TABLE OF CONTENTS

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act 2
Campus security 3
Reporting crime 11
Crime definitions 14
Emergency preparedness at SMU 19
Monitoring and recording criminal activity 23
Crime on Campus Report 2014-2016 25
Alcohol and substance use policies, prevention and resources 33
Policies and procedures: Dating violence, domestic violence, sexual assault and stalking 36
Notification of missing students 76
Responsibilities of community members 77
Telephone numbers 80
Fire safety 82

The security and well-being of our community is a high priority to Southern Methodist University. The SMU Police Department and all other employees of the University are dedicated to keeping the campus a great place to live and work.

The main campus of SMU is located in the heart of Dallas in University Park – a traditional residential neighborhood just five miles north of downtown. The SMU-in-Plano campus is located at 5236 Tennyson Parkway in Plano, between the Dallas North Tollway and Preston Road. The SMU-in-Taos campus is located south of Taos, New Mexico, on Highway 518 between Ranchos de Taos and Peñasco. The campuses are located in some of the safest areas, but no campus is free from crime, whether it is urban, suburban or rural. All members of the University community, therefore, should take reasonable precautions and work together to make our campuses secure environments. The following information has been prepared to increase your awareness of current programs to assist you in protecting your safety and well-being. Portions are also provided in compliance with federal laws, specifically the Clery Act and the Higher Education Opportunity Act (HEOA).

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT

Pursuant to 20 United States Code Section 1092(f), also known as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act,” or the Clery Act, and the Code of Federal Regulations (CFR), each institution of higher education in the United States which participates in federal student aid programs must produce and distribute an annual report containing crime statistics and statements of security policy. Failure to provide required information or the inclusion of inaccurate information may result in fines up to $35,000 per violation imposed by the U.S. Department of Education.

The purpose of the Clery Act is to provide the campus community with accurate, complete and timely information about crime and the safety of the campus environment so they can make informed decisions to keep themselves safe.

Note that HEOA added whistleblower protection making it clear that nothing in the law shall be construed to permit a school to take retaliatory action against anyone with respect to the implementation of the regulations.

The Clery Act – Legal Requirements

- Publish an annual report every year by October 1 that contains three (3) years of crime statistics and certain security policy statements including sexual assault policies.

- Disclose crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus, and certain non-campus facilities, including Greek housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other University/College officials who have “significant responsibility for students and campus activities.”

- Provide “timely warning” notices of those crimes that have occurred and pose an “ongoing threat to students and employees.”

- “Disclose in a public crime log any crime that occurred on campus or within the patrol jurisdiction of the campus police and is reported to the campus police or security department.”
This publication, in keeping with the requirements of the Clery Act, is designed to aid in the cooperative effort of providing the public with specific information on campus security, crime statistics for the most recent three-year period, alcohol and drug use, crime prevention, police operations and authority, policies relating to reporting crime and campus disciplinary procedures.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained from the following sources: the SMU Police, the local Police Departments and non-police officials (as defined below). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law). Statistical information is requested and provided to the SMU Police by the employees at SMU Counseling Services and the Dr. Bob Smith Health Center, even though they are not required by law to provide statistics for the annual security report.

All of the statistics are gathered, compiled and reported to the University community via this report, which is published by SMU Police. The SMU Police Department submits the annual crime statistics published in this report to the Department of Education. The statistical information gathered by the Department of Education is available to the public through the Department of Education website.

Each year, a bulk e-mail notification is made to all employees and enrolled students regarding the availability of the Annual Security and Fire Safety Report. A printed copy of this report may be obtained by writing the SMU Police Department at P.O. Box 750334, Dallas, TX 75275 or by coming in person to the SMU Police Department administrative offices at 3128 Dyer Street in Patterson Hall during normal business hours Monday-Friday. This report is also published online at http://www.smu.edu/cleryreport.

**CAMPUS SECURITY**

**SMU MAIN CAMPUS**

Most campus buildings and facilities are accessible to members of the campus community, guests and visitors during normal business hours. Access to buildings after normal business hours, weekends and holidays is restricted unless they are sites for specific classes or special events. Some buildings may be accessed after normal business hours through prior approval of the building facility manager or through an exterior door card reader.

The exterior doors to all residence halls remain locked 24 hours a day. Unlimited access is available to residents of each particular facility via a card swipe access control system. Residents are encouraged to report all suspicious individuals to Residence Life and Student Housing staff (RLSH) or the SMU Police Department (SMU PD).

Visitors to the residence halls, as well as fraternity and sorority housing, must be accompanied by the resident being visited. Visitors to campus are welcome, but are expected to adhere to all campus regulations and policies. Visitors are encouraged to stop by the SMU Police Department located on the second floor of Patterson Hall for information on University regulations. The University reserves the right to restrict the access of any person who does not adhere to University policies and procedures. ANY person may be required, upon request by the SMU Police Department, to present identification while on campus.

Employees and students are required to have their SMU ID card in their possession at all times and to present it upon request by any University Official. An SMU ID card may be obtained at the Parking and ID Card Services Office, located at the Hughes-Trigg Student Center, 3140 Dyer St., Suite 216.

Security cameras are positioned at various locations on campus, including the entrances and exits of parking garages, some public plazas, libraries and areas that contain high-value artwork. These cameras are not monitored
at all times. However, they are equipped to digitally record activity within the field of view. The presence of security cameras should not preclude individuals from using good, common-sense crime prevention practices and exercising caution. SMU Police officers conduct routine security patrols of campus buildings to monitor safety concerns. Resident advisors also monitor security measures in residential buildings and report concerns as needed.

SMU works collaboratively with students to create and maintain an atmosphere that promotes academic success, personal growth and social awareness. Safety and security are shared responsibilities among residents and the University. Strong communities require the participation and cooperation of every resident. As a member of your community, you assume responsibility for what you do, including showing courtesy to others and respect for property. Our policies and Community Standards, given to all residents at check-in, outline reasonable expectations for conduct. We trust that all residents will make choices that promote a strong community and uphold these standards. Those who do not will be held accountable for their actions.

**SMU-IN-PLANO CAMPUS**

The SMU-in-Plano campus is located at 5236 Tennyson Parkway within the city limits of Plano. The campus is situated in Legacy Park East Business District. The campus is composed of four buildings utilized to conduct credit and non-credit courses, certification programs and conference services.

Most campus buildings and facilities are accessible to members of the campus community, guests and visitors during normal business hours. Access to buildings after normal business hours, weekends and holidays is restricted unless they are sites for specific classes or special events. Some buildings may be accessed after normal business hours through prior approval of the building operational manager. SMU works collaboratively with students to create and maintain an atmosphere that promotes academic success, personal growth and social awareness. Safety and security are shared responsibilities of everyone in the community.

**There are no residential facilities located on the SMU-in-Plano campus.**

Visitors to campus are welcome, but are expected to adhere to all campus regulations and policies. The University reserves the right to restrict the access of any person who does not adhere to University policies and procedures. Any person may be required, upon request by the Police Department or a University official, to present identification while on campus.

Employees and students are required to have an SMU ID card in their possession at all times and to present their SMU ID card upon request by a University Official. For information about obtaining an SMU ID card, go to [www.smu.edu/BusinessFinance/CampusServices/ParkingAndIDCardServices](http://www.smu.edu/BusinessFinance/CampusServices/ParkingAndIDCardServices).

Faculty, staff, students, guests and visitors are encouraged to report all suspicious people to SMU-in-Plano staff or the Plano Police Department. The Plano Police Department conducts random security patrols of the Plano campus.

**SMU-IN-TAOS CAMPUS**

The SMU-in-Taos campus, Fort Burgwin, is located outside the city limits of Taos, New Mexico. It is situated in the mountains south of town and is surrounded by Carson National Forest. In addition to Fort Burgwin, SMU owns the land across the highway that includes the Pot Creek Pueblo archaeological site.

The Fort is composed of academic/administrative buildings, a library and computer center, recreation areas, hiking trails, a cafeteria and residential facilities called casitas. Students reside in casitas that are not open to the public or visitors. The campus is rugged, heavily forested and consists of gravel and dirt roads. The National Park Service regulates how much exterior lighting may be installed in the area; caution should be taken when walking...
alone due to rugged terrain and wild animals. The area around Fort Burgwin is sparsely populated, and little crime is reported.

Most campus buildings and facilities are accessible to members of the campus community, guests and visitors during normal business hours. Access to the buildings after business hours is restricted unless they are sites for specific classes or events.

SMU employs two security guards at the Fort Burgwin campus. Resident advisors also do checks of the residential facilities every evening in coordination with the security guards. The security guard on duty patrols the campus and responds to calls for service. Resident advisors also respond to calls for assistance in the evenings after the security guards have gone off duty. Additionally, students may talk to the security guards about security and crime prevention issues. The Fort falls within the jurisdiction of both the Taos County Sheriff’s Department and the New Mexico State Police.

SMU works collaboratively with students to create and maintain an atmosphere that promotes academic success, personal growth and social awareness. Safety and security are shared responsibilities among residents and the University. Strong communities require the participation and cooperation of every resident. As a member of your community, you assume responsibility for what you do, including showing courtesy to others and respect for property. Our policies and Community Standards outline reasonable expectations for conduct. We trust that all residents will make choices that promote a strong community and uphold these standards. Those who do not will be held accountable for their actions.

Visitors to Fort Burgwin are not allowed into the residential area and are required to stay in the common areas and buildings. Signage identifies those areas that are open to the public, and also instructs visitors to check in at the main office during business hours. Visitors to campus are welcome, but are expected to adhere to all University regulations and policies. Visitors are encouraged to contact the Administrative Offices for information on University regulations. The University reserves the right to restrict the access of any person who does not adhere to University policies and procedures. Any person may be required, upon request by any University official, to present their SMU ID card while on campus.

Faculty, staff, students, guests and visitors are encouraged to report all suspicious people to the SMU-in-Taos staff or the SMU security guards.

**MAINTENANCE, GROUNDS AND LIGHTING**

**SMU MAIN CAMPUS**

University facilities, lighting and landscaping are maintained so as to reduce hazardous conditions. The University has emergency blue-light phones installed throughout the campus. University police officers regularly test the emergency phones. Officers also routinely report the need for replacement lights and any other physical hazard they note. Malfunctioning lights or other unsafe conditions are reported to the Office of Facilities Planning and Management for repair or correction. An Annual Lighting Walk is coordinated by the Women & LGBT Center, Facilities and students during the fall term.

**SMU-IN-PLANO CAMPUS**

University facilities, lighting and landscaping are maintained so as to reduce hazardous conditions. Malfunctioning lights and other unsafe conditions are reported to the Facilities Office in Building 3 for repair or correction.
SMU-IN-TAOS CAMPUS

University facilities, lighting and landscaping are maintained so as to reduce hazardous conditions within the limits allowed by Fort Burgwin’s remote location. Many restrictions are in place due to the fort’s location surrounded by a national forest. Malfunctioning lights and other unsafe conditions are reported for repair or correction to the facilities manager.

SECURITY AWARENESS PROGRAMS

SMU MAIN CAMPUS

The SMU Police Department conducts crime prevention and information sessions at each scheduled student/parent orientation meeting. Prospective students and parents are encouraged to ask questions relating to safety and security. They are presented with information on how to obtain a copy of the Annual Security and Fire Safety Report. At the beginning of the academic year, the Police Department briefs incoming international students and all students who live in the residence halls. Upon invitation, the department provides crime prevention programming to student organizations and faculty/staff gatherings. Officers are encouraged to make unscheduled “crime prevention contacts” with students and employees of SMU as they patrol the campus.

Crime prevention is a tool utilized to encourage students, faculty and staff to be aware of ways to reduce their chances of becoming victims of crime. While it is impossible to prevent all crime, awareness is the key to preventing the opportunity for crimes to be committed. SMU urges students and employees to be aware that every community member plays a role in campus security and to take responsibility for their security and the security of others. SMU Police provide crime prevention education to a number of student and community groups on campus, and they are available upon request; 214-768-3333. SMU Police conduct crime prevention and community policing programs in every residence facility each semester.

Educational and prevention programs on sexual misconduct are coordinated and provided by the Office of Violence Prevention & Support Services, SMU Counseling Services and the Women & LGBT Center. SMU’s Title IX Coordinator in the Office of Institutional Access and Equity also can provide assistance and information; 214-768-3601.

Information about sexual misconduct prevention, policies, reporting procedures and campus and community resources that support students is available at smu.edu/sexualmisconduct. Posters summarizing this information are distributed across campus.

More information is provided below in the section “Policies, Procedures and Programs: Dating Violence, Domestic Violence, Sexual Assault and Stalking.”

SMU-IN-PLANO

The SMU Police Department conducts security awareness programs at this location when requested by the facilities staff. SMU-in-Plano contracts with a third-party vendor to provide security guard services to the campus in the evening and weekend hours of operation. Security of the campus is augmented by random patrol by the Plano Police Department.

SMU-IN-TAOS

SMU employs two security guards at the Fort Burgwin campus. Resident advisors also check residential facilities every evening in coordination with the security guards. The security guard on duty patrols the campus and responds to calls for service. Resident advisors also respond to calls for assistance in the evenings after the
security guards have gone off duty. The Fort falls within the jurisdiction of both the Taos County Sheriff’s Department and the New Mexico State Police.

**EMERGENCY NOTIFICATION PROTOCOL**

SMU attempts to provide timely notification and instructions in case of an emergency on campus or one that affects the campus. SMU makes use of multiple modes of communication, both high and low tech, to achieve notification: Redundancy is important when attempting to reach a diverse community of an urban University.

Those in active or imminent danger will receive emergency alerts that contain directives, i.e. actions that should be taken to enhance personal safety, such as evacuation of a building or area, seeking shelter when outdoor conditions are hazardous or executing lockdown during intruder or shooter situations.

Emergencies that directly threaten life safety require notification. Initial notifications will be guided by the information reported by the first emergency responders on the scene (police and/or fire, EMS). Subsequent notifications will contain updates or more detailed information as it becomes available to SMU and other officials. The breadth and timing of notification for any type of emergency will depend upon the individual incident, using these guidelines:

*Campus-Wide Emergency*

Emergencies of this scope affect, or have the potential to affect, the entire campus. Examples of this type of emergency include but are not limited to a confirmed tornado approaching the main campus or a known active shooter at large on campus.

During a campus-wide emergency, notification will be made to students, faculty and staff using multiple, redundant communication modes (both high- and low-tech), such as text messages, cellphone calls, e-mails, social media posts, building enunciator systems, police vehicle loudspeakers and word of mouth.

Follow-up information during a campus-wide emergency will be sent using one or more of the following modes of communication: additional texts, email, social media, SMU website, police bullhorns, public address systems and campus fliers.

It is important to note that within the first few hours of an emergency situation, full information about the emergency may not be immediately available. In those cases, until the exact nature of the emergency or threat is known, students, faculty and staff may receive preliminary information with instructions for protective action, to be updated as more details become available.

*Limited-Area Emergency*

Emergencies of this scope affect a limited area of campus, or perhaps adjacent to campus. An example might be a small fire or flooding in a building that requires evacuation but is otherwise contained. Officials will restrict access to the affected area.

In a limited-area emergency, notifications are not sent to all students, faculty, and staff; rather, SMU will inform the people within the affected areas by selecting communication modes that target the impacted area. A targeted communication protocol aims to minimize the arrival of observers who may put themselves in danger and/or interfere with police activity. SMU may inform the broader campus at any point during or after the emergency has been resolved, depending on the circumstances of the emergency. Communication modes could include, but would not be limited to, building enunciators, texts, email, social media, SMU website and campus fliers.
For more information on emergency preparedness and procedures, see www.smu.edu/businessfinance/riskmanagement/emergency

**SILENT WITNESS ANONYMOUS REPORTING PROGRAM**

The Silent Witness Anonymous Reporting Program provides SMU community members and other persons with a way to report suspicious or criminal activity while remaining anonymous. Anonymous tips may be provided in two different formats. A person may call **214-SMU-2TIP** (214-768-2847) to provide information anonymously via a voice-recorded phone line. This phone line is not answered, and the caller’s number is not received or traced. Information may also be provided online at http://www.smu.edu/2tip. A person completes an online form, which is sent via untraceable e-mail, directly to the Police Department.

**Your anonymous tip could stop a crime.** By calling the 2TIP phone line or utilizing the 2TIP webpage and providing information on suspicious or criminal activity, individuals may assist police in protecting the campus while maintaining their anonymity. Help us protect your campus, and be a silent witness.

**SMU SAFETY ESCORT BY TAPRIDE (MAIN CAMPUS ONLY)**

SMU Safety Escort by Tapride is provided by the Parking and ID Card Services Office. Free rides are provided when classes are in session during the fall and spring terms from 7 p.m. to 3 a.m. daily (hours are subject to periodic adjustment). Campus community members may request a ride by downloading and using the Tapride app. For more information, visit www.smu.edu/BusinessFinance/CampusServices/ParkingAndIDCardServices/parkingservices/TapRide.

**DRIVER ASSISTANCE PROGRAM (MAIN CAMPUS ONLY)**

SMU Police and Parking Services offer the **Driver Assistance Program, or DAP.** DAP will assist with jump-starts, gas, tire inflation and lock-outs. Services are available only on the main campus. The responder will be in a Parking Services golf cart or an SMU Police patrol vehicle. Call 214-768-3388, 24 hours a day, 7 days a week.

**SECURITY ESCORT PROGRAM (MAIN CAMPUS ONLY)**

There are times when people feel the need for extra security. This could be due to a personal issue or other security concern. The SMU Police Department will provide security escorts to all locations on campus 24 hours a day. Students may request a ride by calling the Police Department’s non-emergency number, 214-768-3388, or by using a “blue-light” emergency phone.

**OPERATION ID (MAIN CAMPUS ONLY)**

This is an ongoing program that involves engraving a driver’s license or student identification number on valuable items of personal property. Engravers are available at the SMU Police Department.

**SMU RIDES PROGRAM (MAIN CAMPUS ONLY)**

When classes are in session, SMU Rides is available to students 24 hours a day and can be used for any reason. It is especially designed for situations when students might lack cash, but need a safe way to get back to campus. SMU Rides can be used anywhere and at any time. The student’s SMU account will be charged for the full cost of the ride. Students must provide their SMU ID number when calling and show their SMU ID card when entering the cab. Call 214-768-RIDE (7433).
MONITORING OF OFF-CAMPUS STUDENT ACTIVITY

SMU MAIN CAMPUS

When an SMU student is involved in an off-campus incident at locations of student organizations officially recognized by the institution, SMU Police officers may assist with the investigation in cooperation with local, state or federal law enforcement. University Park Police routinely work and communicate with campus police officers on any serious incident occurring in the immediate neighborhood and business areas surrounding the campus. Many students live in the neighborhoods surrounding SMU. While University Park Police have primary jurisdiction in all areas off campus, SMU Police officers can and do respond to student-related incidents that occur in close proximity to campus. SMU Police officers have direct radio communications with the University Park Police, Highland Park DPS, University Park Fire Department and EMS Services to facilitate rapid response in any emergency situation.

