



University of Dallas

**Consumer Information
Policy**

**Security and Crime
Information**

POLICY AIC-C

Responsible Executive:
General Counsel
Responsible Office:
Office of General Counsel
Approved by: Board, 12.30.20
Issued: 12.30.20
Revised: n/a

1. PURPOSE

This Policy guides the University of Dallas in providing information to prospective and current students, as well as the general public, regarding the programs and activities of the University. Specifically, this Policy contains guidance relating to information required under 34 C.F.R. § [668.46](#).

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3. ANNUAL SECURITY REPORT

The University will prepare an annual security report in compliance with the Clery Act (20 U.S.C. § 1092(f)) and its implementing regulations (34 C.F.R. § [668.46](#)) reflecting its current policies that contains, at a minimum, the following information:

- 3.1. **Crime Statistics.** The crime statistics described in Sections 4-5 of this Policy.
- 3.2. **Crime and Emergency Reporting Policies.** A statement of policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus. This statement will include the University's policies concerning its response to these reports, including –
 - 3.2.1. Policies for making timely warning reports to members of the campus community, as required by Section 6 of Policy CIP, regarding the occurrence of crimes described in Section 4 of this Policy;
 - 3.2.2. Policies for preparing the annual disclosure of crime statistics;
 - 3.2.3. A list of the titles of each person or organization to whom students and employees should report the criminal offenses described in Section 4 of this Policy for the purposes of making timely warning reports and the annual statistical disclosure; and
 - 3.2.4. Policies or procedures for victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.
- 3.3. **Campus Security and Access Policies.** A statement of policies concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.
- 3.4. **Campus Law Enforcement Policies.** A statement of policies concerning campus law enforcement that –
 - 3.4.1. Addresses the enforcement authority and jurisdiction of security personnel;
 - 3.4.2. Addresses the working relationship of campus security personnel with State and local police agencies, including –
 - 3.4.2.1. Whether those security personnel have the authority to make arrests; and
 - 3.4.2.2. Any agreements, such as written memoranda of understanding between the University and such agencies, for the investigation of alleged criminal offenses.
 - 3.4.3. Encourages accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report; and

- 3.4.4. Describes procedures, if any, that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.
- 3.5. **Campus Security Programs.** A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.
- 3.6. **Crime Prevention Programs.** A description of programs designed to inform students and employees about the prevention of crimes.
- 3.7. **Off Campus Crime Policy.** A statement of policy concerning the monitoring and recording through local police agencies of criminal activity by students at non-campus locations of student organizations officially recognized by the University, including student organizations with non-campus housing facilities.
- 3.8. **Alcohol Policy.** A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws.
- 3.9. **Drug Policy.** A statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws.
- 3.10. **Drug and Alcohol Programs.** A description of any drug or alcohol-abuse education programs, as required under section 120(a) through (d) of the Higher Education Act (20 U.S.C. § 1011i), otherwise known as the Drug-Free Schools and Communities Act of 1989. For the purpose of meeting this requirement, the University may cross-reference the materials it uses to comply with section 120(a) through (d) of the Higher Education Act.
- 3.11. **Sexual Violence Policy and Procedures.** A statement of policy regarding the University’s programs to prevent dating violence, domestic violence, sexual assault, and stalking, as defined in Section 12 of this Policy, and of procedures that the University will follow when one of these crimes is reported. The statement must include –
- 3.11.1. A description of the University’s educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking, as required by Section 7 of this Policy;
- 3.11.2. Procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, including written information about –
- 3.11.2.1. The importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order;
- 3.11.2.2. How and to whom the alleged offense should be reported;
- 3.11.2.3. Options about the involvement of law enforcement and campus authorities, including notification of the victim’s option to –

