and criminal laws to protect children from abuse and neglect, and all employees of the University are mandatory reporters of Child Abuse under the Texas Family Code, Section 261.109. This means that all employees have a duty to immediately report whenever they "suspect that a child has been abused or neglected." Immediate reports should be made to the Texas Department of Family and Protective Services (DFPS) by calling 1-800-252-5400 or by making a report online at the [Texas Abuse Hotline Website](#).

Advisor of Choice

An "Advisor of Choice" means the person of the Complainant or Respondent's choosing who accompanies them to any meeting or disciplinary proceeding in which they are required to be present. This person can provide support, advice, and/or counsel. During the investigatory stage of the process, the Advisor is not permitted to act on behalf of their Party with regard to answering questions or providing evidence on behalf of a Party. They may not be disruptive, nor may they unnecessarily delay the investigation due to their personal availability. During the Live Hearing portion of the Title IX process, the Advisor of Choice is responsible for conducting the cross-examination during a live hearing pursuant to the Title IX grievance processes. Cross-examination in this setting is limited to the other Party and witnesses. The Advisor cannot make opening or closing statements, ask questions of their own advisees, object to questions, or engage in advocacy other than that permitted herein. An Advisor is permitted in a Non-Title IX grievance process; however, their role is restricted to that during the investigatory stage as described above.

The University will not restrict the choice of an advisor, and the advisor can be anyone of the Party's choosing, although the University may remove an Advisor if he or she becomes disruptive or otherwise hinders a fair and equitable process. The involvement of an Advisor may not result in undue delay of any meeting or proceeding. During the Title IX live hearing, if a Party does not have an Advisor, the University will appoint one on behalf of the Party without fee, i.e., free of charge. In this capacity, the Advisor will be appointed for the sole purpose of conducting cross-examination of the other Party and witnesses. While any person may serve in an

Advisor capacity, a member of the University community is free to decline to serve in this capacity.

Campus Security Authority (CSA)

A "Campus Security Authority" ("CSA") is a designated University official who has an obligation to report certain crimes reported to them to the reporting structure of the institution as required by the federal Jeanne Clery Campus Safety Act (Clery Act). In most cases, it is possible for a CSA to fulfill his or her responsibilities while still maintaining victim confidentiality. Except in reference to a report to the Title IX Coordinator(s), a report to a CSA does not result in a Complaint for the purpose of triggering an investigation or Informal or Formal Resolution Process.

Scope and Jurisdiction

This policy governs the conduct of: University students, regardless of enrollment status; faculty; staff; and third Parties (i.e., non-members of the University community, such as vendors, alumni, visitors, or local residents).

Third Parties are both protected by and subject to this policy. A third party may make a report of a suspected violation of this policy committed by a member of the University community. A third party may also be permanently barred from the University or subject to other restrictions for failing to comply with this policy.

This policy applies to conduct that occurs on University property (i.e., on campus) and in the local vicinity. This policy also applies to conduct that occurs off University property (i.e., off campus) when the conduct is associated with a University-sponsored program or activity, such as travel, research, or internship programs, or when such conduct may have a continuing adverse effect or could create a hostile environment on campus. Judgments about these matters will depend on the facts of an individual case.

All actions by a member of the University community that involve the use of the University's computing and network resources from a remote location, including but not limited to accessing email accounts, will be deemed to have occurred on campus. Online and/or social media conduct may violate this policy if it meets the definition of Prohibited Conduct. Online postings are in the public sphere and are not private. These postings may subject an individual to allegations of Sexual Misconduct or other misconduct. The University does not regularly search for this information, nor does it monitor any

particular social media site, but it may act when such information is brought to its attention.

The University will view any report of online Sexual Misconduct with the Respondent's free speech rights in mind.

Individuals are encouraged to report any violation of this policy as soon as possible in order to maximize the University's ability to respond promptly and effectively. Reports and Complaints may be made at any time without regard to how much time has elapsed since the incident(s) in question.

If the Respondent is no longer a student or employee at the time of the report or Complaint, the University may not be able to take disciplinary action against the Respondent, but it will still seek to meet its Title IX or other legal obligations by offering supportive measures for the Complainant and taking steps, if necessary and possible, to end the prohibited behavior, prevent and address its recurrence, and address its effects.

For Title IX to apply, the incident must be reported while the Parties are all associated with the University (as current students or employees) and must have occurred on property owned or operated by the University, in the United States. Additionally, during the time the misconduct is reported to have occurred, the University must have had substantial control of the Respondent and the context of the misconduct.

Sexual Misconduct at UST and Title IX

This policy governs Prohibited Conduct that constitutes sex-based harassment and/or sex-based discrimination; however, the government and state law define "sexual harassment" differently in certain settings. Additionally, this policy covers behaviors that fall outside of the jurisdiction required for response by Title IX. The University will determine whether an allegation should proceed utilizing the grievance processes mandated by Title IX or the University's grievance process for non-Title IX Sexual Misconduct, based on the constellation of facts and circumstances surrounding the report or Complaint and the following factors:

- a. applicable law
- b. what is reported to have occurred
- c. the status of the Complainant as student, employee, or third-party
- d. the status of the Respondent as student,

employee, or third-party

- e. the context in which the harassing behavior is reported to have occurred
- f. whether or not the reported behavior occurred within the United States; and/or
- g. whether there are continuing effects of such reported behavior on campus or within the University's educational programs or associated activities.

The Title IX Coordinator(s) is the University official designated to evaluate reports to determine which law(s) apply, what threshold each law holds under the various laws, and which grievance process to utilize to resolve such reported behavior.

PROHIBITED CONDUCT

As outlined above, the University prohibits behaviors that fall outside the scope of conduct prohibited by Title IX. If a report constitutes behavior as described below, the University will determine which grievance process to utilize to resolve the Complaint.

For purposes of this policy, all of the following definitions constitute conduct to be "on the basis of sex." UST will treat attempts to commit any Sexual Misconduct as if those attempts had been completed.

Definitions of Prohibited Conduct

Quid pro quo Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to or rejection of such conduct is made implicitly or explicitly a term or condition of instruction, employment, or participation in any University activity or benefit;
- Submission to or rejection of these behaviors by an individual is used as a basis for evaluation in making academic or personnel decisions.

To reach the threshold for a claim under Title IX, the person conditioning the provision of the aid, benefit, or service must be an employee.

Hostile Environment Sexual Harassment

Any unwelcome sexual advance, request for sexual

favors, or other unwelcome verbal, electronic or physical conduct of a sexual nature when such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance; i.e. it is sufficiently serious, pervasive or persistent as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, residential, or social environment under both a subjective and an objective standard.

Gender-based harassment is a form of discrimination that includes verbal, written, or physical behavior, directed at someone, or against a particular group, because of that person's or group's sex, when that behavior is unwelcome and has the purpose or effect of substantially interfering with the individual's work or educational performance by creating an intimidating, hostile, or demeaning environment for employment, education, or associate activities of the University.

Such conduct does not need to be directed at or to a specific individual in order to constitute sexual harassment but may consist of generalized unwelcome and inappropriate behaviors or communications based on sex. Determination of whether alleged conduct constitutes sexual harassment requires consideration of all the circumstances, including the context in which the alleged incidents occurred.

To reach the threshold for a claim under Title IX, the conduct must be determined to be unwelcome conduct of a sexual nature determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity as well as meet the required jurisdictional elements.

The Title IX Coordinator(s) based on the constellation of facts and circumstances surrounding the report or Complaint will determine an evaluation of when an offense meets the definition for Title IX.

Non-Consensual Sexual Penetration

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.

Non-Consensual Sexual Contact

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the

victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. Private body parts, for purposes of this Policy, are breast, buttocks, groin, and mouth.²

Sexual Assault

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in 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 private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

- Incest

For purposes of this Policy, incest means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. In Texas, this includes sexual contact between persons who are brothers and sisters, parents and children, including stepparents, stepchildren, and adopted persons, as well as aunts/uncles with nieces/nephews and between grandparents and grandchildren.³

- Statutory Rape

Sexual intercourse with a person who is under the statutory age of consent, which in Texas is

17 years of age.⁴

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;
- 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.

According to Section 16 of Title 18 of the United States Code, the term "crime of violence" means:

- an offense under Texas State law that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or
- any other offense that is a felony in Texas and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

Domestic violence, as defined by Title IX, is considered relationship violence and must be "on the basis of sex." For the purposes of this Policy, Domestic Violence does not include acts that meet the definition of domestic violence under Texas laws that are based solely on cohabitation (e.g., roommates) or family relationships (e.g., parent/child). While non-relationship violence would not be addressed using this policy, it could still be counted for purposes of Clery Act reporting and may be addressed under other University policies or grievance procedures.

² The touching of non-private body parts could constitute "Sexual Harassment". See Sections 2.1.1 and 2.1.2 of this policy.

³ See Texas Penal Code Section 25.02.

⁴ See Texas Penal Code Section 22.011 and 21.11.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting Party's statement 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.

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—

- a. *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.*
- b. *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.

To reach the threshold for a claim under Title IX, the stalking behavior must be determined to be based on sex. Non-sex-based stalking complaints will be resolved using this policy's definitions but under the Non-Title IX Resolution Procedures by status of the Respondent as Student or Employee.

Sexual Exploitation

Any act whereby one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another who has not provided consent, and that does not constitute another offense as defined above.

Examples may include acts such as recording, photographing, streaming, or otherwise transmitting, viewing, or distributing intimate or sexual images or

sexual information without the knowledge and consent of all Parties involved; voyeurism (i.e., spying on others who are in intimate or sexual situations), knowingly transmitting a sexually transmitted infection to another, or facilitation the sexual harm/abuse of another person.

Retaliation

Retaliation is any attempt to seek retribution against an individual or group of individuals involved in making a good faith report, filing a Complaint, participating in a disciplinary process, or opposing in a reasonable manner an action believed to constitute a violation of this policy. Retaliation can take many forms, including abuse or violence, threats, coercion, and intimidation. Actions in response to a good faith report or response under this policy are considered retaliatory if they have a materially adverse effect on the working, academic or university-controlled living environment of an individual or if they hinder or prevent the individual from effectively carrying out their University responsibilities. Any individual or group of individuals can engage in retaliation and will be held accountable under this policy.

Allegations of Retaliation will proceed under the non-Title IX process.

Definition of Consent

Voluntary, informed, uncoerced agreement through words and/or actions freely given, which a reasonable person would interpret as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate.

Indications that consent is not present include:

- When physical force is used or there is a reasonable belief of the threat of physical force, including when one person overcomes the physical limitations of another person.
- When coercion is present. Coercion means the improper use of pressure to compel another individual to initiate or continue sexual activity against the individual's will. Coercion may include intimidation, manipulation, and/or blackmail. Words or conduct may constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether to engage in sexual activity.
- When a person is incapable of making an

intentional decision to participate in a sexual act, which could include instances in which the person is in a state of incapacitation, which could be permanent or temporary. Evaluations of capacity will be viewed in hindsight using a reasonable person standard.

Important points regarding consent include:

- Consent to one act does not constitute consent to another act.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.
- The existence of a prior or current relationship does not, in itself, constitute consent.
- Consent can be withdrawn or modified at any time.
- Consent is not implicit in a person's manner of dress.
- Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
- A person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent.
- Silence and passivity do not necessarily constitute consent.
- Initiation by someone who a reasonable person knows or should have known to be deemed incapacitated is not consent.
- A person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.

A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation, when a person is incapacitated or not of legal age.

A person who is asleep or unconscious is considered incapacitated and unable to consent. Additionally, a person may be incapacitated due to a temporary or permanent mental or physical disability.

In the context of this policy, incapacitation is the state in which a person's perception or judgment is so impaired that he or she lacks the cognitive capacity to make or act on conscious decisions. The use of drugs or alcohol can

cause incapacitation, which is a state beyond mere intoxication. An individual who is incapacitated is unable to consent to a sexual activity. Engaging in sexual activity with an individual who is incapacitated (and therefore unable to consent), where a person knows or ought reasonably to have understood that the individual is incapacitated, constitutes Sexual Misconduct and is a violation of this Policy.

JURISDICTIONAL DEFINITIONS OF SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, STALKING, AND CONSENT

- SEXUAL ASSAULT (The Texas Penal Code Section 22.011):
 - 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.

NOTE: Texas law does not use the term "Domestic Violence," rather uses "Family Violence" The Texas Family Code [Title 4, Sec 71.004] defines family violence as follows:

- FAMILY VIOLENCE

- 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), (G), (H), (I), (K), and (M) by a member of a family or household toward a child of the family or household.

- DATING VIOLENCE (The Texas Family Code Title 4 Section 71.0021) as:

- An act, other than a defensive measure to protect oneself, by an actor that:
 - is committed against a victim or applicant for a protective order:
 - ❖ With whom the actor has or has had a dating relationship; or
 - ❖ Because of the victim's or applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

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

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

- ❖ The length of the relationship;
- ❖ The nature of the relationship; and
- ❖ The frequency and type of interaction between the persons involved in the relationship.

- A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship."

- STALKING (The Texas Penal Code Section 42.072) as:

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

A sexual assault under Texas Penal Code Sec. 22.011, SEXUAL ASSAULT, Subsection (a)(1) is without the consent of the other person if:

- the actor compels the other person to submit or participate by the use of physical force or violence;
- the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and
- the other person believes that the actor has the present ability to execute the threat;

REPORTING INCIDENTS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, & STALKING

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

- a. **Title IX Coordinator- Students**
Ben Nguyen
Crooker Center- 2nd Floor

3909 Graustark St.
(713) 525-3129

b. **Title IX Coordinator- Employees**

Tonja King
4203 Yoakum, Room 250,
Houston, TX 77006
(713) 525-3142

Any person may report an incident of Sexual Misconduct as defined by this policy; however, employees must report it. UST encourages anyone who experiences or becomes aware of Sexual Misconduct to immediately contact one of the options listed below, including law enforcement, school administrators, and confidential options. Reports may be made by the person who experienced Sexual Misconduct or by a third party, including, but not limited to, a friend, family member, advisor, or professor. Reports to the Title IX Coordinator(s) may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed below, or by any other means that results in the Title IX Coordinator(s) receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the listed telephone number, electronic mail address or by physical mail to the office address.

A complainant may pursue some or all of these reporting options at the same time (e.g., one may simultaneously pursue a Formal Resolution Process with the University and a criminal complaint). When initiating any report, a Complainant does not need to know whether they wish to request any particular course of action, nor how to label what happened. Before or during any grievance process, Complainants and other reporting persons are encouraged to consult a Confidential Resource.

Confidential Reporting Options

Several campus professionals are designated Confidential Resources. An individual who is not prepared to make a report, or who may be unsure how to label what happened, but still seeks information and support, is strongly encouraged to contact a Confidential Resource.

Upon receipt of a report from a Complainant, a campus Confidential Resource will provide information on the following:

- a. Possible next steps regarding the Complainant's reporting options and possible outcomes, including without limitation reporting pursuant to the University resolution processes and local law

enforcement.

- b. Student services available on campus and through community-based resources, including without limitation sexual assault crisis centers, medical treatment facilities, counseling services, legal resources, medical forensic services, and mental health services.
- c. The University's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by the higher education institution or a criminal or civil court.
- d. Liaise as requested and appropriate with campus officials, law enforcement, and community-based resources including assisting with supportive measures.

Campus Confidential Resources:

a. Counseling Services:

Any student in need of immediate emotional support should contact Counseling and Wellness Services and request to speak with a confidential counselor (after hours, contact the police department or your housing staff to access the counselor on call). You may also access the Counseling and Wellness Services website, www.stthom.edu. Survivors (employees or students) may also contact AVDA (sexual and domestic violence resource center off campus) to speak with a confidential advocate 24 hours a day, 7 days a week by calling (713) 224-9911. Access the AVDA website at www.avda.org.

