



# UIW STUDENT HANDBOOK 2018-2019

**OFFICE OF STUDENT CONDUCT & COMMUNITY STANDARDS**  
UNIVERSITY OF THE INCARNATE WORD  
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## Section 1: Academic Policies

For academic, attendance and class absences for religious observance policies, students should refer to the Faculty Handbook found at: <http://www.uiw.edu/facultyhandbook/>

For information on student complaint procedures and resources, students should refer to the Student Complaint Policy found in the UIW Undergraduate Catalog found at: <http://uiw.smartcatalogiq.com/2017-2018/Catalog/VII-Institutional-Academic-Policies/Student-Complaint-Policy>

## Section 2: Voluntary & Involuntary Medical or Psychological Withdrawal Policy

### 1. Introduction

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

### 2. Student-Initiated Medical or Psychological Withdrawal

Students who elect to withdraw from the university for medical or psychological reasons are required to reapply for admission and will be treated as any other applicant for admission at that time. If there are pending administrative charges/concerns at the time of withdrawal, then the student's return may be treated similarly to a university-initiated withdrawal.

### 3. University-Initiated Medical or Psychological Withdrawal

If a student is behaving in a way which is threatening to others, the Vice President for Campus Life and Facilities (or designee) may initiate these procedures. The Vice President Campus Life and Facilities (or designee) is empowered with the discretion to define within his/her professional judgment what is sufficiently threatening and/or disruptive to warrant invoking a University-Initiated Medical or Psychological Withdrawal.

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

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

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

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

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

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

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

### ***B. Status of Conduct Proceedings***

If the student has been accused of a violation of the *Student Conduct Code*, but it appears that the student is not capable of understanding the nature or wrongfulness of the action, this policy may be activated prior to issuance of a determination in the conduct process. Interim suspension for threat of harm to others may also be imposed.

If the student medically withdraws from the university, or another action is taken under these provisions following a finding that the student's behavior was the result of a lack of capacity, such action terminates the pending conduct action. If the student is found not to be subject to withdrawal, conduct proceedings may be reinstated.

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

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

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

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

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

The Dean of Students (or designee) may invoke informal resolution procedures to determine the need for involuntary withdrawal without a formal hearing. This process is also known as an administrative hearing. In administrative hearings, medical and administrative evidence (e.g. BIT assessment) will be heard, and final determinations will be made, by the Dean of Students (or designee).

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

#### **b.) Formal Hearing Option**

The student subject to an involuntary withdrawal may request a formal hearing in lieu of the administrative hearing described above. If the medical evaluation and/or administrative assessment (e.g. BIT assessment) supports the need for a withdrawal, a hearing will be scheduled before the Dean of Students (or designee), the Director of Counseling Services,

the Director of Health Services and/or other administrators as deemed appropriate. The student will be informed, in writing, with personal and/or certified delivery, of the time, date and place of the hearing. The student will be given at least two business days to independently review the psychological or psychiatric evaluation prior to the hearing. The student will be notified of who is expected to present information at the hearing and is expected to notify the Dean of Students (or designee) of any witnesses the student intends to bring. The student may, at the discretion of the Dean of Students (or designee), be assisted by an advisor in the hearing. An advisor is defined in this process as a current member of the faculty, staff or administration of the university. Law permits a student to have an attorney present to attend/advise, but not represent the student, during a formal involuntary withdrawal hearing.

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

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

### **E. Appeals Process**

The determination of the involuntary withdrawal hearing, administrative or formal, is subject to appeal to the Vice President for Campus Life and Facilities in accordance with the following process:

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

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

Except as required to explain the basis of new information unavailable at the time of a hearing, review of a hearing will be limited to the verbatim record of the initial hearing and/or all supporting documents. The review and appeal decision of the Vice President for Campus Life and Facilities is final.

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

A student who is seeking reinstatement to the university after an involuntary withdrawal must receive clearance by providing the Vice President for Campus Life and Facilities (or designee) with written evidence from a licensed medical or mental health professional that the student is no longer a direct threat to others and is otherwise qualified to participate in the UIW educational program.

## Section 3: Missing Student Notification Policy & Procedure

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

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

Any time a student is believed to be missing, whether or not the student is a campus resident, the appropriate police department should be contacted. The Campus Police Department, Dean of Students, and the Director of Residence Life will work together to locate missing students, notify appropriate local law enforcement, and check on the welfare of such students. As part of the residential check-in procedure and university enrollment process, all students are afforded the opportunity to provide, on a voluntary basis, contact information for individuals to be notified in case of emergency, and this emergency contact will serve as a contact if the student goes missing unless the student specifies otherwise.

