



# University of the Incarnate Word

# Student Handbook

Office of Campus Life  
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## CARDINAL PLEDGE



I WILL PURSUE ALL OF MY ENDEAVORS WITH HONOR AND INTEGRITY TO ADVANCE THE DISCOVERY OF TRUTH, MUTUAL UNDERSTANDING, SELF-REALIZATION AND THE COMMON GOOD. I WILL TAKE PERSONAL RESPONSIBILITY FOR MY ACTIONS AND STAND FOR WHAT IS RIGHT. I WILL RESPECT THE DIGNITY OF OTHERS, TREATING THEM WITH CIVILITY, COURTESY, AND COMPASSION AS I CARRY OUT THE UIW MISSION.

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**Updates for 2021-22**

It is expected that all students read and are familiar with all policies in the Student Handbook, as you are responsible for complying with each policy. The highlighting of updates and additions to the Student Handbook here should not substitute a complete reading of the entire Student Handbook.

- COVID-19 Policies and Protocols (Section 6) – Updated
- Academic Policies (Section 7) – Updated
- Complaints (Section 10) – New
- Harassment-Free Work and Learning Environment Policy (Section 14) – Updated
- Smoke and Tobacco Free Policy (Section 25) – Renamed, formerly “Smoking Policy”
- Social Media Policy (Section 26) – Updated
- Weapons Policy (Section 30) – Updated and Renamed, formerly “Concealed Weapons Policy”

## Section 1: University of the Incarnate Word Mission

The first Sisters of Charity of the Incarnate Word, three young French women motivated by the love of God and their recognition of God's presence in each person, came to San Antonio in 1869 to minister to the sick and the poor. Their spirit of Christian service is perpetuated in the University of the Incarnate Word primarily through teaching and scholarship, encompassing research and artistic expression. Inspired by Judeo-Christian values, the Catholic Intellectual Tradition, and Catholic Social Teaching, the University of the Incarnate Word aims to educate men and women who will become concerned and enlightened citizens within the global community.

The University of the Incarnate Word is committed to educational excellence in a context of faith in Jesus Christ, the Incarnate Word of God. Thus, through a liberal education the university cultivates the development of the whole person and values of life-long learning. To that end, faculty and students support each other in the search for and communication of truth, thoughtful innovation, care of the environment, community service, and social justice.

The University of the Incarnate Word is a Catholic institution that welcomes to its community persons of diverse backgrounds, in the belief that their respectful interaction advances the discovery of truth, mutual understanding, self-realization, and the common good.

## Section 2: Introduction

The University of the Incarnate Word (UIW) community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. A community exists on the basis of shared values and principles. At UIW, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Student Handbook and Student Code of Conduct. These standards are embodied within a set of core values that include integrity, fairness, respect, community, and responsibility. When members of the community fail to exemplify these values, campus conduct proceedings are used to assert and uphold the Student Handbook and Student Code of Conduct.

Ultimately, each member of the UIW community is expected to assume responsibility for their conduct and to assume reasonable responsibility for the behavior of others. On occasion, this will involve kind and courteous admonition done when one member observes another engaged in inappropriate conduct. At other times, it will involve cooperation when there are investigations of alleged misconduct.

## Section 3: Notice to Students

UIW students are responsible for knowing the information, policies and procedures outlined in this document. Annually, students are given a copy of the Student Handbook in the form of a link on the UIW website. This is emailed out to all UIW students during the first week of each semester. Hard copies are available upon request from the Dean of Campus Life.

Students are charged with the responsibility of reading, and agreeing to abide by, the provisions of the Student Handbook and the authority of the behavioral misconduct process. The University reserves the right to make changes as necessary and without advance notice.

## Section 4: Rights and Freedoms of Students

On January 17, 1968, the Joint Statement on Rights and Freedoms of Students was adopted by the Association of American Colleges. The joint statement was previously endorsed by the United States National Student Association, the Association of American University Professors and the National Association of Student Personnel Administrators and the National Association of Women Deans and Counselors.

Copies of the statement with interpretive notes to reflect changes in the law and higher education that occurred after 1968 and the removal of gender-specific references are available from Office of Student Success and at <http://www.aaup.org/AAUP/pubsres/policydocs/contents/stud-rights.htm>. The policies and procedures of the University apply to the extent the Joint Statement is inconsistent with or in conflict with University policies or procedures.

## Section 5: The Student Code of Conduct

The Student Code of Conduct at UIW is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Students should be aware that addressing violations of University policy through behavioral misconduct processes is quite different from criminal and civil court proceedings. Procedures and rights in behavioral misconduct processes are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. No student will be found in violation of the Student Code of Conduct without information showing that it is more likely than not that a policy violation occurred.

### A. Jurisdiction

The Student Code of Conduct and the behavioral misconduct process apply to the conduct of individual students and University-affiliated student organizations. Because the Student Code of Conduct is based on shared values, it sets a range of expectations for UIW students no matter where or when their conduct may take place; therefore, the Student Code of Conduct applies to behaviors that take place on campus, at University-sponsored events and may also apply off-campus when the administration determines at its discretion that the off-campus conduct affects a substantial University interest. A substantial University interest is defined to include:

- Any action that constitutes criminal offense as defined by federal or Texas state law. This includes, but is not limited to, single or repeat violations of any local, state or federal law committed in the municipality where the University is located;
- Any situation where it appears that the student may present a danger or threat to the health or safety of him/herself or others;
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational interests of the University.

The Student Code of Conduct may be applied to conduct that takes place from the time a person accepts enrollment as a student and continues until the student withdraws or graduates, including periods during semester breaks and between semesters. Further, the Student Code of Conduct applies to visitors and guests of UIW students, whose hosts may be held accountable for any misconduct of their guests. Visitors and guests may initiate complaints for violations of the Student Code of Conduct committed against them by UIW students.

There is no time limit on reporting violations of the Student Code of Conduct as long as the offending student is

still enrolled at UIW; however, the longer someone waits to report an offense, the harder it becomes for University officials to obtain information and witness statements in order to make a determination regarding alleged violations. Though anonymity is permitted, it may limit the University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Office of Student Advocacy and Accountability and/or to UIWPD.

## **B. Authority**

The Director of Student Advocacy and Accountability is the person designated by the Dean of Campus Life, who has been charged by the President of the University, for the administration of the Student Code of Conduct, also to be known as the Chief Judicial Officer for student behavioral misconduct.

The Director of Student Advocacy and Accountability (or designee) will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit. No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some information to support each element of the offense, even if that information is merely a credible witness or a victim's statement. A complaint wholly unsupported by any information will not be forwarded for a hearing.

If an allegation can be disposed of by mutual consent of the parties involved, on a basis acceptable to the parties involved and the Director of Student Advocacy and Accountability (or designee), such disposition will be final and there will be no subsequent proceedings.

The Director of Student Advocacy and Accountability (or designee) has the discretion to resolve a complaint through mediation. All parties must agree to mediation and to be bound by the decision with no review/appeal. Any unsuccessful mediation can result in the complaint being referred to a Hearing Officer or Hearing Panel for review; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Director of Student Advocacy and Accountability (or designee) may also suggest that complaints that do not involve a violation of the Student Code of Conduct be referred for mediation. If the complaint cannot be disposed of in a manner mutually acceptable, the Director of Student Advocacy and Accountability will refer the complaint to a Hearing Officer or Hearing Panel.

## **C. Definitions**

- a) The term "the University" refers to the University of the Incarnate Word.
- b) The term "student" includes all persons who have accepted admission to, enrolled at, are taking courses at, or have a continuing relationship with the University, including those who attend full- or part-time.
- c) The term "Complainant" refers to an individual who has filed a complaint in regard to behavior that may be in violation of University policy.
- d) The term "Respondent" refers to an individual who is responding to complaint in regard to behavior that allegedly committed which may be in violation of University policy.
- e) The term "faculty member" refers to any person employed by the University to conduct instructional activities.
- f) The term "University official" includes any person employed by the University that holds administrative or professional supervisory responsibilities.
- g) The term "member of the University community" refers to any person employed by, volunteering for or attending the University as a student, faculty member, administrator, staff member, intern, or volunteer.



- h) The term “University property” includes all land, buildings, facilities, and other property in the possession of, owned or controlled, whether leased or rented, by the University.
- i) The term “organization” refers to any fraternity, sorority, association, corporation, order, society, corps, club, or student government, a band or musical group or an academic, athletic, cheerleading, or dance team, including any group or team that participates in National Collegiate Athletic Association competition, or a service, social, or similar group, whose members are primarily students. Organizations also refers to University Sponsored Organizations (i.e., Resident Assistants, University Mission and Ministry Peer Ministers, Ambassadors, etc.)
- j) The term “advisor” refers to an individual selected by a Respondent or Complainant to assist during conduct proceedings, which includes but is not limited to, a parent, friend, faculty member, advocate, or legal counsel. Advisors may not directly participate, speak, comment, or make any type of representation or argument on behalf of a Complainant or Respondent in any aspect of the behavioral misconduct process. Advisors are typically only permitted during cases heard by a Hearing Panel, but a student may request an advisor for other conduct proceedings by petitioning the Director of Student Advocacy and Accountability. The availability of an advisor to attend shall not unreasonably interfere with or delay any conduct proceedings. Should a student wish to have legal counsel serve as an advisor, the student or the student’s attorney must provide notice to the Director of Student Advocacy and Accountability (or designee) a minimum of three (3) business days so that UIW’s General Counsel can be consulted.
- k) The term “Hearing Officer” refers to any persons authorized to determine whether a student or student organization has violated the Student Code of Conduct and to impose sanctions.
- l) The term “Hearing Panel” refers to a group of at least three (3) individuals authorized by the Dean of Campus Life (or designee) to determine whether a student or student organization has violated the Student Code of Conduct and to impose sanctions. A Hearing Panel will consist of an odd number of individuals, whenever possible.
- m) The term “Community Review Board” refers to any person or persons authorized by the Dean for Campus Life (or designee) to consider an appeal of the determination of a Hearing Officer or Hearing Panel in regards to a violation of the Student Code of Conduct and/or sanctions imposed as a result.
- n) The term “illegal drug” is defined as a substance defined and regulated under the provisions of the Federal Controlled Substances Act and of Article 4476-14 or Article 4476-15 of Vernon’s Texas Civil Statutes, and including, but is not limited to: CNS depressants, CNS stimulants, hallucinogens, or other illegal drugs such as PCP, cocaine or crack.
- o) The term “use of drug” includes: the misuse of prescription medication; the possession or drug paraphernalia; and/or the use, possession, manufacture, sale or distribution of any one or more illegal drugs while on or off University property.
- p) The term “will” is used in the imperative sense.
- q) The term “may” is used in the permissive sense.
- r) The term “policy” is defined as the written rules of the University found in, but not limited to the Student Code of Conduct, the Residence Life Handbook, the Student Handbook, and the Graduate and Undergraduate Bulletins.
- s) The term “day” refers to a regular business day when the University is in session.
- t) The term “Preponderance of the Evidence” is the standard of proof that applies to behavioral misconduct proceedings or determinations. It means that the evidence supports a conclusion that it is more likely than not that a policy violation occurred.