On and Off-Campus Services for Victims:

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

ON CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling	Standard, General Counseling, Trauma-Informed	Counseling and Wellness Services	Crooker Center Room 206 Tel: 713-525-2169 Email: cws@stthom.edu 3909 Graustark St. Houston, Texas 77006
Health	The University of St. Thomas does not have health services on campus but will direct to the many health services in the Houston Area.		
Mental Health	Psychoeducation, Counseling/Psychotherapy Services	Counseling and Wellness Services	Crooker Center Room 206 Tel: 713-525-2169 Email: cws@stthom.edu 3909 Graustark St. Houston, Texas 77006
Victim Advocacy	Intake, Title IX Information Sheets, Flyers, Brochure	Dean of Students, Title IX Coordinator, Title IX Investigator	Title IX Coordinator (Students) Ben Nguyen deanofstudents@stthom.edu , 713-525-3570 Title IX Coordinator (Employees) Tonja King titleIXcoord@stthom.edu 713-525-3142 Title IX Investigator Temi Fasehun at fasehut@stthom.edu
Legal Assistance	The University of St. Thomas does not have legal assistance on campus but will direct students to the many legal services in the Houston Area.		
Visa and Immigration Assistance	Guidance on F-1 and J-1 and their Dependents' Visa Status	Office of International Services and Study Abroad	713-525-3503 isss@stthom.edu
Student Financial Aid	Review of current Financial Aid package; discuss additional Financial Aid / professional judgment if income or other expenses have changed since the application was submitted	Office of Scholarships and Financial Aid	713-525-2151 finaid@stthom.edu www.stthom.edu/finaid
Other	Mental Health-Related Resources/Referral Information	Counseling and Wellness Services	Crooker Center Room 206 Tel: 713-525-2169 Email: cws@stthom.edu 3909 Graustark St. Houston, Texas 77006

OFF CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling	Multiple Options Inc. Higher Levels or Specialized Counseling/Psychotherapy	Multiple Options through Referral List	Crooker Center Room 206 Tel: 713-525-2169 Email: cws@stthom.edu 3909 Graustark St. Houston, Texas 77006
Health	Multiple Options	Multiple Options through Referral List	Crooker Center Room 206 Tel: 713-525-2169 Email: cws@stthom.edu 3909 Graustark St. Houston, Texas 77006
	Hospital	Ben Taub	713-873-2000 1504 Ben Taub Loop Houston, TX 77030
	Hospital	Memorial Herman	713-704-4000 6411 Fannin St. Houston, TX 77030
Mental Health	Multiple Options Inc. Higher Levels or Specialized Counseling/Psychotherapy		Crooker Center Room 206 Tel: 713-525-2169 Email: cws@stthom.edu 3909 Graustark St. Houston, Texas 77006
Victim Advocacy	DV Services and Information	HAWC, AVDA	Houston Area Women's Center (HAWC): 713-528-2121, Aid to Victims of Domestic Abuse (AVDA): 713-715-6935, National Sexual Assault Hotline: 1-800-656-HOPE
Legal Assistance	Sexual Assault services	Sexual Assault Legal Line	1-888-296-SAFE (7273)
Visa and Immigration Assistance	Government Support on F-1 and J-1 Visa type Students' Immigration Questions	Student and Exchange Visitor Program (SEVP)	703-603-3400 or 1-800-892-4829 sevp@ice.dhs.gov It's best to start with the Office of International Services and Study Abroad.
Student Financial Aid	Review of Current Financial Aid Package; Discuss additional Financial Aid / Professional Judgment if income or other expenses have changed since application was submitted	Office of Scholarships and Financial Aid	713 525 2151 finaid@stthom.edu www.stthom.edu/finaid
Other	Multiple Options for Support can be provided/assistance can be given	Multiple Options through Referral List	Crooker Center Room 206 Tel: 713-525-2169 Email: cws@stthom.edu 3909 Graustark St. Houston, Texas 77006

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/usdoj->

[media/ovw/media/1354821/dl?inline](https://www.justice.gov/usdoj-media/ovw/media/1354821/dl?inline) - Department of Justice

<https://www.ed.gov/about/ed-offices/ocr>
Department of Education, Office for Civil Rights

Other On-Campus Resources/Support:

- a. UST Police Department (Office of Emergency Operations)**
Moran Parking Center- 1st floor
3807 Graustark
713-525-3888
- b. Campus Chaplain**
Fr. Eduardo Rivera
Campus Ministry, Crooker Center- 1st floor
3909 Graustark St.
713-525-3129
- c. Student Affairs Office**
Crooker Center- 2nd floor, Room 215
3909 Graustark St.
713-525-3570
- d. International Student Support Services**
Crooker Center- 2nd floor, Room 214
3909 Graustark St.
713-525-3503
- e. Employee Assistance Program through MHN**
UST company ID: stthom
800-227-1060
- f. Human Resources**
Human Resources Office
4203 Yoakum, Room 250,
713-525-3142

Law Enforcement and Campus Security

Emergency medical assistance and campus safety/law enforcement assistance are available both on and off campus. Individuals are encouraged to contact law enforcement and seek medical treatment as soon as possible following an incident that poses a threat to safety or physical well-being or following a potential criminal offense. 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.

At the Complainant's request, the Title IX Coordinator(s) will assist the Complainant in contacting campus and/or local law enforcement and will cooperate within the extent permitted by law with law enforcement agencies if a Complainant decides to pursue the criminal process.

Immediate Health and Safety Concern: Contact the University of St. Thomas Police Department

University of St. Thomas Police Department:

(available 24 hours a day, 7 days a week)

9-1-1 or (713) 525-3888

To report to the UST Police Department, please either come into our office or call to speak to a police officer. Once a police officer has been notified, they will initiate a case report and have you fill out a voluntary statement to the facts of the case.

Reporting to USTPD may initiate a criminal investigation into your complaint. The USTPD will also determine if a Timely Warning Notice should be sent out to the community and will capture and count crime data if the offense was reported to have occurred on campus or on a property owned or controlled by the institution. The USTPD will report your complaint to the Title IX Coordinator(s). You can tell the police as much or as little as you would like.

Local Law Enforcement: City of Houston Police Department (HPD)

Houston Police Department: (available 24 hours a day, 7 days a week)

Call 911 for emergencies or (713) 884-3131. Visit Houston PD's website, www.houstontx.gov/police for more information or to obtain the address or contact information for a specific division within the PD.

Important Note - The Houston PD may not share the details of your report with UST (however, the campus police must notify the Title IX Coordinator(s) of a report made to their office). If you report to the city police, you should also report to the Title IX Coordinator(s) so on-campus accommodations, interim protective measures, and resources may be provided, like changes in class schedule, housing, work location, or transportation options if you request these and if they are reasonably available.

Dial 9-1-1 to report an emergency.

Helpful information on using the 9-1-1 Emergency Number.

Dial (713) 884-3131 to request non-emergency police service for locations within the city limits of Houston. If you live outside the jurisdiction of the **Houston Police Department** and have a problem or situation that requires police service, please contact your local law enforcement agency.

Houston Police Department Phone Directory

HPD's postal mail address:
Houston Police Department
1200 Travis Street
Houston, TX 77002

Maps:

HPD Beat Map - Beats, districts, and locations of HPD stations and storefronts.

HPD Patrol Stations and Storefronts- Address, phone number, hours of operation, and directions to patrol stations and storefronts.

Title IX Coordinator(s)

Any individual who may have been subjected to a violation of this policy and who is considering making a Complaint under this policy is encouraged to contact the Title IX Coordinator(s).

In light of the University's obligation to make reasonable efforts to investigate and address conduct prohibited by this policy, University community members who are not designated Confidential Resources may be required to notify the Title IX Coordinator(s) or the University of St. Thomas Police Department of suspected violations and cannot guarantee the confidentiality of a report under this policy.

The Title IX Coordinator(s) will be informed of all reports of potential violations of this policy.

Title IX Coordinator(s):

a. Students:

Ben Nguyen- Assistant Vice President and Dean of Students
3909 Graustark St.
Houston, TX 77006
haodq@stthom.edu
https://cm.maxient.com/reportingform.php?UnivofStThomas&layout_id=5
713-525-3575

b. Employees:

Tonja King- Interim Associate Vice President of Human Resources

4203 Yoakum
Houston, TX 77006
titleIXcoord@stthom.edu
https://cm.maxient.com/reportingform.php?UnivofStThomas&layout_id=5
713-525-3142

Other Available Resources

Any individual may also access resources located in the local community. These organizations can provide crisis intervention services, counseling, medical attention, and assistance in interfacing with the criminal justice system. If accessing these resources, individuals are encouraged to clarify whether the resources are confidential.

Medical Resources:

Forensic Medical Exams and Physical Health Services

As of January 2009, victims of sexual assault may have a sexual assault forensic exam without reporting it to law enforcement. State law allows you to have the sexual assault forensic exam (SAFE) up to 120 hours (5 days) after the sexual assault. You may report to law enforcement if you choose to.

In Texas, you have ten years (statute of limitations on sexual assault) to make the report. Having a sexual assault forensic exam conducted allows you to preserve evidence that will be lost over time while you have time to decide how to proceed. UST police officers and City of Houston police officers encourage victims to report the sexual or domestic assault even if it is past the statute of limitations. Your case cannot go forward with prosecution, but it is important to document the assault and the perpetrators who commit them (in addition to allowing UST to prevent the recurrence of similar crimes, if applicable).

In circumstances of sexual assault, if a complainant does not opt for forensic evidence collection, healthcare providers still can treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infection. It is important that a survivor of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where she or he was assaulted within 120 hours after the incident occurred so that evidence may be preserved. Complainants of sexual assault, domestic violence, dating violence, or stalking also are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other

copies of documents, if any exist that may be useful to University investigators, UST Police personnel, or local 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 personnel 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.

Below is information regarding area hospitals where victims of sexual or intimate partner violence may go for medical services. The contact information also indicates whether the facility has forensic evidence collection services available.

Hospitals in and around the Houston area include:

- Memorial Hermann Hospital 6411 Fannin Street Houston, Texas 77030 713-704-1261 (Forensic Nurse Response Team available at any Memorial Hermann Hospital in the greater Houston area)
- Ben Taub Hospital 1504 Ben Taub Loop Houston, Texas 77030 713-873-2000 (Forensic Kits available)

Additional Off-Campus Resources/Support

- **Sexual Assault Hotline** (Houston Area Women's Center, RAINN)
1010 Waugh Drive
Houston, TX 77019
713-528-7273
713-528-3691 TTY
Website: <http://www.hawc.org>
- **YWCA Advocacy Group**
6309 Martin Luther King Jr.
Houston, TX 77021
713-640-6820
Email: advocacy@ywca.org
Website: <http://ymcahouston.org>
- **The Montrose Center: LGBTQ Services**
401 Branard Street
Houston, TX 77006
713-529-0037 office
713-529-3211 24hr Helpline
- **AVDA: Domestic Violence Support** (including male victims)

1001 Texas Avenue, Suite 600
Houston, TX 77002
713-224-9911
800-799-7233 Hotline
800-787-3224 TTY
Website: <http://www.avda.org>

- **Where to get Protective Orders-AVADA**
1001 Texas Avenue, Suite 600
Houston, TX 77002
713-224-9911
- **Victim Assistance: City of Houston Victims Services Unit**
1200 Travis
Houston, TX 77002
713-308-0080
Victim.services@houstonpolice.org
- **Visa & Immigration Assistance through Catholic Charities**
2900 Louisiana Street
Houston, TX 77006
713-526-4611
833-468-4664 Hotline

U.S. Department of Education, Office for Civil Rights

All members of the University community may also contact the Office for Civil Rights (a division of the United States Department of Education) to file a complaint pertaining to Title IX.

OFFICE FOR CIVIL RIGHTS

U.S. DEPARTMENT OF EDUCATION

Headquarters

400 Maryland Avenue, SW, Washington, DC 20202-1100

Customer Service Hotline #: 800-421-3481

Facsimile: 202-453-6012

TTY#: 800-877-8339

Email: OCR@ed.gov

Web: <http://www.ed.gov/ocr>

Dallas Office

U.S. Department of Education
1999 Bryan Street, Suite 1620
Dallas, TX 75201-6810

Telephone: (214) 661-9600

Facsimile: (214) 661-9587

Email: OCR.Dallas@ed.gov

Anonymous Report

An individual may report an incident without disclosing his/her name, identifying the respondent, or requesting any action. Please note that choosing to make an

anonymous report can significantly limit the ability of the University to respond. This information will be used for statistical purposes as well as for enhancing the understanding of our campus climate so that we may strengthen sexual misconduct response and prevention efforts.

Online Report

An individual may report an incident via an online reporting form. The online form will not be considered a complaint that would trigger a full investigation. An online report will result in the electronic communication of resources or outreach from the Title IX Coordinator(s) within two business days of receipt. For emergency assistance, please dial 713-525-3888.

Title IX Incident Reporting Form

https://cm.maxient.com/reportingform.php?UnivofStThomas&layout_id=5

Mandatory Reporting

All members of the University community are required to report any suspected violation of this policy (after consulting a Confidential Resource as appropriate).

In emergency situations, if there is a suspected crime in progress, or imminent or serious threats to the safety of anyone, faculty and staff members must immediately dial 713-525-3888 from an on-campus telephone whenever possible.

In non-emergency situations, faculty and staff members who are not Confidential Resources must promptly report suspected violations to the Title IX Coordinator(s) in person or by using the **"Report It" Incident Reporting Form**.

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

Resources available to a person who reports being the victim of sexual assault, domestic violence, dating violence, or stalking include:

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

www.justice.gov - Department of Justice

<https://www.ed.gov/about/ed-offices/ocr>- Department of Education, Office for Civil Rights

UNIVERSITY RESPONSE TO REPORTS

The University is committed to responding to all alleged violations of this policy. Upon receiving a report of Sexual Misconduct, the Title IX Coordinator(s) will promptly contact the Complainant to discuss the availability of supportive measures, provide a written explanation of rights and options, and explain to the Complainant the process for filing a Formal Complaint. The Coordinator(s) will also explain if Informal Resolution is an option if a Formal Complaint is filed. *A Complainant must file a Formal Complaint to access available Informal Resolution options.

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	Procedures The University Will Follow
Sexual Assault	<ol style="list-style-type: none"> Depending on when reported (immediate vs delayed report), the institution will provide complainant with access to medical care. The institution will assess immediate safety needs of complainant. The institution will assist complainant with contact local police if complainant requests AND provide the complainant with contact information for local police department. The institution will provide complainant with referrals to on and off-campus mental health providers. The institution will assess the need to implement interim or long-term protective measures, if appropriate. The institution will provide the victim with a written explanation of the victim's rights and options. The institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate.

	<ol style="list-style-type: none"> The institution will provide written instructions on how to apply for a Protective Order The institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution. The institution will 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 is. The institution will enforce the anti-retaliation policy and take immediate that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation
Stalking	<ol style="list-style-type: none"> The institution will assess immediate safety needs of complainant. The institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department. The institution will provide written instructions on how to apply for a Protective Order The institution will provide written information to complainant on how to preserve evidence. The institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate The institution will provide the victim with a written explanation of the victim's rights and options. The institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate
Dating Violence	<ol style="list-style-type: none"> The institution will assess immediate safety needs of complainant. The institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department. The institution will provide written instructions on how to apply for a Protective Order

	<ol style="list-style-type: none"> The institution will provide written information to complainant on how to preserve evidence. The institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate The institution will provide the victim with a written explanation of the victim's rights and options. The institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate
Domestic Violence	<ol style="list-style-type: none"> The institution will assess immediate safety needs of complainant. The institution will assist complainant with contacting local police if complainant requests AND complainant is provided with contact information for local police department. The institution will provide written instructions on how to apply for a Protective Order The institution will provide written information to complainant on how to preserve evidence. The institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate The institution will provide the victim with a written explanation of the victim's rights and options The institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate

Privacy and Confidentiality

Issues of privacy and confidentiality play important roles in this policy and may affect individuals differently. Privacy and confidentiality are related but distinct terms. "Confidentiality" refers to the circumstances under which information will or will not be disclosed to others. "Privacy" refers to the discretion that will be exercised by the University in the course of any investigation or disciplinary processes under this policy.

Requests for confidentiality or use of anonymous reporting may limit the University's ability to conduct an investigation or resolve an allegation using the University's disciplinary proceedings.

Individuals involved in investigations or disciplinary proceedings under this policy are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation. While discretion regarding the process is important, Complainants and Respondents are not restricted from discussing and sharing information with others who may support or assist them in presenting their case. The University may be compelled to share information if ordered by a court order.

In some circumstances, the reporting responsibilities of University employees, or the University's responsibility to investigate, may conflict with the preferences of the Complainant and/or Respondent with regard to privacy and confidentiality. Therefore, all individuals are encouraged to familiarize themselves with their options and responsibilities and make use of Confidential Resources, if applicable, in determining their preferred course of action.

Medical and counseling records are privileged and confidential documents that the Parties will not be required to disclose.

The University has an obligation to make reasonable efforts to investigate and address Complaints or reports of violations of this policy. In all such proceedings, the University will take into consideration the privacy of the Parties to the extent possible.

In cases involving students, the Title IX Coordinator(s) may notify other University employees of the existence of the Complaint for the purpose of overseeing compliance with this policy and addressing any concerns related to educational and University-sponsored events. While not bound by confidentiality, these individuals will be discreet and will respect the privacy of those involved in the process.

Any additional disclosure of information related to the Complaint or report may be made if consistent with the Family Educational Rights and Privacy Act (FERPA) or the Title IX requirements.

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

- **Registrar Office**
Hertzstein Enrollment Center
4115 Yoakum
(713) 525-2150
registrar@stthom.edu

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 Campus Safety 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 victim and other personally identifiable information about the victim will be withheld.

Supportive Measures

Upon receipt of a complaint or report of a violation of this policy, the University will provide reasonable and appropriate supportive measures. Supportive measures mean individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a complaint or where no complaint has been filed. Such measures are designed to restore or preserve equal access to the University's program or activity without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or the University's educational environment or deter sexual harassment. UST will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders, and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures, or transportation situations regardless of whether the victim chooses to report the crime to campus 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.

Supportive measures also include:

- Access to counseling services and assistance in arranging an initial appointment;
- Rescheduling of exams and assignments;
- Change in class schedule, including the ability to transfer course sections or withdraw from a course;
- Change in work schedule or job assignment;
- Imposition of a mutual on-campus "no contact order," an administrative remedy designed to curtail contact and communications between two or more individuals; and/or
- Any other remedy that can be used to achieve the goals of this policy.

UST will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. In cases that meet the definition and jurisdiction of Title IX, Supportive Measures will also be non-punitive and non-disciplinary.

Any supportive measures will not disproportionately affect the Complainant. Requests for supportive measures may be made by or on behalf of the Complainant to any University official, including the Title IX Coordinator(s). The Title IX Coordinator(s) is responsible for ensuring the implementation of supportive measures and coordinating

the University's response with the appropriate offices on campus.

