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Assembled by the Division of Student Life, this Student Handbook presents the statements guiding the Trinity University community and provides a compendium of the significant policies and procedures related to student life on campus. Students are expected to read and be familiar with the contents of this Handbook and applicable University policies, which are available at policies.trinity.edu and are responsible for complying with the same.

The information contained in this Handbook is intended for general guidance only, and the University may amend, alter, or cancel any of its policies, rules, or guidelines at any time. Nothing in this Handbook or the University's policies is intended to create or act as an express or implied contract with any person or organization.

The names of people holding positions referenced in this handbook can be found using the organizational charts maintained by Human Resources.

I. Who We Are
The Trinity University Mission Statement, along with the University’s values, can be found on the University website.

The University’s Statement on Student Rights and Responsibilities guides policy and practice. Committed to making admissions and employment-related decisions without discrimination, the University adheres to its Non-discrimination and Diversity Policy. See "Prohibition Against Discrimination and Harassment," in this Handbook, for more discussion.

Students sign the Academic Honor Code during their first week at Trinity. The Code covers all academic work. The names of Honor Council members and a form for reporting violations, as well as the Code itself, can be found at the University website.

All persons using Trinity University equipment, connections, and/or software are bound by Information Technology Services policies.

II. Academic Success
University policies related to academic progress (enrollment, degree requirements, grades, transfer credit, dismissal, and withdrawal, for example), as well as policies related to study abroad and internships, are all best found in the Courses of Study Bulletin.

The Faculty and Contract Staff Handbook contains policies related to classroom procedures, faculty duties, student records, and course evaluations. Students will find policies related to their classroom responsibilities and expectations in Chapter Six of the Faculty and Contract Staff Handbook.
Financial Obligations

1. AUTHORIZATION All students are encouraged to authorize appropriate others (parents, etc.) to view and/or pay Trinity student account statements electronically. (See Student Accounts pages at University website.)

2. OUTSTANDING BALANCES Any student who has a financial obligation to the University, including but not limited to from damage to University property, traffic fines, Health Services charges, library fines, or other fines is subject to being excluded from any or all of the usual privileges of the University, and the student’s permanent record (transcripts) will not be released until the financial obligation is paid in full. In addition, the University will hold permanent records and/or transcripts for any student who has a delinquent Federal Perkins or institutional (Walton, etc.) loan balance or who has not completed the required loan exit session upon separation from the University.

If specific questions related to scholarships and financial aid are not answered on the Student Financial Services webpages, email studentfinancialservices@trinity.edu for assistance.

Involuntary Withdrawal
The University-initiated Withdrawals Policy addresses circumstances for the removal and reinstatement of students.

Transcript Notations
Any discipline or action that results in a student being ineligible to reenroll at the University, for a reason other than an academic or financial reason, will result in a notation to that effect on the student’s transcript.

On request from the student, the University may remove the transcript notation from a student’s transcript if the student is eligible to reenroll at the University or the University determines good cause exists to remove the notation.

Resources for Academic Success
The Tiger Learning Commons (TLC) is home to a number of resources for students. Located on the main floor of the library (EHCL 308), the departments listed below share a common mission to empower students to harness and develop their skills for academic success. More details and contact information are available at the Trinity website.

- Academic Success provides academic programs and services to enhance student learning, academic performance, and personal development through one-on-one academic coaching and study skills workshops.
- Student Accessibility Services ensures that students with disabilities have equal access to curricular and co-curricular activities and services by arranging accommodations, training, consultation, and technical assistance.
• The Writing Center offers walk-in tutoring as well as evening skills workshops to students at all stages of the writing process, from finding a thesis to editing and revision.
• The Quantitative Reasoning Skills (QRS) Center offers one-on-one support for students in quantitatively-demanding coursework, as well as both general and course-specific workshops to facilitate student growth as it relates to quantitative reasoning.

Intellectual Property Policy
The University’s Intellectual Property Policy is established in Chapter Five, “Research Responsibilities,” of the Faculty and Contract Staff Handbook. The policy applies to students, as well.

See: Section B of Chapter Five in the Faculty and Contract Staff Handbook.

IIII. How We Live Together
Residential Life policies and the stipulations of the Board and Residential Life Agreement or the City Vista Residential License Agreement apply to students living on University property. All students are members of the University community and willfully consent to following policies and procedures outlined by Trinity University.

The Trinity University Student Conduct Program (SCP) aims to hold students accountable for their actions and provide them an opportunity to reflect upon their impact on the Trinity community through a fair, equitable, and education-based process. The SCP’s mission is to encourage student learning and development while preserving the safety and integrity of Trinity University's academic and social communities.

By establishing student conduct policies and discipline procedures, the University fulfills an obligation set forth in the Statement on Student Rights and Responsibilities.

STANDARDS OF CONDUCT

Expectations of Students
Trinity University strives to preserve the rights and dignity of individuals and to create an environment in which civility, decency, and respect are honored. Students are expected to take responsibility for their actions and show respect for self, others, the University community, and property. Matriculation at Trinity University implies understanding and support by the student of University standards. Failure to observe these standards and comply with University policies and other regulations will subject the student to University action through established discipline procedures.

Application of Student Standards
Policies and the consequences of their violation are applicable to the conduct of a student on campus, at University-sponsored events, or at any other location or time when the conduct (1) has an adverse impact on the reputation of the University, (2)
negatively affects the safety or welfare of University students, employees, or neighbors, or (3) interferes with or obstructs the mission or operations of the University.

