



900 Chicon St Austin Texas

# Annual Security & Fire Report 2014

<b>INTRODUCTION</b>	<b>4</b>
<b>Publication of the Clery Report</b>	<b>5</b>
<b>Annual Disclosure of Crime Statistics</b>	<b>5</b>
<b>Campus Law Enforcement</b>	<b>6</b>
<b>Accurate and Prompt Crime Reporting</b>	<b>6</b>
<b>Reporting of Criminal Offenses</b>	<b>6</b>
<b>Voluntary/Confidential Reporting</b>	<b>7</b>
<b>Safety and Security Policies: Campus Facilities</b>	<b>7</b>
<b>Safety and Access in On-Campus Housing</b>	<b>7</b>
<b>Reporting to the Dean of Students and Housing &amp; Residence Life</b>	<b>8</b>
<b>Campus Security Authorities (CSA's)</b>	<b>9</b>
<b>Missing Students Who Reside in On-Campus Housing</b>	<b>9</b>
<b>Timely Warnings</b>	<b>10</b>
<b>Decision Criteria for Timely Warnings</b>	<b>10</b>
<b>Content of Timely Warnings</b>	<b>11</b>
<b>Initiating Timely Warnings</b>	<b>11</b>
<b>Evacuation Procedures</b>	<b>14</b>
<b>Emergency Procedures</b>	<b>14</b>
<b>Emergency Response and Disaster Recovery Procedures</b>	<b>15</b>
<b>Sexual Assault, Domestic &amp; Dating Violence and Stalking</b>	<b>16</b>
<b>Educational and Prevention Programs</b>	<b>18</b>
<b>Sexual Violence - Risk Reduction Tips</b>	<b>18</b>
<b>How to Be an Active Bystander</b>	<b>19</b>
<b>Campus Sexual Assault Victims' Bill of Rights</b>	<b>20</b>
<b>Reporting of Dating Violence, Domestic Violence and/or Stalking</b>	<b>20</b>
<b>If you are Victim</b>	<b>21</b>
<b>Criminal Charges</b>	<b>21</b>
<b>The Assault and Evidence Collection</b>	<b>22</b>
<b>Options Following an Act of Sexual Violence</b>	<b>23</b>

<b>Preliminary Investigation and Report</b>	<b>25</b>
<b>Formal Notice of Charges:</b>	<b>26</b>
<b>Incident and Complaint Review</b>	<b>26</b>
<b>Hearing Decisions</b>	<b>26</b>
<b>Sanctions</b>	<b>27</b>
<b>Confidentiality</b>	<b>28</b>
<b>Protective Measures</b>	<b>28</b>
<b>Protective Orders</b>	<b>28</b>
<b>Helpful Resources</b>	<b>31</b>
<b>Alcohol Policy</b>	<b>32</b>
<b>Illegal Drugs</b>	<b>32</b>
<b>Sanctions and Penalties</b>	<b>32</b>
<b>Penalties Under Texas Law ( HT Student Handbook)</b>	<b>33</b>
<b>Sex Offender Registration Policy</b>	<b>34</b>
<b>Criminal Offenses and Definitions</b>	<b>35</b>
<b>Definitions of Criminal Offenses</b>	<b>35</b>
<b>Clery Geographic Location Definitions</b>	<b>37</b>
<b>Crime Statistics</b>	<b>39</b>
<b>Daily Crime Log</b>	<b>40</b>
<b>Fire Polices</b>	<b>42</b>
<b>Fire Log</b>	<b>42</b>
<b>Fire Safety Systems in On-Campus Housing</b>	<b>43</b>

## INTRODUCTION

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (formerly known as the Crime Awareness and Campus Security Act of 1990) is a Federal Law that was enacted after the senseless assault and murder of a 19-year old Lehigh University freshman. The law was renamed in her memory in 1998.

In short, the Clery Act requires Universities and Colleges to disclose crime statistics for the prior three years, as well as current program for campus security and reporting procedures. Huston-Tillotson University (HT) Campus Safety Department, in compliance and support of this act, makes available the required information to all current and prospective students, their parents, and employees, both online and in print form.

One of the best explanations of this federal law comes from The Handbook for Campus Crime Reporting (U.S. Department of Education, Office of Postsecondary Education, Washington, D.C., 2009).

In 1990, Congress enacted the Crime Awareness and Campus Security Act (Title II of Public Law 101–542), which amended the Higher Education Act of 1965 (HEA). This act required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998 and 2000. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of a student who was slain in her dorm room in 1986.

The Clery Act requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. It also requires that crime data are collected reported and disseminated to the campus community and are also submitted to ED. The act is intended to provide students and their families, as higher education consumers, with accurate, complete and timely information about safety on campus so that they can make informed decisions.

The Campus Security Act requires colleges and universities to:

- publish an annual report every year by October 1st containing the last three years of campus crime statistics and fire safety statistics as well as certain campus security University Policy (ies);
- disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police, local law enforcement agencies, and other University officials who have “significant responsibility for student and campus activities;”
- provide “timely warning” notices of those crimes that have occurred and pose an ongoing “threat to students and employees;”

- implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus;
- disclose in a public crime log “any crime that occurred on campus or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department;” and
- maintain a public fire log, which is a record of any fire that occurred in an on campus student housing facility.

Huston-Tillotson University is committed to providing a safe campus for students, faculty, staff, and visitors. Safety is a shared responsibility within the campus community and we rely on every community member to contribute by reporting crimes and suspicious activities in a timely manner. The material that follows is designed to familiarize the readers with issues of safety and security at HT.

We hope the information in this Report heightens your own awareness and helps support a safe campus for HT community members.

### **Publication of the Clery Report**

As required by the Clery Act, crime, arrest, and student disciplinary data are requested from various sources. E-mails are sent to campus community members to obtain this information as well as agencies that border our campus. Statistics from these sources are compiled and made available in this Report and the U.S. Department of Education web sites. Campus community members are notified directly of the availability of this Report via a campus wide e-mail.

Prospective students are made aware of this report during Orientation.

A copy of the report is also available to all on the Campus Safety link on the Huston-Tillotson website <http://htu.edu>, and paper copies may be requested by contacting the Campus Safety Department [campussafety@htu.edu](mailto:campussafety@htu.edu) or by calling 512.505.3011

Copies may also be obtained in person at the Campus Safety Department in the Conner-Washington Building, or by calling 512.505.3011

An open log of reported crimes is available for review, upon request, in the Campus Safety offices, in the Conner-Washington Building.

### **Annual Disclosure of Crime Statistics**

The University’s Campus Safety Department prepares this Annual Crime Report for the entire University, to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be obtained from our website at <http://htu.edu/>. This Report is prepared in cooperation with information and data from other state and local law enforcement agencies.

Campus crime, arrest and referral statistics include those incidents reported to the local law enforcement agencies and the University's Campus Safety Department. These statistics may also include crimes that have occurred in private residences or businesses that touch the

University's boundaries. Each year, by email and flyers placed on bulletin boards and electronic message boards, notification is made to all faculty, staff and students that the Huston-Tillotson website provides access to this report.

Copies of the Report may also be obtained at the Campus Safety Department office located in the Conner-Washington Building on the Huston-Tillotson campus.

### **Campus Law Enforcement**

The Campus Safety Department and its officers have the authority to ask persons for identification and to determine whether individuals have lawful business on the HT's campus. Security officers do not possess arrest power. Criminal incidents are referred to the local law enforcement having jurisdiction on the campus. The Campus Safety Department maintains a highly professional working relationship with the local law enforcement agencies. Huston-Tillotson does not have a Memoranda of Understanding with the law enforcement agencies. All crime victims and witnesses are strongly encouraged to immediately report the crime to the Campus Safety Department and the appropriate local law enforcement agency. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics.

### **Accurate and Prompt Crime Reporting**

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the University Campus Safety Department in a timely manner.

To report a crime or an emergency on the Huston-Tillotson Campus, call 911 or the Main Gate Booth at 512.505.3010. To report a non-emergency security or public safety related matter, you may also call 311 with the City of Austin or the Campus Safety Department at 512.505.3011.

### **Reporting of Criminal Offenses**

Huston-Tillotson University is committed to a safe and secure environment for all employees, students, and visitors. The entire campus community shares the responsibility for a safe and secure campus. All members of the campus community, staff, students, and visitors are required to report any emergency, crime, threatening or violent situations or knowledge of any criminal activity to Campus Safety Department or local law enforcement as soon as possible. These situations may include any conduct that threatens the health or safety of any person, or creates a reasonable fear that such a result will occur, including but not limited to: acts of violence, threats of violence, possession of weapons(s) on University controlled property without proper written authorization, threatening behavior, and/or reckless disregard for the health or safety of any person. Delaying your

report may unnecessarily allow the behavior to continue, harm your own well-being, or jeopardize an investigation due to the passage of time, fading memories, or departure of witnesses.

To report a crime or an emergency on the Huston-Tillotson Campus, call 911 or the Campus Safety Department at 512.505.3010. To report a non-emergency security or public safety related matter, call the City of Austin 311 or Campus Safety Department at 512.505.3011 or 512-505.3010.

