



THE UNIVERSITY OF TEXAS  
AT EL PASO

# ANNUAL SECURITY & FIRE SAFETY REPORT

October 1, 2024



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## **INTRODUCTION**

The University of Texas at El Paso (UTEP) and the UTEP Police Department place a high priority on campus safety for its students, faculty, staff and visitors. The department is composed of dedicated and committed staff who, in partnership with the UTEP community, work to maintain safe environments. Safety is a shared responsibility that involves members of the community and departments working cooperatively to solve problems and proactively address issues to enhance the quality of life and the safety and security of the UTEP community.

This report provides information about safety and security programs and services at The University of Texas at El Paso. Accompanying this information are crime statistics on incidents that have occurred within the area as defined by The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).



## **UTEP MAIN CAMPUS**

The University of Texas at El Paso is a four-year state university and is a component institution of The University of Texas System. UTEP offers 74 bachelors, 70 masters, and 26 doctoral/professional degrees with others in development. The University had a fall 2023 enrollment of 23,351 undergraduate, graduate, and doctoral students.

The main UTEP campus is located at 500 W. University Ave., El Paso, Texas 79968. It consists of 421 acres, 80 buildings, and facilities including the University Towers located at 1900 N. Oregon Street and the Rehabilitation Science Complex located at 3333 N. Mesa, El Paso, Texas 79902.

## **SEPARATE CAMPUS**

**The Campbell Building Campus** offers a range of nationally accredited professional education programs in the health, rehabilitation, and human services fields. The programs include the Center for Advocacy, Resources and Education, Speech-Language Pathology, School of Pharmacy, Upward Bound, and the High School Equivalency Program. The Campbell Building campus is located at 1101 N. Campbell St., El Paso, Texas 79902, approximately 1.3 miles from the main UTEP campus.

UTEP Police Commissioned and Non-Commissioned Officers provide department resources, safety escort service, and building checks of the facility. After-hours usage of the facility is limited to authorized personnel and requires the use of the official Miner Gold Card. The facility is equipped with an intrusion alarm system, which is activated upon closing the facility. The UTEP Police Department responds to any intrusion or fire alarms.



**The Graduate Business Center (GBC) Campus** focuses on graduate business education and research. The GBC is housed at One San Jacinto Plaza, 201 E. Main Drive, El Paso, Texas 79901 – Suite 110, at the center of El Paso's business district. The GBC is approximately 2.2 miles away from the main UTEP campus. The facility is access-controlled (swipe card), with limited access to the 1<sup>st</sup> and 5<sup>th</sup> floors to authorized personnel only. The hours of operation are 8:00 a.m. to 9:30 p.m. Monday through Thursday, and from 8:00 a.m. to 5:00 p.m. Friday and Saturday.

**NON-CAMPUS BUILDINGS AND PROPERTIES**

The UTEP Police Department does not provide law enforcement response to non-campus buildings and properties. Local law enforcement agencies respond to 911 emergencies and record crime for all non-campus locations and properties. The UTEP Police Department submits formal requests to obtain yearly reportable crimes within the facilities.

<b>BUILDING / PROPERTY</b>	<b>SPACE</b>	<b>ADDRESS</b>
UTEP Research Center	Propulsion and Large-Scale Testing   18 Acres	1621 N. Fabens, Fabens, Texas, 79838
3D Engineering and Manufacturing Technologies Center	410 S. Cotton, El Paso, Texas, 79901	
Spacecraft Design and Engineering Facility	215 Francis St., El Paso, Texas, 79905	
Indio Mountains Research Station (IMRS)	Approximately 41,200 acres	Southeastern Hudspeth County, about 42 kilometers southwest of Van Horn, Texas
Tornillo Unmanned Aerial Flight Test Range	Bravo Site Flight Test Range (600 acres)	2000 M F Aguilera Highway, Tornillo, Texas 79853
National Center for Defense Manufacturing and Machining/Advanced Manufacturing Innovation and Integration Center	1500 SF, Suite 108	5201 Technology Drive, Huntsville, Alabama 35806
Youngstown Edison Incubator Corporation	Space 5, Taft Technology Center	255 W. Federal St. Youngstown, Ohio 44503
NASA Johnson Space Center	NASA Johnson Space Center Campus	2101 E. NASA Parkway, Houston, Texas 77058

## THE ANNUAL SECURITY AND FIRE SAFETY REPORT

The Annual Security and Fire Safety Report provides statistical information, policy, and procedural information about safety and security at UT El Paso. Effective January 25, 2024, the U.S. Department of Education increased the maximum Clery Act civil monetary penalty to **\$69,733** per violation. The Jeanne Clery Act requires colleges and universities to:



- Publish an annual Security and Fire Safety Report by October 1. The Annual Security Report contains statistical data for calendar years **2023, 2022, and 2021**.
- Disclose crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus, and certain non-campus facilities. The statistics are gathered from University Police, local law enforcement, and other university/college officials who are Campus Security Authorities (CSA). Such authorities are persons who have “significant responsibility for students and campus activities”.
- Provide “Timely Warning” notices of those crimes that have occurred and pose an “ongoing threat to the students and employees”.
- Disclose, in a public crime log, any crime that took place on campus, or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department.
- If a report is determined to be “unfounded” (false or baseless - meaning that the offense neither occurred nor was attempted), the investigating agency can decide if a report is “unfounded”.
- The number of unfounded cases will be documented in the Annual Security Report. For additional information, please visit <http://clerycenter.org/>.

## **PREPARATION OF THE ANNUAL SECURITY REPORT**

**A.** Interdepartmental meetings with the Office of Community Standards, Title IX Coordinators, and Environmental Health & Safety take place to obtain crime statistics on incidents that have occurred within the University of Texas at El Paso as defined by The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

The UTEP Police Department does not provide law enforcement response to non-campus buildings and properties. Crime data for all non-campus and adjacent properties is requested from local law enforcement agencies on an annual basis for inclusion in the disclosure of campus crime statistics. Criminal activity at non-campus properties and adjacent properties is monitored and recorded through local police agencies.

### **B. CLERY CRIME STATISTICS**

This report is a summary of crimes reported at The University of Texas at El Paso. Included are the previous three years of crime statistics: **2023, 2022, 2021**. Due to different definitions, Clery Crime Statistics will not always match the National Incident-Based Reporting System (NIBRS) statistics. If you have any questions about the crime statistics, please contact Marketing and Communications at 915-747-6437.

Statistics on the following crimes and offenses are included in the Annual Security Report (ASR).

- I. Criminal Homicide:** These offenses are separated into two categories: murder and non-negligent manslaughter, and manslaughter by negligence.
  - Murder and non-negligent manslaughter is defined as the willful (non-negligent) killing of one human being by another.
  - Negligence Manslaughter is defined as the killing of another person through gross negligence.
- II. Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object. This definition also includes instance in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (include due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.
  - **Fondling** is 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 unable to give consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
  - **Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent.
  - **Robbery:** The taking of anything of value from the control, custody, or care of another person by force or threat of force and/or by putting the victim in fear of immediate harm.
  - **Aggravated Assault:** An unlawful attack by one person upon another wherein the offender uses a dangerous weapon or displays it in a threatening manner or the victim suffers obvious severe or aggravated bodily injury, or where there was a risk for serious injury/intent to seriously injure.
  - **Burglary:** The unlawful entry into a building or some other structure to commit a felony or a theft.
  - **Motor Vehicle Theft:** The theft of a motor vehicle.
  - **Arson:** To unlawfully and intentionally damage or attempt to damage any real or personal property of another person or entity by fire or incendiary device.
- III. Hate Crimes:** A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. *Although*



*there are many possible categories of bias, only the following eight categories are reported under the Clery Act.*

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics; e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind; e.g., Asians, Blacks, or African Americans, Whites.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholic, Jew, Protestants, atheists.
- **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to society's gender-based expectations, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender-non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person, but may be perceived as such.
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion), and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly on biological criteria, while "ethnicity" also encompasses additional cultural factors.

- **National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived birth country. This bias may be against people who have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or are married to, or associated with people of a certain national origin.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

#### **IV. VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) OF 2013**

The Violence Against Women Reauthorization Act (VAWA) amends to the Clery Act expand the rights afforded to campus survivors of sexual assault, domestic violence, dating violence, and stalking.

##### **VAWA Definitions**

**Domestic Violence:** Is defined as a felony or misdemeanor crime of violence committed:

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

**Dating Violence:** Is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the party's statement and with consideration of the

length of the relationship, and the frequency of interaction between the persons involved in the relationship.

**For the purpose of this definition:**

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

**Stalking:** Engaging in the 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.

**V. Arrest and Referrals for Disciplinary Action**

**Violation of Weapons:**

- **Weapons:** Carrying, possessing, etc., is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulated in nature.
- **Referred for disciplinary action:** is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established, and which may result in the imposition of a sanction.
- **Unfounded Crimes:** A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.
- **Drug Abuse Violations:** The violation of laws that prohibit the production, distribution and/or use of certain controlled substances, or the equipment or devices utilized in the preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrest violations of state and local laws, specifically those relating to

the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**VI. Liquor Law Violations:**

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Arrest** for Clery Act purposes is defined as persons processed by arrest, citation, or summons. Classified as arrest:

- Those persons arrested and released without a formal charge being placed against them. An arrest has occurred when a law enforcement officer detains an adult with the intention of seeking charges against the individual for a specific offense(s) and a record is made of the detention.
- Juveniles taken into custody or arrested but merely warned and released without being charged. A juvenile should be counted as “arrested” when the circumstances are such that if the individual were an adult, an arrest would have been counted.

**CRIME STATISTICS**

<b>Main Campus – 500 West University Avenue, El Paso, TX</b>					
Criminal Offenses	Year	On-Campus Total Including Student Housing	On-Campus Student Housing	Non-Campus Building and Property	Adjacent Public Property
<b>Criminal Homicide</b>					
Murder and Non-Negligent manslaughter	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
<b>Sexual Assaults (Sex Offenses)</b>					
Rape	2023	1	1	0	0
	2022	2	1	0	0
	2021	*2	*2	0	0
Fondling	2023	0	0	0	0
	2022	0	0	0	0

	2021	2	2	0	0
Incest	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Statutory Rape	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Robbery	2023	0	0	0	1
	2022	0	0	0	1
	2021	0	0	0	0
Aggravated Assault	2023	1	0	0	0
	2022	7	1	0	5
	2021	2	0	0	0
Burglary	2023	10	0	0	0
	2022	5	2	0	0
	2021	2	2	0	0
Motor Vehicle Theft	2023	5	0	1	0
	2022	2	0	0	3
	2021	1	0	0	0
Arson	2023	0	0	0	0
	2022	1	0	0	0
	2021	0	0	0	0
<b>VAWA Offenses</b>					
Domestic Violence	2023	0	0	0	0
	2022	1	0	0	0
	2021	2	0	0	0
Dating Violence	2023	7	4	0	0
	2022	5	4	0	0
	2021	*3	*1	0	0
Stalking	2023	12	0	0	0
	2022	15	6	0	0
	2021	9	4	0	0
<b>Arrests</b>					
Weapons: Carrying, Possessing, etc.	2023	1	0	0	0
	2022	1	0	0	0
	2021	0	0	0	0
Drug Abuse Violations	2023	15	6	0	1
	2022	7	5	0	2
	2021	1	1	0	1

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Liquor Law Violations	2023	6	1	0	0
	2022	0	0	0	2
	2021	0	0	0	0
<b>Disciplinary Referrals</b>					
Weapons: Carrying, Possessing, etc.	2023	0	0	0	0
	2022	1	0	0	0
	2021	0	0	0	0
Drug Abuse Violations	2023	2	2	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Liquor Law Violations	2023	6	6	0	0
	2022	3	3	0	0
	2021	0	0	0	0
<b>Unfounded Reports</b>	2023	(7) Unfounded Crimes	<b>Hate Crimes</b>	2023	None
	2022	(2) Unfounded Crimes		2022	None
	2021	(1) Unfounded Crime		2021	None
*Crime reported in 2022, occurred in 2021*					
2 Rapes – On Campus/ On Student Housing					
1 Dating Violence – On Campus / On Student Housing					
<b>Separate Campus – Campbell Building - 1101 North Campbell, El Paso, TX</b>					
Criminal Offenses	Year	On-Campus Total Including Student Housing	On-Campus Student Housing	Non-Campus Building and Property	Adjacent Public Property
<b>Criminal Homicide</b>					
Murder and Non-Negligent manslaughter	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
<b>Sexual Assaults (Sex Offenses)</b>					
Rape	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Fondling	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Incest	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0