## **D. Core Values and Behavioral Expectations**

The basic approach to maintaining a Christian code of conduct is self-discipline; however, the University considers the behavior described in the following sections as inappropriate for the UIW community and in opposition to the core values set forth in this document. These expectations and rules apply to all students. The University encourages community members to report to University officials any incidents which involve the following (or similar) actions or attempts of the following (or similar) actions. Any student found to have committed the following misconduct is subject to the sanctions outlined in the Behavioral Misconduct Procedures.

- I. **Integrity:** UIW students exemplify honesty, honor and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:
  - a. Acts of academic dishonesty, as outlined in the Code of Academic Integrity;
  - b. Knowingly furnishing false, falsified or forged information to any member of the University community such as falsification or misuse of documents, accounts, records, identification or financial instruments;
  - c. Tampering with the election of any University-recognized student organization;
  - d. Unauthorized possession, duplication or use of means of access to any University building (i.e. keys, cards, etc.);
  - e. Violations of positions of trust within the community;
  - f. Action or inaction by someone in collusion with a wrongdoer who fails to discourage a known and obvious violation of University policy or the law.
  
- II. **Community:** UIW students honor and value their community. Behavior that violates this value includes, but is not limited to:
  - a. Intentional and unauthorized destruction of, or damage to, University property or to the personal property of a member of the University community;
  - b. Intentional and unauthorized taking of University property or the personal property of a member of the University community;
  - c. Knowingly taking possession of stolen property;
  - d. Misuse of access privileges to University premises or unauthorized entry to or use of buildings, including trespassing;
  - e. Misuse or unauthorized use of University or organizational names and images;
  - f. Possession of firearms, explosives or other weapons including, but not limited to: BB/pellet guns; slingshots; facsimile weapons; airsoft rifles; sharp-edged instruments, such as hatchets when used as weapons; or dangerous chemicals while on campus without proper authorization;
  - g. Violation of the smoking policy (see Section 26);
  - h. Violation of the gambling policy (see Section 13);
  - i. Violation of local, state, federal or campus fire policies including, but not limited to:
    - Failure to evacuate a University-controlled building during a fire alarm;
    - Improper use of University fire safety equipment;
    - Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on University property;
  - j. Unauthorized use of another individual's identification and password;
  - k. Violating the UIW Responsible Computing Policy or the UIW Fair Use Policy, found online in its entirety at: <https://my.uiw.edu/ird/policies-procedures/index.html>. Examples of actions which violate these policies include, but are not limited to:
    - Copying or transmitting copyrighted material when not legally authorized to do so;

- Unauthorized access or transfer to a file or personal or group account;
- Use of computing facilities to send harassing or abusive messages;
- Use of computing facilities to interfere with the work of other community members;
- Use of computing facilities to interfere with normal operation of the University computer system;
- Anonymous or forged network news articles or email messages;
- Disk usage over the allotted limit without prior approval.

III. **Fairness:** UIW students exemplify equitable treatment of all members of the community in their dealings and interactions. Behavior that violates this value includes, but is not limited to:

- a. Abuse or interference of, or failure to comply in, University processes;
- b. Disruption of University operations including obstruction of teaching, research, administration, other University activities, or other authorized non-University activities which occur on campus;
- c. Abuse of the campus conduct system including, but not limited to:
  - Failure to appropriately respond to a letter of notice, or summons letter;
  - Failure to attend meetings scheduled for conduct code administration purposes;
  - Falsification, distortion or misrepresentation of information;
  - Failure to provide, destroying or hiding information during an investigation of an alleged policy violation;
  - Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
  - Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
  - Failure to comply with the sanction(s) imposed by the campus conduct system;
  - Influencing, or attempting to influence, another person to commit and abuse of the campus conduct system.

IV. **Respect:** UIW students show positive regard for each other, for property and for the community. Behavior that violates this value includes, but is not limited to:

- a. Hazing and/or abusive affiliation (See Section 16);
- b. Discrimination, intimidation (i.e. implied threats), or harassment;
- c. Failure to comply with the directives of University officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so;
- d. Bullying, or cyberbullying, which acts to deny, deprive or limit the educational, employment, residential and/or social access, benefits and/or opportunities of any member of the campus community. Such behaviors may include, but are not limited to:
  - creating webpages with a negative focus;
  - posting insults or lewd photos on social networking sites;
  - spreading rumors with malicious intent;
- e. Inappropriate conduct, which is disrespectful, disorderly, disruptive or indecent while on campus or at functions sponsored, or participated in, by the University;
- f. Retaliation against a complainant or witness in a campus conduct complaint;
- g. Sexual misconduct, including but not limited to: sex and/or gender-based discrimination; sex and/or gender-based harassment; sexual assault; discrimination; sexual exploitation; stalking; relationship violence (including domestic and dating violence); and retaliation (see Section 23);

- h. Threatening, or causing, physical harm, verbal abuse or other conduct which threatens or endangers the health or safety of any person;
  - i. Unwanted communication including, but not limited to, the violation of a no-contact agreement.
- V. **Responsibility:** UIW students are given, and accept, a high level of accountability as role models. Behavior that violates this value includes, but is not limited to:
- a. Use, possession or distribution of alcoholic beverages except as expressly permitted by law and the University's Alcohol Policy (See Section 9.A.);
  - b. Use, possession or distribution of narcotics or other controlled substances or drug paraphernalia, except as expressly permitted by law;
  - c. Abuse, misuse, sale, or distribution of prescription or over-the-counter medications;
  - d. Intentionally, or recklessly, causing a fire which damages University or personal property or which caused injury to any member of the community;
  - e. Intentional failure of any organized group to exercise preventative measures relative to violations of the Student Code of Conduct or other University policies by its members;
  - f. Violation of other published University policies or rules;
  - g. Violations of local, state or federal laws which affect the interests of the University community whether the violation occurs on or off campus;
  - h. Assisting in, inciting or condoning the violation of University policies or local, state or federal laws.

### **E. Interpretation and Revision**

Any question of interpretation of the Student Code of Conduct will be referred to the Director of Student Advocacy and Accountability, whose interpretation is final. The Student Code of Conduct will be reviewed annually under the direction of the Dean of Campus Life.

### **F. Filing a Report**

Any member of the University community, visitors and/or guests may file a report against any student for misconduct via the following URL: <https://www.uiw.edu/report>.

Reports are directed to the appropriate office based on the nature, location, and type of report filed. All reports should be submitted as soon as possible after the behavior occurs; however, the University may pursue an investigation at any point after the behavior occurs, at its discretion.

#### ***False Reports***

UIW will not tolerate intentional false reporting of incidents. It is a violation of the Student Code of Conduct to make an intentionally false report of any policy violation and it may also violate state criminal statutes and civil defamation laws.

#### ***Attempted Violations***

In most instances, UIW will treat attempts to commit any of the violations listed in the Student Code of Conduct as if those attempts had been completed.

#### ***University as Complainant***

UIW reserves the right to initiate an investigation, to serve as Complainant, and to initiate conduct proceedings without a formal report by the victim of the alleged misconduct.

### **Misconduct Online**

Students are cautioned that behavior conducted online, such as harassment or bullying via email, can subject them to University action. Students must also be aware that blogs, webpage entries on social media sites such as Facebook, Instagram, Snapchat, YouTube, Twitter, and other similar online postings are in the public sphere and are not private. These postings can subject a student to allegations of behavioral misconduct violations if evidence of such violations is posted online. The University does not regularly search for this information but may take action if and when such information is brought to the attention of University officials. Please see UIW's social media policy at: <https://my.uiw.edu/communications-and-branding/social-media-policy.html>.

### **Review of Reports**

Once a report is received, the appropriate office/administrator will conduct a preliminary investigation into the report, which may include contacting relevant parties for additional information. After any preliminary investigation takes place, one of the following options will be selected:

- *No Action* – The report either does not provide enough information to make a preliminary determination as to a Respondent or provide enough information in order to support an allegation of misconduct. The report may be kept on file for informational purposes.
- *Educational Conversation* – While the report contains relevant information regarding a potential violation, the behavior may not rise to the level of formal charges. The appropriate office/administrator will bring in any Respondent to have a discussion about the concerning behavior and what may occur should future reports be brought to the attention of the University.
- *Mediation* – Based on the information on the report, mediation to resolve the issue would be preferable to all parties involved instead of the behavioral misconduct process. If this is the case, the complaint will be referred to an appropriate office/administrator to begin mediation. All parties must agree to mediation and with any proposed outcome(s). Should mediation fail to come to an agreeable conclusion, the appropriate office/administrator may reserve the right to initiate the behavioral misconduct process.
- *Initiation of Behavioral Misconduct Process* – There is reasonable cause to support an allegation of misconduct under the Student Code of Conduct. Notice will be served to the Respondent as soon as possible to schedule a meeting.

Once a complaint has been received, and a determination has been made to initiate the behavior misconduct process, the applicable allegations will be considered pending until the process is completed and a determination has been made regarding responsibility for those allegations.

### **G. Behavioral Misconduct Procedures**

Should a student be involved in an alleged violation of the Student Code of Conduct, the procedures for the behavioral misconduct process are available on the Student Advocacy and Accountability website, [available here](#). The Director of Student Advocacy and Accountability may make any necessary modification to procedures that does not materially jeopardize the fairness owed to any party.

### **H. Acknowledgments**

The University of the Incarnate Word Student Code of Conduct is based upon Ed Stoner's Model Code and the Model Code of NCHERM authored by Brett A. Sokolow, Esq. Rights of use have been granted by NCHERM to the University of the Incarnate Word. No other use is permitted without the express permission of NCHERM.