All incident reports are forwarded to the Campus Safety Director for review. If necessary, incident reports are forwarded to the Dean of

Student Affairs and/or Provost and President. The Campus Safety Director will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Dean of Student Affairs and/or Provost and President if necessary.

Crimes should be reported to the Campus Safety Department to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

Huston-Tillotson does not employ a Campus Police Department.

### **Voluntary/Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the University or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Campus Safety Department can file a report on the details of the incident without revealing your identity.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University and the Campus Safety Department can keep an accurate record of the number of incidents involving faculty, staff and students and determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

### **Safety and Security Policies: Campus Facilities**

Huston-Tillotson University is committed to providing a safe and secure campus. Many University



departments work collaboratively to ensure that the University's buildings and grounds are secure. Campus Safety patrols campus grounds and buildings. The main duties for the security officers include opening, closing and checking doors to campus buildings; safe walk escorts; assisting faculty and staff who are locked out of buildings; assisting with special event security; and directing foot patrols of the campus.

The security officers do not have law enforcement authority and are not permitted to take police action. Anyone needing the services of a security officer for a campus safe walk escort or to assist with a lock out should call the Campus Safety Department at 512.505.3011 or the Main Gate at 512.505.3010

In addition, facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The entire campus including parking lots are well lit, monitored by surveillance cameras and routinely patrolled by security officers.

Campus Safety Department officers routinely perform checks on lighting and unsafe conditions and report them directly to Facilities Management. Community members are also encouraged to report any lighting concerns or problems or unsafe conditions to Campus Safety Department at 512.505.3011 or Facilities Management at 512.505.3016.

### **Safety and Access in On-Campus Housing**

Access to on-campus housing is intended for residents, their approved guests, and other approved members of the campus community. All individuals who do not reside in one of the halls to which entry is desired must follow the guidelines outlined in the Student Handbook. To report any concerns or problems or unsafe conditions in a residence hall, contact the appropriate professional hall staff.

Allen-Frazier and Beard-Burrowes Residence Halls are equipped with a Card Access System. The door is locked 24 hours a day. Access can only be gained with a student's card key, which is programmed into the card reader. Off-campus guests must follow the visitation hour's policy. Off-campus guests are not permitted in Allen-Frazier or Beard-Burrowes Residence Hall before or after visitation hours. These buildings are also monitored with surveillance cameras inside and out.

### **Reporting to the Dean of Students and Housing & Residence Life**

In addition to reporting criminal incidents to the Campus Safety Department, individuals may also report criminal incidents to the Dean of Students and to authorities within Housing & Residence Life. These



departments will then involve Campus Safety, when appropriate. If you wish to remain anonymous every attempt will be made to maintain your anonymity, but it is not guaranteed. Crime statistics from incidents reported to the Dean and Housing and Residence Life will be included in the Annual Crime Statistics.

### **Campus Security Authorities (CSA's)**

In addition to reporting crimes to Campus Police, the Dean of Students, Housing and Residence Life and the Counseling Center, crimes may also be reported to Campus Security Authorities (CSA's). CSA's are University faculty, staff or students that hold a position with the University designating them as CSA's. CSA's currently receive training on how to identify and report crimes in compliance with the Campus Security Act. Lt. Shawn Smith of the Police & Public Safety Department is responsible for CSA training and maintains a list of all CSA's and associated training records in Suite 152 of the Facilities Management/Police & Public Safety Building. This information is updated on a continual basis. Specific incident reporting forms are utilized to ensure the following statistical information is reported:

- Date reported
- Date of incident (to the extent it can be determined)
- Approximate time of incident
- Location of incident
- Brief description of alleged criminal activity
- Gender of victim

These statistics are reported for compilation into the Crime Statistics of the Annual Security Report even if the reporting party or victim wishes to remain anonymous. The UNC Charlotte Police Department Policy regarding Campus Security Authorities was last updated 09/20/2013.

CSA's Include:

- Office of Student Affairs / Dean of Students Office Office of Housing & Residence Life
- Security Personnel, Resident Advisors (RA's),
- Athletic Department
  - Coaches, Assistant Coaches, Head Trainers and staff in the Athletic Department who lead intercollegiate athletics teams
- Student Government Affairs

### **Missing Students Who Reside in On-Campus Housing**

If a member of the University community has reason to believe that a student is missing, he or she should immediately notify Campus Safety and Dean of Student Affairs. They will generate a missing person report and initiate an investigation.

After investigating the missing person report and if Campus Safety and the Dean of Student Affairs determine that the student is missing and has been missing for more than 24 hours The University will notify the student's missing person emergency contact. If the missing student is under the age of 18 and is not an emancipated individual, the University will notify the student's parent or legal guardian immediately after Campus Safety and the Dean of Student Affairs has determined that the student has been missing for more than 24 hours. Campus Safety will notify the appropriate local law enforcement agency(s) within 24 hours of the determination that the student is missing.

In addition to registering an emergency contact, students have the option to identify confidentially an individual to be contacted by the University in the event the student is determined to be missing for more

than 24 hours. If you wish to identify a confidential contact, you can do so with the Dean of Student Affairs

A student's missing person contact information will be registered confidentially and will be accessible only by authorized campus officials and law enforcement in the case of a missing person investigation.

A student may be considered to be a "missing person" if the person's absence is contrary to his/her usual pattern of behavior and/or unusual circumstances may have caused the absence.

### **Timely Warnings**

Huston-Tillotson will issue a timely warning when it receives a report of a crime that represents a serious or on-going threat to the safety of members of the campus community.

Huston-Tillotson may also issue a warning to the campus community when other instances pose a safety concern (see Emergency Response and Evacuation section)

Timely Warnings are issued within a reasonable amount of time after the incident has been reported to the Campus Safety Department. HT may also send out a Crime Advisory based on the nature of the incident. However, if there is an immediate threat to the health or safety of students or employees occurring on campus, the University will follow its emergency notification procedures.

Timely Warning notifications are issued using a variety of methods including but are not limited to electronic distribution through e-mail and the HT website. Each Timely Warning contains a short description of the crime or incident, time and date, location, reported offense, weapon used (if any), suspect vehicle (if any), and method of operation used to facilitate the crime. The notification also includes personal safety information and or crime prevention tips.

A Timely Warning may also be issued for non-Clery Act crimes. Such situations are evaluated on a case-by-case basis taking into account the frequency of offense, likelihood for additional occurrence, continuing danger to the campus community, and risk of compromising law enforcement efforts to resolve the case in a timely manner.

Information about an emergency is also shared with the local community via local media. The Public Relations Office at Huston-Tillotson University is responsible for communicating information with the media during all phases of an emergency.

### **Decision Criteria for Timely Warnings**

The issuance of a Timely Warning must be decided on a case-by-case basis in light of all of the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. An ongoing investigation will normally not preclude the issuance of a Timely Warning. The Department will issue a Timely Warning without delay and will only restrict information that is sensitive to an investigation if the restriction of such information does not inhibit the ability of members of the campus community to protect themselves from harm.

## **Content of Timely Warnings**

The intent of a Timely Warning is to enable members of the campus community to protect themselves from harm. Accordingly, all Timely Warnings must include any information that would promote safety. Such information should include, at a minimum:

- Nature of the crime Location of the crime Date/time of the crime
- Suspect information, if available (victim name is withheld as confidential)
- Any additional information that may aid in protecting the campus community

## **Initiating Timely Warnings**

Every attempt must be made to issue a Timely Warning as soon as is reasonably possible after the facts of the incidents have been established. For threats that are considered particularly exigent, a Timely Warning may be issued immediately with any known facts and then updated with additional pertinent information until the threat is contained or neutralized. The authority to imitate a timely warning rests with the President of the University or, in the President's absence, the Vice President for Administration and Finance.

Timely Warnings and Emergency Notifications will be provided in an accurate and timely fashion to inform students and campus community members of the threatening situation and how they can best protect themselves from harm.

Individuals may also sign up to receive notifications through Huston-Tillotson Alerts System. Offered free of charge, this system allows individuals, including employees, students and parents, to receive campus alerts on their cell phones via text messages. More information can be found at <https://www.getrave.com/login/htu>. Additionally, methods of dissemination can include, but are not limited to the following: University webpage alerts, email, Digital television and Campus warning flyers.

## **Evacuation Procedures**

Emergency situations that call for evacuation of classrooms and buildings will be announced by the emergency fire alarm horns and visual alarm system (in addition to alarms, flashing lights are installed in some buildings). When these alarms sound or are seen, all persons should immediately leave the building. The following guidelines should be observed:

1. Alert people in the immediate area of the fire or explosion and evacuate the room;
2. Confine the fire or explosion by closing doors and windows as you exit a room. Do not lock them;
3. Activate the building fire alarm system by pulling the handle on a local fire alarm box;
4. Evacuate the building using the established Emergency Evacuation Procedure. Once outside, notify emergency responders of the location, nature and size of the fire;
5. In the event of a fire:
  - a. Exit the building as soon as possible;

- b. Crawl low if there is smoke;
- c. Use a wet cloth, if possible, to cover your nose and mouth;
- d. Use the back of your hand to feel the upper, lower, and middle parts of closed doors;
- e. If the door is not hot, brace yourself against it and open slowly;
- f. If the door is hot, do not open it. Look for another way out;
- g. Do not use elevators;
- h. If you catch fire, do not run. Stop – Drop – and Roll to put out the fire;
- i. Go to a previously designated meeting place:

(1) Agard-Lovinggood Building evacuate to the parking lot on Chalmers Street.