Statutory Rape	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Robbery	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Burglary	2023	0	0	0	0
	2022	0	0	0	0
	2021	2	0	0	0
Motor Vehicle Theft	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Arson	2023	1	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
<b>VAWA Offenses</b>					
Domestic Violence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Dating Violence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Stalking	2023	0	0	0	0
	2022	0	0	0	0
	2021	2	0	0	0
<b>Arrests</b>					
Weapons: Carrying, Possessing, etc.	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Drug Abuse Violations	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Liquor Law Violations	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
<b>Disciplinary Referrals</b>					

Weapons: Carrying, Possessing, etc.	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Drug Abuse Violations	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Liquor Law Violations	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Unfounded Reports	2023	None	Hate Crimes	2023	None
	2022	None		2022	None
	2021	None		2021	None
<b>Separate Campus – Graduate Business Center – 201 E. Main Drive, El Paso, TX</b>					
No criminal offenses/hate crime reported for 2023, 2022, 2021					

<b>Non- Campus Building and Properties</b>
<b>UTEP Research Center – 1621 N. Fabens, Fabens, TX 79838</b>
No criminal offenses/hate crime reported for 2023, 2022, 2021
<b>3D Engineering and Manufacturing Technologies Center – 410 S. Cotton, El Paso, TX 79901</b>
No criminal offenses/hate crime reported for 2023, 2022, 2021
<b>Spacecraft Design &amp; Engineering Facility – 215 Francis, El Paso, TX 79905</b>
No criminal offenses/hate crime reported for 2023, 2022, 2021
<b>Indio Mountain Research Center – Sierra Blanca, TX</b>
No criminal offenses/hate crime reported for 2023, 2022, 2021
<b>Tornillo Unmanned Aerial Flight Test Range – 2000 MF Aguilera Highway, Tornillo, TX 79853</b>
No criminal offenses/hate crime reported for 2023, 2022, 2021
<b>Youngstown Edison Incubator Corporation (Space 5, Taft Technology Center) – Youngstown, OH</b>
*Lease Agreement began April 19, 2022, (No criminal offenses/hate crime reported for 2023, 2022)
<b>NASA Johnson Space Center Campus – Houston, TX</b>
*Space Act Agreement Executed January 30, 2023, (No criminal offenses/hate crime reported for 2023)

<b>National Center for Defense Manufacturing and Machining Advanced Manufacturing Innovation and Integration Center (Suite 108)– Huntsville, AL</b>
<b>2023</b> (1) Motor Vehicle Theft / No unfounded cases/ No hate crimes reported
<b>2022</b> No criminal offenses/hate crimes reported
*Lease Agreement began September 2022, (No criminal offenses/hate crime reported for 2023, 2022)

## **CRIME AND INCIDENT LOG**

The Crime and Incident Log is updated by the UTEP Police Department within two business days and includes all crimes reported to the UTEP Police Department. A hard copy is available at the UTEP Police Department – 3118 Sun Bowl Dr., El Paso, Texas 79968 – and Campbell Building – 1101 N. Campbell Street, El Paso, Texas 79902. An electronic version of the Crime and Incident Log is also available at [www.utep.edu/police](http://www.utep.edu/police), under the Crime/Incident & Fire Report Logs.

## **UNIVERSITY POLICE AUTHORITY AND JURISDICTION**

The University of Texas System Police Officers are licensed as peace officers by the Texas Commission on Law Enforcement (TCOLE). UTEP Police Department officers are duly sworn peace officers under the Texas Education Code, section 51.203, and the Texas Code of Criminal Procedures, Article 2.12. Officers are vested with all the powers, privileges, and immunities of peace officers while within the jurisdiction of The University of Texas System or otherwise in the performance of their assigned duties.

The UTEP Police Department also employs non-commissioned officers who provide parking enforcement, protect university assets and services, and provide support for special events. Non-commissioned officers do not have arrest authority except as provided for citizens as outlined by the Texas Code of Criminal Procedure.

Criminal violations are processed through the El Paso District Attorney's Office, El Paso County Attorney's Office, or the Federal Criminal Justice System. Officers may also issue court appearance traffic and Class C Misdemeanor citations through the El Paso County Justice of the Peace Courts (JP-1).

The UTEP Police Department works in close partnership with the El Paso Police Department (EPPD), the El Paso County Sheriff's Office (EPCSO), the Texas Department of Public Safety (TXDPS), the District Attorney's Office, the County Attorney's Office, and all federal law enforcement entities. There are no Memorandums of Understanding in place with other agencies. Other agencies have (arrest) jurisdiction on campus because UTEP is within the boundaries of the City and County of El Paso. Jurisdiction for The University of Texas System Police (all UT

Institutions) is set in the state statute (Education Code 51.203a). The primary jurisdiction of peace officers commissioned by The University of Texas System Police, and employed by the UTEP Police Department, includes all property owned, leased, rented, or otherwise under the University's control.

### JURISDICTION CAMPUS MAP



## **TIMELY WARNINGS AND REPORTING**

Reporting criminal actions and Timely Warnings refers to policies, procedures, and facilities for reporting criminal actions or other emergencies occurring on campus, and the University's response to such reports.

### **A) Current Policy for Timely Warnings:**

To keep the UTEP community informed about serious crimes and security issues, Timely Warnings may be issued in the form of a Crime Alert. Crime Alerts are issued on a case-by-case basis in a manner that will notify the campus community about certain reportable criminal incidents that occur on or near the campus. The institution must also believe the criminal incident poses a continuing threat to the community and the alert will aid in preventing similar crimes in the future. The UTEP Police Department is responsible for providing Timely Warnings about reported crimes to the campus community in a manner that will aid in preventing similar crimes.

### **B) When is a Timely Warning Issued?**

In accordance with the published guidelines used to interpret 34 CFR 668.46(e), the decision to issue a Timely Warning is made on a case-by-case basis in light of all facts surrounding the crime, including factors, nature of the crime, continuing danger to the community and the possible risk of compromising law enforcement efforts. Neither the Clery Act nor the Department of Education defines "timely". The Department of Education has stated that the warning should be issued as soon as pertinent information is available.

### **C) Timing of the Warning:**

1. In an immediate and serious threat (e.g., an active shooter on campus), a warning may need to be issued immediately with few facts, and then continually updated until the threat is contained or neutralized.
2. If the threat is less immediate, the warning can go out later after facts are more fully developed.

**\*The requirement for Timely Warnings is not limited to violent crimes or crimes against persons.\***

#### **D) Decision to issue a Timely Warning:**

1. A warning must be issued if the condition involves arson, aggravated assault, criminal homicide, robbery, sex offenses, illegal weapons possession, burglary, motor vehicle theft, or any crime determined to be a hate crime is reported to the UTEP Police Department or other Campus Security Authorities (CSA), and the University considers the crime a continuing threat to students or employees.
2. A warning may be issued regarding other crimes as deemed necessary by the UTEP Police Department.
3. The Chief of Police, or his designee, is responsible for making the decision whether a Timely Warning will be issued.

#### **E) Determining Whether a Continued Threat Exists**

In order to keep the UTEP community informed about serious crimes and security issues, Timely Warnings may be issued in the form of a crime alert. Timely Warnings or crime alerts are issued on a case-by-case basis in a manner that will provide notification to the campus community about certain reportable criminal incidents that occur on, or very near the campus. The institution also must believe the criminal incident *poses a continuing threat to the community*, and the alert will aid in the prevention of similar crimes in the future. In the event that a situation arises, either on or off campus, that, in the judgment of the Chief of UTEP Police, constitutes an ongoing or continuing threat, a campuswide Timely Warning will be issued. The warning will be issued through the UTEP e-mail system to students, faculty and staff. Depending on the particular circumstances of the crime, especially in situations that could pose an immediate threat to the community and individuals, the UTEP Police Department may also post a notice on the campus-wide electronic bulletin board or the UTEP Police website at [www.utep.edu/police](http://www.utep.edu/police) **Timely Warning – Crime Alerts** and work with University Marketing and Communications to provide the University community with more immediate notification. Anyone with information warranting a Timely Warning should report the circumstances to the UTEP Police Department by phone at 915-747-5611, or in person at the office located at 3118 Sun Bowl Drive.



Whether a reported crime constitutes a continuing threat must be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, and the possibility of compromising law enforcement efforts.

1. Examples of crimes that could constitute a continuing threat include but are not limited to;

a) A serial crime that targets certain campus populations such as sex crimes or race-based crimes in which the perpetrator has not been apprehended; or

b) A crime in which there is no apparent connection between perpetrator and victim and the perpetrator has not been apprehended.

2. Crimes that could not constitute a continuing threat include but are not limited to:

a) Crimes in which the perpetrator has been apprehended, thereby neutralizing the threat.

b) Crimes in which an identified perpetrator targets specific individuals to the exclusion of others, such as domestic violence.

#### **F) Content of the Timely Warning**

The Timely Warning must contain sufficient information about the nature of the threat to allow members of the campus community to take action to protect themselves, such as:

- Statement of the incident.
- Possible connection(s) to previous incidents, if applicable.
- Physical description of the suspect.
- Composite drawing of the suspect, if available.
- Date and time the warning was released and/or
- Other relevant and important information.

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

**G) Issuing** “Timely Warnings” of crimes that represent a continuing threat to the University community. These crimes must have occurred within those areas of the campus that are specifically defined in 34 CFR668.46 (a).

These areas are broken down into four categories:

- On-campus property
- Residential facilities
- Non-campus property
- Public property

**H) Method of Distribution**

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

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

- Campus wide e-mails
- Miner Alert text messages
- The University’s homepage
- UTEP Today message boards
- Posting of notices
- Press releases

**I) Reporting Crime**

Individuals may report alleged criminal actions (including sex offenses) or emergencies that occur on the University campus. All University community members and guests are encouraged to report emergencies immediately. This includes suspected criminal activity such as, but not

limited to suspicious activities or behaviors, health emergencies, fires, crime, and violation(s) of University policies and procedures.

**Individuals can report a crime by:**

- Dialing 911 (Police, Ambulance and Fire)
- Dialing the UTEP Police Department at 915-747-5611
- Visiting the UTEP Police Department in person at 3118 Sun Bowl Dr. – Open 24 hours, 7 days a week
- Using the “Blue Light” and yellow emergency call boxes located strategically on campus
- Contacting a uniformed officer
- Contacting a community service guard located at the traffic control stations at either entrance to the inner campus on University Avenue
- Asking any UTEP supervisor or manager to assist with reporting a crime
- Using campus emergency phones
- Students may contact the Dean of Students Office, Office of Student Conduct and Conflict Resolution, Residence Life, Athletics, University Counseling and Psychological Services
- Employees may contact the Office of Institutional Compliance

**J)** The UTEP Police Department will review reports of alleged criminal activity it receives and either dispatch a uniformed officer immediately or refer the report for subsequent investigation depending upon the nature and seriousness of the offense involved. Individuals reporting an alleged crime should attempt to preserve evidence that might prove the crime was committed. All criminal incidents are investigated by the UTEP Police Department. University police responses include, but are not limited to;

- Immediate response to emergencies through dispatch of one or more uniformed officers.
- Investigation of reports in accordance with the UTEP Police Department procedure.

- Arrest and filing of charges, depending upon the circumstances of the incident.
  - Referring alleged offenders to appropriate campus agencies, such as the Office of Student Conduct and Conflict Resolution.
- K)** Victims or witnesses who wish to make voluntary reports of criminal activity in confidence may request that the agency or person to whom a report is made maintain confidentiality with regard to the identity of the individual who makes the report. Reports of this nature will be honored to the extent permitted by state law, criminal investigatory requirements, and the university judicial process. These confidential reports are counted and disclosed in the crime statistics for the University, but, as with all other crimes included in the annual crime report, no personally - identifiable information is included.
- L)** Students may also report criminal incidents to any University administrator, official or unit supervisor identified as a Campus Security Authority (CSA), who is then responsible to promptly report the incident to the UTEP Police Department. The police will determine if it is a Clery reportable offense.
- M)** All University community members and guests are encouraged to report emergencies and suspected criminal activity such as, but not limited to suspicious activity or behavior, crime in progress, health or medical emergencies, fires, criminal violations, and violations of University policies and procedures. Reports can be made by dialing 9-1-1 (Police, Fire and Ambulance), or by calling the UTEP Police Department at 915-747-5611. The UTEP Police Department operates 24 hours a day 7 days a week.
- N)** The University also provides other methods to report an emergency, request assistance, or to report suspicious behavior or activity. Emergency “Blue Light” Call Boxes are strategically placed in campus parking areas. These phones are activated by opening the yellow call box and lifting the phone receiver or by pressing the red emergency button. In addition, buildings are equipped with small yellow emergency call boxes placed in strategic locations and activated by the push of a button. Building elevators are also equipped with emergency phones that are activated by picking up the phone receiver, or by the push of a button. The

system connects the caller directly with the UTEP Police Department Communications Division.

