

The University of North Texas at Dallas

Violence Against Women Act Report

Clery disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Reauthorization Act of 2013

The University of North Texas at Dallas does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, The University of North Texas at Dallas issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, The University of North Texas at Dallas prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of the University's policy governing sexual misconduct, visit http://www.untDallas.edu/sites/default/files/page_level2/pdf/policy/7.001%20Code%20of%20Student%20Rights%20Responsibilities%20and%20Conduct.pdf

http://www.untDallas.edu/sites/default/files/page_level2/pdf/policy/5.001%20%20Prohibiting%20Discrimination%20and%20Harassment.pdf

A. Definitions

There are numerous terms used by The University of North Texas at Dallas in our policy and procedures.

Consent is defined in TEXAS as: assent in fact, whether express or apparent

Sexual Assault: "Sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

- Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is defined a non-forcible sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence: The term “domestic violence” means 1) Felony or misdemeanor crimes of violence committed—

- (i) By a current or former spouse or intimate partner of the victim;
- (ii) By a person with whom the victim shares a child in common;
- (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- (iv) 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
- (v) 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.

2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

WHAT CONSTITUTES DOMESTIC 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;

Dating Violence: The term “dating violence” means violence committed by a person

1) Who is or has been in a social relationship of a romantic or intimate nature with the victim and

2) The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-

- (i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- (ii) Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

WHAT CONSTITUTES DATING VIOLENCE: means an act, other than a defensive measure to protect oneself, by an actor that:

(1) is committed against a victim:

(A) with whom the actor has or has had a dating relationship; or

(B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

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

(b) 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:

(1) the length of the relationship;

(2) the nature of the relationship; and

(3) the frequency and type of interaction between the persons involved in the relationship.

(c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

Stalking: The term "stalking" means 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(i) fear for the person's safety or the safety of others; or

(ii) Suffer substantial emotional distress.

2) For the purposes of this definition—

(i) 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.

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

(iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

WHAT CONSTITUTES STALKING:

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, including following the other person, that:

- (1) the actor knows or reasonably believes the other person will regard as threatening:
 - (A) bodily injury or death for the other person;
 - (B) bodily injury or death for a member of the other person's family or household; or
 - (C) that an offense will be committed against the other person's property;
- 2) causes the other person or a member of the other person's family or household to be placed in fear of bodily injury or death or fear that an offense will be committed against the other person's property; and
- (3) would cause a reasonable person to fear:
 - (A) bodily injury or death for himself or herself;
 - (B) bodily injury or death for a member of the person's family or household; or
 - (C) that an offense will be committed against the person's property.
 - (b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted under this section.
 - (c) In this section, "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.

B. Education and Prevention Programs

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

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 employees that:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Defines what behavior and actions constitute consent to sexual activity in the State of Texas and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;
- d. Provides 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;
- e. 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.
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The University has developed an annual educational campaign¹ consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation;

The University offered the following **primary prevention and awareness programs for all incoming students** in 2013:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
VAWA Education and Prevention	October 24-25, 2013	Founder's Hall	DoV, DaV, SA & S
On Power and Control	October 28,	Founder's Hall	DoV, DaV, SA & S

	2013		
VAWA documentary	October 30, 2013	Founder's Hall	DoV, DaV, SA & S
VAWA Hand Pledge & Screenings	November 6-7, 2013	Founder's Hall	DoV, DaV, & SA
Speaking Out (VIP for VAWA)	November 19, 2013	Founder's Hall	DoV, DaV, SA & S
In Commemoration (White Ribbon Distribution & Education)	November 25, 2013	Founder's Hall	DoV, DaV, SA & S
Rape, Aggression, Defense Training	December 5, 2103	Founder's Hall	DoV, DaV, SA & S
Bystander Intervention Training	November 15, 2014	Founder's Hall	DoV, DaV, SA & S

❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The University offered the following **primary prevention and awareness programs for all new employees** in 2013:

Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered?
New Employee Orientation	01/15/2013	Human Resources	DoV, DaV, SA & S*
New Employee Orientation	03/18/2013	Human Resources	DoV, DaV, SA & S*
New Employee Orientation			
New Employee Orientation			
New Employee Orientation			
New Employee Orientation			
New Employee Orientation			