(2) Anthony and Louise Viera-Alumni Hall evacuate to the parking lot on Chalmers Street.

(3) Mary E. Branch Gymnasium evacuate to the parking lot on Chalmers Street.

(4) Jackson-Moody Building evacuate to the athletic field.

(5) King-Seabrook Chapel evacuate to the athletic field.

(6) Dickey-Lawless Building evacuate to the athletic field.

(7) Evans Hall evacuate to the athletic field.

(8) Downs-Jones Library evacuate to the athletic field.

(9) Davage-Durden Student Union evacuate to the student parking lots.

(10) Conner-Washington Building evacuate to the student parking lots.

(11) Beard-Burrows Residence Hall evacuate to the student parking lots.

(12) Allen-Frazier Residence Hall evacuate to the student parking lots and grassy area west of Allen-Frazier.

j. Account for faculty, staff, and students; and

k. Never go back into a burning building.

6. Contact fire response by calling Campus Safety at extension 3010 to notify them of the location and size of the fire. Campus Safety will call 911 and notify Facilities Management. Always call from a safe location;

7. If you have been trained and it is safe to do so, you may attempt to extinguish the fire with a portable fire extinguisher. If you have not been trained to use a fire extinguisher you must evacuate the area;

8. In the event of an explosion:

a. Take shelter against your desk or a sturdy table;

b. Exit the building as soon as possible;

c. Do not use elevators; and

- d. Check for fire and other hazards.
9. If you become trapped in debris:
- a. If possible, use a flashlight or whistle to signal your location to rescuers;
  - b. Avoid unnecessary movement so that you don't kick up dust;
  - c. Cover your nose and mouth with anything you have on hand;
  - d. Tap on a pipe or wall so that rescuers can hear where you are and
  - e. Shout out only as a last resort. Shouting can cause a person to inhale dangerous amounts of dust.

**Always evacuate** - Treat all alarms as if they warn of real emergencies. If it is found that the alarm is not being heard and/or seen in all buildings, continue with proper and complete evacuation of the building(s) in which the alarm is heard and/or seen.

**Use appropriate exit- Do not use elevators** - Exit the building following the posted routes in the classroom and /or office complex. Alternate exit routes are also indicated on the posted routes should there be a blocked exit.

**Assist the disabled** - All persons should be alert to the presence of disabled persons and provide assistance if needed.

**Check all areas on you floor and/or in your building** - All faculty and staff are expected to help in ensuring that all areas, including the snack bar, restrooms, and lounges are evacuated. Persons who do not have a class group or laboratory to take care of should be particularly alert to the need to assist in clearing all areas.

**Close (but not lock) windows and doors** - Remember that closed windows and doors can reduce the spread of fire and/or hazardous materials and fumes.

**Turn off laboratory gases, exhaust fans, etc** - Turn off all sources of fuel and oxygen (air) that might feed a fire or spread fumes.

**Call the Fire Department/Emergency Services and Campus Safety**

The first person(s) to discover the emergency is (are) responsible for calling Campus Safety (3010) who will contact the local fire department/emergency services. Be calm and carefully give all needed details of the specific location, type of emergency, your name, etc. The same numbers should be called for emergency medical care service and pertinent information given.

Make sure Campus Safety and Facilities Management are aware of the alarm - If you do not see definite indications that Facilities personnel are aware of the alarm, notify Facilities directly (3016). Telephone, send someone, or go yourself to ensure that Campus Safety and Facilities are aware of the alarm. Give them your name and the name of the building where the alarm is occurring.

## **Emergency Procedures**

For most emergency or disaster situations, the following notification procedures will be followed:

1. Fire alarms and flashing lights will be activated to notify occupants of buildings in which an emergency or disaster has occurred and evacuation is required;
2. During work hours, faculty, staff and students will be notified by campus e-mail and campus television broadcast of emergency situations or pending emergency situations, such as severe weather or national emergency.
  - a. Supervisors will ensure that all employees in their area have read their e-mail and are aware of the situation;
  - b. Faculty will ensure that all students in their classes are aware of the situation;
  - c. The Dean of Student Affairs is responsible for ensuring students residing in the residence halls are aware of the situation; and
  - d. Campus television messaging will be coordinated by the Department of Campus Safety, Public Relations and IT.
3. After work hours, faculty, staff and students will be notified via local television and radio stations and by campus e-mail on the status of the University and of any delayed openings or closures, such as in the case of severe weather or national emergency. The notifications will be coordinated by Campus Safety, Public Relations and Marketing, and Human Resources.
  - a. Supervisors will develop a plan to contact employees to ensure they are aware of the status of the University; and
  - b. The Dean of Student Affairs is responsible for ensuring students residing in the residence halls are notified about the status of the University.

In the case of a prolonged emergency or disaster, the Director of Information Technology, in conjunction with the Director of Public Relations and Marketing, will coordinate to announce the status of the University on the website.

## **Emergency Response and Disaster Recovery Procedures**

Emergencies can occur at any time without warning. We are all aware of the devastation that a serious fire or natural disaster can cause. Since September 11, 2001, we must also be prepared to respond to possible outbreaks of terrorism in the United States. The main concern during any of these occurrences is the safety of everyone on campus. Terrorism, fire, natural disasters and many other lesser emergencies also can result in the loss of assets and cause an interruption in some or all activities on campus.

For most emergency or disaster situations, the following notification procedures will be followed:

- 1.** Fire alarms and flashing lights will be activated to notify occupants of buildings in which an emergency or disaster has occurred and evacuation is required;
- 2.** During work hours, faculty, staff and students will be notified by campus e-mail and campus television broadcast of emergency situations or pending emergency situations, such as severe weather or national emergency.
  - a. Supervisors will ensure that all employees in their area have read their e-mail and are aware of the situation;
  - b. Faculty will ensure that all students in their classes are aware of the situation;
  - c. The Dean of Student Affairs is responsible for ensuring students residing in the residence halls are aware of the situation; and
  - d. Campus television messaging and electronic messaging will be coordinated by the Department of Campus Safety, Public Relations and IT.
- 3.** After work hours, faculty, staff and students will be notified via local television and radio stations and by campus e-mail and website on the status of the University and of any delayed openings or closures, such as in the case of severe weather or national emergency. The notifications will be coordinated by Campus Safety, Public Relations and Human Resources.
  - a. Supervisors will develop a plan to contact employees to ensure they are aware of the status of the University; and
  - b. The Dean of Student Affairs is responsible for ensuring students residing in the residence halls are notified about the status of the University.

In the case of a prolonged emergency or disaster, the Director of Information Technology, in conjunction with the Director of Public Relations and Marketing, will coordinate to announce the status of the



University on the website.

## **SEXUAL ASSAULT, DOMESTIC & DATING VIOLENCE AND STALKING**

### **Violence Against Women Act (VAWA)**

On March 7, 2013 President Obama signed into law an amendment to the Violence Against Women Act. This new amendment covers both students and employees of institutions. It amends the Clery Act to include statistics for the crimes of domestic violence, dating violence, and stalking such that these crimes, if they occur, must now be included in the Annual Security Report. This amendment also affords additional rights to victims, and provides primary prevention and awareness programs to existing and new students and employee

Huston-Tillotson University is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation. The University prohibits and will not tolerate dating violence, domestic violence, stalking, sexual assault or other forms of sexual misconduct as defined by this policy and federal law.

The University will respond promptly and effectively to reports of dating violence, domestic violence, stalking or sexual assault, and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates this policy on Sexual Harassment and Sexual Violence.

Sexual violence is a form of sexual harassment and services are available to students, faculty, and staff who experience sexual violence, domestic violence, dating violence, and instances of stalking.

The Huston-Tillotson prohibits retaliation by its officers, employees, students, against a person who exercises his or her rights or responsibilities of reporting any violations dating violence, domestic violence, stalking or sexual assault,. Further, the University prohibits and will not tolerate any attempts by any person(s) or group to prevent the institution from investigating incidents of these actions or to "cover up" their occurrence.