## **TITLE IX REGULATIONS**

The University of Texas at El Paso acknowledges recent amendments to federal Title IX regulations. However, pursuant to the directive from the Governor of Texas and a current injunction enjoining Texas from implementing these amendments, UTEP has not amended our Title IX policy to reflect the 2024 amendments and is instead continuing to rely on the 2020 amendments. If there are any changes to our Title IX policies prior to the issuance of next year's ASR, UTEP will update this current ASR to reflect such changes.

### **SEXUAL MISCONDUCT POLICY - [Chapter 3: Sexual Misconduct \(utep.edu\)](#)**

#### **3.1.1. General Policy Statement**

The University of Texas at El Paso (“University” or “UTEP”) is committed to maintaining a learning and working environment that is free from discrimination based on sex, in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in educational programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; the Campus Sexual Violence Elimination Act (SAVE Act); the Violence Against Women Act (VAWA); and the Clery Act. Sexual misconduct, retaliation and other conduct prohibited under the Sexual Misconduct Policy (Handbook of Operating Procedures Section VI, Chapter 3) will not be tolerated and will be subject to disciplinary action.

**3.1.2** The University will promptly discipline any individuals or organizations within its control who violate this Policy. The University encourages you to promptly report incidents that could constitute violations of this Policy to the Title IX Coordinator or Title IX Deputy Coordinators (as outlined in Section 3.3 of the Sexual Misconduct Policy).

**3.1.3** Free Speech. Freedom of speech and principles of academic freedom are central to the mission of institutions of higher education. Constitutionally protected expression cannot be considered Sexual Misconduct under this Policy.

Sexual Misconduct includes sexual discrimination, sexual harassment, sexual assault, stalking, domestic violence, dating violence, sexual exploitation and other inappropriate sexual conduct. The University policy is applicable to administrators, faculty, staff, students and third parties within the University's control, including visitors and applicants for admission or employment. It applies to conduct that occurs on University-owned or -controlled premises, in an education program or activity including University sponsored or supported events, buildings owned or controlled by student organizations officially recognized by the University, or off campus when the conduct potentially affects a person's education or employment with the University or potentially poses a risk of harm to members of the University community. It also applies regardless of the gender, gender identity or sexual orientation of the parties.

Responsible Employees are required to report known incidents and information of Sexual Misconduct promptly to the Title IX Coordinator or Deputy Title IX Coordinators, either directly or through the [Title IX Incident Reporting Form](#). A person who believes that they have been subjected to Sexual Misconduct may also file a complaint through the [Title IX Incident Reporting Form](#). Filing a formal complaint will begin the Grievance Process.

All Grievance Processes will use the preponderance of the evidence standard, as defined in the Sexual Misconduct Policy. By law, it is presumed that the respondent is not responsible for the alleged conduct, until a determination regarding responsibility is made at the conclusion of the Grievance Process.

## **CONSENSUAL RELATIONSHIP POLICY - [Chapter 4: Consensual Relationships Policy](#) ([utep.edu](http://utep.edu))**

### **4.1 Purpose**

The University of Texas at El Paso is committed to maintaining learning and working environments as free as possible from conflicts of interest and favoritism. The University recognizes that two consenting adults should be free to conduct a personal relationship where the relationship does not interfere with the goals and policies of the University. Some romantic, dating, or sexual relationships, while consensual, create conflicts of interest. This policy addresses those consensual relationships.



## 4.2 Persons Affected

This policy applies to all University administrators, faculty, staff, and students. This policy is applicable regardless of the gender of the University employee with supervisory, teaching, evaluation or advisory authority, or gender of the employee, student or student employee who is directly or indirectly being supervised, taught, evaluated, or advised. Violations of the Consensual Relationships Policy should be reported to the Equal Opportunity Office at [eoaa@utep.edu](mailto:eoaa@utep.edu).

**4.3.1 Prohibited Consensual Relationships.** The following consensual relationships, even if a single event, are prohibited.

- a) A consensual relationship between a supervisor (as defined in Section 4.4 to also include faculty members) and supervisee regardless of whether the supervisory relationship is direct or indirect unless the supervisor discloses the relationship in advance and a management plan is in effect.
- b) A consensual relationship between a coach or athletic staff and any student-athlete or student assigned to or associated with the athletic department, such as interns and student employees.
- c) A consensual relationship between a faculty member and a student who is enrolled in the faculty member's course or otherwise under the supervision of the faculty member, notwithstanding Section 4.3.1(a).

### **CAMPUS SECURITY AUTHORITY (CSA)**

A “**Campus Security Authority**” is defined as an official of an institution who has significant responsibility for student and campus activities, including, but not limited to student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues, on behalf of the institution.

Because of the law's complex reporting requirements, the most reasonable and effective way to manage the reporting is as follows: If CSAs observe any crime listed below, or if any person

reveals to a CSA, in good faith, that he/she learned of, or was the victim of, the perpetrator of, or witness to any crime listed below, the CSA must immediately notify the UTEP Police Department. At least annually, CSAs receive mandatory online compliance training to refresh individuals about their roles and responsibilities related to the Clery Act.

Campus professional counselors when acting as such, are not considered to be a CSA and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

Crimes that should be reported are:

- Murder and non-negligent manslaughter
- Negligent manslaughter
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Domestic Violence
- Stalking
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- All hate crimes that fall under the listed Clery reportable offenses listed above. Reference the National Incident-Based Reporting System (NIBRS).
- All liquor, drug, or weapons law violations

Students and employees are strongly encouraged to report sexual assaults to 9-1-1 or UTEP Police by calling 915-747-5611. Reports also can be made with any CSA whether the assault

took place on or off campus. A person also may file a report with the UTEP Police Department at 3118 Sun Bowl Drive. The office is open 24 hours a day, 7 days a week.

**CONFIDENTIAL CSA REPORTING**

Should the victim want to remain anonymous, the CSA still needs to report a Clery crime to UTEP authorities. The report may be submitted through the CSA Incident Report Form [https://cm.maxient.com/reportingform.php?UnivofTexasElPaso&layout\\_id=12](https://cm.maxient.com/reportingform.php?UnivofTexasElPaso&layout_id=12). Anonymity for the impacted party is possible as names can be withheld from any report while still helping the faculty or staff member comply with federal law.

**CAMPUS SECURITY AUTHORITY**

<b>UTEP Police Department</b>	<b>915-747-5611</b>
Police Department Staff	
Student Staff	
<b>Dean of Students Office</b>	<b>915-747-5648</b>
Catie McCorry-Andalis – Vice President for Student Affairs	
Jaime Mendez – Assistant Dean of Students Support	
Charlin Jones-Chavez – Assistant Dean of Student Engagement	
<b>Title IX Coordinators</b>	<b>915-747-8358</b>
Gabriel Ramirez	
Imelda Soto	
<b>Counseling and Psychological Services</b>	<b>915-747-5302</b>
Brian Sneed, Ph.D. – Director	
<b>Athletic Department</b>	<b>915-747-5347</b>
All Administrators	
All Coaches	
All Trainers	
All Graduate Assistants	

<b>Spirit Operations</b>	<b>915-747-6113</b>
All Administrators	
All Coaches	
<b>Student Engagement and Leadership Center</b>	<b>915-747-5670</b>
All Administrators, Directors, Assistant Director, and Coordinators	
All Advisors of Registered Student Organizations/Clubs	
<b>Residence Life</b>	<b>915-747-5352</b>
All Administrators	
All Coordinators	
All Resident Advisors	
<b>Recreational Sports</b>	<b>915-747-5103</b>
All Administrators	
All Coordinators	
All Student Staff (Students rotate through the front desk)	
<b>International Programs and Study Abroad</b>	<b>915-747-5664</b>
Dania Brandford-Calvo – Associate Dean of Students for International Student and Scholar Global Initiatives	
Judy Moore – Assistant Director, Study Abroad and all Study Abroad Advisors and Coordinators	
<b>Office of Community Standards</b>	<b>915-747-8694</b>
All Administrators	
<b>Campus Advocacy, Resource and Education</b>	<b>915-747-7452</b>
Charlie Gibbens - Assistant Vice President for Student Support	
<b>Center for Community Engagement</b>	<b>915-747-7969</b>
All Administrators	
<b>Student Support Services</b>	<b>915-747-5349</b>
Ricardo Burciaga – Director	
<b>Vice President for Student Affairs Office</b>	<b>915-747-5076</b>
Catie McCorry-Andalis – Vice President	

Charlie Gibbens - Assistant Vice President for Student Support	
Victoria Suttmiller, Assistant Vice President for Auxiliary Services	
University Bands / All Directors / Graduate Assistants associated with these bands	<b>915-747-7796</b>

**RESPONSIBLE EMPLOYEES**

Responsible Employees are required to report known incidents and information of Sexual Misconduct promptly to the Title IX Coordinator or Deputy Title IX Coordinators, either directly or through the [Title IX Incident Reporting Form](#) . Others in the University community are strongly encouraged to report sexual misconduct, retaliation, and any other conduct prohibited as soon as they become aware of such conduct. To obtain contact information for the Title IX Coordinator and Deputy Title IX Coordinators, or for more information about Title IX including Title IX trainings and on/off campus resources, please visit [www.utep.edu/titleix](http://www.utep.edu/titleix). Under state law, if a responsible employee knowingly fails to report all information concerning an incident the employee reasonably believes constitutes stalking, dating violence, sexual assault, or sexual harassment committed by or against a student or employee at the time of the incident, the employee is subject to disciplinary action, including termination. Any person, who in bad faith, knowingly files a false complaint under this policy or provides materially false information is subject to disciplinary action up to and including dismissal or separation from the University.

**CAMPUS CLERY AND SAVE ACT COMPLIANCE TEAM**

The University has created a team that consists of members from the Dean of Students Office, Human Resources, the UTEP Police Department, Office of Community Standards, Division of Student Affairs, Title IX Program, and Housing and Residence Life. The team meets regularly and develops, reviews and revises protocols, and proposes policies and procedures as well as programs, activities and training initiatives that address sexual violence and the prevention of such violence.

**General Provisions:** Students are expected and required to obey federal, state and local laws, to comply with the Regents' Rules and Regulations, with The University of Texas System and University rules and regulations, with directives issued by an administrative official of The UT

System or The University of Texas at El Paso in the course of his or her authorized duties, and to observe standards of conduct appropriate for an academic institution.

There are numerous terms by the University in our policies and procedures including:

#### **A. Definitions**

**Consent** is a voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity. Consent to one act does not imply consent to another. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of consent.

Consent is not effective if it results from **(a)** the use of physical force, **(b)** a threat of physical force, **(c)** intimidation, **(d)** coercion, **(e)** incapacitation, or **(f)** any other factor that would eliminate an individual's ability to exercise his or her own free will to choose whether or not to have sexual activity.

A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity.

**Non-Consent** is defined in Texas as "physical and sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol." An individual may be unable to give consent due to an intellectual or other disability. An individual under the age of 17 years of age cannot give consent.

**Incapacitation** is the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. An individual may be incapacitated if they are unaware at the time of the incident of where they are, how they got there, or why or how they became engaged in a sexual interaction.

**Intimidation** is the unlawful placing of another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Economic Abuse** is, in the context of domestic violence and dating violence definition, behavior that is coercive, deceptive, or unreasonable controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, or manipulation to:

- Restrict a person's access to money, assets, credit or financial information;
- Unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or
- Exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

**Technological Abuse** is an act or pattern of behavior that occurs within sexual assault, domestic violence, dating violence, or stalking, and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to: internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, communication technologies, or any other emerging technologies.

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

- **Rape** is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object. This definition also includes instance in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (include due to the

influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

- **Fondling** is 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 unable to give consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- **Incest** is nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape** is nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence** is defined as a felony or misdemeanor crime of violence committed:

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

**Dating Violence:** Is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the party's statement and with consideration of the length of the relationship, and the frequency of interaction between the persons involved in the relationship.