Violations of local, state, or federal law are not condoned by the University, and alleged violators may be referred to the campus judicial process without regard to whether civil officials have also acted in the case. Status as a student is not exemption from either the rights or responsibilities of citizens.

In addition to the major standards of conduct, students are expected to abide by additional University policies that exist to further the orderly functioning of the University’s departments and their resources.

If a student withdraws from the University pending disciplinary charges that may result in the student becoming ineligible to reenroll for a reason other than an academic or financial reason, the University will not end the disciplinary process until the University makes a final decision of responsibility.

Complaint Process
Any person may file a complaint with the Dean of Students Office alleging a violation of the University’s published standards of student conduct.

ORDERS
Failure to comply with Administrative or Official Orders may result in referral for judicial action.

An Official Order is an emergency directive from a University official. Official Orders are primarily used in response to situations of great urgency. Official Orders require immediate and unquestioning compliance. They remain in effect only as long as the situation that prompted their issuance. Official Orders include, but are not limited to, an order to identify oneself by display of a University ID or an order to evacuate a building in case of a fire and not reenter it until official permission has been given. University officials authorized to issue Official Orders include faculty, staff, Residential Life student staff, and University police when in performance of their official responsibilities. Challenges to the reasonableness of an Official Order should be made in writing to the associate vice president for Student Life within five class days from the date the order was issued, but not at the time the Official Order is given.

An Administrative Order is used to require or prohibit specific behaviors for a specified period of time and is issued from a University administrator (president, vice president, dean, or director). Compared to Official Orders, Administrative Orders are used to address situations of less urgency than Official Orders and are longer term in nature. Examples of Administrative Orders include: barring a student from athletic events or a residence hall as a result of misbehavior or requiring one student to stay away from another in order to avoid conflict. Appeals of any Administrative Order can be made in
writing to the appropriate vice president within ten days of the order. A vice president’s order or appellate decision can be appealed in writing within five days of receipt of the decision to the president of the University.

HEARING FORUMS AND PROCEDURES
The Dean of Students or a designee will review each case, consider corresponding policy violations, and assign the case to the appropriate hearing forum or University official for review. The review may include a review of documents, interviews of potential witnesses and other parties, and collection of other evidence. The case may be referred to a designated staff member for an administrative meeting, to the Student Conduct Panel, or to the Dean of Students. As set forth in the Statement on Student Rights and Responsibilities, the Dean of Students or designee has the authority to take interim action with respect to a student's status pending a final disciplinary action. More information regarding their types of hearing forums and the University discipline procedures can be found on the Student Conduct pages of the University's website.

MAJOR POLICIES
Major policies significantly influencing student life at Trinity and for which students will be held accountable include:

Alcohol Policy
Anti-harassment Policy
Commercial Enterprise Policy
Drugs Policy
Hazing Policy
Sexual Misconduct Policy
Solicitation & Promotion Policy
Tobacco Free Policy
Values-based Policy: Personal Responsibility
Values-based Policy: Respect for Community
Values-based Policy: Respect for Others
Values-based Policy: Respect for Property
Values-based Policy: Respect for Self
Weapons Policy
Prohibition Against Discrimination and Harassment

Trinity University is committed to the maintenance of an academic environment free of all forms of conduct considered to be harassment as such conduct adversely affects the working or learning environment.

The University reaffirms its commitment that unlawful harassment relating to a person’s race, sex, color, sexual orientation, gender identity, gender expression, religion, national origin, age, or disability is prohibited. This prohibition against harassment includes harassment of employees, job applicants, students, prospective students, contractors, and visitors.

Anyone having a concern about discrimination or harassment should contact Compliance Officer/Title IX Coordinator Angela Miranda-Clark at 210-999-7835 or eos@trinity.edu. Employees are required to report sexual harassment, including sexual misconduct, in accordance with the Policy on Mandatory Reporting Requirements for Sexual Harassment and Sexual Misconduct.

Complaints of discrimination and harassment against faculty and staff are handled in accordance with the procedures outlined in the Anti-harassment Policy.

Complaints of harassment and discrimination against students, excluding complaints of behavior covered by the Sexual Misconduct Policy, will be reviewed by the Compliance Officer/Title IX Coordinator. At their discretion, the Compliance Officer/Title IX Coordinator will work to address the issue informally. If the allegation is against a student and an informal resolution is not possible, the Compliance Officer/Title IX Coordinator or designee will investigate the matter and then refer the case to the Dean of Students, who will follow the established process for student conduct issues.

Complaints of sexual harassment and sexual misconduct against a student are handled in accordance with the Sexual Misconduct Policy, which is included in this Student Handbook along with additional information and resources.
POLICY, PROCEDURES, and INFORMATION

regarding Sexual Harassment, Sexual Assault, Sexual Exploitation, Interpersonal Violence, Stalking, and Retaliation

Effective Date: August 2019 (reviewed annually)
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Introduction

This booklet contains information about Trinity University’s Student Sexual Misconduct Policy, how to report instances of Sexual Misconduct, and some resources for those who have been impacted by Sexual Misconduct. Sexual Misconduct, including rape, is a violation of Trinity University’s Standards of Conduct for Students, its Sexual Misconduct Policy, and may be violations of the Texas Penal Code or other laws.

Members of the University community, guests, and visitors have the right to be free from sexual violence. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. When responding students are found to have violated this policy, serious sanctions may be imposed. This booklet is intended to define community expectations and the process used to report and investigate alleged violations of this policy. Reports of violations to this policy trigger a response by the University, and investigations will be conducted in a fair and unbiased manner, providing equal rights to all parties. Information about resources will also be provided to all parties. Reports against non-students can be made the same way, however investigations of those reports will be handled under the appropriate policy.