Registered contact information will remain confidential, accessible to campus officials and may not be disclosed except to law enforcement personnel in the furtherance of a missing person investigation.

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

### Procedure

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

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

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

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

- a) Call the student's room.
- b) Go to the student's residence hall room.
- c) Talk to the student's RA, roommate and floor mates to see if anyone can confirm the missing student's whereabouts and/or confirm the date, time and location the student was last seen.
- d) Secure a current student ID or other photo of the student from a friend.
- e) Call and text the student's cell phone and call any other numbers on record.
- f) Send the student an email.
- g) Check all possible locations mentioned by the parties above including, but not limited to: library, residence hall lounges, classroom and recreational facilities, etc.

- h) Contact or call any other on-campus or off-campus friends or contacts that are made known. This could include checking a student’s social networking sites such as Facebook and Twitter.
- i) Ascertain the student’s car make, model and license plate number.

The Office of Infrastructure Support may be asked to obtain electronic logs in order to determine the last time the student accessed the university network.

## Section 4: Sexual Misconduct, Sexual Harassment, Stalking and Relationship Violence Policy

In accordance with the Campus SaVE, Violence Against Women Act (VAWA), as amended, Title IX, the Clery Act, and other state and federal laws, the University of the Incarnate Word is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from sexual misconduct, including sex based discrimination; sexual harassment; sexual assault; sexual exploitation; stalking; relationship violence (including domestic and dating violence), and retaliation. The University of the Incarnate Word is committed to addressing and working towards preventing crimes of sexual violence. The university encourages the prompt reporting of any incidents.

For more detailed information, go to: <http://uiw.edu/titleix>

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

To report a complaint or incident of that nature, please go to <http://uiw.edu/titleix> and click on the “Report an Incident” button or contact:

Annette Thompson, Acting Title IX and Compliance Coordinator  
Human Resources Office, 4<sup>th</sup> Floor, Administration Building  
210-829-6019  
[afthomps@uiwtx.edu](mailto:afthomps@uiwtx.edu)

For support in filing an incident report, please visit <http://uiw.edu/titleix> or contact the following offices:

**Associate Dean, Campus Engagement**  
(210) 805-5863  
[peayala@uiwtx.edu](mailto:peayala@uiwtx.edu)

**Director, Student Conduct & Community Standards**  
(210) 805-5864  
[christina.leeth@uiwtx.edu](mailto:christina.leeth@uiwtx.edu)

## Section 5: Harassment-Free, Equal Opportunity Work and Learning Environment Policy\*

UIW is committed to providing a professional and collegial work and learning environment that values diversity and emphasizes the dignity, respect, and worth of every individual. Accordingly, no form of harassment or conduct which is inappropriate and that may lead to or suggest harassment is tolerated by or against all employees, students, vendors, contractors or any other individuals engaged in activities on behalf of UIW.

UIW prohibits any harassment, bias or prejudice on the basis of an individual’s race, color, national origin, sex, gender, age, disability, genetic information, veteran status, or any other factor protected by law in either employment or the provision of services. This includes, but is not limited to, the following forms of sexual harassment: unwelcome sexual advances, requests for sexual favors, and other verbal or nonverbal behavior or physical contact of a sexual nature (regardless of how the overture is communicated) when:

1. Submission is made explicitly or implicitly a condition of the individual's employment, or educational experience;
2. Submission to or rejection of the overture is used as the basis for employment decisions or academic decisions that affect the individual; or
3. The conduct has the purpose or effect of interfering unreasonably with an individual's work performance, academic performance, participation in extracurricular activities or creating an intimidating, hostile or offensive work environment.

**Sexual harassment** may involve individuals of the same or opposite sex and is prohibited whether directed towards men or women. Such conduct is inappropriate whether the individual consents to it or not.

**National origin harassment** is associated with an individual's place of origin, or because an individual is affiliated with, or has the physical, cultural or linguistic characteristics of a particular group. Examples of this type of harassment may include, but are not limited to, the following: unwelcome slurs, jokes, and comments; other unwelcome verbal statements; graphic and offensive pictures; and/or unwelcome physical contact.

### **Reporting Violations of this Policy**

Students having a complaint should report the harassment to the Dean of Students or designee in person or by telephone as published in the Campus Directory. Complaints regarding faculty and students may also be made to the Provost by telephone as published in the Campus Directory. Complaints related to the Sexual Misconduct Policy should be referred to the Title IX and Compliance Coordinator.