- 3.11.2.3.1. Notify proper law enforcement authorities, including on-campus and local police;
- 3.11.2.3.2. Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
- 3.11.2.3.3. Decline to notify such authorities; and
- 3.11.2.4. Where applicable, the rights of victims and the University's responsibilities for orders of protection, "no-contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the University;
- 3.11.3. Information about how the University will protect the confidentiality of victims and other necessary parties, including how the University will –
 - 3.11.3.1. Complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of identifying information of victims; and
 - 3.11.3.2. Maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures;
- 3.11.4. A statement that the University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the University and in the community;
- 3.11.5. A statement that the University will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The University must make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement;
- 3.11.6. An explanation of the procedures for University disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, as required by Section 8 of this Policy; and
- 3.11.7. A statement that, when a student or employee reports to the University that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of the student's or employee's rights and options, as described in Sections 3.11.2 through 3.11.6 of this Policy.
- 3.12. **Sex offender registry.** A statement advising the campus community where law enforcement agency information provided by the State of Texas, concerning registered sex offenders may be obtained, such

as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address.

- 3.13. **Emergency Response Policy and Procedures.** A statement of policy regarding emergency response and evacuation procedures, as required by Section 9 of this Policy.
- 3.14. **Missing Student Policy and Procedures.** A statement of policy regarding missing student notification procedures, as required by Section 10 of this Policy.

4. CRIME STATISTICS, CRIMES

The University will report to the Department and disclose in its annual security report statistics for the three most recent calendar years concerning the number of each of the following crimes that occurred on or within its Clery geography and that are reported to local police agencies or to a campus security authority:

- 4.1. Primary crimes, including –
 - 4.1.1. Criminal homicide:
 - 4.1.1.1. Murder and nonnegligent manslaughter; and
 - 4.1.1.2. Negligent manslaughter.
 - 4.1.2. Sex offenses:
 - 4.1.2.1. Rape;
 - 4.1.2.2. Fondling;
 - 4.1.2.3. Incest; and
 - 4.1.2.4. Statutory rape.
 - 4.1.3. Robbery.
 - 4.1.4. Aggravated assault.
 - 4.1.5. Burglary.
 - 4.1.6. Motor vehicle theft.
 - 4.1.7. Arson.
- 4.2. Arrests and referrals for disciplinary actions, including—
 - 4.2.1. Arrests for liquor law violations, drug law violations, and illegal weapons possession.
 - 4.2.2. Persons not included in Section 4.2.1 of this Policy who were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.
- 4.3. Hate crimes, including –

- 4.3.1. The number of each type of crime in Section 4.1 of this Policy that are determined to be hate crimes; and
- 4.3.2. The number of the following crimes that are determined to be hate crimes:
 - 4.3.2.1. Larceny-theft.
 - 4.3.2.2. Simple assault.
 - 4.3.2.3. Intimidation.
 - 4.3.2.4. Destruction/damage/vandalism of property.
- 4.4. Dating violence, domestic violence, and stalking as defined in Section 3 of this Policy.

5. CRIME STATISTICS, RECORDING REQUIREMENTS

- 5.1. **All reported crimes must be recorded.** The University will include in its crime statistics all crimes listed in Section 4 of this Policy occurring on or within its Clery geography that are reported to a campus security authority for purposes of Clery Act reporting. Clery Act reporting does not require initiating an investigation or disclosing identifying information of victims.
 - 5.1.1. The University will not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official.
 - 5.1.2. The University may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this Policy. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.
 - 5.1.3. The University will report to the Secretary and disclose in its annual security report statistics the total number of crime reports listed in Section 4 of this Policy that were “unfounded” and subsequently withheld from its crime statistics pursuant to Section 5.3 of this Policy during each of the three most recent calendar years.
- 5.2. **Crimes must be recorded by calendar year.** The University will record a crime statistic for the calendar year in which the crime was reported to local police agencies or to a campus security authority.
 - 5.2.1. **Stalking Calendar Year.** When recording crimes of stalking by calendar year, the University will follow the requirements in Section 5.5 of this Policy.