**For the purpose of this definition:**

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

**Stalking:** Engaging in the 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.

**Sexual Violence** is defined as physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. The term includes, but is not limited to, rape, sexual assault, sexual battery, sexual coercion, sexual abuse, indecency with a child, and/or aggravated sexual assault.

**EDUCATION AND PREVENTION PROGRAMS**

Ongoing awareness and prevention campaigns are sustained over time and focused on increasing awareness or understanding of topics relevant to sexual assault, domestic violence, dating violence, and stalking prevention. These programs occur at different levels throughout the institution (i.e., faculty, staff, athletes, on-campus residents, and incoming students) and utilize a range of strategies that include developmentally appropriate content for the specific audience and their knowledge and awareness level and provide positive and concrete ways for individuals to get involved.

**Risk Reduction**

This refers to approaches that seek to mitigate risk factors that may increase the likelihood of perpetration, victimization, or bystander inaction. Risk reduction focuses on helping individuals and communities address the institutional structures or cultural conditions that facilitate sexual violence, dating violence, domestic violence and stalking to increase safety. Examples include, but are not limited to general crime prevention education, safety escort program, and how to create individual and community safety plans and strategies. Bystander intervention programs

educate the campus community on how to recognize and interrupt situations of harm, and the UTEP Miner Alert System notifies the campus community of immediate threats to security.

### **Bystander Intervention**

Is recognizing a potentially harmful situation or interaction and choosing to respond in a way that could positively influence the outcome. Bystanders play a critical role in the prevention of sexual assaults, domestic violence, dating violence, and stalking. For example, bystanders may have the power to stop assaults, get help for people who have been victimized, and/or alert the appropriate authorities. The University is committed to promoting a culture of shared accountability where bystanders are actively engaged in the prevention of prohibited conduct. As such, all members of the University community are encouraged to intervene or interrupt prohibited conduct they witness. Examples of bystander intervention:

- Confronting people who seclude, hit on, or sexually assault people who are incapacitated;
- Speaking up when someone discusses plans to take sexual advantage of another person;
- Calling the police when a person is being physically abusive towards another;
- Refusing to leave the area (or calling the police) if a person is trying to get you to leave so they can take advantage of another;
- Ensuring community members who are incapacitated are not left alone or in vulnerable situations;
- Referring people to appropriate University and community resources.

To learn more about how you can be an active bystander visit [\*\*DOT Initiatives.\*\*](#)

### **Awareness Programs**

Programs, campaigns, or initiatives that increase knowledge of the issues of sexual assault, domestic violence, dating violence, and stalking, and share information and resources to prevent interpersonal violence and promote safety. Examples include awareness month campaigns, educational programming, and/or poster campaigns.

## **Primary Prevention Programs**

Programming, initiatives, and strategies are intended to stop domestic violence, dating violence, sexual assault and/or stalking, as well as to promote positive and healthy behaviors and beliefs, change behavior and social norms, and promote healthy relationships and healthy sexuality. The University engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault, and stalking. Educational programming consists of primary prevention and awareness programs for incoming students and new employees, and ongoing awareness and prevention campaigns for students, faculty, and staff that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct.
- Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking.
- Defines what behavior and actions constitute consent to sexual activity in the State of Texas.
- Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than by a bystander.
- Provide information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
- Provides an overview of the information contained in the Annual Security Report in compliance with the Clery Act.

Further, the University engages in year-round initiatives aimed at education of consent, empowerment, and non-bystander behaviors as well as prevention of sexual misconduct. Passive programming and educational campaigns are provided on digital screens around campus as well as on social media. Active engagement occurs through the distribution of educational materials to new and returning students and employees; participating in, and presenting information and materials during new student orientation; programs and activities throughout the year on a

regular basis including sessions such as educational speakers and evening programming, information tabling, facilitated trainings, and annual traditions programming such as “Take Back the Night” Student Affairs and Title IX administrative staff regularly engage the UTEP campus community in training programs on the role students, faculty, and staff have in assisting students who disclose abuse or an assault.

## **CRIME PREVENTION**

The Crime Prevention Unit assesses and analyzes crime prevention needs by implementing initiatives, safety awareness, fostering community growth and development. This is accomplished through education, awareness, services, and ultimately, student success. The goal is to provide a safe and secure learning and working environment for our students, faculty, staff members, and visitors.

## **CRIME PREVENTION PROGRAMS**

- **Safety Escort Service:** The UTEP Police Department provides a 24/7 escort service when individuals feel they need extra security. UTEP Police provide on-campus safety escorts to enhance student safety and peace of mind. Students can call 915-747-5611 to request this service.
- **Office Interviews on Crime Prevention Topics:** The UTEP Police Department Office of Support Services is available for an interview with students seeking information for speeches, papers, or articles for class assignments.
- **Campus Safety Presentations:** Information and safety tips are provided at New Student Orientation, Transfer Student Orientation, Parent Orientation, Study Abroad Pre-departure Orientation, New Employee Orientation, Early College Ready, and other programs to the University community. Presentations are also available to campus groups and classes. Please call 915-747-6640 or 915-747-6338 for additional information or to schedule a presentation.
- **Ride-A-Long Program:** Participants may ride or walk with an officer on patrol for up to a two-hour period to gain firsthand knowledge of police procedures and operations.

- **Bicycle Registration:** Students can register their bicycle with the UTEP Police. In the event a bicycle is stolen and later recovered, this allows the University police to match the bicycle with the registered owner's information and permits the department to return the property to its rightful owner. Officers on bicycle or vehicular patrol can assist with registering a bicycle. Students, faculty, and staff can call 915-747-6640 or 915-747-6338 to request this service.
- **Operation Identification:** This program helps safeguard your personal property by affixing or engraving one's driver's license or state-issued identification card number onto personal property. Call 915-747-6640 or 915-747-6338 to request this service and look for upcoming initiatives on the UTEP Today monitors.
- **Motor Vehicle Assistance:** Motor vehicle assistance is available by contacting UTEP Police by using the nearest Blue Light Emergency Call Boxes or dialing 915-747-5611. Please be prepared to provide your name, vehicle description/color, and location. Please note that individuals will be required to sign a waiver to have this service performed.
- **Alcohol Awareness Week:** Alcohol Awareness Week at UTEP is designed to bring awareness to the UTEP community, particularly our students, about the use and abuse of alcohol. This includes health risks, social problems, resources available, what it means to drink responsibly, and the impact alcohol can have on one's classmates, friends, family, and community members.
- **Hazing Prevention Week:** Hazing Prevention Week at UTEP is designed to bring awareness to the UTEP community about the dangers of hazing. At UTEP, hazing is expressly prohibited including any activity involving consumption of food, liquid, alcoholic beverage, liquor, drug or other substance which subjects the person to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of the person.

- **Lost & Found Property:** All lost items turned in to the UTEP Police Lost and Found are kept for a maximum of 60 days. To report lost property, call 915-747-6640 or 915-747-6338. Inquiries can also be directed to [lostandfound@utep.edu](mailto:lostandfound@utep.edu).

**Note:** Property with little or no monetary value and property considered a health hazard such as chemicals, food and food containers, hats, cosmetics, water bottles and clothing will be destroyed by the Lost & Found Division.

- **Asset Protection Surveys:** Surveys are conducted to identify vulnerabilities and will include recommendations that may enhance personal safety, security of campus assets, and building security.
- **National Prescription Take Back Day Initiative:** Provides a venue to safely dispose of expired medications. The dates, times, and locations of this service will be announced to the campus community. For more information, call the Support Services Division at 915-747-6640.
- **VIN Etching:** VIN etching is the process of placing a light but visible stencil of the vehicle identification number on each window and the windshield of the vehicle. Upcoming initiatives are announced to the campus community via the UTEP Today monitors and department social media. For more information, call the Support Services Division at 915-747-6640.

## **DISCLOSURES TO ALLEGED VICTIMS OF CRIMES OF VIOLENCE**

The University of Texas at El Paso will, upon written request, disclose to the alleged victim of a violent crime, the results of any disciplinary hearing conducted by the University against the alleged student perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, The University of Texas at El Paso will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, to include informing individuals about their right to file criminal charges, as well as the availability of medical, counseling, and support services, and additional remedies to prevent contact between a complainant and an accused

party, such as work, academic, transportation or residential accommodations, if reasonably available. Students needing accommodations should visit the Dean of Students Office located in the Union Building West, Room 102. Employees needing accommodations should contact Beatriz Tapia, Director for Equal Opportunity at [betapia@utep.edu](mailto:betapia@utep.edu), 915-747-5839 or stop by Kelly Hall, Room 302. Both employees and students who need support and/or information related to the University's sexual misconduct procedures also can contact Gabriel Ramirez, Title IX Coordinator, at [gramirez2@utep.edu](mailto:gramirez2@utep.edu) or 915-747-8358.

After an incident of sexual assault, survivors are encouraged to seek immediate medical attention by visiting University Medical Center of El Paso, 4824 Alberta Ave., 915-544-1200. University Medical Center of El Paso provides sexual assault medical forensic examination and evidence collection to sexual assault victims. Medical attention at the local hospital is required to preserve valuable evidence should the victim decide to seek prosecution through the criminal justice system. It is important to know that local police may be contacted if the victim goes to the hospital.

It is also important that a survivor of sexual assault does not bathe, douche, smoke, change clothing, or clean the bed/linen/area where he or she was assaulted if the offense occurred within the past 120 hours (five days) so that evidence may be collected and preserved. If a victim of sexual assault does remove his/her clothing, he/she is encouraged to take the clothes in which they were assaulted with them to the hospital in a paper bag, not in a plastic bag, in order to preserve evidence.

Survivors of domestic violence, stalking, and dating violence are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents that would be useful to University Police investigations and hearings. If a survivor reports an incident of sexual assault, domestic violence, dating violence, or stalking to the UTEP Police Department, and the incident is beyond the jurisdiction of the campus, the UTEP Police Department will assist victims to notify the local police department if they desire. 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 to make a report and victims have the right to decline involvement with the police.

## **UNIVERSITY DISCIPLINARY ACTION**

The University will provide resources to persons who have been victims of sexual assault, domestic violence, dating violence or stalking, and will apply appropriate disciplinary action 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 the 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 the UTEP Police Department or other law enforcement agencies to preserve evidence in the event that the victim changes her/his mind at a later date.

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

The University recognizes the rights of Parties to report and file formal complaints regarding an incident to the University and to receive a prompt and equitable resolution to grievances. There is a distinction between reporting incidents and filing a Formal Complaint.

## **FORMAL COMPLAINT**

Any person subject to an alleged incident under the University's **Sexual Misconduct Policy**, may file a Formal Complaint to initiate the appropriate grievance process. The University recognizes the right of a victim of Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence,



or Stalking to report the incident and to receive a prompt and equitable resolution of the report or Formal Complaint.

The Title IX Coordinator may also file and sign a Formal Complaint based on any incident report received which will initiate the appropriate grievance process.

The University may dismiss a Formal Complaint, at its discretion;

- If the Complainant requests in writing to dismiss a Formal Complaint;
- If the Respondent is an employee and no longer employed by the University at the time the Formal Complaint is filed, or is no longer employed at any time during the grievance process including the investigation or hearing;
- If any specific circumstances that prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or any allegations therein;  
or
- If the conduct alleged does not meet the definition of prohibited conduct.

If the University dismisses a Formal Complaint, the University must provide both parties a written notice of the dismissal and the reason(s) for the dismissal. Factors the University must consider when determining whether to investigate an alleged incident include, but are not limited to:

- The seriousness of the alleged incident;
- Whether the University has received other reports of Prohibited Conduct by the alleged Respondent;
- Whether the alleged incident poses a risk of harm to others; and
- Any other factors the University determines relevant.

Under state law, if the Complainant requests in writing that the University not investigate a report, the University must inform the Complainant of the decision whether or not to investigate. If the University dismisses a Formal Complaint, the University must provide the Complainant and Respondent a written notice of the dismissal and the reason(s) for the dismissal.

If the Respondent is a student, who withdraws or graduates while disciplinary charges are pending for a violation of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking, the University will not end the disciplinary process or issue a transcript to the student until the University makes a final determination of responsibility. These matters will be expedited as necessary to accommodate both the student and the affected individual's interest in a speedy resolution.

