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**APPROVED BY:**

<b>Approval Body</b>	<b>Name</b>	<b>Authentication Date</b>
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## I. PURPOSE

To standardize processes and procedures in the Baptist Health System (BHS) School of Health Professions (SHP or school) security program in order to enhance security, safety, and consistency while complying with the requirements of the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* and the *Violence Against Women Reauthorization Act of 2013*. This program establishes the parameters within which a safe, secure environment is developed, maintained, and continuously improved. This document also addresses specific responsibilities, general security, and employee/student security education programs.

## II. DEFINITIONS

- A. Clery Act** – In 1998, the *Crime Awareness and Campus Security Act of 1990* was renamed the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in memory of a student who was slain in her dorm room in 1986. The Clery Act requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees and to make public their campus security policies. It also requires that crime data are collected, reported, and disseminated to the campus community and submitted to the U.S. Department of Education. The act is intended to provide students and their families, as higher education consumers, with accurate, complete, and timely information about safety on campus so they can make informed decisions.
- B. VAWA** – The *Violence Against Women Reauthorization Act (VAWA)* is a federal law originally implemented in 1994 in recognition of the severity of the crimes associated with dating violence, domestic violence, sexual assault, and stalking as part of the *Violent Crime Control and Law Enforcement Act of 1994*. VAWA was reauthorized in 2000, 2005, and 2013 and includes amendments to the Clery Act. Critical to ending violence and maintaining a safe campus is recognizing and avoiding abusive behavior. Abuse can surface in many ways (emotional, verbal, psychological, sexual, and physical). Some warning signs of abuse are:
- Frequent yelling directed at a partner
  - Blaming a partner for own faults
  - Name-calling
  - Consistently accusing a partner of infidelity
  - Kicking, holding, slapping, and scratching
  - Forcible sex (e.g., wanting sex after hitting)

## III. POLICIES

- A. Timely Warning Policy** – In the event a situation arises either on or off campus that, in the judgment of the SHP president (or designee having responsibility for issuing the warning), constitutes a serious or continuing threat to the safety of campus personnel or property, a campus-wide “timely warning” will be issued, enabling the campus community members to take steps to protect themselves. The warning will be issued on a

case-by-case basis as soon as pertinent information is available. Timely warnings are not limited to violent crimes or crimes against persons. It is irrelevant whether the victims or perpetrators are members of the campus community.

A “timely warning” may be issued through one or more of the follow means:

1. **Campus email** – A warning statement may be disseminated via campus email describing the type of criminal incident and suggesting how the student or staff member might respond in the short term and the long term. The email may also request information from anyone knowing anything about the incident or occurrence and request a report of information to campus security or SHP administration.
2. **Room-to-room dissemination of information** – Administration could decide to go room-to-room disseminating emergency information. Room-to-room information may be by mouth or by written statement depending on the seriousness or nature of the situation.
3. Depending on the circumstances, administration may also post notices on school bulletin boards and/or at the front and rear doors and by any electronic means, including the school’s Everbridge emergency broadcast system, to reach the campus community in a timely manner. Updates may be provided on the school’s weather line – 210-297-RAIN (7246).

Anyone with information warranting a timely warning should report the circumstances to campus security by calling 210-556-4879 or the safety officer at 210-297-9630 or in person at the administration office, suite 407, on the fourth floor.

**B. Emergency Notification and Evacuation** – Reports of campus emergencies of a significant or dangerous nature that involve an immediate threat to the health or safety of resident students or employees will be handled by the SHP president or designee. The president or designee, with the assistance of campus security and others with knowledge of the situation will immediately seek to confirm the legitimacy of the report and secure the building as necessary. The president or designee will make the decision to activate the school’s Everbridge emergency broadcast system to quickly notify all students and employees, including guidance on how to respond (for example, lockdown, shelter in place, evacuate, stay away). Other means of notification may include activating the fire alarm system, unless a general building evacuation is inadvisable. Room-to-room dissemination may also be used. In the event of an incident that would require the larger community to be notified, information will be disseminated via local media with the assistance of the BHS director of communications in coordination with BHS leadership. An all-clear will be issued once the danger has passed.