- 5.3. **Hate crimes must be recorded by category of bias.** For each hate crime recorded under Section 4 of this Policy, the University will identify the category of bias that motivated the crime. For the purposes of this paragraph, the categories of bias include the victim's actual or perceived –
- 5.3.1. Race;
 - 5.3.2. Gender;
 - 5.3.3. Gender identity;
 - 5.3.4. Religion;
 - 5.3.5. Sexual orientation;
 - 5.3.6. Ethnicity;
 - 5.3.7. National origin; and
 - 5.3.8. Disability.
- 5.4. **Crimes must be recorded by location.** The University will specify whether each of the crimes recorded under Section 4 of this Policy occurred –
- 5.4.1. On campus;
 - 5.4.2. In or on a non-campus building or property; or
 - 5.4.3. On public property.
 - 5.4.4. **On Campus.** The University will identify, of the crimes that occurred on campus, the number that took place in dormitories or other residential facilities for students on campus.
 - 5.4.5. **Stalking Location.** When recording stalking by location, the University will follow the requirements in Section 5.5 of this Policy.
- 5.5. **Recording reports of stalking.** When recording reports of stalking that include activities in more than one calendar year, the University will record a crime statistic for each and every year in which the course of conduct is reported to a local police agency or to a campus security authority.
- 5.5.1. The University will record each report of stalking as occurring at only the first location within the University's Clery geography in which:
 - 5.5.1.1. A perpetrator engaged in the stalking course of conduct; or
 - 5.5.1.2. A victim first became aware of the stalking.
- 5.6. **Identification of the victim or the accused.** The statistics required under Section 4 of this Policy do not include the identification of the victim or the person accused of committing the crime.
- 5.7. **Pastoral and professional counselor.** The University is not required to report statistics under Section 4 of this Policy for crimes reported to a pastoral or professional counselor.

5.8. **Using the FBI’s UCR program and the Hierarchy Rule.**

- 5.8.1. The University will compile the crime statistics for murder and nonnegligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession using the definitions of those crimes in this Policy
- 5.8.2. The University will compile the crime statistics for fondling, incest, and statutory rape using the definitions of those crimes in this Policy
- 5.8.3. The University will compile the crime statistics for the hate crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property using the definitions provided in this Policy
- 5.8.4. The University will compile the crime statistics for dating violence, domestic violence, and stalking using the definitions provided in this Policy.
- 5.8.5. In counting crimes when more than one offense was committed during a single incident, an institution must conform to the requirements of the Hierarchy Rule in the “Summary Reporting System (SRS) User Manual.”
- 5.8.6. If arson is committed, the University will always record the arson in its statistics, regardless of whether or not it occurs in the same incident as another crime.
- 5.8.7. If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, an institution must record both the sex offense and the murder in its statistics.

5.9. **Use of a map.** In complying with the statistical reporting requirements under Section 5 of this Policy, the University may provide a map to current and prospective students and employees that depicts its campus, non-campus buildings or property, and public property areas if the map accurately depicts its campus, non-campus buildings or property, and public property areas.

5.10. **Statistics from police agencies.** In complying with the statistical reporting requirements under Section 4 of this Policy, the University will make a reasonable, good-faith effort to obtain statistics for crimes that occurred on or within the University’s Clery geography and may rely on the information supplied by a local or State police agency.

- 5.10.1. If the University makes such a reasonable, good-faith effort, it is not responsible for the failure of the local or State police agency to supply the required statistics.

6. CRIME LOG

6.1. **Contents of Crime Log.** The University will maintain a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred within its Clery geography and that is reported to the campus police or the campus security department. This log must include –

- 6.1.1. The nature, date, time, and general location of each crime; and

- 6.1.2. The disposition of the complaint, if known.
- 6.2. **Deadline.** The University will make an entry or an addition to an entry to the log within two business days of the report of the information to the campus police or the campus security department, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.
- 6.3. **Withholding Information from Crime Log –**
 - 6.3.1. The University may withhold information required under Sections 6.1 and 6.2 of this Policy if there is clear and convincing evidence that the release of the information would –
 - 6.3.1.1. Jeopardize an ongoing criminal investigation or the safety of an individual;
 - 6.3.1.2. Cause a suspect to flee or evade detection; or
 - 6.3.1.3. Result in the destruction of evidence.
 - 6.3.2. The University will disclose any information withheld under Section 6.3.1 of this Policy once the adverse effect described in that section is no longer likely to occur.
 - 6.3.3. The University may withhold under Sections 6.2 and 6.3 only that information that would cause the adverse effects described in those sections.
- 6.4. **Publicly Available.** The University will make the crime log for the most recent 60-day period open to public inspection during normal business hours. The University will make any portion of the log older than 60 days available within two business days of a request for public inspection.

