



8.6.1 Student Right-To-Know and the Campus Security Act

Chapter 8 - Health & Safety	Original Effective Date: June 2000
Section: 8.6 Student Right-To-Know and the Campus Security Act	Date Last Reviewed: September 2021
Responsible Entity: Chief, University Police	Date Last Revised: September 2021

I. Purpose

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, the "Clery Act" applies to institutions of higher education and is confined to campus crimes which occur on campus, adjacent to campus, and off-campus when associated with the institution. The Clery Act was expanded in 2013 with the reauthorization of the Violence Against Women ACT (VAWA). Accordingly, the Campus SaVE Act is now part of the university's Clery obligations and its requirements are included in this policy.

II. Scope

This policy applies to all persons regardless of status or classification to include faculty, staff, students, residents, affiliates, emeritus, retirees, stipend paid, volunteers, trainees, temporary agency workers, guests, vendors, visitors, and contractor personnel.

III. Policy

UT Health San Antonio is required to produce and distribute an Annual Security Report (ASR) which contains crime statistics, policies, and programmatic information available to the campus community, as well as to prospective students and employees. The UT Police Department (UTPD) will be responsible for the collection and reporting of crime statistics, as specified by federal law. The information is compiled into a report produced by the Chief of Police, or designee.

Each year, enrolled students are notified, via email, with information on how this report can be accessed and reviewed. Faculty and staff receive similar notifications, either by email or through campus mail. Employees that do not have access to an email account will receive a postcard that states how to find the ASR online or how to request a paper copy. Hard copies of these reports can also be obtained from the UTPD. All prospective employees may obtain a copy of these reports from the Office of Human Resources.

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A. Annual Security Report

The UTPD will be responsible for collecting the required crime statistics and producing the ASR. The full text of this report can be found at <https://www.uthscsa.edu/sites/default/files/police/campussecurityreport.pdf>.

The ASR contains information on:

1. Sexual Harassment/Sexual Misconduct Policy
2. Crime Statistics for the last three (3) years
3. Reporting of criminal actions
4. Timely Warnings Notices
5. Emergency notifications
6. Communications and evacuation procedures
7. Crime prevention
8. Campus facility access and security
9. University police jurisdiction
10. Personal safety measures
11. Off-campus criminal activity monitoring
12. Sexual assault prevention
13. Missing student notification policy
14. Statement of policy on alcohol and weapons on campus
15. Drug and educational program opportunities
16. Drug free schools and communities information

B. Working Relationship with State and Local Police

The UTPD maintains close working relationships with the San Antonio Police Department (SAPD), Bexar County Sheriff's Office (BCSO), federal, state, and other law enforcement agencies. The UTPD routinely shares investigative information with these agencies and also works closely with the San Antonio Fire Department and Emergency Medical Services. The UTPD has a mutual aid law enforcement agreement with the SAPD to provide law enforcement services, investigate crimes, and protect life and property within the geographical areas common to the City of San Antonio and the university. The UTPD is routinely informed by other local law enforcement agencies of any criminal activities involving the university's student organizations. The information in these reports is subsequently shared with the Office of Academic, Faculty, and Student Affairs.

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C. Crime Statistics

Statistics on the following crimes and offenses, as defined by the Clery Act, are to be reported in the ASR.

1. Murder and Non-negligent Manslaughter
2. Negligent Manslaughter
3. Sex Offenses
 - a. Rape
 - b. Fondling
 - c. Date Rape Drug
4. Sex Offenses Non-forcible
 - a. Incest
 - b. Statutory Rape
5. Robbery
6. Aggravated Assault
7. Burglary
8. Motor Vehicle Theft
9. Arson
10. Domestic Violence
 - a. Federal Definition
 - b. State Definition
11. Dating Violence
 - a. Federal Definition
 - b. State Definition
12. Stalking
 - a. Federal Definition
 - b. State Definition
13. Weapons Violations
14. Drug and Liquor Violations
15. Referred for Disciplinary Action
16. Public Property
17. Clery Act Hate/Bias Crimes

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18. Larceny-Theft
19. Simple Assault
20. Intimidation
21. Destruction/Damage/Vandalism of Property (except Arson)

D. Crime Statistics from Local Law Enforcement

The UTPD requests data from local law enforcement agencies each January of a new year. All crime statistics from outside law enforcement agencies are voluntary.

E. Campus Security Authority

Campus Security Authority (CSA) is a Clery-specific term that encompasses groups of individuals and organizations associated with an institution. This includes:

1. A campus police department or a campus security department of an institution.
2. 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).
3. 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.
4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and duty to take action or respond to particular issues on behalf of the institution.