### **Definitions**

**The Family Code defines :**

**“Domestic violence/ Family Violence** to mean an act, other than a defensive measure to protect oneself, by a member of a family against another member of the family that is in-tended to result in physical harm, bodily injury, or sexual assault or that is a threat that reasonably places the family member in fear of imminent physical harm, bodily injury, or sexual assault. (Texas Family Code 71.004)

**"Dating Violence"** is defined in Texas as an act, other than a defensive measure to protect oneself, that is com-mitted against a victim with whom the actor has or has had a dating relationship; or because of the victim's da-ting relationship with an individual with whom the actor is or has been in a dating relationship. The act is intended to result in physical harm, bodily injury, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, or sexual assault. A "Dating Relationship" means a relation-ship between individuals who have or have had a continuing relationship of a romantic or intimate nature which is determined based on consideration of

the length, nature, frequency and type of interaction between the persons involved in the relationship. (Texas Family Code 71.0021)

### **Texas Penal Code defines:**

**“Sexual Assault”** as an offense if committed by a person that intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; or causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or 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. (Texas Penal Code Sec. 22.011)

“Without **Consent**” in regards to sexual assault is defined in Texas Penal Code as:

- (1) the actor compels the other person to submit by the use of violence;
- (2) the actor compels the other person to submit by threatening to use violence against the victim or against any other person;
- (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 the other person is at the time of the sexual assault incapable of appraising the nature of the act;
- (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 the victim's conduct by administering any substance without the victim's knowledge. (Texas Penal Code Sec. 22.011)

**“Stalking”** when a person commits an offense on more than one occasion and pursuant to the same course of conduct directed specifically at another person, knowingly engages in conduct that:

- (1) the actor knows or reasonably believes the victim will regard as threatening bodily injury or death for the other person; bodily injury or death for a member of the other person's family or for an individual with whom the other person has a dating relationship; or 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 an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or fear that an offense will be committed against the other person's property.

Further, it would cause a reasonable person to fear bodily injury or death for themselves; bodily injury or death for a member of the person's family or for an individual with whom the person has a dating relationship; or that an offense will be committed against the person's property. (Texas Penal Code Sec. 42.072)

### **Consent**

Means assent in fact, whether express or apparent.

Consent is an act of reason and deliberation

A person who possesses and exercises sufficient mental capacity to make an intelligent decision demonstrates consent by performing an act recommended by another.

Consent assumes a physical power to act and a reflective, determined, and unencumbered exertion of these powers.

### **Educational and Prevention Programs**

Huston-Tillotson will take proactive measures to prevent sexual harassment and violence. To accomplish this, Huston-Tillotson will consider the educational programs that address sexual harassment and sexual violence.

#### **Education**

##### **a. Students**

i. The University will provide a primary prevention and awareness program for incoming students, as well as ongoing prevention and awareness campaigns for students, both of which shall include the information in this policy.

##### **b. Faculty and Staff**

i. All employees will be required to complete an online training program which includes information on this policy. New employees will be required to complete the online training during employee orientation. In addition, the University will have ongoing prevention and awareness campaigns, including the information in this policy.

ii. Annual training will be provided to individuals who conduct investigations and/or disciplinary procedures for faculty, staff or students related to domestic violence, dating violence or stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

### **Sexual Violence - Risk Reduction Tips**

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

1. Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
2. Understand and respect personal boundaries.
3. DON'T MAKE ASSUMPTIONS about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you DO NOT have consent.
4. Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far

they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.

5. Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
6. Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
7. Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
8. Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.
9. Ask for permission every step of the way.
10. If you have to read body language, you do not likely have clear consent. Ask for consent. Respect the reply.

Risk reduction tips can often take a tone of “blame the complainant,” even unintentionally. With full acknowledgement both that only those who commit sexual violence are responsible for those actions and that we have control over our own actions, these suggestions may nevertheless help you to reduce risk in experiencing a non-consensual sexual act:

1. Make any limits known as early as possible.
2. Tell a sexual aggressor "NO" clearly and firmly.
3. Try to remove yourself from the physical presence of a sexual aggressor.
4. Find someone nearby and ask for help.
5. Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
6. Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

### **How to Be an Active Bystander**

Bystanders play a critical role in the prevention of sexual and relationship violence.

An active bystander is someone who makes a conscious decision to make a bad situation better. This can involve simple acts such as asking if a person is okay, getting an authority figure involved, or if it feels safe, personally intervening especially if the person being harmed is unable to defend themselves or disadvantaged in another way.

An active bystander takes steps that can make a difference.

Some suggestions for being an active bystander include:

- **Speak up!** If something is not quite right, then you are probably not the only one who notices. Say something and you might be joined by others. **But even if not, your voice is important.**

- **Listen to your gut instinct.** If you think something is wrong, investigate it. Think about what you can do to improve the situation and then determine how to act without compromising your personal safety.

- Don't be content to pass the buck. If you think something is suspicious, don't just tell one person and leave it alone. Check back in. See what happened and if anything was done. If the issue was dropped, pick it back up and find someone else to discuss the issue with.

Active bystanders don't just let things drop and hope for the best. They do everything they can to help improve things for others, knowing that someday that might need help too.

### **Campus Sexual Assault Victims' Bill of Rights**

The United States Congress enacted the "Campus Sexual Assault Victims' Bill of Rights" as a part of the Higher Education Amendments of 1992, as amended by the Campus Sexual Violence Elimination Act (Campus SaVE). This law requires that all universities afford sexual assault victims certain basic rights such as:

- Accuser and accused must have the same opportunity to have others present including an opportunity to be accompanied at any related meeting or proceeding by an advisor of their choice.
- Both parties shall be simultaneously informed of the outcome of any disciplinary proceeding in writing.
- Survivors shall be informed of their options to notify law enforcement, including on-campus and local police.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations, transportation and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

### **Reporting of Dating Violence, Domestic Violence and/or Stalking**

A guiding principle in the reporting of domestic violence, dating violence, sexual assault, and stalking is to avoid possible re-victimizing of the complainant by forcing the individual into any plan of action.

Victims of sexual assault, domestic & dating violence and stalking or persons who have information regarding these crimes are strongly encouraged to report the incident to the Campus Safety immediately. It is the Campus Safety policy to conduct investigations of all sexual assault, domestic & dating violence, and stalking complaints with sensitivity, compassion, patience and respect for the victim. Investigations are conducted in accordance with guidelines established by the Texas Penal Code, Code of Criminal Procedure. Campus Safety will report all acts of sexual violence to the Title IX Coordinator on campus.

It is recommended that a person who has experienced domestic violence, dating violence, sexual assault, or stalking consider each of the following:

- 1. Getting to a safe place.
- 2. Avoiding the destruction of evidence by bathing, douching, changing clothes, or cleaning up in any way. Preserve evidence in a paper bag for possible future action. Also, keep copies of emails, text messages, and voice messages.
- 3. Pursuing medical treatment. Post-assault medical care can be performed at a local emergency room. Many hospitals have a specialized examiner who can complete an exam for victims of sexual violence. Such an exam can help the victim receive an appropriate medical assessment and treatment, and can preserve evidence for possible future action.
- 4. Seek support. Call a friend, family member, or someone else nearby whom you trust, and ask that person to stay with you. You may also contact a campus consultant or outside source of support, as described below.
- 5. If you feel unsafe, lock the door if possible and call Campus Safety at 512-505-3010.

- Wait for your support person or a Campus Safety officer to arrive.
- 6. If the alleged perpetrator was unknown to you, try to remember any helpful details that may lead to his or her identification, such as scars or other marks, jewelry, dress, language, approximate height and weight in comparison to your own, vehicle description, tag number.  
Write these down as soon as you can, and include the date and time of writing.
  - 7. At this moment, or later, you will need to decide whether to pursue legal remedy. To support legal remedies, do the following:
    - Do not disturb the area, room, or vehicle where the incident occurred.
    - If you were sexually assaulted, do not bathe, shower, douche, brush your teeth, or eat or drink.
    - Please see below about forensic examinations and preservation of physical evidence.

To help provide a secure and safe environment, all members of the college community and visitors are requested, encouraged and expected to report any criminal activity or emergency they observe.

Any College representative who receives a complaint of sexual misconduct is expected to immediately notify the Title IX Coordinator, Student Affairs or Campus Safety. Any College representative receiving a report of the initial incident should document details and contact the campus police, who are required to maintain records of such incidents for the purpose of reporting campus crime statistics.

Complainants will be informed of their right to notify law enforcement officials, including College and/or local police, and will be assisted in doing so if they so choose. Complainants may also decline to notify such authorities.

### **If you are Victim**

Anyone who is a victim of any form of sexual assault, domestic & dating violence, and stalking should immediately call the Austin Police Department (911) on campus or by calling Campus Safety 512-505-3011. Reporting these crimes does not mean that the victim must press charges, take the case to criminal trial and/or a university disciplinary hearing. Even if a victim is undecided about filing criminal charges, calling the police, preserving evidence, and going to the hospital will provide for their emotional and medical needs and preserve the option to file criminal charges at a later time. Victims may also report in a confidential manner to the University Counseling Services (512-505-30) or Student Health Services (210-458-4142).

### **Criminal Charges**

All information and reports of sexual assault are kept strictly confidential. In accordance with the Texas Code of Criminal Procedures 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 sexual assault and domestic & dating violence. The victims of sexual assault, domestic & dating violence, and stalking are not required to file criminal charges or seek judicial actions through the university disciplinary process. However, victims are encouraged to report the assault in order to provide the victim with physical, academic and emotional assistance.