The University offered the following **ongoing awareness and prevention programs for students** in 2013:

Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered?
VAWA Education and Prevention	October 24-25, 2013	Founder's Hall	DoV, DaV, SA & S
On Power and Control	October 28, 2013	Founder's Hall	DoV, DaV, SA & S

VAWA documentary	October 30, 2013	Founder's Hall	DoV, DaV, SA & S
VAWA Hand Pledge & Screenings	November 6-7, 2013	Founder's Hall	DoV, DaV, & SA
Speaking Out (VIP for VAWA)	November 19, 2013	Founder's Hall	DoV, DaV, SA & S
In Commemoration (White Ribbon Distribution & Education)	November 25, 2013	Founder's Hall	DoV, DaV, SA & S
Rape, Aggression, Defense Training	December 5, 2103	Founder's Hall	DoV, DaV, SA & S
Bystander Intervention Training	November 15, 2014	Founder's Hall	DoV, DaV, SA & S

❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The University offered the following **ongoing awareness and prevention programs** for employees in 2013:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
VAWA Education and Prevention	October 24-25, 2013	Founder's Hall	DoV, DaV, SA & S
On Power and Control	October 28, 2013	Founder's Hall	DoV, DaV, SA & S
VAWA documentary	October 30, 2013	Founder's Hall	DoV, DaV, SA & S
VAWA Hand Pledge & Screenings	November 6-7, 2013	Founder's Hall	DoV, DaV, & SA
Speaking Out (VIP for VAWA)	November 19, 2013	Founder's Hall	DoV, DaV, SA & S
In Commemoration (White Ribbon Distribution & Education)	November 25, 2013	Founder's Hall	DoV, DaV, SA & S
Rape, Aggression, Defense Training	December 5, 2103	Founder's Hall	DoV, DaV, SA & S
Bystander Intervention Training	November 15, 2014	Founder's Hall	DoV, DaV, SA & S

❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

C. Procedures for Reporting a Complaint

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant² and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the CAMPUS POLICE or local law enforcement. Students and employees should contact:

Title IX Coordinator

972-338-1777

UNT Dallas Police

972-338-3000

Dean of Students

972-338-1775

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at:

Dallas Area Rape Crisis Center

214-641-RAPE(7273)

Parkland VIP Rape Crisis Center

214-590-2926 or 24-hr. hotline: 214-590-0430

Genesis Women's Shelter

214-946-4357

In TEXAS, evidence may be collected even if you chose not to make a report to law enforcement³

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are

encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University hearing boards/investigators or police. Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police. The University will assist any victim with notifying local police if they so desire. University of North Texas Dallas Campus Police Police Department may also be reached directly by calling 972-780-3000 or 911 in person at 7300 University Hills Blvd. Dallas, TX 75241. Additional information about the UNTD Police department may be found online at: <http://www.untdallas.edu/police>

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, Ms. Rosemary Meredith, rosemary.meredith@untdallas.edu, or phone 972.338.1777 by calling, writing or coming into the office to report in person and Campus Police. The University will provide resources, on campus off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

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 Campus Public Safety or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, the below are the procedures that the University will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Incident Being Reported:	Procedure Institution Will Follow:	Evidentiary Standard TO MEET YOUR STANDARDS
Sexual Assault	<ol style="list-style-type: none"> 1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care 2. Institution will assess immediate safety needs of complainant 3. Institution will assist complainant 	

	<p>with contacting local police if complainant requests AND complainant provided with contact information for local police department</p> <ol style="list-style-type: none"> 4. Institution will provide complainant with referrals to on and off campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" directive between both parties 6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 7. Institution will provide written instructions on how to apply for Protective Order 8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution 9. 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 10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation 	
--	---	--

Stalking	1. Institution will assess immediate safety needs of complainant	Preponderance of the evidence
-----------------	--	-------------------------------

	<ol style="list-style-type: none"> 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate 	
--	--	--

Dating Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate 	Preponderance of the evidence.
Domestic Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 	Preponderance of the evidence.

	<ol style="list-style-type: none"> 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate 	
--	--	--

D. Assistance for Victims: Rights & 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. In TEXAS, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

Art. 56.02. CRIME VICTIMS' RIGHTS.