All individuals are encouraged to report concerns about the failure of another to abide by any restrictions imposed by a Supportive Measure. The University will take immediate action to enforce a previously implemented measure, and disciplinary penalties can be imposed for failing to abide by a University-imposed measure utilizing the disciplinary process deemed appropriate by the Title IX Coordinator(s).

Interim Removal

In connection with this policy, in circumstances seriously affecting the health or well-being of any person, or where physical safety is seriously threatened, or where the ability of the University to carry out its essential operations is seriously threatened or impaired, an authorized representative may summarily suspend, dismiss, or bar any person from the University. Prior to taking action against a student in response to an allegation that arises from a complaint under the jurisdiction of Title IX, the University will undertake an individualized safety and risk analysis and provide written notice to the Party. In all such cases involving students, actions taken will be reviewed promptly, typically within one week, by the appropriate University authority, and removals subject to Title IX will include an opportunity for redress (appeal) by the Respondent. Complaints involving employees as the Respondent will be subject to the leave provisions that rest within Human Resources and could involve placing the employee on administrative leave (with or without pay) depending on the nature of the reported offense, the determination of an ongoing risk to public safety, and/or other factors as determined by Human Resources.

Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution.

University of St. Thomas complies with State of Texas laws in recognizing orders of protection by any person who obtains an order of protection from state or any reciprocal state. A person who obtains an order of protection should provide a copy to the UST Police Department and the Office of the Title IX Coordinator.

A complainant may then meet with the UST Police Department to develop a Safety Action Plan, which is a plan for campus police the victim to reduce risk of harm

while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location, or allowing a student to complete assignments from home, and 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).

- **Emergency Protective Order:** This order can be requested through the arresting or by calling 713-755-5888. If an arrest is not made, call the detective assigned to the case. This order is valid for 31-91 days (61-91 days on domestic violence involving a weapon).
- **Protective Order:** The order can be obtained by filing an application with the District Attorney's Office 713-274-5800 in the county in which you reside. The protective order may be good for up to two years and can supersede any other court orders currently in place. Police can enforce a violation of this order.
- **Temporary Ex Parte Protective Order:** This order is issued by a judge who believes an abuser presents a clear and present danger of family violence. Orders often last for 20 days, and they can be renewed.

The University may issue an institutional no-contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanction if the accused is found reasonable for violating the no contact order.

Assistance for Victims: Rights and Options

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

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred;

- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for available assistance in and how to request accommodation and protective measures; and
- an explanation of the procedures for institutional disciplinary action.

The Title IX Coordinator(s) will ensure that the Complainant receives an explanation of rights and options written in plain language with concise information. The written notification of rights and options will include the following:

- The importance of obtaining and preserving forensic and other evidence;
- The right to report or not report the alleged incident to the University, law enforcement, or both, including information about the survivor's right to privacy and which reporting methods are confidential;
- The right to request and receive assistance from campus authorities in notifying law enforcement;
- The right to request and receive assistance in obtaining and enforcing a campus-issued order of protection or no-contact order;
- The right to speak to and receive assistance from on and off campus Confidential Resources and other organizations that provide support and services to victims and survivors;
- The right to assistance from the University in accessing and navigating campus and local health and mental health services, counseling, advocacy services, legal assistance, financial aid services, and immigration/Visa assistance;
- The right to Supportive Measures with or without the filing of a formal Complainant, no matter where the incident is reported to have occurred, and that the University will consider the Complainant's wishes with respect to available

supportive measures including, without limitation changes to academic, living, dining, working, and transportation situations;

- The right to request a Formal or Informal Resolution Process if cause is found to proceed under this Policy and a summary of the appropriate complaint resolution procedures;
- Contact information for all of the people and organizations listed herein; and
- Complainants have the right to request an end to the process except as set forth in this Policy.

In the event that a Complaint is filed, the Complainant and the Respondent will receive a written notification of rights and options regarding the adjudication process, to include the following:

- The right for Complainants and Respondents to be treated equitably by the University, which includes providing remedies to a Complainant where a determination of responsibility for sexual harassment has been made against the Respondent, and by following a grievance process that complies with this policy;
- The right to a fair, impartial proceeding that begins promptly and is completed within reasonably prompt timeframes;
- The right to a resolution process that is consistent with the University's policies, transparent to the Complainant and Respondent, and in which the burden of proof and of gathering evidence rests with the University and not the Parties;
- The right to a Support Person of the Party's choosing during the grievance process and to an Advisor of the Party's choosing for any hearing under the Title IX Grievance process. If a Party does not have an Advisor present at the hearing, the University will provide without fee or charge, an advisor of the University's choice for purposes of conducting cross examination;
- The right to reasonable accommodations during any hearing, such as not being in the same room as the other Party;
- The right to an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility

determinations will not be based on a person's status as a Complainant, Respondent, or witness;

- The right to a determination regarding responsibility made at the conclusion of the resolution process and that the University makes no prior presumption of responsibility; and
- The right not to be retaliated against for filing a Complaint and/or for participating in an Informal or Formal Resolution Process.

False accusations of sexual harassment and sexual violence or complaints determined not to be in good faith are taken very seriously and can possibly result in unintended negative consequences.

Amnesty/Immunity

In order to encourage reports of conduct that is prohibited under this policy, the University may offer leniency with respect to other violations that may become known because of such reports, depending on the circumstances involved. The Title IX Coordinator(s) will make the determination on behalf of the University.

Timely Warning

If the University receives a report of a Clery reportable crime that has occurred within the institution's Clery reportable geography, the institution will assess the report for purposes of sending a Timely Warning Notice (TWN). A TWN will be sent for reports that constitute a serious and continuing threat to the campus community and the UST Police Department will issue these according to University policy. In all cases of sexual misconduct, the Title IX Coordinator(s) will be notified. USTPD, as required by law, may also be required to complete an incident report and publicly disclose the reported incident of sexual misconduct in the annual security report with less personally identifying information. In addition, the University may also share non-identifying information, including data about outcomes and penalties, in aggregate form. At no time will the University release the name or other personally identifiable information of the Complainant to the general public without the express consent of the Complainant or as otherwise permitted or required by law.

Options for Proceeding Through University Process

Informal and Formal Complaints

To initiate the UST informal resolution process or formal resolution process, a Complainant must file a Complaint.

A Complaint means a written statement filed by a Complainant or signed by the Title IX Coordinator(s) alleging Prohibited Conduct against a Respondent and requesting resolution of the alleged behavior. A complaint may be completed by the Complainant in person or submitted by email, mail, or by phone to the Title IX Coordinator(s).

No Complaint

Complainants have the right not to file a complaint, yet they are highly encouraged to seek medical attention and counseling. Complainants who wish to file a complaint at a later date may do so by utilizing any of the options outlined in this policy. However, please note that a delay in reporting could create obstacles to the University's process for stopping harassment and/or discrimination, remedying its effects, and preventing recurrence as well as potentially weakening evidence that could be useful in determining whether Prohibited Conduct occurred, in obtaining an order of protection or for the State in being able to proceed with a criminal proceeding.

University-Initiated Complaints

In limited cases, the Title IX Coordinator(s) may initiate a complaint without a request by the Complainant upon receipt of a report of Sexual Misconduct. The Title IX Coordinator(s) will initiate the complaint when the Title IX Coordinator(s), in his or her discretion, determines that a grievance process is warranted given the reported behavior. A Complainant retains standing as a Complainant even in cases where the Title IX Coordinator(s) initiates the complaint. If the Title IX Coordinator(s) initiates a complaint, they will advise the Complainant that they have done so and will provide the rationale to the Complainant regarding why they proceeded.

Dismissals

If the Title IX Coordinator(s) determines that the complaint, even if substantiated, would not rise to the level of a violation of this policy, the Title IX Coordinator(s) may dismiss the complaint or refer the complaint to another office for review. A case may also be dismissed for not meeting the threshold and jurisdictional requirements for Title IX, however, a dismissal of a case for purposes of Title IX does not preclude the University from utilizing this policy for non-Title IX Sexual Misconduct and referring the matter for Non-Title IX Resolution.

If at any time during the investigation or hearing a Complainant notifies the Title IX Coordinator(s) in writing that the Complainant would like to withdraw the formal resolution process or withdraw any allegations therein; the Respondent is no longer enrolled or employed by the recipient; or specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations, the University may dismiss the complaint and end the formal resolution process. The decision as to whether to dismiss the complaint will be determined by the Title IX Coordinator(s) based on the stated goals of this policy. Upon a dismissal permitted pursuant to this section, the University will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the Parties.

Either party may appeal the University's dismissal of a Complaint or any allegations by submitting a written appeal within five business days of the dismissal. Appeals may follow the grounds outlined in the Appeals section of this policy. If the appeal is denied, the dismissal of the complaint will remain in effect.

Consolidations

The Title IX Coordinator(s) has the discretion to consolidate multiple complaints or reports into a single investigation if evidence relevant to one incident might be relevant to the others. Where a grievance process involves more than one Complainant or more than one Respondent, references in this section to the singular "Party," "Complainant," or "Respondent" include the plural, as applicable.

If a case involves violations of other UST policies, the Title IX Coordinator(s), in consultation with other school officials, will determine which grievance process to use or if different grievance processes would be more appropriate.

INFORMAL RESOLUTION PROCESS

At the time of the filing of a Complaint or at any time prior to a determination of responsibility, either Party may request to proceed under a voluntary Informal Resolution Process that does not involve a full investigation. The Title IX Coordinator(s) will determine, based on the totality of the circumstances, whether an Informal Resolution Process is appropriate given the facts and participants. For example, an Informal Resolution Process is never appropriate for resolving reports alleging sexual harassment of a student by an employee.

Upon request and written agreement by the Parties and the Title IX Coordinator(s) that the Informal Resolution Process is appropriate, the Title IX Coordinator(s) will provide to the parties a written notice disclosing the allegations, and the requirements of the Informal Resolution Process, including when the Parties are precluded from resuming a Formal Resolution Process, any consequences resulting from participating in the Informal Resolution, and the records that will be maintained and shared. Informal Resolutions are not subject to appeal by any Party.

Informal Resolutions may include, but are not limited to:

- Placing a Respondent on notice that, if such behavior has occurred or is occurring, such conduct should cease immediately;
- A written warning;
- Education and/or training for a Respondent and/or department;
- Permanent Supportive Measures for Complainant;
- Mediation or other informal communication between the Complainant and Respondent;
- Messaging to the campus community;
- Events and/or trainings offered to the campus community or particular departments; and/or
- Referral and/or collaboration with another University department in order to address the allegations and eliminate any potential sexual misconduct.

For cases that meet the Title IX threshold, the Parties may withdraw from the Informal Resolution Process at any time prior to agreeing to a resolution and resume the Formal Resolution Process with respect to the Complaint.

Notice of Allegation and Assignment to an Investigator

Upon filing of a complaint requesting a Formal Resolution, the Complainant and Respondent will receive written notice from the Title IX Coordinator(s) of the allegations of sexual harassment, including sufficient details known at the time with sufficient time to prepare before any initial interview. The Parties will receive written simultaneous notification of additional allegations as appropriate.

The Title IX Coordinator(s) will assign one or more Investigators to the case and/or will conduct the investigation personally. The Parties will be provided with

the name(s) of the Investigator(s) and allowed five business days to request the removal and replacement of an Investigator based on bias or conflict of interest. Any request for a change in an Investigator must be accompanied by supporting information and the decision to assign a new Investigator will be made to the Title IX Coordinator(s).

Throughout the grievance process, the Title IX Coordinator(s) will provide to a Party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of meetings, investigative interviews, and hearings, with sufficient time for the Party to prepare to participate as well as advise the Party of the opportunity to present evidence and witness information, if applicable.

Overview of Investigation

Timeframe

The Title IX Coordinator(s) will seek to complete the investigation and any resulting disciplinary process, excluding appeals, within 45 business days after receipt of the complaint.

There may be circumstances that require the extension of timeframes for good cause, including extension beyond 45 business days. Timeframes may be extended to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of witnesses, or accommodate delays by the Parties or for other legitimate reasons, including the complexity of the investigation and the severity and extent of the alleged misconduct. The University will notify the Parties in writing of any extension of the timeframes for good reasons and the reason for the extension.

Although cooperation with law enforcement may require the University to temporarily suspend the fact-finding aspect of a Title IX investigation, the University will promptly resume its Title IX investigation as soon as it is notified by the law enforcement agency that the agency has completed the evidence-gathering process. The University, however, will not wait for the conclusion of a criminal proceeding to begin its own investigation and, if needed, will take immediate steps to provide interim measures for the complainant.

Investigations will proceed according to the aforementioned timeframes during the summer and at other times when the University is not in session. The

Title IX Coordinator(s) will work with the Parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.

Timeframes for all phases of the disciplinary process, including the investigation, any related disciplinary proceedings, and any related appeal, apply equally to both Parties.

Investigation Overview

During the investigation, the parties will have an equal opportunity to be heard, to submit information and other inculpatory and exculpatory evidence, to identify witnesses, including fact and expert witnesses, and to submit questions that they believe should be directed by the investigator to the other or to any witness. The investigator will notify and seek to meet separately with the parties and third-party witnesses and will gather other relevant and available information, including, without limitation, electronic or other records of communications between the parties or witnesses, photographs, and written documentation.

The University will not require, allow, rely upon, or otherwise use questions or evidence during the investigation, hearing, or determination of responsibility that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The University will not allow questions or evidence, during the investigation, hearing, or determination of responsibility, about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

The University will not restrict either Party from discussing allegations under investigation or from presenting relevant evidence.

Participation

Exclusive of the Complainant and the Respondent, UST expects all members of the University community to cooperate fully with the investigation and disciplinary procedures. The University recognizes that an individual

may be reluctant to participate in the process; nevertheless, any student or member of the faculty or staff who refuses to cooperate in an investigation may be subject to discipline. Refusal to cooperate includes delaying or failing to acknowledge requests from University officials for information and delaying or failing to make oneself available for meetings with University officials.

It is understood that there may be circumstances in which a Complainant wishes to limit their participation. The complainant retains this right and will not be subject to discipline, although the University may be obligated to conduct an investigation.

Equally, there are numerous reasons why a Respondent may choose not to participate in the process. If a Respondent chooses not to participate in an investigation for any reason, the University process will continue, findings will be reached with respect to the alleged conduct, and the University will issue any sanctions as appropriate. The University, however, will not draw any adverse inference from a Respondent's silence or stated desire not to participate.

The University will protect the privacy of the participating Parties and witnesses in any proceeding, meeting, or hearing to resolve complaints.

Inspection of Evidence and the Investigative Report

Prior to completion of the investigative report, the Title IX Coordinator(s) will send to each Party a preliminary investigative report containing the evidence subject to inspection and review, redacted of personally identifiable information as necessary, in an electronic format or a hard copy. The Parties will have 10 business days to submit a written response, to meet again with the Investigator, and/or to request the collection of additional evidence by the Investigator. The evidence subject to inspection and review includes any evidence obtained as part of the investigation that is directly related to the allegation, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a Party or other source. The evidence subject to inspection and review will not contain any privileged or inadmissible information as defined in this policy.

Following the opportunity to review the preliminary investigative report, the Investigator will create a final investigative report that incorporates any written response

or new information from the Parties or collected by the Investigator. The final investigative report will also fairly summarize the relevant evidence. The Investigator has the discretion to determine the relevance of any proffered evidence.

The Title IX Coordinator(s) will send to each Party the final investigative report in an electronic format or a hard copy, for their review and the parties will have 10 business days to submit a written response.

If there is significant, substantive, new information and/or evidence provided in the written response, the Investigator will make the final determination regarding whether a revised Final Investigative Report will be issued to both Parties. The Final Investigative Report and any written responses will be provided to the Decision-Maker at least three business days prior to the date of the hearing.

For cases that meet the threshold for Title IX, the Title IX Coordinator(s) will secure written permission from the Parties to share the preliminary and final investigative reports with the Party's Advisor. The University will not share reports with any support person not acting in the role of the Advisor of Choice.

Assignment to Grievance Procedures

If at the conclusion of the investigation, the University has not previously determined if the case meets the threshold and jurisdiction for Title IX, the Title IX Coordinator(s) will make a final determination as to whether to proceed under the Title IX or Non-Title IX Grievance Procedures. If the case does not meet the threshold and jurisdiction for Title IX, the Title IX Coordinator(s) will dismiss the case for purposes of Title IX and proceed under the Non-Title IX Grievance Procedures.

Determination Regarding Responsibility

At the conclusion of the Investigation, the Parties will be provided with the name(s) of the Decision-Maker(s) and will be allowed five business days to request the removal and replacement of a Decision-Maker based on bias or conflict of interest. Any request for a change in a Decision-Maker must be accompanied by supporting information, and the decision to assign a new Decision-Maker will be made by the Title IX Coordinator(s). At that time, either party may also request that the Parties not to be in the same room for any hearing or meeting in which both may attend. The University will determine the appropriate use of technology to satisfy the request.

Non-Title IX Grievance Procedures- Students

For Non-Title IX cases in which the Respondent is a student, the determination regarding responsibility will be made at a live hearing utilizing the procedures outlined in this section.

The Parties may have an Advisor of Choice to accompany them to the hearing. The Advisor of Choice may not actively participate but may confer with the Party as is reasonably necessary. If the Advisor of Choice violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either Party, a witness, or the Decision-Maker, that Advisor of Choice may be prohibited from further participation.