### **Grievance Processes**

The Sexual Misconduct Policy's Grievance Process—that includes an investigation, right to review evidence, an investigative report, a live hearing and right to appeal, among other rights—under section 3.6.2 applies where:

1. The Respondent is a student (including student employees) of the University at the time of the alleged conduct and where the conduct alleged includes Sexual Harassment. An alternative Grievance Process in Section 3.6.11 of the Sexual Misconduct Policy—that includes an administrative disposition and possible hearing—applies in instances where the Respondent is a student at the time of the alleged conduct but where the conduct alleged does not include Sexual Harassment.
2. For employees, the Grievance Process in the Sexual Misconduct Policy only applies where all of the following conditions are met:
  - a. The respondent is an employee at the University at the time of the alleged conduct;
  - b. The conduct alleged includes Sexual Harassment under this Policy;
  - c. The alleged conduct occurred against a person in the United States; and
  - d. Where the Complainant was participating or attempting to participate in an education program or activity at the University. This element is met if the conduct occurred in any of the following: on any University property; during any University activity; in a building owned or controlled by a student organization that is officially recognized by the University; or in instances where the University exercised substantial control over the Respondent and the context in which the alleged conduct occurred.

In all other instances relating to employees, allegations of Sexual Misconduct (or other allegations of Prohibited Conduct in the Sexual Misconduct Policy, including Failure to Report for Responsible Employees) will be handled in accordance with the University's Handbook of Operating Procedures (HOP) Section 6, Chapter 1: Equal Opportunity/Affirmative Action/Non-Discrimination Policy, HOP Section 5, Chapter 6: Discipline and Dismissal of Staff Employees, and HOP Section 3, Chapter 4: Academic Policies and Faculty Personnel Matters.

The Grievance and Alternative Grievance Processes, unless there is good cause for delay, must be completed within 150 business days. All investigations under these processes must be completed within 90 business days, unless there is good cause for delay.

**Investigations under the Sexual Misconduct Policy section 3.6.2 (Grievance Process) and section 3.6.11 (Alternative Grievance Process)**

After the University provides written notice of a Formal Complaint to the parties, the Respondent will be allowed a reasonable time to respond in writing and through an interview with the investigator.

The University will provide written notice to a party whose participation is invited or expected of the date, time, location, participants, and purpose of all meetings, investigative interviews, or other proceedings in the Grievance Process.

The parties in the investigation may present any information and evidence that may be relevant to the Formal Complaint, and may have an advisor of their choice attend any related interview, meeting, or proceeding in the Grievance Process. Advisors are not permitted to actively participate in meetings or proceedings in the Grievance Process, unless explicitly outlined in Section 3.6.6(J) of the Sexual Misconduct Policy. The parties may present the names of any fact or expert witnesses who may provide relevant information, and how the witnesses may be relevant to the Formal Complaint. The parties may submit to the investigator any questions they would like asked of any known potential witnesses or parties.

The investigators will interview relevant and available witnesses. Neither the Complainant nor the Respondent will normally attend these interviews; however, if either one is permitted to attend, the other shall have the same right.

The investigation of a Formal Complaint will be concluded within 90 business days of the filing of a Formal Complaint. The parties should be provided updates on the progress of the investigation, as needed.

Prior to the completion of the investigation report, the investigators will provide access to all evidence obtained (whether relevant or not) as part of the investigation to both parties (and the party's advisor, if any, upon a party's signed information release for their advisor of choice). Both parties will have 10 business days to inspect, review, and respond to the evidence. All responses to the evidence must be submitted by the party in writing to the investigator. Advisors are not permitted to submit written responses to the evidence on their own or on behalf of the party they are advising. The investigators will consider all timely responses submitted by the parties.

For matters under the Grievance Process, the completed investigation report will outline each of the allegations that potentially constitutes prohibited conduct under this Policy, provide the timeline (e.g. procedural steps) of the investigation, and objectively summarize relevant evidence, participant statements, and responses to questions. The investigator will provide a completed investigation report concurrently to both parties and each party's advisor, if any, upon a party's signed information release for their advisor of choice at least 10 business days prior to the date of the scheduled hearing to review and provide a written response at the hearing. A copy of the completed investigation report will be issued to the Title IX Coordinator, and to the hearing officer or tribunal assigned for the hearing.

For matters under the Alternative Grievance Process, the investigative report will include a preliminary determination regarding the responsibility of the Respondent for each allegation, the findings of fact supporting the investigator's determination, and the rationale for the determination for each allegation.

Matters involving employees accused of Sexual Harassment, Sexual Misconduct or other alleged violations of the Sexual Misconduct Policy that do not fall under the Grievance Process will be investigated under [HOP Section VI, Chapter 1, 1.4.3.](#)

## **Administrative Disposition under the Alternative Grievance Process**

For matters under the Alternative Grievance Process, after the report has been released to the parties, the Student Conduct Officer will conduct an independent review of the investigation report, and will:

- Accept the preliminary determination regarding responsibility of the Respondent, and either dismiss the case or proceed to adjudication (if applicable);
- Amend the preliminary determination regarding responsibility of the Respondent, and proceed to adjudication (if applicable); or
- Remand the process back to the investigation stage to address an investigation concern.

Where responsibility finding(s) proceed to the adjudication stage, the Respondent and Complainant may elect one of the following options:

- Agree to the determination of responsibility for each of the applicable allegations, the sanctions, and remedies outlined in an administrative disposition, and waive the option of a hearing;
- Agree to the determination of responsibility for each of the applicable allegations, appeal (in writing) the sanctions and/or remedies outlined in the administrative disposition, and waive the option of a hearing; or
- Select a live hearing where the determination regarding responsibility of the Respondent will be made by a hearing officer.

If either party chooses hearing, then a live hearing must be initiated for the adjudication of the conduct allegations, as outlined in the Sexual Misconduct Policy section 3.6.11(C).

## **Hearing**

For hearings under the Grievance Process, the university will provide:

- A live hearing, which may be held virtually.
- Written notice of the hearing, including the date, time, location, names of all participants of the hearing (including the hearing officer, and all parties and participants in the investigation report), purpose of the hearing, a statement of the alleged conduct charges,

and a summary statement of the evidence gathered. The hearing notice may also provide a deadline by which the University representative and the parties have an opportunity to disclose (1) the names of any witnesses they intend to call to testify at the hearing, if any, and (2) a copy of any documents they intend to use as exhibits at the hearing, not already included in the investigation report, if any.

- Notice of the parties' ability to challenge fairness, impartiality or objectivity of the hearing officer or tribunal member within 4 business days of notice. Any challenge must be in writing and state the reasons for the challenge.
- Access to evidence and investigative report.
- Each Party's advisor will have an opportunity to ask relevant questions and follow-up questions of the other Party and of any witnesses that participate in the hearing, including questions that challenge credibility. The hearing officer may rule a question as not relevant with an explanation as to why.

In addition, the hearing officer or tribunal member will rule on all procedural matters and on objections regarding exhibits and testimony of participants at the hearing, and may question participants who testify at the hearing.

For hearings under the Alternative Grievance Process, the hearing procedures in Sexual Misconduct Policy section 3.6.6 will apply, with the following exceptions:

- Each party may have an advisor of their choice at the hearing. Upon request from either party, the University will provide an advisor to that party. Advisors are not permitted to actively participate in the hearing. In addition, witnesses may have an advisor of their choice at the hearing.
- Questioning of the participants in the hearing. The hearing officer may, at the hearing officer's discretion, ask questions during the hearing of any party or witness and may be the first person to ask questions of any party or witness. Each party may ask relevant questions of any witness at the hearing, except that cross-examination questions of the other party must be submitted in writing to the hearing officer. The hearing officer will then ask relevant cross-examination questions of the other party and allow for relevant

follow-up questions (if applicable). Advisors are not permitted to ask any questions at the hearing.

- A Complainant's sexual predisposition or prior sexual behavior are not relevant except where questions and evidence about a Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the alleged conduct charged by the Complainant or if the questions or evidence concern specific incidents of the Complainant's prior sexual behavior with the Respondent and are offered to prove the Complainant's consent to the alleged conduct.

### **Rights of Complainants & Respondents**

During the grievance processes for allegations of Sexual Misconduct, Complainants and Respondents have the right:

- To be informed of and have access to counseling, medical, academic, and other applicable support services, including confidential resources.
- To be informed of the importance of a victim going to a hospital for treatment and the preservation of evidence, if applicable, as soon as practicable after an alleged incident.
- To be informed of a notice of a formal complaint to the University, whether filed by a complainant or the Title IX Coordinator.
- To receive a prompt, fair, equitable, and impartial grievance process.
- To receive information and ask questions about the formal and informal processes available.
- To be given equal chance to participate in a grievance process, including the opportunity to identify witnesses and other relevant evidence.
- To choose not to actively participate in the grievance process, if desired.
- To have an advisor of choice present during all meetings and grievance proceedings.
- To have an advisor provided for a party at a hearing under the Title IX grievance process, if an advisor of choice is not present.

- To have access and equal opportunity to inspect and review any evidence obtained as part of the investigation, and to receive a copy of the completed investigation report.
- To be equally informed of any determinations regarding responsibility, dismissals of formal complaints, and/or a party's filing of an appeal.
- To appeal a determination regarding responsibility and/or dismissals of formal complaints.
- To file a report with local and/or campus law enforcement authorities.

### **Sanctions and Remedies**

The following sanctions and remedies may be considered by the decision maker in accordance with the Sexual Misconduct Policy:

Possible Sanctions and Remedies for Student Respondents:

- Educational training;
- No shared classes or extra-curricular activities;
- Disciplinary probation;
- Withholding of grades, official transcript, and/or degree;
- Bar against readmission, bar against enrollment, drop from one or more classes, and/or withdrawal from the University;
- Suspension of rights and privileges, including but not limited to participation in athletic or extracurricular activities;
- Denial of degree;
- Suspension from the University for a specific period of time. Suspension is noted on the academic transcript with the term "Disciplinary Suspension." The notation can be removed upon the request of the student in accordance with the University's procedures when all conditions of the suspension are met;
- Expulsion (permanent separation from the University). Expulsion creates a permanent notation on the student's academic transcript;
- Revocation of degree and withdrawal of diploma; and/or



- Other sanction(s) or remedies as deemed appropriate under the circumstances.

Possible Sanctions and Remedies for Employee Respondents:

- Suspension with or without pay for a specific period of time;
- Dismissal or termination;
- Other sanction(s) or remedies as deemed appropriate under the circumstances.

### **Appeals and Additional Processes Provided to Students and Employees**

Either party may appeal in writing to a decision maker's (hearing officer or tribunal) determination regarding a Respondent's responsibility under the Grievance Process, or the University's dismissal of a Formal Complaint (or any allegations in the Formal Complaint), within 10 business days of notification of such a determination, on the following bases:

- A procedural irregularity that affected the outcome of the matter;
- There is new evidence that was not reasonably available at the time that the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; or
- The Title IX Coordinator, investigator(s), or hearing officer had a conflict of interest or bias for or against the parties (generally, or specifically in this matter) that affected the outcome of the matter.

Under the Alternative Grievance Process, the Respondent may also agree to the determination of responsibility but appeal the sanctions and/or remedies in writing under Sexual Misconduct Policy section 3.6.11(B)(2).

The appellate officer—who will be the President of the University or her or his designee—must not be the same person as the Title IX Coordinator, investigator(s), or hearing officer in the Grievance Process. Both parties will be notified in writing when an appeal is filed and the appeal procedures will apply equally for both parties.

Any non-appealing party (or the University) will have 7 business days from the notification of an appeal to submit a written statement in support of the outcome.

The appellate officer will release a written decision within 21 business days from the date of the appeal. The appellate officer's written decision shall:

- Affirm the hearing officer's determination regarding the Respondent's responsibility and the disciplinary sanctions and remedies, if applicable;
- Affirm the hearing officer's determination regarding the Respondent's responsibility, but amend the disciplinary sanctions and remedies, if applicable;
- Affirm the University's dismissal of a Formal Complaint (or any allegations in the Formal Complaint);
- Remand the process back to the investigation or hearing stage for the investigator or hearing officer (or applicable equivalent) to remedy any procedural irregularity or consider any new evidence;
- Reverse the hearing officer's determination of the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable; or
- Affirm or amend the sanctions and/or remedies outlined in the administrative disposition issued under Section 3.6.11 of the Sexual Misconduct Policy.