Text of subsection as amended by Acts 2013, 83rd Leg., R.S., Ch. 651 (H.B. [899](#)), Sec. 1

(a) A victim, guardian of a victim, or close relative of a deceased victim is entitled to the following rights within the criminal justice system:

- (1) the right to receive from law enforcement agencies adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;
- (2) the right to have the magistrate take the safety of the victim or his family into consideration as an element in fixing the amount of bail for the accused;
- (3) the right, if requested, to be informed:

(A) by the attorney representing the state of relevant court proceedings, including appellate proceedings, and to be informed if those proceedings have been canceled or rescheduled prior to the event; and

(B) by an appellate court of decisions of the court, after the decisions are entered but before the decisions are made public;

(4) the right to be informed, when requested, by a peace officer concerning the defendant's right to bail and the procedures in criminal investigations and by the district attorney's office concerning the general procedures in the criminal justice system, including general procedures in guilty plea negotiations and arrangements, restitution, and the appeals and parole process;

(5) the right to provide pertinent information to a probation department conducting a presentencing investigation concerning the impact of the offense on the victim and his family by testimony, written statement, or any other manner prior to any sentencing of the offender;

(6) the right to receive information regarding compensation to victims of crime as provided by Subchapter B, including information related to the costs that may be compensated under that subchapter and the amount of compensation, eligibility for compensation, and procedures for application for compensation under that subchapter, the payment for a medical examination under Article [56.06](#) for a victim of a sexual assault, and when requested, to referral to available social service agencies that may offer additional assistance;

(7) the right to be informed, upon request, of parole procedures, to participate in the parole process, to be notified, if requested, of parole proceedings concerning a defendant in the victim's case, to provide to the Board of Pardons and Paroles for inclusion in the defendant's file information to be considered by the board prior to the parole of any defendant convicted of any crime subject to this subchapter, and to be notified, if requested, of the defendant's release;

(8) the right to be provided with a waiting area, separate or secure from other witnesses, including the offender and relatives of the offender, before testifying in any proceeding concerning the offender; if a separate waiting area is not available, other safeguards should be taken to minimize the victim's contact with the offender and the offender's relatives and witnesses, before and during court proceedings;

(9) the right to prompt return of any property of the victim that is held by a law enforcement agency or the attorney for the state as evidence when the property is no longer required for that purpose;

(10) the right to have the attorney for the state notify the employer of the victim, if requested, of the necessity of the victim's cooperation and testimony in a proceeding that may necessitate the absence of the victim from work for good cause;

- (11) the right to counseling, on request, regarding acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection and testing for acquired immune deficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS, if the offense is an offense under Section [21.02](#), [21.11\(a\)\(1\)](#), [22.011](#), or [22.021](#), Penal Code;
- (12) the right to request victim-offender mediation coordinated by the victim services division of the Texas Department of Criminal Justice;
- (13) the right to be informed of the uses of a victim impact statement and the statement's purpose in the criminal justice system, to complete the victim impact statement, and to have the victim impact statement considered:
 - (A) by the attorney representing the state and the judge before sentencing or before a plea bargain agreement is accepted; and
 - (B) by the Board of Pardons and Paroles before an inmate is released on parole;
- (14) to the extent provided by Articles [56.06](#) and [56.065](#), for a victim of a sexual assault, the right to a forensic medical examination if, within 96 hours of the sexual assault, the assault is reported to a law enforcement agency or a forensic medical examination is otherwise conducted at a health care facility;
- (15) for a victim of an assault or sexual assault who is younger than 17 years of age or whose case involves family violence, as defined by Section [71.004](#), Family Code, the right to have the court consider the impact on the victim of a continuance requested by the defendant; if requested by the attorney representing the state or by counsel for the defendant, the court shall state on the record the reason for granting or denying the continuance; and
- (16) if the offense is a capital felony, the right to:
 - (A) receive by mail from the court a written explanation of defense-initiated victim outreach if the court has authorized expenditures for a defense-initiated victim outreach specialist;
 - (B) not be contacted by the victim outreach specialist unless the victim, guardian, or relative has consented to the contact by providing a written notice to the court; and
 - (C) designate a victim service provider to receive all communications from a victim outreach specialist acting on behalf of any person.