SMU-IN-PLANO

When an SMU student is involved in an off-campus incident at locations of student organizations officially recognized by the institution, SMU Police officers may assist with the investigation in cooperation with local, state or federal law enforcement. The Plano Police Department routinely works and communicates with the SMU Police Department on any serious incident occurring in the immediate neighborhood and business areas surrounding the Plano campus.

SMU-IN-TAOS

When an SMU student is involved in an off-campus incident at locations of student organizations officially recognized by the institution, the SMU security guard or the SMU Police Department may assist with the investigation in cooperation with local, state or federal law enforcement. The Taos County Sheriff’s Office and the New Mexico State Police routinely communicate with the SMU-in-Taos staff on any serious incidents occurring in the immediate areas surrounding the Taos campus.

AUTHORITY AND JURISDICTION OF THE UNIVERSITY POLICE

LAW ENFORCEMENT AUTHORITY: SMU MAIN CAMPUS

SMU Police Officers are licensed by the Texas Commission on Law Enforcement Officer Standards and Education. These officers are sworn law enforcement officers commissioned under the provisions of the Texas Education Code § 51.212 and are vested with all of the powers, privileges, and immunities of peace officers while on the property under the control and jurisdiction of Southern Methodist University or otherwise in the performance of their assigned duties.

The SMU Police Department has the responsibility and duty to enforce campus regulations and all local, state, and federal laws. SMU Police Officers carry firearms and may arrest violators and refer them to the judicial system for prosecution. Criminal violations are processed through the Dallas County District Attorney’s Office, or Federal Criminal Justice System. Officers may also issue citations for the City of University Park and the Justice of the Peace, Precinct 3-1. SMU PD has an MOU (Memorandum of Understanding) with University Park Police Department, Highland Park Department of Public Safety and the Dallas Police Department.

Municipal Law Enforcement Jurisdiction

The majority of the main campus of Southern Methodist University lies within the city limits of University Park. University Park, Texas, is a community of over 23,000 people occupying 3.7 square miles. University Park was
developed around the SMU campus. The University Park Police Department (UPPD) employs 36 licensed and sworn police officers and has concurrent jurisdiction with SMU PD on the campus. University Park police officers regularly patrol the campus and augment SMU PD when necessary. The University Park Fire Department (UPFD) is within six blocks of the SMU campus and provides firefighting and emergency paramedic services to the campus. Through interagency agreements, the City of University Park, the Town of Highland Park DPS, the Dallas Police Department, Dallas County Sheriff’s Department and the Texas Rangers will also provide assistance if requested by the SMU Police Department.

A section of the east side of the main campus lies within the Dallas city limits. The SMU Police Department and the Dallas Police Department share concurrent jurisdiction in this area.

**LAW ENFORCEMENT AUTHORITY: SMU-IN-PLANO**

Security of the campus is augmented by random patrol of the Plano Police Department. Reports of criminal activity may be reported to the facilities staff, security guards or the Plano Police Department. The Plano Police Department has the responsibility and duty to enforce all local, state and federal laws and to effect arrests and refer criminal cases to the City of Plano and Collin County judicial systems. Criminal violations will be processed through the Collin County District Attorney’s Office or Federal Criminal Justice System. SMU PD does have an MOU with the Plano Police Department.

*Municipal Law Enforcement Jurisdiction*

Plano Police officers regularly patrol the campus and augment SMU PD during criminal incidents and emergencies. The Plano Police Department and the Plano Fire Department are within a one-block radius of the Plano campus and provide police services, firefighting and emergency paramedic services to the campus.

**LAW ENFORCEMENT AUTHORITY: SMU-IN-TAOS**

SMU-in-Taos employs two security guards at the Fort Burgwin campus. When students are present, the security guard on duty patrols the campus and responds to all criminal incidents and calls for service.

New Mexico state law prohibits SMU security guards from performing law enforcement functions at private universities in the state of New Mexico. In the event of a criminal offense or emergency situation, the SMU security guard coordinates the investigation through the New Mexico State Police or Taos County Sheriff’s Department as required.

SMU security guards have complete University Judicial Authority and are permitted to refer any student violating local, state or federal laws to the campus representative from the Office of the Dean of Student Life who lives on campus. Students may also be referred for violations of the Student Code of Conduct. SMU PD does not have an MOU with the New Mexico State Police or the Taos County Sheriff’s Department.

*Municipal Law Enforcement Jurisdiction*

In addition to the SMU security guard on campus, the campus falls under the jurisdiction of both the Taos County Sheriff’s Department and the New Mexico State Police. Taos County EMS will respond for medical emergencies, while the Taos Fire Department and National Forest Service firefighters will respond for reports of fire.
REPORTING CRIME

PROCEDURES FOR REPORTING CRIMES AND OTHER EMERGENCIES

SMU MAIN CAMPUS

All University community members and guests of the University are urged to report suspected criminal activity to the police. Fires, health emergencies, crimes and police-related violations of University policies and procedures should be reported to the SMU Police Department either in person at 3128 Dyer Street, Room 200, Patterson Hall, or by dialing 911 on a campus phone or 214-768-3333. Also located throughout the campus are conspicuously placed, lighted emergency (blue-light) telephones with direct lines to the SMU Police Department to facilitate reporting.

The department also has a Silent Witness Program, in which community members can provide information regarding suspicious and criminal activity without providing their identity. Anonymous tips may be provided in two different and confidential formats. A person may call 214-SMU-2TIP (214-768-2847) to provide information anonymously via a voice-recorded phone line. Information may also be provided at www.smu.edu/2tip through an online form, which is sent via untraceable e-mail, directly to the Police Department. The tip generates a report, and the incident is investigated if there is enough information given in the description.

In order for SMU Police to include crimes in the annual disclosure of crime statistics and access them for a timely warning, the SMU Police Department does not allow for voluntary, confidential reporting of alleged criminal incidents.

Community members are encouraged to report all crimes, including off-campus incidents. The SMU Police Department will assist community members in reporting all off-campus incidents to the appropriate law enforcement agencies. Local law enforcement agency phone numbers are listed in the Helpful Phone Numbers section at the end of this report.

SMU-IN-PLANO

All SMU community members and guests of the University are urged to report suspected criminal activity to the police as soon as possible. Fires, health emergencies and all criminal activity should be immediately reported to the Plano Police Department via the 911 system and then to personnel in the Facilities Office in Building 3, Room 134, or the administrative offices in Building 4, Room 112. Violations of University policies and procedures by anyone may be reported to other University officials, including the Office of the Dean of Student Life, 214-768-4564.

SMU-in-Plano also has access to the Silent Witness Program, in which community members can provide information regarding suspicious and criminal activity without providing their identity. Anonymous tips may be provided in two different and confidential formats. A person may call 214-SMU-2TIP (214-768-2847) to provide information anonymously via a voice-recorded phone line. Information may also be provided at www.smu.edu/2tip through an online form, which is sent via untraceable e-mail, directly to the Police Department. The tip generates a report and the incident is investigated, if there is enough information given in the description.

In order for SMU Police to include crimes in the annual disclosure of crime statistics and access them for a timely warning, the SMU Police Department does not allow for voluntary, confidential reporting of alleged criminal incidents.
SMU-IN-TAOS

All SMU community members and guests of the University are urged to report suspected criminal activity to the police as soon as possible. Fires, health emergencies and all criminal activity should be immediately reported to the Taos County Sheriff’s Office via the 911 system, the SMU security guard or the program director. Violations of University policies and procedures by anyone may be reported to other University officials, including the Office of the Dean of Student Life, Room 302, Hughes-Trigg Student Center (main campus), by calling 214-768-4564, or by contacting the Student Life staff member who resides on the SMU-in-Taos campus throughout the year, 575-758-7208.

SMU-in-Taos also has access to the Silent Witness Program, in which community members can provide information regarding suspicious and criminal activity without providing their identity. Anonymous tips may be provided in two different and confidential formats. A person may call 214-SMU-2TIP (214-768-2847) to provide information anonymously via a voice-recorded phone line. Information may also be provided at www.smu.edu/2tip through an online form, which is sent via untraceable e-mail, directly to the Police Department. The tip generates a report and the incident is investigated, if there is enough information given in the description.

In order for SMU Police to include crimes in the annual disclosure of crime statistics and access them for a timely warning, the SMU Police Department does not allow for voluntary, confidential reporting of alleged criminal incidents.

RESPONSE TO REPORTED INCIDENTS

Dispatchers are available at the SMU Police Department 24 hours a day to answer calls. In response to a call, SMU PD will take the required action, either dispatching an officer or asking the victim to report to SMU PD to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record.

SMU PD incident reports involving students are forwarded to the Office of Student Conduct & Community Standards for review for potential action, as appropriate. Matters involving Title IX violations are also reported to the University’s Title IX Coordinator. SMU PD Investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Office of Student Conduct & Community Standards if the incident involves students.

If assistance is required from the local Police Department or the local Fire Department, SMU PD will contact the appropriate unit. If a sexual assault should occur, staff on the scene, including SMU PD, will offer the victim a variety of services, including transportation to the Sexual Assault Nurse Examiner (SANE) program at Texas Health Presbyterian Dallas, confidential counselors and information about pursuing criminal charges and an internal grievance process under SMU’s Title IX Harassment Policy.

At the Plano and Taos campuses, security will respond as appropriate and will summon the appropriate local police department to respond to and investigate reports of criminal activity.

REPORTING CRIMES TO OTHER CAMPUS SECURITY AUTHORITIES

WHO ARE CAMPUS SECURITY AUTHORITIES?

The Clery Act mandates that institutions must disclose statistics both for crimes reported to local police agencies and crimes reported to campus security authorities. Campus security authorities include the following:
• A member of a campus police department or a campus security department of an institution.

• Any individual or individuals who have responsibility for campus security, but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).

• Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

• An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, the following positions:
  - Vice President for Student Affairs
  - Dean of Student Life
  - Director of Residence Life and Student Housing
  - All Head Coaches and Assistant Coaches for all areas in the Athletic Department
  - All Associate Athletic Directors
  - Law School – Associate Dean for Student Affairs

• An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many people, students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

Students and employees may seek confidential counseling and report incidents to pastoral or professional counselors on a confidential basis. Professional and pastoral counselors are therefore exempt from disclosing these incidents to law enforcement.

Physicians and nurses of the Dr. Bob Smith Health Center who treat a victim of a violent crime that occurred on the campus or in a facility under the control of the University must disclose the reported crime to the SMU Police Department. They are not required to release the names of victims/patients.

All campus officials, counselors, faculty and staff are encouraged to report all crimes even if not required to do so. The Police Department understands the confidential nature of certain campus officials and will respect the confidentiality of all information obtained for statistical reporting purposes. Only general information, such as general location, type of crime and date of crime, are needed to report crime statistics. Complete reporting by all University members will assist in promoting a secure campus environment.

**RESPONSIBILITIES OF CAMPUS SECURITY AUTHORITIES**

Because of the law’s complex reporting requirements, the most reasonable and effective way to manage the reporting is as follows: If campus security authorities observe any crime listed below, or if any person reveals to a campus security authority, in good faith, that he/she learned of or was the victim of, perpetrator of, or witness to any crime listed below, the campus security authority must immediately notify the SMU Police Department.
Clery Act crimes reported to local municipal police will be included as long as the municipal police agency notifies the SMU Police and the reported crime occurred in an area for which the institution is responsible.

Crimes that should be reported are:

- Murder and non-negligent manslaughter
- Negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Dating violence (start counting for 2013 calendar year)
- Domestic violence (start counting for 2013 calendar year)
- Stalking (start counting for 2013 calendar year)
- All hate crimes involving any of the above offenses
- All hate crimes involving bodily injury, simple assault, larceny/theft, intimidation, and damage/vandalism of property
- All liquor, drug or weapons law violations resulting in an arrest or referral

Definitions of these crimes are listed below.

**CRIME DEFINITIONS**

*Murder – Non-negligent Manslaughter*

The willful killing of a person by another person.

*Negligent Manslaughter*

The killing of one human being by another through gross negligence.

*Sex Offenses*

Sex Offenses are separated into the two categories listed below:
Sex Offenses - Forcible

Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

A. **Forcible Rape** – The carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. **Forcible Sodomy** – Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. **Sexual Assault With An Object** – The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will, where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. **Forcible Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses - Non-forcible

Unlawful, non-forcible sexual intercourse

A. **Incest** – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. **Statutory Rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Robbery**

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

**Burglary**

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned.
**Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned, including joyriding.)

**Arson**

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft or personal property of another.

**Dating Violence, Domestic Violence and Stalking**

On March 7, 2013, a bill that strengthened and reauthorized the Violence Against Women Act was signed into law. Included in the bill was the Campus Sexual Violence Elimination Act (Campus SaVE), which amends the Jeanne Clery Act and affords additional rights to campus victims of sexual violence, dating violence, domestic violence, and stalking. The Violence Against Women Reauthorization Act of 2013 requires institutions to include certain policies, procedures and programs pertaining to these incidents in their Annual Security and Fire Safety Reports beginning October 1, 2014.

**Dating Violence**

The term “dating violence” means violence committed by a person –

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

b. Where the existence of such a relationship shall be determined based on a consideration of the following factors:

   1. The length of the relationship
   2. The type of relationship
   3. The frequency of interaction between the persons involved in the relationship

**Domestic Violence**

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who has cohabitated with the victim as a spouse, or by a person similarly situated to a spouse of the victim or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

**Stalking**

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

a. Fear for his or her safety or the safety of others; or

b. Suffer substantial emotional distress
**Hate Crimes**

A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the victim.

For Clery purposes, hates crime offenses include any offense in the following two groups that is motivated by bias.

**Group A**

- Murder and non-negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson

**Group B**

- Larceny-theft
- Simple assault
- Intimidation
- Destruction/damage/vandalism of property

**Weapons Laws Violations**

Illegal weapons possession is defined as the violation of laws or ordinances prohibiting the manufacture, sales, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons that are regulatory in nature. Include in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

**Drug Abuse Violations**

The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation or/and use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing,
manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics that can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations**

The violation of laws or ordinances prohibiting: manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; driving under the influence as a minor; maintaining unlawful drinking places; bootlegging; operating an illegal still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Public Intoxication and Driving While Intoxicated are Penal Code violations and are not included in this definition.)

**REPORTING CRIMES OUTSIDE OF THE SMU JURISDICTION**

The SMU Police Department makes a good faith effort to stay informed of all criminal activity involving students at off-campus locations. Surrounding municipal agencies, state law enforcement agencies and federal agencies routinely inform campus police about incidents where their officers contact SMU students.

**DAILY CRIME LOG**

SMU PD maintains a daily crime log, which is available to the public for review during normal business hours. The crime log is accessible at the dispatch window at SMU PD, 3128 Dyer Street, Dallas, Texas, and online at smu.edu/police.

**TIMELY WARNINGS**

**CRIME ALERT (ON CAMPUS)**

In an effort to provide timely notice to the SMU community, and in the event of a serious incident that may pose an ongoing threat to the members of the SMU community, a crime alert is issued.

Crime alerts are issued on a case-by-case basis in a manner that will provide notification to the campus community about certain reportable criminal incidents that occur on the campus if the University believes that the criminal incident may pose a continuing or serious threat to the community or that the alert would aid in the prevention of similar crimes in the future. Crime alerts may be posted for other crime classifications and locations, as deemed necessary. The SMU Police Chief or designee reviews all reports to determine if there may be a continuing or serious threat to the community and if the distribution of a crime alert is warranted.

The alerts are generally written by the Chief of Police or designee. The Office of Public Affairs prepares the alerts for distribution and distributes them to the campus community through campus e-mail. Timely warnings also are published on the SMU Police Department web page. Updates to the SMU community about any particular case resulting in a crime alert also may be distributed by campus e-mail or additional methods of delivery.
These crimes must have occurred within those areas of the campus that are specifically defined in 34 CFR 668.46(a). These areas are grouped into four categories (definitions for these categories can be viewed by visiting www.clerycenter.org):

- On Campus Property
- Residential Facilities
- Non-Campus Property
- Public Property

* SMU will not necessarily issue timely warnings for every Clery Act criminal incident that is reported, since that specific incident may not pose a continuing threat to the community. Certain Clery Act crimes, such as motor vehicle theft, occur infrequently on the campus at random locations. Suspect information is often never provided or determined. This is also true of the Dallas/Fort Worth and Plano area. Individuals should exercise due care and caution to avoid being victimized. Review the crime prevention tips included at the end of this report to deter these crimes or attend a crime prevention briefing.

**CRIME ALERT (OFF CAMPUS)**

SMU may issue a crime alert (off campus) for certain Clery Act crimes occurring outside the patrol jurisdiction of the SMU PD, when timely notification is received by the SMU PD and the offense is considered to represent a serious or continuing threat to the students and employees of SMU-Main Campus, SMU-in-Plano or SMU-in-Taos, due to the nature of the crime, and/or proximity to the campus.

Even though this action is not required by law, SMU strongly believes in supporting the spirit of the Clery Act by informing the community about certain crimes that are reported in the areas immediately surrounding our campus, yet still outside the normal SMU Police patrol area.

**EMERGENCY PREPAREDNESS AT SMU**

**EMERGENCY RESPONSE PLAN**

SMU maintains a comprehensive Emergency Response Plan that meets local, state and federal standards. The SMU Emergency Response Plan describes the protocols, resources, response partners and organizational structure that will activate to address any manmade, natural or technological disruption that might interfere with normal University activities.

The Response Plan is designed to obtain the swiftest, specialized emergency assistance for the protection of life and property at all three SMU campuses. The effectiveness of emergency and disaster response plans depends on high skill levels among all those who will execute the plans. This requires training and exercise, both within the University community and with external response partners.

**TRAINING**

SMU voluntarily complies with federal standards of responder training. In addition, the University provides all critical personnel with regular, specialized training that encompasses their emergency response roles and responsibilities.
EXERCISING

The University tests emergency plans and capabilities in three ways:

- Drills, such as evacuation and sheltering;
- Exercises, which test not only University-specific emergency response capabilities, but those of our external response partners as well;
- Real incidents and events: Whether the incident is a severe storm, a chemical spill or an unplanned utility disruption, each of these are examples of real incidents that provide regular opportunities for SMU to exercise response personnel, plans and protocols in a real-time situation.
- SMU also makes use of mass gatherings on campus (> 8,000 people) to exercise critical personnel, resources and response plans in a proactive, precautionary mode, to ensure a successful event experience for all participants.

