



TEXAS A&M UNIVERSITY
SAN ANTONIO

VICTIM RIGHTS AND OPTIONS

Dating Violence, Domestic Violence, Sexual Assault, and Stalking



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If you or someone you know has experienced dating violence, domestic violence, sexual assault, or stalking, A&M-San Antonio is here to help. You have the right to live, learn, and/or work in a safe and welcoming environment. Violence is unacceptable, and University policy prohibits dating violence, domestic violence, sexual assault, and stalking. This document provides students and employees a written explanation of their rights and options and outlines steps to take depending on what services you want or need. Dating violence, domestic violence, sexual assault, and stalking are significant experiences and can be traumatizing. Each person's experience is unique, and numerous options are available for support and reporting at A&M-San Antonio. It is important to note that there is no one correct response - simply different options to access support and different reporting options. Your immediate and long-term safety is what is important. The resources and options outlined below may be helpful as you decide what next steps are a good fit for you.

Unsure of where to start?

You may want more information or to talk to someone confidentially as you decide what you'd like to do moving forward. You can access crisis counseling, information, and support by connecting with the resources listed in this document.

Students may obtain free, confidential guidance 24/7/365 from the Student Counseling Center, Madla 120, (210) 784-1331 (after business hours, press "2") (<https://www.tamusa.edu/student-resources/support/student-counseling-center/index.html>).

Employees may obtain confidential guidance from the Employee Assistance Program (866) 301-9623 (<https://www.tamusa.edu/human-resources/benefits/employee-assistance-program.html>) Organization ID: TAMUS.

FIRST STEPS: THINGS TO CONSIDER

Are you in danger?

If yes, call 911, or A&M-San Antonio Police Department at (210) 784-1911; or activate the emergency notification on the SafeZone app.

A&M-SA Police can also provide non-emergency support by calling (210) 784-1900. The department will coordinate transport to pick you up from your location if needed and make plans for your next steps.

Do you need medical attention?

You can receive medical attention at any medical facility; however, certain facilities have specially trained staff to help survivors of sexual assault and/or have the ability to offer a sexual assault forensic exam (SAFE). Medical exams can also address other physical needs or trauma and assess for sexually transmitted infections or pregnancy.

The following location has sexual assault nurse examiners (SANE) available 24/7:

Methodist Specialty Hospital
Forensic Nursing Service
8026 Floyd Curl Drive, San Antonio, Texas
(210) 575-1590

Preservation of Evidence

It is important to preserve evidence that may be useful in obtaining a protection order or in proceeding with a criminal investigation or a disciplinary process should you choose to do so. Completing a forensic exam does not require you to file a police report or report to the institution, although we encourage these reports if you are comfortable doing so. To preserve evidence, it is recommended you do not bathe, douche, smoke, use the toilet, or clean the location where the incident occurred. Save items you were wearing, sheets, and towels in a paper bag. Text messages, records of phone calls, emails, pictures, notes, and gifts can all be pertinent for a report of dating violence, domestic violence, sexual assault, or stalking.

EMOTIONAL AND PHYSICAL IMPACT

Emotions are to be expected.

Dating violence, domestic violence, sexual assault, and stalking are significant and can be traumatizing. Though each person's experience is unique, there are a wide range of emotions that may be felt over the days, weeks, months, and even years following a traumatic experience. These reactions may change over time, and it may be helpful to address them with the assistance of a trained counselor or therapist, victim/survivor advocate, or even a trusted friend or family member.

Possible physical effects may include:

- Pain and soreness
- Injuries, Nausea
- Vomiting
- Headaches
- Panic attacks
- Sleep pattern disturbances
- Insomnia or sleeping more than usual
- Loss of appetite or change in eating habits (overeating or under-eating, etc.)

Possible psychological and/or emotional effects may include:

- Impaired memory
- Shock, Denial
- Irritability and anger
- Sadness and grief
- Social withdrawal
- Apathy (detachment, loss of caring)
- Hypervigilance (always on guard)
- Sleep disturbance (including nightmares)
- Flashbacks
- Difficulty concentrating
- Loss of trust in self or others
- Guilt, shame, or embarrassment
- Thoughts of suicide or death
- Diminished interest in activities or sex
- Increased interest in sexual activity

CAMPUS DISCIPLINARY PROCESS

University disciplinary proceedings are detailed in the Student Handbook and, for employees, in A&M System Regulation 08.01.01, A&M System Policy 32.02, A&M System Regulation 32.02.02, and A&M-San Antonio Procedure 32.02.02.00.01. The university uses the preponderance of the evidence standard for sex-based misconduct, which means the conduct is more likely to have occurred than not. A student or employee found responsible for domestic or dating violence, sexual assault, or stalking could be prosecuted in state court and also have action taken by the University, up to and including dismissal. Dismissal may also apply to individuals found to have sexually harassed another individual.