F. Reporting Requirements

If a CSA observes any crime, or if any person in good faith reveals to a CSA that they have information concerning the victim of, perpetrator of, or witness to any crime, the CSA must immediately notify the UTPD.

The university must include in the ASR information on certain offenses, arrests, and disciplinary referrals on campus or on a non-campus building or property, and on Clery defined public property.

G. Daily Crime Log

The UTPD maintains a public crime log of all crime reported to it that occurs on campus, on a non-campus building or property, on public property, or within its patrol jurisdiction.

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A hard copy of the daily crime log is available for public inspection during normal business hours at the main office of the UT Police Department, 7703 Floyd Curl Drive, San Antonio, Texas, 78229. The log is updated no later than 2 days after the activity is reported to the UTPD. The crime log for the most recent 60-day period is available for viewing upon request during normal business hours. Any portion of the log that is older than 60 days is available no later than 2 business days after a request for public inspection. The daily crime log is also available for public inspection online at <https://www.uthscsa.edu/police/daily-crime-log>.

The crime log contains the following information:

1. nature of the crime
2. date and time crime occurred
3. date and time crime was reported
4. general location crime occurred
5. disposition (if known)

H. Reporting a Criminal Activity or Emergency

Faculty, staff, students, and visitors are encouraged to report all crimes and public safety related incidents to the UTPD in a timely manner. Individuals who wish to report alleged criminal actions that occur on the campuses of the university or on university leased space, may do so by calling UTPD at:

Main Campus: 210-567-2800

Laredo Campus: 956-523-7414

In the case of an emergency on campus, dial 911 on a campus phone or dial 210-567-8911 from a mobile phone. In addition, assistance may be requested from uniformed officers on patrol or at one of the entry control stations. UTPD's office on main campus is located at 7703 Floyd Curl Drive, on the first level of Parking Garage B.

I. Confidential Crime Reporting Procedures

If a victim of crime does not want to pursue action within the university system or the criminal justice system, they may still want to consider making a confidential report. This can be accomplished by completing the UTPD Silent Witness form, <https://www.uthscsa.edu/police/witness-form>.

With the victim's permission, the Chief of Police, or designee, can file a report on the details of the incident without revealing the identity of the person. The purpose of a Confidential report is to maintain confidentiality while taking steps to ensure the future safety of the victim and others. With such information the university can keep an accurate record of the number of incidents involving faculty, staff, and students to

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determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

J. Reporting Off Campus Crimes

Reports of crimes that occur off campus can be made to the SAPD at 210-207-7273 or the BCSO at 210-335-6000.

K. Timely Warnings and Emergency Notifications

To help prevent crimes or serious incidents, the Chief of Police, or designee, may issue a Timely Warning or emergency notification. A Timely Warning is a crime alert notifying the university community of ongoing criminal episodes. These crime alerts are sent through campus wide emails and posted on the UTPD website under the Security Alert/Timely Warning heading. These notifications serve to alert the campus community of the type of criminal act and what preventive measures to take. An emergency notification is a notification alerting the campus community of imminent danger or a continuing threat. Emergency notifications are sent through the University Alert text and may also be sent through the campus wide email.

1. The current campus policy for making timely reports to members of the campus community is as follows: When a threatening or dangerous situation is reported to the UTPD, the Chief of Police, or designee, will coordinate a timely review of the circumstances surrounding the situation to determine if the incident represents a continuing threat to the safety of students and employees that would merit an emergency notification or timely warning. Emergency notifications are triggered by incidents that represent a continuing dangerous or life-threatening situation. These situations include, but are not limited to: significant weather events such as tornadoes, flooding or large hail and natural disasters such as earthquakes, safety hazards such as fire, gas leaks, chemical spills, explosions or the outbreak of a serious illness, crimes such as: murder, sex offenses, kidnapping, robbery, aggravated assault, arson or any offense involving use of a deadly weapon.
2. Timely warnings are triggered when an institution determines that a crime for which it must report Clery statistics has occurred and the crime presents a serious or continuing threat to students and employees. These crimes may include:
 - a. criminal homicide (murder, non-negligent manslaughter, and negligent manslaughter);
 - b. sex offense (forcible or non-forcible);
 - c. aggravated assault;
 - d. robbery;
 - e. burglary;