### **ASSISTANCE FOR VICTIMS: RIGHTS & OPTIONS**

Regardless of whether a victim elects to pursue a criminal complaint, 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. Further, The University of Texas at El Paso complies with Texas law in recognizing orders of protection. Additionally, any person who obtains an order of protection from another state, or any reciprocal state, should provide a copy to the UTEP Police Department, the Title IX Coordinator, and the Deputy Title IX Coordinators. A complainant may then meet with the UTEP Police or case advocate in the CARE Office to develop a Safety Action Plan (SAP). The SAP is a strategy for campus police and the victim to reduce the risk of harm while on campus, arriving at campus, or leaving campus. This plan may include, but is not limited to: safety escorts, special parking arrangements, providing a temporary cell phone, changing classroom location, or allowing a student to complete assignments from home.

To the extent of the victim’s cooperation and consent, University departments 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, and assistance in notifying appropriate local law enforcement. Additionally, 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. The University does not publish the names of crime victims, nor house identifiable information regarding victims online or in the campus police department’s daily crime log. Victims may request to withhold directory information on file from public sources by contacting the UTEP Registration and Records Office located at the Mike Loya Academic Services Building, Room 107. Victims may also dial 915-747-5544 or email [records@utep.edu](mailto:records@utep.edu).

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 misconduct:

**Section VI, Chapter 01:**

Equal Opportunity/Affirmative Action/Non-Discrimination Policy:

[www.utep.edu/vpba/hoop/section-6/ch-1.html#Equal%20Opportunity/Affirmative%20Action/Non-Discrimination%20Policy](http://www.utep.edu/vpba/hoop/section-6/ch-1.html#Equal%20Opportunity/Affirmative%20Action/Non-Discrimination%20Policy)

**Section VI, Chapter 03:**

Sexual Misconduct Policy:

<https://www.utep.edu/vpba/hoop/section-6/ch-3.html>

**Section II, Chapter 01:**

Student Conduct and Discipline:

[www.utep.edu/hoop/section-2/student-conduct-and-discipline.html](http://www.utep.edu/hoop/section-2/student-conduct-and-discipline.html)

Most conduct proceedings, with the exception for conduct covered under the Sexual Misconduct Policy, against students will be resolved through the University Student Conduct process:

## **Section II, Chapter 01: Student Conduct and Discipline**

<https://www.utep.edu/vpba/hoop/section-2/student-conduct-and-discipline.html>

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. In accordance with the Texas Code of Criminal Procedures Article 57, victims may use a pseudonym to protect their identity. A pseudonym is a set of initials or a fictitious name chosen by the victim to be used in public files and records concerning sexual assault.

### **Sanctions and Supportive Measures**

In all cases, investigations that result in a finding of more likely than not that a violation of policy occurred will lead to the initiation of disciplinary procedures against the accused individual. University sanctions include, but are not limited to disciplinary warning, disciplinary probation, withholding of grades and/or transcripts, suspension of rights and privileges, suspension, expulsion, loss of employment, or other penalty deemed appropriate under the circumstances. The University may implement protective measures following the report of sexual assault, domestic violence, dating violence and/or stalking, which may include some or all of the following actions: change in academic living arrangements, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. For students, sexual assault, domestic violence, dating violence and stalking are violations of the Student Code of Conduct. 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.

The Title IX Coordinator, or Deputy Title IX Coordinators, will reach out to the alleged victim and attempt to speak to the alleged victim in order to determine what supportive measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of supportive measures include, but are not limited to: no contact directive, referral to counseling or clinical support personnel, residence hall or parking relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator, or Deputy Title IX Coordinators, directives, and/or support measures will constitute related violations that may lead to additional disciplinary action. Supportive measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the institution upon a finding of responsibility.

<b>ON CAMPUS RESOURCES</b>		
National Suicide Prevention Line	<b>988</b>	
UTEP Police Department	3118 Sun Bowl Drive	<b>911 or 915-747-5611</b>
Dean of Students Office	Union West 102	<b>915-747-5648</b>
Office of Community Standards	Union East 303	<b>915-747-8694</b>
Equal Opportunity Office	Kelly Hall 302	<b>915-747-5662</b>
Senior Women's Administrator for Athletics	Brumbelow Building 201	<b>915-747-6806</b>
Counseling and Psychological Services	Union West 202	<b>915-747-5302</b>
Student Health and Wellness Center	Union East 100	<b>915-747-5624</b>
Human Resources	Administration Building – 206	<b>915-747-5202</b>
Employee Assistance Program	Administration Building – 206	<b>1-866-EAP-2400</b>
Campus Advocacy, Resources and Education	Campbell Building	<b>915-747-7452</b>
Por Mi Familia	College of Health Science	<b>915-747-8339</b>
<b>OFF-CAMPUS RESOURCES</b>		
National Suicide Prevention Line	<b>988</b>	
Center Against Sexual Assault and Family Violence (CASFV)	<b>24/7 Crisis Hope Line: 915-593-7300</b>	
Sierra Medical Center	<b>915-747-2660</b>	
El Paso Police Department Victim Services/Domestic Violence	<b>915-212-4011</b>	
New Mexico: La Piñon Sexual Assault Recovery Services of Southern New Mexico	<b>575-526-3437</b>	
Ciudad Juarez, Chihuahua Mexico: Casa Amiga	<b>(01-656) 690-8301</b>	
Fort Bliss Family Advocacy Program	<b>915-568-9129</b>	
Fort Bliss 24/7 Domestic Violence Hotline	<b>915-269-2013</b>	

Fort Bliss Sexual Assault Hotline	<b>915-245-8991</b>
24/7 Domestic Violence Hotlines	<b>1-800-799-7233 (National) OR 1-800-787-3224 (TTY)</b>
24/7 Sexual Assault Hotline	<b>1-800-656-HOPE (National)</b>

**TEXAS STATE LAW – ALCOHOL POSSESSION AND CONSUMPTION**

All members of the University community should at all times be cognizant of, and comply with, state and local liquor laws. It is unlawful in the State of Texas for any person under the age of 21 to possess, purchase or drink alcoholic beverages, except when with either a parent or adult spouse. Providing alcoholic beverages to minors other than where the law provides is prohibited. A violation of this policy subjects the offender(s) to internal disciplinary and/or law enforcement action, which may include a court appearance, citation or arrest.

The University prohibits the possession and consumption of alcoholic beverages on campus, with the exception of certain special events such as official University receptions. For these exceptions, individuals possessing, or consuming alcoholic beverages must be 21 years of age or older. Kegs and other similar containers including, but not limited to, 1/2 kegs, party balls or pony kegs are not permitted anywhere on campus. Exemptions to possession and consumption of alcoholic beverages on campus must receive written authorization from the University President's Office prior to the date of the event. The UTEP Police Department will be notified when an exemption has been granted.

The University is dedicated to providing a healthy, comfortable and productive environment for students, faculty, staff, and guests. All members of the University community are expected to maintain self-control. Conduct should be consistent with ideals of academic excellence, health, and responsible social behavior, including recognition of the rights of others.

It is also recognized that The University of Texas at El Paso is a community of free and open inquiry in which adults are encouraged to make responsible decisions in their lives, including abstinence from, or careful use of, alcohol. The University recognizes the freedom of conscience that determines such issues but cautions that such freedom does not imply license to violate the law or University policy.

Series 50000 of the Rules and Regulations of the Board of Regents of The University of Texas System provides for disciplinary action against any student who engages in conduct that is prohibited by state, federal or local law. This includes those laws that prohibit the use, possession or distribution of drugs.

The University may impose penalties for conduct related to the unlawful use, possession or distribution of alcohol, which includes disciplinary probation, payment for damage to or misappropriation of property, suspension of rights and privileges, suspension for a specified period of time, expulsion, community service, or such other penalty as may be deemed appropriate under the circumstances.

## **DRUGS**

Every UTEP student shall be responsible for compliance with all local, state, and federal laws regarding controlled substances including, but not limited to, their use, sale, distribution, possession, or manufacture. Violations of any local, state, or federal law regarding controlled substances may subject the person to disciplinary proceedings by the Office of Student Conduct and Conflict Resolution (OSCCR) without regard to any proceedings in local, state, or federal courts.

When the standards of conduct regarding illicit drugs are violated, sanctions may be imposed by OSCCR. Possible sanctions include, but are not limited to, assignment to community service, suspension, suspension of privileges, suspension for a specified amount of time, or expulsion. The University will impose a minimum disciplinary penalty of suspension for a specified period of time or suspension of rights and privileges, or both, for conduct related to the use, possession, or distribution of drugs that are prohibited by state, federal, or local law.

Sanctions upon conviction in the criminal court system for possession, distribution or manufacture of controlled substances ranging from fines and probation to imprisonment. Amounts of fines, terms of probation or years of imprisonment generally are contingent upon the circumstances and amounts of drugs possessed, sold, distributed or manufactured.

UTEP enforces state and federal laws that prohibit the possession or sale of illegal drugs or drug paraphernalia. In addition, the Rules and Regulations of the Board of Regents provide for the suspension of students found guilty of possession of drugs on campus.

Visit [www.utep.edu/hoop/section-2/student-conduct-and-discipline.html](http://www.utep.edu/hoop/section-2/student-conduct-and-discipline.html)

## **DRUG AND ALCOHOL AWARENESS PROGRAMS**

Multiple units within the Division of Student Affairs provide proactive prevention programs as well as recovery initiatives to support students in addressing alcohol and drug concerns. UTEP's Counseling and Psychological Services (CAPS) works closely with OSCCR, the Dean of Students Office, Housing and Residence Life to assist those students who are at risk or have violated the University's drug and alcohol policies.

CAPS offers programs throughout the semester to individuals and groups upon request and facilitates a recovery program for those who have struggled with alcohol use and abuse. CAPS also offers referrals to outside agencies which can provide further assistance to students, faculty and staff.

Annually, the Dean of Students Office leads a collaborative effort with CAPS, OSCCR, HRL, UTEP Police, Student Health and Wellness Center, and the Student Engagement and Leadership Center to produce Alcohol Awareness Week. The goal of Alcohol Awareness Week is to raise awareness of alcohol issues on campus, as well as the resources and support available to University students, staff and faculty. Since 2019, the campus has focused its efforts around the Limit2WinIt campaign designed to reduce high-risk behaviors and mirror similar efforts in the El Paso community.

## **UTEP Police Individual Reflective Experience (I.R.E) Program**

The premise of the UTEP Police Department I.R.E. Collaborative rests upon the idea that through coordinated mentoring, education and awareness efforts, students can be encouraged to take responsibility and change at-risk behaviors to enhance their quality of life, promote their academic success and be a positive force to enhance community safety while building positive relationships based on trust and open communication.



Students identified by the Office of Community Standards are referred to the program coordinator and begin the I.R.E. collaborative four-step process.

**Step one:** One-on-one initial meeting with the program coordinator

**Step two:** Student assigned a written reflection paper

**Step three:** Student attends education and awareness workshops

**Step four:** One-on-one final meeting with program coordinator

## **SEX OFFENDER REGISTRATION**

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, went into effect October 28, 2002. The law requires institutions of higher education to issue a statement that advises the campus community where it can obtain information about registered sex offenders provided by the state through a law enforcement agency.

The act also requires sex offenders, who are 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 or is a student.

This act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders, and requires the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.

State law requires persons convicted of or placed on deferred community supervision for certain offenses to register as sexual offenders. Offenders who committed "sexually violent" offenses (mostly contact offenses) must register for the remainder of their life, even after completing probation or parole. Others (some non-contact offenses) may cease registration 10 years after completion of their term of supervision.

Registered sex offenders are required to inform the University when they become enrolled as students, employed as staff/faculty, or volunteering on campus. To learn whether information of

this nature has been provided to the University, contact the UTEP Police Department at 3118 Sun Bowl Drive, or call 915-747-5611.

Information regarding sex offender registration files is available through the Texas Department of Public Safety (TXDPS) website at: <https://publicsite.dps.texas.gov/SexOffenderRegistry>

The TXDPS Sex Offender search Mobile Application for iPhone and Android can be downloaded. [www.dps.texas.gov/section/media-and-communications-office/texas-dps-mobile-application-overview](http://www.dps.texas.gov/section/media-and-communications-office/texas-dps-mobile-application-overview)

### **MISSING STUDENT INFORMATION**

Our students are busy and it can often be difficult to get them to call home! If you have not been able to reach your son or daughter by text message, e-mail, or telephone for a significant period of time, it may be a sign of a more serious problem. If you believe your son or daughter is missing or in distress, please contact the UTEP Police Department at 915-747-5611 immediately. We will try to contact your student and coordinate helpful resources.