7. SEXUAL VIOLENCE PREVENTION PROGRAMS

As required by Section 3.11 of this Policy, the University will include in its annual security report a statement of policy that addresses the University’s programs to prevent dating violence, domestic violence, sexual assault, and stalking.

- 7.1. The statement must include –
 - 7.1.1. A description of the University’s primary prevention and awareness programs for all incoming students and new employees, which must include –
 - 7.1.1.1. A statement that the University prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as those terms are defined in this Policy;
 - 7.1.1.2. The definition of “dating violence,” “domestic violence,” “sexual assault,” and “stalking” in the applicable jurisdiction;
 - 7.1.1.3. The definition of “consent,” in reference to sexual activity, in the applicable jurisdiction;
 - 7.1.1.4. A description of safe and positive options for bystander intervention;

- 7.1.1.5. Information on risk reduction; and
- 7.1.1.6. The information described in Sections 3.11 and 8.2; and
- 7.1.2. A description of the University’s ongoing prevention and awareness campaigns for students and employees, including information described in Sections 7.1.1.1 through 7.1.1.6 of this Policy.
- 7.2. For the purposes of Section 7 of this Policy –
 - 7.2.1. **“Awareness programs”** means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.
 - 7.2.2. **“Bystander intervention”** means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
 - 7.2.3. **“Ongoing prevention and awareness campaigns”** means programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the University and including information described in Sections 7.1.1.1 through 7.1.1.6 of this Policy.
 - 7.2.4. **“Primary prevention programs”** means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.
 - 7.2.5. **“Risk reduction”** means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- 7.3. The University’s programs to prevent dating violence, domestic violence, sexual assault, and stalking will include, at a minimum, the information described in Section 7.1.1 of this Policy.

8. SEXUAL VIOLENCE PROCEDURES

The University will include in its annual security report a clear statement of policy that addresses the procedures for University disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, as defined by this Policy, and that –

8.1. Contents of Statement –

- 8.1.1. Describes each type of disciplinary proceeding used by the University; the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding; how to file a disciplinary complaint; and how the University determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault, or stalking;
- 8.1.2. Describes the standard of evidence that will be used during any University disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking;
- 8.1.3. Lists all of the possible sanctions that the University may impose following the results of any University disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or stalking; and
- 8.1.4. Describes the range of protective measures that the University may offer to the victim following an allegation of dating violence, domestic violence, sexual assault, or stalking;

8.2. Provides that the proceedings will –

- 8.2.1. Include a prompt, fair, and impartial process from the initial investigation to the final result;
- 8.2.2. Be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
- 8.2.3. Provide the accuser and the accused with the same opportunities to have others present during any University disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice;
- 8.2.4. Not limit the choice of advisor or presence for either the accuser or the accused in any meeting or University disciplinary proceeding; however, the University may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties; and
- 8.2.5. Require simultaneous notification, in writing, to both the accuser and the accused, of –
 - 8.2.5.1. The result of any University disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking;
 - 8.2.5.2. The University's procedures for the accused and the victim to appeal the result of the University disciplinary proceeding, if such procedures are available;
 - 8.2.5.3. Any change to the result; and
 - 8.2.5.4. When such results become final.

8.2.6. For the purposes of Section 8 of this Policy –

8.2.6.1. **“A prompt, fair, and impartial proceeding”** includes a proceeding that is –

8.2.6.1.1. Completed within reasonably prompt timeframes designated by University’s policy, including a process that allows for the extension of time frames for good cause with written notice to the accuser and the accused of the delay and the reason for the delay;

8.2.6.1.2. Conducted in a manner that –

8.1.1.1.1. Is consistent with the University’s policies and transparent to the accuser and accused;

8.1.1.1.2. Includes timely notice of meetings at which the accuser or accused, or both, may be present; and

8.1.1.1.3. Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and

8.2.6.1.3. Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

8.2.6.2. **“Advisor”** means any individual who provides the accuser or accused support, guidance, or advice.