The University's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. The University attempts to resolve complaints within 60 days, although extensions may be necessary depending on circumstances. Officials involved in the investigation and adjudication of sex-based misconduct are trained annually on related issues, as well as how to process reports in a way that protects the safety of the victim and promotes accountability.

Victims may pursue remedies via an internal complaint process and/or through criminal charges. The victim may also pursue an informal resolution through the Title IX Coordinator. The Title IX Coordinator will not share identifying information with law enforcement without the victim's permission.

Victims and respondents may be accompanied by an advisor of their choice to meetings and proceedings. The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties. They also have the same opportunity to have evidence of past sexual history excluded during any hearings except in limited circumstances.

REQUESTING ACCOMODATIONS/SUPPORTIVE MEASURES

Regardless of whether or not you choose to report to the A&M-San Antonio Police Department or local law enforcement, there are specific options available to you through the university, if requested and reasonably available. You may request to be assisted by campus authorities in notifying law enforcement, including on-campus and local police. You may also decline to have law enforcement notified.

Victims and respondents have access to supportive measures including No Contact Orders; protective orders; counseling; health services; legal assistance; immigration services; and academic, housing, transportation, work, financial aid, and other accommodations, both within the institution and in the community. These will be coordinated by the Title IX Office.

ORDERS OF PROTECTION

Victims of sexual assault, domestic and dating violence, and stalking are eligible to apply for protective orders and/or no-contact orders or similar lawful orders issued by a criminal, civil, by the institution, or tribal court. Standard Protective Orders may prohibit the offender from committing further acts of violence or harassing or threatening the victim, either directly or indirectly by communicating the threat through another person. Texas law provides for the criminal enforcement of valid protective orders issued by a Texas court as well as valid out of state protective orders.

For more information on protective orders, contact the A&M-San Antonio PD at (210) 784-1900 or the Bexar County Family Justice Center at (210) 631-0100 or <http://www.bcfjc.org>.

NO CONTACT ORDERS

Depending on the nature of the incident, A&M-San Antonio may be able to issue a no contact order to prevent contact between two or more individuals. Students should contact the Office of Dean of Students (210-784-1354) to request a no contact order. Employees requesting a no contact order should contact the Office of Human Resources, (210) 784-2058.

AMNESTY

Universities may not take any disciplinary action against an enrolled student or employee who in good faith reports being the victim of, or a witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking for a violation of the university's code of conduct occurring at or near the time of the incident and is reasonably related to the incident, for which suspension, expulsion, or dismissal from the university is not a possible punishment; e.g., personal alcohol consumption, minor drug offense, violating curfew.

QUICK GUIDE AVAILABLE RESOURCES

ON CAMPUS RESOURCES

Title IX Coordinator

Central Academic Building
Room 439K,
titleix@tamusa.edu
<https://www.tamusa.edu/university-policies/titleix/index.html>
(210) 784-2061

Victim/Survivor Advocacy

Office of Victim Services
Texas A&M-San Antonio Police
Station
(210) 784-1906

Counseling & Mental Health

Student Counseling Center
Texas A&M-San Antonio
Madla 120
StuCounseling@tamusa.edu
(210) 784-1331 (Available 24/7/365)

A&M-San Antonio Police Department (Non-emergency)

(210) 784-1900
Texas A&M-San Antonio
Police Station

Student Financial Aid

Office of Scholarships & Financial Aid
Texas A&M-San Antonio
(210) 784-1300

Visa & Immigration Assistance

International Affairs
Texas A&M-San Antonio
Central Academic Building 434
(210) 784-1309

ADDITIONAL RESOURCES

Employee Assistance Program

<https://www.tamusa.edu/human-resources/benefits/employee-assistance-program.html>
(866) 301-9623

Office of Student Rights and Responsibilities

Texas A&M-San Antonio
Madla Building, Suite 342
StudentRR@tamusa.edu
(210) 784-1353