## Section 6: COVID-19 Policies and Protocols

The dignity, health, and wellbeing of every member of the UIW community remain an institutional priority at the heart of our Mission. Every member of our community – including you – must do their part. We do this not just for ourselves but for the safety of others and because this is consistent with the Mission and spirit of how we care for one another at UIW.

UIW continues to monitor and work to mitigate COVID-19 risks and to amend its policies and procedures as necessary. Current policies, including the Statement of Shared Responsibility and Acknowledgment of Pandemic, can be found at <https://www.uiw.edu/covid-19/index.html>. Additionally, for more information, you can visit our [Cardinal Flight Plan](#) website.

UIW understands that the choice to receive a vaccine for COVID-19 is a personal choice for each member of the University community. Students are expected to always abide by all safety policies and protocols when visiting a UIW campus.

As a reminder, all students are required to report their potential or confirmed exposure or contraction of COVID-19 using the [online reporting form](#). Additionally, students are expected to follow all directions from health professionals regarding potential quarantine and/or isolation protocols following exposure/contraction of COVID-19.

Students who refuse to comply with COVID-19 policies and protocols will be subject to disciplinary action. Non-compliance may result in educational training(s), removal from residence halls, UIW campuses and/or dismissal from UIW.

## Section 7: Academic Policies

Academic policies can be found in the [Undergraduate Catalog](#) and [Graduate Catalog](#). Students should review these catalogs and be aware of the applicability of these policies in their coursework. Sections that students should make sure to review include, but are not limited to:

- [Policy on Academic Integrity](#)
- [Student Complaints](#)
- [Classroom Recording Policy](#) (pages 207-208)

Additionally, many of the University's academic policies may be found online at the UIW Course Policies, Guidelines and Accommodations website at: <https://www.uiw.edu/academics/academicpolicies.html>.

## Section 8: Alcohol and Other Drugs

To comply with the Drug Free Schools and Communities Act of 1989 and subsequent amendments, UIW policy expressly forbids possession and/or consumption of alcohol by students, employees or guests who are under the minimum legal drinking age of 21 years. Possession of drug paraphernalia and the use, manufacture, sale, or distribution of illegal drugs, whether on or off campus, by any student is also prohibited. Students and employees are also subject to all applicable legal sanctions under local, state and federal law for any offenses involving illicit drugs on University property or at University sponsored activities.

The University affirms that illegal drug use is wrong and harmful. The use of illegal drugs and alcohol abuse by students and employees could result in cognitive deficits, loss of productivity and other health risks. These risks include an increased incidence of accidents which may result in death or permanent injury. For information regarding the health effects of alcohol/drug use, the law and resources available to UIW students and staff, please see the appendices of this document. Students exhibiting signs of excessive alcohol consumption will, at a UIW Police officer's discretion, be transported via Emergency Medical Services (EMS), and at the student's expense, for medical attention. Refusal to cooperate with EMS personnel may result in arrest for Emergency Detention in order to ensure the student's health and safety.

### **A. Alcohol Policy**

The following sections describe UIW's policy regarding the sale, service, distribution, and consumption of alcoholic beverages on University property or at University sponsored events in accordance with federal, state and local laws.

1. Students who are 21 years of age or older are permitted to possess and consume alcohol in designated University housing rooms, if not residing with minors or if minors are not present. Students who are of legal drinking age may not share or provide alcohol to any students, employees or guests who are under 21 years of age.
2. Those under the minimum legal drinking age of 21 years are not permitted to possess or consume alcohol or provide alcohol beverages to others anywhere on University property or at University sponsored events.
3. Drinking games are prohibited on campus.
4. The University will not sell, serve or permit the sale of alcohol on campus except in specifically designated building or facilities named by the President of the University. The Dean of Campus Life will maintain a current list of those facilities authorized for an alcohol permit on a permanent or temporary basis.
5. Alcohol beverages may not be possessed or consumed in classrooms, hallways, residence hall lounges, on athletic grounds, in the pool area, or in campus public areas including parking lots, streets and sidewalks or any other area unless designated by the President of the University. Any area on campus can be designated for "temporary use" at the discretion of the President or Dean of Campus Life.
6. Alcoholic beverages may be sold, served, or consumed in special use facilities only if the activity is (a) in compliance with law, and (b) occurs at social gatherings approved by the Dean of Campus Life or the President of the University.
7. Any sponsoring person or organization must obtain prior written approval from the Director of Campus Engagement for the sale, service or consumption of alcoholic beverages for a specific event. The Dean of Campus Life reserves the right to deny the sale or consumption of alcoholic beverages at any event with sound reason.
8. The Director of Campus Engagement may approve alcoholic beverages at events meeting all the following conditions (a) The event is held in a special-use location, facility, or building; (b) The event is requested by an administrator, faculty, staff, student organization, University department or division; (c) The event will have a majority of individuals over 21 years of age in attendance; (d) Food is served and alternate non-alcoholic beverages are provided; (e) The sale and serving of alcoholic beverages be discontinued at least one hour before the event ends; (f) proper security for the event is provided at ticket booths and distribution areas where alcohol is sold and/or served and officers patrol the event location, and (g) Alcohol is dispensed by a licensed Texas Alcohol Beverage Commission (TABC) server or is BYOB\*. \*with permission
9. The Dean of Campus Life, UIW Police Chief, Director of Special Events, and Director of University Events and Student Programs (if student group or organization) will determine the adequate number of security officers for the event.



## **B. Procedures for Serving Alcohol on Campus**

1. A request for approval of service and consumption of alcoholic beverages at an on-campus event will be directed to the Dean of Campus Life at least thirty (30) business days prior to the event. Sponsors initiating such a request should obtain an "alcoholic beverage activity permit" from the Dean of Campus Life or the Director of Special Events.
2. At least fifteen (15) working days prior to the date of the proposed event, the sponsor should take the completed form to the Director of Special Events, who will inform the sponsor of any specific policy or procedural limitations regarding the use of the facility. If the Director of Special Events approves the proposed event, they will sign the "alcoholic beverage activity" permit and return it to the sponsor.
3. If the University's food service contractor will be used to serve the alcoholic beverages, the sponsor must contact the contractor at least fifteen (15) working days prior to the proposed event. The food service contractor should inform the sponsor of all requirements for service on the proposed date, and will coordinate TABC permits, if necessary.
4. The sponsor should then contact the UIW Police Chief at least fifteen (15) working days prior to the scheduled event in order to determine the need for officers at the scheduled event. The Director will assign the number of officers and assess the costs to be incurred by the sponsor. If they approve the proposed event, the Director will then sign the alcoholic beverage permit and return it to the sponsor.
5. The sponsor will deliver the form to the Dean of Campus Life. If the Dean approves the event, they will sign the form, notify the sponsor, and send copies to offices involved in coordination of the event.
6. After the Dean of Campus Life approves the event, the sponsor will notify the Director of Special Events who will then place the event on the University Calendar.
7. If a planned event is canceled, the sponsor is responsible for notifying the Dean of Campus Life, the UIW Police Chief, Special Events and Dining Services as soon as possible. The University will ensure that all permits required by the Texas Alcohol Beverage Commission (TABC) are approved prior to the activity.
8. Student organizations or groups should review the Student Organization Handbook - Requirement for Securing an Alcohol Permit at <https://www.uiw.edu/studentlife/organizations/index.html>.

## **C. Violations of the University Alcohol Policy**

UIW prohibits the unauthorized possession, use, or distribution of alcoholic beverages to others except as expressly permitted by law and UIW's Alcohol Policy. Students who violate these policies can expect significant sanctions, up to and including suspension or expulsion from the University. UIW's behavioral misconduct system allows parent/guardians to be notified when their student who is under 21 years old has been found responsible for violating the alcohol policy.

## **D. Illegal Drug Policy**

Possession of drug paraphernalia and the use, manufacture, sale, or distribution of illegal drugs, whether on or off campus, by any student is prohibited, in accordance with federal, state and local laws.

*Although the state of Texas permits the medicinal use of marijuana, federal laws prohibit the use, possession and/or cultivation of marijuana at educational facilities. The University will defer to federal laws and guidelines in regard to illegal drug usage at any University property, including University housing, or at University-sponsored off-campus events.*



## **E. Violations of the Illegal Drug Policy**

While recognizing that there is a need to address violations related to the use and/or possession of controlled substances, the University must address the education and well-being of all its students. Students who violate this policy can expect significant sanctions, up to and including suspension or expulsion from the University; additionally, sanctions will also the University's fundamental Mission of holistic education and the development of human potential. In addition to University-imposed sanctions, students are subject to all legal sanctions under federal, state and local law for any offenses involving illegal drugs on University property or at University-sponsored activities.

### **Section 9: Children on Campus Policy**

The University of the Incarnate Word celebrates the presence of children in the lives of our large campus family and UIW is committed to ensuring the health, safety and well-being of children. The University encourages safe, supervised campus visitations by children for the purposes of making decisions about their academic future, educational, cultural, or sporting events and camps. For purposes of this policy, a child is defined as a person under the age of 18.

The University campus grounds, and infrastructure are designed to provide an environment conducive to academic and occupational activities performed by students and employees. For reasons that include safety of children, and assuring professional efficient performance of academic pursuits, operations and services, the University has implemented this policy. This policy addresses health and safety matters relating to children on all premises owned and/or operated by the University of the Incarnate Word, including main campus, and St. Anthony Catholic High School. The policy applies to all students, visitors, vendors, guests and volunteers on all campus locations.

For the policy regarding employees' children on campus, please refer to the Employee's Children on Campus policy in the UIW Employee Handbook at <https://my.uiw.edu/hr/employee-handbook.html>.

#### ***Rules regarding children:***

1. As a matter of safety, children, while on campus, are to be attended at all times by the person responsible for the care of the child. This means that children may not be on campus except while in the active care of an adult parent, guardian or designated child-care person over age 18. Children may not be left unattended and unsupervised at any time in any location, including dormitory rooms, hallways, bathrooms, dining hall, library, Campus Life lounge, and recreational fields.
2. The University does NOT accommodate nor allow children in classrooms during class. However, faculty may allow short, non-routine classroom attendance by a child when accompanied by the parent/guardian. The presence of the child must not compromise classroom safety or the conduct of the class. This must be a rare circumstance that should not occur more than once a semester and not longer than 30 minutes.
3. Children are not permitted in any campus facility where obvious danger is present.
4. Children are not allowed in science and photographic laboratories, laboratory preparation areas, and art rooms as there is possible exposure to potentially harmful agents and substances, including, but not limited to chemicals, biological materials, or radiation sources.
5. Children are not permitted where any shop activity is conducted including grounds maintenance, vehicle maintenance, carpenter's shop, fabrication of instruments and laboratory apparatus, sewing, welding, machinery operation, or renovation activities.
6. Children are not permitted in any kitchen or other food preparation areas.