8.2.6.3. **“Proceeding”** means all activities related to a non-criminal resolution of a University disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

8.2.6.4. **“Result”** means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the University. The result must include any sanctions imposed by the University. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. § 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.

Compliance with Section 8 of this Policy does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA) or of the University’s policies relating to privacy or confidentiality.

9. EMERGENCY RESPONSE POLICY AND PROCEDURES

The University will include a statement of policy regarding its emergency response and evacuation procedures in the annual security report. This statement must include –

- 9.1. **Emergency Notification to Campus Community.** The procedures the University will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus;
- 9.2. **Emergency Assessment and Response Procedures.** A description of the process the University will use to –
 - 9.2.1. Confirm that there is a significant emergency or dangerous situation as described in Section 8.1 of this Policy;
 - 9.2.2. Determine the appropriate segment or segments of the campus community to receive a notification;
 - 9.2.3. Determine the content of the notification; and
 - 9.2.4. Initiate the notification system.
- 9.3. **Exceptions.** A statement that the University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency;
- 9.4. **Designated Officials.** A list of the titles of the person or persons or organization or organizations responsible for carrying out the actions described in Section 9.2 of this Policy;
- 9.5. **Notification to the Larger Community.** The University’s procedures for disseminating emergency information to the larger community; and
- 9.6. **Testing Procedures.** The University’s procedures to test the emergency response and evacuation procedures on at least an annual basis, including –
 - 9.6.1. Tests that may be announced or unannounced;
 - 9.6.2. Publicizing its emergency response and evacuation procedures in conjunction with at least one test per calendar year; and
 - 9.6.3. Documenting, for each test, a description of the exercise, the date, time, and whether it was announced or unannounced.

10. MISSING STUDENT POLICY AND PROCEDURES

The University will include a statement of policy regarding missing student notification procedures for students who reside in on-campus student housing facilities in its annual security report. This statement must –

- 10.1. **Designated Officials.** Indicate a list of titles of the persons or organizations to which students, employees, or other individuals should report that a student has been missing for 24 hours;

- 10.2. **Referral of Report.** Require that any missing student report must be referred immediately to the University's police or campus security department;
- 10.3. **Designating a Contact Person.** Contain an option for each student to identify a contact person or persons whom the University shall notify within 24 hours of the determination that the student is missing, if the student has been determined missing by the University police or campus security department, or the local law enforcement agency;
- 10.4. **Confidentiality of Contact Information.** Advise students that their contact information will be registered confidentially, that this information will be accessible only to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation;
- 10.5. **Notice to Parents.** Advise students that if they are under 18 years of age and not emancipated, the University will notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student; and
- 10.6. **Notice to Local Law Enforcement.** Advise students that the University will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.
- 10.7. **Missing Student Procedures.** The procedures that the University will follow when a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours include –
 - 10.7.1. If the student has designated a contact person, notifying that contact person within 24 hours that the student is missing;
 - 10.7.2. If the student is under 18 years of age and is not emancipated, notifying the student's custodial parent or guardian and any other designated contact person within 24 hours that the student is missing; and
 - 10.7.3. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, informing the local law enforcement agency that has jurisdiction in the area within 24 hours that the student is missing.

11. RETALIATION PROHIBITED

The University, or an officer, employee, or agent of the University, will not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision in this Policy or 34 C.F.R. § 668.46.

12. SEPARATE CAMPUSES

The University will comply with the requirements of this Policy for each separate campus.

13. DEFINITIONS

- 13.1. **“Aggravated Assault”** means an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)
- 13.2. **“Arson”** means any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- 13.3. **“Burglary”** means the unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- 13.4. **“Business day”** means Monday through Friday, excluding any day when the University is closed.
- 13.5. **“Campus”** means
- 13.5.1. Any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University’s educational purposes, including residence halls; and
 - 13.5.2. Any building or property that is within or reasonably contiguous to the area identified in Section 13.5.1 of this Policy, that is owned by the University but controlled by another person, is frequently used by students, and supports University purposes (such as a food or other retail vendor).
- 13.6. **“Campus security authority”** means
- 13.6.1. A campus police department or a campus security department of the University.
 - 13.6.2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under Section 13.6.1 of this Policy, such as an individual who is responsible for monitoring entrance into University property.
 - 13.6.3. Any individual or organization specified in the University’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
 - 13.6.4. An official of the University who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