PROCESS IMPROVEMENT

Subsequent to every drill, exercise or real event, SMU gathers all of the responders involved in the incident and conducts a debriefing session. These debriefing sessions are candid examinations of the plans, protocols and resources utilized during the incident. Elements of the incident response that were successful and supportive to consequence-resolution are examined to ensure their sustainability; unsuccessful elements become the basis for an Improvement Plan, which includes recommendations, along with role- and resource-based tasks to be completed within specific timelines.

EVACUATION PROCEDURES

EVACUATION DRILL RATIONALE

SMU campuses adhere to the International Fire Codes, as adopted by the jurisdiction in which the campus lies (University Park, Texas, and Rancho de Taos, N.M.; in both cases, this is the 2015 version). The codes mandate the following:

- University residential facilities must complete four evacuation drills per year, two of which must take place within the first 10 days of the fall and spring terms.
- Non-residential university facilities are subject to an evacuation drill schedule in accordance with the building-use typing, as set out in the codes. Therefore non-residential facility evacuation drill schedules can vary between one to four times a year, based on the building-use type.

EVACUATION DRILL PROTOCOL

Main Campus Residence Facilities

- Evacuation drills are planned and executed in compliance with the aforementioned code, with coordination between University Park Fire Department (UPFD), SMU Residence Life and Student Housing (RLSH) and SMU Office of Risk Management.
- SMU follows the International Fire Codes, which specify how drill dates and times must be varied.
• Training is provided to all residence facility personnel with regard to their specific roles during emergencies in a residence facility.

• During the execution of the evacuation drill, residence facility personnel are required to validate that every room has been inspected for any residents who may try to avoid drill participation, or who may have slept through the alarm.

• When the building is completely evacuated, the SMU Fire Safety Manager delivers a short speech that covers the following:
  
  o The purpose of the drill
    
    ▪ Campus residents and building occupants have seconds to “Know What to Do” during the onset of an emergency; drills ensure that they develop fire safety awareness and practice the appropriate life safety action (in this case, evacuation).
    
    ▪ Instruct occupants to always look for the closest exit, which may not be the door they normally utilize. Further, that they should develop this habit for all of the buildings that they utilize on campus.
  
  o A brief review of any recent city or higher education fires, sharing any specific Lessons Learned or Best Practices.

  o An All-Hazards overview: occupants are reminded of the SMU emergency response life-safety action and what each means: evacuate, seek shelter or lockdown (part of the SMU life-safety awareness campaign, “KNOW WHAT TO DO”).

  o Any special messages that UPFD wants to convey to campus residents and building occupants.

Main Campus Non-Residence Facilities

(e.g. Academic, Library, Recreational/Athletic, Dining, etc.)

• Evacuation drills are planned and executed by SMU Risk Management in collaboration with the facility personnel and safety wardens.

• Non-residential university facilities are subject to an evacuation drill schedule in accordance with the building-use typing, as set out in the codes. Therefore non-residential facility evacuation drill schedules can vary between one to four times per year, based on the building-use type.

• When the building is completely evacuated, the SMU Fire Safety Manager delivers a short speech that covers the following:

  o The purpose of the drill

    ▪ Campus residents and building occupants have seconds to “Know What to Do” during the onset of an emergency; drills ensure that they develop fire safety awareness and practice the appropriate life safety action (in this case, evacuation).

    ▪ Instruct occupants to always look for the closest exit, which may not be the door they normally utilize. Further, that they should develop this habit for all of the buildings that they utilize on campus.
A brief review of any recent city or higher education fires, sharing any specific Lessons Learned or Best Practices.

An All-Hazards overview: occupants are reminded of the SMU emergency response life-safety action and what each means: evacuate, seek shelter or lockdown (part of the SMU life-safety awareness campaign, “KNOW WHAT TO DO”).

Any special messages that UPFD wants to convey to campus residents and building occupants.

Taos Campus Residence Facilities

- Evacuation drills are planned and executed according to the aforementioned code guidance, with coordination between the campus Director, the Security Officer and the SMU Fire Safety Manager.
  - Two of the four drills are conducted before 6:30 a.m.
  - Two of the drills are conducted after 2 p.m.
- Drill personnel are responsible to validate that every room has been evacuated. When the building is completely evacuated, the Security Officer delivers a short speech that covers the following:
  - The purpose of the drill
    - Campus residents and building occupants have seconds to “Know What to Do” during the onset of an emergency; drills ensure that they develop fire safety awareness and practice the appropriate life safety action (in this case, evacuation).
    - Instruct occupants to always look for the closest exit, which may not be the door they normally utilize. Further, that they should develop this habit for all of the buildings that they utilize on campus.
  - A brief review of any recent city or higher education fires, sharing any specific Lessons Learned or Best Practices.
  - An All-Hazards overview: occupants are reminded of the SMU emergency response life-safety action, and what each means: evacuate, seek shelter or lockdown (part of the SMU life-safety awareness campaign, “KNOW WHAT TO DO”).
  - Any special messages that the Taos Fire Department wants to convey to campus residents and building occupants.

CAMPUS EMERGENCY PREPAREDNESS EDUCATION

SMU’s ongoing community emergency preparedness education program is called “KNOW WHAT TO DO.”

- The program stresses comprehension of the three primary life-safety actions that public safety officials would activate to protect the community: evacuate, seek shelter, or lockdown (adapt: run, hide, fight).
- “KNOW WHAT TO DO” information is posted in all academic classrooms.
- The annual new student orientation agenda includes an active shooter “KNOW WHAT TO DO” session specifically for incoming freshmen.
• SMU plans different educational activities each September which will highlight the “KNOW WHAT TO DO” program as part of National Preparedness Month.

NOTIFICATION OF THE SMU COMMUNITY ABOUT AN IMMEDIATE THREAT

SMU will provide timely notification to the campus community upon confirmation of a significant emergency or dangerous situation involving the immediate threat to the health or safety of students, employees and/or visitors occurring on campus. If the SMU Police Department (in conjunction with University Administrators, local first responders and/or the National Weather Service) confirms that there is a significant emergency or dangerous situation, some or all of the communication methods described below will be used to communicate the information to the campus or a particular segment of the campus if the threat is isolated to a portion of the campus. SMU Police and the Office of Risk Management will typically write the message, and the Director of Emergency Management will typically issue the notifications.

In extreme cases where there is an imminent and immediate threat to the university community, SMU has designed a redundant notification system that employs campus-wide text messages, voice messages, emails, web pages and city sirens that are public address capable. In addition, low-tech solutions include bullhorns, walkie-talkies, and runners delivering messages word of mouth, all with the goal of notifying the campus community, regardless of disaster-related communication failures.

SMU community members are encouraged to notify SMU PD of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students, employees and/or visitors on campus.

SMU will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Follow-up messages are distributed to the campus community using some or all of the methods described above.

The larger community, including parents, neighbors and other interested parties, can receive information about emergencies on campus through the website, social media and/or local or national media.

MONITORING AND RECORDING CRIMINAL ACTIVITY

The SMU Police Department tracks and records index crimes occurring on all SMU campuses and in those areas immediately contiguous to the main campus. Many students live in and frequent these areas. The SMU Main Campus, SMU-in-Plano and SMU-in-Taos patrol-area maps are available online at smu.edu/police. These areas include:

• On-campus property owned or controlled by the University with the same reasonably contiguous geographic area and used to meet or support the University’s educational purposes;

• Student residential facilities;

• Non-campus buildings owned or controlled by student organizations that are recognized by the University;
• Non-campus buildings or property owned or controlled by the University that are used in direct support of, or in relation to, the University’s educational purposes, are frequently used by students, and are not in the same reasonable contiguous geographic area of the University;

• Public property including thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to and accessible from the campus. The jurisdiction of the SMU Police Department does not extend to public property contiguous to the campus; therefore the department has a limited role in investigating criminal activity at these locations. The department’s role is limited to information sharing, cooperation and coordination with the investigating local law enforcement agency.

REPORTING OF CRIMINAL INCIDENTS WITHIN THE CONTIGUOUS AREA FOR 2016

SMU MAIN CAMPUS

Criminal incidents occurring within the contiguous area surrounding the SMU Main Campus for 2016, as relayed to the SMU Police Department by the University Park Police Department, Dallas Police Department and Highland Park Department of Public Safety, are included in the SMU Police Department Crime Statistics as required by the Department of Education in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

A chart is included in the 2016 Annual Security and Fire Safety Report crime statistics section on the following pages that depicts statistics of reported criminal incidents from UPPD, Dallas PD and HPDPS for areas contiguous to campus but not considered “on campus.”

SMU-IN-PLANO

Criminal incidents occurring within the contiguous area surrounding the SMU-in-Plano campus for 2016, as reported to the SMU Police Department by the Plano Police Department and to Campus Security Authorities, are included in the SMU Police Department Crime Statistics as required by the Department of Education in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

SMU-IN-TAOS

Criminal incidents occurring within the contiguous area surrounding the SMU-in-Taos campus for 2016, as reported to the SMU Police Department by the SMU security guards, SMU conduct officer, Campus Security Authorities, Taos County Sheriff’s Office or the New Mexico State Police Department are included in the SMU Police Department Crime Statistics as required by the Department of Education in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This information was received from the New Mexico Department of Public Safety. The Taos Police Department (city of) has no jurisdiction over the SMU-in-Taos campus.
### Offense Type

#### Murder and Non-Negligent Manslaughter

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*3 of the 2016 cases are classified as forcible fondling*

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(reported to other campus officials)

#### Non-Forcible Sex Offenses

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(reported to other campus officials)

#### Robbery

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**SMU - MAIN CAMPUS**

**2014-2016 ARRESTS FOR LIQUOR LAW, DRUG AND WEAPONS VIOLATIONS**

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**SMU - MAIN CAMPUS**

**2014-2016 JUDICIAL REFERRALS FOR LIQUOR LAW, DRUG AND WEAPONS VIOLATIONS**

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### Areas Contiguous to SMU - Main Campus
CRIMES REPORTED TO UPPD, HPDPS AND DALLAS PD FOR 2016

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## SMU - PLANO CAMPUS
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## SMU - PLANO CAMPUS
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## SMU - PLANO CAMPUS
### JUDICIAL REFERRALS FOR LIQUOR LAW, DRUG AND WEAPONS VIOLATIONS

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**SMU - TAOS CAMPUS**

**CRIME ON CAMPUS REPORT 2014-2016**

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<th>Offense Type</th>
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SMU - TAOS CAMPUS
ARRESTS FOR LIQUOR LAW, DRUG AND WEAPONS VIOLATIONS

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SMU - TAOS CAMPUS
JUDICIAL REFERRALS FOR LIQUOR LAW, DRUG AND WEAPONS VIOLATIONS

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HATE CRIME STATISTICS
SMU MAIN CAMPUS, SMU-IN-PLANO, AND SMU-IN-TAOS (2014-2016)

These include any occurrence of criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, any other crime involving bodily injury, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property reported to local law enforcement agencies or a campus security authority that manifest evidence the victim was intentionally selected because of the perpetrator’s bias toward the victim’s actual or perceived race, gender, religion, sexual orientation, ethnicity or disability.

2014 – There were no hate crimes reported for the SMU Main Campus, SMU-in-Plano Campus or the SMU-in-Taos Campus.

2015 – There were no hate crimes reported for the SMU Main Campus, SMU-in-Plano Campus or the SMU-in-Taos Campus.

2016 – There were no hate crimes reported for the SMU Main Campus, SMU-in-Plano Campus or the SMU-in-Taos Campus.

SEX OFFENDER REGISTRY AND ACCESS TO RELATED INFORMATION

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, went into effect October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state may be obtained concerning registered sex
offenders. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

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

State law requires persons convicted of or placed on deferred community supervision for certain offenses to register as sex offenders. Offenders who committed “sexually violent” offenses (most contact offenses) must register for the remainder of their life, even after completing probation or parole. Others (some non-contact offenses) may quit registering ten years after completing their term of supervision.

Law enforcement authorities are required to inform the University when registered sex offenders indicate they are living, working or volunteering services on campus. To learn whether information of this nature has been provided to the University, contact the SMU Police Department at 3128 Dyer Street, Patterson Hall or call 214-768-1348.

You can access the sex offender registration files free of charge through the Texas Department of Public Safety web page at www.txdps.state.tx.us.

You can access the sex offender registration files for New Mexico free of charge at http://www.nmsexoffender.dps.state.nm.us/.

ALCOHOL AND SUBSTANCE USE POLICIES, PREVENTION AND RESOURCES

The University is dedicated to providing a healthy, comfortable and productive environment for students, faculty, staff and guests. It is the policy of the University to endorse the United Methodist Church’s position of abstinence from the use of alcohol, realizing that this recommendation of abstinence is not a new legalism nor a moralistic prohibition but a matter of conscience and personal discipline (The Book of Discipline, Para. 162L).

The Board of Trustees of the University has affirmed that abusive use of alcoholic beverages and the corresponding effects upon persons constitute one of the more serious problems in our nation. In keeping with the University’s heritage as an institution affiliated with the United Methodist Church, the Board of Trustees has urged all members of the University community to consider use of alcoholic beverages with responsibility, prudence and moderation.

As a University community which espouses the value and worth of persons in an environment of free and open inquiry and expression, it is recognized that individuals must be free to follow their own conscience regarding the use of alcoholic beverages; provided, however, that such freedom does not imply license to violate the law or University policy.

All members of the University community are expected to maintain self-control and to uphold their dignity and that of the University at all times in all places on or off campus. Conduct should be consistent with ideals of excellence of mind, healthy bodies and responsible social behavior, including recognition of the rights of others. Intoxication and alcohol abuse are inconsistent with the spirit of the University and will not be tolerated. In recognition of this fact, the University reserves the right to initiate disciplinary action when individuals and groups neglect or abdicate their responsibility to observe the Student Code of Conduct.
TEXAS STATE LAW AND SMU POLICY

All members of the University community should at all times be cognizant of and comply with state and local liquor laws. **It is unlawful in the state of Texas for any person under the age of 21 to possess, purchase or drink alcoholic beverages, except when with a parent, legal guardian or adult spouse.** Providing alcoholic beverages to minors is prohibited. A violation of this policy subjects the offender(s) to internal disciplinary and/or law enforcement action.

When SMU’s policy on alcohol is violated, the University will impose sanctions including but not limited to parent notification, a fine, a referral to substance abuse counselors in SMU Counseling Services, educational sanctions and a status sanction that may or may not affect the student’s standing with the University.

ALCOHOL POSSESSION AND CONSUMPTION

The University prohibits the possession and consumption of alcoholic beverages on campus, with the exception of adult individual residential rooms and during certain special events such as official University receptions and in specified areas on home football and basketball game days. SMU PD enforces state underage drinking laws. For the exceptions, those individuals possessing and consuming the alcoholic beverages must be 21 years of age or older. Kegs and other similar containers – including, but not limited to, 1/2 kegs, party balls or pony kegs – are not permitted anywhere on campus. Various functions sponsored by the Office of Development will continue to operate under special policies.

SMU is located within the City of University Park, Texas. By state statute, transportation and/or possession of more than 24 12-ounce bottles of beer or more than one quart of hard liquor, is considered prima facie evidence of intent to sell, and, therefore, evidence that the law has been violated.

DRUGS

Every SMU student shall be responsible for compliance with all local, state, and federal laws regarding controlled substances including, but not limited to, their use, sale, distribution, possession or manufacture. Violations of any local, state, or federal law regarding controlled substances may subject the person to disciplinary proceedings in the SMU Conduct Review Process without regard to any proceedings in local, state or federal courts. SMU PD will enforce both state and federal laws pertaining to the illegal possession, use and sale of illegal drugs.

When the Office of Student Conduct & Community Standards is made aware of a potential violation of the drug policy outlined in the Student Code of Conduct, the office will contact the student and schedule a hearing with a Conduct Officer. During the hearing, the student will have the opportunity to discuss the alleged violation. If it is determined that the student is responsible for the violation, the appropriate sanctions will be assigned. Sanctions for drug violations may include, but are not limited to: parent notification, a fine, a referral to substance abuse counselors in SMU Counseling Services, educational sanctions and a status sanction that may affect the student’s standing with the University.

Sanctions upon conviction in the criminal court system for possession, distribution or manufacture of controlled substances range from fines and probation to imprisonment. Amounts of fines, terms of probation or years of imprisonment generally are contingent upon the circumstances and amounts of drugs in possession, sale, distribution or manufacture.
COUNSELING SERVICES

Dr. Bob Smith Health Center
P.O. Box 750195
Dallas, Texas 75275-0195
smu.edu/HealthCenter

Counseling Services has licensed, full-time substance abuse counselors available to SMU students, their families and the campus community.

Call 214-768-2277 or learn more at smu.edu/HealthCenter. Services include:

Counseling, referrals and support

- Confidential counseling, with referrals for outside support and treatment when necessary.
- Self-help groups on campus and in the community, including Alcoholics Anonymous and twelve-step programs for a student-age group and a student-only recovery group.
- Support for recovering students, relapse prevention and assistance with re-entry to college after treatment.

Assessment and intervention

- Coordination with family, friends, faculty and staff to reach out to students in distress and provide them with help.
- Educational and screening programs.

HEALTH EDUCATION

SMU has a full-time health educator who promotes activities and programs with student support to educate the campus community about alcohol and substance abuse prevention.

Call 214-768-2393 or email healthed@smu.edu for more information. Health education at SMU includes:

- Orientation programs for incoming students and their parents during July and August.
- An online, science-based education program, required for all incoming students, that addresses substance abuse prevention, as well as sexual misconduct.
- “TIPS” (Training for Intervention Procedures) for Student Affairs staff, Greek leadership and all students to assist students in preventing alcohol misuse.
- Peer Health Educators, students trained to provide education and outreach to fellow students on wellness issues.

PRESIDENT’S COMMISSION ON SUBSTANCE ABUSE PREVENTION

In the summer of 2009, SMU President R. Gerald Turner appointed the Commission on Substance Abuse Prevention, an outgrowth of the Task Force on Substance Abuse Prevention, as a permanent, ongoing organization to implement and evaluate the task force’s recommendations.

The Commission, which meets regularly, reports annually to the president on the status of related recommendations and identifies new or emerging issues of concern.

THE CALL FOR HELP PROGRAM – GOOD SAMARITAN POLICY / MEDICAL AMNESTY POLICY

Student welfare is a primary concern at SMU. Everyone is responsible for creating a healthy community in which members care for one another. One demonstration of caring involves seeking medical assistance for fellow
students when lives may be in danger due to alcohol and/or drug intoxication. To seek medical assistance, please call 911.

Students who seek medical assistance for themselves (Medical Amnesty) or another person (Good Samaritan) due to intoxication of alcohol and/or drugs will not normally be subject to the SMU Conduct Review Process, except when it has been determined that another violation of university policy has occurred (for example destruction of university property; fire safety violation; physical harm to another person, etc.). Any exemption from the SMU Conduct Review Process which is granted under this policy may only apply to disciplinary action and/or sanctions under the SMU alcohol and/or drug policies in the SMU Student Code of Conduct and therefore does not prevent the SMU Police or another police agency from detaining a student, issuing a citation, or making an arrest if they deem that action necessary.