### **Annette Thompson, PHR, SHRM-CP**

Chief Human Resources Officer

Acting Title IX & Compliance Coordinator

Phone: 210-829-6019

[afthomps@uiwtx.edu](mailto:afthomps@uiwtx.edu)

### **Paul Ayala, EdD**

Associate Dean, Campus Engagement

Phone: (210) 805-5863

[peayala@uiwtx.edu](mailto:peayala@uiwtx.edu)

### **Incidents or concerns may also be reported online:**

<https://cm.maxient.com/reportingform.php?UnivoftheIncarnateWord>

### **\*The entire policy is published in the UIW Employee Handbook:**

<http://www.uiw.edu/hr/documents/employeehandbook.pdf>

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

## **Section 6: University Statement on Hazing & Policy**

A new member program should offer personal development, education, and enriching experiences. Hazing is a destructive and harassing activity that violates state and national laws. In turn, the University of the Incarnate Word regards any form of physical or mental hazing as an unproductive and hazardous custom contrary to the Mission of UIW. The University of the Incarnate Word issues the following extension of the State of Texas law. Under the current law, individuals or organizations could be subject to fines and charged with a criminal offense for hazing.

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

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

**This law includes:**

- Sec. 37.151. DEFINITIONS.
- Sec. 37.152. PERSONAL HAZING OFFENSE
- Sec. 37.153. ORGANIZATION HAZING OFFENSE
- Sec. 37.154. CONSENT NOT A DEFENSE
- Sec. 37.155. IMMUNITY FROM PROSECUTION AVAILABLE
- Sec. 37.156. OFFENSES IN ADDITION TO OTHER PENAL PROVISIONS
- Sec. 37.157. REPORTING BY MEDICAL AUTHORITIES

In an effort to encourage reporting of hazing incidents, the law grants immunity from civil or criminal liability to any person who reports a specific hazing event in good faith and without malice to the Dean of Students or other appropriate university official, and that person is immunized from participation in any judicial proceeding resulting from that report. The penalty for failing to report a hazing incident is a fine of up to \$1,000, up to 180 days in jail, or both. Penalties for other hazing offenses vary accordingly to the severity of the injury, which results. These penalties range from \$500 to \$10,000 in fines and/or up to two years confinement.

This law does not affect or in any way limit the right of the University of the Incarnate Word to enforce its own rules against hazing. The Office of Student Success will address hazing incidents involving university student organizations or groups, with all individual referrals made.

The law defines hazing as any intentional, knowing, or reckless act occurring on or off campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the physical and mental health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization or group whose members are or include students at an educational institution.

Because of our dedication to the highest ideals of education and society at the University of the Incarnate Word, participation in hazing related activities is not consistent with membership in any university organization or group and will not be tolerated, whether the participation is as an instigator or as a victim. It is the responsibility of all organization officers or groups to ensure that this information is distributed, read and understood by all members of their organization or group.

Ignorance of this information is not a defense to university disciplinary procedures, civil, or criminal liability.

Hazing may be physical or mental. Physical and mental hazing includes, but is not limited to, the following examples:

1. any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of harmful substance on the body, or similar activity;
2. any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

3. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
4. any activity that intentionally intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered at UIW, or that may reasonably be expected to cause a student to leave the organization of the institution rather than submit to acts described in this subdivision; and
5. any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Code of Student Conduct; other university policies; or local, state, or federal laws.

To report an incident, go to: <https://cm.maxient.com/reportingform.php?UnivoftheIncarnateWord>

## Section 7: Alcohol and Drug Policy

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

The university affirms that illegal drug use is wrong and harmful. The use of illegal drugs and alcohol abuse by students and employees could result in cognitive deficits, loss of productivity and other health risks. These risks include an increased incidence of accidents which may result in death or permanent injury. For information regarding the health effects of alcohol/drug use, the law and resources available to UIW students and staff, please see the appendices of this document.

Students exhibiting signs of excessive alcohol consumption will, at a UIW Campus Police officer's discretion, be transported via Emergency Medical Services (EMS), and at the student's expense, for medical attention. Refusal to cooperate with EMS personnel may result in arrest for Emergency Detention in order to ensure the student's health and safety.