While there are a number of laws and regulations that mandate how universities handle allegations of sexual misconduct, it is impossible to set forth every scenario that could be a violation of this policy. Ultimately, the University has the discretion to determine whether or not the policy has been violated and impose appropriate sanctions for infractions.
If you find yourself in the position of being the initiator of sexual behavior, you must respect to your potential partner(s). These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- DO NOT MAKE ASSUMPTIONS about consent; about someone’s sexual availability; about whether they are attracted to you; about how far you can go; or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you should assume you DO NOT have consent.
- MIXED MESSAGES FROM YOUR PARTNER ARE A CLEAR INDICATION THAT YOU SHOULD STOP, defuse any sexual tension and communicate better. You may be misreading your potential partner. They may not have figured out how far they want to go with you yet. You must respect their decisions.
- Don’t take advantage of someone’s drunkenness or drugged state, even if they voluntarily consumed alcohol or drugs, as this may lead to an allegation that they were incapacitated and unable to give consent.
- Realize that your potential partner could be intimidated by you or fearful. You may have a power advantage simply because of your gender, size, position or status within the University, or other factors. Don’t abuse that power.
- Understand that consent to some form of sexual behavior does not imply consent to any other form of sexual behavior. You must have consent for all forms of sexual activity.
- Silence and passivity are not consent. Make sure you have consent for all sexual behavior.
- Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language. If you are unsure or in doubt, assume you do not have consent and stop. Communicate and make sure of your partner’s wishes.

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act.

- If you have limits, make them known as early and as clearly and explicitly as possible.
- Tell a sexual aggressor “NO” directly, clearly, and firmly.
- Try to physically remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake and drug use and acknowledge that alcohol and drugs lower your inhibitions, including sexual inhibitions. Acknowledge that your alcohol intake and drug use may make you vulnerable to someone who views an impaired person as a sexual opportunity.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.
A Note About Preserving Evidence

Individuals who have experienced sexual misconduct are encouraged to preserve evidence to the greatest extent possible. Evidence of a sexual assault and the attacker’s identity may be left on the victim’s body. Therefore, individuals who have experienced sexual assault are encouraged to go to Methodist Specialty and Transplant Hospital Emergency Room at 8026 Floyd Curl Drive, San Antonio, Texas (210-575-8168) for an exam as quickly as possible because the evidence deteriorates quickly and may be important in supporting the sexual assault allegation in criminal or administrative proceedings. It is recommended that a victim of sexual assault not wash in any way until after a special forensic examination is performed. However, even if you believe that too much time has passed for the collection of physical evidence or if you have already washed yourself, the forensic exam may still identify and preserve extremely important evidence such as the information you provide verbally.

Methodist Specialty and Transplant Hospital Emergency Room is the only local hospital with staff trained and equipped to perform specialized examinations following a sexual assaults, and services are available 24 hours a day, seven days a week. The hospital staff at Methodist Specialty and Transplant Hospital is trained to collect forensic evidence, check for injuries and deal with the possibility of exposure to sexually transmitted diseases. A sexual assault nurse examiner (SANE) is a hospital staff member who handles sexual assault and is specifically trained to: provide comprehensive care to sexual assault survivors, demonstrates competence in conducting a forensic examination, has the ability to testify as an expert witness, and shows compassion and sensitivity to survivors of sexual assault.

Anyone who may have ingested an unknown substance (such as a “date rape” drug) should also be screened as soon as possible, as these substances may quickly leave the blood system.

In addition, you should preserve all other potential evidence such as text or social media messages, emails, phone messages, photos or videos, etc. One way to do this to save this information to the cloud or email it to yourself or a trusted friend. If you do not want your friend to look at it, you can request that not look at it and/or secure it with the use of a password or encryption.
Reporting

For immediate assistance or in an emergency call TUPD at 210-999-7000, or call 911.

Go to a safe location, and if injured seek immediate medical attention.

*Note that Trinity University Police can contact on-call staff who are available to provide campus resources outside of business hours when offices are closed (Counseling, Residential Life, Dean of Students, the Title IX Coordinator).*

If you are off-campus and in an emergency situation, call the local police department by dialing 911. If it is not an emergency situation you can contact the San Antonio Police Department at 210-207-7273. The Title IX Coordinator and Trinity’s University’s Police staff are available to assist you if desired.

You may also make a report to Trinity’s Title IX Coordinator by calling 210-999-7835 or emailing eos@trinity.edu. In addition, at the bottom of every Trinity.edu webpage there is a link to report Sexual Misconduct to the Title IX Coordinator.

If you wish to report anonymously to the University, you may do so through the Campus Conduct Hotline at 1-866-943-5787 or online at https://www.intouchwebsite.com/index.asp?Lid=1&Cid=69969
Mandatory Reporting and Confidential Reporting Options

It is important for students to feel comfortable reaching out to campus personnel for support, guidance, and advice. However, all parties should be aware of privacy and mandatory reporting requirements, as outlined below, in order to make informed choices. Unless a University employee is expressly identified as “confidential” by the University, University employees are required by law to pass on information they receive about sexual misconduct to the Title IX Coordinator.

Except for the people listed below, Trinity faculty and staff are obligated by law to report allegations of Sexual Misconduct to the Title IX Coordinator. Because of their level of responsibility, Residential Life student staff members are also required to relay reports to the Title IX Coordinator. (Note that Aramark dining staff, Barnes and Noble employees, cleaning staff members, and non-affiliated vendors are contracted by the University and are not Trinity University employees. Students should not report to or assume that a report to these individuals will be received by the University.)