At least five business days prior to the hearing, the Parties must submit the names of witnesses they would like to appear at the hearing and any relevant questions to be asked of the witnesses and the other party. The Party's may ask additional relevant questions at the hearing, but pre-submitted questions will be vetted in advance for relevancy and admissibility and ruled on during the live proceeding. Questions at the hearing are limited to those assessing credibility and relevant questions that have not previously been asked and answered in the final investigative report.

At the hearing, the Decision-Maker is responsible for maintaining an orderly, fair, impartial, and respectful hearing. The Decision-Maker has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding any offending person. The Decision-Maker will determine the method for questioning at the hearing, but exclusively the Decision-Maker will ask all questions posed by the Parties.

In the absence of good cause, as determined by the Decision-Maker, information, witnesses, and other evidence discoverable through the exercise of due diligence that is not provided to the Investigator during the investigation will not be considered at the hearing.

All hearings are closed to the public. The University will make a recording, but all other recordings are prohibited.

A Complainant, Respondent, or witness may decline to participate in the hearing. The Decision-Maker will not draw an inference about the responsibility determination based solely on a party's or witness's absence from the Hearing or refusal to submit to questions.

Non-Title IX Grievance Procedures—EMPLOYEES

For Non-Title IX cases in which the Respondent is an employee, the determination regarding responsibility will be made by the Decision-Maker based on the final investigative report (there is no live hearing.) The Decision-Maker is responsible for maintaining an orderly, fair, and impartial process. The Decision-Maker, in his or her discretion, may pose additional questions to the Parties or to witnesses in writing or in person. A Complainant, Respondent, or witness may decline to further participate. The Decision-Maker will not draw an inference about the responsibility determination based solely on a party's or witness' refusal to submit to additional questions.

In the absence of good cause, as determined by the Decision-Maker, information, witnesses, and other evidence discoverable through the exercise of due diligence that is not provided to the Investigator during the investigation will not be considered at the hearing.

Title IX Grievance Procedures For Students And Employees

For cases that have been determined by the Title IX Coordinator(s) to meet the threshold for Title IX Sexual Harassment as well as the Title IX jurisdictional requirements, the determination regarding responsibility will be made at a live hearing utilizing the procedures outlined in this section.

The Parties may have an Advisor of Choice at the hearing. The Advisor is responsible for conducting the cross-examination, which includes asking the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. If a Party does not have an Advisor, the University will appoint one on behalf of the Party free of charge. In this capacity, the Advisor will be appointed for the sole purpose of conducting a cross-examination of the other Party and witnesses. If the Advisor violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either Party, a witness, or the Decision-Maker, that Advisor or Support Person may be prohibited from further participation.

At the hearing, the Decision-Maker is responsible for maintaining an orderly, fair, impartial, and respectful hearing. The Decision-Maker has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding any offending person. The Decision-Maker will determine the method for questioning at the hearing. Only relevant cross-

examination and other questions may be asked of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker must explain to the Party proposing the questions any decision to exclude a question as not relevant.

In the absence of good cause, as determined by the Decision-Maker, information, witnesses, and other evidence discoverable through the exercise of due diligence that is not provided to the Investigator during the investigation will not be considered at the hearing.

All hearings are closed to the public. The University will make a recording, but all other recordings are prohibited.

A Complainant, Respondent, or witness may decline to participate in the hearing and the Decision-Maker will not rely on any previous statement of that party or witness in reaching a determination as to responsibility. The Decision-Maker will not draw an inference about the responsibility determination based solely on a party's or witness's absence from the Hearing or refusal to submit to questions.

Adjunction of Violations

The university's disciplinary process includes a prompt, fair, and impartial 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. Usually, the resolution of domestic violence, dating violence, sexual assault, and stalking complaints are completed within the 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 are trained annually as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.

Training- Title IX		
Training	Hours	Instructors
General- Title IX Training	8 Hours	D. Stafford and Associates
Advisor	4 Hours	D. Stafford and Associates
Decision Maker	7 Hours	D. Stafford and Associates
Investigator	16 Hours	D. Stafford and Associates

Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for a meeting at which the accuser and accused or both may be present;
2. The accuser, the accused, and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meetings and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by the advisor to any related meeting or proceeding. The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited to only consult and advise his or her advisee but not speak for the advisee at any meeting or hearing.
5. The accuser and the accused will be notified

simultaneously, in writing, of any initial, interim, and final decision of any disciplinary proceeding; and

6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused 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.

Findings

Standard of Evidence

The Decision-maker shall use a preponderance of the evidence standard to determine whether the alleged violation of the policy occurred. The preponderance of the evidence means a standard of proof in which the totality of the evidence offered in support of a fact is greater or more convincing than the evidence, which is offered in opposition to it, given the totality of information, the version of events that is more likely than not. Preponderance of the evidence is understood to require more than 50 percent certainty to determine responsibility for a policy violation (51% or greater).

Written Determination of Responsibility

The Complainant and Respondent will simultaneously receive a written determination regarding responsibility, applying the preponderance of the evidence standard typically within five (5) business days of the determination of responsibility. The written determination letter, drafted by the Decision-Maker, will include:

- The allegations constituting sexual harassment;
- A description of the procedural steps taken during the grievance process;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the Policy to the facts;
- A statement and rationale for the result of each allegation, including findings, sanctions, and remedies; and
- Options for appeal.

The determination of responsibility becomes final either on notification of the results of the appeal or the date on which an appeal would no longer be considered timely.

Sanctions and Remedies

If there is a finding of responsibility based on a preponderance of the evidence, the determination of sanctions and remedies will be made by the Decision-Maker in consultation with the respective trained University Administrator.

Sanctions will be determined based on the seriousness of the misconduct and the Respondent's previous disciplinary history (if any).

Remedies are designed to restore or preserve equal access to the recipient's education program or activity. Such remedies may include Supportive Measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

The following are types of disciplinary action that may be imposed, singly or in combination, for student Respondents who are found to have violated this Policy:

1. **Admonition** - a written or verbal reprimand.
2. **Disciplinary Warning** - indicates that further violations may result in more severe disciplinary action. The warning shall not exceed a period of one calendar year and shall be removed automatically when the imposed period expires.
3. **Disciplinary Probation** - indicates further violations may result in additional disciplinary sanctions, up to and including expulsion. Such probation may last longer than one calendar year.
4. **Restitution** - reimbursement for damages, monies owed, or misappropriation of property. Reimbursement may take the form of service in kind.
5. **Fine** – a monetary fine applied to the student's account. Fines are used sparingly and only if the violation warrants a fine. Fines may also be used if there is a time restraint.
6. **Educational** - an assignment designed to educate a student about the potential impact of misconduct and to prevent recurrence. May include referral to a campus department,

educational workshops, or an assignment (i.e. reflection papers, flyer, and journal).

7. **Loss of Privileges** - a temporary or permanent loss of university privileges, including but not limited to loss of privileges to access a building(s), to hold a leadership position in a student group, to participate in study abroad programs, to hold a part-time job on campus, to register as a student group, or to participate in social or extracurricular events/activities; may also result in withholding of an official transcript or blocking enrollment for a specified period of time. This flexible penalty may impose limitations to fit the particular case.
8. **Residence Hall Suspension** – a temporary or permanent removal of a student from a specific residence hall or from all University housing.
9. **Student Group Suspension** – removal of privileges and recognitions accorded to student groups for a specified period.
10. **Suspension from the University** - prohibits the student during the period of suspension from entering the University campus, attending University-sponsored functions, and from registering for or attending classes.
11. **Expulsion from the University** - permanent severance from the University.
12. **University Withdrawal** – a student may be administratively withdrawn from a class, a course, or all courses. A withdrawn student may also be prohibited from entering University premises and barred from re-enrollment until specific conditions are met. Reasons for University withdrawal include, but are not limited to, (1) to prevent the disruption of the education process; (2) the student failed to respond to an official summons from a University official; (3) the student has been suspended or expelled from the University.
13. **Immediate Suspension** – immediate removal from all or part of the University premises while the conduct process is pending when a violation reasonable indicates that the student's continued presence poses a substantial or immediate danger to the health, safety, or welfare of any member of the University community or to the

University premises (This is applicable only to Non-Title IX complaints.)

14. **No-Contact Order** – the Dean of Students may impose a limited or campus-wide No-Contact Order between parties involved in a conduct matter when the fear of retaliation and/or harassment may be present. Specific instructions will accompany the No-Contact Order outlining expected behavior, including face-to-face contact, correspondence, email, social media, or telephone. Friends and relatives are also prohibited from contact on behalf of either party.
15. **Removal of Good Conduct Standing** – a temporary or permanent removal of good conduct standing, which may prevent the student from accepting/maintaining leadership roles on campus.

The following are types of disciplinary action that may be imposed, singly or in combination, for employee respondents who are found to have violated this Policy:

1. **Oral Warning-** For infractions that the University deems to be minor, the employee will, at a minimum, be issued an oral warning.
2. **Written Warning Notice-** The employee will, at a minimum, be issued a written warning notice for repeated minor infractions or for a more substantial infraction. The written warning notice for a more substantial infraction may include a probationary statement with possible dismissal. The written warning notice should be prepared following a corrective action discussion with the employee. The employee will be given an opportunity to comment in writing and should be asked to sign the notice, acknowledging receipt. Three copies of the notice will be distributed as follows: (1) employee; (2) supervisor, and (3) personnel file.
3. **Discharge-** For infractions management deems to be sufficiently serious or continued failure to respond appropriately to prior corrective action, discharge is appropriate. The approval of the President or Associate Vice President of Human Resources must be obtained prior to the discharge of an employee under any circumstances.

University-Initial Protective Measures

In addition to the protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented, and if so, will take steps to implement those 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. Violation of the Title IX Coordinator's directives and/or protective measures may constitute related violations that may lead to additional disciplinary actions. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the University of St. Thomas.

Equal Rights

The Complainant and the Respondent have equal rights to an impartial appeal. All appeals will be referred to an Appellate Decision-Maker appointed by the President. The Decision-Maker for the appeal will not have served as an Investigator or Decision-Maker in the previous steps of the process.

A Complainant or Respondent may file a written appeal with the Title IX Coordinator(s) because:

- A. Procedural irregularity that affected the outcome of the matter;
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and
- C. The Title IX Coordinator(s), investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The purpose of an appeal is not to initiate a review of substantive issues of fact or a new determination of whether a violation of University rules has occurred. The appellate Decision-Makers may decide to uphold the original decision, to alter the imposed penalty, or to return the case for additional proceedings or other action.

The deadline for filing a written appeal is five business days from the date the Parties are provided the written determination of responsibility. If either Party files an appeal, the Title IX Coordinator(s) will notify the other Party in writing and provide both parties in writing the opportunity to submit a written statement in support of or challenging the outcome.

The Title IX Coordinator(s) will have primary responsibility for interactions with the Parties, for the gathering of information needed for the appeal, and for notifying both Parties in writing of the outcome of any appeal. The written decision regarding the appeal will be provided simultaneously within five business days after the conclusion of the review and will describe the results of the appeal and the rationale for each result.

RECORD-KEEPING AND ANNUAL REPORTS

The University will keep for 7 years the following:

- All information obtained as part of each Sexual Misconduct investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript; any disciplinary sanctions and/or remedies; any appeal, including the result of the appeal; and any informal resolution and the result therefrom.
- All information regarding any action taken, including supportive measures, and a rationale as to why a Complaint was not filed. If a Complainant was not provided with supportive measures, a rationale must be provided as to why supportive measures were not provided.
- All training materials are used to train Title IX Coordinator(s), Investigators, Decision Makers, and those who facilitate the informal resolution process.

Generally, information from a student's discipline file is not released without the written consent of the student. However, certain information may be provided to individuals within or outside the University who have a legitimate legal or educational interest in obtaining it. Typically, the information that is released to those outside of the University is limited to information associated with findings of "in violation" which resulted in a suspension or expulsion (discipline file). Please refer to the federal Family Educational Rights and Privacy Act of 1974 (FERPA).

Personnel files are the property of the University and will

not be shared without a subpoena.

EDUCATION PROGRAMS AND TRAINING OF TITLE IX PERSONNEL

Training for the University Community

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to reduce and eliminate sexual misconduct or other forms of prohibited conduct which:

- 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;
- consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels; and
- include primary prevention and awareness programs directed at incoming students and ongoing prevention and awareness campaigns directed at current students.

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

- A. A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act);
- B. The definition of domestic violence, dating violence, sexual assault, and stalking according to any applicable jurisdictional definitions of these terms;
- C. What behavior and actions constitute consent, in reference to sexual activity, in the State of Texas;
- D. The institution's definition of consent AND the purpose for which that definition is used.
- E. A description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm,

understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

- F. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- G. Information regarding:
 - a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault, and stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" elsewhere in this document)
 - b. how the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
 - c. 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 (as described in "Assistance for Victims: Rights and Options" elsewhere in this document); and
 - d. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
 - e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in

"Adjudication of Violations" elsewhere in this document);

Primary Prevention and Awareness Programs

The programs include:

Incoming Students- 2024			
Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered
Orientation	June 1- August 19, 2024	Jerabeck	DOV, DAV, SA, and S
Safe Colleges	August 19- December 31, 2024	Online Course	DOV, DAV, SA, and S
Safety Week	September 26- October 2, 2024	Campus	DOV, DAV, SA, and S
*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking			

Incoming Employees- 2024			
Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered
Orientation	Throughout the Year	Human Resources	DOV, DAV, SA, and S
Safe Colleges	Throughout the Year	Online Course	DOV, DAV, SA, and S
Safety Week	September 26- October 2, 2024	Campus	DOV, DAV, SA, and S
*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking			

Ongoing Prevention and Awareness Campaigns:

The University has developed an annual education campaign consisting of

Students- 2024/2025			
Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered
Safe Colleges	August 19-December 31, 2024	Online Course	DOV, DAV, SA, and S
Safety Week	September 26- October 2, 2024	Campus	DOV, DAV, SA, and S
Safety Week	February 29-March 6, 2025	Campus	DOV, DAV, SA, and S
Athletics	Throughout the Year	Jerabeck	DOV, DAV, SA, and S
*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking			

Employees- 2024/2025			
Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered
Safe Colleges	August 19-December 31, 2024	Online Course	DOV, DAV, SA, and S
Safety Week	September 26- October 2, 2024	Campus	DOV, DAV, SA, and S
Safety Week	February 29-March 6, 2025	Campus	DOV, DAV, SA, and S
*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking			

Risk Reduction means options designed to decrease perpetration and bystander action and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. Experiencing Sexual Misconduct or other forms of prohibited conduct is never the victim's fault. Only abusers are responsible for the abuse they perpetrate. However, the following are some strategies to reduce the risk of victimization. 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: (taken

from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags, as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached**

by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

15. If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
- 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.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

For example, The [Rape, Abuse, & Incest National Network](https://www.rainn.org/safety-prevention) (RAINN) has created a list that can be found by clicking here: <https://www.rainn.org/safety-prevention>.

Bystanders play a critical role in the prevention of sexual and relationship violence. The University promotes a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Individuals may not always know what to do, even if they want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. If 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 he or she could be in trouble or need help, ask if he or she is ok.
- Confront people who seclude, hit on, attempt to make out with, or have sex with 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 policy for support in health, counseling, or with legal assistance.

Training of Title IX Personnel

The University will require that the Title IX Coordinator(s), Investigators, and Decision-Makers and any person who facilitates an informal resolution process receive annual training per the requirements of Title IX, the Clery Act-VAWA and Texas law, and do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

The annual training provided includes but is not limited to the following: the definition of sexual harassment, including an understanding of educational program or activity; how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes; how to serve impartially, including avoiding prejudgment about the facts at issue, conflicts of interest, and bias; the technology to be used at a live hearing; issues of relevance, including questioning, and investigative reports.

DISABILITY ACCOMMODATIONS AND INTERPRETIVE SERVICES

The University makes every reasonable effort to accommodate individuals with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973 (504) and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA). In compliance with this commitment, UST employs a Disability Services department to determine reasonable and appropriate accommodations and auxiliary aids for access and participation in college-sponsored

classes, services, and programs.

Students with a disability who desire an accommodation regarding this Policy must request an accommodation with the Title IX Coordinator(s). The Title IX Coordinator(s) will make a determination regarding the request after consultation with Disability Services and notify the appropriate Parties. An Individual will not be considered to have a disability allowing for an accommodation unless and until the student has met with Disability Services and been noted as a person to whom accommodations should be provided.

Employees with a disability should provide the required documentation to Human Resources.

If you have any questions regarding how to submit documentation with Disability Services or HR so you may receive accommodations pursuant to this policy, please contact the following persons:

Section 504 Coordinator(s):

Primary for Students: Director of Disability Services (713) 525-3558

Secondary for Students: Assistant Vice President for Student Affairs and Dean of Students (713) 525-3570

Primary for Faculty and Staff Employees: Associate Vice President of Human Resources (713) 525-3142

Secondary for Faculty and Staff Employees: Director of Disability Services (713) 525-3558

Students or Employees who require interpretive services as non-native English speakers should make the request for translation services to the Title IX Coordinator(s).

REVISION AND INTERPRETATION

UST reserves the right to review and update the Policy in accordance with changing legal requirements and specific needs of the University.

Any questions of interpretation regarding the Policy shall be referred to the Title IX Coordinator(s). The Title IX Coordinator(s)'s determination is final.

All reports received by the University after August 13, 2020, will be administered in accordance with the procedures described under this Policy.