### A. Policy on Parental Notification

UIW is concerned about students who improperly use alcohol and other drugs and the effects such use may have on their health, academic success, interpersonal relationships and, ultimately, their future. In accordance with the Family Educational Rights and Privacy Act (FERPA), the Director of Student Conduct and Community Standards (or designee) reserves the right to notify the parents/guardians of students under 21 years of age, and the parents/guardians of dependent students, regardless of age, of any incident in which their student is found responsible for violating the UIW alcohol and drug policy.

### B. Alcohol Policy

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

#### Basic Guidelines

1. Students who are 21 years of age or older are permitted to possess and consume alcohol in designated university housing rooms, if not residing with minors or if minors are not present. Students who are of legal drinking age may not share or provide alcohol to any students, employees or guests who are under 21 years of age.

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

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

1. A request for approval of service and consumption of alcoholic beverages at an on-campus event will be directed to the Dean of Students at least thirty (30) working days prior to the event. Sponsors initiating such a request should obtain an "alcoholic beverage activity permit" from the Dean of Students or the Director of Special Events.
2. At least fifteen (15) working days prior to the date of the proposed event, the sponsor should take the completed form to the Director of Special Events, who will inform the sponsor of any specific policy or procedural limitations regarding the use of the facility. If the Director of Special Events approves the proposed event, he or she will sign the "alcoholic beverage activity" permit and return it to the sponsor.
3. If the University's food service contractor will be used to serve the alcoholic beverages, the sponsor must contact the contractor at least fifteen (15) working days prior to the proposed event. The food service contractor should inform the sponsor of all requirements for service on the proposed date, and will coordinate TABC permits, if necessary.
4. The sponsor should then contact the Director of Campus Police at least fifteen (15) working days prior to the scheduled event in order to determine the need for officers at the scheduled event. The Director will assign the number of officers and assess the costs to be incurred by the sponsor. If he/she approves the proposed event, the Director will then sign the alcoholic beverage permit and return it to the sponsor.
5. The sponsor will deliver the form to the Dean of Students. If the Dean approves the event, he or she will sign the form, notify the sponsor, and send copies to offices involved in coordination of the event.
6. After the Dean of Students approves the event, the sponsor will notify the Director of Special Events who will then place the event on the University Calendar.

7. If a planned event is canceled, the sponsor is responsible for notifying the Dean of Students, the Directors of Campus Police, Special Events and Dining Services as soon as possible. The University will ensure that all permits required by the Texas Alcohol Beverage Commission (TABC) are approved prior to the activity.
8. Student organizations or groups should review the Student Organization Handbook - Requirement for Securing an Alcohol Permit at file:///C:/Users/reneem/Downloads/Student%20Org%20Handbook%202015-16.pdf

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

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

#### **E. Illegal Drug Policy**

Possession of drug paraphernalia and the use, manufacture, sale, or distribution of illegal drugs, whether on or off campus, by any student is prohibited, in accordance with federal, state and local laws. Students who violate these policies can expect significant sanctions, up to and including suspension or expulsion from the university however, this policy provides flexibility for the university in addressing drug related offenses which occur on or off campus. Moreover, it permits the university to address its fundamental Mission of holistic education and the development of human potential.

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

While recognizing that there is a need to address violations related to the use or possession of controlled substances, the university must address the education and well-being of all its students and employees. In addition to university-imposed sanctions, students and employees are subject to all legal sanctions under federal, state and local law for any offenses involving illegal drugs on university property or at university activities.

### **Section 8: Concealed Weapons Policy**

**The University of the Incarnate Word is a weapons-free campus. UIW opted out of Texas Senate Bill 11, also known as "Campus Carry":** The University of the Incarnate Word will exercise the "opt out" provision of Texas Senate Bill 11, also known as the "Campus Carry" law, after discussions with the campus community.

Pursuant to the Texas Penal Code, Sections 30.06 (Trespass by License Holder with a Concealed Handgun) and 30.07 (Trespass by License Holder with an Openly Carried Handgun), a person licensed under subchapter H, Chapter 411, Government Code (Handgun Licensing Law), may not enter the UIW property with a concealed handgun, or a with a handgun that is carried openly. The use, possession or carrying of any weapon, including but not limited to a concealed handgun, by any person on UIW property (with the exception of authorized weapon(s) carried by Campus Police officers while on duty or as otherwise specifically permitted by Texas law) is prohibited and in violation of a state law. Any UIW student violating this policy will be required to leave the premises immediately and not return until he/she has disposed of the weapon. Violation of this policy may also result in disciplinary action up to and including expulsion from the university. Guests or visitors of UIW carrying any weapon(s) will be advised of this policy and asked to immediately leave the premises. Any student who becomes aware of someone on campus possessing a weapon should immediately report it to Campus Police (210-829-6030).