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- f. motor vehicle theft;
 - g. arson;
 - h. hate crimes involving any of the above or theft;
 - i. simple assault;
 - j. intimidation or destruction /damage / vandalism of property;
 - k. possession of weapons;
 - l. drug abuse; and
 - m. liquor law violations
3. If the reviewer determines that the incident represents a continuing or imminent threat to the campus community, the Chief of Police, or designee, shall draft, approve, and disseminate safety warnings and notification. This determination should be made by authorities with appropriate training and experience, not by personnel without emergency response expertise. Notifications shall be made by using any or all of the following methods, depending upon what is most appropriate:
 - a. press release distributed to local media organizations;
 - b. public safety warning message disseminated to the campus via mass email, mass text message, and/or mass messaging on social media sites;
 - c. crime bulletin posted on the department's web site;
 - d. warnings posted adjacent to the entrances to all campus buildings;
 - e. messages broadcast to the public via speaker systems; and
 - f. warning sirens.
 4. If the decision is made to disseminate an emergency notification or timely warning, coordination with other university departments is encouraged. However, the Chief of Police, or designee, shall not be bound to consult with other departments if doing so would cause a delay that could put members of the community at risk. The key factor is the safety of the community, and this institution's procedures must ensure emergency notifications will be issued without delay.
 5. Members of the UTHSA community can sign up for University Alerts in the following ways:
 - a. Faculty and Staff: <http://care.uthscsa.edu/hscAlert.aspx>;
 - b. all Students: through the student portal located at <http://inside.uthscsa.edu/> under Student Administration System; and
 - c. all Residents: may sign up through their academic coordinator.

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L. Missing Students

The University does not have residential housing.

M. Reporting Sexual Assault

If an individual is a victim of, or is aware of, a sexual assault on campus, they should immediately call the UTPD (911 or 210-567-8911). They may also contact a faculty member who can assist in contacting the police. The faculty members will contact UTPD upon request.

The Student Health Center may also be contacted. They are located in the Nursing School in Room 1.422 or call 210-567-9355. For the Laredo Campus, the Gateway Community Health Clinic can be contacted at: 1515 Pappas St. Laredo, Texas 78041 or call 956-795-8130.

UTPD has police officers with special training to handle this type of crime. Victims of off campus sex offense are encouraged to report the offense to the appropriate law enforcement agency with jurisdiction. While UTPD maintains primary jurisdiction on campus, UTPD or a CSA can assist with notifying local law enforcement or other off campus agencies, if requested. Contact San Antonio UTPD at 210-567-2800 or Laredo UTPD at 956-523-7414

N. Sexual Offender Registration

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires state law enforcement agencies, such as the Texas Department of Public Safety (DPS), to provide the university with a list of registered sex offenders who have indicated that they are either enrolled, employed or carrying on a vocation at the university.

The university is required to inform the campus community that a Texas DPS registration list of sex offenders will be maintained and available at UTPD's Criminal Investigation Unit and with the Office of Vice President for Academic, Faculty, and Student Affairs.

In addition, a list of all registered sex offenders in Texas is available from the DPS at <https://publicsite.dps.texas.gov/SexOffenderRegistry>. The university is located in Bexar County and the zip code is 78229.

The CSCPA further amends the Family Education Rights and Privacy Act of 1074 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

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This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000 and Article 62 of the Texas Code of Criminal Procedures.

O. Emergency Notification and Evacuation Procedures

The Environmental Health and Safety Department is responsible for evacuation plan and procedures. The emergency response and evacuation procedures must include:

1. The procedures the university will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.
2. A description of the process the university will use to confirm there is a significant emergency or dangerous situation; determine the appropriate segment or segments of the campus community to receive a notification; determine the content of the notification; and initiate the notification system.
3. A statement that the university will, without delay, and taking 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 professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.
4. A list of the titles of the person(s) or organization(s) responsible for carrying out the actions described above.
5. The university's procedures for disseminating emergency information to the larger community.
6. The university's procedures to test the emergency response and evacuation procedures on at least an annual basis, including test that may be announced or unannounced; publicizing its emergency response and evacuation procedures in conjunction with at least one test per calendar year; and documenting, for each test, a description of the exercise, the date, time, and whether it was announced or unannounced.

P. Drug and Alcohol Abuse Programs

The unlawful manufacture, sale, distribution, dispensing, possession, or use of a controlled substance (alcoholic beverages, drugs, or chemicals) is expressly prohibited on any property under the control of the university. All students, employees and visitors are subject to state and local laws concerning alcohol possession, consumption, and sale. Individuals and organizations associated with the university must comply with such laws, including those governing the sale, dispensing, and use

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of an alcoholic beverage. The legal age in Texas for the purchase or consumption of an alcoholic beverage is 21.

Alcoholic beverages served on university property are permissible only by prior written consent from the President of the university per Institutional Handbook of Operating Policies (IHOP) Policy [8.2.3 Use of Alcoholic Beverages on Campus](#).

The use of any drug in the university must be within the limits of federal and state laws. It is the responsibility of students, employees, and visitors to know and obey those federal and state statutes prohibiting the use of illegal drugs. Violations of these policies may result in disciplinary probation, demotion, suspension without pay, termination and could lead to arrest.