7. Children are not permitted in the recording, broadcast and music studios.
8. At all times when the child is on campus, the child is the sole responsibility and liability of the parent or legal guardian. The parent or legal guardian is responsible for any personal injury to University employees, students and guests, or property damage caused by the child, and the parent or guardian may be held liable.
9. Any accident/injury involving a child must be immediately reported to UIW Police at (210) 829-6030.
10. Children that are not in the active care of an adult parent or guardian are allowed on campus in the following situations:
  - a. While children are attending an organized and structured camp held on the campus of the University, such as a summer sports or academic camp.
  - b. Children at the University that are enrolled students, that are employed by the University, or on an internship. Note that before a child under the age of 18 is allowed in the workplace, they must complete the Hazard Assessment Request for Minors in the Workplace located on the Environmental Health Safety and Risk Management Blackboard Page.

Questions concerning this policy can be submitted to the Environmental Health Safety and Risk Management office at (210) 829-6035 or by email at [sgmcdani@uiwtx.edu](mailto:sgmcdani@uiwtx.edu).

## Section 10: Complaints

### Internal Complaint Processes

Any member of the University community, visitors and/or guests may file a complaint via the following URL: <https://www.uiw.edu/report>. Various forms are available depending on the type of information needing to be shared. Some forms may require individuals to log-in using their UIW credentials.

If you believe you have information that needs to be reported and you cannot access the online form, please contact the Office of Campus Life at (210) 829-6034. Other internal complaint processes are available on the [Student Complaints](#) website.

### External Complaint Processes

In most cases, these complaint processes require the student to exhaust all institutional complaint avenues before a complaint can be filed at the state or accrediting agency level. UIW students are advised to first attempt to resolve complaints through the University of the Incarnate Word's Internal Complaint Process.

### ***Texas Higher Education Coordinating Board (THECB)***

Pursuant to the United States Department of Education's Program Integrity Rule, the Texas Higher Education Coordinating Board (THECB) and the Texas Administrative Code (19 TAC § 1.110-1.120) require the University of the Incarnate Word – and all other Texas universities -- to provide all prospective and current students with the contact information of the state agency or agencies that handle complaints against postsecondary education institutions offering distance learning or correspondence education within that state in order for public and private higher education institutions to be eligible for federal Title IV funds.

Current, former, and prospective students may initiate a complaint with THECB by sending the required forms either by electronic mail to: [StudentComplaints@highered.texas.gov](mailto:StudentComplaints@highered.texas.gov), or by mailing forms to:

Texas Higher Education Coordinating Board  
Office of General Counsel  
P.O. Box 12788  
Austin, TX 78711-2788.

Facsimile transmissions of the forms are not accepted. Please visit the THECB website at <https://www.highered.texas.gov/links/student-complaints/> for all forms and additional process information.

***Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)***

In addition, the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) expects individuals to attempt to resolve the issues through all means available to the complainant, including following the institution's own published grievance procedures, before submitting a complaint to SACSCOC. To submit a student complaint for consideration, a formal complaint must be submitted in writing using the SACSCOC "Complaint Form," signed, with two copies sent to:

**President**

Southern Association of Colleges and Schools Commission on Colleges,  
1866 Southern Lane  
Decatur, Georgia, 30033-4097

SACSCOC will not act on anonymous complaints, complaints submitted electronically, complaints submitted on behalf of another individual, or complaints forwarded to the Commission. SACSCOC's full policy, including forms, is available at: <https://sacscoc.org/app/uploads/2020/01/ComplaintPolicy-1.pdf>

**Section 11: Free Speech**

UIW affirms every individual's right to freedom of expression and fosters the culture of tolerance and civility that is necessary for the accomplishment of its educational goals. The academic freedom of an educational institution can create a tension with the prohibition of harassing behavior. UIW is a community that values freedom of speech and expression. Like the First Amendment of the Constitution, freedom of expression at UIW has limitations, and the same is true here. Limitations on free speech include: endangering someone or threatening them; inciting violence; using "fighting words" directed at an individual or group that is directly provoking violence; defamation; obscenity; and discrimination that limits someone's educational or employment access and /or opportunities. UIW does not consider visual and /or aural demonstrations, depictions or conduct to be sexual harassment when there is a legitimate pedagogical context, such as material having an appropriate connection to course subject matter, or campus discourse on topics of political, artistic, or social issues.

## Section 12: Gambling

Students are expected to abide by the federal laws and the laws of the State of Texas prohibiting illegal gambling, including online gaming. Gambling for money or other things of value on campus or at University-sponsored activities is prohibited except as permitted by law. Such prohibited activity includes, but is not limited to: betting on, wagering on, or selling pools on any University athletic contest or event; possessing on one's person or premises (e.g., room, residence unit, car) any card, book or other device for registering bets; knowingly permitting the use of one's premises or one's telephone or other electronic communications device for illegal gambling; knowingly receiving or delivering a letter, package or parcel related to illegal gambling; offering, soliciting or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to sporting events.

## Section 13: Guest Speaker Policy

The University of the Incarnate Word is committed to its role as an academic institution in which a variety of ideas can be responsibly presented and critically examined. As the mission of our institution states: "The University of the Incarnate Word is a Catholic institution that welcomes to its community persons of diverse backgrounds, in the belief that their respectful interaction advances the discovery of truth, mutual understanding, self-realization, and the common good." Because the University is a teaching/learning community, it provides a forum for speakers and performances that will be of interest and benefit primarily to our students, the leaders of tomorrow, and faculty, and in some cases, the general public.

UIW recognizes that freedom of speech and academic freedom are an integral part of the University community. This policy on public speakers refers to presentations or performances that are intended for or open to the entire University or to the general public. It does not refer to or diminish the right of student organization advisors to invite guest speakers to a student organization meeting. As stated in the *Faculty Handbook*, "Instructors may schedule off-campus speakers to appear before classes. However, the instructor in charge of the class is completely responsible for the acceptability of such a speaker and his or her relevance to the course." This policy likewise recognizes the right of student organizations to hear presentations that reflect the interests for which the group was established.

**The goal is to encourage reasoned and respectful discussion about serious issues of the day, without the expectation of total agreement in the end.** UIW, as a not-for-profit institution, is obliged to comply with federal and state regulations which prohibit the support of political candidates, political parties or political positions pending before legislative bodies. The University does not sponsor programs designed to raise funds for political candidates, parties, or positions. UIW provides equal access to candidates and political opinions to stimulate the kind of debate that will educate our students about political agendas and issues that are important in the electoral process.

**The University values its identity as a Catholic University sponsored by the Sisters of Charity of the Incarnate Word. It seeks to balance diverse theological opinions within the Catholic community but does not provide a platform for attack or derision directed to the Catholic Church, its governance or doctrine or any other religions, beliefs or practices.** It does provide the space and opportunity to address difficult contemporary questions and does this in a way that advances understanding and does not silence contrary opinion.

## Procedures:

1. When an invitation to a speaker or performance group is being seriously considered, and before an invitation or contract is initiated, the student organization will give the Office of Campus Engagement the information about the speaker, topic, etc.
2. If the dean in discussion with the director, or faculty advisor sees no connection to or conflict with the UIW Speakers Policy, the event is cleared, and the student organization may proceed.
3. If the dean, after discussion with the director, or faculty advisor has concerns about the speakers or presenters involved or the content or topic being addressed, the next step will be to discuss the matter with the Provost, who in turn will seek guidance from knowledgeable experts on campus.
4. In light of the UIW Speakers Policy, and after sufficient dialogue, the Provost will make a determination about whether or not an invitation should be extended.
5. In the event of disagreement about the decision of the Provost, the President of the University will be consulted.

## Section 14: Harassment-Free Work and Learning Environment Policy

UIW is committed to providing a professional and collegial work and learning environment that values diversity and emphasizes the dignity, respect, and worth of every individual. Accordingly, no form of harassment or conduct which is inappropriate and that may lead to or suggest harassment is tolerated by or against all employees, students, vendors, contractors or any other individuals engaged in activities on behalf of UIW. UIW prohibits any harassment, bias or prejudice on the basis of an race, color, sex, gender, sexual orientation, citizenship status, ethnicity, national origin, age, marital status, disability, genetic information, gender identity or expression, veteran status, pregnancy, religion or any other characteristics protected by law.

The entire policy is published in the UIW Employee Handbook, Chapter 9: <https://my.uiw.edu/hr/employee-handbook.html>

### Reporting Violations of this Policy

Any student who believes that he or she has been subject to conduct that violates this policy or has information about or has witnessed any violation of this policy should immediately and directly notify his or her dean, supervisor, the Director of Student Advocacy and Accountability or the Director of Human Resources. If you do not feel that the matter can be discussed with your immediate supervisor, or if you are not satisfied with the way your complaint has been handled, you must contact the Director of Human Resources located on the Broadway campus or by telephone as published in the Campus Directory. Students having a complaint should report the harassment, to the Director of Student Advocacy and Accountability in person or by telephone as published in the Campus Directory.

Complaints related to the Sexual Misconduct Policy are required to report the allegations of sexual misconduct online via the Maxient system at the following website: [www.uiw.edu/titleix](http://www.uiw.edu/titleix) by clicking on the “Report an Incident” button or by using the “Report an Incident” link found on the bottom of the UIW homepage ([www.uiw.edu](http://www.uiw.edu)).

**Prompt reporting of possible harassment is essential so that the University can respond quickly and prevent problems from escalating. Never assume that the University is aware of the harassment. It is your responsibility to promptly report incidents of which you are aware.**

*As a Catholic institution of higher education sponsored by the Sisters of Charity of the Incarnate Word, the University of the Incarnate Word is, however, exempt from compliance with some provisions of certain civil rights laws, including some provisions of Title IX of the Education Amendments of 1972.*

## Section 15: Hazing

### **University Statement**

Involvement in student organizations and groups should offer students personal development, education, and enriching experiences. Hazing is a destructive and harassing activity that not only is in opposition to those goals, but also violates state and national laws. In turn, the University of the Incarnate Word regards any form of hazing as an unproductive and hazardous custom contrary to the Mission of UIW. The University of the Incarnate Word issues the following extension of the State of Texas law. Under the current law, individuals or organizations could be subject to fines and charged with a criminal offense for hazing.