Once the Title IX Coordinator receives information about an allegation of Sexual Misconduct, the Title IX Coordinator will request detailed information about the incident, the people involved, potential witnesses and evidence, the date, time, and location, etc. in order to assess the need to protect the student or other members of the community, or to determine if there is a pattern of reports connected to a student or group of students.

Students are encouraged to seek out the Title IX Coordinator directly to make a report or discuss the policy or procedures.

If you would like to discuss a situation confidentially, the following individuals are designated as people on campus you may speak to confidentially:

- Mental health counselors at Counseling Services (free of charge and available in emergencies) – (210) 999-7411
- Health service providers at Health Services – (210) 999-8111
- The Chaplain – (210) 999-7341

Basic information may be shared confidentially within the University as required to comply with reporting obligations under federal and state law. Basic information that does not identify any person will also be shared in reports on the University’s website in order to comply with the requirements of Texas law.

In addition, off-campus clergy, health and mental health professionals, or rape-crisis counselors may be able to provide confidential assistance. Resources include:

- The San Antonio Rape Crisis Center – (210) 349-7273
- Family Violence Prevention Services has a 24-hour domestic violence hotline – (210) 733-8810
Response to Reports of Sexual Misconduct

Trinity will respond to all reports of Sexual Misconduct and will take these incidents seriously. Students have the right to have Sexual Misconduct investigated and resolved through established university procedures. Reports of misconduct by a student will be handled under the Sexual Misconduct Policy. Reports of misconduct by a non-student will be investigated under the appropriate University policy. Support and resources will be offered to the individuals involved.

Students usually have two avenues to consider when reporting sexual misconduct. These options are independent and are not mutually exclusive. The first offers a University process and the second a criminal process. Either, both, or neither may be pursued:

1. A student who wishes to have a complaint reviewed administratively, should contact the Title IX Coordinator (Angela Miranda-Clark, (210) 999-7835 or eos@trinity.edu).
2. A student who wishes to have a complaint handled criminally should contact the Trinity University Police Department or the local police department where the crime occurred. The Title IX Coordinator or another University staff member is available to assist a reporting student through this process upon request.

Administrative Response

When the university receives a report of an alleged violation of the Sexual Misconduct Policy, the Title IX Coordinator or their designee will contact the person who has reportedly experienced sexual misconduct to make them aware of their rights under the applicable University policy and of resources that are available to them. The student will be asked how they would like the university to respond, and can choose from a range of administrative responses including only accessing resources, informal resolution, and filing a formal complaint. The University will respect their wishes to the extent possible. Under certain circumstances the University may initiate its own formal investigation of instances of sexual misconduct, including to protect the student and/or campus community.
Student Rights

Reporting
● Reporting students have the right to request administrative campus investigation and review.
● Reporting students have the right to notify law enforcement and to be assisted by campus authorities in doing so.
● Reporting students have the right to decline to report to law enforcement.

Fair Process
● All students have the right for reported grievances to be reviewed through established procedures.
● All students have the same opportunity to have support people of their choice present at any stage in the campus investigative and adjudicative process.
● All parties shall be informed in writing of the outcome of any campus disciplinary hearing alleging sexual misconduct.
● All involved students and witnesses will receive amnesty for minor student misconduct violations (such as alcohol or drug infractions) that are secondary to the alleged incident. All students, witnesses, and their supporters have the right to be free from retaliation for participating in this process.

Advocacy and Support
● Students shall be notified of on and off-campus resources.
● Students will be offered procedural assistance from a trained Trinity University process advisor.
● All parties in the investigative process are entitled to have up to three (3) support people of their choice in addition to the trained Trinity University process advisor, present during investigatory interviews and hearings. As an example, these support people can be a family member, friend, and/or up to one attorney.
● TUPD is available to assist students who wish to seek assistance in applying for a court-ordered protective order. TUPD has no authority to compel the courts to issue such orders.

Interim Measures
Interim measures are available to assist reporting and responding students whether or not a formal complaint is filed. Such measures include, but are not limited to, no contact orders, housing accommodations such as modification of living arrangements, academic accommodations such as reassignment of classes as available or removal from classes, interim suspension pending a hearing, and assistance with reporting the matter to law enforcement. The University reserves sole discretion and the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct in order to protect students’ rights and personal safety and the University community.
Trinity University prohibits sexual misconduct, including sexual harassment, non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, intimate partner violence, stalking, and retaliation, as defined below. Note that violations of this policy may also constitute violations of the Student Code of Conduct, state, or federal law.

Sexual Harassment
Sexual harassment means unwelcome, sex-based verbal or physical conduct that:

1. In the employment context, unreasonably interferes with a person’s work performance or creates an intimidating, hostile, or offensive work environment; or

2. In the educational context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student’s ability to participate in or benefit from educational programs or activities at a postsecondary educational institution.

Examples of conduct that may constitute a violation include but are not limited to unwanted efforts to develop a romantic or sexual relationship, requests for sexual favors, and other verbal or physical conduct based upon sex

- when submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in other University activities;
- when submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting the individual; or
- when such conduct has the purpose or effect of interfering with an individual’s work performance or access to programs or creating an intimidating, hostile, or offensive University environment.