Students or employees may dial 55555 from any campus land phone to be connected to an emergency line within the school. Calls to this number are routed to the school’s safety officer and reception desk. If unanswered, calls roll to an off-site BHS operator with authority to notify first responders and activate the Everbridge system, if warranted. In addition, students and employees are encouraged to dial 911.

The school 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.

Responsible authorities include:

- SHP president
- Information Services senior network analyst
- SHP safety officer
- BHS offsite hospital operator
- SHP campus security

During evening or weekend hours, any available faculty member may serve as a responsible authority until the SHP president or another responsibility authority is able to take charge.

The emergency evacuation plan is provided to incoming residential students as a part of the mandatory campus safety presentation and with new employees during department orientation. Contact information including voice, text, and email contacts for all students and employees is uploaded to the Everbridge system and updated regularly. Instructions about how to update contact information are provided in campus safety presentations and are available on the school's website ([www.bshp.edu](http://www.bshp.edu)).

When evacuation is deemed appropriate, all occupants will exit the building via stairs located on either end of the building, making their way to the front of the building to the designated assembly area away from driveways. From there, emergency personnel may further direct the campus community to a more distant location for safety reasons.

Emergency response drills are conducted at least annually and may be either announced or unannounced. Resident students and employees are required to participate in drills. Prior to a scheduled drill, faculty are requested to review emergency response procedures with students; and a general reminder of where procedures may be found will be distributed via campus-wide email. Exercises may include evacuation, sheltering in place, or discussions of what a group would have done. The Everbridge system provides reports of contacts during an alert, which will be reviewed. Follow-up contact by another means may be initiated to identify missing or incorrect contact information. The goal of every drill is to determine whether students and employees understand how to react in an emergency situation as well as to discover areas of inadequate training or needed updates. Documentation of the description of each test, including the date and inclusive times, and whether it was announced or unannounced will be retained for seven years.

**C. Reporting Criminal Actions** – The school contracts with GuardTexas to provide 24/7 campus security. The officer on duty occupies a desk in the front lobby when not making regular walking campus rounds or responding to requests for assistance and is available by cell phone at all times. The security contact number is posted on the building directory in the lobby, provided to resident students as a part of the mandatory

campus safety presentation, and published in the in-school telephone directory available to employees, as well as in a safety brochure available on campus.

Employees and students are encouraged to notify campus security, the safety officer, or school administration as quickly as possible of any Clery Act or VAWA crimes, alleged crimes, or anyone threatening a criminal act on or around campus property. During business hours, reports may be made in person or by phone. After business hours or if an urgent situation warrants, employees or students may call 911.

<b>SHP Contact Person</b>	<b>Location</b>	<b>Contact Info</b>
President	Administration Suite 407	210-297-9632
Safety Officer	Administration Suite 407	210-297-9630
Campus Security	First Floor Lobby	210-556-4879
Emergency Line	Any Campus Land Phone	55555

All reports will be investigated, and violations of the law will be referred to law enforcement agencies. The school has procedures for voluntary, confidential reporting of crime statistics. When a potentially dangerous threat to the SHP community arises, timely reports or warnings will be issued through e-mail announcements, the posting of flyers in public locations in the building, in-class announcements, or other appropriate means.

**D. Confidential Reporting** – If you are the victim of a crime on campus or within the school’s noncampus geography but do not want to pursue action within the BHS or SHP or the criminal justice system, you are urged to still consider making a confidential report. With your permission, the SHP president can file a report on the details of the incident without revealing your identity or any personally identifying information. The president will inform you of what information will be shared, with whom, and why. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the school can keep accurate records of the number of incidents involving students and staff; 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, if appropriate. Reports filed in this manner are counted and disclosed in the school’s Daily Crime Log and Annual Security Report but with only that information necessary to ensure all crimes are counted while avoiding double counting crimes should there also be a police report.