According to the law, a person can commit a hazing offense by engaging in a hazing activity, but also by soliciting, directing, encouraging, aiding, or attempting another in hazing by knowingly or recklessly allowing hazing to occur or by failing to report in writing to the appropriate University official firsthand knowledge that a hazing incident has occurred. The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution for hazing under state law.

Because of UIW's dedication to the highest ideals of education and society, participation in hazing related activities is not consistent with membership in any University organization or group and will not be tolerated, whether the participation is as an instigator or as a victim. It is the responsibility of all organization officers or groups to ensure that this information is distributed, read and understood by all members of their organization. Ignorance of this information is not a defense to University disciplinary procedures, civil, or criminal liability.

### **Policy**

Hazing means any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization if the act:

1. is any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
2. involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
3. involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
4. is any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subdivision;
5. is any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Student Code of Conduct; other University policies; or local, state, or federal laws; or involves coercing the student to consume:
  - a. a drug;



- b. or an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated.

The law defines organization as fraternity, sorority, association, corporation, order, society, corps, club, or student government, a band or musical group or an academic, athletic, cheerleading, or dance team, including any group or team that participates in National Collegiate Athletic Association competition, or a service, social, or similar group, whose members are primarily students.

Any person who voluntarily reports a specific hazing incident involving a student to the Dean of Campus Life or other appropriate official of the institution is immune from civil or criminal liability that might otherwise be incurred or imposed as a result of the reported hazing incident if the person:

1. reports the incident before being contacted by the institution concerning the incident or otherwise being included in the institution's investigation of the incident; and
2. as determined by the Dean of Campus Life or other appropriate official of the institution designated by the institution, cooperates in good faith throughout any institutional process regarding the incident [report].

Immunity extends to participation in any judicial proceeding resulting from the report. A person is not immune if the person:

1. reports the person's own act of hazing;
2. reports an incident of hazing in bad faith or with malice [is not protected by this section].

**See Texas Hazing Laws: Title 2, G, Chapter 37, Subchapter F, 37.151.**

### **Public Notice**

As mandated by law, UIW will, before the first class day of the Fall and Spring semesters, provide each enrolled student a summary of the hazing policy and a copy of the UIW Hazing Report, which provides information on hazing committed on or off campus by an organization registered with or recognized by UIW. This report will include:

- The name of the organization;
- The date of the incident;
- The date the University began its investigation;
- A general description of the incident;
- The findings of the University or court;
- The sanctions and/or imposed by the University or court;
- The date the investigation was resolved.

This report will be updated to include information on any disciplinary process, no more than 30 days after the resolution of incident. Additionally, UIW will provide each student who attends student orientation a notice regarding the nature and availability of the UIW Hazing Report, including the report's Internet website address.

To report an incident or concern, go to: [www.uiw.edu/report](http://www.uiw.edu/report). To review the UIW Hazing Report, go to: <https://my.uiw.edu/student-advocacy-and-accountability/student-accountability/hazing-policy.html>.



The following policies and procedures are to be used to help transition a student to a safer and/or more conducive environment when remaining at the University is not in the best interest of the student or the University community. This policy encourages a student to withdraw voluntarily when medical conditions or psychological distress make a withdrawal necessary; it seeks to ease that transition and potential return to the University. When a student is encouraged to voluntarily withdraw from the University and that encouragement has been unsuccessful, an involuntary withdrawal under this policy may be implemented.

### **A. Student-Initiated Medical or Psychological Withdrawal**

Students may choose to withdraw from classes for medical or psychological reasons by going through the established University withdrawal procedures. Students who elect to withdraw from the University for medical or psychological reasons and are then absent for one full academic year are required to reapply for admission and will be treated as any other applicant for admission at that time (see: [Re-Admission Procedures](#) in the University Catalog). If there are pending administrative charges/concerns at the time of withdrawal, then the student's return may be treated similarly to a University-initiated withdrawal.

### **B. University-Initiated Medical or Psychological Withdrawal**

If a student is behaving in a way which is threatening or disruptive to others, the Associate Provost of Academic Support Services (or designee) may initiate these procedures. The Associate Provost of Academic Support Services (or designee) is empowered with the discretion to define within their professional judgment what is sufficiently threatening and/or disruptive to warrant invoking a University-Initiated Medical or Psychological Withdrawal.

#### ***1. Standard for Involuntary Withdrawal on the Basis of Threat of Harm to Others***

This section applies to all involuntary withdrawals from housing or from the University for any student who is at significant risk of harm to others as a result of a condition covered by disabilities law. When the potential for harm to others is present, involuntary withdrawal actions must consider whether the endangering behavior results from a condition of disability. If so, the student will be protected by Section 504 of the Rehabilitation Act of 1973. Under this federal statute, an individual with a disability may only be separated on the basis of this disability when they are not otherwise qualified to participate in the education program of the institution.

Disability here will unlikely be the qualified disability on record with the disability services office. Instead, protection of disability laws here comes from institutional perception and treatment of a student as an individual with a disability. The objective of this section is to determine whether it is more likely than not that a student is a direct threat.

A direct threat exists when a student poses a significant risk to the health or safety of others. A significant risk constitutes a high probability of substantial harm. Significance will be determined by:

1. The duration of the risk;
2. The nature and severity of the potential harm;
3. The likelihood that the potential harm will occur; and
4. The imminence of the potential harm.

The University must determine whether reasonable accommodations to policies, practices, or procedures will sufficiently mitigate the risk, unless those reasonable accommodations would cause undue hardship for the University.

Determining that a student is a direct threat requires an objective and individualized assessment and hearing conducted in accordance with section 16.b.4., below. The assessment must be based on a reasonable medical judgment that relies on the most current medical knowledge and/or on the best available objective evidence. This standard also applies to the reinstatement of a student who has been withdrawn. They are entitled to return upon showing they no longer pose a direct threat of harm to others.

## ***2. Status of Conduct Proceedings***

If the student has been accused of a violation of the Student Code of Conduct, but it appears that the student is not capable of understanding the nature or wrongfulness of the action, this policy may be activated prior to issuance of a determination in the conduct process. Interim suspension for threat of harm to others may also be imposed. If the student medically withdraws from the University, or another action is taken under these provisions following a finding that the student's behavior was the result of a lack of capacity, such action would suspend and expunge the pending conduct action. If the student is found not to be subject to withdrawal, conduct proceedings may be reinstated.

## ***3. Referral for Assessment or Evaluation***

The appropriate official (or Campus Assessment, Response and Evaluation (CARE) Team) may refer or mandate a student for evaluation by a campus or independent licensed psychiatrist or psychologist (or licensed professional counselor, social worker, licensed clinical social worker, etc.) chosen by the institution. Such evaluation may be ordered if it is believed that the student may meet the criteria set forth in this policy or if a student subject to conduct proceedings provides notification that information concerning a mental/behavioral disorder will be introduced.

Students referred or mandated for evaluation will be so informed in writing with personal and/or certified delivery and will be given a copy of these standards and procedures. The evaluation, conducted at the student's expense, must be completed within five business days from the date of the referral letter, unless an extension is granted by the office of the appropriate official. A student who fails to complete the evaluation in accordance with these standards and procedures, and/or who fails to give permission for the results to be shared with appropriate administrators, will be referred for conduct action.

## ***4. University-Initiated Withdrawal Hearing Procedures for Direct Threat of Harm to Others***

### ***a.) Administrative Hearing Option***

The Dean of Campus Life (or designee) will invoke informal resolution procedures to determine the need for involuntary withdrawal. This process is also known as an administrative hearing. In administrative hearings, medical and administrative evidence (e.g. CARE Team assessment) will be heard, and final determinations will be made, by the Dean of Campus Life (or designee).

If the medical evaluation and/or administrative assessment (e.g. CARE Team assessment) support the need for a withdrawal, the Dean of Campus Life (or designee) will render a written decision within two business days, barring exigent circumstances, stating the rationale for their determination. The decision will be delivered to the student directly or by certified means. If the determination is made that a withdrawal is warranted, the notification will include information regarding how long the withdrawal may endure, as well as specifying any conditions of reinstatement. If other actions are pending, the appropriate individuals will be notified and may proceed with their actions.

### *b.) Formal Hearing Option*

The student subject to an involuntary withdrawal may request a formal hearing in lieu of the administrative hearing described above. If the medical evaluation and/or administrative assessment (e.g. CARE Team assessment) supports the need for a withdrawal, a hearing will be scheduled before the Dean of Campus Life (or designee), the Director of Counseling Services, the Director of Health Services and/or other administrators as deemed appropriate. The student will be informed, in writing, with personal and/or certified delivery, of the time, date and place of the hearing. The student will be given at least two business days to independently review the psychological or psychiatric evaluation prior to the hearing. The student will be notified of who is expected to present information at the hearing and is expected to notify the Dean of Campus Life (or designee) of any witnesses the student intends to bring. The student may, at the discretion of the Dean of Campus Life (or designee), be assisted by an advisor in the hearing. The term advisor refers to an individual selected the student to assist during the proceedings, which includes but is not limited to, a parent, friend, faculty member, advocate, or legal counsel. While a student may have an advisor present to attend/advise, the advisor may not represent or speak on behalf of the student during a formal involuntary withdrawal hearing.

The student may present information about the necessity of involuntary withdrawal and the student will be given the opportunity to ask questions of others presenting information. The hearing will be conversational and non-adversarial; however, the Dean of Campus Life (or designee) will exercise active control over the proceeding, to include deciding who may present information. Formal rules of evidence will not apply. Anyone who disrupts the hearing may be excluded. There will be a single verbatim record, such as a tape recording, for all involuntary withdrawal hearings. The record will be the property of the University and maintained according to the University's record retention policy.

A written decision will be rendered by the committee within two business days, barring exigent circumstances, stating the rationale for its determination. The decision will be delivered to the student directly or by certified means. If the determination is made that a withdrawal is warranted, the notification will include information regarding when reapplication may be made, as well as specifying any conditions of reinstatement. If other actions are pending, the appropriate individuals will be notified and will proceed with their actions.