1st AMENDMENT CONSIDERATIONS

The University is committed to protecting, maintaining, and encouraging both freedom of expression and full

academic freedom of inquiry, teaching, service, and research. Nothing in this Policy shall be construed to penalize a member of the community for expressing an opinion, theory, or idea in the process of responsible teaching and learning. Accordingly, any form of speech or conduct that is protected by the principles of academic freedom or the First Amendment to the United States Constitution is not subject to this Policy.

SEX OFFENDER REGISTRATION- CAMPUS SEX CRIMES PREVENTION ACT

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

Texas Code of Criminal Procedure Chapter 62 mandates individuals who are required to register as sex offenders to report to their primary registering agency if they are living, working, or volunteering with an institution of higher education. You may search for information regarding registered sex offenders at the Texas Department of Public Safety website:

<https://records.txdps.state.tx.us/DpsWebsite/Index.aspx>

(HEOA) NOTIFICATION OF 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 the purposes of this paragraph.

MISSING STUDENT NOTIFICATION FOR STUDENTS RESIDING ON CAMPUS

The University of St. Thomas takes reports and concerns that students may be missing very seriously and will actively investigate all such credible reports.

A. It is very important that information about missing or possibly missing students who live in on-campus student housing and have been missing from campus for 24 hours be promptly reported to at least one of the following persons or organizations:

- UST Police Department: 3807 Graustark Street (713) 525-3888
- Office of the President: 3800 Montrose Blvd. (713) 525-2160
- Associate Vice President for Student Affairs and the Dean of Students: 3909 Graustark Street (713) 525-3570
- Rector or Associate Dean (for St. Mary's Seminary students only)/ 9845 Memorial Drive, Houston, Texas 77024
Rector/ (713) 686-4345, ext. 245; Associate Dean/ (713) 686-4345, ext. 273
- Director of the ABSN Program (for Shenandoah Center students only) 121 Vision Park Blvd, Suite 300, Shenandoah, TX 77384
(713) 686-4345

B. All missing student reports must be referred immediately to the UST Police Department.

C. A student shall be considered "missing" following an abnormal, unexplained absence of 24 hours. A report will be made regardless of the time period if there is reason to believe the student's life or well-being is threatened.

D. All students in residence life facilities on the University campus will be offered the annual option to provide the Office of Residence Life with a confidential contact and number upon move-in. This confidential missing person contact will be notified by the University of St. Thomas within 24 hours of the determination that the student is missing in the event that the student has been determined to be missing by USTPD or a law enforcement agency.

E. Students are informed that their confidential contact information will be treated as confidential and be

accessible only to authorized campus officials. Contact information will only be disclosed to law enforcement personnel responsible for a missing person investigation.

F. Students are advised that if a student is under 18 years of age and not emancipated, UST must notify a custodial parent or guardian within 24 hours of the determination by USTPD or other law enforcement agency that the student is missing. Students are also advised that any additional contact person(s) designated by the missing student will also be notified within 24 hours of the determination that the student is missing.

G. Students are advised that, for all missing students, UST will notify the local law enforcement agency within 24 hours of the determination that the student is missing unless the local law enforcement agency was the entity that made the determination that the student is missing.

Many missing person reports in the University environment result from someone changing his/her normal routine and failing to inform others of this change. All individuals can take a proactive role in their own safety and the safety of others by:

- Keeping missing person contact information up to date on a semester basis.
- Making sure student and family contact information is up to date in [MyStThom](#).
- Updating friends and family members with changes to e-mail, cell phone, and other contact information.
- Making sure that a roommate, designated friend, and/or family member knows how to reach you and what your routine is.
- Establishing a habit of "checking in" with family and friends on a regular basis.
- Should USTPD investigate and determine that a residential student has been missing for 24 hours, contact will then be made to the missing person contact, if contact information has been provided, within twenty-four (24) hours of the determination that the student is missing by USTPD. If the student is under the age of 18 and is not an emancipated individual, USTPD will notify the student's parent or guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UST will inform the Local PD (or the local law enforcement with jurisdiction) that the student is missing within 24 hours.

UNIVERSITY POLICIES GOVERNING ALCOHOL AND OTHER DRUGS

In coordination with the Drug-Free Workplace Act of 1988 and the Drug-Free School and Communities Act of 1989, the University of St. Thomas believes that the unlawful use of drugs and the excessive use of alcohol are inconsistent with the behavior expected of the members of a university community. The University is committed to the development and maintenance of a drug-free environment on the campus, as well as an environment that prohibits abuse of other drugs and alcohol. The University is committed to the expansion of a drug and alcohol abuse prevention program and to the dissemination of drug awareness information to the members of the entire University community. In addition, the University is committed to enforcing the provisions of the Drug-Free Workplace Act of 1988 and the Drug-Free School and Communities Act of 1989 and believes that these acts and their implementation regulations provide a proper framework for the drug and alcohol abuse policies of the University. Additionally, the impact of drug use and high-risk alcohol consumption on college students cannot be overlooked in terms of its cost to the individual students affected and the University. For specific information related to alcohol and other drug consumption and consequences, go to the National Institute on Drug Abuse:

<http://www.drugabuse.gov/>.

POLICY/PROCEDURE

It is the policy of the University of St. Thomas that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance (as defined in 21 U.S.C. 812 and 21 CFR 1300.15) or the unauthorized use, possession or sale of alcohol by employees and students in the workplace, on the campus, or as part of any University-sponsored business activities and/or student activities off University premises, is prohibited.

The USTPD has primary responsibility for the enforcement of underage drinking laws as well as the enforcement of Federal and State drug laws.

Definitions

The following terms are defined for the purposes of this policy and are important for the purposes of expressing the University's policy on a drug-free workplace:

A. Controlled Substance means a controlled substance in

schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812), as further defined by regulations at 21 CFR 1300.11 through 1300.15, and as defined in the Texas Controlled Substances Act (Texas Health & Safety Code, 481.001 et seq).

- B. Contract means a legal instrument reflecting a relationship between the federal government and a recipient whenever the principal purpose of the instrument is the acquisition by purchase, lease, or barter, of property or services for the direct benefit or use of the federal government; or whenever an executive agency determines in a specific instance that the use of a type of procurement contract is appropriate.
- C. Conviction means finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- D. Criminal drug statute means a federal or non-federal criminal statute involving the manufacture, sale, distribution, dispensation, use, or possession of any controlled substance.
- E. Employee means an individual receiving a salary, wages, other compensation, and/or stipend support from the University.
- F. Federal agency or agency means any United States executive department, military department, government corporation, government-controlled corporation, or any other establishment in the executive branch or any independent regulatory agency.
- G. Grant means an award of financial assistance, including a cooperative agreement, in the form of money, or property in lieu of money, by a federal agency directly to a grantee. The term grant includes block grant and entitlement grant programs, whether or not exempted from coverage under the grants management government-wide regulation ("Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"). The term does not include technical assistance which provides services instead of money, or other assistance in the form of loans, loan guarantees, interest subsidies, insurance, or direct appropriations, or any veterans' benefits to individuals, i.e., any benefit to veterans, their families, or survivors by virtue of the service of a veteran in the Armed Forces of the United States.

- H. Grantee means a legal entity which applies for or receives a grant or contract directly from a federal agency.
- I. Illicit drug use means the use, manufacture, sale, distribution, dispensation, or possession of illegal drugs and the abuse of other drugs and alcohol.
- J. Student means any person who (a) is currently enrolled at the University; (b) is accepted for admission or readmission to the University; (c) has been enrolled at the University in a prior semester or summer term and is eligible to continue enrollment in the semester or summer term that immediately follows; (d) is attending an additional program sponsored by the University while that person is on campus; or (e) has engaged in prohibited conduct at a time when he/she met the criteria of (a), (b), (c), or (d).
- K. University-sponsored activities mean any activity on or off University premises that is directly initiated, supported, or supervised by the University.
- L. Workplace means the physical boundaries of the University and facilities owned or controlled by the University.

Health Risks

Outlined below is a listing of drugs of abuse and their health risks taken from the U.S. Drug Enforcement Administration website. A more complete and detailed accounting may be found on their website at <http://www.dea.gov/druginfo/factsheets.shtml>. With any drug, prolonged use can lead to health issues as well as long-term dependency.

Alcohol

Alcohol (beer, wine, or liquor) has a high potential for physical and psychological dependence as well as resulting in increased tolerance. Possible effects include impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in vomiting, respiratory depression, loss of consciousness, and possible death. Withdrawal may include trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions.

Females who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These infants have irreversible physical abnormalities and intellectual disability. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics. Alcohol use is often related to acquaintance rape

and failure to protect oneself from sexually transmitted diseases (STDs).

Additionally, alcohol-related accidents are the number one cause of death in the 16- to 24-year-old age group.

Narcotics

Narcotics (including heroin, morphine, hydrocodone, oxycodone, codeine, and others) have a high potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible effects of using narcotics include euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Overdose may result in shallow breathing, clammy skin, convulsions, coma, and death. Withdrawal may include irritability, tremors, panic, nausea, chills, and sweating.

Other Depressants

Other depressants (including GHB or liquid ecstasy, valium, Xanax, Ambien, and barbiturates) have a potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible side effects include slurred speech, disorientation, the appearance of intoxication, and impaired memory. Overdose may result in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, and possible death. Withdrawal may include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

Stimulants

Stimulants (including cocaine, methamphetamine, and methylphenidate) have a possible risk of physical dependence and a high risk for psychological dependence. Tolerance can develop in all stimulants. The possible side effects include increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, and decreased appetite. Overdose may result in agitation, increased body temperature, hallucinations, convulsions, and possible death. Withdrawal may result in apathy, long periods of sleep, irritability, depression, and disorientation.

Hallucinogens

Hallucinogens (including MDMA, LSD, Phencyclidine, and others) are less likely to result in physical dependence, with the exception of phencyclidines and analogs, and vary in terms of psychological dependence, ranging from none to moderate (MDMA) to high (phencyclidine and analogs). Tolerance can develop. Possible effects include heightened senses, teeth grinding, dehydration (MDMA and analogs), and hallucinations, altered perception of time and distance in other

types of hallucinogens. Overdose may result in increased body temperature and cardiac arrest for MDMA and more intense episodes for LSD. Some hallucinogens may result in muscle aches and depression when in withdrawal (MDMA) or may result in drug-seeking behavior.

Cannabis

Cannabis includes marijuana, tetrahydrocannabinol (THC), and hashish or hashish oil. All may result in moderate psychological dependence with THC, resulting in physical dependence. Tolerance can develop in all forms. Possible effects include euphoria, relaxed inhibitions, increased appetite, and disorientation. Overdose may result in fatigue, paranoia, and possible psychosis. Withdrawal may occasionally result in insomnia, hyperactivity, and decreased appetite.

Anabolic Steroids

Anabolic Steroids (including testosterone and others) may result in psychological dependence. Less is known as to their potential for physical dependence and increased tolerance levels. Possible effects may include virilization, edema, testicular atrophy, gynecomastia, acne, and aggressive behavior. Effects of overdose are unknown. Withdrawal may possibly include depression.

Inhalants

Inhalants (including amyl and butyl nitrite, nitrous oxide, and others) vary in their level of psychological dependence, with less known about their potential for physical dependence and tolerance. Possible effects may include flushing, hypotension, and headache, impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in methemoglobinemia, vomiting, respiratory depression, loss of consciousness, and possible death. Withdrawal may result in agitation, trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions.

Penalties

The policy to promote a Drug and Alcohol Abuse Free Workplace and Campus is a protection and support for the faculty, administration, employees, and students of the University of St. Thomas. In addition, the University is committed to a caring relationship among its students and employees; therefore, its disciplinary procedures are intended to be constructive and redemptive. Any employee or student seeking assistance through the Office of Student Affairs or the Human Resources Department, in consultation with

Counseling and Wellness Services, will be treated in a confidential manner. This does not shield either the employee or student from disciplinary action if this policy is violated. Therefore, the employee or student violating this policy is subject to the following actions:

- A. Any employee or student admitting to or convicted of unlawful possession, use, or distribution of unlawful drugs and alcohol on campus or at campus-sponsored events held off-campus will be subject to disciplinary action.
- B. Employees and students may be referred to a drug and alcohol assistance or rehabilitation program in which they must maintain satisfactory participation.
- C. Employees may be subject to disciplinary action up to and including suspension, suspension without pay, termination, and may be referred for prosecution.
- D. Students in violation of the University of St. Thomas Code of Student Conduct and disciplinary procedures may be subject to disciplinary action up to and including probation, suspension, expulsion, and may be referred for prosecution.

Further information concerning disciplinary action and appropriate procedures for employees is available from Human Resources at 713-525-3142 and for students from Student Affairs at 713-525-3570.

Employee and Student Assistance Programs

The University of St. Thomas, recognizing the need to have available to its students, employees, and officers a program or accessibility to a program dealing with all forms of alcohol and drug problems, offers the following:

Employee and Student-Initiated Assistance

An employee or student experiencing problems resulting from drug or alcohol abuse or dependency should seek information on resources and referral from his/her supervisor, the Human Resources Office, Dean of Students, or the Counseling and Wellness Services. Such assistance will be kept confidential and will not influence performance appraisals or grades. Job or academic performance alone, not the fact that an employee or student seeks help, is the basis of all performance appraisals/evaluations.

University Initiated Assistance

- A. Education
 - a. On-campus speakers presenting programs related to drug and alcohol abuse prevention, recognition, or

treatment.

- b. Brochures describing drug and alcohol abuse prevention.

B. Information and Referral

- a. The Counseling and Wellness Services office makes information available about local community drug and alcohol abuse rehabilitation programs and drug and alcohol abuse prevention.

While this policy covers drug and alcohol use at the University of St. Thomas, please be aware that there are penalties under Texas and federal law. All University of St. Thomas employees and students are responsible for complying with local, state, and federal laws regarding alcohol.

Underage Drinking Laws

Minors who purchase, attempt to purchase, possess, or consume alcoholic beverages, as well as minors who are intoxicated in public or misrepresent their age to obtain alcoholic beverages, face the following consequences:

- Class C misdemeanor, punishable by a fine up to \$500
- Alcohol awareness class
- 8 to 40 hours of community service
- 30 to 180 days loss or denial of a driver's license

If a minor is seventeen years of age or older and the violation is the third offense, the offense is punishable by a fine of \$250 to \$2,000, confinement in jail for up to 180 days or both, as well as automatic driver's license suspension.

A minor with previous alcohol-related convictions will have his or her driver's license suspended for one year if the minor does not attend alcohol awareness training that has been required by the judge.

Penalties for Providing Alcohol to a Minor

Adults and minors who give alcohol to a minor also face a stiff penalty. The punishment for making alcoholic beverages available to a minor is a class A misdemeanor, punishable by a fine up to \$4,000, confinement in jail for up to a year, or both. Additionally, the violator will have his or her driver's license automatically suspended for 180 days upon conviction.

Persons 21 or older (other than the parent or guardian) can be held liable for damages caused by intoxication of a minor under 18 if the adult knowingly provided alcoholic beverages

to a minor or knowingly allowed the minor to be served or provided alcoholic beverages on the premises owned or leased by the adult.

Sale to a minor is a class A misdemeanor, punishable by a fine up to \$4,000, confinement up to a year in jail, or both.

Zero Tolerance Law

In Texas, it is illegal for a person under 21 to operate a motor vehicle in a public place while having any detectable amount of alcohol in their system. On September 1, 2009, this law was expanded to include watercraft in addition to motor vehicles.

- A. The consequences for the minor on the first offense of driving under the influence of alcohol:
 - Class C misdemeanor, punishable by a fine up to \$500.
 - Attendance at an alcohol awareness class.
 - 20 to 40 hours of mandatory community service.
 - 60 days driver's license suspension. The minor would not be eligible for an occupational license for the first 30 days.
- B. A second offense increases the consequences to:
 - Class C misdemeanor, punishable by a fine up to \$500.
 - Attendance at an alcohol awareness class at the judge's discretion.
 - 40 to 60 hours of mandatory community service.
 - 120 days driver's license suspension. The minor would not be eligible for an occupational license for the first 90 days.
- C. A third offense is not eligible for deferred adjudication. The minor's driver's license is suspended for 180 days, and an occupational license may not be obtained for the entire suspension period. If the minor is 17 years of age or older, the fine increases to \$500 to \$2,000, confinement in jail for up to 180 days, or both.

Application of Policy

In compliance with the Drug Free Schools and Communities Act, University of St. Thomas publishes information regarding the University's prevention programs related to drug and alcohol abuse prevention which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state

and local laws and University policy; a description of health risk associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for UST students and employees. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online in the Biennial Review of the University of St. Thomas on Alcohol and Drug Abuse Programs.

The policy to promote a Drug and Alcohol Abuse Free Workplace and Campus, which applies to every person in the University workplace, is supported by a drug-free awareness program available to the faculty, administrative staff, support staff, and students of the University. Specific compliance and reporting items enumerated in the policy (items B, C, D, E) are applicable to all employees on federal contracts and grants. In support of this policy, the University of St. Thomas:

- A. Has established an ongoing drug and alcohol-free awareness program to inform its faculty, administrative staff, support staff, and students about:
 - a. The campus policy of maintaining a drug and alcohol abuse-free workplace.
 - b. The dangers of drug and alcohol abuse in the workplace.
 - c. The availability of drug and alcohol abuse counseling/rehabilitation.
 - d. The development of employee and student assistance programs.
 - e. The penalties that may be imposed upon employees and students for drug and alcohol abuse violations.
- B. Will provide each employee with a copy of this policy. In addition, all faculty, administrative staff, support staff, and students will be notified of this policy through appropriate publications.
- C. Will notify each University employee and student that they must abide by the terms of this policy. All employees must notify their supervisor and Human Resources, and in the case of students, the Dean of Students, of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.
- D. Will notify the appropriate federal agency within ten (10) days after receiving notice of criminal drug statute

convictions occurring within the workplace of any University employee engaged in the performance of the federal grant or contract.