**E. Daily Crime Log** – The school keeps a log of all criminal activity occurring on campus that is reported to campus security, the school’s safety officer, or SHP administration. Information on criminal activity occurring on private parking lots bordering campus that campus security becomes aware of is also recorded. In addition to activity on campus, criminal activity occurring within BHS entities that constitute the school’s noncampus geography are supplied to the school via the MIDAS occurrence reporting system and included in the Daily Crime Log as a separate section. The school does not have student housing facilities nor are there student organizations that provide housing or utilize other

buildings. Entries or updates to the Daily Crime Log are made within two business days of when the incident or update was reported to campus security, the school's safety officer, or SHP administration. Note: There are two exceptions: when disclosure is prohibited by law or the disclosure would jeopardize the confidentiality of the victim. If any crime is later found to be unfounded by a sworn or commissioned law enforcement authority, the log will be updated to that effect.

The school may temporarily withhold information if there is clear and convincing evidence the release of information would jeopardize an ongoing investigation, jeopardize the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. Withheld information will be disclosed as soon as exceptions are no longer present.

The Daily Crime Log is maintained in hard copy in an indexed binder located in the school's administration office, with the school's safety officer having primary responsibility. The log is intended to be easily understood and includes the required Clery Act categories of the date the incident was reported, date and time the crime occurred (if known), nature of the crime, general location of the crime, and disposition (if known). When possible, the name and badge number of the responding police officer will be included as well as the associated case number. While the log itself is prepared in table form, when available, a more detailed narrative report will be included in a separate section. A description of the where the Daily Crime Log is located and what it contains is included in the school's Academic Catalog.

- F. Annual Security Report** – The Annual Security Report will include Clery Act crime statistics including those classified as hate crimes and crimes that fall under VAWA, and arrest and disciplinary referral statistics reported as occurring on campus, the public area and parking lots around the campus building, and the five BHS hospitals and any other BHS properties where students attend clinical experiences (known as the school's noncampus geography). The school does not have student housing facilities nor are there student organizations that provide housing or utilize other buildings. The annual crime report covers the time frame of January 1 to December 31 of each year. Records related to the Annual Security Report are retained for seven years.

The Clery Act statistics recorded in the Annual Security Report are organized in table form by calendar year ending on December 31 of each year and include statistics for the three most recent calendar years. Crime categories are listed separately and include only totals for each category. Statistics are separated by year, number of persons, and location for arrests and referrals for illegal weapons possession, drug law violations, and liquor law violations. Sections for hate crimes and VAWA offenses are included. The report includes all crimes reported to campus security or other campus authorities as occurring on campus and on public property surrounding campus, crimes at BHS hospitals (noncampus) reported via MIDAS occurrence reporting, and crimes obtained from the San Antonio Police Department as occurring at any of these locations. All crime statistics are combined into one report and presented along with this policy document.

The school's safety officer under the direction of the SHP president prepares, publishes, and disseminates the Annual Security Report by October 1 of each year. The report is available in hard copy in the SHP administration office and posted on the school's website ([www.bshp.edu](http://www.bshp.edu)). A notice of availability is distributed via email to all currently enrolled students (including those attending less than full time or online and those not enrolled in Title IV programs or courses) and all SHP employees by October 1 of each year. The website is provided to any prospective student during the application process or prospective employee via the posted job board or a link sent via email after the interview. If requested, the Annual Security Report will be mailed or emailed at no charge to any currently enrolled student, employee, or prospective student or employee who may request such service.