In order for this policy to apply, the student must meet with their assigned Conduct Officer, complete an application, and once referred, complete any and all recommendations made by a substance abuse counselor in SMU Counseling Services. (These recommendations will include, at a minimum, an individual appointment and a counselor and a follow-up appointment.)

CARING COMMUNITY CONNECTIONS

Sometimes the pressures of exams, juggling busy schedules and maintaining healthy relationships can overwhelm students – especially new undergraduates experiencing independence for the first time. The Office of the Dean of Student Life has an online process for gathering and acting upon reports from faculty, staff, students and parents of students exhibiting signs of distress.

All information in this report remains confidential per FERPA guidelines. Once submitted, all information is stored in a password-protected database. Access to this confidential information is limited to the Caring Community Connections response team. To learn more about the program, go to http://smu.edu/studentlife.

POLICIES, PROCEDURES AND PROGRAMS: DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING

EDUCATIONAL PROGRAMS AND CAMPAIGNS

PRIMARY PREVENTION AND AWARENESS PROGRAMS

SMU has in place educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault and stalking, including primary prevention and awareness programs for all incoming students and new employees.

Primary programs include:

- New SMU employees are required to complete two online training modules: Stop Discrimination & Harassment, and Eliminate Campus Sexual Violence. In addition, all current employees – including administrators, professors, instructors, residential staff, coaches and other staff who regularly interact with students as part of their duties – were asked to complete this training in 2014. All SMU employees will be required to update this training every three years. Provided by training vendor LawRoom, the tutorials cover topics including Title IX of the Education Amendments of 1972 and the requirement to report sexual misconduct to the SMU Title IX Coordinator, the Campus Sexual Violence Elimination (SaVE) Act, Clery Act requirements, sexual assault, dating and domestic violence, stalking, assisting victims and survivors, and bystander intervention strategies.
• Incoming first-year, transfer and graduate students are required to take a comprehensive, research-based online education program on sexual misconduct and substance abuse prevention, policies, procedures and resources. *Campus Clarity* educates students about sexual assault, dating violence, domestic violence and stalking, as well as the elements of healthy relationships, the importance of consent and the role of bystanders in creating healthy communities.

• As part of new student orientation, incoming students and their families receive information about sexual misconduct and substance abuse prevention and awareness through culturally relevant skits by peer leaders and presentations by SMU officials. Students learn the SMU Values Statement, which was developed by student leaders.

• Incoming first-year and transfer students also attend an inclusive and culturally relevant mandatory program during fall orientation. Led by SMU’s Office of Violence Prevention & Support Services, the program introduces students to campus resources and addresses respectful relationships, consent, prevention and awareness of sexual assault and dating and domestic violence, and bystander intervention.

**SMU PROHIBITS SEXUAL MISCONDUCT**

Sexual misconduct is a violation of SMU’s Title IX Harassment Policy, Policy 2.5.1, and the federal law Title IX of the Education Amendments of 1972. SMU’s policy is online in the University Policy Manual, [smu.edu/policy](http://smu.edu/policy), and on the Office of Institutional Access and Equity website, [smu.edu/iae](http://smu.edu/iae).

SMU strictly prohibits sexual misconduct, including the crimes of dating violence, domestic violence, sexual assault and stalking, as defined for purposes of the Clery Act.

In the event that a student or employee experiences sexual misconduct, SMU has policies, procedures and resources in place that provide support. Resources available to students include SMU Police, the SMU Title IX Coordinator and Deputy Title IX Coordinators, SMU Counseling Services and the Office of Violence Prevention & Support Services. Resources available to employees in the event of sexual misconduct include SMU Police, the SMU Title IX Coordinator and Deputy Title IX Coordinators, Human Resources and the Employee Assistance Program.

In fall 2012, SMU President R. Gerald Turner appointed the Task Force on Sexual Misconduct Policies and Procedures to examine SMU policies and procedures related to sexual misconduct in comparison with benchmark practices nationwide. The task force made recommendations for revised and new initiatives, including initiatives regarding education, training, policies and procedures. These recommendations have been implemented and are monitored by the faculty, staff and students serving on the Task Force Implementation Group.

**Resources include:**

SMU Policy 2.5.1, Title IX Harassment
[http://www.smu.edu/IAE/PoliciesandProcedures](http://www.smu.edu/IAE/PoliciesandProcedures)

Sexual Misconduct Policies, Prevention and Resources
[http://www.smu.edu/sexualmisconduct](http://www.smu.edu/sexualmisconduct)

SMU Policy 10.12, Violence in the Workplace
[https://inside.smu.edu/OS/OrgHome/LegalAffairs/Policy/SitePages/Table of Contents.aspx](https://inside.smu.edu/OS/OrgHome/LegalAffairs/Policy/SitePages/Table of Contents.aspx)

SMU Policy 9.12, Personal Conduct
[https://inside.smu.edu/OS/OrgHome/LegalAffairs/Policy/SitePages/9.12 Personal Conduct.aspx](https://inside.smu.edu/OS/OrgHome/LegalAffairs/Policy/SitePages/9.12 Personal Conduct.aspx)
CLERY ACT DEFINITIONS

The following definitions of dating violence, domestic violence, stalking and sexual assault are used for purposes of reporting Clery Act statistics.

**Dating violence**

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

For the purposes of this definition

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

**Domestic violence**

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

**Stalking**

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

**Sexual assault**

Sexual assault is defined as an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the FBI’s Uniform Crime Reporting program and included in Appendix A of 34 CFR Part 668, as follows:

**Sex offenses – forcible**

Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

- **Forcible rape** – The carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
• **Forcible sodomy** – Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

• **Sexual assault with an object** – The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person’s will, where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

• **Forcible fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

**Sex offenses – non-forcible**

• **Incest** – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

• **Statutory rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**DEFINITIONS IN THE STATES OF TEXAS AND NEW MEXICO**

The following definitions of dating violence, domestic violence, stalking and sexual assault are used in the jurisdictions where SMU’s main campus, SMU-in-Plano and SMU-in-Taos are located. These may differ from Clery Act definitions and are not used for purposes of reporting Clery Act statistics. They are provided for educational and awareness purposes.

**What constitutes dating violence in Texas**

Texas Penal Code § 71.0021 states:

(a) “Dating violence” means an act, other than a defensive measure to protect oneself, by an actor that:

(1) is committed against a victim or applicant for a protective order:

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

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

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

(b) For purposes of this title, “dating relationship” means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

(1) the length of the relationship;

(2) the nature of the relationship; and

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

(c) A casual acquaintance or ordinary fraternization in a business or social context does not constitute a “dating relationship” under Subsection (b).
What constitutes domestic violence in Texas

Texas Penal Code § 71.004 states:

“Family violence” means:

(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;

Texas Penal Code § 71.005 states:

“Household” means a unit composed of persons living together in the same dwelling, without regard to whether they are related to each other.

What constitutes stalking in Texas

Texas Penal Code § 42.072 states:

(a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:

(A) bodily injury or death for the other person;

(B) bodily injury or death for a member of the other person’s family or household or for an individual with whom the other person has a dating relationship; or

(C) that an offense will be committed against the other person’s property;

(2) causes the other person, a member of the other person’s family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person’s property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and

(3) would cause a reasonable person to:

(A) fear bodily injury or death for himself or herself;

(B) fear bodily injury or death for a member of the person’s family or household or for an individual with whom the person has a dating relationship;

(C) fear that an offense will be committed against the person's property; or

(D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

What constitutes sexual assault in Texas

Texas Penal Code § 22.011 states:

A person commits an offense if the person:

(1) intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of another person by any means without that person’s consent;

(B) causes the penetration of the mouth or another person by the sexual organ of the actor, without that person’s consent; or
(C) causes the sexual organ of another person, without that person’s consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or

(2) intentionally or knowingly:
   (A) causes the penetration of the anus or sexual organ of a child by any means;
   (B) causes the penetration of the mouth or a child by the sexual organ of the actor;
   (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
   (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
   (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

What constitutes dating and domestic violence in New Mexico

30-3-11. Household and Dating

Definitions.
As used in the Crimes Against Household Members Act [30-3-10 NMSA 1978]:

A. “household member” means a spouse, former spouse, parent, present or former stepparent, present or former parent in-law, grandparent, grandparent-in-law, a co-parent of a child or a person with whom a person has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member for the purposes of the Crimes Against Household Members Act [30-3-10 NMSA 1978]; and

B. “continuing personal relationship” means a dating or intimate relationship.

30-3-12. Assault against a household member

A. Assault against a household member consists of:
   1. an attempt to commit a battery against a household member; or
   2. any unlawful act, threat or menacing conduct that causes a household member to reasonably believe that he is in danger of receiving an immediate battery.

B. Whoever commits assault against a household member is guilty of a petty misdemeanor.

30-3-15. Battery against a household member.

A. Battery against a household member consists of the unlawful, intentional touching or application of force to the person of a household member, when done in a rude, insolent or angry manner.

B. Whoever commits battery against a household member is guilty of a misdemeanor.

C. Upon conviction pursuant to this section, an offender shall be required to participate in and complete a domestic violence offender treatment or intervention program approved by the children, youth and families department pursuant to rules promulgated by the department that define the criteria for such programs.

D. Notwithstanding any provision of law to the contrary, if a sentence imposed pursuant to this section is suspended or deferred in whole or in part, the period of probation may extend beyond three hundred sixty-four days but may not exceed two years. If an offender violates a condition of probation, the court may impose any sentence that the court could originally have imposed and credit shall not be given for time served by the offender on probation; provided that the total period of incarceration shall not exceed three hundred sixty-four days and the combined period of incarceration and probation shall not exceed two years.
What constitutes stalking in New Mexico

30-3A-3. Stalking; Penalties.

A. Stalking consists of knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, confinement or restraint of the individual or another individual.

B. As used in this section:
   1. “lawful authority” means within the scope of lawful employment or constitutionally protected activity; and
   2. “pattern of conduct” means two or more acts, on more than one occasion, in which the alleged stalker by any action, method, device or means, directly, indirectly or through third parties, follows, monitors, surveils, threatens or communicates to or about a person.

C. Whoever commits stalking is guilty of a misdemeanor. Upon a second or subsequent conviction, the offender is guilty of a fourth degree felony.

D. In addition to any punishment provided pursuant to the provisions of this section, the court shall order a person convicted of stalking to participate in and complete a program of professional counseling at the person’s own expense or a domestic violence offender treatment or intervention program.

What constitutes sexual assault in New Mexico

30-9-11 Criminal Sexual Penetration

A. Criminal sexual penetration is the unlawful and intentional causing of a person to engage in sexual intercourse, cunnilingus, fellatio or anal intercourse or the causing of penetration, to any extent and with any object, of the genital or anal openings of another, whether or not there is any emission.

B. Criminal sexual penetration does not include medically indicated procedures.

C. Aggravated criminal sexual penetration consists of all criminal sexual penetration perpetrated on a child under thirteen years of age with an intent to kill or with a depraved mind regardless of human life. Whoever commits aggravated criminal sexual penetration is guilty of a first degree felony.

D. Criminal sexual penetration in the first degree consists of all sexual penetration perpetrated:
   1. on a child under thirteen years of age; or
   2. by the use of force or coercion that results in great bodily or great mental anguish to the victim.

Whoever commits criminal sexual penetration in the first degree is guilty of a first degree felony.

E. Criminal sexual penetration in the second degree consists of all criminal sexual penetration perpetrated:
   1. on a child thirteen to eighteen years of age when the perpetrator is in a position of authority over the child and uses this authority to coerce the child to submit;
   2. on an inmate confined in a correctional facility or jail when the perpetrator is in a position of authority over the inmate;
   3. by the use of force or coercion that results in personal injury to the victim;
   4. by the use of force or coercion when the perpetrator is aided or abetted by one or more persons;
   5. in the commission of any other felony; or
   6. when the perpetrator is armed with a deadly weapon.

Whoever commits criminal sexual penetration in the second degree is guilty of a second degree felony. Whoever commits criminal sexual penetration in the second degree when the victim is a child who is thirteen to eighteen
years of age is guilty of a second degree felony for a sexual offense against a child and, notwithstanding the provisions of Section 31-18-15 NMSA 1978, shall be sentenced to a minimum term of imprisonment of three years, which shall not be suspended or deferred. The imposition of a minimum, mandatory term of imprisonment pursuant to the provisions of this subsection shall not be interpreted to preclude the imposition of sentencing enhancements pursuant to the provisions of Sections 31-18-17, 31-18-25 and 31-18-26.

F. Criminal sexual penetration in the third degree consists of all criminal sexual penetration perpetrated through the use of force or coercion.

Whoever commits criminal sexual penetration in the third degree is guilty of a third degree felony. Whoever commits criminal sexual penetration in the third degree when the victim is a child who is thirteen to eighteen years of age is guilty of a third degree felony for a sexual offense against a child.

G. Criminal sexual penetration in the fourth degree consists of all criminal sexual penetration:

1. not defined in Subsections D through F of this section perpetrated on a child thirteen to sixteen years of age when the perpetrator is at least eighteen years of age and is at least four years older than the child and not the spouse of that child; or

2. perpetrated on a child thirteen to eighteen years of age when the perpetrator, who is a licensed school employee, an unlicensed school employee, a school contract employee, a school health service provider or a school volunteer, and who is at least eighteen years of age and is at least four years older than the child and not the spouse of that child, learns while performing services in or for a school that the child is a student in a school.

Whoever commits criminal sexual penetration in the fourth degree is guilty of a fourth degree felony.

DEFINITION OF CONSENT

Consent as defined by the State of Texas

Texas Penal Code § 22.011 states:

(b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:

(1) the actor compels the other person to submit or participate by the use of physical force or violence;

(2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;

(3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;

(4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;

(5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;

(6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;

(7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;

(8) the actor is a public servant who coerces the other person to submit or participate;
(9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;

(10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or

(11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

Consent as defined by SMU

The definition of consent is used in SMU’s internal grievance process in cases involving sexual assault to determine responsibility under the University’s Title IX Harassment Policy.

As defined by SMU, consent means voluntary, clear, continuous, mutually understandable permission, given by words or actions, regarding one’s willingness to engage in sexual activity.

A sexual interaction is considered consensual when individuals willingly and knowingly engage in the interaction. Someone who is incapacitated (by alcohol, drug use, unconsciousness, disability, or other forms of helplessness) cannot consent. Consent cannot be procured by the use of physical force, compulsion, threats, intimidating behavior or coercion. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Previous relationships or previous consent for sexual activity is not consent to sexual activity on a different occasion. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person. Silence or absence of resistance is not consent. Consent can be withdrawn at any time. Previous consent does not mean ongoing consent. For example, consent to certain acts does not mean consent to the same acts later in the same evening.

Bystander Intervention and Risk Reduction

SMU provides training that describes positive options for bystander intervention, as well as information regarding risk reduction. Bystander intervention is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Risk reduction is defined as options designed to decrease perpetration and bystander inaction; increase empowerment for victims in order to promote safety; and help individuals and communities address conditions that facilitate violence.

Training at SMU includes TakeCARE, a research-based online bystander intervention program developed by SMU psychology professors and provided to students in required first-year Wellness courses. TakeCARE (Confident, Aware, Responsible, Effective) presents information about sexual pressure and coercion, unhealthy or abusive relationships, and the meaning of consent. It is designed to heighten students’ awareness of risk and their willingness to step in to help friends. Evaluation data collected at SMU and at other universities suggest that TakeCARE promotes responsive bystander behavior.

Additional programs include:

- TIPS (Training for Intervention Procedures), which trains campus community members to assist students who may be in danger due to alcohol or substance use.

- Medical Amnesty and Good Samaritan policies (the “Call for Help” program), which encourages students to call police and seek medical assistance when they or their peers may be in danger due to alcohol or substance use. The policies allow for exemptions from the Conduct Review Process.
• Residential Commons programming, including mandatory First Floor Meetings for incoming and second-year students on safety and wellness.

• Caring Community Connections, a central online site where employees, students and their families can submit concerns about students who are experiencing challenges so that students can be linked with campus resources.

• Silent Witness Program, where information about crimes may be reported anonymously to SMU Police by calling 214-768-2TIP or online at smu.edu/2TIP. SMU Police urge campus community members: If you “See Something, Say Something.”

• Security assessments and crime prevention training, which SMU Police provide upon request to faculty, staff and students.

• Employee Assistance Program, which provides confidential counseling and referral services for all full-time and part-time benefit-eligible faculty and staff and their dependents. Call 1-877-704-5696, or online: https://www.smu.edu/BusinessFinance/HR/BenefitsAndWellness/HealthAndOtherBenefits/Employee-Assistance-Program

• Workplace Violence Assessment Team, which meets as needed to assess cases involving employees whose behavior is considered potentially threatening, violent or harmful to themselves or others. After evaluating the situation, the team recommends responses in accordance with SMU policies. Immediate concerns should be reported to SMU Police at 214-768-3333. Employees may report emerging concerns to 214-768-THREAT, email threat@smu.edu or submit an online reporting form: http://www.smu.edu/BusinessFinance/HR/Resources/SafetyatSMU/PreventingWorkplaceViolenceatSMU

ONGOING PREVENTION AND AWARENESS CAMPAIGNS

In addition to the primary prevention and awareness programs provided to incoming students and new employees, SMU provides ongoing prevention and awareness campaigns to the campus community that address sexual misconduct, including dating violence, domestic violence, stalking and sexual assault.

Programs include:

• Campus communications, including a comprehensive website and publication that offer information regarding SMU’s sexual misconduct policies and procedures, prevention and resources on and off campus: smu.edu/sexualmisconduct. Wallet-size information cards containing information about resources are available from the Office of Violence Prevention & Support Services and are distributed to students throughout the year. Digital signs and mirror decals with resource information are posted throughout campus.

• Campus programming, led by resources including SMU Police, the SMU Office of Violence Prevention & Support Services, Counseling Services and the Women & LGBT Center. Campus-wide programs include Sexual Assault Awareness Month, Relationship Violence Awareness Month, National Night Out and Take Back the Night. Programs also are available to individual classes, Residential Commons and Greek organizations upon request to Violence Prevention & Support Services. Events are promoted to students and employees online, on posters and fliers, and by campus email. Students involved in raising awareness of sexual assault and relationship violence include the student organizations Not On My Campus; Team One Love; the Feminist Equality Movement (FEM); and The Well: Health Promotion and Wellbeing, as well as SMU Peer Health Educators.
• A campus climate survey, administered to students to gather information about community perceptions, knowledge and attitudes relevant to sexual misconduct.

• Presentations to employees and student groups by the SMU Title IX Coordinator, SMU Police and other campus resources.