- E. Will impose sanctions or require satisfactory participation in a drug abuse assistance or rehabilitation program of any employee so convicted. Sanctions imposed on employees for violation of this policy may include suspension with or without pay and termination.
- F. Will not test for drugs.
- G. Will make a good faith effort to continue to maintain an environment that complies with the Drug-Free Workplace Act of 1988 and the Drug-free Schools and Communities Act of 1989.
- H. The Campus Life Committee will conduct a review of its programs to assess their effectiveness, to determine changes, and to ensure the uniform application of sanctions to employees and students.

Student and Employee Resources

The University offers the following drug and alcohol abuse information, counseling, assistance, and services:

- A. Information and Referral
All members of the University community are eligible to consult with the professional staff of the Office of Counseling and Wellness Services regarding the availability of substance abuse assistance programs. Substance abuse counseling and rehabilitation program referrals are routinely made to mutual help organizations, private hospitals, public treatment programs, and private drug treatment practitioners. A collection of resource materials pertinent to issues of drug abuse is available.
- B. Individual Counseling
Enrolled students can be seen for short-term counseling and crisis intervention for assistance with substance use problems. However, Counseling and Wellness Services will make a referral for long-term substance use and detox. Faculty and staff are eligible for an initial consultation and referral for such services.
- C. Human Resources Department
Employees may access services through the University's Employee Assistance Program. Lincon Financial Group ComPsych www.GuidanceResources.com Download the **GuidanceNow** mobile app or Call 888-628-4824
GuidanceResources.com login credentials:
Username: LFGSupport | Password: LFGSupport1

Human Resources Department may be contacted at (713) 525-3142.

D. UST Counseling and Wellness Services Office

Students and employees can visit the UST Counseling and Wellness Services Office and speak about any drug and alcohol questions in a safe and friendly environment. Appointments can be made by contacting Counseling and Wellness Services at 713-525-2169.

E. Formal Organizations

Individuals can be assisted by participating in organizations like Alcoholics Anonymous or Narcotics Anonymous and information concerning these groups is maintained for dissemination to interested persons.

- Alcoholics Anonymous www.aahouston.org
- Narcotics Anonymous www.hascona.com or helpline@hascona.com

F. Community Resources

Various community resources offer short-term counseling for anyone affected in any way by alcohol or other drug abuse. Trained alcohol and drug abuse counselors can help select a 12-step oriented program and/or appropriate treatment. Contact information:

- The Council on Recovery www.council-houston.org
- Substance Abuse and Mental Health Services Administration (SAMHSA) www.samhsa.gov/find-help/national-helpline; 24hr Help Line 1-800-662-4357
- Palmer Drug Abuse Program (PDAP) www.pdaphouston.org
- Memorial Hermann: Prevention and Recovery Center (PARC) www.mhparc.org

Implementation of Policy

Implementation of this policy is a joint responsibility of the Office of the President, Office of Dean of Students, Office of Human Resources, and the Office of Financial Aid.

Distribution of Policy

A copy of this policy will be distributed to faculty, staff, and students at the beginning of each semester as a part of the annual notification process. Each newly hired employee will receive a copy as a part of the new hire orientation. Newly hired students will receive a copy as a part of the new student worker orientation.

Biennial Policy Review

The University of St. Thomas will review this policy biennially to determine its effectiveness and to recommend changes in the program to the President if they are needed. Such a review will also determine that the University's disciplinary sanctions are consistently enforced.

WEAPONS AND FIREARMS

UST is committed to maintaining a safe and secure environment that supports the academic mission of the University. Accordingly, employees, students, and visitors are prohibited from possessing firearms, explosives, weapons, or any item that may be construed as such on the premises of the University. A limited exception to this Policy is that law enforcement personnel who are authorized to carry a firearm are permitted to do so while on UST property. Other state laws may provide exceptions as well.

Anyone found violating this University policy shall be subject to the disciplinary procedures applicable to students or employees and/or criminal prosecution by the appropriate jurisdiction.

ANNUAL DISCLOSURE OF CRIME STATISTICS

The Clery Act requires institutions to include statistics for Clery reportable geography: On Campus, On-Campus Student Housing, Public Property and Non-campus.

Buildings and Property. The Clery Act requires institutions to include statistics for four general categories of crime, including Criminal Offenses, Hate Crimes, VAWA Offenses and Arrests and Referrals for Disciplinary Action.

DEFINITIONS OF REPORTABLE GEOGRAPHY AND CRIMES

Geographic Definitions

On-Campus Property is defined as 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; and 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 Facilities is defined as 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.

Public Property is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

Non-campus Buildings or Property is defined as 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 the 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.

Criminal Offense Definitions

Criminal Homicide:

- a) Murder/Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.
- b) Manslaughter by Negligence is defined as the killing of another person through gross negligence.

Sexual Assault (Sex Offenses) Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.

- a) Rape is the penetration, no matter how slight of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim.
- b) Fondling is the touching of the private body parts of another person for the purpose of sexual gratification without consent from the victim, including incidents where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- c) Incest is sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by law.
- d) Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

Robbery is the taking, or attempting to take, anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary is the unlawful entry of a structure to commit a felony or theft.

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

Arson is any willful or malicious burning or an attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another, etc.

HIERARCHY RULE

Reporting and Counting Criminal Offenses includes applying the FBI's UCR Hierarchy Rule. Under this rule, when more than one Criminal Offense was committed during a single incident, you should only count the most serious offense. With few exceptions, this rule is applied when reporting Criminal Offenses. This rule only applies to the counting of criminal offenses and does not apply to the reporting of hate crimes, VAWA offenses, or Arrests or Disciplinary Referrals for Clery reportable law violations.

HATE CRIMES

A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act, only the following eight categories of covered classes are reported: race, religion, gender, gender identity, disability, sexual orientation, ethnicity, or national origin.

Categories of bias included in the annual statistical disclosure are:

- Race. A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.,) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, Blacks or African Americans, whites).

- Religion. A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- Sexual orientation. A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic and/or emotional attraction to members of the same and/or opposite sex (e.g., lesbian, gay, bisexual, heterosexual individuals).
- Gender. A preformed negative opinion or attitude toward a group of persons based on their actual or perceived gender (male or female).
- Gender Identity. A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity (bias against transgender or gender non-conforming individuals).
- Ethnicity. A preformed negative opinion or attitude toward a group of persons whose members identify with each other through a common heritage, often consisting of a common language, common culture and/or ideology that stresses common ancestry.
- National Origin. A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- Disability. A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

For purposes of the annual statistical disclosure, hate crimes include any Clery-reportable criminal offense (listed above) and the following additional offenses:

- Larceny-Theft is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.
- Simple Assault is the unlawful physical attack by one person upon another where neither the offender displays a weapon nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or

loss of consciousness.

- Intimidation is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.
- Destruction/Damage/Vandalism of Property is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control over it.

VAWA OFFENSES

Dating Violence, Domestic Violence, and Stalking

For the purposes of the Annual Security Report, the following definitions apply for Clery classification:

- Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement 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.
- Domestic Violence is defined as 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.
- Stalking is defined as 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 to suffer substantial emotional distress.

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

person's property.

ARRESTS AND DISCIPLINARY REFERRALS

Arrests and disciplinary referral statistics include the number of persons arrested and/or referred for disciplinary action for the following violations:

- Weapons: Carrying, Possessing, Etc., is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.
- Drug Abuse Violations are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
- Liquor Law Violations are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

HAZING

University of St. Thomas prohibits students, employees, officers, contractors, and volunteers from engaging, or attempting to engage in Hazing. The University defines Hazing as:

1. any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons, regardless of the willingness of such other person or persons to participate, that—
 - is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
 - causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team),

of physical or psychological injury, including –

- whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- causing, coercing, or otherwise inducing another person to perform sexual acts;
- any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- any activity that includes, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

2. Hazing also involves any other activity not addressed by (1) of this definition that is expected of someone joining or participating in a student organization that humiliates, degrades, abuses, or endangers them, regardless of a person's willingness to participate.

For purposes of the University's Hazing policy, the phrase "student organization" means "an organization at University of St. Thomas (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the University." While student organizations that are not recognized or established by the University are not subject to the University's disciplinary jurisdiction, individuals who engage in violations of the standards of conduct outlined in the

University's Hazing policy will be held accountable regardless of whether the student organization in which the Hazing activities occurred is recognized or established by the institution.

Any student organization recognized or established by the University that is found to be responsible for violating the University's Hazing policy will be recorded in the Campus Hazing Transparency Report. However, all reports of hazing involving student organizations that occur in the University's Clery Geography will be included in the crime statistics regardless of whether the organization is established or recognized by the institution

The University reserves the right to hold a sub-group of an organization accountable for Hazing policy violations, rather than the entire student organization, when circumstances reasonably indicate a sub-group, not the entire student organization, committed a Hazing policy violation. For example, affinity groups or position groups within an athletic team that meet the definition of a student organization may be held accountable for Hazing in lieu of the entire athletic team.

How to Report Hazing

Any individual who experiences or witnesses Hazing is strongly encouraged to report the incident immediately. Any incident involving an in-progress crime or emergency should be reported immediately to the local law enforcement agency with jurisdiction by dialing 911.

Reports can be submitted in person, by phone, or via email using the contact information provided below.

Dean of Student Office

Crooker Center 2nd Floor
713-525-3570
deanofstudents@stthom.edu

UST Police Department

Moran Parking Center
713-525-3888
police@stthom.edu

Incidents of Hazing involving students can be reported to:

Dean of Student Office

Crooker Center 2nd Floor
713-525-3570
deanofstudents@stthom.edu

UST Police Department

Moran Parking Center
713-525-3888
police@stthom.edu

Incidents of Hazing involving employees can be reported to

Human Resources

Campanile Building Room 250
713-525-3142
hr@stthom.edu

UST Police Department

Moran Parking Center
713-525-3888
police@stthom.edu

Process Used to Investigate Hazing Reports

Upon receipt of a report alleging Hazing, the Dean of Students or Interim AVP of Human Resources, or designee, will review the report and determine if the alleged behavior, as described in the report, would constitute Hazing as defined by the University. The Dean of Students or Interim AVP of Human Resources, or designee, will also determine which University official(s) or office(s) have jurisdiction over the respondent(s). As it relates to the University's Hazing policy, the term "respondent" refers to a student, a recognized or registered student organization, or an employee who is alleged to have engaged in Hazing.

The Dean of Students or Interim AVP of Human Resources, or designee, is empowered to take reasonable steps to obtain additional information that may be necessary to determine if a policy violation has been alleged or to determine if an investigation is warranted. The Dean of Students or Interim AVP of Human Resources consults with applicable University officials when determining which individual(s) or office(s) have jurisdiction over the respondent(s). When determining jurisdiction, the Dean of Students or the Interim AVP of Human Resources, or designee, will consider:

- the nature of the alleged conduct,
- the circumstances of the report, and
- whether the respondent is a person or a student organization subject to the University's conduct standards.

These factors will also inform whether the procedures outlined in the Hazing Police, Student Code of Conduct, and Employee Code of Conduct will be utilized to resolve the alleged misconduct. Allegations of Hazing involving a student or a student organization that is officially recognized by, or registered with, the University will be resolved using the procedures outlined in the Hazing Police, Student Code of Conduct, and Employee Code of Conduct. Allegations involving other respondents will be resolved using the policies and procedures applicable to the respondent's status.

Interim Action

In response to the report, the Dean of Students or the Interim AVP of Human Resources, or designee, may impose an interim administrative action on a respondent prior to the resolution when a threat of imminent harm to persons or property exists, and/or there is potential for significant disruption to the community that exists during the course of investigation. If the respondent is an employee, the applicable University official(s) may impose interim administrative action consistent with the policies and procedures applicable to the employee.

Interim action is not a sanction. It is taken in an effort to protect the safety and well-being of individuals and the University community. Interim administrative action is preliminary in nature; it is in effect only until there is a resolution of the matter. The respondent may challenge the interim action in writing to the next level of conduct authority within five (5) days of the imposition of the interim action. The interim action will be in effect during the challenges.

Interim action is not a sanction. It is taken in an effort to protect the safety and well-being of individuals and the University community. Interim administrative action is preliminary in nature; it is in effect only until there is a resolution of the matter. The respondent may challenge the interim action in writing to the next level of conduct authority within five (5) days of the imposition of the interim action. The interim action will be in effect during the challenge.

Investigation

If an investigation is warranted, the Dean of Students or the Interim AVP of Human Resources, or designee, shall appoint one or more investigators to conduct a prompt, thorough, and impartial investigation. External investigators may be appointed at the discretion of the Dean of Students or the Interim AVP of Human Resources. Reports of alleged Hazing that also allege violations of the University's response to sexual and gender-based violence will be coordinated between the Dean of Students or the Interim AVP of Human Resources, or designee), and to determine the appropriate investigation and/or resolution procedures.

The respondent (typically the president for a registered/recognized student organization, or its equivalent for an established organization) will be sent a written notice of the allegations by way of their University-supplied e-mail account. If the student organization has a national or oversight entity, that entity may be apprised of the University's investigation at the discretion of the Dean of

Students or the Interim AVP of Human Resources. The national or oversight entity cannot speak on behalf of or represent the student organization.

Reasonable efforts will be made to complete the investigation in a timely manner. Typically, the University will aim to complete an investigation into allegations of Hazing within 45 business days of providing written notice of the investigation to the respondent, though investigations may extend beyond 45 business days as circumstances require.

During the investigation, the respondent will be provided with an opportunity to: provide information through an in-person or virtual interview, submit a written account, provide the names of incident witnesses for possible interviews with the investigator(s), provide witness statements, and provide any documentation that may be relevant to the facts of the allegations. However, the investigator(s) may consider information from any sources the investigator(s) deem relevant and credible. The investigator(s) will make reasonable efforts to obtain relevant supporting documentation related to the allegations from other University official(s) or available resources.

Upon completion of the investigation, the investigator(s) will prepare an investigation report. The investigation report will summarize the information gathered and include detailed findings-of-fact regarding the behaviors in question.

OPTION 1 (IF THE INVESTIGATOR DETERMINES RESPONSIBILITY):

The investigator(s) will determine whether each respondent violated the University's Hazing policy and document these findings in the investigation report. The Dean of Students or the Interim AVP of Human Resources will impose appropriate sanctions in accordance with the Hazing Policy, Student Code of Conduct, and Employee Code of Conduct for students or student organizations found to have violated the University's Hazing policy. If the Hazing Policy, Student Code of Conduct, and Employee Code of Conduct does not provide the investigator(s) with sanctioning authority over a respondent, the investigation report will be forwarded to the University official(s) authorized to impose appropriate sanctions.

OPTION 2 (IF THE INVESTIGATOR DOES NOT DETERMINE RESPONSIBILITY):

The investigator(s) will submit an investigation report to the appropriate University official(s) with jurisdiction over the respondent(s). The applicable official(s) will determine whether the respondent(s) violated the University's Hazing policy using the resolution procedures applicable to the

respondent(s). If the respondent(s) are found to have violated the University's Hazing policy, the applicable official(s) will impose appropriate sanctions

All respondents will be informed, in writing, of the University's findings and any sanctions imposed. Any opportunity for the respondent to appeal will follow the relevant policies and procedures applicable to the respondent.

Respondents who violate the University's Hazing policy will be subject to conduct sanctions, which may include probation, loss of privileges, loss of recognized/registered status, mandatory training or education, suspension, expulsion, administrative leave, revocation of tenure, or termination. Respondents can also face sanctions under other University policies as well as criminal or civil penalties imposed under applicable law.

Applicable Laws

This policy is consistent with Texas state law and the federal Clery Act, as amended by the Stop Campus Hazing Act (SCHA). Hazing may also be subject to criminal prosecution under local, State, Tribal, or Federal law.

Under Texas state law (Tex. Ed. Code § 37.152 and § 37.153) hazing is a criminal offense. Individuals or organizations who are criminally convicted of engaging in hazing are subject to penalties based on the severity of the action.

Failing to report hazing or hazing that does not cause serious bodily injury is a Class B misdemeanor and subject to a fine up to \$2,000, jail time not to exceed 180 days, or both; community service may also be required.

Hazing that causes serious bodily injury is a Class A misdemeanor and subject to a fine up to \$4,000, jail time not to exceed one year, or both; community service may also be required.

Hazing that causes the death of another person is a state jail felony and may be subject to a fine up to \$10,000 and will face jail time of no less than 180 days and not more than two years. Punishment will increase if the individual used a deadly weapon or has been previously convicted of a felony.

Organizations convicted of hazing are criminally responsible for a misdemeanor in Texas and punishable by a fine of:

- Between \$5,000 and \$10,000, or
- When there is a court finding that the hazing caused personal injury, property damage, or other loss, between \$5,000 and not more than double the amount lost or expenses incurred because of the

injury, damage, or loss.

Consent is never a defense to hazing under Texas law.