**G. Campus Security and Access Policy** – During 6:30 a.m. to 7:00 p.m. on weekdays, the school will be open to SHP and BHS employees, SHP students and family members, contractors, applicants or inquirers and other visitors, and guests. During evening and weekend hours, access to the school is limited to SHP faculty and staff and evening/weekend students, guests involved in scheduled classes, and individuals attending scheduled SHP and non-SHP events. Contracted housekeeping and maintenance staff and certain building contractors gain entry and are allowed access to locked areas with proper identification to campus security. Over extended breaks, access to the school will be secured around the clock and will be monitored by campus security. Emergencies may necessitate changes or alterations to posted schedules. Solicitors are not welcome on campus.

All individuals, at all times, are required to be identified by badge – either an employee or student badge (preferably a picture ID) or a “visitor” badge. Anyone who does not have a BHS employee or SHP student identification badge is required to sign in at the visitor kiosk in the first floor lobby to obtain a visitor badge. All visitors who are going beyond the first floor lobby are asked to sign in at the security desk, whether or not a badge is present. Large meeting groups may be asked to provide a participant sign-list in advance of scheduled meetings. Sign-in sheets will be destroyed after 30 days.

Periodic and as-needed risk assessments are conducted to examine security issues, such as landscaping, locks, alarms, lighting, and communications. Additionally, the administration office, personnel in charge of campus safety, security personnel, building property management personnel, landlord or landlord's agents, and other BHS or SHP personnel as needed meet to discuss issues of pressing concern.

The school does not have student housing facilities nor are there student organizations that provide housing or utilize other buildings.

## **H. Campus Law Enforcement**

1. **Enforcement authority** – Campus security officers are contracted by the school as non-commissioned security officers who are licensed through the Texas Department of Public Safety Private Security Bureau. Campus security officers are not law enforcement officers, do not attempt to conduct law enforcement activities, are not

permitted to carry weapons on campus, and have only the authority of any citizen to arrest or detain an individual. Campus security officers are responsible for providing the security service necessary for the smooth operation of the school and for safeguarding staff, students, and property connected with the school. Campus security officers have the authority to ask persons for identification and determine whether individuals have lawful business at the school or on the school campus. Campus security officers have the authority to issue campus parking tickets. While the campus security team does furnish some physical security to the school, officers are probably more valuable as a psychological deterrent.

2. **Relationship with local law enforcement agency** – Alleged criminal offenses are reported to SAPD for investigation and resolution. The school has no formal agreements with local law enforcement agencies; however, the campus security team maintains a highly professional working relationship with SAPD.
  3. **Accurate and prompt reporting** – Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety-related incidents to campus security or school administration in a timely manner. Although not required to report, victims of crime on campus and witnesses are strongly encouraged to immediately report crimes to campus security, the school's safety officer, or administration and SAPD if appropriate. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics. In addition, the importance of preserving evidence that may be critical to the investigation of a crime, particularly crimes related to sexual assault, domestic violence, dating violence, and/or stalking cannot be understated.
  4. If SAPD assistance is required, a campus authority will contact them for you, if requested. If sexual assault, rape, domestic violence, dating violence, or stalking should occur, staff on the scene, including SHP administration, the school's safety officer, and/or campus security will offer the victim access to appropriate services. Although the school has no sexual assault crisis consultation team, employees and students may be referred to the San Antonio Rape Crisis Center hotline (210-349-7273), which has trained members who are available to assist 24 hours a day.
  5. **Pastoral counselors and confidential reporting** – Counselors are encouraged, at their discretion, to inform those they counsel to voluntarily and confidentially report crimes for inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. Reports of a sensitive nature where confidentiality is critical to the investigation of the crime, protection of the victim, or other reason will not include personally identifiable information but only such information as is necessary to appropriately classify and report the crime.
- I. Security Awareness Programs** – SHP students and employees are required to participate in BHS and SHP safety programs. New resident students are required to complete the mandatory online campus safety presentation, where they are informed of services offered by the school's safety program and given ideas on how to take charge of their own safety and security while on campus. Included in the presentation is the *Shots Fired on Campus* video that is designed to help individuals begin to think about how to identify and respond to an active shooter scenario. Similar information is presented to



new employees during department orientation activities. Prior to the annual emergency drill, faculty are requested to review emergency response procedures with students, including a repeat viewing of the video, if appropriate. Periodically and as needed, educational sessions, videos, posters, or displays on personal safety and campus security may be offered.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own safety and the safety of others.