## **5. Appeals Process**

The determination of the involuntary withdrawal hearing, administrative or formal, is subject to appeal to the Associate Provost of Academic Support Services in accordance with the following process:

Students subject to involuntary withdrawal may petition for a review of the determination within three (3) business days of issuance of the hearing committee's written decision. All petitions must be in writing and delivered to the Associate Provost of Academic Support Services. Reviews will only be considered for one or more of the following purposes:

1. To consider new information which was unavailable at the time of the original hearing and could be outcome determinative;
2. To assess whether a material deviation from written procedures impacted the fairness or outcome of the hearing;
3. To decide if an involuntary withdrawal is disproportionate to the severity of the threat evidenced in the hearing;
4. To determine if the decision does not align with the information provided in the hearing or whether reasonable accommodations might mitigate the risk without a withdrawal; or
5. To assess whether bias on the part of a hearing committee member deprived the process of impartiality.

Except as required to explain the basis of new information unavailable at the time of a hearing, review of a hearing will be limited to the verbatim record of the initial hearing and/or all supporting documents. The review and appeal decision of the Associate Provost of Academic Support Services is final.

### **6. Readmission Following an Involuntary Withdrawal**

A student who is seeking reinstatement to the University after an involuntary withdrawal must receive clearance by providing the Associate Provost of Academic Support Services (or designee) with written evidence from a licensed medical or mental health professional that the student is no longer a direct threat to others and is otherwise qualified to participate in the UIW educational program.

## **Section 17: Missing Student Notification Policy & Procedure**

Pursuant to section 488 of the Higher Education Opportunity Act of 2008 and adapted from the UIW Police Missing Persons protocol, this policy and procedure will apply to all students residing in on-campus housing and in response to a missing student report.

A student may be considered a missing person by the University when their whereabouts are unknown and unexplained for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject's behavior patterns, plans or routines.

Any time a student is believed to be missing, whether or not the student is a campus resident, the appropriate police department should be contacted. The UIW Police Department, Dean of Campus Life, Director of Student Advocacy and Accountability, and/or the Director of Residence Life and Housing Operations will work together to locate missing students, notify appropriate local law enforcement, and check on the welfare of such students. As part of the residential check-in procedure and University enrollment process, all students are afforded the opportunity to provide, on a voluntary basis, contact information for individuals to be notified in case of emergency, and this emergency contact will serve as a contact if the student goes missing unless the student specifies otherwise. Registered contact information will remain confidential, accessible to campus officials and may not be disclosed except to law enforcement personnel in the furtherance of a missing person investigation.

Anyone who believes a student to be missing should report their concern to the UIW Police Department at (210) 829-6030. Many missing person reports in the University environment result from a student changing their routine without informing their roommates and/or friends of the change. Every report made to UIW Police will be followed up with an immediate investigation once a student has been missing for 24 hours, though instances of bizarre disappearances, suspected kidnapping, or potential crimes will be acted upon immediately when reported.

If a residential student is presumed to be missing, the University will notify the emergency contact, parent or legal guardian within 24 hours after it has been determined that the student is missing. For students under the age of 18, a call will be made to the custodial parents, regardless of who is designated by the student as the emergency contact. In the event that emergency contact notification is necessary, UIWPD will place the call.

The University official receiving the report will collect and document the following information at the time of the report:

- a) The name and relationship of the person making the report.
- b) The date, time, and location the missing student was last seen/contacted.

- c) The general routine or habits of the suspected missing student (e.g. visiting friends who live off campus, working a job away from campus) including any recent changes in behavior or demeanor)
- d) The missing student's cell phone number (if known by the reporter).
- e) Whether a local police department has been notified.

Upon notification from any entity that a student may be missing, the University may use any or all of the following resources to assist in locating the student:

- a) Call the student's room.
- b) Go to the student's residence hall room.
- c) Talk to the student's resident assistant, roommate and floor mates to see if anyone can confirm the missing student's whereabouts and/or confirm the date, time and location the student was last seen.
- d) Secure a current student ID or other photo of the student from a friend.
- e) Call and text the student's cell phone and/or any other numbers on record.
- f) Send the student an email.
- g) Check all possible locations mentioned by the parties above including, but not limited to: library, residence hall lounges, classroom and recreational facilities, etc.
- h) Contact or call any other on-campus or off-campus friends or contacts that are made known. This could include checking a student's social networking sites.
- i) Ascertain the student's car make, model and license plate number.
- j) Contact the Digital Infrastructure, Operations and Security Department to obtain electronic logs in order to determine the last time the student accessed the University network.

## Section 18: Parental Notifications

The University of the Incarnate Word reserves the right to notify parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The University may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations. The University of the Incarnate Word will attempt to contact the parents/guardians of a student to inform them of situations in which there is a health and/or safety risk. The University of the Incarnate Word also reserves the right to designate which University employees have a legitimate need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA) and will share information accordingly.

## Section 19: Pet Policy

The purpose of this policy is to provide for the health and safety of University of the Incarnate Word students, faculty, staff, and visitors and for the protection of UIW property. Rules have been established in order to meet the needs of pet owners while protecting UIW students, faculty, staff, and visitors who may use service animals, have fears, allergies, or which could cause a pet to interfere with that person's ability to work or study. For information on the UIW Pet Policy, please refer to specific information found at <https://my.uiw.edu/safety/index.html>.

### Creating and Distributing Printed Materials

UIW supports the freedom to publicize activities and distribute materials by internal or external entities relating to functions on and off campus, which benefit the University community and are consistent with UIW values. One original sample of the flyer must be submitted to the Campus Life Office for stamped approval. Approved flyers may be copied as necessary for distribution. Please allow two (2) business days turnaround time for approval.

The following posting guidelines are shared by the entire University community, to include students, faculty, and administration.

### Requirements for Materials

1. Posters cannot be larger than 3'x3' unless approved in advance by the Director of Campus Engagement.
2. Yard signs are permitted. A map indicating where the yard signs will be displayed, and the duration of time the signs will be posted must be submitted to the Communications and Marketing Office before the signs are posted on campus.
3. The materials used to chalk the sidewalks must be water-soluble, powder-based sidewalk chalk.
  - a. Chalking is a form of posting and must be approved when completing an Event Approval Form online. To fill out an Event Approval Form, please register at UIW Engage.
4. After your event is over, please take down all marketing materials within 24 hours. If that does not occur, we will impose a fine of \$25 per poster/sign removed with a total fine up to \$250. Future posters from your group/organization will not be approved until the fine is paid.

### Getting the Posters Approved

#### ***Student groups and external groups:***

1. You must get your posters approved by the Director of Campus Engagement in the Office of Campus Life.
2. Please bring one original and make copies after your flyer is approved. If your organization has multiple printed or color copies, a member of your organization must stamp and date the flyers in the Office of Campus Life once approved.
3. It is not the responsibility of the Office of Campus Life staff to post your approved flyers.

#### ***UIW departments/schools:***

1. Your poster design (artwork) must be approved by both the UIW Office of Printing Services and Graphic Design and the UIW Communications and Brand Marketing Office **before** the signs are printed/produced. You may submit to both offices simultaneously or to either office first and they will forward to the other respective office. This applies to yard signs and banners as well. Submit your request to PR@uiwtx.edu.

#### ***For all groups:***

1. Single event signage, which has been approved, may only post for a maximum of 30 days. Signage for events with multiple dates must receive special approval for extended posting durations.
2. Please allow 2 business days for approval through each appropriate office.

## Approved Posting Locations

All materials must be approved through the Office of Campus Engagement prior to material posting. After approval, there will be a Campus Engagement stamp with the date of last approved date for marketing. All student organization events must have been approved through UIW Engage prior to any promotions.

The Student Engagement Center has no location for physical marketing. Digital marketing can be submitted to include on the TV monitors. File guidelines and other helpful tips can be found in the 19-20 SEC Style Guide.

| Building              | Approved Location   |
|-----------------------|---|
| 1. Library            | Foyer only  |
| 2. Gorman             | Four corkboards on the first floor; two corkboards on the second floor  |
| 3. Nursing            | Two corkboards on the first floor (by back entrance)  |
| 4. Wellness Center    | One corkboard in foyer of wellness center   |
| 5. Bonilla            | Three corkboards on the first floor   |
| 6. Kelso Art Center   | One corkboard on the first floor; two corkboards on second floor; one corkboard on the third floor  |
| 7. Concert Hall       | No all campus posting - <b>band and orchestra only</b>  |
| 8. AT&T               | Three corkboards on the first floor; four corkboards on the second floor; four corkboards on the third floor, two corkboards on the fourth floor; three corkboards on the fifth floor |
| 9. Admin              | Seven corkboards on the first floor; three corkboards on the second floor; two corkboards on the third floor  |
| 10. Joyce             | One corkboard on the first floor  |
| 11. SEC               | <b>Digital posting only</b> (refer to 19-20 SEC Style Guide)  |
| 12. Residence Halls   | Give to Residence Life Office for RAs to post inside Residence Halls  |
| 13. Dining facilities | Speak with appropriate Sodexo/dining facility to specify approved locations. No windows.  |

## Posting Restrictions

- ◆ No material may be displayed without proper approval(s).
- ◆ No posters may be attached to glass doors, windows, painted and/or varnished surfaces.
- ◆ No posters/flyers allowed on the ground.
- ◆ Posters with alcohol as the primary emphasis are not allowed.
- ◆ The use of two-sided, electrical or duct-tape is not allowed.
- ◆ Covering another announcement or impairing an individual's line of sight is prohibited.
- ◆ No distribution on cars on-campus
- ◆ No posting on the Jordan Carillon Plaza, Westgate Circle, or the 1<sup>st</sup> and 2<sup>nd</sup> floors of the International Conference Center.
- ◆ No posting inside the parking garages.
- ◆ Chalking can only be on sidewalks, not on buildings, steps or other University property.
- ◆ No posting on lamp poles and other fixed structures.
- ◆ No distribution of flyers at campus events without prior approval.
- ◆ No posting on or inside campus elevators.
- ◆ All posting must be consistent with the Branding Guidelines: <http://www.uiw.edu/styleguide/>
- ◆ After your event is over, please take down all marketing materials within 24 hours.



Failure to adhere to this policy may result in losing the privilege to distribute or post printed materials on campus for a period of time to be specified by the Director of Campus Engagement.