A. Violation and Complaint Procedures – Typically Student Code of Conduct violations and complaints are processed in the following manner:

**1. Reporting an Incident** – Students are strongly encouraged to report any instances of sexual violence to a Residence Life staff member, Campus Safety (505.3010), or other University official. Survivors of sexual assault are strongly encouraged to seek medical attention immediately. The choice to seek medical attention is separate from pressing criminal charges and/or pursuing the University’s conduct process. The University Nurse, Campus Safety, and the Residence Life professional on-call are available to assist students to obtain medical assistance, explore options, and make other arrangements. While the University encourages survivors to pursue all criminal and University conduct processes available, the choice of whether a matter will be pursued is up to the survivor.

**The University Can Assist:**

With the survivor’s permission, the University can:

1. Listen and provide on-going support;
2. Provide honest and accurate information to inform the survivor;
3. Contact the University Nurse (505.3039) for medical attention;
4. Assist with securing transportation to and from the hospital;
5. Provide counseling services through the Counseling and Consultation Center (505.3046 or 505.3044)
6. Contact Safe Place (267.SAFE) for a rape crisis counselor;
7. Work with the Austin Police Department to secure a safe and private location to meet with An officer;
8. Work with APD’s Victim Services (974.5037) and other agencies to advocate for the Survivor;
9. Provide off-campus referrals;
10. Contact professors to assist with missed classes;
11. Make academic and living accommodations to assist the survivor; and
12. Review the student’s options to follow-up via the University’s conduct process.

**The Assault and Evidence Collection**

**Do I have to report the assault?**

It is up to you to decide what is right for you. Whether you make a report or not, you are eligible to receive the free and confidential services of your local sexual assault program. If you are not sure about reporting the assault, the local program can give you more information about the reporting process to help you make that decision. If you do not want to make a report, you may tell the responding officer at that time and still receive the medical treatment you need and a forensic exam if requested.



### Why should I report the sexual assault?

After the sexual assault, you may be embarrassed or scared; feeling this way is completely normal. These feelings may prevent you from wanting to report the assault right away. However, there are benefits to reporting the assault as soon as you can, such as being eligible for Crime Victim's Compensation.

### What happens if I choose to make a report?

A law enforcement officer will take your statement and ask you questions about what happened. This starts the investigation process. The police will also refer you to a sexual assault program for assistance.

### If I make a report, will the offender be arrested?

If a suspect can be identified, the police will submit your statement and a report of the offense to the District or County Attorney, who makes the determination if an arrest warrant will be issued. Once the suspect is arrested, the prosecutor's office will file formal charges as soon as possible. After the arrest, the suspect may be released from jail on bond. If the grand jury indicts the suspect, the case will be set for trial. For more information on the legal system in your area, contact the detective assigned to your case, the prosecutor's office, or your local sexual assault program. If you receive threats of further harm after the sexual assault, you may ask a judge for a protective order for yourself and other members of your family or household. The protective order may be in effect for two years or longer, and violation of the order is a Class.

### Do I need medical attention?

It is very important to seek immediate medical care following a sexual assault to get treatment for any injuries you may have. Not all injuries from the sexual assault will be instantly apparent. You can also ask the nurse or doctor about the possibility of pregnancy or contracting sexually transmitted diseases as a result of the sexual assault, and receive appropriate care.

### Do I need medical attention?

A sexual assault examination is not medical treatment. A sexual assault exam is performed by medical personnel to collect and preserve evidence following a sexual assault. This is important because certain types of evidence that may be present immediately after the attack will disappear as time passes. Getting a sexual assault exam as soon as you can will increase the chances of collecting this evidence. Your immediate medical needs and referrals for follow-up care will also be addressed at the time of your visit to the hospital.

## **OPTIONS FOLLOWING AN ACT OF SEXUAL MISCONDUCT**

A member of the Huston-Tillotson University community, who is the victim of sexual misconduct, has knowledge of another person being the victim of sexual misconduct or believes in good faith that he/she has witnessed a possible warning sign of sexual misconduct as defined by this policy, is urged to make a formal report to the police and the appropriate campus administrator .

Whether or not the individual makes a formal report, all victims of sexual misconduct are urged to seek appropriate help, which may include a medical evaluation, and obtain information, support and counseling, either on or off campus. Victims should use the resources listed in this policy to assist them in accessing the full range of available services.

### **A. Medical Treatment**

A person who is the victim of sexual misconduct is urged to seek appropriate medical evaluation as promptly as possible.

For life-threatening conditions, call 911.

Individuals may be treated at various medical facilities across the city. Below is the name of a conveniently located hospital.

University Medical Center Brackenridge  
601 East 15th Street  
Austin, TX 78701  
Phone: 512.324.7000

### B. Medical-Legal Evidence Collection

A person who believes he/she is the victim of sexual misconduct (particularly rape, forcible oral copulation or sodomy) is encouraged to request collection of medical-legal evidence. Collection of evidence entails interaction with police and a police report. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action.

### C. Obtaining Information, Support and Counseling

Whether or not one makes a formal report, a person who is the victim of sexual misconduct is encouraged to obtain information, counseling and support. Counselors at a variety of agencies, both on and off campus, can help a person decide what steps to take, such as seeking medical attention, preserving evidence, obtaining counseling, and/or filing a report with authorities. Information, support and advice are available for anyone who wishes to discuss issues related to sexual misconduct, whether or not an act of sexual misconduct has actually occurred, and whether or not the person seeking information has been assaulted, accused of an act of sexual misconduct or is a third-party.

The degree to which confidentiality can be protected depends upon whether Huston-Tillotson University has a legal duty to respond to the allegations and the professional role of the person consulted. The scope of confidentiality should be addressed by that professional person before specific facts are disclosed.

Faculty & Staff: Employee Assistance Plan (EAP) 1.800.343.3822

Students: Huston-Tillotson University Counseling and Consultation Center 512.505.3046

Community Resources: Austin Police Department Victim Services 512.974.5000  
[www.ci.austin.tx.us/police/victim.htm](http://www.ci.austin.tx.us/police/victim.htm)

SAFEPLACE-Ending Sexual and Domestic Violence  
512.267.7233  
[www.safeplace.org](http://www.safeplace.org)

National Sexual Violence Resource Center (NSVRC)  
877.739.3895 Toll Free  
[www.nsvrc.org](http://www.nsvrc.org)

Rape, Abuse & Incest National Network (RAINN) 800.656.HOPE  
[www.rainn.org](http://www.rainn.org)

### D. Formally Reporting An Act of Sexual Misconduct

Huston-Tillotson University has policies and procedures in place for the confidential reporting by faculty, staff and students of ethics related issues such as sexual misconduct. A person who is the victim of sexual

misconduct, has knowledge of another person being the victim of sexual misconduct or believes in good faith that he/she has witnessed a possible warning sign of sexual misconduct is urged to make a formal report to:

The designated campus administrator; and

Local law enforcement authorities.

Huston-Tillotson University Campus Safety 512.505.3010

Whether or not a witness or victim elects to report an act of sexual misconduct or the warning signs of sexual misconduct to the police, he or she should make a formal report directly to:

Faculty and Staff: Human Resources Director  
900 Chicon St., Austin, TX 78702  
PH: 512.505.3015

Students: Dean of Student Affairs  
900 Chicon St., Austin, TX 78702  
PH: 512.505.3036

Another means of confidential reporting that is available to faculty and staff of Huston-Tillotson University is the Campus Conduct Hotline. It is a confidential, independent call-in service that provides a simple, anonymous way for employees to alert the institution's administration of problems that are occurring within the campus community. Employees are encouraged to call the Campus Conduct Hotline if they experience or observe any of the following: Sexual Harassment/Misconduct, Discrimination, Fraud or Crime, Code of Conduct Violations, Workplace Hostility, Unethical Practices, Fraudulent Financial or Business Practices, Safety or Facility Risk Issues, Security and Internet Policy Abuses, etc. Any complaint along with the University's response is distributed to the Chairman of the Board of Trustees.

**Preliminary Investigation and Report** – The Office of the Dean of Student Affairs will notify the student in writing that he/she must make an appointment for a preliminary meeting within five days of the date of the written notice. Failure to schedule or attend this preliminary meeting will automatically result in the issuance of formal charges as described below.

The Conduct Officer will hold a preliminary meeting with the accused student to review the report as well as ascertain the accused student's perspective of the incident. The Conduct Officer will refer the student to the Code of Community Standards and Conduct. Copies of the Code are available on-line at the HT website and in the office of the Dean of Student Affairs. A copy may be provided upon request. In this meeting, the accused student will be asked to decide whether or not he/she wishes to accept responsibility for having violated the Code.

If a student accepts responsibility for having violated the Code and thereby waives the option of the hearing, the student shall have the following options as to how sanctions will be determined:

1. The student may have the Conduct Officer decide the appropriate sanction(s). The sanction(s) awarded shall be stated in writing and placed in the student's file; or
2. The student may choose to meet with another Conduct Officer to have that person recommend appropriate sanction(s).