Campus Hazing Transparency Report

As required by the Stop Campus Hazing Act, the University publishes a Campus Hazing Transparency Report that summarizes findings concerning student organizations established or recognized by the University that have been found responsible for violating the University's Hazing policy. The Transparency Report will be updated to include new findings of organizational responsibility no less than twice annually following a final determination that a student organization has violated the University's Hazing policy. The first Transparency Report will be published by December 23, 2025, unless no organizations have been found responsible for Hazing at that time, as the University is not required to publish a Transparency Report until a student organization has been found responsible for violating the University's Hazing policy.

Each entry published to the Transparency Report will include, at a minimum, the following information:

The student organization;

A general description of the violation that resulted in a finding of responsibility:

- Whether the violation involved the abuse or illegal use of alcohol or drugs;
- the findings of the institution (i.e., the rationale for finding the organization responsible for Hazing);
- any sanctions placed on the student organization; and
- the dates on which
- the incident was alleged to have occurred,
- the investigation into the incident was initiated,
- the investigation ended with a finding that a Hazing violation occurred, and
- the student organization was provided notice that the incident resulted in a Hazing violation

Hazing Prevention and Awareness Programs

The University provides Hazing prevention and awareness programs that are informed by research, campus-wide in scope, and designed to reach all students, staff, and faculty. Programs address various topics, including:

- the University's definition of Hazing, including a clear

statement that the University prohibits Hazing;

- the definition of Student Organization, as it applies to the University's Hazing policy;
- how to report Hazing;
- the process the University will use to investigate reports of Hazing;
- information on applicable local, State, and Tribal laws regarding Hazing; and
- primary prevention strategies intended to stop Hazing before it occurs.

These programs are part of the University's comprehensive strategy to prevent incidents of Hazing before they occur. These programs also raise awareness about the University's Campus Hazing Transparency Report, which summarizes findings concerning student organizations established or recognized by the University that have been found responsible for violating the University's hazing policy.

Specifically, the University provides Hazing prevention and awareness programs to students by Safe Colleges- an interactive program, safety week, and athletic presentations.

Additionally, the University provides Hazing prevention and awareness programs to employee by Safe Colleges- an interactive program, safety week, and Orientation.

THE UNIVERSITY OF ST. THOMAS – MAIN CAMPUS

Below are the tables containing the crime statistics information for the previous three years — 2022, 2023, and 2024 — for the University of St. Thomas's main campus. This includes Downtown ABSN (4200 Montrose Blvd., Suite 320, Houston, TX 77006), which is labeled as on-campus property, and Life Tower (6919 Main Street, Houston, TX 77030), which is labeled as non-campus buildings and property.

University of St. Thomas-Main Campus Statistics for Clery Reportable Crimes for 2022, 2023, and 2024.					
Offense	Year	On-Campus	On-Campus Student Housing	Non-Campus Buildings and Property	Public Property
Murder and Non-negligent Manslaughter	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Rape	2022	1	1	0	0
	2023	0	0	0	0
	2024	4	4	0	0
Fondling	2022	2	2	0	0
	2023	1	1	0	0
	2024	0	0	0	0
Incest	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Statutory Rape	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Robbery	2022	0	0	0	0
	2023	0	0	0	1
	2024	0	0	0	1
Aggravated Assault	2022	0	0	1	1
	2023	1	0	0	0
	2024	0	0	0	0
Burglary	2022	3	0	0	0
	2023	0	0	0	0
	2024	1	0	1	0
Motor Vehicle Theft	2022	2	0	0	0
	2023	0	0	0	0
	2024	0	0	0	1
Arson	2022	0	0	0	0
	2023	0	0	1	0
	2024	0	0	0	0

Offense	Year	On-Campus	On-Campus Student Housing	Non-Campus Buildings and Property	Public Property
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VAWA Offenses

Domestic Violence	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Dating Violence	2022	1	1	0	0
	2023	0	0	0	0
	2024	1	1	0	0
Stalking	2022	1	0	0	0
	2023	5	4	0	0
	2024	6	0	0	0

Arrests

Weapons: Carrying, Possessing, Etc.	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Drug Abuse Violations	2022	1	0	0	0
	2023	0	0	0	0
	2024	1	0	2	0
Liquor Law Violations	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0

Disciplinary Referrals

Weapons: Carrying, Possessing, Etc.	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Drug Abuse Violations	2022	1	1	0	0
	2023	1	1	0	0
	2024	4	4	0	0
Liquor Law Violations	2022	27	26	0	0
	2023	22	22	0	0
	2024	3	3	0	0

University of St. Thomas-Main Campus
Statistics for Hate Crimes for 2022, 2023, and 2024.

There were no reported Hate Crimes for the years 2022, 2023, and 2024.

University of St. Thomas-Main Campus
Statistics for Unfounded Cases for 2022, 2023, and 2024.

2022: Zero unfounded crimes
2023: Zero unfounded crimes
2024: Zero unfounded crimes

1. Crimes reported in the Residential Facilities column are a subset of crimes included in the counts listed in the On-Campus category.
2. Public Property refers to all public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to the accessible from the campus, but are not owned or controlled by UST main campus.
3. Non-Campus Property refers to any off-campus building or property owned or controlled by UST and is used in direct support of, or in relation to, UST's educational purposes, if frequently used by students, and is not within the same reasonable contiguous geographic area of UST main campus.

Note: All of the agencies responded to our request for statistics, but some police departments could not provide the statistics as requested (citywide statistics instead of individual buildings). Attempts were made to clarify statistics from these departments, but information was not provided.

FIRE SAFETY REPORT

PROLOGUE

On Aug. 14, 2008, the Higher Education Opportunity Act or HEOA (Public Law 110-315) reauthorized and expanded the Higher Education Act of 1965, as amended. HEOA amended the Clery Act and created additional safety- and security-related requirements for institutions. Specifically, it added:

- Fire safety reporting requirements for institutions with on-campus student housing facilities.

In compliance with appropriate provisions of federal law, the **University of St. Thomas** is required to make reports available to the campus community and to prospective students and their parents pertaining to fire safety. Institutions maintaining on-campus student housing facilities must collect fire statistics, publish an Annual Fire Safety Report, and keep a Fire Log.

In compliance with the Clery Act, the **University of St. Thomas** is required to prepare an Annual Security Report that contains security and safety-related policies and procedures as well as the three most recent calendar years' worth of crime statistics.

Consumers may access the **Annual Security Report** by visiting

https://www.stthom.edu/Public/getFile.asp?File_Content_ID=122378.

ANNUAL FIRE SAFETY REPORT-HEOA DIRECTIVE

The Annual Fire Reports contains per the Directive:

- Fire statistics listed separately 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, and 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, if determined necessary by the institution.

DEFINITIONS

a) Definition of a Fire

For fire safety reporting, a fire is *"Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner."*

b) Definition of On-Campus Student Housing Facility

For purposes of the Clery Act regulations, *"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."*

c) Definition of a Fire Safety System

The Higher Education Opportunity Act defines a fire safety system as *"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."*

FIRE LOG-HEOA DIRECTIVE

A **Fire Log** will be maintained by the institution on any residence hall fire. This Fire Log should be easily understood, and fires

should be recorded on the date reported. For each report of a fire, the following information should be included in the Fire Log:

- The nature of the fire
- The date the fire occurred
- The time of day the fire occurred
- The general location of the fire

The Fire Log may be in hard copy or in an electronic format. The Fire Log must be accessible on-site. The Fire Log reports for the most recent sixty (60) day period must be open to public inspection upon request during normal business hours. Any portion of the log that is older than 60 days must be made available within two (2) business days of a request for public inspection. The Fire Log must be kept for three (3) years following the publication of the last annual report to which it applies (in effect: seven years).

The current Daily Crime and Fire Log can be found at the UST Police Department, located on the 1st floor of the Moran Parking Center.

FIRE STATISTICS-HEOA DIRECTIVE

Fire statistics must be collected and reported in both the annual fire safety report and the U.S. Department of Education's web-based data collection system. Fire statistics for each on-campus student housing facility must be reported.

- a. The number of fires and the cause of each fire. Categories to be used are:
 - i. Unintentional Fire
 - ii. Intentional Fire
 - iii. Undetermined Fire
- b. The number of injuries related to the fire resulting in treatment at a medical facility.
- c. Number of deaths related to the fire.
- d. The value of property damage related to the fire.

FIRE STATISTICS

2024 Statistics & Related Information Regarding Fires In On-Campus Residence Halls

Facility Name	Address	Total Fires Per Facility	Fire Number	Cause & Category	Injury Number Requiring Treatment	Number of Fire Related Deaths	Value of Property Damage*
Guinan Hall	1301 Sul Ross	0	0	NA	0	0	0
Young Hall	4200 Mount Vernon	0	0	NA	0	0	0
Aquinas House	1130 Colquitt 1132 Colquitt	0	0	NA	0	0	0
Clare Hall	1210 Colquitt	0	0	NA	0	0	0
St. Therese	1202 Colquitt 1204 Colquitt 1208 Colquitt 4107 A Graustark	0	0	NA	0	0	0
St. John	4105A Graustark	0	0	NA	0	0	0

2023 Statistics & Related Information Regarding Fires In On-Campus Residence Halls

Facility Name	Address	Total Fires Per Facility	Fire Number	Cause & Category	Injury Number Requiring Treatment	Number of Fire Related Deaths	Value of Property Damage*
Guinan Hall	1301 Sul Ross	0	0	NA	0	0	0
Young Hall	4200 Mount Vernon	0	0	NA	0	0	0
Aquinas House	1130 Colquitt 1132 Colquitt	0	0	NA	0	0	0
Clare Hall	1210 Colquitt	0	0	NA	0	0	0
St. Therese	1202 Colquitt 1204 Colquitt 1208 Colquitt 4107 A Graustark	0	0	NA	0	0	0
St. John	4105A Graustark	0	0	NA	0	0	0

2022 Statistics & Related Information Regarding Fires In On-Campus Residence Halls

Facility Name	Address	Total Fires Per Facility	Fire Number	Cause & Category	Injury Number Requiring Treatment	Number of Fire Related Deaths	Value of Property Damage*
Guinan Hall	1301 Sul Ross	0	0	NA	0	0	0
Young Hall	4200 Mount Vernon	0	0	NA	0	0	0
Aquinas House	1130 Colquitt 1132 Colquitt	0	0	NA	0	0	0
Clare Hall	1210 Colquitt	0	0	NA	0	0	0
St. Therese	1202 Colquitt 1204 Colquitt 1208 Colquitt 4107 A Graustark	0	0	NA	0	0	0
St. John	4105A Graustark	0	0	NA	0	0	0

STUDENT HOUSING FIRE DRILL RECORD

Each semester, every open and occupied residence hall conducts planned, unannounced fire drills in compliance with the HEA requirement regarding emergency response and evacuation procedure testing requirements.

2024 Calendar Year Fire Drills in On-Campus Residence Halls

Facility Name	Address	Number of Drills	Spring Session	Fall Session
Guinan Hall	1303 Sul Ross	2	2/22/2024	9/9/2024
Young Hall	4200 Mount Vernon	2	2/22/2024	9/9/2024
Clare Hall	1210 Colquitt	2	2/22/2024	9/9/2024
St. John	4105A Graustark	2	2/22/2024	9/9/2024
Aquinas House	1130 Graustark 1132 Graustark	2	2/22/2024	9/9/2024
St. Therese	1202 Colquitt 1204 Colquitt 1208 Colquitt 4107 A Graustark	2	2/22/2024	9/9/2024

STUDENT HOUSING FIRE SAFETY SYSTEMS DESCRIPTION

Guinan Hall: 1301 Sul Ross– Occupant Number 323

- Fire Sprinklers 100%
- Fire alarm coverage 100% as per NFPA 72
- National Fire Alarm & Signaling Code
- Proprietary fire alarm monitoring as per NFPA 72
- National Fire Alarm & Signaling Code
- Emergency lighting coverage as per NFPA 101, Life Safety Code
- Elevators recall as per NFPA 101, Life Safety code

Young Hall: 4200 Mount Vernon – Occupant Number 50

- Fire Extinguishers
- Smoke Detectors

Aquinas House 1130 Colquitt – Occupant Number 5

- Fire Extinguishers
- Smoke Detectors

Aquinas House 1132 Colquitt – Occupant Number 5

- Fire Extinguishers
- Smoke Detectors

St. Therese: 1202 Colquitt – Occupant Number 8

- Fire Extinguishers
- Smoke Detectors

St. Therese: 1204 Colquitt – Occupant Number 5

- Fire Extinguishers
- Smoke Detectors

St. Therese: 1208 Colquitt – Occupant Number 6

- Fire Extinguishers
- Smoke Detectors

St. Therese: 4105 A and B Graustark – Occupant Number 5

- Fire Extinguishers
- Smoke Detectors

Clare Hall: 1210 Colquitt – Occupant Number 19

- Fire Extinguishers

- Smoke Detectors

St. John: 4205 Graustark – Occupant Number 5

- Fire Extinguishers
- Smoke Detectors

STUDENT HOUSING POLICIES

a) Smoking

Smoking is not permitted in any area of the residence halls, including individual student rooms and stairwells. For more information, see the “Smoking Policy” information in the Student Handbook.

b) Banned Objects and Appliances

In accordance with university residence hall policy, the following objects, appliances, and electrical devices cannot be used in a university residence hall room:

- Incense
- Space heaters
- Electric and/or barbecue grills
- Motorized shopping carts
- Flammable liquids
- Barbeque grills
- Hookahs
- Explosives
- Fireworks
- Hot plates/ Hot pots
- Toaster ovens
- Sun lamps
- Extension cords
- Electric blankets
- Electric skillets
- Hot oil popcorn popper
- Microwave oven (Guinan Hall)
- Mercury thermometers
- Open-flame devices
- Toaster (Guinan Hall)
- Candles
- Torchiere halogen lamps and Christmas lights

- Holiday lights that are not LED rope format
- Hoverboards
- Weapons or facsimiles of weapons
- Coffeepots with a hot plate (Keurig machines or other similar styles are permitted)

The use of unauthorized electrical devices can present a fire hazard. Residents found in possession of unauthorized electrical devices will be directed to remove the item and will be subject to disciplinary action. See the Student Handbook, under Residence Hall policy for more information.

c) Open Flames

In accordance with university residence hall policy, the use of open-flame devices is not allowed within the residence halls. See the Student Handbook, under Residence Hall policy, for more information. The following open-flame devices are prohibited:

- Candles (with or without burned wicks)
- Incense
- Other open-flame devices

FIRE & LIFE SAFETY VIOLATIONS

To ensure that fire and life safety guidelines are followed within the residence halls, various types of appliances and items are prohibited. If you have questions regarding whether a particular item is permitted, residents should direct such inquiries to the Resident Assistants.

Student residents receiving notice of a first-time fire safety violation are subject to disciplinary action. Subsequent violations of fire and life safety policies will result in further disciplinary action and possible removal of an individual from the residence hall.

PROCEDURES STUDENTS AND EMPLOYEES SHOULD FOLLOW IN CASE OF A FIRE

In the event of a fire, the University expects that 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 UST 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 and

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 closing of doors or the activation of the alarm delay the exit from the building.

STUDENT HOUSING EVACUATION PROCEDURES

a) General Information Related to Student Housing Evacuation Procedures In Case of a Fire

- If you hear the fire alarm, immediately evacuate the building using the nearest available exit. Do not attempt to fight a fire unless you have been trained to do so.
- Awaken any sleeping roommates or suitemates. Prepare to evacuate by putting on shoes and coat, if necessary. Feel the doorknob and the door. If it is hot, do not open the door. If they are cool, open them slowly; if heat or heavy smoke rushes in, close the door immediately and remain inside.
- When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
- "Residence Life" staff members who are present on their floors should facilitate the evacuation of their floor, if possible. When the alarm sounds, they should shout out that there is an emergency and knock on doors as they make their way to the nearest exit and out of the building.
- When exiting in smoky conditions, keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
- DO NOT USE ELEVATORS. Elevator shafts may fill with smoke, or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
- Each resident should report to their assigned assembly area. "Residence Life" staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a headcount and do not allow re-entry into the building until directed to do so by emergency

personnel.

b) Emergency Evacuation

Student residents are required to evacuate residence halls upon activation of the building fire alarm system. Other types of emergencies requiring the evacuation of a facility can be performed via a handheld loudspeaker. Any announcement of an emergency nature is performed by a trained Resident Assistant or staff member.

c) Evacuation Route

Emergency evacuation routes within each facility are posted on the interior door of each residence room. Residents are required to gather on sidewalks or other appropriate areas out of the traffic areas used by emergency responders. After being evacuated, residents should only return to the residence halls after an announcement by the municipal fire department or USTPD. Evacuation drills are performed for each occupied residence hall two (2) times per year. Drills are performed each fall and spring semester.

d) Evacuation Assistance

Residence hall staff provides a confidential list of students who may require assistance during evacuations to fire safety and police personnel. Students may request in writing to the residence hall area desk to be added or removed from this list at any time during the year. Resident Assistants provide assistance or assign personnel to assist any student that may be mobility impaired or that may require assistance in the event of an evacuation.

e) Emergency Communication Tools

Emergencies may range from inclement weather to building evacuations to campus closures. The university has a variety of tools to communicate with the public in the event of these and other possible emergencies. Depending on the type of emergency, the university may use some or all of the communication tools to inform the faculty, staff, and students. These tools include:

- Text Messaging Service. The University contracts with a third-party vendor that provides the technological ability to send text messages to members of the campus community. Only text messages about emergencies and messages used periodically to test the system are sent. Any data provided to the vendor by the University is protected by contractual arrangements. Students, staff, and faculty are automatically enrolled to receive emergency university

communications via text message and can update their contact information at www.stthom.edu.