PROCEDURES VICTIMS SHOULD FOLLOW IN CASE OF ALLEGED DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING

SMU MAIN CAMPUS

The first priority for victims of sexual assault, domestic violence or dating violence is to get to a place of safety and obtain necessary medical attention immediately.

Anyone who experiences sexual assault, domestic violence, dating violence or stalking also is urged to report the incident to police as soon as possible. Please see the following section on reporting for more information.

It is important to preserve evidence that could assist in obtaining a protective order or proving the offense occurred.

Seek medical care and preserve evidence

The following Dallas-area hospitals have certified health care professionals who are authorized to perform medical/legal examinations:

Texas Health Presbyterian Hospital Dallas, 8200 Walnut Hill Lane
Main phone, 214-345-6789
Sexual Assault Nurse Examiner (SANE), 214-345-6203 or texashealth.org/dallassane

Parkland Hospital, 5201 Harry Hines Blvd.
Main phone, 214-590-8000
Victim Intervention Program/Rape Crisis Center, 214-590-0430 or http://www.parklandhospital.com/phhs/vip-rape-crisis-center.aspx

Methodist Dallas Medical Center, 1441 N. Beckley Ave.
Main phone, 214-947-8181
Sexual Assault Nurse Examiner (SANE), 214-947-8181 or http://www.methodisthealthsystem.org/sane-program

Preserving evidence in case of sexual assault

Victims of sexual assault are urged to obtain medical care and a sexual assault exam that preserves forensic evidence as soon as possible. Time is of the essence because certain types of evidence can dissipate or become unavailable. Obtaining a forensic exam does not require a person to file a police report, but it will help preserve evidence in case he or she decides at a later date to do so.

Before the exam: Do not change clothes, bathe, shower or douche; do not eat, drink or use toothpaste or mouthwash; do not wash clothing, bed sheets, pillows or other potential evidence.

If victims do not opt for forensic evidence collection, health care providers still can treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases.
Preserving evidence in case of domestic or dating violence

Victims of domestic or dating violence should not bathe or change clothes before documentation of physical evidence. Preserving evidence may be necessary to prove criminal domestic violence or dating violence in obtaining a protection order or pursuing criminal charges. If victims do not opt for forensic evidence collection, health care providers can still treat injuries.

Preserving evidence in case of stalking

Victims of stalking should save evidence such as any letters, notes, e-mails, phone calls, videos, photos, texts, social media postings, computer screenshots, voicemails or any other form of evidence that would be helpful.

For confidential counseling

SMU Counseling Services provides students with confidential counseling and assistance from counselors who specialize in sexual misconduct issues. Call 214-768-2277; an emergency contact number is provided at all hours.

The SMU Chaplain’s Office provides confidential counseling to campus community members; call 214-768-4502.

The SMU Employee Assistance Program provides confidential counseling and referral services for all full-time and part-time benefit-eligible faculty and staff and their dependents; call 1-877-704-5696.

A community resource, the Dallas Area Rape Crisis Center (DARCC), provides confidential counseling, as well as victim advocates and assistance at Texas Health Presbyterian Hospital Dallas; call 972-641-7273 (available 24/7) or visit http://www.dallasrapecrisis.org/

Other confidential resources:

- Genesis Women’s Shelter: 214-946-4357 or www.genesisshelter.org
- National Domestic Violence Hotline: 1-800-799-SAFE (7233)
- Stalking Resource Center: 855-4-VICTIM (855-484-2846) or victimsofcrime.org

Reporting to law enforcement

SMU urges anyone who has experienced sexual assault, dating violence, domestic violence or stalking to alert police as soon as possible. SMU campus authorities can provide assistance in notifying law enforcement authorities, at the victim’s request.

On campus, SMU Police can be reached at 911 from a campus phone; at 214-768-3333 from a cell phone; or by picking up a blue-light phone on campus at any time of day or night.

Off campus, call 911 to reach police in that jurisdiction or call 214-768-3333 to reach SMU Police, who can connect callers with police in the appropriate jurisdiction.

Crime victims have the right to choose to talk to police when they feel ready to do so, and also can choose to decline involvement with the police. However, SMU urges victims to notify police as soon as possible. When a victim reports an incident as soon as possible, police are better able to collect evidence that may be helpful in building a criminal case, even if the victim decides to wait until a later date to pursue criminal charges.

SMU is committed to responding to reports in a timely, sensitive and respectful manner. When a victim makes a report to police, the police will request information about the circumstances of the incident and the alleged perpetrator, in order to aid the investigation and build a criminal case.
In their operations and criminal investigations, SMU Police follow state and federal rules of procedure and evidence. The investigation conducted by SMU Police can include gathering evidence and witness statements, and obtaining search warrants and arrest warrants from a judge. The SMU Police Chief or designee assesses each case individually and acts in accordance with Clery Act requirements in determining whether a timely warning should be issued.

SMU Police notify the Dallas County District Attorney’s Office when a case of sexual assault has been reported and is under investigation.

When a victim decides to pursue criminal charges, a prosecutor in the District Attorney’s Office determines whether sufficient evidence exists to press charges and present the case to a grand jury to obtain an indictment and proceed with a trial, after SMU Police have presented the findings of their investigation.

SMU Police notify the SMU Title IX Coordinator when a case of sexual assault, dating violence, domestic violence or stalking has been reported, as required by the federal law Title IX of the Education Amendments of 1972. The SMU Title IX Coordinator will provide information about the victim’s option to also pursue an SMU grievance process under University policy, in addition to the criminal process.

**Protective orders and additional support**

Crime victims in Texas are guaranteed certain rights, as outlined in the Code of Criminal Procedure. The Office of the Attorney General has more information: [https://texasattorneygeneral.gov/cvs/crime-victim-publications](https://texasattorneygeneral.gov/cvs/crime-victim-publications)

SMU Police can assist victims in applying for a protective order, which tells a person to stay 500 feet from where the protected person lives or works. It instructs a person not to commit or threaten violence, or stalk the person applying for protection. Applications for protective orders are made at the Dallas County District Attorney’s Office Family Violence Division at the Frank Crowley Courthouse, 133 N. Riverfront Blvd., 214-653-3528. For more information: [https://www.dallascounty.org/department/da/media/ProtectiveOrder_Brochure_2015_eng.pdf](https://www.dallascounty.org/department/da/media/ProtectiveOrder_Brochure_2015_eng.pdf)

SMU Police keep a copy of protective orders on file. SMU honors protective orders and complies with the state laws regarding protective orders. If a protective order is violated, the protected person should call police immediately.

SMU also can provide no contact orders, letters to professors requesting leniency, escort and transportation services, and classroom and housing accommodations. For more information, please contact SMU’s Title IX Coordinator, 214-768-3601, or email accessequity@smu.edu.

**Reporting to additional campus resources**

In addition to SMU Police and confidential counselors, campus community members can choose to report cases of sexual assault, dating violence, domestic violence and stalking to:

- Title IX Coordinator in the Office of Institutional Access and Equity (for internal grievance reporting), 214-768-3601
- Office of Violence Prevention & Support Services, 214-768-4512

These campus officials will protect the privacy of all parties involved in a report to the extent possible, but are required to report cases of sexual misconduct to SMU’s Title IX Coordinator and to SMU Police.
SMU-IN-PLANO

Students, faculty and staff are urged to immediately report sexual assault, dating violence, domestic violence and stalking to the Plano Police Department by calling 911, the SMU Police Department at 214-768-3333 or the security guard on campus whether the incident occurs on or off campus, no matter who the alleged assailant. Students, faculty and staff also are urged to preserve evidence and seek medical attention immediately, even if you decide not to contact police. At Texas Health Presbyterian Hospital Plano, a certified Sexual Assault Nurse Examiner (SANE) can provide care and an exam that preserves evidence; call 972-981-8003 to reach the emergency room.

The other main-campus and community resources listed above also are available, including SMU Counseling Services, 214-768-2277; an emergency contact number is provided 24/7. The SMU Employee Assistance Program provides confidential counseling and referral services for all full-time and part-time benefit-eligible faculty and staff and their dependents; 1-877-704-5696.

Community resources including the Dallas Area Rape Crisis Center (DARCC) at 972-641-RAPE (7273) and the Collin County Rape Crisis Center at 800-886-7273 also offer confidential counseling and support.

SMU’s Title IX Coordinator can provide assistance in pursuing an internal grievance process by filing a complaint under SMU’s Title IX Harassment Policy; call 214-768-3601.

SMU-IN-TAOS

Students, faculty and staff are urged to call 911 to reach the New Mexico State Police or the Taos Sheriff’s Department to report sexual assault, dating violence, domestic violence and stalking, whether the incident occurs on or off campus, no matter who the alleged assailant. Support also is available from SMU-in-Taos security officials, 575-317-9434, and SMU Police, 214-768-3333 (available 24/7). Students, faculty and staff also are urged to preserve evidence and seek medical attention immediately, even if you decide not to contact police. At Holy Cross Hospital in Taos, a certified Sexual Assault Nurse Examiner (SANE) can provide care and an exam that preserves evidence; 575-751-8990.

The other main-campus and community resources listed above also are available, including SMU Counseling Services, 214-768-2277; an emergency contact number is provided 24/7. The SMU Employee Assistance Program provides confidential counseling and referral services for all full-time and part-time benefit-eligible faculty and staff and their dependents; 1-877-704-5696.

A community resource that provides support is the Taos Community Against Violence confidential hotline, 575-758-9888 (available 24/7).

SMU’s Title IX Coordinator can provide assistance in pursuing an internal grievance process by filing a complaint under SMU’s Title IX Harassment Policy; call 214-768-3601.

PROCEDURES SMU WILL FOLLOW IN CASE OF ALLEGED DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING

PROTECTING INFORMATION

In accordance with the Texas Code of Criminal Procedure, Art. 57, victims may use a pseudonym to protect their identity. A pseudonym is a set of initials or a fictitious name chosen by the victim to be used in all public files and records concerning the alleged offense.
SMU will not include a victim’s personally identifying information in any publicly available recordkeeping, including Clery Act reporting and disclosures such as the annual security report and the daily crime log.

In some cases, SMU may need to disclose some information about a victim to a third party to provide necessary accommodations or protective measures in a timely manner.

**CAMPUS AND COMMUNITY RESOURCES**

SMU provides victims of sexual assault, dating violence, domestic violence and stalking with information about campus and community services, including:

*Campus resources*

- SMU Police, 911 or 214-768-3333
  - Criminal reporting
- Title IX Coordinator in the Office of Institutional Access and Equity, 214-768-3601
  - Internal grievance reporting
- Violence Prevention & Support Services, 214-768-4512
- SMU Counseling Services, 214-768-2277 (available 24/7)
  - Student confidential counseling
- SMU Chaplain’s Office, 214-768-4502
  - Confidential pastoral counseling for campus community members
- SMU Employee Assistance Program, 1-877-704-5696
  - Confidential counseling and referral services for all full-time and part-time benefit-eligible faculty and staff and their dependents
- Dr. Bob Smith Health Center, 214-768-2141

*Community resources*

- Dallas Area Rape Crisis Center (DARCC), 972-641-7273 (available 24/7)
  - Confidential counseling, victim advocacy and can provide assistance at Texas Health Presbyterian Hospital Dallas SANE program
- Texas Health Presbyterian Hospital Dallas, 8200 Walnut Hill Lane, 214-345-6789
  - Sexual Assault Nurse Examiner (SANE), 214-345-6203 or texashealth.org/dallassane
- Genesis Women’s Shelter: 214-946-4357 or www.genesisshelter.org
- National Domestic Violence Hotline: 1-800-799-SAFE (7233)
- Stalking Resource Center: 855-4-VICTIM (855-484-2846) or victimsofcrime.org

**ADDITIONAL ASSISTANCE**

SMU also can assist victims by providing no contact orders, letters to professors requesting leniency, escort and transportation services, classroom and housing accommodations, assistance filing protective orders through the district attorney’s office and assistance contacting local law enforcement if the alleged offense occurred off campus. SMU will comply with a student’s reasonable request for a living and/or academic change regardless of whether the student chooses to report the alleged offense to police.

For more information, please contact SMU’s Title IX Coordinator, 214-768-3601, or email accessequity@smu.edu.
SMU INTERNAL GRIEVANCE PROCESS

SMU’s Title IX Harassment Policy, Policy 2.5.1 (see next page, or online at smu.edu/iae), strictly prohibits sexual misconduct. Sexual misconduct encompasses all forms of sexual harassment, including sexual assault, dating violence, domestic violence and stalking.

Victims of sexual misconduct – including dating violence, domestic violence, sexual assault and stalking – may file a complaint under the University’s Title IX Harassment Policy with the Title IX Coordinator in SMU’s Office of Institutional Access and Equity. Call 214-768-3601 or email accessequity@smu.edu.

Internal grievance procedures are required by the federal government under Title IX of the Education Amendments of 1972. The internal grievance process is independent of the criminal process and can be pursued at the same time as the criminal process. Victims have the right to decide to pursue both the internal grievance and criminal processes, or one of these processes, or may choose to pursue neither process.

Campus officials who conduct proceedings to address allegations of dating violence, domestic violence, sexual assault and stalking receive annual training on related issues and on how to conduct an investigation and hearing process that protects victims and promotes accountability. Training includes webinars and workshops offered by groups such as the Association of Title IX Administrators (ATIXA), the National Association of College and University Attorneys (NACUA) and United Educators, and community resources including the Dallas Area Rape Crisis Center (DARCC). Internal training is also provided by campus offices including SMU’s Office of Institutional Access and Equity, SMU Police, the Office of Conduct and Community Standards, Counseling Services and the Office of Legal Affairs.

SOUTHERN METHODIST UNIVERSITY
POLICIES AND PROCEDURES

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION

POLICY NUMBER: 2.5.1 REVISED AS OF: August 1, 2017

TITLE IX HARASSMENT

Section 1. APPLICATION

Section 2. POLICY AGAINST TITLE IX HARASSMENT IN EMPLOYMENT AND EDUCATION PROGRAMS

Section 3. PURPOSE OF POLICY

Section 4. INQUIRIES CONCERNING TITLE IX COMPLIANCE

Section 5. DEFINITIONS AND EXAMPLES

Section 6. ISOLATED AND INADVERTENT OFFENSES
Section 7. CONSENSUAL RELATIONSHIPS

Section 8. GRIEVANCE PROCEDURES FOR ALLEGED VIOLATIONS OF SMU’S POLICY AGAINST TITLE IX HARASSMENT

8.1. Relationship to Other SMU Policies.

8.2. General Provisions

8.2.1. Applicability to University activities and programs
8.2.2. Confidentiality
8.2.3. Sexual Violence
8.2.4. Evidentiary Standard
8.2.5. Examination of Witnesses
8.2.6. Records
8.2.7. Sequencing of Criminal Investigations of Allegations of Sexual Assault and Sexual Violence
8.2.8. Interim Protective Steps
8.2.9. Support
8.2.10. Extensions of time
8.2.11. False Accusations

8.3. General Procedures

8.3.1. Complaints and Reports of Title IX Harassment
8.3.2. Informal (Administrative) Resolution
8.3.3. Investigation

8.4. Specific Procedures for Complaints Filed Against Students

8.4.1. Sanctions
8.4.2. Appeals to the University Conduct Council
8.4.3. Review by the President of the University

8.5. Specific Procedures for Complaints Filed Against Staff

8.5.1. Corrective Action
8.5.2. Hearing Procedures

8.6. Specific Procedures for Complaints Filed Against Faculty

8.6.1. Hearing Committee
8.6.2. Pre-Hearing Meeting
8.6.3. Hearing Procedures
8.6.4. Report and Recommendations to the President and Final Decision

Section 9. ON-LINE TRAINING COURSE

Section 1. APPLICATION
This policy applies exclusively to allegations of sexual harassment, including sexual violence and gender-based harassment. Other forms of protected harassment and discrimination are handled under Policy 2.8, University Grievance Policy and Procedure.

Section 2. POLICY AGAINST TITLE IX HARASSMENT IN EMPLOYMENT AND EDUCATION PROGRAMS

2.1. Prohibition of Title IX Harassment (Sexual Misconduct)

The policy of Southern Methodist University is to comply with Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., and its implementing regulations, 34 C.F.R. Part 106. SMU expressly prohibits sexual harassment, including sexual violence, and gender-based harassment against:

a. its students, faculty, and staff;

b. applicants who seek to join the SMU community in any capacity; and

c. visitors participating in the educational activities or programs of the University.

Sexual harassment and gender-based harassment violate Title IX. University personnel must maintain an academic and work environment that is free of such harassment. The University will take immediate and appropriate corrective action where such harassment occurs, and in such cases, members of the University community are encouraged to consult immediately with the Title IX Coordinator or a Deputy Title IX Coordinator.

2.2. Prohibition of Retaliation

Retaliation is a separate violation of SMU’s Title IX harassment policy. University policy prohibits any member of the University community -- staff, members of the faculty, students or visitors participating in the educational activities or programs of the University -- from retaliating in any way against a person because that person has raised allegations of harassment prohibited by Title IX. It is a violation of this policy to retaliate against any person who has exercised the right to file a complaint or report of Title IX harassment, used any of the processes provided by SMU, cooperated with an investigation, or testified or otherwise offered evidence connected to a complaint. A complaint’s actual or perceived lack of merit does not excuse retaliatory conduct. Any person who observes retaliation should promptly notify the Title IX Coordinator.

Section 3. PURPOSE OF POLICY

The purpose of this policy is to promote an academic and work environment that is free of sexual harassment, including sexual violence, and gender-based harassment by providing a means for addressing complaints of such harassment. The University has designed this policy to ensure a safe, non-harassing environment for its students, faculty, staff, and other members of the University community. The University does not intend for this policy to infringe upon any First Amendment or academic freedom protections available to members of the University community.

Section 4. INQUIRIES CONCERNING TITLE IX COMPLIANCE
Inquiries concerning Title IX compliance should be referred to the Executive Director, Office of Institutional Access and Equity, who serves as SMU’s Title IX Coordinator. The name of that official is as follows:

Ms. Samantha Thomas  
Title IX Coordinator  
Executive Director for Access and Equity and Executive Assistant to the President  
Office of Institutional Access and Equity  
204 Perkins Administration Building  
6425 Boaz Lane  
P.O. Box 750200  
Dallas, Texas 75275-0200  
Phone: 214-768-3601  
FAX: 214-768-2101  
Email: thomassa@smu.edu  
Web: http://smu.edu.iae/

Duties: In addition to the specific duties set forth in this policy, the Title IX Coordinator is charged with the responsibility of oversight of all Title IX claims.