### Section 21: Religious Association Policy

Students have the right to exercise their religious convictions and associate with religious, political, or other organizations of their choice, provided they do so in a manner that respects the rights of other members of the community and complies with the Student Code of Conduct. Students have the responsibility to respect the rights of other members of the University community to free exercise of their religious convictions and to free association with organizations of their choice.

### Section 22: Sexual Misconduct, Sexual Harassment, Stalking and Relationship Violence Policies

In accordance with the Campus SaVE, Violence Against Women Act (VAWA), as amended, Title IX, the Clery Act, and other state and federal laws, UIW is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from sexual misconduct, including sex based discrimination; sexual harassment; sexual assault; sexual exploitation; stalking; relationship violence (including domestic and dating violence), and retaliation. UIW is committed to addressing and working towards preventing crimes of sexual violence. The University requires the prompt reporting of any incidents. For more detailed information, please go to [www.uiw.edu/titleix](http://www.uiw.edu/titleix).

The University's Title IX Coordinator manages all concerns related to alleged violations of the University's Sexual Misconduct Policy, including sex-based discrimination; sexual harassment; sexual assault; sexual exploitation; stalking; relationship violence (including domestic and dating violence), and retaliation.

To report a complaint or incident of that nature, please go to [www.uiw.edu/titleix](http://www.uiw.edu/titleix) and click on the "Report an Incident" button or contact:

**Alex Salas**  
Director of Title IX  
Founders Hall, Fifth Floor  
210-283-6977  
[ansalas@uiwtx.edu](mailto:ansalas@uiwtx.edu)

### Section 23: Safe Harbor/Voluntary Disclosure

A student who has engaged in prohibited drug/banned drug or alcohol use is encouraged to seek assistance from the Office of Student Advocacy and Accountability by voluntarily disclosing use prior to a report of an alcohol or drug violation.

If the student seeks assistance prior to being identified as having violated this policy, the impermissible use will not be deemed an offense for purposes of determining sanctions under this policy. The Dean of Campus Life and the Director of Student Advocacy and Accountability will work collaboratively to enforce this policy and to support all students participating in the Voluntary Disclosure/Safe Harbor program. Any student entering the Safe Harbor program may be required to take a drug test (at the student's expense) to establish a baseline for follow up testing.

Upon requesting Safe Harbor, a student must meet with Dean of Campus Life or the Director of Student Advocacy and Accountability. This meeting must take place within 7 days of the student's request for Safe Harbor. The purpose of the meeting is to discuss the student's needs, and an initial plan to address the student's illegal alcohol or other drug use (e.g. substance abuse assessment, counseling, treatment, etc.).

While participating in the Safe Harbor program, the student must fulfill the planned requirements assigned by the Dean of Campus Life/Director of Student Advocacy and Accountability. (Requirements will include speaking/meeting with a counselor/therapist about their substance abuse, receiving a substance abuse assessment from an assigned agency, etc.). The student will be permitted to remain in Safe Harbor for a reasonable period of time as determined by their treatment plan.

If a student fails to meet with the Dean of Campus Life/Director of Student Advocacy and Accountability within the 7-day timeframe, the request for Safe Harbor is considered null and void, and the student is subject to all potential consequences of illegal drug use. Failing to complete the treatment plan and/or any other requirements from the Dean of Campus Life/Director of Student Advocacy and Accountability or designee, and/or having a positive test for any banned substance that indicates new use after entering the program will be deemed a first offense under this policy.

If a counselor/therapist determines that a student-athlete should not continue participation, the student-athlete will not be permitted to return to participation until re-entry into intercollegiate sports is deemed appropriate.

At the conclusion of the treatment plan, the student will be required to undergo a screening to verify that the student is free of illegal substances.

For questions about the alcohol or drug policy or available resources, please contact:

**Matthew Carpenter**  
Director of Student Advocacy and Accountability  
Telephone: (210) 805-5864  
Email: [macarpen@uiwtx.edu](mailto:macarpen@uiwtx.edu)  
Location: Student Engagement Center, Suite 3150

## Section 24: Sales and Solicitation Policy

Outside and for-profit groups are not allowed to sell items or solicit members of the University community on campus without prior approval from the Director of Campus Engagement. Please bring advertisement flyers to the Office of Campus Life for approval by the Director of Campus Engagement. Additionally, please refer to Section 18 of this document for the Posting Policy.

Canvassing or solicitation for funds, sales, or subscriptions is prohibited on campus or in University buildings unless written permission has been granted.

The sale of merchandise of any kind whatsoever, or publications or service on University property, other than by the regularly authorized stores, restaurants, departments or divisions of the University, is likewise prohibited except upon written permission of the Dean of Campus Life or their designee.

Any person violating this rule will be subject, upon proper notice, to eviction from campus property or arrest.

### Section 25: Smoke and Tobacco Free Policy

UIW is a tobacco free campus. Smoking and the use of tobacco products shall not be permitted on UIW campuses in any enclosed place, including, but not limited to, all offices, classrooms, hallways, waiting rooms, restrooms, meeting rooms, community areas, performance venues and private residential space housing. Smoking and the use of tobacco products shall also be prohibited outdoors on all campus property, including, but not limited to, parking lots, sidewalks, paths, fields, sports/recreational areas, and stadiums, as well as in all personal vehicles while on campus. This policy applies to all students, faculty, staff, and other persons on campus, regardless of the purpose for their visit. For complete smoking policy information, visit <https://www.uiw.edu/safety/smoking-policy.html>.

### Section 26: Social Media Policy

This policy applies to UIW students who use social media in either a professional or a personal capacity. Professional use includes contributing to UIW-sponsored or other social media sites while representing UIW in an official capacity. Personal use refers to students who use social media as part of their personal life. Some sample guidelines from the policy include:

- Exercise good judgment. Avoid comments, photos, videos or images that could be interpreted or perceived as slurs, demeaning, inflammatory, unduly suggestive, inappropriate or otherwise contrary to the University's Mission.
- Consider the public nature and longevity of comments before posting.
- Maintain clear lines between professional and personal social media activities.
- Avoid using the university's name to promote or endorse any product, cause, religious view, political party, candidate, etc.

For complete social media policy information, visit <https://my.uiw.edu/communications-and-branding/social-media-policy.html>. Violations of this policy will be investigated by the Office of Communications and Brand Marketing and/or the Office of Student Advocacy and Accountability, with appropriate sanctions imposed as necessary.

### Section 27: Student Organization Policy

Student organizations are established and registered at the University of the Incarnate Word for the purpose of complementing the educational program and furthering spiritual, intellectual, moral, social, physical and career development of students. These organizations provide students with opportunities for leadership, fellowship and self-government. Information regarding the UIW organizations is available to members of the University community. Student contact information (name, address, phone and office held) is not available to outside groups and is not to be disseminated by other members of the University community.

For more information about student organizations, please refer to the Student Organization Handbook, available at <https://www.uiw.edu/studentlife/organizations/index.html>.

## Section 28: Student Right to Know and Campus Security Act of 1990

The Student Right to Know and Campus Security Act of 1990 is a federal mandate which requires all current students and employees be provided with information on policies and procedures involving campus security, the reporting of criminal action or other emergencies, and the enforcement authority of security personnel. This information must also include descriptions of programs for students and employees about campus security and crime prevention, as well as statistics on the occurrence of specific crimes. Notification of the annual report is made by the UIW Police Chief and the full report is posted on the University website annually and written copies are available upon request.

## Section 29: Student Sales & Fundraising Policy

Sales will be conducted by registered student organizations only. Sales in stationary locations on campus must be approved by the Director of Campus Engagement and appropriate forms must be completed on UIW Engage before the event. No bake sales may be conducted in the vicinity of Hortencia's, located in the basement of the Administration Building. Individuals or organizations may not sell or solicit donations off campus in the name of the University unless prior authorization is given by the Office of Campus Engagement, and the Vice President for Development & University Relations.

## Section 30: Vendor Exhibitor Policy

Vendors are generally confined to exhibit space at the Student Engagement Center. The following guidelines address the nature of exhibits allowed in the UIW Student Engagement Center.

1. All exhibits must meet the guidelines of the Student Engagement Center and be consistent with the Mission of UIW.
2. The approval of all vendors is at the discretion of the Director of Campus Engagement. Some businesses have an exclusive agreement with the University to market on campus, which excludes other similar businesses.
3. Exhibitors/vendors are strictly prohibited from asking for personal information such as driver's license, social security, or credit card numbers, or taking copies or digital images of student information.
4. An individual or group that is selling a product must pay the specified fee or be sponsored by a registered student organization. The organization must turn in an Activity Approval Form in advance of the event and handle all aspects of the agreement for the percentage of the sales.
5. No hawking or calling out is permitted at any time.

**The University of the Incarnate Word is a weapons-free campus. UIW opted out of Texas Senate Bill 11, also known as “Campus Carry”.**

Pursuant to the Texas Penal Code, Sections 30.05 (Criminal Trespass), 30.06 (Trespass by License Holder with a Concealed Handgun), 30.07 (Trespass by License Holder with an Openly Carried Handgun), 46.01 (Weapons – Definitions) and 46.03 (Places Weapons Prohibited), the use, possession or carrying of any weapon, including but not limited to a handgun, by any person with or without a license on UIW property is prohibited and in violation of state law (exception: authorized weapon(s) carried by UIW Police officers while on duty or as otherwise specifically permitted by Texas law). Students are not permitted to store weapons in their vehicle while the vehicle is on University property.

Any UIW student violating this policy will be required to leave the premises immediately and not return until they have safely stored the weapon in a secure off-campus location. Violation of this policy may also result in disciplinary action, up to and including expulsion from the University. Guests or visitors of UIW carrying any weapon(s) will be advised of this policy and asked to immediately leave the premises. Individuals in violation of policy may also be subject to citation and/or arrest.

Any individual who becomes aware of someone on campus possessing a weapon should immediately report it to UIW Police at (210) 829-6030.

## Texas State Law and Alcohol

The Texas Alcoholic Beverage Commission (TABC) provides the following summary of Texas state alcohol laws and the mandatory legal sanctions imposed upon individuals found in violation of the law. For more information visit the TABC website: [https://www.tabc.state.tx.us/laws/underage\\_drinking\\_laws.asp](https://www.tabc.state.tx.us/laws/underage_drinking_laws.asp)

### Underage Drinking Laws

Minors who purchase, attempt to purchase, possess, or consume alcoholic beverages, as well as minors who are intoxicated in public or misrepresent their age to obtain alcoholic beverages, face the following consequences:

- Class C misdemeanor, punishable by a fine up to \$500
- Alcohol awareness class
- 8 to 40 hours community service
- 30 to 180 days loss or denial of driver's license

If a minor is seventeen years of age or older and the violation is the third offense, the offense is punishable by a fine of \$250 to \$2,000, confinement in jail for up to 180 days or both, as well as automatic driver's license suspension. A minor with previous alcohol-related convictions will have his or her driver's license suspended for one year if the minor does not attend alcohol awareness training that has been required by the judge.