- J. Crime Prevention Programs** – The school does not offer programs specifically designed to address crime prevention. Statements about crime prevention may be included in timely warning notices and routine reminders. In addition, written material addressing crime prevention awareness as well as information on sexual assault, domestic violence, dating violence, and stalking; property and identify theft; and other safety topics are available.
  
- K. Criminal Activity at Noncampus Locations** – The BHS hospitals in San Antonio are considered noncampus locations for the purposes of defining the school’s Clery geography. Security activities and notices at these locations are under the direction of security authorities at the specific locations. Crimes reported as occurring at these locations are included in the SHP Daily Crime Log and reported as a part of the school’s Annual Safety Report. The school has no officially recognized student organizations that meet off campus, including student organizations with noncampus housing facilities.
  
- L. Alcoholic Beverages on Campus** – It is a violation of the school’s professional policy for anyone to possess, use, or sell alcohol in any public or private area of campus without prior SHP president approval. Individuals, organizations, or groups violating alcohol/substance policies may be subject to sanctions, disciplinary action, expulsion, termination, and/or criminal prosecution by SHP and BHS.  
  
Laws regarding the possession, sale, consumption, or furnishing of alcohol are controlled by the Texas Alcoholic Beverage Commission. The enforcement of alcohol laws on campus is the primary responsibility of campus security and school administration. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone less than 21 years of age in a public place or a place open to the public is illegal.
  
- M. Illegal Drugs on Campus** – The school campus has been designated “drug free.” The possession, sale, manufacture, or distribution of any controlled substance or illegal drug is a violation of both state and federal laws. Such laws are strictly enforced by campus security and school administration. Violators are subject to SHP disciplinary action, expulsion, or termination and may be turned over to local law enforcement authorities and subject to criminal prosecution.

**N. Substance Abuse Education** – Drug and alcohol abuse information is available to students and employees by contacting Student Health Services at 210-297-9163. Texas nurses with an identified substance use or mental health condition or related incident may contact the Texas Peer Assistance Program for Nurses (TPAPN) at 800-288-5528 for support. A BHS chaplain may be contacted at 210-297-7750 for crisis counseling and brief pastoral counseling. In addition, literature addressing substance abuse is available in a brochure display area near Student Commons on the lower level; and resources are listed in the Academic Catalog.

A notice is distributed via email to all currently enrolled students taking one or more classes for academic credit and regardless of the length of the program of study and all SHP employees during September of each year. The notice includes standards of conduct, legal and disciplinary sanctions, health risks, and counseling resources. A biennial review is undertaken to determine the effectiveness of education and implement changes, if needed, and ensure the consistency of disciplinary sanctions.

#### IV. VAWA

##### A. Definitions

1. **Sexual harassment** – Conduct on the basis of sex that satisfies one or more of the following:
  - a. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct (*quid pro quo*)
  - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, or objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity.
  - c. Texas Education Code, Sections 51.251 & 51.281: “Sexual harassment” means unwelcome, sex-based verbal or physical conduct that:
    - (1) in the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or
    - (2) in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from educational programs or activities at a postsecondary educational institution.
  - d. **Sexual assault** – A forcible or nonforcible sex offense that meets the definition of rape, fondling, incest, or statutory rape. 34 Code of Federal Regulations (CFR) 668.46:
    - (1) “Rape” means 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.
    - (2) “Fondling” means 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.