Further, The University of North Texas at Dallas complies with TEXAS law in recognizing orders of protection by: UNTD Police Department enforces protective orders in accordance with

the state of Texas Code of Criminal Procedure, For example, any person who obtains an order of protection from TEXAS or any reciprocal state (list reciprocal states) should provide a copy to Campus Police and the Office of the Title IX Coordinator.

A complainant may then meet with Campus Police to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services in conjunction with local law enforcement. Protection from abuse orders may be available through filing an application for protective order with the clerk of the court. The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, university offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, 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 nor house identifiable information regarding victims in the campus police departments Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request:

Office of the University of North Texas at Dallas Registrar: registrar@untDallas.edu 972-780-3664

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

On-Campus

Police/Fire/Ambulance/Emergency: 911

CARE Team	972-338-1782
Dean of Students	972-338-1775
Counseling & Wellness Services	972-338-1779
Title IX Coordinator	972-338-1777
UNT Dallas Police	972-338-3000

In the Metro-Dallas Area

Police/Fire/Ambulance/Emergency: 911

Dallas Area Rape Crisis Center	214-641-RAPE(7273)
Parkland VIP Rape Crisis Center	214-590-2926 or 24-hr. hotline: 214-590-0430
The Family Place	214-941-1991
Genesis Women's Shelter	214-946-4357
Legal Aid of Northwest Texas	214-748-1234
Catholic Charities of Dallas	214-520-6590

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

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

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

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are

not directly involved but have the choice to intervene, speak up, or do something about it.”⁴ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list⁵ of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

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:
 - a. **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.
 - b. **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.
 - c. **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.
 - d. **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.

E. Adjudication of Violations

Whether or not criminal charges are filed, the university or a person may file a complaint under the UNT Dallas Student Code of Conduct and Employee Ethics and Standards of Employee Conduct (7.001 of the Student Code of Conduct and 5.007 of the University Policies) alleging that a student or employee violated the University's Student Code of Conduct or Title IX policies.

**Student Code of Conduct
Dean of Students**

Policy 7.001 – Student Code of Conduct Steps, Anticipated Timeline, Decision Making Process

http://www.untDallas.edu/sites/default/files/page_level2/hds0041/pdf/7_001_student_code_of_conduct_may_2014.pdf

University of North Texas at Dallas Department of Student Affairs

University of North Texas at Dallas Department of Disability Services and Title IX Coordinator
Policy 5.001 Prohibiting Discrimination and Harassment

http://www.untDallas.edu/sites/default/files/page_level2/pdf/policy/5.001%20%20Prohibiting%20Discrimination%20and%20Harassment.pdf

5.001a Discrimination and Harassment Complaint Procedures

http://www.untDallas.edu/sites/default/files/page_level2/pdf/policy/5.001a%20Discrimination%20and%20Harassment%20Complaint%20Procedures%205-2011.pdf

Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

The university disciplinary process is consistent with the institution's policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. Usually, the resolution of complaints of sexual misconduct are completed within 60 days of the report, however the proceedings timeframe allows for extensions for good cause with notice to the accuser and the accused of the delay and the reason for the delay.

Investigators and hearing board members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. The Student Code of Conduct and Employee Ethics and Standards of Employee Conduct provides the following:

1. The accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing board that protects the safety of victims and promotes accountability;
2. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
3. The institution will allow for timely access to the accuser, the accused and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meeting and hearings;
4. 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;
5. The institution provides the accuser and accused the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each have

the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;

6. A student conduct decision is based on the preponderance of evidence standard, i.e. “more likely than not to have occurred” standard. In other words, the conduct process asks: “is it more likely than not that the accused student violated the university’s Student Conduct Code?” ;

7. The accuser and the accused will be notified simultaneously in writing of the result of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final; and

8. The accuser and the accused each have the right to appeal the outcome of the hearing and will be notified simultaneously in writing, of any change to the result prior to the time that it becomes final and of the final result after the appeal is resolved.

Student Disciplinary Appeal Process

http://www.untDallas.edu/sites/default/files/page_level2/hds0041/pdf/7_001_student_code_of_conduct_may_2014.pdf

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university’s policy against Sexual Harassment and retaliation in order to remedy any hostile environment.

http://www.untDallas.edu/sites/default/files/page_level2/pdf/policy/5.001%20%20Prohibiting%20Discrimination%20and%20Harassment.pdf

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the university’s ability to respond to the complaint may be limited.