- University Group E-mail. During emergencies, UST Alerts sends an "urgent" group e-mail to every student, faculty, and staff member. The message directs individuals to the emergency website for additional information and instructions.
- Voice Mail to 8x8 Work Telephones. This system leaves a voice message on every faculty and staff member's 8x8 work phone.
- Local News Media. The University Marketing and Communications office sends press releases and makes calls to contacts on a local media list. Because of the transient nature of its population, the University depends a great deal on broadcast media to notify students, faculty members, and staff members of emergencies before or during their commutes.
- Public Safety Patrol Car Announcements. USTPD patrol cars are equipped with public address systems officers can use to provide instructions to pedestrians during emergencies.
- Telephone Tree. The President's Office has a telephone tree of department contacts, which is activated during an emergency.
- Face-to-Face Communication. In addition to, or in lieu of, the systems listed above, face-to-face communication may also be used.

FIRE SAFETY TRAINING

Fire safety training is required for all Resident Assistants. Training is provided by the University Fire Prevention Services Inspection staff prior to the fall semester. The training involves:

- Practical (hands-on) training on portable fire extinguishers
- Presentation (1 hour) in dormitory room/corridors/stairs/common area inspection procedures:
 - A. Overview of prohibited electrical appliances
 - B. Overview of building fire safety systems (sprinklers/fire alarm)
 - C. Practical fire safety inspection procedures and the reporting process
 - D. Evacuation procedures

FIRE SAFETY INSPECTIONS

Fire safety inspections of all residence halls and individual rooms are performed by the facilities personnel and resident assistants assigned to each facility.

Inspections of residence halls are performed nightly by the resident assistants. Specific areas to be inspected are:

- Exit stairwells (check for obstructions)
- Exit corridors (check for obstructions)
- Exit signs (check for function and visibility)
- Building exit doors (check for function and security)
- Communal areas (lounges, study rooms, entertainment areas)

Reports regarding building safety equipment requiring repair or replacement must be submitted to maintenance personnel in a timely manner.

FIRE REPORTING

Reports of any type of fire are investigated and documented by the UST Police Department. Fires involving an injury, death, significant property damage, or suspicious fire incidents must be reported to the University of St. Thomas Chief of Police on a 24/7 basis. Any fire on the campus of the University of St. Thomas that causes injury, death, significant property damage, or potentially suspicious fire incidents must be reported to the **Texas State Fire Marshal's Office**. The reporting of fires to the **Texas State Fire Marshal's Office** is completed by the USTPD Chief of Police.

If a member of the UST community finds evidence of a fire that has been extinguished, and the person is not sure whether USTPD has already responded, the community member should immediately notify USTPD via their non-emergency number at (713) 525-5888 to investigate and document the incident for disclosure in the University's annual fire statistics.

Reports of fires within the Residence Halls are posted on the USTPD daily crime and fire log.

a) Notification of Fire Incidents

The University of St. Thomas reports fire incidents via an NFPA 72 Proprietary dispatch office to the following individuals:

- UST Chief of Police
- Assistant Vice President of Facilities Operations

The **Texas State Fire Marshal's Office** is notified by the USTPD Chief of Police.

Additional technical personnel from the **Texas State Fire Marshal's Office** may be notified depending upon the nature of the fire incident. This could include:

- Deputy State Fire Marshal Inspectors
- Deputy State Fire Marshal Arson Investigators
- Deputy State Fire Marshal Forensic/Lab Investigators

FUTURE IMPROVEMENTS ON CAMPUS FIRE SAFETY

The University of St. Thomas continually evaluates the need for improvements in all aspects of the campus fire safety program. It is the intent of the university to provide an environment that addresses the issues of fire and life safety for students, faculty, and staff.

Changes in student or personnel numbers, occupancy changes of campus buildings, the design and use of new buildings, renovations of existing structures, and the need to retrofit existing buildings with new fire/life safety equipment are continually under review.

Improvements or potential changes in fire safety at the university are reviewed, and any required changes are implemented on a timely basis.

The University does not have any planned improvements in fire safety at this time.

SEPARATE CAMPUSES

The University of St. Thomas has four additional campuses that must comply separately under the Clery Act.

- St. Mary's Seminary is located at 9845 Memorial Drive, Houston, TX 77024. The University of St. Thomas reports the crimes required by the Clery Act that occurred on or within an institution's Clery geography that was reported to a Campus Security Authority.
- Shenandoah Center is located at 121 Vision Park Blvd, Suite 300, Shenandoah, TX 77384. The University of St. Thomas reports the crimes required by the Clery Act that occurred on or within an institution's Clery geography that was reported to a Campus Security Authority.
- Sugar Land Center is located at 14090 Southwest Freeway, Hwy 69, Sugar Land, TX 77478. The University of St. Thomas reports the crimes required by the Clery Act that occurred on or within an institution's Clery geography that was reported to a Campus Security Authority.

ST. MARY’S SEMINARY

St. Mary’s Seminary is located near Houston’s Memorial Park area, approximately 10 miles from UST’s main campus. St. Mary’s Seminary is a theologate that exists for the personal, spiritual, academic, and pastoral preparation of men for the Roman Catholic priesthood. St. Mary’s is committed to enabling men to grow in holiness and develop into pastoral leaders who desire to serve the Church as priests and who satisfactorily demonstrate their competence and willingness for effective ministry. The seminary also prepares men for the Diaconate as well as other men who are not in formation. Women take courses at St. Mary’s Seminary campus.

Below are the tables containing the crime statistics for the calendar years of 2022-2024 for the University of St. Thomas at our St. Mary’s Seminary campus.

CAMPUS RESOURCE INFORMATION

9845 Memorial Drive, Houston, Texas 77024
713-686-4345

Key Contacts for Seminarians:

Fr. Trung Nguyen, Rector 713-686-4345, ext. 245
Fr. Vincent Anyama, Vice-Rector 713-686-4345, ext. 232

Key Contacts for All Other Students:

Fr. Paul Lockey, Associate Dean 713-686-4345, ext. 273

CAMPUS ACCESS AND SECURITY

The St. Mary’s Seminary campus is enclosed inside a gated area. There’s only one main entrance that is open from 5:00 AM until 11:00 PM daily. The gate is typically closed during holidays when no one is in residence. No trespassing signs are posted throughout the property.

ALCOHOL

Drinking of alcoholic beverages is permitted at those social events on campus that are organized by the Social Life Committee and are approved by the faculty. Possession and drinking of alcohol at other times on campus require the permission of your formation director. You must show maturity and responsibility in your personal habits and behavior and in your recognition of your influence upon others. In the context of St. Mary’s, this is considered a privilege, not a right. This privilege can be revoked.

Drunkenness and other irresponsible drinking or behavior on or off-campus will be dealt with for the welfare of both the individual and the entire seminary community by the rector and the formation faculty. The sanctions may be light or severe to the point of probation and dismissal, depending upon circumstances.

EVACUATION AND LOCKDOWN NOTIFICATIONS

If a life-threatening situation has occurred or is known to be in progress, or there are strong indications of probable immediate life-threatening situations on or near campus, there may be a call for individuals to evacuate from campus or to seek possible shelter in place. Therefore, every member of the campus community is encouraged to sign up for the emergency notification system (Immediate Response Information System). Members of the St. Mary’s Seminary campus are automatically signed up for access to the emergency notification system.

EXCEPT WHEN OTHERWISE SPECIFICALLY PROVIDED IN THIS ANNUAL REPORT, THE PROCEDURES AND POLICIES IN THIS ANNUAL REPORT ALSO APPLY TO UST'S STUDENTS AND EMPLOYEES AT THE UST SCHOOL OF THEOLOGY AT ST. MARY'S SEMINARY (THE "ST. MARY'S SEMINARY CAMPUS"), WHICH IS A SEPARATE CAMPUS FROM THE UST MAIN CAMPUS.

ANNUAL DISCLOSURE OF CRIME STATISTICS- ST. MARY'S SEMINARY

Below are the tables containing the crime statistics for the previous three years — 2022, 2023, and 2024 — for St. Mary's Seminary.

St. Mary's Seminary Statistics for Clery Reportable Crimes for 2022, 2023, and 2024.				
Offense	Year	On-Campus	Non-Campus Buildings and Property	Public Property
Murder and Non-negligent Manslaughter	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Manslaughter by Negligence	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Rape	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Fondling	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Incest	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Statutory Rape	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Robbery	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Aggravated Assault	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Burglary	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Motor Vehicle Theft	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Arson	2022	0	0	0
	2023	0	0	0
	2024	0	0	0

Offense	Year	On-Campus	Non-Campus Buildings and Property	Public Property
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VAWA Offenses

Domestic Violence	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Dating Violence	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Stalking	2022	0	0	0
	2023	0	0	0
	2024	0	0	0

Arrests

Weapons: Carrying, Possessing, Etc.	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Drug Abuse Violations	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Liquor Law Violations	2022	0	0	0
	2023	0	0	0
	2024	0	0	0

Disciplinary Referrals

Weapons: Carrying, Possessing, Etc.	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Drug Abuse Violations	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Liquor Law Violations	2022	0	0	0
	2023	0	0	0
	2024	0	0	0

St. Mary's Seminary
Statistics for Hate Crimes for 2022, 2023, and 2024.

There were no reported Hate Crimes for the years 2022, 2023, and 2024.

St. Mary's Seminary
Statistics for Unfounded Cases for 2022, 2023, and 2024.

2022: Zero unfounded crimes
2023: Zero unfounded crimes
2024: Zero unfounded crimes

1. The remote site at St. Mary's Seminary does not have Residential Facilities.
2. Public Property refers to all public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to the accessible from the campus.
3. Non-Campus Property refers to any off-campus building or property owned or controlled by UST and is used in direct support of, or in relation to, UST's educational purposes, if frequently used by students, and is not within the same reasonable contiguous geographic area of UST.

Note: All of the agencies responded to our request for statistics, but some police departments could not provide the statistics as requested (citywide statistics instead of individual buildings). Attempts were made to clarify statistics from these departments, but information was not provided.

SHENANDOAH CENTER

Shenandoah Center is located in Shenandoah, TX, approximately 40 miles from UST's main campus. Shenandoah Center offers an Accelerated Bachelor of Science in nursing program that provides non-nurses a quality nursing education that can be completed in 12 months. Our full-time program is best suited for students who already have a non-nursing bachelor's degree and the desire to transition into a new nursing career.

Below are the tables containing the crime statistics for the calendar years of 2022-2024 for the University of St. Thomas at our Shenandoah Center.

CAMPUS RESOURCE INFORMATION

121 Vision Park Blvd, Suite 300, Shenandoah, TX 77384
713-686-4345

Key Contacts for All Students:

Kylie Magreger, Interim ABSN Program Director, 713-831-7250

EXCEPT WHEN OTHERWISE SPECIFICALLY PROVIDED IN THIS ANNUAL REPORT, THE PROCEDURES AND POLICIES IN THIS ANNUAL REPORT ALSO APPLY TO UST'S STUDENTS AND EMPLOYEES AT SHENANDOAH CENTER, WHICH IS A SEPARATE

ANNUAL DISCLOSURE OF CRIME STATISTICS- SHENANDOAH CENTER

Below are the tables containing the crime statistics for the previous three years — 2022, 2023, and 2024 — for the Shenandoah Center.

Shenandoah Center Statistics for Clery Reportable Crimes for 2022, 2023, and 2024.				
Offense	Year	On-Campus	Non-Campus Buildings and Property	Public Property
Murder and Non-negligent Manslaughter	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Manslaughter by Negligence	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Rape	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Fondling	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Incest	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Statutory Rape	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Robbery	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Aggravated Assault	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Burglary	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Motor Vehicle Theft	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Arson	2022	0	0	0
	2023	0	0	0
	2024	0	0	0

Offense	Year	On-Campus	Non-Campus Buildings and Property	Public Property
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VAWA Offenses

Domestic Violence	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Dating Violence	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Stalking	2022	0	0	0
	2023	0	0	0
	2024	0	0	0

Arrests

Weapons: Carrying, Possessing, Etc.	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Drug Abuse Violations	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Liquor Law Violations	2022	0	0	0
	2023	0	0	0
	2024	0	0	0

Disciplinary Referrals

Weapons: Carrying, Possessing, Etc.	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Drug Abuse Violations	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Liquor Law Violations	2022	0	0	0
	2023	0	0	0
	2024	0	0	0

Shenandoah Center
Statistics for Hate Crimes for 2022, 2023, and 2024.

There were no reported Hate Crimes for the years 2022, 2023, and 2024.

Shenandoah Center
Statistics for Unfounded Cases for 2022, 2023, and 2024.

2022: Zero unfounded crimes
2023: Zero unfounded crimes
2024: Zero unfounded crimes

1. The remote site at Shenandoah Center does not have Residential Facilities.
2. Public Property refers to all public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to the accessible from the campus.
3. Non-Campus Property refers to any off-campus building or property owned or controlled by UST and is used in direct support of, or in relation to, UST's educational purposes, if frequently used by students, and is not within the same reasonable contiguous geographic area of UST.

Note: All of the agencies responded to our request for statistics, but some police departments could not provide the statistics as requested (citywide statistics instead of individual buildings). Attempts were made to clarify statistics from these departments, but information was not provided.

SUGAR LAND CENTER

Sugar Land Center is located in Sugar Land, TX, approximately 18 miles from UST's main campus. Sugar Land Center offers an Accelerated Bachelor of Science in nursing program that provides non-nurses a quality nursing education that can be completed in 12 months. Our full-time program is best suited for students who already have a non-nursing bachelor's degree and the desire to transition into a new nursing career.

Below are the tables containing the crime statistics for the previous years, 2023 and 2024, for the University of St. Thomas at our Sugar Land Center.

CAMPUS RESOURCE INFORMATION

14090 Southwest Freeway Hwy 69 Sugar Land, TX 77478
855-830-2713

Key Contacts for All Students:

Kylie Magreger, Interim ABSN Program Director, 713-831-7250

EXCEPT WHEN OTHERWISE SPECIFICALLY PROVIDED IN THIS ANNUAL REPORT, THE PROCEDURES AND POLICIES IN THIS ANNUAL REPORT ALSO APPLY TO UST'S STUDENTS AND EMPLOYEES AT SUGAR LAND CENTER, WHICH IS A SEPARATE CAMPUS FROM THE UST MAIN CAMPUS.

ANNUAL DISCLOSURE OF CRIME STATISTICS- SUGAR LAND CENTER

Below are the tables containing the crime statistics for the previous years, 2023 and 2024, for the Sugar Land Center. **Sugar Land Center opened in July 2023, so there are no statistics for 2022.**

Sugar Land Center Statistics for Clery Reportable Crimes for 2022, 2023, and 2024.				
Offense	Year	On-Campus	Non-Campus Buildings and Property	Public Property
Murder and Non-negligent Manslaughter	2022			
	2023	0	0	0
	2024	0	0	0
Manslaughter by Negligence	2022			
	2023	0	0	0
	2024	0	0	0
Rape	2022			
	2023	0	0	0
	2024	0	0	0
Fondling	2022			
	2023	0	0	0
	2024	0	0	0
Incest	2022			
	2023	0	0	0
	2024	0	0	0
Statutory Rape	2022			
	2023	0	0	0
	2024	0	0	0
Robbery	2022			
	2023	0	0	0
	2024	0	0	0
Aggravated Assault	2022			
	2023	0	0	0
	2024	0	0	0
Burglary	2022			
	2023	0	0	0
	2024	0	0	0
Motor Vehicle Theft	2022			
	2023	0	0	0
	2024	0	0	0
Arson	2022			
	2023	0	0	0
	2024	0	0	0

Offense	Year	On-Campus	Non-Campus Buildings and Property	Public Property
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VAWA Offenses

Domestic Violence	2022			
	2023	0	0	0
	2024	0	0	0
Dating Violence	2022			
	2023	0	0	0
	2024	0	0	0
Stalking	2022			
	2023	0	0	0
	2024	0	0	0

Arrests

Weapons: Carrying, Possessing, Etc.	2022			
	2023	0	0	0
	2024	0	0	0
Drug Abuse Violations	2022			
	2023	0	0	0
	2024	0	0	0
Liquor Law Violations	2022			
	2023	0	0	0
	2024	0	0	0

Disciplinary Referrals

Weapons: Carrying, Possessing, Etc.	2022			
	2023	0	0	0
	2024	0	0	0
Drug Abuse Violations	2022			
	2023	0	0	0
	2024	0	0	0
Liquor Law Violations	2022			
	2023	0	0	0
	2024	0	0	0

Sugar Land Center
Statistics for Hate Crimes for 2023 and 2024.

There were no reported Hate Crimes for the year 2023 and 2024.

Sugar Land Center
Statistics for Unfounded Cases for 2023 and 2024.

2023: Zero unfounded crimes
2024: Zero unfounded crimes

1. The remote site at Sugar Land Center does not have Residential Facilities.
2. Public Property refers to all public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to the accessible from the campus.
3. Non-Campus Property refers to any off-campus building or property owned or controlled by UST and is used in direct support of, or in relation to, UST's educational purposes, if frequently used by students, and is not within the same reasonable contiguous geographic area of UST.

Note: All of the agencies responded to our request for statistics, but some police departments could not provide the statistics as requested (citywide statistics instead of individual buildings). Attempts were made to clarify statistics from these departments, but information was not provided.