Associate Vice President for Student Affairs & Dean of Students

Madla Building, Suite 312
(210) 784-1354

OFF CAMPUS RESOURCES

Victim/Survivor Advocacy Rape Crisis Center

4606 Centerview Drive, Suite 200
San Antonio, Texas 78228
(210) 349-7273

Bexar County Family Justice Center

126 East Nueva, 2nd Floor
San Antonio, Texas 78204 (210) 631-0100

San Antonio Police, South Substation

Victim Advocacy Services
711 West Mayfield Boulevard (210) 207-8191

Bexar County Sheriff's Office

Victim Services
200 North Comal Street
(210) 335-2105

VINE (Victim Information & Notification

Everyday)
200 N. Comal Street
(210) 226-6010

The National Sexual Assault 24/7

Hotline RAINN
(800) 656-4673

Family Violence Prevention Services

7911 Broadway
(210) 930-3669

Health

Methodist Specialty & Transplant Hospital, Forensic Nursing Services

8026 Floyd Curl Drive
(210) 575-1590

San Antonio Behavioral Healthcare Hospital

8550 Huebner Road
(210) 541-5300

CentroMed

Various locations
(210) 922-7000

Steven A. Cohen Military Family Clinic

6333 De Zavala Road, Suite B101
(210) 399-4838

Baptist Neighborhood Hospital - Zarzamora

7719 Interstate Highway 35S
(210) 572-2955

Counseling & Mental Health (24/7)

Center for Health Care Services, 24 hour helpline

(210) 223-7233

National Crisis Text Line

Text "HOME" to 741-741

National Suicide Prevention Hotline

(English and Spanish) 988

Legal Assistance

Texas Rio Grande Legal Aid

301 South Texas Avenue, Mercedes, Texas
(833) 329-8752

Texas Legal Services Center

(844) 303-7233

Refugee and Immigrant Center for Education and Legal Services

(210) 226-7722

Visa & Immigration Assistance

City of San Antonio Office of Immigration Liaison

(210)-207-8993

Additional Resources

Catholic Charities

(210) 222-1294

Pride Center – San Antonio

1303 McCullough Ave. Suite 160
(210) 370-7743

CONFIDENTIALITY

If you are the victim of or witness to a crime and do not want to pursue action within the university disciplinary system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the chief or a designee of A&M-San Antonio's Police Department can file a report on the details of the incident without revealing your identity beyond its reporting to the Title IX Coordinator, if applicable.

Personally identifiable information will be treated as private and only shared with persons who have a specific need to know, e.g., those who are investigating/adjudicating the report or those involved in providing support services, including accommodations and protective measures, to the extent that maintaining such privacy will not impair the ability of the institution to provide the support and protective measures. The University does not publish the name of crime victims in its Daily Crime Log or in its Annual Security Report.

REPORTING AND RIGHTS

To make a report against a student, employee, or third party, contact:

Title IX Coordinator (210-784-2061), CAB 439K, and/or the A&M-San Antonio Police, Police Station (210-784-1900)

Note: The Title IX Coordinator will not provide identifying information to the A&M-San Antonio Police Department or other law enforcement without the victim's permission, except when information demonstrates an immediate danger to the victim or to the community.

You have a right to:

- Decline to participate in an investigation.
- A prompt, fair, and impartial process from the initial investigation to the final result, completed within specified time frames in a manner that is transparent, provides timely notice of meetings and equal access to information to both the complainant and the respondent, and is conducted by officials without a conflict of interest or bias for either party and who receive annual training on how to conduct an investigation, and a hearing process that protects the safety of victims and promotes accountability.
- Have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of your choice.*
- Simultaneous notification, in writing, of:
 - The result of any institutional disciplinary proceeding from your report of dating violence, domestic violence, sexual assault, or stalking
 - The institution's procedures to appeal the results
 - Any changes to the results
 - When the result becomes final*

*Both victim and respondent.

DEFINITIONS

Dating Violence:

Dating violence is 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 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.

Domestic Violence:

Domestic violence is a felony or misdemeanor crime of violence committed (a) by a current or former spouse or intimate partner of the victim; (b) by a person with whom the victim shares a child in common; (c) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) 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 (e) 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.

Sexual Assault:

An offense that meets the definition of rape, fondling, incest, or statutory rape below.

- Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances in which the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory rape is defined as sexual intercourse with a person who is under the statutory age of consent.

Stalking:

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.



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