### **Section 9: Gambling Policy**

Students are expected to abide by the federal laws and the laws of the State of Texas prohibiting illegal gambling, including online gaming. Gambling for money or other things of value on campus or at university-sponsored activities is prohibited except as permitted by law. Such prohibited activity includes, but is not limited to: betting on, wagering on, or selling pools

on any university athletic event; possessing on one's person or premises (e.g., room, residence unit, car) any card, book or other device for registering bets; knowingly permitting the use of one's premises or one's telephone or other electronic communications device for illegal gambling; knowingly receiving or delivering a letter, package or parcel related to illegal gambling; offering, soliciting or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to sporting events.

## Section 10: Free Speech Policy

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

For more information on the UIW Free Speech Policy, students should refer to the Faculty Handbook found at: <http://www.uiw.edu/facultyhandbook/>

## Section 11: Religion/Association Policy

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

## Section 12: Smoking Policy

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

For complete smoking policy information, visit <http://www.uiw.edu/safety/smoking-policy.html>.

## Section 13: Pet Policy

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

## Section 14: Children on Campus Policy

The University of the Incarnate Word (UIW) celebrates the presence of children in the lives of our large campus family and UIW is committed to ensuring the health, safety and well-being of children. The university encourages safe, supervised campus visitations by children for the purposes of making decisions about their academic future, educational, cultural, or sporting events and camps.

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

For the policy regarding employees' children on campus, please refer to the Employee's Children on Campus policy.

For purposes of this policy, a child is defined as a person under the age of 18.

Rules regarding children:

- ◆ As a matter of safety, children, while on campus, are to be attended at all times by the person responsible for the care of the child. This means that children may not be on campus except while in the active care of an adult parent, guardian or designated child-care person over age 18. Children may not be left unattended and unsupervised at any time in any location, including dormitory rooms, hallways, bathrooms, Dining Hall, library, Campus Life lounge, and recreational fields.
- ◆ The university does NOT accommodate nor allow children in classrooms during class. However, faculty may allow short, non-routine classroom attendance by a child when accompanied by the parent/guardian. The presence of the child must not compromise classroom safety or the conduct of the class. This must be a rare circumstance that should not occur more than once a semester and not longer than 30 minutes.
- ◆ Children are not permitted in any campus facility where obvious danger is present.
- ◆ Children are not allowed in science and photographic laboratories, laboratory preparation areas, and art rooms as there is possible exposure to potentially harmful agents and substances, including, but not limited to chemicals, biological materials, or radiation sources.
- ◆ Children are not permitted where any shop activity is conducted including grounds maintenance, vehicle maintenance, carpenter's shop, fabrication of instruments and laboratory apparatus, sewing, welding, machinery operation, or renovation activities.
- ◆ Children are not permitted in any kitchen or other food preparation areas.
- ◆ Children are not permitted in the recording, broadcast and music studios.
- ◆ At all times when the child is on campus, the child is the sole responsibility and liability of the parent or legal guardian. The parent or legal guardian is responsible for any personal injury to university employees, students and guests, or property damage caused by the child, and the parent or guardian may be held liable.
- ◆ Any accident or injury involving a child must be reported immediately to Campus Police at (210) 829-6030.
- ◆ Children that are not in the active care of an adult parent or guardian are allowed on campus in the following situations:
  - While children are attending an organized and structured camp held on the campus of the university, such as a summer sports or academic camp.
  - Children at the university that are enrolled students that are employed by the university, or on an internship. Note that before a child under the age of 18 is allowed in the workplace, he/she must complete the Hazard Assessment Request for Minors in the Workplace located on the Environmental Health Safety and Risk Management Blackboard Page.

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

## Section 15: Posting Policy

### Creating and Distributing Printed Materials

UIW supports the freedom to publicize activities and distribute materials by internal or external entities relating to functions on and off campus, which benefit the university community and are consistent with UIW values. One original sample of the flyer must be submitted to the Campus Engagement Office for stamped approval. Approved flyers may be copied as necessary for distribution. Please allow 24 hours turnaround time for approval.

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

### Requirements for Materials

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

### Getting the Posters Approved

Student groups and external groups:

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

UIW departments/schools:

- ◆ Your poster design (art work) must be approved by both the UIW Office of Printing Services and Graphic Design and the UIW Communications and Marketing Office BEFORE the signs are printed/produced. You may submit to both offices simultaneously or to either office first and they will forward to the other respective office. This applies to yard signs and banners as well.