Deputy Title IX Coordinators include:

Ms. Eve Shatteen Bell, JD  
Director and ADA/504 Coordinator  
Office of Institutional Access and Equity  
204 Perkins Administration Building  
6425 Boaz Lane  
P.O. Box 750200  
Dallas, Texas 75275-0200  
Phone: 214-768-3601  
FAX: 214-768-2101  
Email: eshatteenbell@smu.edu  
Web: http://smu.edu.iae/

Ms. Denise Gauthier  
Assistant Director  
Office of Institutional Access and Equity  
204 Perkins Administration Building  
6425 Boaz Lane  
P.O. Box 750200  
Dallas, Texas 75275-0200  
Phone: 214-768-3601  
FAX: 214-768-2101  
Email: dgauthier@smu.edu  
Web: http://smu.edu.iae/

Ms. Monique Holland  
Executive Senior Associate Athletics Director for Administration/Senior Woman Administrator  
Department of Athletics  
Loyd All-Sports Center
With the exception of Ms. Holland, each of the above named Deputy Title IX Coordinators has University-wide responsibility for investigating Title IX claims and reporting the results of their investigations to the Title IX Coordinator. Ms. Holland does not investigate Title IX complaints arising within the Athletics Department, but otherwise has responsibility for investigating Title IX claims and reporting the results of her investigations to the Title IX Coordinator.

Section 5. Definitions

5.1. Definitions

As used in this policy, the following terms have the meaning indicated:
5.1.1. “Appropriate University Officer” means the officer at SMU responsible for the office, school, college, or other administrative unit with direct supervisory authority over the faculty or staff employee and his or her designee and any successors.

5.1.2. “Complainant” means the person (including, in certain circumstances, the University) filing a complaint of Title IX harassment with the Title IX Coordinator or a Deputy Title IX Coordinator.

5.1.3. “Complaint” means a person is invoking the grievance process under this policy which is initiated when the person completes and submits a Title IX Harassment Complaint Form to the Title IX Coordinator or a Deputy Title IX Coordinator. A report of Title IX harassment can also be made to the Title IX Coordinator or Deputy Title IX Coordinator without filing a complaint and will be reasonably investigated to the extent possible.

5.1.4. “Conduct Officer” means the University staff member trained in the student conduct review process.

5.1.5. “Consent” means voluntary, clear, continuous, mutually understandable permission, given by words or actions, regarding one’s willingness to engage in sexual activity.

- A sexual interaction is considered consensual when individuals willingly and knowingly engage in the interaction.
- Someone who is incapacitated (by alcohol, drug use, unconsciousness, disability, or other forms of helplessness) cannot consent.
- Consent cannot be procured by the use of physical force, compulsion, threats, intimidating behavior, or coercion.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Previous relationships or previous consent for sexual activity is not consent to sexual activity on a different occasion.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person.
- Silence or absence of resistance is not consent.
- Consent can be withdrawn at any time.
- Previous consent does not mean ongoing consent. (For example, consent to certain acts does not mean consent to the same act later.)
- How drugs and alcohol affect consent:
  - Individuals should be aware of, and carefully consider the potential consequences of the use of alcohol and drugs. Alcohol and other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and affirmatively given. If there is a question about
whether someone consented to sexual activity after consuming drugs or alcohol, the University will examine the issue from the perspective of a reasonable person. Specifically, the University will consider whether the respondent reasonably should have known about the impact of the alcohol and other drugs on the complainant’s ability to give consent.

- The use of alcohol or drugs does not justify or excuse behavior that constitutes Title IX Harassment.

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

- Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- The existence of a social relationship or a romantic or intimate nature with the victim is determined based on:
  - The reporting party’s statement;
  - The length of the relationship;
  - The type of relationship; and
  - The frequency of interaction between the persons involved in the relationship.

The term dating violence excludes acts covered under the definition of domestic violence.

5.1.7. “Day” means a calendar day, excluding when the University is officially closed.

5.1.8. “Dean of Student Life” means the person who holds the title of Dean of the Office of Student Life at SMU or his or her designee and any successors.

5.1.9. “Domestic violence” means a felony or misdemeanor crime of violence committed by a current or former spouse of the victim or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner, or anyone who is protected from the respondent’s acts under the domestic or family violence laws of the jurisdiction.

5.1.10. “Gender-based harassment” means acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

5.1.11. “Incapacitation” means the inability to provide consent due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents an individual from having the capacity to give consent.
5.1.12. “Intimidation” means to unlawfully place another person in a reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

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

5.1.14. “Rape” means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the person.

5.1.15. “Respondent” means the person who is alleged to have engaged in the discriminatory conduct as set forth in the report or complaint filed with the Title IX Coordinator.

5.1.16. “Result” means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution.

5.1.17. “Retaliation” means any adverse action, or attempted adverse action, against an individual (or group of individuals) because of their participation in any manner in an investigation, proceeding, or hearing under this policy, including individuals who file a third-person report. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct. Retaliation can take many forms, including sustained abuse or violence, threats, coercion, intimidation, and discrimination. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy. Any individual or group of individuals engaging in retaliation can be held responsible. Examples of conduct which may be retaliation include, but are not limited to:

- Threats of harm to an individual or the individual’s property;
- Forcing or pressuring an individual to take time off from school or work;
- Pressuring an individual to refrain from talking to the media;
- Removing an individual from sports teams or other extracurricular activities for reporting Title IX harassment;
- Unreasonably failing to accommodate an individual’s housing or academic needs; or
- Terminating, demoting, reassigning, or denying benefits to an employee.

5.1.18. “Sex discrimination” means giving preferential treatment to one gender to the disadvantage of the other because of his or her gender. It may occur also when
policies or practices are facially neutral, but have a disproportionately adverse impact on a particular gender when applied.

5.1.19. “Sexual assault (non-consensual sexual contact)” means any intentional sexual touching, however slight, with any object, by man or woman upon a man or woman that is without consent and/or by force. Sexual contact includes: intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, mouth or other orifice.

5.1.20. “Sexual assault (non-consensual sexual intercourse)” means any sexual intercourse, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force. Intercourse includes: vaginal penetration by a penis, object, tongue, or finger, anal penetration by a penis, object, tongue, or finger, or oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

5.1.21. “Sexual exploitation” occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another student;
- Non-consensual video or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting a friend hide in the closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting an STI or HIV to another person;
- Exposing one’s genitals in non-consensual circumstances or inducing another to expose their genitals; or
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

5.1.22. “Sexual harassment” is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when –

A. submission to such conduct is made either an explicit or an implicit term or condition of an individual’s employment, academic evaluation or advancement, or status in a course, program or activity of the University;

b. submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting such individual; or
such conduct has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment or unduly interfering with an individual's work or academic performance. For purposes of this policy, "undue interference" is defined as improper, unreasonable or unjustifiable behavior going beyond what is appropriate, warranted or natural.

Sexual harassment includes two categories:

“Hostile environment sexual harassment” means verbal, physical or visual forms of harassment that are sexual in nature, “sufficiently severe, persistent, or pervasive” and unwelcome. A single, severe incident, such as a sexual assault, could create a hostile environment. A "hostile environment" is often created by a series of incidents.

“Quid pro quo sexual harassment” means "this for that." An example of this form of sexual harassment occurs if a member of the faculty (or staff member) stipulates that one’s grade or performance rating (or participation on a team, in a play, etc.) will be based on whether one submits to unwelcome sexual conduct. Whether one refuses a sexual demand or submits to it is not relevant; the conduct violates the law.

5.1.23. “Sexual misconduct” includes sexual harassment, gender-based harassment, sexual violence, sexual assault, dating violence, domestic violence, stalking, and sexual exploitation.

5.1.24. “Sexual violence” means a physical sexual act perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment prohibited by Title IX and this policy.

5.1.25. “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress.

A course of conduct is two or more acts, including, but not limited to:

- Acts in which the “stalker” directly, indirectly, or through third parties by any action, method, device or means,
- Follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.

Substantial emotional distress is significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.
A reasonable person is one under similar circumstances and with similar identities to the victim.

5.1.26. “Title IX Coordinator” means the Executive Director, Office of Institutional Access and Equity, and his or her designees and any successors.

5.1.27. “Title IX harassment,” as used in this policy, includes sexual harassment, gender-based harassment, sexual violence, sexual assault, dating violence, domestic violence, stalking, and sexual exploitation.

5.1.28. “University” refers to Southern Methodist University (“SMU”).

5.2. **Examples**

If sufficiently severe or pervasive, the following types of actions serve as non-exhaustive examples of Title IX harassment prohibited by this policy:

5.2.1. physical sexual acts perpetrated:
   a. against a person’s will; or
   b. where a person is incapable of giving consent due to that person’s use of drugs or alcohol or due to an intellectual or other disability;

5.2.2. direct or implied statements, threats, or demands for sexual favors, sexual advances, accompanied by implied or actual promises of preferential treatment for submission to such demands; or implied or actual threats that failure to submit to such demands may result in adverse treatment concerning the person’s admission, enrollment, employment, work status, promotion, grades or recommendation;

5.2.3. persistent, unwelcome flirtation, requests for dates, repeated and unwanted staring, advances or propositions of a sexual nature;

5.2.4. gratuitous displays of sexually suggestive objects or pictures, including images displayed, transferred, forwarded or shared via the internet, text messaging or other electronic means;

5.2.5. a pattern of conduct unrelated to an academic course or the requirements of the workplace intended to cause discomfort or humiliation or both that includes one or more of the following:
   a. comments of a sexual nature;
   b. sexually explicit statements, questions, jokes, anecdotes or gestures;
   c. a pattern of conduct that would cause discomfort or humiliation, or both, to a reasonable person to whom the conduct is directed and that includes one or more of the following:
      (1) unnecessary touching, such as patting, pinching, hugging or repeated brushing against a person's body;
(2) remarks of a sexual nature about a person's clothing or body; or
(3) remarks about sexual activity or speculations about previous sexual experience.

5.2.6. Treating individuals adversely because they do not conform to stereotypical norms of feminine or masculine gender behavior.

5.2.7. Acts of Title IX harassment may take many different forms. Examples include the following:
   a. direct threats and other verbal statements;
   b. email or other electronic messages;
   c. physical contact;
   d. jokes;
   e. gestures; and
   f. pictures or other visuals.

5.2.8. Harassment that violates this policy goes beyond the mere expression of views or thoughts (spoken or written) that an individual may find offensive. The conduct must be sufficiently severe or pervasive as to limit unlawfully an individual’s ability to participate in or benefit from the activities of SMU. Further, one must evaluate such conduct from the perspective of a reasonable person in the alleged victim's position, taking into account the totality of the circumstances involved in a particular matter.

Section 6. ISOLATED AND INADVERTENT OFFENSES

6.1. Members of the University community demonstrate insensitivity that necessitates remedial measures when, without establishing a pattern of doing so, they engage in isolated conduct that may give rise to acts of sexual harassment. When University officials become aware that such conduct has occurred or is occurring in their areas, they should direct those engaged in such conduct to undertake Title IX training and, in consultation with the Title IX Coordinator, document the incident and submit the documentation to the Title IX Coordinator.

6.2. After participating in the Title IX training or after failing or refusing to participate after being directed to do so, a person continues to engage in the conduct, the appropriate University official shall report the facts and circumstances to the Title IX Coordinator. The Title IX Coordinator shall act on the matter in accordance with Section 8 of this policy.

Section 7. CONSENSUAL RELATIONSHIPS

Relationships that begin as consensual have the potential to evolve into sexual harassment, particularly with regard to faculty-student and staff-student relationships, as well as in supervisor-subordinate relationships. SMU urges the University community to consult Policy 2.5 B,
Consensual Sexual Relationships, before engaging in a consensual sexual relationship with another member of the SMU community.

Section 8. GRIEVANCE PROCEDURES FOR ALLEGED VIOLATIONS OF SMU’S POLICY AGAINST TITLE IX HARASSMENT

8.1. Relationship to Other SMU Policies

Any person -- staff, students, faculty, applicants, all other members of the SMU community, and visitors participating in the educational activities or programs of the University -- wishing to file a complaint of Title IX harassment must follow the procedures set forth in this policy. To the extent that Policy 2.8 (University Grievance and Policy Procedure), the Student Conduct Code, the University Conduct Review Process, or Policy 6.16 (Procedural Standards for Faculty Dismissals and Sanctions) conflict with this policy, the procedures set forth in this policy take precedence.

8.2. General Provisions

The following provisions apply to all complaints for Title IX harassment.

8.2.1. Applicability to Off-Campus University Activities and Programs

Academic and work relationships at SMU occasionally extend beyond the physical University site and beyond University work hours. Evidence of sexual harassment may thus include functions and events under the aegis of SMU occurring off-campus and after hours.

8.2.2. Confidentiality

8.2.2.1. SMU considers complaints of Title IX harassment, their investigation, and related proceedings to be confidential. SMU will use its best efforts not to disseminate information concerning an allegation of Title IX harassment beyond those necessary for its investigation and handling by the University. Release of confidential information to the public will be authorized only by the President or his or her designee.

8.2.2.2. SMU will investigate allegations of Title IX harassment and take corrective action, if appropriate, in those circumstances where the complainant does not wish to pursue these procedures or corrective action. A complainant’s desire for anonymity or inaction may hinder SMU’s investigation of a Title IX harassment complaint.

8.2.2.3. Nothing in this confidentiality policy precludes or limits the responsibility and authority of the central administration and the SMU Board of Trustees to take actions that they deem necessary to protect students, faculty, and staff of SMU.

8.2.3. Sexual Violence
SMU encourages students subjected to sexual violence to promptly seek medical assistance and counseling and to report the incident to the SMU Police Department and the Title IX Coordinator as soon as possible.

8.2.4. Evidentiary Standard

A preponderance of evidence standard is the standard that must be used in any investigation, hearing, or appeal of a decision regarding a complaint of Title IX harassment. This standard requires a showing that it is more likely than not that Title IX harassment occurred.

8.2.5. Examination of Witnesses

The complainant and the respondent may not personally question or conduct a cross-examination of the other party during any investigation, hearing, or appeal.

8.2.6. Records

Except as otherwise stated in this policy, the Office of Institutional Access and Equity is the repository of all records of Title IX harassment complaints and their investigation and internal adjudication. The Office of Institutional Access and Equity shall receive and maintain all such records.

8.2.7. Sequencing of Criminal Investigations of Allegations of Sexual Violence

A complainant alleging sexual violence may simultaneously pursue a criminal complaint with the appropriate law enforcement agency and file a complaint for Title IX harassment with the Title IX Coordinator. In this circumstance, SMU will continue to process and investigate complaints alleging sexual assault, and in such a case, SMU will not delay its handling of a complaint of sexual violence until the commencement or conclusion of a criminal investigation or proceeding. Notwithstanding the foregoing, at the request of law enforcement authorities, SMU may temporarily delay its processing of the complaint while law enforcement authorities gather evidence concerning the allegation of sexual assault.

8.2.8. Interim Protective Steps

8.2.8.1. Pending the investigation, hearing, or appeal of a complaint for Title IX harassment, SMU may take interim steps to protect the complainant, as well as other members of the SMU community.

8.2.8.2. By way of illustration, SMU:

   a. may issue a “no contact” order prohibiting one party from having contact with another;
   
   b. may direct the lateral transfer of Staff Member or move a student to another classroom setting;
   
   c. make arrangements for academic and employment evaluations;
d. at any time during or after an investigation or hearing of a Title IX harassment complaint against a member of the faculty or teaching assistant (acting in a teaching capacity), the Provost (or his or her designee) may place the member of the faculty or teaching assistant on administrative leave from teaching responsibilities if the Provost reasonably believes that:

1. the alleged harassment has occurred; and

2. the respondent would be in a position to do harm to members of SMU community if the respondent continues to teach a class. Such leave may be with pay and all benefits in place.

e. at any time during or after an investigation or hearing of a Title IX harassment complaint against a Staff Member, the appropriate University Officer responsible for the unit employing the respondent may place the Staff Member on administrative leave from employment responsibilities if the Vice President reasonably believes that:

1. the alleged harassment has occurred; and

2. the respondent would be in a position either to retaliate against, or in any way do harm to, members of SMU community if the respondent continues to work in that unit or department. Such leave may be with pay and all benefits in place.

f. at any time during or after an investigation or hearing of a Title IX harassment complaint against a student, the Vice President for Student Affairs or his or her designee may restrict a student-respondent from attendance in one or more classes or restrict the student-respondent from living in campus housing or otherwise prohibit the student-respondent’s presence on the SMU campus, as deemed appropriate and necessary.

8.2.9. Support

8.2.9.1. Any person found to have been subjected to Title IX harassment may receive counseling and academic support services. Such services are available also to others affected by Title IX harassment, including the person alleged or found to have engaged in harassment. To obtain information about University counseling and academic support services, please contact the Title IX Coordinator.

8.2.9.2. Students affected by Title IX harassment may also arrange confidential crisis counseling with a counselor in the SMU Health Center. The SMU Chaplain’s Office is also a confidential resource for students. Confidential
crisis counseling for faculty and staff may be arranged through the University’s Employee Assistance Program.

8.2.9.3. A counselor in the SMU Health Center is also available to accompany to the hospital students who report that they have been sexually assaulted, if desired. A medical examination will help preserve important evidence of sexual violence if the person who alleges sexual violence decides later to prosecute or to file a complaint for Title IX harassment.

8.2.9.4. The complainant and the respondent may have an advisor of their choice present throughout the proceeding. Advisors serve in a support role and may not act or speak on behalf of the parties.

8.2.10. Extensions of Time

At his or her discretion, the Title IX Coordinator may extend for a reasonable period any of the deadlines set forth in this policy.

8.2.11. False Accusations

A false complaint of Title IX harassment can place a permanent stigma on a member of the SMU community and other persons, regardless of the ultimate outcome of any investigation. Accordingly, SMU prohibits false accusations of Title IX harassment; false complaints of Title IX harassment are a violation of University policy. At the conclusion of SMU’s Title IX harassment complaint procedures, and if it appears reasonably likely that a complainant and others acted in bad faith or deliberately and knowingly filed a false complaint or provided false testimony, the respondent, as well as the appropriate University officials, may seek redress against the complainant and others through appropriate University channels. False accusation charges shall be brought to the attention of the Title IX Coordinator.

8.3. General Procedures

The following procedures apply to all complaints filed under this policy.

8.3.1. Complaints and Reports of Title IX Harassment

8.3.1.1 Any person as defined in Section 8.1 of this policy who believes that he or she is being, or has been, subjected to Title IX harassment is encouraged to file a complaint of the alleged act of discrimination as promptly as possible by completing and submitting a Title IX Harassment Complaint Form to the Title IX Coordinator or a Deputy Title IX Coordinator. Filing a complaint will invoke the grievance procedures outlined in this policy including the right of both the complainant and the respondent to be notified in writing of the outcome (result) of the investigation and sanctions imposed, if any, and the right to request an appeal.