Non-consensual Sexual Intercourse
Non-consensual sexual intercourse is intercourse that occurs without consent (defined below). Examples include, but are not limited to:

- Penetration or causing penetration of an orifice (anal, vaginal, oral) with any body part or object, however slight or momentary;
- Other acts of oral, vaginal, or anal stimulation; and
- Knowingly exposing a person to and/or transmitting a sexually transmitted infection or HIV/AIDS to another person

Non-consensual Sexual Contact
Non-consensual sexual contact is any intentional sexual touching, however slight or momentary, or the use of an object to touch another in a sexual manner that is without consent (defined below). Sexual touching includes, but is not limited to, any contact with breasts, groin, genitals, mouth, or other bodily orifice of another individual, or any other contact in a sexual manner.
Sexual Exploitation

Sexual exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to the advantage or benefit of anyone other than the one being exploited, and which behavior does not constitute any other form of Sexual Misconduct.

Examples of sexual exploitation include, but are not limited to, engaging in the following activities without the other person(s) consent:

- Sexual voyeurism such as watching or recording a person undressing, using the bathroom, or engaging in sexual acts in a place where they would have a reasonable expectation of privacy;
- Taking or sharing pictures or recording another in a sexual act, or in any other private activity (such as allowing another person to hide in a closet and observe sexual activity), or disseminating sexual pictures, including as an act of revenge, without the consent of all individuals depicted;
- Exposing one's genitals or breasts in non-consensual circumstances or inducing another to expose his or her genitals or breasts;
- Going beyond the boundaries of consent (such as engaging in actions that were not consented to during an otherwise consensual encounter);
- Prostitution;
- Threatening to disclose or disclosing a person's sexual activities, sexual orientation, gender identity, or gender expression;
- Administering alcohol or drugs (such as “date rape” drugs) to another person without their knowledge and consent.
- Intentionally aiding a violation of the sexual misconduct policy.

Intimate Partner Violence

Intimate Partner Violence includes both Dating and Domestic Violence, defined below, as well as any act, threat, or pattern of abusive behavior (including sexual, physical, psychological, and economic) that one person uses against a current or former partner in a sexual, dating, spousal, domestic, parenting or other intimate relationship, to gain or maintain power or control over another. Intimate Partner Violence can be a single act or a pattern of behavior within a relationship.

The determination of whether any conduct constitutes Intimate Partner Violence is whether the conduct is so severe, pervasive or persistent as to interfere with an individual’s ability to learn and/or work or cause substantial emotional distress, when judged both objectively (meaning that a “reasonable person” would find the behavior to be intimidating, frightening, terrorizing, or threatening) and subjectively (meaning the impacted individual felt the behavior was intimidating, frightening, terrorizing, or threatening).

The existence of such a relationship shall be determined based on consideration of the following factors: the length of the relationship; the type of the relationship, and the frequency of interaction between the persons involved in the relationship.

Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse 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 consideration of the following factors: the length of the relationship; the type of the relationship, and the frequency of interaction between the persons involved in the relationship.
Domestic Violence includes felony or misdemeanor crimes of violence committed by
- a current or former spouse 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;
- or by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Texas; by any other person who is protected from that person’s acts under the domestic or family violence laws of Texas.

Stalking
Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their own safety, the safety of others, or suffer substantial emotional duress. This applies to acts that occur between people who currently have or have had a romantic or sexual relationship or occur because of the accused person’s desire to have a romantic or sexual relationship with the victim. Stalking includes cyberstalking. If someone engages in acts of stalking after university intervention, that may be considered a new and distinct report.

Retaliation
The university takes reports of Sexual Misconduct very seriously and will not tolerate retaliation against those who make such reports or cooperate with or participate in the investigation or adjudication process. Retaliation includes but is not limited to any behavior, adverse action, treatment, or condition taken against a person for alleging a violation of this policy or otherwise participating under this policy. This includes direct or indirect behavior or actions taken by an individual or at the direction of a party or someone participating under this policy. Retaliation includes, but is not limited to intimidation, threats or menacing behavior, coercion, and discriminatory actions. Any behavior that has the purpose or effect of intimidating or improperly influencing any individual’s participation in the investigation or adjudication process may also be retaliation. Any act of actual or threatened retaliation will be investigated immediately and adjudicated separately. Retaliation may also result in immediate removal from the University.

Any person who believes they have been subjected to retaliation should immediately report this to the Title IX Coordinator.

Consent
Consent is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity or contact.
- Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity.
- A person can withdraw consent at any time during sexual activity by expressing in words or actions that they no longer want the act to continue, and, if that happens, the other person must stop immediately. Continued pressure can be coercive, which negates consent given under such circumstances.
- Consent cannot be inferred from silence or the absence of resistance.
- Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be
consent for other sexual activity (such as intercourse).

- A current or previous dating or sexual relationship is not sufficient to constitute consent.
- Consent cannot be obtained by coercion, force, or from someone who is incapacitated.
- In order to give effective consent, one must be 17 years old in Texas.

**Coercion and Force**

The use of coercion or force to obtain consent invalidates the consent.

Generally, coercion is the act of unreasonably pressuring another person into doing something against their will. Sexual coercion can involve using physical force and/or convincing another person to engage in sexual activity by use of verbal and emotional pressure including manipulation, intimidation, and/or the use of alcohol or other drugs to make someone more vulnerable. What is unreasonable will be determined on a case by case basis, considering a number of factors such as the desire to be persuaded (seduction versus coercion), the intensity, frequency and duration of persuasion, and the isolation of individuals.

Force is the direct or indirect use of physical violence, threats, and/or imposing on someone physically. There is no requirement that someone resist the sexual advance or request, but resistance is a clear demonstration of non-consent.