Confidentiality

The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

Sanctions and Protective Measures

In all cases, investigations that result in a finding of more likely than not that a violation of the Student Code of Conduct and the Employee Ethics and Standards of Employee Conduct occurred will lead to the initiation of disciplinary procedures against the accused individual. Sanctions may be imposed upon those determined to have violated this policy. The University may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking which may include some or all of the actions listed below.

For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. **Employees** who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

Student Sanctions for Misconduct

Warning

1. A verbal or written notice to a student that they have violated the Code and must not engage in violations in the future.
2. No impact on good conduct standing.
3. Not subject to review by the Committee.

B. Educational Sanction

1. An assignment designed to educate a student about the potential impact of misconduct and to prevent reoccurrence, may include referral to the Substance Abuse Resource Center, education workshops or assignment of reflection papers.
2. No impact on good conduct standing.
3. Not subject to review by the Committee.
4. Failure to comply with the assignment may result in further discipline.

C. University Restrictions

1. A temporary or permanent restriction of University privileges, including but not limited to, the ability to participate in an organizational intake process or hold a leadership position in a student group, to participate in study abroad programs, to register as a student group, or to participate in social or extracurricular events; may also result in withholding of an official transcript or blocking enrollment for a specified period of time.
2. No impact on good conduct standing.
3. Not subject to review by the Committee unless loss of privileges is related to another reviewable sanction.

4. Student groups may request reconsideration of a restriction no sooner than one (1) year after the date that the sanction was imposed. Reconsideration will be at the discretion of the UNTDSA Representative. The decision of the UNTDSA Representative is final and the Student Group may not request reconsideration again until date specified by the UNTDSA Representative.

D. Level I Conduct Probation –

1. A written reprimand that expires automatically after a specified time but includes the probability of a more severe sanction if a student violates the Code again during the probationary period.
2. No impact on good conduct standing.
3. Not a permanent conduct record.
4. Not subject to review by the Committee.

F. Level II Conduct Probation –

1. A written reprimand that expires automatically after a specified time but includes the probability of a more severe sanction if a student violates the Code again during the probationary period.
2. Good conduct standing is removed during the specified period.
3. Not a permanent conduct record.
4. Not subject to review by the Committee.

G. Level III Conduct Probation –

1. A written reprimand that remains in effect that during the remainder of the student's academic career (including future enrollments) and includes the probability of more severe sanction if s student violates the Code again.
2. Good conduct standing is removed for the remainder of a student's academic career at the University.
3. Becomes a permanent conduct record.
4. May be reviewed by the Committee.
5. Sanction cannot be applied to student groups.

H. Student Suspension –

1. Removal from the University for a specified period of time. A suspended student will be removed from enrollment, prohibited from entering University premises and blocked from future registration until reviewed and approved by UNTSDA.
2. Good conduct standing is removed.
3. Becomes a permanent conduct record.
4. May be reviewed by the Committee.
5. Must meet with a UNTDSA Representative after suspension term is over to be re-instated to the University.

I. Student Group Suspension –

1. Removal of privileges and recognitions accorded to student groups for a specified period of time as defined by the UNTDSA Representative.
2. Student group will not be permitted to participate as a recognized student group in University activities or functions, or to sponsor any activities representing the University.
3. Student groups may submit a request the UNTDSA Representative for reinstatement after the expiration of the specified period of time.
4. May be reviewed by the Committee.

J. Expulsion –

1. Permanent removal from the University. An expelled student will be permanently removed from enrollment and permanently prohibited from entering any University premises.
2. Good conduct standing is permanently removed.
3. Becomes a permanent conduct record.
4. May be reviewed by the Committee.
5. Sanction cannot be applied to student groups.

K. 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.

L. Immediate Suspension – Immediate removal from all or part of the University premises while the conduct process is pending when a violation reasonably 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.

M. Immediate Suspension of Student Group – The group will cease all activities, meetings, programs and representation as a group while an investigation is in progress by UNTDSA. A student group can be immediately suspended for posing a substantial or immediate danger to the health, safety or welfare of any member of the University community or to the University premises.

The Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. ⁶Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by The University of North Texas at Dallas.

Sex Offender Registration

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.