8.3.1.2 A report of Title IX harassment can also be made to the Title IX Coordinator or a Deputy Title IX Coordinator without filing a complaint.
and will be reasonably investigated to the extent possible. Reports may also be made by third parties who witness or become aware of Title IX harassment. With the exception of licensed physicians, psychologists, and pastoral counselors who have a legal duty to maintain confidentiality, all other reports of Title IX harassment made to University employees or departments must be promptly reported to the Title IX Coordinator. Although reports will be reasonably investigated, they are not considered complaints and do not invoke the grievance procedures outlined in this policy.

8.3.2. Informal (Administrative) Resolution

8.3.2.1. The Title IX Coordinator may attempt an informal (administrative) resolution of the complaint and consult as necessary with the complainant, respondent, immediate supervisor, appropriate vice president, department chair, advisor or other members of the University community (or their designees). Informal resolution may be terminated by any party at any time, and the complaint may proceed to investigation.

8.3.2.2. Sexual violence complaints are not subject to mediation.

8.3.3. Investigation

8.3.3.1. A fact-finding investigation will commence upon the receipt of a completed Title IX Harassment Complaint Form. Both the complainant and the respondent will be given an equal opportunity to present relevant witnesses and other evidence. The investigation may include, but is not limited to, conducting interviews of the complainant, the respondent, and any witnesses; reviewing law enforcement investigation documents, if applicable; reviewing student and personnel files; and gathering and examining other relevant documents or evidence. A typical investigation including the determination of sanctions, if any, takes approximately 60 days following the receipt of a completed Title IX Harassment Complaint Form. The 60 days does not include appeals. Both the complainant and the respondent will be notified simultaneously in writing of the outcome (result) of the investigation. To the fullest extent possible within the requirements of conducting a complete investigation, each individual who is contacted or interviewed during the review and investigation of the complaint must maintain the confidentiality of the complaint and investigation.

8.3.3.2. At the conclusion of the investigation, the Title IX Coordinator shall prepare a written report of investigation for distribution as set forth below.

8.4. Specific Procedures for Complaints Filed Against Students

For complaints against students, the Title IX Coordinator shall submit the complaint and a written report of investigation to a Sanctioning Panel if the respondent has been found responsible for violating this policy and the complaint has not been resolved
administratively by the Title IX Coordinator. The Sanctioning Panel will be comprised of the Director of Student Conduct & Community Standards or his or her designee, a Deputy Title IX Coordinator, and an SMU student. The members of the Sanctioning Panel will have participated in Title IX training approved by the University. The Sanctioning Panel shall determine the appropriate sanctions as defined in the next section, and the complainant and the respondent will be notified simultaneously in writing of the sanction. The Sanctioning Panel’s determination of sanctions shall fall within the approximate 60-day investigation period.

8.4.1. Sanctions

The Sanctioning Panel may impose one or more of the following sanctions in addition to educational sanctions including, but not limited to, training, reflection exercises, research papers, and community service:

8.4.1.1. EXPULSION. An individual or group will be separated from the University on a permanent basis. An individual's expulsion will be permanently recorded on his or her academic transcript. Before this sanction is enforced, the President of the University will review it. A student expelled from the University may not enter campus grounds for any reason without the express written permission from the Office of the Dean of Student Life. A student expelled from the University will not receive a refund of any monies paid, including tuition, fees, and room and board.

8.4.1.2. SUSPENSION. An individual or group will be dismissed from the University for an assigned time period and under the conditions deemed necessary by the Sanctioning Panel. A student suspended from the University may not enter campus grounds for any reason during the period of her/his suspension without the express written permission from the Office of the Dean of Student Life. A student suspended from the University before an academic semester ends will not receive a refund of any monies paid, including tuition, fees, and room and board. No academic credit earned during the period of suspension at any other institution may be transferred to SMU. A disciplinary suspension and its effective dates are recorded on a student's academic transcript. The notation remains for the time the student is enrolled in the University and is removed three (3) years after graduation. If the student leaves the University before graduation, the notation is removed three (3) years after the anticipated date of graduation from the University.

8.4.1.3. DEFERRED SUSPENSION. Individual or group suspension may be deferred (not enforced). Deferred terms (i.e., conditions of the deferred suspension and its duration) will be set by the Sanctioning Panel. If the student is found responsible for violating the terms of the deferred suspension during the period established by the Sanctioning Panel, the student may be suspended.
8.4.1.4. CONDUCT PROBATION. A student or group is given a warning that further violations will result in consideration of suspension. The student or a group representative may be required to report to a Conduct Officer on a regular basis during the period of the probation.

8.4.1.5. FORMAL CONDUCT WARNING. The individual or group will be given formal notice by the Sanctioning Panel that they have violated this policy. If the individual or group is found in violation of a further charge, that case will be considered more seriously.

8.4.2. Appeals to the University Conduct Council

8.4.2.1. The University Conduct Council

The University Conduct Council is the basic unit responsible for student conduct appeals in response to Title IX harassment complaints. It is the recommending body to the Vice President for Student Affairs.

8.4.2.2. Composition

The composition of the University Conduct Council is set forth in the University Conduct Review Process.

8.4.2.3. Requesting an Appeal

Within five (5) days of receipt of notification of such findings and recommended sanctions, if any, the complainant or the respondent or both have the right to request in writing that the Dean of Student Life permit the requesting party to appeal to the University Conduct Council the findings and recommended sanctions, if any. The non-appealing party will receive a copy of the appeal and may provide a written response to the Dean of Student Life within five (5) days of receipt of the appeal. The Dean of Student Life has the discretion to grant or deny the request for an appeal.

8.4.2.4. Grounds for Requesting an Appeal

Within ten (10) days of receipt of a written request for an appeal, the Dean of Student Life may grant an appeal to the complainant or the respondent or both on finding that (i) any one or more of the following circumstances exist and (ii) the mere existence of the circumstance(s) would significantly change the findings and recommended sanction, if any:

a. Procedural errors that substantially impacted the outcome of the investigation;

b. New and relevant evidence not known at the time of the investigation that could substantially impact the finding or the
sanction. A summary of the evidence and its potential impact must be included; or

c. The sanctions imposed are substantially disproportionate to the severity of the violation.

8.4.2.5. University Conduct Council Procedures Regarding Appeals

8.4.2.5.1. An appeals packet will be provided to the University Conduct Council that will contain, at a minimum, the written request for the appeal and the written response, if any. The University Conduct Council will base its findings on the appeal packet.

8.4.2.5.2. Only those members of the University Conduct Council who have participated in the Title IX training approved by the University shall sit as the appellate body.

8.4.2.5.3. At its discretion, the University Conduct Council may consult with the investigators of the complaint as needed.

8.4.2.6. Determination of the Appeal

8.4.2.6.1. Within 14 days of the date of the receipt of the appeal packet, the University Conduct Council shall recommend to the Vice President for Student Affairs one of the following actions:

   a. If procedural errors occurred that substantially impacted the outcome of the investigation, return the case to the original investigators to correct the error and render a determination within 14 days or request a new investigation;

   b. If there is new and relevant evidence not known at the time of the investigation that could substantially impact the finding or the sanction, return the case back to the original investigators to consider the new evidence and render a determination within 14 days;

   c. If the sanctions imposed are substantially disproportionate to the severity of the violation, return the case back to the Sanctioning Panel to reconsider the sanction imposed and render a determination within 14 days; or

   d. Uphold the findings and recommended sanctions, if any.

The parties will be notified in writing when the University Conduct Council has concluded its review and forwarded the recommendation to the Vice President for Student Affairs.
8.4.2.6.2. Within 14 days of receipt of the recommendation from the University Conduct Council, the Vice President for Student Affairs shall review the recommendation and the record of the complaint as a whole and shall render a final determination in the matter. The complainant, the respondent, and the Title IX Coordinator shall be notified in writing of the final determination of the Vice President for Student Affairs.

8.5. Specific Procedures for Complaints Filed Against Staff

For complaints filed against Staff Members, the Title IX Coordinator shall provide the complaint and a written report of the investigation to the Appropriate University Officer. The Appropriate University Officer shall decide what corrective action, if any, is necessary in response to the complaint in consultation with the Title IX Coordinator.

8.5.1. Corrective Action

8.5.1.1. Depending on the severity of the offense, corrective action may include one or more of the following non-exclusive list of actions:

a. A documented verbal warning to the Staff Member that a repetition of the reported behavior will result in written action;

b. Counseling;

c. Training;

d. The placement of a letter in the Staff Member’s personnel file indicating the nature of the improper behavior. The letter may include a notation about required counseling and any action that will be taken in the future should reported conduct occur again;

e. The removal of the Staff Member from the work unit and placement on a leave of absence to permit the Staff Member to receive appropriate counseling; and

f. Initiation of formal action by the University to dismiss the Staff Member.

8.5.1.2. The Title IX Coordinator shall be copied on all disciplinary and other documents associated with the complaint and shall notify the complainant and the respondent in writing of the outcome of the investigation and, as applicable, the corrective action taken by the University. The Title IX Coordinator shall advise the complainant and the respondent of the right of each party to request in writing a grievance hearing concerning the decision of the Appropriate University Official, as set forth in Section 8.5.2.

8.5.2. Hearing Procedures
Within 14 days of the date of his or her receipt from the Title IX Coordinator of written notice of the Appropriate University Officer’s decision, the complainant and the respondent each may make a written request for a grievance hearing concerning the decision of the Appropriate University Officer. Sections C.4 thru C.7 of SMU Policy 2.8, University Grievance Policy and Procedure, will govern the procedures for the grievance hearing requested by either party.

8.6. Specific Procedures for Complaints Filed Against Faculty

For complaints against faculty, the Title IX Coordinator shall submit the complaint and written report of investigation to the Provost or his or her designee. Within six (6) days of the date of receipt of the complaint and written report from the Title IX Coordinator, the Provost shall refer the complaint and written report to the Faculty Senate Committee on Ethics and Tenure.

8.6.1. Hearing Panel

8.6.1.1. Within 14 days of the date of receipt of the complaint and written report from the Provost, the Faculty Senate Committee on Ethics and Tenure shall establish a Hearing Panel to consider the allegations raised by the complaint against the member of the faculty and to make a written report and recommendations to the President. The Faculty Senate Committee on Ethics and Tenure may not appoint a person to the Hearing Committee who is in the same department as the respondent faculty member. The Faculty Senate shall make every attempt to ensure that the Hearing Committee reflects the full diversity of the University and that it includes at least one member of the gender opposite to the respondent and complainant.

8.6.1.2. Within 14 days of the date of its appointment by the Faculty Senate Committee on Ethics and Tenure, the Hearing Panel shall provide the respondent with written notice of the specific charges referenced in the complaint and shall conduct a pre-hearing. The Hearing Panel shall inform the Title IX Coordinator about the dates of any such meetings.

8.6.2. Pre-Hearing Meeting

8.6.2.1. The purpose of the pre-hearing meeting is to schedule a date for the hearing of the complaint and to:

a. simplify the issues,

b. agree to stipulations of facts,

c. provide for the exchange of documents and other information, and

d. achieve other appropriate pre-hearing objectives to ensure a fair, effective, and expeditious hearing.
8.6.2.2. At its discretion, the Hearing Panel may meet with the complainant and the respondent at separate pre-hearing meetings. For complaints alleging sexual assault or sexual violence, the Hearing Panel shall meet with the complainant and the respondent separately; in that circumstance, the complainant also may participate in the pre-hearing meeting through telephonic or electronic means (such as video conferencing, if available) or both.

8.6.2.3. If a party does not attend the pre-hearing meeting, the Hearing Panel shall proceed to schedule a hearing on the Title IX harassment complaint and inform the Title IX Coordinator. The Hearing Panel shall provide each party with at least 26 days’ written notice of the hearing date. The respondent shall respond to the charges in writing at least five (5) days before the hearing.

8.6.2.4. The complainant and the respondent may waive a hearing.

8.6.2.5. If the respondent chooses to waive the hearing but denies the allegations of Title IX harassment, the Hearing Panel shall evaluate all available evidence and rest its recommendation to the President upon the evidence in the record. If the complainant waives the hearing but asserts the allegations of Title IX harassment as set forth in the complaint, the Hearing Panel shall evaluate all available evidence and rest its recommendation to the President upon the evidence in the record.

8.6.3. Hearing Procedures

8.6.3.1. A Faculty Ethics and Tenure Committee Hearing Panel hearing is confidential and closed to the public. The complainant and the respondent may bring (i) an academic advisor, (ii) legal counsel and (iii) other person approved by the Hearing Panel to the hearing.

8.6.3.2. The Hearing Panel may make an audio recording record of the hearing and, at its discretion, may also arrange for a certified court reporter to transcribe the hearing. The Title IX Coordinator shall store the recording and any transcript for as long as the file is kept and also provide copies to the President of the University and the Office of the Provost. A copy of the record shall be made available to the complainant and to the respondent without cost to any party. The deliberations of the Hearing Panel after any hearing may not be recorded or transcribed.

8.6.3.3. Upon notification to the Title IX Coordinator, the Hearing Panel shall grant an adjournment not to exceed 14 days when necessary to enable either party to investigate evidence as to which a valid claim of surprise is made. The complainant and the respondent shall have the opportunity to obtain necessary witnesses, documents, and other evidence.

8.6.3.4. The complainant and the respondent have the right to make an opening and a closing statement. The complainant may give the first opening
The respondent may give the last closing statement. The complainant and the respondent may each include a statement of the impact of the alleged offense as part of a closing statement.

8.6.3.5. The complainant and the respondent may present witnesses during the hearing. The Chair of the Hearing Panel shall require that the complainant and the respondent first submit questions to Chair, who will then direct the questions to the witness. Each member of the Hearing Panel may direct questions to all witnesses.

8.6.3.6. At its discretion, where witnesses cannot or will not appear but have made or will make a written statement relating to the complaint, the Hearing Panel may determine that the interests of justice require admission of such a statement. In such instances, the Hearing Panel will identify the witnesses, disclose their statements, and (if possible) provide for interrogatories to be submitted to the witnesses for response in order to clarify any remaining issues relating to the statements.

8.6.3.7. The Hearing Panel is not bound by strict rules of legal evidence and may admit evidence that is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

8.6.3.8. The Hearing Panel will base its findings of fact and any recommendation for sanctions solely on the hearing record.

8.6.4. Report and Recommendations to the President and Final Decision

8.6.4.1. Within 14 days of the last date of the hearing, the Hearing Panel shall deliver to the President a report containing written findings of fact and recommended corrective action, if any. The Hearing Panel shall provide a copy of this report to the Title IX Coordinator.

8.6.4.2. If the President rejects the report and recommendation, the President shall state the reasons for doing so in writing to the Hearing Panel, the complainant, and the respondent and provide each within seven (7) days to respond in writing to the President’s action. The President shall also provide a copy of the decision to the Title IX Coordinator.

8.6.4.3. If the President sustains the report and recommendation, the President shall so state in writing to the Hearing Panel, the complainant, and the respondent and provide each within seven (7) days to respond in writing to the President’s decision. The President shall also provide a copy of the decision to the Title IX Coordinator.

8.6.4.4. In considering responses from the participants to his or her decision to reject or sustain the report and recommendation from the Hearing Panel, the President may provide opportunity for oral and written argument by
the complainant, the respondent or their representatives who participated in the hearing before the Hearing Panel.

8.6.4.5. If the President issues specific objections to the report and recommendation, the President will return the matter to the Hearing Panel with specific instructions on how to proceed. If the matter is returned to the Hearing Panel, it will reconsider the matter, taking into account the objections stated by the President and receiving any new evidence, as necessary. In this circumstance, the Hearing Panel will return to the President a written report of reconsideration with findings of fact and a recommendation. The President will then review the report of reconsideration and recommendation and render a final decision concerning the complaint, providing written notice of the decision to the complainant, the respondent, the Hearing Panel, and the Title IX Coordinator.

Section 9. **ON-LINE TRAINING COURSE**

All new faculty and staff employees of SMU must take SMU’s online courses on Harassment & Discrimination and Eliminating Campus Sexual Violence.

**CONTACTS**

**COMPLAINTS:**

Complaints of Title IX harassment should be referred to SMU’s Title IX Coordinator:

Ms. Samantha Thomas  
Title IX Coordinator  
Executive Director for Access and Equity  
Executive Assistant to the President  
Office of Institutional Access and Equity  
204 Perkins Administration Building  
6425 Boaz Lane  
P.O. Box 750200  
Dallas, TX 75275-0200  
Phone: 214-768-3601  
FAX: 214-768-2101  
Email: thomassa@smu.edu  
Web: [http://smu.edu.iae/](http://smu.edu.iae/)

**QUESTIONS:**

Direct general questions about SMU University Policy 2.5.1, Title IX Harassment, to:

Office of Institutional Access and Equity  
204 Perkins Administration Building  
6425 Boaz Lane  
P.O. Box 750200  
Dallas, Texas 75275-0200  
Phone: 214-768-3601
Direct legal questions about Policy 2.5.1, Title IX Harassment, to:

Office of Legal Affairs
130 Perkins Administration Building
6425 Boaz Lane
P.O. Box 750132
Dallas, Texas 75275-132
Phone: 214-768-3233
FAX: 214-768-1281
Email: ola@smu.edu
Web: http://www.smu.edu/ola

POLICY CLARIFICATION AND GENERAL INFORMATION:

Policy Clarification and General Information on Policy-Making at SMU:

Office of the Secretary
Phone: (214) 768-3233
FAX: (214) 768-1208
Email: marogers@smu.edu

NOTIFICATION OF MISSING STUDENTS

If a member of the SMU community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the SMU Police Department at 214-768-3388. This applies to all three campuses. SMU PD will generate a missing person report and initiate an investigation.

After investigating the missing person report, should SMU PD determine that the student is missing and has been missing for more than 24 hours, SMU PD will notify the student’s emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, SMU PD will notify the student’s parent or legal guardian immediately after SMU PD has determined the student has been missing for more than 24 hours.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted by SMU PD or the designated campus authority in the event the student is determined to be missing for more than 24 hours. This option is located on the on-campus housing application. If a student has identified such an individual, SMU PD or the designated campus authority will notify that individual no later than 24 hours after the student is determined missing. A student’s confidential contact information will be accessible only by authorized campus officials and law enforcement as appropriate.
RESPONSIBILITIES OF COMMUNITY MEMBERS

• Carry only small amounts of cash

• Never leave valuables (wallets, purses, books, calculators, laptops, etc.) unattended.

• Avoid walking alone, particularly after dark. Contact SMU PD or use Safety Escort by TapRide for a security escort whenever necessary. If walking alone is unavoidable, be aware of your surroundings and let someone know when to expect you.

• Avoid shortcuts. The shortest route is not always the safest route. Walk along the mid-point between curbs and buildings and away from alleys and bushes.

• Dress for mobility, particularly after dark.

• Avoid deserted areas, poorly lit streets, alleys and pathways.

• Never jog alone, particularly after dark.