### **IF THE STUDENT RESIDES ON-CAMPUS IN STUDENT HOUSING**

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify The University of Texas at El Paso Police Department (UTEP PD) at 915-747-5611. UTEP PD will generate a missing person report and initiate an investigation. After investigating the missing person report, should UTEP PD determine that the student is missing and has been missing for more than 24 hours, UTEP will notify the El Paso Police Department and the student's emergency contact no later than 24 hours after the student is determined missing. If the missing student is under the age of 18 and is not an emancipated individual, UTEP officials will notify the student's legal parent or guardian immediately after the UTEP PD has determined that the student is missing.

In addition to registering an emergency contact, students residing in on-campus housing have the option to select a confidential contact person to be contacted by UTEP in the event the student is determined to be missing for more than 24 hours. If a student has selected a confidential contact person, UTEP will notify that person no later than 24 hours after the student is determined to be missing. Students who wish to identify and select a confidential contact can do so through the

UTEP Department of Resident Life at 747-5352. The contact information is confidential, and this information will be accessible only to authorized campus officials and law enforcement and will not be disclosed except for the missing person investigation.

Visit <https://www.utep.edu/student-affairs/dean-of-students-office/student-safety/missing-student.html>

## **UPDATING CONTACT INFORMATION**

Student(s) are encouraged to update their primary cell phone number and emergency contact information and keep the information current.

## **EMERGENCY MANAGEMENT**

At The University of Texas at El Paso, the Office of Emergency Management (OEM) functions within the department of Environmental Health and Safety.

OEM has the goal to create a safe campus community by assisting in our university's capacity to manage and mitigate incidents when they occur. These are achieved by risk assessment, hazard analysis, written plans and procedures, training, drills, and exercises. It includes:

- Reviewing and updating the University's Emergency Management Plan on a regular basis.
- Providing campus tips or guidelines for students, faculty, and staff about personal and university preparedness to include the University's Emergency Management Plan.
- Coordinating and developing emergency preparedness exercises using an all-hazard approach.
- Providing presentations to on-campus departments, classes, and organizations about emergency management and personal safety and protection.

## **EMERGENCY PREPAREDNESS**

An emergency is often a sudden and unexpected occurrence that requires a response to help provide life, safety and property protection. It is very important that for all emergency and hazardous incidents, whether man-made or naturally caused, that the course of action for the emergency condition or incident be determined by the On-the-Scene Incident Commander with

supporting personnel, departments and agencies assisting as needed or required. This may include an incident involving an active shooter, fire or other emergency incidents.

In preparing for possible incidents, fire drills are conducted twice a year in student housing, usually at the beginning of fall and spring semesters. Additionally, other designated occupancies on campus will have fire drills during the calendar year. These require evacuation from the building and allow the occupants to experience emergency alarm conditions in a controlled manner. These drills are coordinated with Environmental Health and Safety (EH&S), UTEP Police, facilities, and the building management to help ensure safety through emergency preparedness and practice.

Visit UTEP Handbook of Operating Procedures, Section 9: Environmental Health & Safety, Chapter 4: Loss Prevention, Emergency Preparedness, and the Office of Emergency Management <https://www.utep.edu/hoop/section-9/ch-4.html>.

## **EMERGENCY NOTIFICATION AND EVACUATION PROCEDURES**

Emergencies may range from inclement weather and building evacuations to campus closures. The University of Texas at El Paso has a redundancy of systems in place to communicate with the UTEP community in the event of these and other possible emergencies. Depending on the type of emergency, the university may use some or all of the following tools to communicate with students, faculty and staff.

- I.** University Group E-mail: During emergencies, a group e-mail is sent to every student, faculty and staff member.
- II.** Text Messaging System: Miner Alert is an alert notification system used to immediately contact faculty, staff and students during urgent or emergency situations with useful information and updates by sending text messages to cell phones or wireless devices.
- III.** University Homepage: Information may be posted on the institution's website at [www.utep.edu](http://www.utep.edu).
- IV.** UTEP Today Message Boards: LCD monitors are placed strategically in campus buildings.
- V.** Press Release: The Public Information Officer (PIO) may send a press release and contact the local media. Because UTEP is a commuter campus, the University depends a great

deal on broadcast media to notify students, faculty and staff members of emergencies before and during their commutes.

- VI.** Emergency Call List: The President's Office has an emergency call list of key department contacts that are initiated during an emergency.
- VII.** Public Safety Patrol Car Announcements: UTEP Police Department patrol cars are equipped with PA systems, which officers can use to provide instructions to pedestrians during emergencies.
- VIII.** Fire Alarm System: Residence halls and other campus buildings are equipped with fire alarm systems that activate to alert occupants regarding smoke or water flow of the fire sprinkler systems. These allow occupants to evacuate in a timely manner.

## **EVACUATION**

An emergency incident or hazardous condition may occur in an area of campus or at large event such as a sporting event. If so, an immediate evacuation may be necessary. Individuals may need to be directed and assisted in this process.

Often, evacuations will be limited to one building. This is known as a limited evacuation. An example of that would be when a fire alarm is activated due to a reported fire and smoke conditions. In this instance, the primary objective is life safety, and the best course of action is to **immediately exit** the building and relocate to an area pre-designated in an evacuation plan.

- Pre-designated areas may be parking lots, open fields or even entry into another nearby building.
- Emergency responders in coordination with UTEP Police may direct occupants to other areas based upon the conditions on the scene.

In some instances, a large-scale evacuation is necessary that includes multiple buildings, large areas or the entire campus. These incidents present unique challenges in which hazardous conditions may be so significant that the time for rapid notification to the campus community is significantly diminished. The overarching goal in this case is to expedite evacuation for preservation of life and safety. Such a large magnitude occurrence will require multijurisdictional coordination to achieve an effective evacuation safely.

Have an exit strategy! [www.tdi.texas.gov/fire/exit-strategy.html](http://www.tdi.texas.gov/fire/exit-strategy.html)

## **SHELTER IN PLACE**

- Shelter in place is a course of action whereby the occupants of a building or structure remain inside where they are. This may occur during periods of severe weather such as high winds, a thunderstorm or during a release of a hazardous material from another location. The safest action may be to remain sheltered inside a building and not be exposed to potentially toxic gas or vapor.

## **AREAS OF REFUGE**

- An area of refuge is a location in a building designed to hold occupants during a fire or other emergency, when evacuation is not safe or possible. Occupants can wait there until rescued by emergency responders.

## **ACTIVE SHOOTER**

Active shooter incidents are occurring with more frequency. Though they are still uncommon, the campus must anticipate and be prepared for the unexpected.

- An active shooter is one or more individuals actively engaged in killing or attempting to kill people in a confined populated area. This type of incident occurs quickly and with little or no warning. It is important that everyone reacts quickly to protect themselves and assist others. If possible, call 911 or UTEP Police at 915-747-5611.
- AVOID/Run if possible. Move away from the source of the threat as quickly as possible. The more distance and barriers between you and the threat, the better. Leave belongings behind. Remain calm and follow all instructions of arriving law enforcement.
- DENY/HIDE if necessary. Keep the distance between you and the threat. Go to a room or office and lock the doors. If the door does not lock, wedge it shut or use heavy furniture to barricade it. Close blinds, turn off lights, silence your cell phone, and cover windows.
- DEFEND/FIGHT, if you must. If there is no opportunity for escape or hiding, as a last resort, attempt to disrupt and incapacitate the active shooter. Be prepared to defend yourself, be aggressive and committed to your actions. Do not fight fairly.

## **LOCKDOWN**

If there is an unsafe incident on campus, instructions to evacuate or remain in place will be provided.

- Follow instructions.
- Remain in the classroom or office if safe to do so.
- If in a hallway move to a room that can be locked.
- Stay away from windows.
- Lock all doors or barricade.
- If outside, attempt to enter a building that you are familiar with.
- Wait until notice is given that all is clear, and it is safe to move.

## **FIRE SAFETY**

If a fire occurs in a campus building, community members should immediately notify the UTEP Police Department at 915-747-5611 or 9-1-1. The UTEP Police Department will initiate a response through the computer-aided dispatch system that links directly to all fire and emergency medical response services. This system can summon the fire department quickly. If a member of the UTEP community finds evidence of a fire that has been extinguished, and the person is not sure whether the UTEP Police Department has already responded, the community member should immediately notify the UTEP Police Department to investigate and document the incident.

The fire alarms alert community members of a potential hazard and community members are required to heed their warning and evacuate a building immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Community members should familiarize themselves with the exits in each building.

Elevators shall not be used to evacuate when the fire alarm is activated. Occupants shall use designated stairs to evacuate during emergencies. Upon a fire alarm activation, elevators will automatically travel to a safe floor, allow evacuation and stop operating during the duration of the fire alarm activation. Emergency phones are available in each elevator for occupants to contact UTEP Police in case of entrapment or other emergency assistance.

## **FIRE LOG**

The University of Texas at El Paso maintains a log of fires that have occurred in on-campus student housing in accordance with federal regulations (34 CFR §668.49). On-campus student housing consists of three facilities operated by the UTEP Housing and Residential Life (HRL). Facilities are Miner Village, Miner Heights and Miner Canyon. A **Fire Log** is available for review 24 hours a day on the UTEP Police Department website at [www.utep.edu/police/ files/docs/crime-log/utep-fire-log-2023-09.pdf](http://www.utep.edu/police/files/docs/crime-log/utep-fire-log-2023-09.pdf) and it is also available via hard copy at the UTEP Police Department, 3118 Sun Bowl Drive.

The University of Texas at El Paso has a Texas Commission on Fire Protection regulated Fire Department. The UTEP Fire Department is limited to fire prevention and relies on the City of El Paso Fire Department (EPFD) to provide emergency fire suppression and medical response to the campus community. In addition, the City of El Paso has an Insurance Services Office (ISO) Class 1 Fire Department. ISO ratings (ratings of 1 to 10) are predominantly used to determine the insurance rates for commercial and industrial properties, but in essence, it is a grading system. The El Paso Fire Department has been highly recognized for exceeding the standard requirements of response times and maintaining the availability of quality resources. The UTEP Police Department also responds to all types of fires reported on campus and a written report is completed in each instance.

## **REPORTING FIRE INCIDENTS**

1. UTEP Police communications receives fire alarms via a monitored Fire Alarm System.
2. Patrol officers are dispatched to the location to determine the cause of the alarm.
3. Environmental Health & Safety (EH&S) is notified if there is an actual fire, if a fire extinguisher is discharged, or if there was damage to property or injuries caused by the incident.
4. EH&S is contacted if the above criteria is met.

## **ANNUAL FIRE REPORT**

The Annual Fire Safety Report is compiled by the UTEP Environmental Health & Safety (EH&S) office and includes statistics for on-campus student housing areas only. The report



tallies the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire in Student Housing.

EH&S creates this fire safety report as part of this annual Higher Education Reauthorization Act Compliance document, which contains information with respect to the fire safety practices and standards for UTEP residential facilities.

In 2023 the on-campus residential facilities at The University of Texas at El Paso consisted of apartments in the “Miner Village,” “Miner Heights” and “Miner Canyon” complexes. Miner Village consists of 12 three-story buildings in a single apartment style dwelling complex. Miner Heights consists of two two-story buildings and a single three-story building in a single Heights apartment style dwelling complex. The Miner Canyon facility is two four-story residential halls that also offer apartment-style dwellings. If smoke or other smoke-like situation occurs in a UTEP residential building, or if a fire sprinkler flow causes a detection initiation, an automatic fire detection and alarm system will alert the occupants at the dwelling unit and the UTEP Police Department.

## **STUDENT HOUSING EVACUATION PROCEDURES**

In the case of a fire, or fire-related emergency, residents and Residence Life staff immediately evacuate the building and place a call to the UTEP Police Department dispatcher at 915-747-5611 or by dialing 9-1-1 regarding specifics of an evacuation incident. UTEP Police Department also initiates a response upon detection through the automated alarm monitoring system within Police Dispatch, as the department has direct communications with the El Paso Fire Department and can summon the fire department quickly through this communication link. The UTEP Police Department also will notify the campus Environmental Health and Safety department at 915-747-7124 in the event of an actual fire or fire extinguisher being discharged.

## **FIRE PROTECTION EQUIPMENT AND SYSTEMS**

University residential structures are protected by a fully automatic fire sprinkler system and are equipped with a smoke detection fire alarm system. Fire alarms are monitored on site by residential facilities staff and at the UTEP Police Department dispatch 24 hours a day. Each

apartment unit also is supplied with a fire extinguisher in the general area of the living room/kitchen.