- (3) “Incest” means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- (4) “Statutory rape” means sexual intercourse with a person who is under the statutory age of consent.
- e. **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 but does not include acts covered under the definition of domestic violence. (Citation: 34 CFR 668.46)
- f. **Domestic violence** – A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; 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 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.
- g. **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. Cyberstalking is included in this definition. For the purposes of this definition:
  - (1) 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.
  - (2) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - (3) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. (Citation: 34 CFR 668.46)
- 2. **Consent** – Intelligent, knowing, and voluntary consent. The definition of consent does not include coerced submission. Consent shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender. Giving in is not the same as giving consent.
- 3. **Bystander intervention** – 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.

## **B. Policies**

1. The school is committed to maintaining a safe and secure work and academic environment free of any form of sexual misconduct including domestic violence, dating violence, sexual assault, stalking, and sexual harassment. Violation of VAWA shall constitute grounds for disciplinary action, up to and including dismissal from school.
2. The school forbids retaliation against any individual who files a complaint or who participates in the complaint process. Retaliation is regarded as a basis for a separate complaint and can lead to further review and disciplinary action.

**C. Educational Programs** – The school educates the campus community about sexual assault, domestic violence, dating violence, and stalking through mandatory new student orientation. The online orientation program remains available to any student who wishes to review the information throughout enrollment and is emailed to the students on an annual basis. Literature on sexual assault, domestic violence, dating violence, and stalking is available in a brochure display area near Student Commons on the lower level and published online on the school’s website.

## **D. Sexual Harassment Response**

1. The school does not issue orders of protection. However, any SHP student or employee who has obtained an order of protection, no-contact order, restraining order, or similar lawful order issued by a criminal, civil, or tribal court is requested to share this information with school administration. Such information will be shared only with those individuals who have a need to know in order to assist in protecting the individual from potential attack and shielding others who may be inadvertently impacted.
2. If you are a victim of sexual harassment, sexual assault, domestic violence, dating violence, or stalking, your first priority should be to get to a place of safety. You should then obtain the necessary medical treatment, if you have sustained an injury or been assaulted in any way.
  - a. An assault should be reported directly to campus security or school administration.
  - b. SHP administration strongly advocates that a victim of sexual assault, domestic violence, dating violence, or stalking report the incident in a timely manner. Time is a critical factor for evidence collection and preservation that may assist in proving an alleged criminal offense occurred or helpful in obtaining a protection order.
  - c. Filing a report with campus security or school administration does not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions. Filing a police report will:
    - (1) Ensure the victim of sexual assault, domestic violence, dating violence, or stalking receives the necessary medical treatment and tests, at no expense to the victim.
    - (2) Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not

wash, douche, use the toilet, or change clothing prior to a medical/legal exam).

- (3) Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

**E. Complainant Autonomy** – In the event the school learns a student or employee may have been a victim of sexual harassment, the school will:

1. Promptly inform the alleged victim of his/her right to request supportive measures, whether or not the victim chooses to file a formal complaint.
2. Consider the alleged victim’s wishes and offer appropriate supportive measures under the circumstances.
3. Explain to the alleged victim the school’s options and processes for filing a formal complaint.
4. Never pressure the alleged victim to proceed with a formal complaint or participate in a grievance process or discourage the same.
5. Investigate every formal complaint.

**F. Student’s Options for Notifying Law Enforcement Authorities**

1. When a sexual assault victim contacts campus security or school administration, the institution will comply with the student’s request for assistance in notifying authorities. At the student’s option, SAPD Victims Advocacy Services will be notified. A representative from BHS human resources will also be notified. The victim of a sexual assault, domestic violence, dating violence, or stalking may choose that the investigation be pursued through the criminal justice system. The victim has the right to decline notification to any or all authorities.
2. An SHP representative will guide the victim through available options and support the victim in his/her decision. Various counseling options are available through BHS Pastoral Care and Employee Assistance and through the San Antonio Rape Crisis Center.