**Incapacitation**

A person is incapacitated and cannot consent to sexual activity if that person is asleep, unconscious, or otherwise unable to resist; is unaware that sexual activity is occurring; does not have the ability to make informed, rational judgments about whether or not to engage in sexual activity; and/or the person does not have the legal capacity to consent. Someone can be incapacitated due to the voluntary or involuntary use of alcohol or drugs. Drunkenness is different than incapacitation, and does not, in itself, automatically indicate a violation. Some signs that someone may be incapacitated include stumbling, slurring words, a lack of control of their motor skills; or inability to understand what is happening.

- Students who are not sure if they are interacting with a person who had diminished capacity should, as a matter of practice, avoid engaging in a sexual act with that person at that time. Someone who has ingested a “date rape” drug or is blacked out may not appear incapacitated; nonetheless, this person is incapable of knowing consent. A student who has sexual interactions with anyone who may be under the influence of any substance is vulnerable to accusations of violations of this policy.
- An individual who engages in sexual activity when the individual knows, or should know, that the other person is incapacitated, has violated the sexual misconduct policy.
- Being drunk or intoxicated is not an excuse for sexual misconduct.
- Possession, use and/or distribution and/or administering of any incapacitating drugs to someone without their knowledge and consent, is prohibited and is a violation of this policy.
Resolution Procedures
for allegations against a student

Initial Response to Reports
Once the Title IX Coordinator receives a report, the Title IX Coordinator or a designee will contact the person who is reported to have experienced sexual harassment or sexual misconduct to explain their rights under this policy and provide information about resources that are available to them, such as no contact orders and other interim measures.

Confidentiality
Information gathered during the investigation and adjudication process will only be shared with University officials with a need to know the information. Unless waived in writing, the identity of the complainant will only be disclosed as necessary to conduct an investigation, hearing, and appeal, as well as to law enforcement as necessary to conduct a criminal investigation.

Basic information may be shared confidentially within the University as required to comply with reporting obligations under federal and state law. Basic information that does not identify any person will also be shared in reports on the University’s website in order to comply with the requirements of Texas law.

Informal Resolution
In some instances, allegations of a violation of this policy may be resolved informally. Informal resolutions require the agreement of the parties and the approval of the Title IX Coordinator. In an informal resolution, the parties may agree that the person alleged to have violated the policy will participate in training or other conditions included in the agreement. Informal resolutions entered into before the investigator(s) make a recommendation are not an admission of responsibility or a university determination of a policy violation. Neither party has the right to appeal after they have entered into an informal resolution.

Investigative Roles
A pool of specially trained faculty and staff members will alternately serve in the following roles.*

- **Process Advisor:** Each student in a case will be assigned a trained faculty or staff process advisor to assist in navigating the process and answering questions on policy and procedure.
- **Investigator:** One or more investigators will be assigned to each case. The investigator(s) will be assigned from the pool and the Title IX Coordinator may also serve as an investigator.
- **Hearing Panelists:** A Hearing Panel will consist of two faculty/staff and a trained student from the Student Conduct Panel, as assigned by the Dean of Students or their designee.
- **Hearing Facilitator:** A Hearing Facilitator may be selected from the voting members of the Hearing Panel or be a trained faculty or staff member appointed as an additional non-voting member of the Panel.

* In cases where a conflict of interest may arise, alternates are available.
Initiating a Formal Complaint

A reporting student has the right to submit a formal complaint requesting a full investigation of the alleged violations of this policy. The Complainant has the opportunity to provide a written or verbal complaint. There is no time limit to initiate a formal complaint, but the University’s ability to investigate allegations and impose sanctions against someone found responsible for violating the policy may decrease with the passage of time. The Title IX Coordinator will review the formal complaint and may decline to investigate the complaint if it does not describe a violation of this policy. Before the Title IX Coordinator makes this decision, they will discuss the complaint with the Complainant and suggest other options for assistance, if applicable.

Support People

Both the reporting student (Complainant) and the responding student (Respondent) may be accompanied by the advisors and/or support people of their choice during any meeting or proceeding. The student will be required to sign a release to allow these support people to receive information about the case. These support people can be friends, parents, and/or an attorney. If a support person is an attorney, an attorney for the university will be present as well. Support people may not speak on behalf of the student or make a presentation, but they may ask to briefly suspend any meeting, interview or proceeding to consult with the student. In order to preserve the integrity of the process, if a support person is also a witness in the case, their testimony and evidence should be obtained before they attend any meeting or proceeding as a support person. Accommodations, including the scheduling of meetings, interviews or hearings, will not be made for support people if they unduly delay the process. Support people are expected to behave with decorum and may be asked to leave if they do not.

Investigation

If the Title IX Coordinator determines there is a basis for an investigation, the Respondent will be notified of the allegation and provided a general description of the conduct alleged to constitute the violation. One or more Investigators will be assigned to investigate the allegation. The University will strive to complete an investigation under this policy within 60 days of receiving a formal complaint; however, the length of investigations may vary and the timeline may be extended at the discretion of the Investigator(s).

Generally, the Investigator(s) will interview the Complainant, the Respondent, and relevant witnesses, and will gather and review other information related to the allegation(s) as part of the investigation process. Both the Complainant and Respondent will have the opportunity to be interviewed, provide written statements, identify witnesses, and provide documentary and other evidence for consideration. Those interviewed will have the opportunity to review their own statements and make comments. The Investigator(s) have sole discretion to determine how and when information will be shared with the parties and witnesses during the investigation process.

At the conclusion of the investigation, the Investigator(s) will draft a summary report of the investigation that will include proposed findings on responsibility and sanction recommendations, if applicable. Responsibility will be determined by a preponderance of the evidence standard. The parties will have the opportunity to review the proposed report and the evidence used to support the report, and will also have the opportunity to provide
comments about the proposed summary report. The Investigators will review the comments from the parties and make changes to the summary report if they determine they are necessary. The report will be forwarded to the Dean of Students’ Office for a hearing.