This selection shall be made in writing and recorded by the Conduct Officer. A copy of this selection shall be maintained in the student's file. If a student does not accept responsibility for having violated the Code, the Conduct Officer will conduct an investigation to determine if the matter will proceed to formal charges, or if it can be disposed of administratively by agreement of the parties involved on a basis acceptable to the Conduct Officer. The Conduct Officer shall issue an investigative report and findings at the conclusion of his/her investigation. The report shall include whether the matter should proceed to formal charges.

### **Formal Notice of Charges:**

If the matter is not resolved, the Conduct Officer will then meet with the accused student and present the student with a letter stating the formal charges. A copy of the documents relevant to the case will be given to the accused student and the complainant at least seven days in advance of the hearing. These formal charges will be referred for a hearing and a copy of documents relevant to the case will be forwarded to the appropriate hearing body.

The student shall have the following options for a hearing:

1. The student may choose a hearing with another Conduct Officer serving as the hearing officer and to determine the appropriate sanction(s), if any; or
2. The student may choose a hearing with the University Conduct Council serving as the hearing panel and to determine the appropriate sanction(s), if any.

This selection shall be made in writing and recorded by the Conduct Officer. A copy of this selection shall be maintained in the student's file. If an accused student fails to respond to any notification in writing concerning the conduct process, the case will be automatically referred to a hearing with the University Conduct Council.

Interviews may be conducted, evidence collected, unauthorized items confiscated and photos taken for review by Public Safety. Violations of law may result in immediate police intervention.

**Incident and Complaint Review** – All reports and complaints are reviewed by Campus Safety, the Dean of Students, and/or the Dean of Students designee (i.e. Residence Life staff) in a timely fashion. A final report may be delayed pending a further investigation by Campus Safety administrators, including but not limited to additional interviews and closed circuit TV footage review.

### **Hearing Decisions – Conduct Officer and University Conduct**

**Council** – The Conduct Officer or University Conduct Council shall deliberate and decide whether the accused student/organization has violated the Code. These hearing bodies determine whether a violation occurred based on whether there is a preponderance of the evidence. The hearing body may decide that the student/organization is in violation of a less serious offense than that originally charged. A determination that a student has violated the Code requires a simple majority vote.

If the finding of a violation is determined, the hearing body shall be provided with the record of any previous disciplinary proceedings in which the student/organization was found in violation. On the basis of the hearing and the student's/organization's previous record, a decision will be made regarding sanctions by a simple majority vote. In case of a tie, the Chair shall cast the deciding vote.

Whether the Conduct Officer or University Conduct Council acts as the hearing official, a written decision will be issued in a reasonable time after the date of the hearing. This decision shall include:

1. a statement of charges;
2. a summary of facts in the case;
3. the decision;
4. a brief statement of the hearing body's reasoning and if a violation is found; and
5. sanction(s). This decision is confidential and should only be provided to the Dean of Student Affairs.

All decisions of the University Conduct Council or Conduct Officer shall be reviewed for completeness by the Dean of Student Affairs. If the Dean of Student Affairs was the investigating Conduct Officer for a case, the Council's decision will be reviewed for completeness by the Provost and Vice President for Academic and Student Affairs. The respective Dean of the College or School in which the student was enrolled will be advised of any decision resulting in a sanction of suspension or expulsion.

The accused shall receive written notice of the outcome of the hearing as described above and will also receive information on the option of an appeal. To the extent permitted by law, the complainant shall also receive written notice of the outcome of the hearing.

### **Sanctions**

Sanctions are based upon the circumstances of the incident, seriousness of the matter, and conduct history of the student or organization. Sanctions may include suspension or expulsion, depending on the gravity of the violation. Sanctions are expected to be comparable for similar violations.

Possible sanctions may include, but are not limited to, expulsion, suspension, removal from campus, cancellation of contract and/or termination. Other members of Huston-Tillotson University's community who are not subject to an explicit judicial procedure, upon a finding of a violation, shall be subject to adverse actions such as removal from campus, cancellation of appointment/contract or any other means necessary to address the behavior.

The following sanctions, singularly or in combination, may be imposed upon any student or organization found to have violated the Code:

1. Warning: A notice in writing to the student that the student has violated institutional regulations and must cease and not repeat the inappropriate action;
2. Probation: A written reprimand for violation of specified regulations. Probation may be either University probation and/or residence hall probation. For student organizations, probation may include social probation. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be in violation of any institutional regulation(s) during the probationary period.

University probation signifies if there are additional violations, a student may place his/her status at the University in jeopardy. Residence hall probation signifies if there are additional violations, a student may place his/her housing status in jeopardy. Such decisions may have a severe financial impact;

3. Loss of Privileges: Denial of specified privileges for a designated period of time. This sanction may include, for example, denial of the right to represent the University in any way, use of campus facilities, denial of University recognition, or denial of parking privileges;
4. Restitution: Compensation for loss, damage, or injury. This may take the form of service, monetary compensation, or material replacement;
5. Educational Sanctions: Work assignments or service to the University or community;
6. Residence Hall Suspension: Separation of the student from the residence halls for a definite period of time, after which the student or organization may be eligible to return. Conditions for readmission may be specified. This Code provides that temporary, permanent, or immediate suspension may be imposed by the Dean of Student Affairs at a time when there is reason to believe, based on available facts, that the student represents a threat to the safety, health, or welfare of him/herself, other persons or property;
7. Suspension: Separation of the student or organization from the University for a definite period of time, after which the student may be eligible to return. Conditions for readmission may be specified;
8. Expulsion: Permanent separation of the student or organization from the University; and
9. Other: Other sanctions as deemed appropriate by a hearing body or Judicial Officer.

Sanctions are based upon the circumstances of the incident, seriousness of the matter, and conduct history of the student/organization. Conduct sanctions (6) Residence Hall Suspension, (7) Suspension, and (8) Expulsion shall be entered permanently on a student's record. Sanction (2) University Probation shall be entered on a student's record for the term of the probation.

### **Confidentiality**

The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

### **Protective Measures**

The University may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking which may include some or all of the following actions: reasonable academic accommodations, on-campus housing reassignment, a "no contact" order between the accused and the victim, transportation and working conditions, if reasonably available. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

### **Protective Orders**

#### **What is a Protective Order?**

A protective order is a civil court order issued to prevent continuing acts of family violence. Family violence is basically defined as any act by one member of a family or household intended to physically harm another member, a serious threat of physical harm, or the abuse of a child. Family includes blood relatives or relatives by marriage, former spouses, parents (married or not) of the same child, foster parents and foster children, or any member or former member of a household (people living in the same house, related or not).

### **How Can a Protective Order Help?**

A protective order may prohibit the offender from:

- committing further acts of family violence
- harassing or threatening the victim, either directly or indirectly by communicating the threat through another person
- going to or near a school or day-care center that a child protected under the order attends

In some situations, a protective order may also include orders to: prohibit transfer or disposal of property, establish possession and visitation of a child, pay child or spousal support for a period not to exceed one year, attend mandatory counseling, and vacate the residence or other specified property, if certain conditions are met.

These additional provisions are not criminally enforceable. A person who violates them is not immediately arrested, but may be taken to civil court, found in contempt, fined and jailed.

### **Who is Eligible for a Protective Order?**

If the court finds that family violence has occurred and is likely to occur again, a court shall render a protective order. To obtain a protective order, the victim and the offender must be (1) related by blood or marriage, (2) living together, or previously lived together, or (3) have a child together.

A person who has a divorce pending is eligible for a protective order. The protective order must be filed in the court in which the divorce is pending.

### **How Can I Get a Protective Order?**

You can apply for a protective order through the district or county attorney, a private attorney, or through a legal aid service program. The application must be filed in the county in which you or the offender lives. There are no minimum time limits to establish residency, and protective orders are available in every county in Texas.

### **Who May File for a Protective Order?**

1. An adult member of the family or household; or
2. any adult for the protection of a child; or
3. a prosecuting attorney; or
4. the Department of Human and Regulatory Services.

The person who is the alleged victim of family violence is considered to be the "applicant."

### **What Information Do I Need to Provide?**

When you apply for a protective order, you must supply the following information:

1. The name of each applicant (victim) and the county where each applicant (victim) resides;



2. the name, address, and county of residence of each individual who has committed family violence;
3. the relationship between the victim(s) and the offender;
4. a request for one or more protective orders.

The victim should file for the order as soon after the incident has occurred as possible. Additionally, if other incidents of family violence have occurred, the victim needs to provide this information to the attorney who files the protective order application.

### **What Does it Cost?**

The applicant (victim) or an attorney representing the applicant may not be assessed a fee, cost, charge, or expense by a district or county clerk or by a sheriff, constable or other public official or employee in connection with the filing, serving, entering or for any other service including any fees for dismissing, modifying, or withdrawing a protective order, certifying copies, comparing copies to originals, court reporter fees, judicial fund fees, transferring a protective order or for any other service related to a protective order.

The court shall require the offender to pay the fees incurred in connection with the protective order unless the offender shows good cause or is indigent.