Contact	Location	Contact Info
Student Health Nurse	SHP Office 128	210-297-9163
President	SHP Administration Suite 407	210-297-9632
SAPD Victims Advocacy Services	5020 Prue Road Substation	210-207-2201
Bexar County Family Justice Center	126 East Nueva, 2nd Floor	210-631-0100
Rape Crisis Center	24-hour hotline	210-349-7273
Family Violence Prevention Services/The Battered Women and Children’s Center	crisis hotline	210-733-8810
Safety Officer	SHP Administration Suite 407	210-297-9630
BHS Pastoral Care	on-call chaplain	210-297-7750

**G. Notification That Institution Will Assist Victim with Changes in Academic**

**Situations** – The school is obligated to comply with a student’s reasonable request for an academic situation change following an alleged sex offense. The SHP president or

designee, along with the student's program director, will be responsible for decisions related to changes in academic situations.

#### **H. Privacy Protections**

1. The school will not use or attempt to use questions or evidence protective by a legally recognized privilege unless the person holding the privilege waves the privilege.
2. The school cannot unilaterally access or consider records made or maintained by a physician, psychiatrist, or other recognized professional that are made for the purpose of providing treatment. These records can only be accessed with the party's voluntary, written consent.
3. During the grievance process, questions or evidence about the complaint's prior sexual behavior – even with the respondent accused of sexual harassment, and even in cases where the respondent already possesses evidence about sexual history – are never deemed relevant, except to prove consent or to prove someone other than the respondent committed the alleged sexual harassment.

**I. Standard of Evidence** – The school will use the common standard of a preponderance of the evidence during institutional disciplinary proceedings arising from allegations of dating violence, domestic violence, sexual assault, or stalking.

#### **J. Disciplinary Action for Alleged Sex Offenses**

1. School disciplinary proceedings are detailed in the Academic Catalog under *Non-Academic Student Misconduct*.
2. Disciplinary proceedings will be conducted according to school procedures with flexible timelines to allow time for appropriate investigation without undue delay.
3. School officials who conduct proceedings to address allegations of dating violence, domestic violence, sexual assault, and stalking will receive annual training regarding evidence and its use, witness questioning techniques, procedural rules for conducting a proceeding, and avoiding conflicts of interest.
4. The accuser and accused will be provided with the same opportunities to be accompanied by an advisor of their choice. The school will not limit the choice of advisor or the advisor's presence in any meeting or institutional disciplinary proceeding. Advisors will be provided with participation guidelines; failure to abide by such guidelines may result in an advisor being removed from the proceedings.
5. Accuser and accused will be simultaneously informed in writing of the outcome of institutional disciplinary proceedings involving any violent crime or non-forcible sex offense. Such report will be provided to the victim's next of kin in cases where the crime resulted in the victim's death.

**K. Sanctions Following a Final Determination** – An employee or student found guilty of misconduct, including sexual assault, domestic violence, dating violence, or stalking could be criminally prosecuted in the state courts and may be terminated from employment or suspended or expelled from the school for the first offense.

**L. Sex Offender Registration** – The Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974 requires institutions of higher education to issue a statement advising the campus community where law enforcement information concerning registered sex offenders may be obtained. The School of Health Professions provides a link in the Academic Catalog to the Texas Department of Public Safety Sex Offender Registry.

<https://publicsite.dps.texas.gov/SexOffenderRegistry>

## **V. REFERENCE**

Texas Education Code, Title 3. Higher Education, Subtitle A. Higher Education In General, Chapter 51. Provisions Generally Applicable To Higher Education. Retrieved from <https://statutes.capitol.texas.gov/Docs/ED/htm/ED.51.htm>

U.S. Department of Education, Office of Postsecondary Education. (2016, June). *The Handbook for Campus Safety and Security Reporting, 2016 Edition*. Washington, D.C., Author. Retrieved from <http://www.ed.gov/admins/lead/safety/campus.html>