13.7. **“Clery geography”** means

13.7.1. For the purposes of collecting statistics on the crimes listed in Section 4 of this Policy for submission to the Department and inclusion in the University’s annual security report, Clery geography includes –

13.7.1.1. Buildings and property that are part of the University’s campus;

13.7.1.2. The University’s non-campus buildings and property; and

13.7.1.3. Public property within or immediately adjacent to and accessible from the campus.

13.7.2. For the purposes of maintaining the crime log required by Section 6 of this Policy, Clery geography includes, in addition to the locations in Section 13.7.1 of this Policy, areas within the patrol jurisdiction of the campus police or the campus security department.

13.8. **“Criminal Homicide”** means either (1) manslaughter by negligence, or (2) murder and nonnegligent manslaughter.

13.9. **“Dating violence”** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

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

13.9.2. For the purposes of this definition—

13.9.2.1. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

13.9.2.2. Dating violence does not include acts covered under the definition of domestic violence.

13.9.3. For the purposes of complying with the requirements of this Policy and University Policy CIP – Consumer Information Policy, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

13.10. **“Destruction/Damage/Vandalism of Property”** means to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

13.11. **“Domestic violence”** means a felony or misdemeanor crime of violence committed –

13.11.1. By a current or former spouse or intimate partner of the victim;

13.11.2. By a person with whom the victim shares a child in common;

13.11.3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

- 13.11.4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- 13.11.5. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- 13.11.6. For the purposes of complying with the requirements of this Policy and University Policy CIP – Consumer Information Policy, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- 13.12. **“Drug Abuse Violations”** means the violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
- 13.13. **“Federal Bureau of Investigation’s (FBI) Uniform Crime Reporting (UCR) program”** means the nationwide, cooperative statistical effort in which city, university and college, county, State, Tribal, and federal law enforcement agencies voluntarily report data on crimes brought to their attention. The UCR program also serves as the basis for the definitions of crimes and the requirements for classifying crimes in this Policy.
- 13.14. **“Fondling”** means the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- 13.15. **“Hate crime”** means a crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For the purposes of this Policy, the categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.
- 13.16. **“Hierarchy Rule”** means a requirement in the FBI’s UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.
- 13.17. **“Identifying information of victims”** means information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including, but not limited to,
- 13.17.1. A first and/or last name;
- 13.17.2. A home or other physical address;
- 13.17.3. Contact information (including a postal, e-mail, or Internet protocol address, or telephone or facsimile number);

- 13.17.4. A social security number, driver license number, passport number, or student identification number; and
- 13.17.5. Any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual. (see 34 U.S.C. § 12291(a)(20)).
- 13.18. **“Incest”** means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- 13.19. **“Intimidation”** means to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- 13.20. **“Larceny-Theft (Except Motor Vehicle Theft)”** means the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- 13.21. **“Liquor Law Violations”** means 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.
- 13.22. **“Manslaughter by Negligence”** means the killing of another person through gross negligence.
- 13.23. **“Motor Vehicle Theft”** means the theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned – including joyriding.)
- 13.24. **“Murder and Nonnegligent Manslaughter”** means the willful (nonnegligent) killing of one human being by another.
- 13.25. **“Noncampus building or property”** means
- 13.25.1. Any building or property owned or controlled by a student organization that is officially recognized by the University; or
- 13.25.2. Any building or property owned or controlled by the University that is used in direct support of, or in relation to, the University’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- 13.26. **“On-campus student housing facility”** means a dormitory or other residential facility for students that is located on an institution’s campus, as defined in § 668.46(a).
- 13.27. **“Pastoral counselor”** means a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