In some instances, an investigation may be terminated or a case may not be referred for a hearing, including but not limited to if a Complainant drops their complaint, the parties agree to informal resolution, or both parties agree in writing to accept the Investigator’s/Investigators’ recommendations as to the finding and sanction as the final result of the case. In all cases, the University reserves the right to continue the process in the best interest of the health and safety of the greater University community.

The Complainant and Respondent are expected to provide all relevant information during the investigation. If a party wishes to present new information after the report has been forwarded to the hearing panel, the Hearing Facilitator will confer with the Investigator(s) to determine whether the information was available at the time of the investigation and whether the information was likely to have significantly impacted the Investigator’s/Investigators’ determination of responsibility. The investigation may be reopened before proceeding with a hearing.

**Hearing Procedure**

Upon receipt of the final summary report, the Dean of Students or designee will convene a Hearing Panel and appoint a Hearing Facilitator to oversee the hearing. The role of the Hearing Panel is to review the work of the Investigator(s) and recommend a finding and sanction to the Dean of Students based on a preponderance of the evidence, and not to reinvestigate the allegations. The Complainant, Respondent, and witnesses, if any, will have an opportunity to attend the hearing, but are not required to do so.

In the hearing, the Complainant and the Respondent may make opening statements, primarily to address issues raised in the report and explain why they agree or disagree with the report. The Hearing Panel may question the Investigator(s), the parties, and any witnesses present at the hearing. The parties may submit questions to the hearing panel before and during the hearing to be asked of the Investigator(s), other party, and witnesses who are present at the hearing. The Hearing Facilitator will review the questions and determine whether to ask the questions submitted. Support People are not permitted to speak on behalf of a party or to question any witness, investigator, or the panel during a hearing. The parties may make a closing statement to respond to any issues raised in the hearing. If the panel rejects the recommendations or adjusts the sanctions, they must do so within the framework of the policy and cite clear evidence to support the adjustments.

When the panel has finished asking questions and hearing from the parties, they will confer to reach their decision. The panel will recommend a finding and sanction to the Dean of Students. The Dean of Students or designee will determine whether or not to accept, reject, or modify the Hearing Panel’s findings and recommendations and make the decision in the case. The parties will simultaneously be notified in writing of the outcome and any options for appeal.

**Past History**

The past sexual history or sexual character of a party will not be considered in hearings unless such information is determined to be highly relevant by the Hearing Panel Chair. All such information sought to be admitted by a party or the University will be presumed
irrelevant until a determination of relevance is made, in advance of the hearing, by the Hearing Facilitator, and in consultation with the Hearing Panel. Demonstration of a pattern, repeated, and/or predatory behavior by the responding student, including previous findings in any legal or campus proceeding, may be relevant to the finding, not just the sanction. The parties will be notified if any such information is deemed relevant and will be introduced into the process.

Sanctions

Individuals found responsible for violating this policy will be sanctioned. Not all forms of sexual misconduct are equally serious offenses, and the University reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense and taking into account any previous campus conduct code violations. The University may also impose restrictions (such as no contact orders) or educational remedies (such as training) at its discretion, whether or not a party is found responsible for violating the policy. Variation from the guidelines below is possible but must be explained in writing:

- Any student found responsible for violating the policy provisions on Sexual Harassment, Sexual Exploitation, Stalking or Retaliation will likely receive one of the following sanctions: warning, general warning, probation, probation with suspension of privileges, suspension, or expulsion.
- Any student found responsible for violating the policy provisions Intimate Partner Violence, or Non-Consensual Sexual Contact (where no intercourse has occurred) will likely receive one of the following sanctions: probation, probation with suspension of privileges, suspension, or expulsion.
- Any student found responsible for violating the policy on Non-consensual Intercourse will likely receive a sanction of suspension or expulsion.

Appeals

Both parties have the right to appeal the Dean of Students’ decision on responsibility and/or sanction within five days.

Appeal requests are limited to the following grounds:
1. A procedural or substantive error occurred that significantly impacted the outcome of the case (e.g. substantiated bias, material deviation from established procedures, etc.);
2. New evidence, not previously known at the time of the investigation or hearing, could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; and
3. The sanctions imposed are substantially disproportionate to the severity of the violation.

This appeal will be reviewed and decided by the Vice President for Student Life or their designee, who may request any existing or new information they deem necessary to resolve the appeal. The decision of the Vice President for Student Life or designee is the final decision in the case and is not subject to further review within the University.
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Contact Us

Title IX Coordinator
Angela Miranda-Clark
amiranda@trinity.edu | 210-999-7835 | NH210D

Title IX Deputy Coordinator
David M. Tuttle
Associate Vice President and Dean of Students
dtuttle@trinity.edu | 210-999-8844 | CUC222B

To make a report outside the University:
Office of Civil Rights
U.S. Department of Education
1999 Bryan Street, Suite 1620
Dallas, Texas 75201
Phone: (214) 661-9600
Fax: (214) 661-9587
Email: OCR.Dallas@ed.gov

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Revised August 2019.
IV. Resources for Student Life

Notice of a campus-wide emergency and links to further information, if appropriate, will be posted on Trinity’s home page. For recorded status updates, dial 888-57-ALERT.

TO REPORT AN EMERGENCY ON CAMPUS, contact the Trinity University Police Department (TUPD) at 210-999-7000 (dial just 7000 from any on-campus phone) or use a “blue light” emergency phone. Identify yourself, give the location and nature of the emergency, and stay on the line until told to disconnect.