• When walking or jogging, go against the flow of traffic; that makes it harder for motorists to bother you. (If harassed from a car, walk or run in the opposite direction. Scream if you are truly frightened.)

• Do not jog while wearing headphones. It’s important to be alert to what’s happening around you.

• Carry your personal belongings in a backpack or similar container that will enable your arms and hands to be free at all times.

• Avoid approaching your car with bundles that restrict use of your arms. If you’ve been shopping, ask the store for assistance.

• Always have your keys ready to unlock the door to your car or residence and enter without delay. Lock the doors after you get inside.

• Before entering your car, look in the back seat and on the floorboard.

• Always lock car doors and windows when you leave or enter your car.

• Never leave belongings in plain view in your car. Lock them in the trunk.

• If someone in a vehicle attempts to stop you – even to ask for directions – do not get close to the vehicle.

• Register, engrave, mark and/or photograph all your valuables including bicycles, stereos, jewelry, vehicles, computers, etc.

• Never get on an elevator with someone who looks suspicious. If someone who looks suspicious gets on, get off immediately.

• Avoid using ATMs in dark, isolated areas; it’s best to use machines that are highly visible in public areas such as supermarkets.

• Never flash your cash or jewelry.

• Be responsible with alcohol and limit your intake.

Security in the residence halls
• Never leave your door open, even if you will be gone for only a few minutes; never prop any door open. Always lock doors, screens and windows to prevent uninvited access to your room.

• Don’t mark your room key or key chain with your name, address or telephone number.
• Do not give anyone a key to your room.
• Do not leave valuables in plain sight.
• Never let strangers into your hall. This puts you and others at risk.

• Be aware of suspicious persons and activities. If you observe someone or something suspicious, notify the hall staff and the SMU Police Department, 214-768-3388 by cell or off-campus phone or call the Silent Witness Anonymous Tips Line at 214-768-2847 (214-SMU-2TIP by cell or off-campus phone) or online at smu.edu/2tip.

SMU-IN-TAOS RESPONSIBILITIES

• Walk in groups. Avoid walking alone, particularly after dark. Contact the SMU-in-Taos security guard, the Student Life staff member or the program director for a security escort whenever possible. If walking alone is unavoidable, be aware of your surroundings and let someone know when to expect you.

• Avoid shortcuts. The shortest route is not always the safest route. Walk along well-lit areas and carry a flashlight as an additional lighting source.

• Dress for mobility, particularly after dark.

• Avoid deserted areas. Watch out for and avoid bears.

• Never jog or hike alone.

• Do not jog or hike while wearing headphones. It’s important to be alert to what’s happening around you.

• Carry your personal belongings in a backpack or similar container that will enable your arms and hands to be free at all times.

• Avoid approaching your car with bundles that restrict use of your arms. If you’ve been shopping, ask the store for assistance.

• Always have your keys ready to unlock the door to your car or residence and enter without delay. Lock the doors after you get inside.

• Before entering your car, look in the back seat and on the floorboard.

• Always lock car doors and windows when you leave or enter your car.

• Never leave belongings in plain view in your car. Lock them in the trunk.

• If someone in a vehicle attempts to stop you – even to ask for directions – do not get close to the vehicle.

• Register, engrave, mark, and/or photograph all your valuables including bicycles, stereos, jewelry, vehicles, computers, etc.
• Avoid using ATMs in dark, isolated areas; it’s best to use machines that are highly visible in public areas such as supermarkets.

• Never flash your cash or jewelry.

• Be responsible with alcohol.

• Stay on existing trails, or choose the most durable surfaces available: rock, gravel, dry grasses or snow.

• Do not attempt to take photographs of wild animals unless you can do so without disturbing them or altering their behavior in any way. This is best accomplished by using a zoom or telephoto lens. (Causing an animal to move away from you is an example of altering their behavior.)

• Don’t mistake passive behavior in an animal as a sign that you are safe around that animal.

• Leave young animals alone; a protective mother is usually nearby.

• Keep a clean campsite.

• Keep food and “smellables” out of your tent.

• Do not feed wild animals.

• Never approach or follow wild animals.

• Avoid aggressive behavior toward animals:
  • Direct eye contact, even through a camera.
  • Walking directly toward an animal.
  • Following an animal that has chosen to leave.
  • Circling or standing around an animal.
  • Never tease or attempt to pick up wildlife.

**Security in the residence areas**

• Never leave your door open, even if you will be gone for only a few minutes; especially, never prop any door open. Always lock doors, screens and windows to prevent uninvited access to your room.

• Don’t mark your room key or key chain with your name, address or telephone number.

• Do not give anyone a key to your room.

• Do not leave valuables in plain sight.

• Never let strangers into your casitas. This puts you and others at risk.

• Be aware of suspicious persons and activities. If you observe someone or something suspicious, notify the SMU campus security officer or the administrative office at 575-758-8322 (business hours).

• Never leave food or garbage outside. Store garbage in bear-proof containers or containers in secure areas such as a garage, basement, or shed.

• Clean and store grills when not in use. Do not throw good scraps outside.
• Secure all food, toothpaste, soap and trash at night or when not in use by:
  • Storing items inside a vehicle.
  • Using bear-proof storage systems when available.
• Do NOT cook or store food in or near your tent. Odors attract bears.

**TELEPHONE NUMBERS**

**SMU MAIN CAMPUS**

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>Police/Fire/Ambulance Emergency</td>
<td>911 or 214-768-3333</td>
</tr>
<tr>
<td>Silent Witness Anonymous Tips Line</td>
<td>214-SMU-2TIP (768-2847)</td>
</tr>
<tr>
<td>Police Non-Emergency</td>
<td>214-768-3388</td>
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<tr>
<td>Police Administration</td>
<td>214-768-1519</td>
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<td>Criminal Investigation Division</td>
<td>214-768-2607</td>
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<tr>
<td>Title IX Coordinator (Office of Institutional Access and Equity)</td>
<td>214-768-3601</td>
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<tr>
<td>Dean of Student Life</td>
<td>214-768-4564</td>
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<td>SMU Counseling Services</td>
<td>214-768-2277</td>
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<tr>
<td>Student Conduct &amp; Community Standards</td>
<td>214-768-4563</td>
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<td>Dr. Bob Smith Health Center</td>
<td>214-768-2141</td>
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<tr>
<td>Violence Prevention &amp; Support Services</td>
<td>214-768-4512</td>
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<tr>
<td>Women &amp; LGBT Center</td>
<td>214-768-4792</td>
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<tr>
<td>Dallas Area Rape Crisis Center (DARCC)</td>
<td>972-641-RAPE (7273)</td>
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<tr>
<td>Sexual Assault Nurse Examiner (SANE) at Texas Health Presbyterian Hospital Dallas</td>
<td>214-345-6203</td>
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**SMU-IN-PLANO**

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<th>Service</th>
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<tr>
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<tr>
<td>Silent Witness Anonymous Tips Line</td>
<td>214-SMU-2TIP (768-2847)</td>
</tr>
<tr>
<td>Plano Police (Non-Emergency)</td>
<td>972-424-5678</td>
</tr>
<tr>
<td>Security Guard (Nights and Weekends)</td>
<td>972-880-5087</td>
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<tr>
<td>SMU Police (Non-Emergency)</td>
<td>214-768-3388</td>
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SMU Police Administration                  214-768-1519
SMU PD Criminal Investigation Division     214-768-1582
SMU Title IX Coordinator (Office of Institutional Access and Equity) 214-768-3601
Campus Operations SMU-in-Plano            972-473-3406
Facilities Manager – Plano                972-473-3417
Dean of Student Life                      214-768-4564
SMU Counseling Services                  214-768-2277
Student Conduct & Community Standards     214-768-4563
Dr. Bob Smith Health Center               214-768-2141
Violence Prevention & Support Services    214-768-4512
Women & LGBT Center                      214-768-4792
Dallas Area Rape Crisis Center (DARCC)    972-641-RAPE (7273)
Sexual Assault Nurse Examiner (SANE) at Texas Health Presbyterian Hospital Plano 972-981-8003

SMU-IN-TAOS

Police/Fire/Ambulance Emergency            911

Silent Witness Anonymous Tips Line        214-SMU-2TIP (768-2847)

SMU Security Guard on Taos Campus         575-317-9434
New Mexico State Police Taos District     505-758-8878
Taos County Sheriff’s Department          575-758-2216
Carson National Forest Wildlife Dispatch  575-758-6208
Holy Cross Hospital                       800-755-6236
SMU Title IX Coordinator (Office of Institutional Access and Equity) 214-768-3601
SMU-in-Taos Administrative Offices        575-758-8322
SMU-in-Taos After-Hours Contact           575-317-9434
SMU Police Non-Emergency – Main Campus    214-768-3388
FIRE SAFETY

In accordance with the Higher Education Opportunity Act of 2008, Southern Methodist University is providing mandatory fire safety information as part of this Annual Security Report. All 2016 reports of fires and fire alarms were maintained in a database within the SMU Police Department and the Office of Risk Management. In calendar year 2016 alarm data was sent to the SMU Police Department. This process changed June 1, 2017, when Facilities took over the fire systems, and will be reflected in the 2017 data. Data collected includes, but is not limited to, the building name; alarm location; time and date; the number and cause of each fire; any and all injuries; any fatalities; and dollar values for property damaged by the fire (as assessed by SMU Risk Management).

The primary goals of SMU’s Fire Prevention Program are:

• To ensure fire hazard prevention such that campus fire hazard conditions are continually monitored and eliminated;
• To provide proper fire system management and maintenance;
• To create a campus community that knows how to prevent fire emergencies, and knows what to do if fire emergencies should arise;
• To maintain compliance with:
  o University fire policies
  o City fire codes
  o Applicable state and federal fire regulations

The following objectives ensure that this goal is achieved:

• Continue to identify fire hazards and take appropriate mitigation actions before those conditions result in a fire emergency;
• Conduct ongoing, scheduled fire safety inspections of all fire suppression systems;
• Raise fire safety awareness among students, faculty and staff by conducting ongoing training that covers essential fire safety. The training is specific to the hazards of the academic environment, yet includes general fire training such as evacuation procedures;
• Conduct debriefing sessions among first responders after fire events transpire to improve plans and protocols;
• Conduct third-party fire safety audits;
• Develop and enforce sound fire safety best practices.

SMU’s Fire Prevention Program actively engages in long-term strategic planning, which includes:

• Monitoring fire alarms with the Fire Works System, a 3D interface technology with an innovative life safety system that provides a simple means of monitoring and control for SMU’s building systems;
• Collaboration with insurance carriers, key internal stakeholders and vendors for fire safety loss control initiatives designed to protect life and mitigate losses.

DESCRIPTION OF STUDENT HOUSING FIRE SYSTEMS

University student residences have:

• An interior fire alarm system with detection throughout the building, including detectors in sleeping rooms;
• An interior fire alarm panel that triggers a full first alarm response (1 Truck, 1 Engine, 1 Ambulance and 1 Battalion Chief) to the building upon activation; and
• Automatic fire sprinklers in all residence halls.

See full list of fire safety systems for each residential facility at the end of this section.

FIRE SAFETY POLICIES AND PROCEDURES

Residence Life and Student Housing at SMU works closely with the Office of Risk Management and its Fire Safety team for fire life safety systems and Facilities for fire system maintenance and control, as well as the City of University Park Fire Department to educate residents about fire prevention.

All students residing in residence halls are expected to abide by the procedures established by Residence and Student Life for the residence halls. Student residents are given informative brochures and an e-handbook (http://www.smu.edu/StudentAffairs/Housing/eHandbook/FireSafety) containing fire safety and evacuation procedures specific to the residence halls at the beginning of each semester.

State and local fire codes require building evacuation by all occupants during fire alarms. To help reinforce this requirement, the Office of Risk Management has partnered with Residence Life and Student Housing to ensure that all building residents are properly trained in building evacuation procedures during scheduled fire drills.

The entire Residence Life and Student Housing staff is required to attend fire safety classes, which include general fire safety training, roles and responsibilities of Residence Life and Student Housing staff members and evacuation procedures.

TRAINING

Each housing facility on the Main Campus has two fire evacuation exercises per semester conducted and evaluated by the staff within the Office of Risk Management and its Emergency Management function. Other campus-owned buildings having 10 or more occupants have an annual fire evacuation drill conducted and evaluated by the Office of Risk Management.
STUDENT FIRE SAFETY EDUCATION AND TRAINING

The Office of Risk Management provides training to all building and housing staff including Resident Assistants and Residential Community Directors.

The training includes:

- Information on fire protection features of each facility;
- Fire prevention activities and techniques;
- Emergency procedures (evacuation and incident response teams), and;
- Conducting fire safety education sessions for residents.

Basic fire safety instruction is provided during new employee orientation. Additional training is available by request from a department or group of employees. Basic fire safety instruction is provided to all students living in residence halls who attend the student orientation programs at the beginning of each academic year.

Fire evacuation drills are conducted as follows:

- Health Care Facilities: quarterly
- Day Care Facilities: one per month
- Residence Halls: two per semester

The Office of Risk Management will coordinate with the SMU Police Department and the University Park Fire Department in the investigation of each fire incident.

SPECIFIC FIRE PREVENTION-RELATED POLICIES

The University prohibits the following activities in all residence facilities:

- Smoking to include the use of e-cigarettes
- Use of lighted candles or other open flame devices.
- Cooking in unapproved areas (bedrooms), including the use of toaster ovens and appliances with open heating elements.
- Use of space heaters, except to provide heat during a power outage, and when issued by Residential Life staff.
- Use of extension cords or multiple-outlet plugs.
- Tampering with or blocking any fire protection equipment.
- Possession of fireworks.
- Use of halogen lamps or halogen bulbs.

DECORATIONS POLICY

All decorations and ornaments must be of fire-resistant or non-combustible material, U.L. rated and approved for use. They shall not be hung or posted on any fire protection equipment (fire hose cabinets, fire extinguishers, sprinkler heads and piping, smoke detectors, fire alarm pull boxes etc.), on or near exits, on or near exit or emergency lights, on or near any other protective or operating feature provided by the University, or in any manner that could present a fall or trip hazard, or impede egress.

Electrically operated ornaments shall not be used on metal, aluminum or any other similar metal, which could induce an electric shock.
Only heavy-duty extension cords and decorative lights in good condition (free from damage or exposed wiring) shall be used for decorations, must be unplugged at the end of each day, and removed after the event or holiday season. Extension cords or decorative lights may not be routed under rugs or carpets, through doorways or in any manner that could present a fall or trip hazard, or impede egress.

Only artificial holiday trees will be used and shall be of fire-retardant or non-combustible material. Indoor trees must be placed out of the way of traffic. Do not block doorways, exits, exit signs or any of the fire protection equipment (fire hose cabinets, fire extinguishers, sprinkler heads and piping, fire alarm pull boxes, smoke detectors, etc.), or placed in any manner that could present a fall or trip hazard, or impede egress.

Holiday tree lights must be unplugged at the end of each day, and removed after the event or prior to the University’s annual holiday closure.

Artificial snow and other decorative sprays should be used with extreme caution; they shall not be used in laboratory and or clinical settings. Avoid spraying around exits, exit signs or any of the fire protection equipment (fire hose cabinets, fire extinguishers, sprinkler heads and piping, fire alarm pull boxes, smoke detectors, etc.).

**GENERAL EVACUATION PROCEDURES**

If you discover smoke or fire in a campus building:

- Remain calm
- Pull the fire alarm pull station and then call 911 or the SMU Police Department at 214-786-3333.
- This will alert the SMU Police Department, who will notify the University Park Fire Department.
- When the alarm sounds, take your room key, close your door and leave the building through the nearest exit.
- You must evacuate the building when the fire alarm sounds.
- Do NOT use elevators, use the stairs.
- Assist the physically impaired.
- Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
- Make sure all personnel are out of the building.
- Do not re-enter the building.

All fires on campus must be reported, to report a fire call 911 or 214-768-3333. If a member of the SMU community finds evidence of a fire that has been extinguished, they should also notify the SMU Police Department at 214-768-3333 so the information can be investigated and included in the annual fire statistics.

**FIRE RESPONSE DOS AND DON’TS**

- DO treat every alarm as an emergency. If an alarm sounds, exit the building immediately.
- DON’T assume that a fire alarm is a drill or test. All building alarm systems are tested as required by law, but these tests are announced in advance.
- DO remain in your room if you cannot get out of the building because of heat or smoke. Call 911 right away. Keep the door closed and await assistance from the Fire Department. If smoke is entering around the door, stuff the crack under the door with sheets, clothes, or blankets. If possible, open the window and wave a brightly colored garment or towel from your window to assist the Fire Department in locating you.
- DO close the door behind you if it is safe to leave your room.
- DON’T waste time collecting personal valuables. Take your keys so that you can re-enter your room if exit from the building is not possible.
• DON’T use an elevator during a fire emergency: always use the fire stairs.
• DO make your presence known to other occupants and to 911 by phone if you are injured or disabled.

**FIRE LOG**

The department maintains a fire log that includes all fires in residential facilities. This log is available to the public for view on the SMU Police website at [www.smu.edu/BusinessFinance/Police/CrimeLog](http://www.smu.edu/BusinessFinance/Police/CrimeLog).

**PLANS FOR FUTURE IMPROVEMENTS TO FIRE SAFETY**

SMU is in the process of updating the fire alarm reporting system computers on campus to a system that has the capability to monitor different areas and components of buildings as well as the capability to communicate information across campus and in specific buildings on campus in the event of an emergency situation. SMU also has an aggressive plan to maintain the fire sprinkler system in campus buildings to ensure proper operation of the system and maximum safety for occupants.

**LINKS FOR ADDITIONAL INFORMATION**

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<td>Residence Life and Student Housing (RLSH) e-Handbook</td>
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<td>City of Plano Fire Department</td>
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<td>City of Dallas Fire Department</td>
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<td>Center for Campus Fire Safety</td>
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## RESIDENTIAL FIRE STATISTICS

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### DESCRIPTION OF SMU CAMPUS FIRE DETECTION AND SUPPRESSION SYSTEMS

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STATEMENT OF NONDISCRIMINATION

Southern Methodist University (SMU) will not discriminate in any employment practice, education program, education activity, or admissions on the basis of race, color, religion, national origin, sex, age, disability, genetic information, or veteran status. SMU’s commitment to equal opportunity includes nondiscrimination on the basis of sexual orientation and gender identity and expression. The Executive Director for Access and Equity/Title IX Coordinator is designated to handle inquiries regarding the nondiscrimination policies, including the prohibition of sex discrimination under Title IX. The Executive Director/Title IX Coordinator may be reached at the Perkins Administration Building, Room 204, 6425 Boaz Lane, Dallas, TX 75205, 214-768-3601, accessequity@smu.edu. Inquiries regarding the application of Title IX may also be directed to the Assistant Secretary for Civil Rights of the U.S. Department of Education.

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