### **How Long Does it Take to Receive and How Long Does it Remain in Effect?**

Unless a later date is requested by the applicant, the court shall set a hearing date no later than 14 days after the application is filed. If, however, the court finds from the information contained in the application that there is a clear and present danger of family violence, the court may immediately issue a temporary *ex parte* order. The temporary order is valid for up to 20 days. Final protective orders are effective for up to one year.

### **What Happens if the Protective Order is Violated?**

**Call the police immediately!!** Remember, protective orders do not offer complete protection. No piece of paper can protect you from all instances of violence.

Law enforcement agencies are notified of all protective orders issued in their area and they are required to maintain a list of those orders. If an offender violates the order and law enforcement is notified, officials will act to arrest the offender and seek to have charges filed. If a person violates the protective order in the presence of law enforcement, the offender must be arrested immediately. In cases involving the violation of a protective order, including an *ex parte* order, the offender may be punished for contempt of court by a fine of as much as \$500 or up to six months in jail or both. In cases of violation, excluding *ex parte* orders, the offender may be punished by a fine of as much as \$4,000 or jail for up to one year or both.

### **What Other Options are Available?**

A Magistrate's Order for Emergency Protection may be issued at the time of a defendant's appearance before a magistrate after arrest for an offense involving family violence or a sexual assault. The order for emergency protection may be issued on the magistrate's own motion or on the request of:

1. the victim;

2. guardian of the victim;
3. a peace officer; or
4. the attorney representing the State.

A Magistrate's Order for Emergency Protection may prohibit the arrested offender from committing any further acts of family violence, communicating with a member of the family or household or the person named in the order, or making any threats or going near the place of employment, household or business of a member of the household or of the person named. The offender may also be restricted from going near a school or day care facility. The victim does not have to be present in court when the order is issued.

A violation of this order may be punishable by a fine of as much as \$4,000 or by confinement in jail for up to one year or both.

Remember, if someone has physically assaulted or threatened you, contact your local police department or sheriff's office to press charges against that person. Even if you are ineligible for a protective order, you may be able to have the person arrested for assault, criminal trespass, or stalking.

## **Helpful Resources**

### **Travis County Attorney's Office,**

Website: [www.co.travis.tx.us/county\\_attorney/victim\\_witness/obtaining\\_po.asp](http://www.co.travis.tx.us/county_attorney/victim_witness/obtaining_po.asp)

Phone: (512) 854-9415

Help getting a protective order.

### **Safeplace,**

Website: [www.safeplace.org](http://www.safeplace.org)

24-Hour Hotline: 512-267-SAFE or 927-9616 TTY

Emergency shelter, counseling and other support for survivors of domestic violence or sexual assault.

### **Texas Advocacy Project**

Website: [www.texasadvocacyproject.org](http://www.texasadvocacyproject.org),

Hotlines: Family Violence Legal Line 1-800-374-HOPE

Sexual Assault Legal Hotline 1-888-296-SAFE

Family Law Hotline 1-800-777-FAIR

### **Texas Rio Grande Legal Aid**

Website: [www.trla.org/office/austin](http://www.trla.org/office/austin)

Phone: 512-374-2700 or 1-800-369-9270

Legal representation for low-income people in family law and other civil cases.

Austin Office serves Travis, Williamson, Bastrop, Burnet, Caldwell, Hays, Llano and Mason Counties.

### **Lawyer Referral Service of Central Texas,**

Website: [www.austinlrs.com](http://www.austinlrs.com)

Phone: 512-472-8303

Callers referred to private attorneys. Reduced fee program for low-income callers.

**TexasLawHelp.org** - Free legal forms and information.

## **Alcohol Policy**

Huston-Tillotson University is committed to maintaining a safe and healthful environment for members of the University community by promoting a drug-free environment as well as one free of the abuse of alcohol. In accordance with the Drug-Free Workplace Act, Tobacco Free Campus and the Drug-Free Schools and Communities Act, Huston-Tillotson University strictly prohibits the unlawful manufacture, sale, distribution, dispensation, possession or use of controlled substances, tobacco or alcohol on University property or as a part of any University activity. Certain University sponsored events (e.g., Masked Ball Gala, receptions) may permit service and/or consumption of alcoholic beverages by persons who have reached the age of (21) twenty-one or older as complimentary to that event. Under no circumstances should a University sponsored event or event taking place on University property have the consumption of alcohol as its primary focus. All faculty, staff and students must comply with this policy as a condition of their employment or enrollment. Faculty and staff members are prohibited from reporting to work under the influence of alcohol, chemicals, or drugs, including legally obtained prescription drugs, which impair one's ability to perform normal work activities..

The University provides information for students and employees regarding illicit drug and alcohol abuse, including standards of conduct, health risks, state and federal penalties.

## **Illegal Drugs**

The possession, use, manufacture, or distribution of illegal drugs or other controlled substances by students, faculty or staff at Huston-Tillotson University is prohibited.

Huston-Tillotson University is committed to taking all actions consistent with individuals found in violation of Texas and/or federal laws pertaining to such substances. Huston-Tillotson University addresses this issue with a program of enforcement, education, prevention, counseling, and referral.

## **Sanctions and Penalties**

Any employee engaged in such prohibited conduct, or convicted of a crime involving a workplace drug or alcohol violation, will be subject to discipline, up to and including discharge. The University will weigh all relevant facts and circumstances in reaching a decision to discipline. Without regard to, and independent of its decision to impose discipline, the University retains the right to require that an

employee who engages in prohibited conduct participate in, and successfully complete, a substance abuse assistance or rehabilitation program. In addition, University employees must report in writing to the Office of Human Resources within five (5) calendar days of any drug or alcohol related arrest or conviction occurring in the workplace, in the conduct of University business, or in the employee's non-work related activities. The term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with responsibility to determine violations of State or Federal criminal drug statutes. Nothing contained in this policy statement concerning employees will be construed to limit or in any way restrict the University's treatment of drug and alcohol related incidents involving any of its employees or students.

### **Penalties Under Texas Law ( HT Student Handbook)**

Manufacture of Delivery of Controlled Substances (Drugs). The minimum penalty is confinement in jail for a term of not more than two years or less than 180 days, and a fine not to exceed \$10,000. The maximum penalty is confinement in Texas Department of Corrections ("TDC") for life or for a term of not more than 99 years nor less than fifteen years, and a fine not to exceed \$250,000.

Possession of Controlled Substances (Drugs). The minimum penalty is confinement in jail for a term of not more than two years or less than 180 days, and a fine not to exceed \$10,000. The maximum penalty is confinement in TDC for life or for a term of not more than 99 years nor less than fifteen years, and a fine not to exceed \$250,000.

Delivery of Marijuana. The minimum penalty is confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000, or both. The maximum penalty is imprisonment for life or for a term of not more than 99 nor less than ten years, and a fine not to exceed \$100,000.

Possession of Marijuana. The minimum penalty is confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000, or both. The maximum penalty is confinement in TDC for life or for a term of not more than 99 nor less than five years, and a fine not to exceed \$250,000. Driving While Intoxicated (includes intoxication from alcohol, drugs, or both). The minimum penalty is confinement in jail for a term of not more than 180 days nor less than 72 hours, and a fine of not more than \$2,000. The maximum penalty is imprisonment for a term of not more than

ten years nor less than two years, and a fine not to exceed \$10,000.

Public Intoxication. The minimum penalty is a fine not to exceed \$500. The maximum penalty varies with age and number of offenses.

Purchase of Alcohol by a Minor. The minimum penalty is a fine not to exceed \$500. The maximum penalty varies with age and number of offenses.

Consumption or Possession of Alcohol by a Minor. The minimum penalty is a fine not to exceed \$500. The maximum penalty varies with number of offenses.

Purchasing for or Furnishing of Alcohol to a Minor. The minimum penalty is a fine not to exceed \$4,000 or confinement in jail for a term not to exceed one year, or both. The maximum penalty is a fine not to exceed \$4,000 or confinement in jail for a term not to exceed one year, or both.

The penalties described above are based on applicable Texas statutes and are subject to change at any time by the Legislature and the Governor. Please refer to the applicable State statute for

### **Sex Offender Registration Policy**

The Campus Sex Crimes Prevention Act is a Federal law enacted in October 2002 that provides for the tracking of convicted, registered sex offenders who are either enrolled as students or working at institutions of higher education. The Act amended the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. Under the provisions of this Act, any person who is required to register under a State sex offender registration program must notify the State when the registrant enrolls at an institution of higher education or is employed at such an institution. Additionally, the sex offender registrant must notify the State of any change in enrollment or employment at an institution of higher learning. The State will provide a list of registered sex offenders who have indicated they are either enrolled or employed at the University to Campus Safety.

In accordance with the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (as amended by the Campus Sex Crimes Prevention Act), the University shall publish a statement in each Annual Campus Safety and Security/Crime Statistic Report where the list of registered

sex offenders can be found.