FOR MEDICAL EMERGENCIES, if it seems impossible or undesirable to move the person, or if the situation appears life threatening, call the TUPD at 210-999-7000. A dispatcher will contact and coordinate EMS response and provide assistance.

FOR PSYCHOLOGICAL CRISES during office hours, call Counseling Services at 210-999-7411, Monday-Friday, 8:00 a.m.-5:00 p.m. For crises on weekends or in the evening, call TUPD at 210-999-7000 and ask for the on-call counselor.

FOR NON-CRITICAL SITUATIONS when assistance is not needed immediately, go to Counseling Services or Health Services during regular hours of operation. Accidents that occur in residence halls should be reported to a member of the Residential Life staff.

Annual Security and Fire Safety Reports: Trinity University publishes an Annual Security and Fire Safety Report in compliance with the Jeanne Clery Act. This report includes security policies, campus crime statistics, fire safety policies and fire statistics. You may request a copy of this report by calling the Police Department at 210-999-7070 or by visiting the University Police webpages.

Fire safety policies and fire statistics can be found on the Fire Safety webpage. Information about University emergency preparedness is found at the University website.

Student Complaints or Concerns: The Associate Vice President for Student Life and Dean of Students serves as the primary coordinator of response and support to students with concerns or in crisis. Students should direct any complaints or concerns about anything on campus to the Office of the Dean of Students (210-999-8843). Complaints will be investigated or referred to other offices as necessary.
**Student Organizations:** Student organizations reflect and complement the University's mission, and Student Involvement (210-999-7547; getinvolved@trinity.edu) supports and facilitates formation and sustainability of student organizations. Policies and procedures related to student organizations are presented in the Student Organizations Handbook.

**Student Leaders Fall 2019**

**Ambassadors**
Co-Directors: Cameron Carlin and Rojan Shrestha  
Associate Director of Communication: Treasure Bammel  
Associate Director of Finance: Efosa Ehimwenma  
Associate Director of Involvement: Dani Moses  
Associate Director Philanthropy and Service: Sara Heridia

**Campus Publications**
Mirage Editor-in-Chief: Jenna Flexner  
Mirage Managing Editor: Estefania Oviedo Canales  
Trinitonian Editor-in-Chief: Kathleen Creedon  
Trinitonian Managing Editor: Kendra Derrig  
Trinitonian Advertising Director: Isla Stewart  
Business Manager: Jonah Nance

**Greek Council**
Co-chairs: Elizabeth Bertsch, Michael Masuo

**Honor Council**
Internal Chair: Zachary Acevedo  
External Chair: Mary Margaret Herring

**Student Conduct Board**
Co-chairs: Miranda Salazar, Casey McLeod  
Alyssa Avalos  
Carter Daniels  
Bailey Dinh  
Mary (Elsie) Duran  
Efosa Ehimwenma  
Julia Jameson  
Anna Lund  
Anton Noble  
Gianna Nuckols  
Gabriel Odom  
Olive Pertuit  
Sara Peters  
Kayla Suhler  
John Williamson  
Georgia Wright

**Student Government Association**
President: Ty Tinker

**Student Programming Board**
Director: Meghan Desai  
Assistant Director: Lilian De La Rosa  
Accountant: Magdalena Blancas  
Traditions Chair: Carmen Johnson  
Assistant Traditions Chair: Stephanie Opon  
Outreach Chair: Wren Ramos  
Assistant Outreach Chair: Dennis Feng  
Concerts Chair: Dylan Welling  
Assistant Concerts Chair: Victory Ogubuike  
Entertainment Chair: Kelly Liu  
Assistant Entertainment Chair: Wilford Lee  
Spirit Chair: Kirsten Iyare  
Assistant Spirit Chair: Kezia Nyarko  
PR Chair: Graphic Design: Jesus Lozano  
PR Chair: Social Media: Genevieve Humphreys

**TigerTV**
Station Manager: Briahn Hawkins  
Production Manager: Allison Carr  
Marketing Manager: Sophie Dwyer  
Special Internal Programs Manager: Luke Dias  
Special External Programs Manager: Whitney Crawford  
Web & Graphics Manager: Rylie Snell  
Package Director: Devan Karp  
Content Manager: Elena Negron  
Special Event Coordinator: Madison Poljan  
Studio 21 Executive Producer: Kendall Nace  
NSLS Executive Producer: Daniella Jahn  
Newswave Executive Producer: Kailey Lopez

**Trinity Diversity Connection**
President: Kezia Nyarko  
Vice President: Manveena Singh

**Trinity University Volunteer Action Community**
Executive Coordinator: Elsie Duran  
Logistics Coordinator: Diego Carrizalez  
Marketing & Recruitment Coordinator: Tara Kyaw  
Volunteer Coordinator: Brynne Stevens  
Volunteer Coordinator: Julia Kiley  
Volunteer Coordinator: Siddhant Shetty  
Orientation Team (O-Team)  
(Co-captain) Ry Eskridge  
(Co-Captain) Jo Suarez  
(Co-Captain) Caitlyn Turner  
Eliza Beall  
Rafaela Brenner  
Andrea Cruz  
Thao Dinh  
Ellie Dootson  
Ashley Dorough  
Liz Dunn  
Gloria Gatchel  
Gracen Hoyle  
Jeysel Huezo  
Genevieve Humphreys  
Alexus Jimenez  
Josh Lee  
Mary France Lembke  
Diana Long  
Emma Miller  
Claire Nakayama  
Devon Patel  
Linda Ready  
Victoria Shirkey  
Allison Wolff  
Camila Zapater