Students may receive assistance from the Student Counseling Center. The department does have professional referral programs. Employees may seek assistance through the university's Employee Assistance Program at 1-800-346-3549.

Q. Crime Prevention Programs

Crime prevention programs and services offered by the UTPD include, but are not limited to:

1. Student and Employee Orientations presented to all new students and employees throughout the year.
2. Crime Prevention Presentations made annually to campus, staff, and students. This presentation includes information about personal safety (to include sexual offense prevention), operation identification, office theft prevention, home security and auto theft prevention. These programs are also delivered on request.
3. Operation Identification is a program offering engraving of an individual's driver's license number on items of value and the cataloging of these items. Engravers can be borrowed free of charge from UTPD.
4. Security Surveys identify areas of vulnerability. Surveys are conducted for a number of campus departments and facilities each year. To request a survey, contact the UTPD.
5. Rape Aggression Defense (R.A.D.) classes are available several times a year. R.A.D. is a realistic "hands on" self-defense program for women that instruct them in the principles and concepts of crime prevention, risk reduction and avoidance. The Crime Prevention Officer teaches sexual offense awareness, personal safety, education, and prevention throughout the year.
6. Patrol-Bys are conducted upon request by officers who will periodically conduct a security check of the area where individuals are working or studying.
7. Safe Walk Program is provided seven days a week, 24 hours a day, by escorting students and employees to their vehicles when personal safety is of concern. The

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program is available by calling the UTPD Communication Center at 210-567-2800 or using any emergency intercom placed throughout the campus.

R. Title IX at the Health Science Center

As required by Title IX, the university does not discriminate on the basis of sex in its education programs and activities. The university encourages any student, faculty, or staff member who thinks that he or she has been subjected to sexual harassment, sexual misconduct, including sexual violence, domestic or dating violence and stalking to immediately report the incident to:

John Kaulfus, Ed.D. (he, him, his), Chief Student Affairs Officer & Title IX Coordinator, Division of Academic, Faculty and Student Affairs

University of Texas Health Science Center, 7703 Floyd Curl Drive – Mail Code 7720, San Antonio, Texas 78229-3900

Office: 210-450-8131, Email: kaulfus@uthscsa.edu

IV. Definitions

When used in this document with initial capital letter(s), the following words have the meaning set forth below unless a different meaning is required by context.

On-Campus Property – 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/Greek houses; and any building or property that is within or reasonably contiguous to the area identified in the above paragraph 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). Controlling property is a defined term for Clery Act purposes. ‘Controlled by’ means that the institution rents, leases or has some other type of written agreement (including an informal one, such as a letter or e-mail) for a building or property, or a portion of a building or property

Non-Campus Property – any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. The non-campus property requirement does not include property that is not frequently used by students (e.g., space for back office employees, housing, or labs for researchers without students, etc.).

Public Property – defined by the Clery Act regulations as all public property including thoroughfares, streets, sidewalks, parks, and parking facilities that are within the campus,

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or immediately adjacent to and accessible from the campus. This includes the sidewalk, street, and opposite sidewalk immediately adjacent to University property, but does not include public property beyond the second sidewalk. The public property requirement covers only public property around on-campus property, not around non-campus property owned or controlled by the institution.

Police Officers – UT police officers receive their police authority via Article 51.203 of the Texas Education Code. The primary jurisdiction of peace officers commissioned by The University of Texas System Police includes all counties in which property is owned, leased, rented, or otherwise under the control of The University of Texas System. Additionally, University of Texas System peace officers are authorized by law to function as peace officers outside their primary jurisdiction to assist another law enforcement agency in Texas or to otherwise perform duties as a peace officer on official university business. University of Texas System police officers are authorized to enforce state and federal laws and have full arrest authority.

Public Safety Officers – UT Public Safety Officers are civilian employees who have the same level of arrest authority as a citizen as authorized by the Texas Code of Criminal Procedure. Public Safety Officers serve as support staff for the police department by providing a visible uniform presence in buildings and on University property to deter crime. Public Safety Officers report criminal incidents to police officers who are designated first responders.

Police Patrol Jurisdiction – the patrol jurisdiction of UT Police Department includes all counties in which property is owned, leased, rented, or otherwise under the control of The University of Texas System. This patrol jurisdiction includes the community surrounding the Health Science Center campus and Medical Center area.

V. Related References

There are no related documents associated with this Policy.

VI. Review and Approval History

- A. The approving authority of this policy is the University Executive Committee.
- B. The review frequency cycle is set for three years following the last review date, a time period that is not mandated by regulatory, accreditation, or other authority.

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Effective Date	Action Taken	Approved By	Date Approved
06/2000	Policy Origination		
10/2015	Policy Revision		
09/2021	Policy Revision, discretionary edits	Chief, University Police	09/09/21