- 13.28. **“Professional counselor”** means a person whose official responsibilities include providing mental health counseling to members of the University’s community and who is functioning within the scope of the counselor’s license or certification.
- 13.29. **“Programs to prevent dating violence, domestic violence, sexual assault, and stalking”** mean
- 13.29.1. Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that
-
- 13.29.1.1. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
- 13.29.1.2. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.
- 13.29.2. Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees, as defined in Section 7.2 of this Policy.
- 13.30. **“Prospective employee”** means an individual who has contacted the University for the purpose of requesting information concerning employment with the University.
- 13.31. **“Prospective student”** means an individual who has contacted the University requesting information concerning admission to the University.
- 13.32. **“Public property”** means all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
- 13.33. **“Rape”** means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- 13.34. **“Referred for campus disciplinary action”** means the referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.
- 13.35. **“Robbery”** means the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or putting the victim in fear.
- 13.36. **“Secretary”** means the Secretary of the Department of Education or an official or employee of the Department of Education acting for the Secretary under a delegation of authority.
- 13.37. **“Sex Offenses”** means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- 13.38. **“Sexual Assault”** means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in this Policy.
- 13.39. **“Simple Assault”** means an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- 13.40. **“Stalking”** means
- 13.40.1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
 - 13.40.1.1. Fear for the person’s safety or the safety of others; or
 - 13.40.1.2. Suffer substantial emotional distress.
 - 13.40.2. For the purposes of this definition –
 - 13.40.2.1. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
 - 13.40.2.2. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - 13.40.2.3. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - 13.40.3. For the purposes of complying with the requirements of this Policy and University Policy CIP – Consumer Information Policy, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- 13.41. **“Statutory Rape”** means sexual intercourse with a person who is under the statutory age of consent.
- 13.42. **“Test”** means regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.
- 13.43. **“University”** and **“the University”** mean the University of Dallas.
- 13.44. **“Weapons: Carrying, Possessing, etc.”** means 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. A student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

14. RESPONSIBILITIES

Responsible Party	List of Responsibilities
Office of General Counsel	1. Monitor compliance with this Policy
UD Police Department	1. Maintain the crime log mentioned in Section 6 of this Policy. 2. Gather the information required for inclusion in the annual security report. 3. Make available the annual security report.

15. PROCEDURES

Task	Procedure
Gather Information	1. The University of Dallas Police Department, on at least an annual basis, will notify the relevant offices and departments of the information that it will need in order to comply with this Policy. 2. The relevant offices and departments will provide the requested information to the University of Dallas Police Department in a timely manner.
Organize Information	1. The University of Dallas Police Department will maintain the crime log. 2. The University of Dallas Police Department will organize the information required for the annual security report.
Make Information Available	1. The University of Dallas Police Department will prepare the information to be made available and distributed. 2. The University of Dallas Police Department, in conjunction with the relevant offices and/or departments, will make available the annual security report and crime log through the University's consumer information web page and submit the crime statistics to the Department of Education. 3. The Office of General Counsel will monitor the information made available.

16. POLICY ENFORCEMENT

Enforcement	The Office of General Counsel or University of Dallas Police Department will investigate suspected violations of this Policy, and take appropriate action in accordance with University policy.
Reporting Violations	Report suspected violations of this Policy to the Office of General Counsel or the University of Dallas Police Department.

17. RELATED DOCUMENTS

Policy or Document	Web Address
Policy AIC - Consumer Information Policy	https://udallas.edu/about/university-policies/index.php

Policy AIC-I - Consumer Information Policy - Institutional Information <https://udallas.edu/about/university-policies/index.php>

Policy AIC-S - Consumer Information Policy - Fire Safety Information <https://udallas.edu/about/university-policies/index.php>

Policy ALS - Law Enforcement - Safety and Security Policy <https://udallas.edu/about/university-policies/index.php>

Policy AHD - Health and Safety - Drug and Alcohol Policy <https://udallas.edu/about/university-policies/index.php>

Policy CRP – Civil Rights Policy <https://udallas.edu/about/university-policies/index.php>

18. CONTACTS

Subject	Office or Position	Telephone Number	Office Email or URL
Policy Clarification	Office of General Counsel	(972) 721-5363	hlachenauer@udallas.edu
Crime Log, Statistics, and Annual Security Report	University of Dallas Police Department	(972) 721-5305	cso@udallas.edu
Web Address for this Policy		https://udallas.edu/about/university-policies/index.php	