### Penalties for Providing Alcohol to a Minor

Adults and minors who give alcohol to a minor also face a stiff penalty. The punishment for making alcoholic beverages available to a minor is a class A misdemeanor, punishable by a fine up to \$4,000, confinement in jail for up to a year, or both. Additionally, the violator will have his or her driver's license automatically suspended for 180 days upon conviction.

Persons 21 or older (other than the parent or guardian) can be held liable for damages caused by intoxication of a minor under 18 if the adult knowingly provided alcoholic beverages to a minor or knowingly allowed the minor to be served or provided alcoholic beverages on the premises owned or leased by the adult. Sale to a minor is a class A misdemeanor, punishable by a fine up to \$4,000, confinement up to a year in jail, or both.

### Zero Tolerance Law

In Texas it is illegal for a person under 21 to operate a motor vehicle in a public place while having ANY detectable amount of alcohol in their system. On September 1, 2009, this law was expanded to include watercraft in addition to motor vehicles.

- The consequences for the minor on the first offense of driving under the influence of alcohol:
  - Class C misdemeanor, punishable by a fine up to \$500
  - Attendance at an alcohol awareness class
  - 20 to 40 hours of mandatory community service
  - 60 days driver's license suspension. The minor would not be eligible for an occupational license for the first 30 days.
- A second offense increases the consequences to:
  - Class C misdemeanor, punishable by a fine up to \$500
  - Attendance at an alcohol awareness class at the judge's discretion
  - 40 to 60 hours of mandatory community service

- 120 days driver's license suspension. The minor would not be eligible for an occupational license for the first 90 days.
- A third offense:
  - is not eligible for deferred adjudication.
  - The minor's driver's license is suspended for 180 days and an occupational license may not be obtained for the entire suspension period.
  - If the minor is 17 years of age or older, the fine increases to \$500 to \$2,000, confinement in jail for up to 180 days, or both.

## Appendix B: Alcohol and Other Drugs – Education and Prevention Resources

### Required Programs for New Students

The University of the Incarnate Word provides online education regarding alcohol and other drugs and sexual assault prevention. All first year and new transfer students are required to take each of these online courses. The programs are offered free of charge to the student and must be completed by the posted deadline date to ensure eligibility for registration the following semester.

Below you will find each required module with a brief description of the material covered in each respective module:

- Alcohol and Other Drugs
  - Designed to educate students on the risks of the abuse of alcohol and other drugs, and to teach successful strategies for handling dangerous situations related to these substances.
  - The course features four modules: Your GPA, Your Brain, Your Peers and Your Life.
  - Each section provides extensive, research-backed evidence of the detrimental effects alcohol and other drugs can have, and how social skills and interactions can help reduce harm associated with these substances.
- Marijuana: What You Should Know
  - More and more states are legalizing recreational marijuana, which means that if you don't already live in a state where weed is legal, you might soon. Regardless of its legal status, your campus may have its own policies governing its use that could be stricter than the laws of your state. Whether you use it may come down to what you know about it. This course is designed to share facts about weed based on scientific research and dispel three key myths surrounding it:
    - 1) Everyone does weed.
    - 2) Weed doesn't affect academics.
    - 3) Weed doesn't have negative physical effects.
- Sexual Misconduct Prevention
  - Designed to educate students about consent, healthy relationships, bystander intervention, as well as the realities of sexual assault, dating violence, domestic violence, and more.
  - Featuring student presenters and survivors, the course includes scenarios, testimonials, and key advice for dealing with these crucial topics.
  - Contains additional educational materials, such as testimonials and scenarios, to reinforce key concepts.

### Resources and Prevention Education Opportunities

Students are encouraged to participate in co-curricular alcohol and other drug education/prevention programming offered throughout the year. The programming is both active and passive and is free to enrolled students. The activities include such events as: National Night Out, Guest Speakers, On-line programs; Risk



Management Training; Residence Life programming, etc.

### **Effects of Alcohol**

Alcohol affects every organ in the drinker's body and can damage a developing fetus. Intoxication can impair brain function and motor skills; heavy use can increase risk of certain cancers, stroke, and liver disease. Alcoholism or alcohol dependence is a diagnosable disease characterized by a strong craving for alcohol, and/or continued use despite harm or personal injury. Alcohol abuse, which can lead to alcoholism, is a pattern of drinking that results in harm to one's health, interpersonal relationships, or ability to work. Source: <https://www.drugabuse.gov/drugs-abuse/alcohol>

The National Institute on Alcohol Abuse and Alcoholism published the following information regarding the consequences of drinking and underage college students. For more information, visit these websites:

- <http://www.collegedrinkingprevention.gov/StatsSummaries/snapshot.aspx>
- <http://pubs.niaaa.nih.gov/publications/CollegeFactSheet/CollegeFact.htm>

### **What is Binge Drinking?**

Many college alcohol problems are related to binge drinking. Binge drinking is a pattern of drinking that brings blood alcohol concentration (BAC) levels to 0.08 g/dL. This typically occurs after 4 drinks for women and 5 drinks for men—in about 2 hours. Drinking this way can pose serious health and safety risks, including car crashes, drunk-driving arrests, sexual assaults, and injuries. Over the long term, frequent binge drinking can damage the liver and other organs.

### **How Much is a Drink?**

To avoid binge drinking and its consequences, college students (and all people who drink) are advised to track the number of drinks they consume over a given period of time. That is why it is important to know exactly what counts as a drink. In the United States, a standard drink is one that contains about 14 grams of pure alcohol, which is found in:

- 12 ounces of beer with 5 percent alcohol content
- 5 ounces of wine with 12 percent alcohol content
- 1.5 ounces of distilled spirits with 40 percent alcohol content

Unfortunately, although the “standard” drink amounts are helpful for following health guidelines, they may not reflect customary serving sizes. A large cup of beer, an overpoured glass of wine, or a single mixed drink could contain much more alcohol than a standard drink. In addition, while the alcohol concentrations listed are “typical,” there is considerable variability in alcohol content with each type of beverage.

### **Alcohol Poisoning and College Students**

Thousands of college students are transported to the emergency room each year for alcohol poisoning, which occurs when high levels of alcohol suppress the nervous and respiratory systems and the body struggles to rid itself of toxins produced from the breakdown of alcohol. Signs of this dangerous condition can include:

- Mental confusion, stupor, coma, or the person cannot be roused
- Vomiting
- Slow or irregular breathing
- Hypothermia or low body temperature, bluish or pale skin

Alcohol poisoning can lead to permanent brain damage or death, so a person showing any of these signs requires immediate medical attention. Don't wait. Call 911 if you suspect alcohol poisoning.

Source: <https://www.drugabuse.gov/drugs-abuse/alcohol>

## **Commonly Used Drugs and their Risks**

The National Institute on Drug Abuse provides the following information. Most drugs of abuse can alter a person's thinking and judgment, leading to health risks, including addiction, drugged driving and infectious disease. Most drugs could potentially harm an unborn baby; pregnancy-related issues are listed in the chart below for drugs where there is enough scientific evidence to connect the drug use to specific negative effects. To learn more about each of the following commonly used drugs, their street names, their possible long and short-term health effects, including combining them with alcohol, and treatment options, click on this link:

<https://www.drugabuse.gov/drugsabuse/commonly-abused-drugs-charts>

- Alcohol
- Ayahuasca
- Cocaine
- GHB
- Hallucinogens
- Marijuana
- MDMA (Ecstasy/Molly)
- Mescaline (Peyote)
- Methamphetamine
- Over-the-counter Cough/Cold Medicines (Dextromethorphan or DXM)
- Prescription Opioids
- Prescription Sedatives (Tranquilizers, Depressants)
- Prescription Stimulants
- Psilocybin
- Rohypnol© (Flunitrazepam)
- Salvia
- Steroids (Anabolic)
- Synthetic Cannabinoids
- Synthetic Cathinones (Bath Salts)
- Tobacco

## **Bystander Behavior**

There are four stages of bystander behavior:

1. Notice the event
2. Interpret it as a problem
3. Feel responsible for dealing with it
4. Possess the necessary skills to act safely

*How can you help?*

UIW is a community of students, faculty, staff, as well as our extended families and visitors. Everyone can step up to help, and not only during emergencies. You each can help another person make healthier choices every day and/or intervene or interrupt harmful behavior or speech that you witness. You can...

- Speak up when someone discusses plans to take advantage of or hurt another person;
- Offer to drive an incapacitated friend home from a party;
- Interject yourself into a conversation where another person seems unsafe;

- Call police when a person is yelling at another and it is safe to interrupt;
- Refuse to leave the area (and/or call police) if a person is trying to get you to leave so they can take advantage of another person;
- Speak up with people who use racist, sexist, or other harmful language;
- Encourage a friend/individual to explore resources to stop drinking or smoking;
- Confront people who seclude, hit on, try to make out with, or hook up with people who are incapacitated. Make sure the incapacitated person is safe and gets home safely;
- Ensure friends who are incapacitated do not leave the party or go to secluded places with others;
- Go out as a group and come home as a group – never separate and never leave your friend(s) behind;
- Ask a person you are worried about if they are okay. Provide options and a listening ear;
- Trust your instincts. If a situation doesn't seem "right" to you, trust your gut and remove yourself from the situation, if possible.

*What to do?*

Our community members are expected to alert appropriate officials in the event of any health or safety emergency – specifically including those involving the abuse of alcohol or drugs – even if violations of the Student Code of Conduct may have occurred in connection with such an emergency.

- Contact emergency officials by calling UIW Police at (210) 829-6030 or 911 to report the incident.
- Remain with the individual(s) needing emergency treatment and cooperate with emergency officials, so long as it is safe to do so.
- Meet with appropriate University officials after the incident and cooperate with any University investigation.

Adapted from: <http://police.uoregon.edu/sites/police.uoregon.edu/files/Bystander%20Accountability.pdf>