### **POLICIES REGARDING POTENTIAL FIRE SOURCES**

Smoking is prohibited throughout the residential facilities complex. Microwaves are restricted to one per apartment. Any student-supplied appliance with exposed heating elements cannot be used; this includes space heaters and halogen lamps. Open flames such as candles, incense and grills (propane, charcoal, or wood-fired) are not allowed. These and other rules and policies can be found in the Residence Life Online Handbook [www.utep.edu/student-affairs/housing/resident-handbook/resident-handbook.html](http://www.utep.edu/student-affairs/housing/resident-handbook/resident-handbook.html)

### **FIRE AND LIFE SAFETY INSPECTIONS**

The Office of Environmental Health & Safety conducts fire and life safety inspections each year in all common areas. Residence Life staff conduct inspections of all apartments once in the fall semester and once in the spring semester. Every three years, the State of Texas Fire Marshal performs an independent assessment of all student residential facilities for fire safety. Special attention is paid to the improper use of electrical cords, tampering with the sprinkler system or fire alarm devices, the prohibited use of open flame that includes candles, smoking or incense, or the use of halogen lamps. Smoking is prohibited in campus buildings and apartments. These inspections also include a general assessment of the cleanliness of the apartment rooms as this often impacts the spread of fires.

**STATISTICS AND INFORMATION REGARDING FIRES IN UTEP RESIDENTIAL FACILITIES**

<b>Miner Village</b>									
Facility Name	Address	Total Fires Per Facility	Fire Numbers	Date	Time	Cause of Fire	Number of Injuries That Required Treatment at Medical Facility	Number of Deaths Related to Fire	Value of Property
Davis Hall	2451 N. Oregon St.	0	0	N/A	N/A	N/A	0	0	0
Mimbres Hall	2421 N. Oregon St.	0	0	N/A	N/A	N/A	0	0	0
Hueco Hall	2401 N. Oregon St.	0	0	N/A	N/A	N/A	0	0	0
Guadalupe Hall	2481 N. Oregon St.	0	0	N/A	N/A	N/A	0	0	0
Franklin Hall	2501 N. Oregon St.	0	0	N/A	N/A	N/A	0	0	0
Indio Hall	2521 N. Oregon St.	0	0	N/A	N/A	N/A	0	0	0
Chisos Hall	2531 N. Oregon St.	0	0	N/A	N/A	N/A	0	0	0
Del Norte Hall	150 W. Robinson Ave	0	0	N/A	N/A	N/A	0	0	0
Tinaja Hall	100 W. Robinson Ave	0	0	N/A	N/A	N/A	0	0	0
Sacramento Hall	2441 N. Oregon St.	0	0	N/A	N/A	N/A	0	0	0
Capitan Hall	2581 N. Oregon St.	0	0	N/A	N/A	N/A	0	0	0
Eagle Hall	190 W. Robinson Ave.	0	0	N/A	N/A	N/A	0	0	0
<b>Miner Heights Facility</b>									
Cottonwood Hall	300 W. Schuster Ave.	0	0	N/A	N/A	N/A	0	0	0
Ocotillo Hall	360 W. Schuster Ave.	0	0	N/A	N/A	N/A	0	0	0
Mesquite Hall	370 W. Schuster Ave.	0	0	N/A	N/A	N/A	0	0	0
<b>Miner Canyon Facility</b>									
Whispering Springs	3490 Sun Bowl Dr.	0	0	N/A	N/A	N/A	0	0	0
Copper Canyon	3490 Sun Bowl Dr.	1	1	8/30/23	20:40	Electrical	0	0	\$0-\$500

## FIRE SAFETY AMENITIES IN UTEP RESIDENTIAL FACILITIES

<b>Miners Village Facility</b>							
Facility Name	Address	Fire Alarm Monitoring on Site by Campus Police	Full Sprinkler System	Smoke Detector	Fire Extinguisher	Evacuation Plans & Placards	Number of Evacuation (Fire) Drills In Calendar Year
Davis Hall	2451 N. Oregon St.	YES	YES	YES	YES	BY WEB	2
Mimbres Hall	2421 N. Oregon St.	YES	YES	YES	YES	BY WEB	2
Hueco Hall	2401 N. Oregon St.	YES	YES	YES	YES	BY WEB	2
Guadalupe Hall	2481 N. Oregon St.	YES	YES	YES	YES	BY WEB	2
Franklin Hall	2501 N. Oregon St.	YES	YES	YES	YES	BY WEB	2
Indio Hall	2521 N. Oregon St.	YES	YES	YES	YES	BY WEB	2
Chisos Hall	2531 N. Oregon St.	YES	YES	YES	YES	BY WEB	2
Del Norte Hall	150 W. Robinson Ave	YES	YES	YES	YES	BY WEB	2
Tinaja Hall	100 W. Robinson Ave	YES	YES	YES	YES	BY WEB	2
Sacramento Hall	2441 N. Oregon St.	YES	YES	YES	YES	BY WEB	2
Capitan Hall	2581 N. Oregon St.	YES	YES	YES	YES	BY WEB	2
Eagle Hall	190 W. Robinson Ave.	YES	YES	YES	YES	BY WEB	2
<b>Miner Heights Facility</b>							
Cottonwood Hall	300 W. Schuster Ave.	YES	YES	YES	YES	BY WEB	2
Ocotillo Hall	360 W. Schuster Ave.	YES	YES	YES	YES	BY WEB	2
Mesquite Hall	370 W. Schuster Ave.	YES	YES	YES	YES	BY WEB	2
<b>Miner Canyon Facility</b>							
Whispering Springs	3490 Sun Bowl Dr.	YES	YES	YES	YES	BY WEB	2
Copper Canyon	3490 Sun Bowl Dr.	YES	YES	YES	YES	BY WEB	2

### **FIRE SAFETY – TRAINING AND EDUCATION**

It is University policy that Residence Life Assistants (RLAs) receive fire safety training at the beginning of the fall and spring semester. This training includes hands-on training of portable fire extinguishers, overview of prohibited electrical appliances, overview of prohibited decorations, overview of building fire safety systems, practical fire safety inspection procedures

and reporting process, and evacuation procedures to follow in case a fire alarm is activated. The RLAs are valuable first-line responders in case of fire.

The program “Have an Exit Strategy” is presented for students, especially student residents, to make them aware of their surroundings and to note additional exits from buildings. This program, provided with financial support of FEMA and orchestrated by the Texas State Fire Marshal’s Office, is designed to promote situational awareness to prevent the loss of life among higher education communities that has unfortunately occurred within the last few years in nightclubs or other gathering places that university students frequent.

Visit: [www.tdi.texas.gov/fire/exit-strategy.html](http://www.tdi.texas.gov/fire/exit-strategy.html)

### **FIRE SAFETY TIPS FOR STUDENTS AND STAFF**

Buildings are equipped with a variety of features that are designed to detect, stop and/or suppress the spread of a fire.

- A door can be the first line of defense against the spread of smoke or fire from one area to another. Some doors, such as fire doors in corridors or stairwells of residence halls, are designed to stand up to fire longer than those of an individual room. It is important that these doors are CLOSED for them to work. Additionally, if a door has a device that automatically closes the door, it should NOT be propped open or obstructed with any furniture or objects that will prevent or limit the doors swinging completely open. Attachment of paper product signs or decorations on door surfaces is prohibited.
- Sprinklers are 98% effective in preventing the spread of fire when operating properly.
- Do not obstruct the sprinkler heads with materials like clothing hanging or decorations from the piping or sprinkler heads.
- Smoke detectors cannot do their job if they are disabled or covered by the occupant, which is a violation of university policy. Almost  $\frac{3}{4}$  of all fires that are caused by smoking material are the result of a cigarette being abandoned or disposed of carelessly. Thus, smoking is NOT PERMITTED in any UTEP building. Unattended cooking, excess buildup of steam and activities that cause dust particles to go airborne, shall be controlled to prevent smoke detectors from activating.

## **FUTURE IMPROVEMENTS IN FIRE SAFETY**

Improvements or potential changes in fire safety at the university are reviewed and any required changes are implemented on a timely basis. There are no changes in fire safety equipment and training anticipated at this time.

## **INFORMATION AND RESOURCES**

Office of Emergency Management (OEM) is located within the Environmental Health and Safety (EH&S) department in the El Paso Natural Gas Conference Center, 2051 Wiggins Way. The direct phone number is 915-747-7188. After hours, members of EH&S and OEM may be reached at any time through the Police Department Dispatch Office, 915-747-5611.

### **Office of Environmental Health and Safety:**

<https://www.utep.edu/ehs/emergency-management.html>

### **Federal Emergency Management Agency (FEMA):**

<https://www.fema.gov/>

### **Ready- Prepare, Plan, Stay Informed:**

<https://www.ready.gov/>

## **SECURITY AND ACCESS TO CAMPUS FACILITIES**

University property is maintained for use by students, faculty and staff. Access to campus facilities may be restricted as necessary to comply with rules and regulations of the Board of Regents of The University of Texas System and to meet safety and security requirements as determined by University officials.

Campus buildings and facilities are accessible to campus community members, guests, and visitors Monday through Friday during regular business hours. After hours and during weekends and holidays, outside doors are secured. Visit <https://www.utep.edu/hoop/section-8/ch-6.html>

Visitors are welcome and expected to adhere to campus rules, regulations and policies. Visitors are encouraged to visit the UTEP Police Department, 3118 Sun Bowl Drive for information on University regulations. UTEP reserves the right to restrict access to any person who does not

adhere to University policies and procedures. Any person may be required, upon request by a Campus Security Authority (CSA), to present identification while on campus.

Employees and students are required to have their UTEP ID card in their possession at all times and to present it upon request by any University official, per The University Texas System Rules and Regulations of the Board of Regents, Rule 80101, Section 3. The UTEP ID card can be obtained through the Miner Gold Card Services located inside the Mike Loya Academic Services Building, Room 116.

To learn more, visit UTEP Handbook of Operating Procedures, Section 8: Facilities Services, Chapter 6: Access Control Policy <https://www.utep.edu/hoop/section-8/ch-6.html>.

**University Housing** – UTEP operates three on-campus housing areas for students. Residence Life (student housing in Miner Village, Miner Heights, and Miner Canyon) provides a range of services and security procedures designed to ensure the reasonable comfort of residents and invited guests. Security access gates and doors are located throughout the complex. Guests are required to be escorted by a resident and must be prepared to show identification at all times. Students are encouraged to keep their doors locked for their own personal safety. Miner Village and Miner Heights have individual apartments with mechanical locks in which a key is utilized to lock the exterior door. Miner Canyon has individual apartments with electronic access locks in which students use their Miner Gold Card to access the building, apartment, and room. When students lock themselves out of their assigned apartment, Residence Life Assistants may be contacted to grant students access to their rooms.

Residents are encouraged to report all suspicious persons to the Residence Life staff or the UTEP Police Department. For more information regarding on-campus housing, call the Department of Housing and Residence Life at 915-747-5352.

**Greek Housing** – The University of Texas at El Paso does not maintain Greek Housing.

## **MAINTENANCE**

University facilities, lighting and landscaping are maintained to promote campus safety. The University also provides emergency “Blue Light” phones installed throughout the campus. UTEP Police Officers regularly test the emergency phones and submit work orders for those in need of

repair. Officers also routinely report the need for replacement lights and any other physical hazards to Facilities Services for maintenance or repair. Malfunctioning lights and other unsafe conditions are reported to Facilities Services for repair or correction. Emergency phone problems are reported to the Information Technology (IT) Department for repairs. Any student, faculty, staff or visitor who observes a possible unsafe condition is encouraged to notify UTEP Police about it by calling 915-747-5611. Students who reside in UTEP residential housing should report maintenance issues to the Department of Housing and Residence Life at 915-747-5352.

To learn more, visit UTEP Handbook of Operating Procedures, Section 2: Student Affairs, Chapter 3.4.1: Use of University Facilities-Regulations Applicable to University Buildings and Grounds – Identification Required <https://www.utep.edu/hoop/section-2/use-of-university-facilities.html>.

## **INSTITUTIONAL POLICIES**

Students, faculty, and staff are encouraged to visit UTEP’s Handbook of Operating Policies (HOP) and procedures to learn more about policies that apply to the entire campus community. Policies and procedures in the HOP supersede and preempt any inconsistent departmental policies, procedures, and guidelines not included in the HOP.

These policies and procedures are not intended to be and should not be regarded as a contract between the University and any person. The editors have contributed their best efforts to ensure the accuracy of the information contained herein. Please direct any questions and comments you may have to the Office of Legal Affairs.

Visit <https://www.utep.edu/hoop/> for the latest information.