For all groups:

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

## Approved Posting Locations

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

The Student Engagement Center has no location for physical marketing. Digital marketing can be submitted to include on the TV monitors. File guidelines and other helpful tips can be found in the 18-19 SEC Style Guide.

Building	Approved Location
1. Library	Foyer only
2. Gorman	Four corkboards on the first floor; two corkboards on the second floor
3. Nursing	Two corkboards on the first floor (by back entrance)
4. Wellness Center	One corkboard in foyer of wellness center
5. Bonilla	Three corkboards on the first floor
6. Kelso Art Center	One corkboard on the first floor; two corkboards on second floor; one corkboard on the third floor
7. Concert Hall	No all campus posting - <b>band and orchestra only</b>
8. AT&T	Three corkboards on the first floor; four corkboards on the second floor; four corkboards on the third floor, two corkboards on the fourth floor; three corkboards on the fifth floor
9. Admin	Seven corkboards on the first floor; three corkboards on the second floor; two corkboards on the third floor
10. Joyce	One corkboard on the first floor
11. SEC	<b>Digital posting only</b> (refer to 18-19 SEC Style Guide)
12. Residence Halls	Give to Residence Life Office for RAs to post inside Residence Halls
13. Dining facilities	Speak with appropriate Sodexo/dining facility to specify approved locations. No windows.

## Posting Restrictions

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

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

## Section 16: Sales and Solicitation Policy

Outside and for-profit groups are not allowed to sell items or solicit members of the university community on campus without prior approval from the Director of Campus Engagement. Please bring advertisement flyers to the Offices of Campus Engagement for approval by the Director of Campus Engagement.

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

The sale of merchandise of any kind whatsoever, or publications or service on university property, other than by the regularly authorized stores, restaurants, departments or divisions of the university, is likewise prohibited except upon written permission of the Vice President for Campus Life and Facilities or his/her designee.

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

## Section 17: Student Sales & Fundraising Policy

Sales will be conducted by registered student organizations only. Sales in stationary locations on campus must be approved by the Director of Campus Engagement and appropriate forms must be completed on Orgsync before the event. No bake sales may be conducted in the vicinity of Hortencia's. Individuals or organizations may not sell or solicit donations off campus in the name of the university unless prior authorization is given by the Office of Campus Engagement, and the Vice President of Institutional Advancement.

## Section 18: Vendor Exhibitor Policy

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

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

## Section 19: Student Organization Policy

Information regarding the University of the Incarnate Word organizations is available to members of the university community. Student contact information (name, address, phone and office held) is not available to outside groups and is not to be disseminated by other members of the university community.

### **Registration and Benefits**

Student organizations are established and registered at the University of the Incarnate Word for the purpose of complementing the educational program and furthering spiritual, intellectual, moral, social, physical and career development of students. These organizations provide students with opportunities for leadership, fellowship and self-government.

To achieve status as a registered organization, each group must submit appropriate documents to the Director of Campus Engagement through OrgSync. The process includes being approved by the Student Organizations Coordinator, the Director, Student Government Association (SGA), the Dean of Students and the student body during a General Assembly meeting. A group of students may receive status as a registered organization by receiving approval from the Dean of Students (in consultation with the Vice President for Campus Life and Facilities).

Groups whose goals are not duplicative and are consistent with the Mission of the university and the values of the Catholic Church will be considered for registration. Officially registered groups have access to the full range of benefits of membership in the campus community. These benefits include: the ability to recruit members from the student body, faculty, and staff; use of most campus resources without a fee; the opportunity for funding from SGA or other campus offices; the opportunity to conduct approved fundraising events; and the opportunity to advertise and hold approved events on campus. Financial accounts may be established by student organizations in the Business Office by completing appropriate paperwork. Student organizations must select and send a representative to all SGA General Assembly meetings.

## Section 20: Guest Speaker Policy

The University of the Incarnate Word recognizes that freedom of speech and academic freedom are an integral part of the university community.

### Public Speakers Policy

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

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

**The goal is to encourage reasoned and respectful discussion about serious issues of the day, without the expectation of total agreement in the end.**

The University of the Incarnate Word, as a not-for-profit institution, is obliged to comply with federal and state regulations which prohibit the support of political candidates, political parties or political positions pending before legislative bodies. The university does not sponsor programs designed to raise funds for political candidates, parties, or positions. UIW provides equal access to candidates and political opinions to stimulate the kind of debate that will educate our students about political agendas and issues that are important in the electoral process.

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

Procedures:

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