The University encourages members of the campus community who wish to be informed of the identities of registered sex offenders residing in the surrounding area to contact the Texas Department of Public Safety at

<http://www.txdps.state.tx.us>; 512.424.2000; 5805 North Lamar Blvd. Austin, Texas 78752-4422; P. O. Box 4087; Austin, Texas 78773-0001

### **Criminal Offenses and Definitions**

Per the Clery Act, you must classify crimes based on the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Handbook (UCR). For sex offenses only, use definitions from the FBI's National Incident-Based Reporting System (NIBRS) edition of the UCR. Classify hate crimes according to the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection. Although the law states that institutions must use the UCR for defining and classifying crimes, it doesn't require Clery Act crime reporting to meet all UCR standards.

The Clery Act requires your institution to disclose three general categories of crime statistics:

Reported crime statistics citation

- **Criminal Offenses**—Criminal Homicide, including:
  - a) Murder and Non-negligent Manslaughter, and
  - b) Negligent Manslaughter;
  - c) Sex Offenses including:
    - a) Forcible, and
    - b) Non-forcible; Robbery;
    - d) Aggravated Assault;
    - e) Burglary;
    - f) Motor Vehicle Theft;
    - h) and Arson.

### **Definitions of Criminal Offenses**

**Aggravated assault** is 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 or probably would result in a serious potential injury if the crime were successfully completed.

**Arson** is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property, etc.

**Burglary** is 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 a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Dating violence** is violence by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

**Domestic violence** is 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, 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.

**Drug abuse violations** are defined as the violations of state and local laws 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 (demerol, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).

**Hate crimes** are 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 race, gender, gender identity, religion, disability, sexual orientation, ethnicity, national origin, or disability.

**Liquor law violations** are defined as the violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Motor vehicle theft** is the theft or attempted theft of a motor vehicle.

**Murder and non-negligent manslaughter** is the willful (non-negligent) killing of one human being by another.

**Negligent manslaughter** is the killing of another person through gross negligence.



**Robbery** is 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.

**Sex offenses** are defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** is 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. This definition includes any gender of victim or perpetrator.
- **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent. Stalking is 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 to suffer substantial emotional distress.

Weapons violations are defined as the violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

### **Clery Geographic Location Definitions**

The Clery Act requires institutions to disclose statistics for reported crimes based on:

- Where the crimes occurred,
- To whom the crimes were reported,
- The types of crimes that were reported, and
- The year in which the crimes were reported.

An institution must report statistics for offenses according to their occurrence in the following locations, or geographic categories.

#### **On-Campus**

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

#### **On Campus Residential Facilities**

Under the Clery Act, an institution that has on-campus student housing facilities must separately disclose two sets of on-campus statistics:

The total number of crimes that occurred on campus, including crimes that occurred in student housing facilities; and The number of crimes that occurred in on-campus student housing facilities as a subset of the total.

**Public Property**

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. Generally, sidewalks and public streets running through campus and sidewalks and public streets adjacent to campus (the sidewalk immediately adjacent, the street, and the second sidewalk across the street are all counted).

**Non-campus**

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

## Crime Statistics

<i>Criminal Offense - On Campus</i>			
	2013	2012	2011
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
<b>c. Sex offenses</b>			
Rape*	0		0
Fondling*	1	1	0
Incest*	0	0	0
Statutory Rape*	0	0	0
e. Robbery	0	0	1
f. Aggravated assault	0	0	2
g. Burglary	3	0	3
h Motor vehicle theft	0	0	0
i. Arson	0	0	0
k. Stalking*	0	0	0
l. Domestic Violence*	0	0	0
m. Dating Violence*	0	0	0
<b>Total</b>	<b>4</b>	<b>1</b>	<b>6</b>

\* These categories are new for 2013 reporting period and were not required to be reported in this manner in 2011 or 2012. Sodomy and sexual assault with an object are included in the rape category.

<i>Criminal Offense - On Campus-Residence</i>			
	2013	2012	2011
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
<b>c. Sex offenses</b>			
Rape*	0	0	0
Fondling*	0	0	0
Incest*	0	0	0
Statutory Rape*	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	1
h Motor vehicle theft	0	0	0
i. Arson	0	0	0
k. Stalking*	0	0	0
l. Domestic Violence*	0	0	0
m. Dating Violence*	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

\* These categories are new for 2013 reporting period and were not required to be reported in this manner in 2011 or 2012. Sodomy and sexual assault with an object are included in the rape category.

## Crime Statistics

<i>Criminal Offense – Off-Campus</i>			
	2013	2012	2011
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
<b>c. Sex offenses</b>			
Rape*	0	0	0
Fondling*	0	0	0
Incest*	0	0	0
Statutory Rape*	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	3	0	0
h Motor vehicle theft	0	0	0
i. Arson	0	0	0
k. Stalking*	0	0	0
l. Domestic Violence*	0	0	0
m. Dating Violence*	0	0	0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>
<p>* These categories are new for 2013 reporting period and were not required to be reported in this manner in 2011 or 2012. Sodomy and sexual assault with an object are included in the rape category.</p>			

**No hate crimes were reported for Clery offenses for 2011, 2012, or 2013.**

<i>Criminal Offense - Public</i>			
	2013	2012	2011
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
<b>c. Sex offenses</b>			
Rape*	1	0	0
Fondling*	0	0	0
Incest*	0	0	0
Statutory Rape*	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	3	0	0
h Motor vehicle theft	0	0	0
i. Arson	0	0	0
k. Stalking*	0	0	0
l. Domestic Violence*	0	0	0
m. Dating Violence*	0	0	0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>
<p>* These categories are new for 2013 reporting period and were not required to be reported in this manner in 2011 or 2012. Sodomy and sexual assault with an object are included in the rape category.</p>			

<b>Disciplinary – On-Campus</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
<b>Crime</b>			
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Total	0	0	0
<b>Disciplinary– On-Campus Resident Hall</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
<b>Crime</b>			
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Total	0	0	0
<b>Disciplinary – Off-Campus</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
<b>Crime</b>			
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Total	0	0	0
<b>Disciplinary– Public Property</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
<b>Crime</b>			
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Total	0	0	0

<b>Arrest – On-Campus</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
<b>Crime</b>			
b. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Total	0	0	0
<b>Arrest – On-Campus Resident Hall</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
<b>Crime</b>			
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Total	0	0	0
<b>Arrest – Off-Campus</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
<b>Crime</b>			
b. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Total	0	0	0
<b>Arrest– Public Property</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
<b>Crime</b>			
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Total	0	0	0

## **Daily Crime Log**

The Campus Safety Department maintains a log of all criminal incidents reported to the department by date and time the incident was received. The Daily Crime Log includes the date and time received, the date and time occurred, the nature of the offense, the location of the offense and the disposition if available. The Daily Crime Log is available for public inspection at the Campus Safety Department Office located in the Conner-Washington Building during normal business hours.

## **Fire Polices**

### ***Fire Drills***

#### ***Residence Halls***

One announced fire drill is conducted at the beginning of the fall semester and one fire drill is scheduled, but not announced, at the beginning of the spring semester. The announced fire drill is designed to give students an opportunity to evacuate the residence hall in a non-emergency situation. All residents must leave the building when the alarm sounds for the drill. Failure to do so will result in disciplinary action. Evacuate the building using the established Emergency Evacuation Procedure. Once outside, notify emergency responders of the location, nature and size of the fire.

Go to a previously designated meeting place:

1. Beard-Burrows Residence Hall evacuate to the student parking lots.
2. Allen-Frazier Residence Hall evacuate to the student parking lots and grassy area west of Allen-Frazier

If a resident discovers a fire on campus student housing unit, they are directed to activate a pull alarm, which initiates an audible alarm to notify building occupants and/or the campus dispatch office; evacuate the building and assemble in a designated area; and to contact the Campus Safety Main Gate by cell phone at 512.505.3010 or by contacting Austin Fire Department by calling 9-1-1. Each building has a posted evacuation route map for residents to follow; residents are familiarized with the map when they move into the housing unit each semester.

## **Fire Log**

The Campus Safety Department is required to maintain a public log of all crimes reported or made aware of. The log is required to have the most recent 60 days' worth of information. Each entry in the log must contain the nature, date, time and general location of each crime and disposition of the complaint, if known. Information in the log older than 60 days must be made available within two business days. To review the log, you may stop by the Campus Safety Main Gate Booth at 900 Chicon Street, between the

hours of 8 a.m. and 5 p.m., Monday through Friday.

### Fire Safety Systems in On-Campus Housing

<b>Location</b>	<b>Building Fire Alarm</b>	<b>Fire Panel Location</b>	<b>Local Room Smoke Detection Detectors Hand-Wired</b>	<b>Local Room Smoke Detection (Batteries)</b>	<b>Sprinkler System</b>	<b>Monitor Service</b>	<b>Fire Drills Conducted Annually</b>
Allen-Frazier 900 Chicon	Yes	1 <sup>st</sup> Floor Corridor	Yes	Yes	Yes	24-Monitor	2
Beard-Bourrowes 900 Chicon	Yes	1 <sup>st</sup> Floor Corridor	Yes	Yes	Yes	24-Monitor	2

