

THE 2019
ANNUAL SECURITY &
FIRE SAFETY REPORT

Including Statistics for the
2018 Calendar Year



AUSTIN
COLLEGE

THE AUSTIN COLLEGE ANNUAL CAMPUS SECURITY REPORT

INTRODUCTION

The Austin College Annual Security Report is submitted in accordance with the Higher Education Opportunity Act of 2008 (HEOA), the amended Higher Education Act of 1965 (HEA), and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (also known as the Clery Act or the Clery Amendment). This report contains changes which were signed into law on March 7, 2013 as the Campus Sexual Violation elimination Act (“Campus SaVE”), part of the re-authorization of the Violence Against Women Act (the “VAWA”). Campus crime, arrest and referral statistics included in this report are prepared in cooperation with the Sherman Police Department and the Student Affairs Division of Austin College. In order to comply with the Act, some items listed in the statistics may have occurred off campus, in close proximity to the institution. This report includes the Annual Campus Fire Safety Report, and may be found in it’s entirely in the following locations and formats:

- PDF Format on the Austin College Web Site at:
<http://www.austincollege.edu/campus-life/police/>.
This link will be distributed by e-mail to the entire campus community at the start of each fall semester.
- Printed copies will be made available upon request at the Campus Police Office, Jackson Technology Center, Room 100.

CAMPUS SECURITY & PERSONAL SAFETY

The Campus Police Department

The Austin College campus is patrolled by Officers of the Austin College Campus Police Department. The department consists of seven full time Police Officers who are certified through the Texas Commission on Law Enforcement (TCOLE). One or more officers are on duty 24 hours a day, seven days a week, year round.

All campus police officers are fully commissioned under the provisions of Section 51.212 of the Texas Education Code, and have full law enforcement authorities throughout all property owned and controlled by Austin College. All officers are graduates of a police academy, and must attend in-service courses to maintain their Police Officer certification as mandated by the State of Texas.

Officers are responsible for a full range of public safety services including all crime reports, investigations, medical and fire emergencies, traffic accidents, enforcement of laws regulating alcohol, the use of controlled substances, weapons and all other incidents requiring police assistance. Officers are also committed to serving the campus community by providing specific services that both enhance the safety of the members of the community and improve quality of life by minimizing the effect of unexpected circumstances. Those services include Campus Escorts, Motorist Assists, and Lock-Out

requests at Bryan Apartments, Johnson “Roo” Suites, The Flats at Brockett Court and the Village on Grand. Campus Police encourages anyone who must walk alone during hours of darkness to call 903-813-2555 to request an Officer to meet them at their location and escort them to their campus destination safely.

Interagency Cooperation

The Austin College Campus Police Department maintains a close working relationship with the Sherman Police Department, Grayson County Sheriff’s Department, state and federal law enforcement agencies and all appropriate elements of the criminal justice system. Assistance and support from these agencies can be obtained immediately. Since the main campus of Austin College is positioned entirely within the City of Sherman, crime trends and suspect information are routinely exchanged between the two departments in an effort to solve crimes, and build better cases against the perpetrators. The department’s ability to function as an independent law enforcement agency enables it to provide a sensitive, measured approach to all situations requiring police assistance while still maintaining the authority of the College.

Community Responsibility

The security of members of the College community is of vital concern to the Austin College Administration and especially the Campus Police Department. However, students, faculty and staff must actively accept responsibility for doing their part to maintain a safe environment. All members of the College community have a responsibility to themselves and to others to use due care for their safety and to comply with all local, state and federal laws and the college’s regulations for the protection of others.

Failure to take precautions or maintain an awareness of the environment and surroundings may result in increased crimes. Campus Police will continue to develop and implement security measures, but these measures cannot succeed without the personal support of faculty, staff, students and visitors. The Austin College Police Department is committed to providing quality service and protection to the campus community while working within the framework of its authority and resources. Community members are encouraged to contact Campus Police to report crimes as soon as they are observed or detected.

AC ALERT EMERGENCY NOTIFICATION SYSTEM

AC Alert is an emergency notification system provided to all Austin College students, faculty, and staff. It is provided by Blackboard Connect and is designed to help facilitate emergency communication by voicemail, email, and text messages. The safety of the students, faculty, and staff at Austin College is very important. For this reason, Austin College has chosen to develop an emergency notification system. This system allows the College to send a message to you quickly by cell phone (including text messaging), landline, and email to alert you to emergency situations at Austin College. The information you provide will only be used in an Austin College emergency situation.

Students are required to confirm and update their AC Alert Emergency Notification Information during course registration each semester. If the information is not updated by the 12th class day of the semester, a fine of \$25 per week will be assessed until the record is completed.

The delivery success is only as accurate as the contact information you provide to us. If this information changes throughout the year, please go to your Webhopper page and click on AC Alert Emergency Info.

REPORTING EMERGENCIES, CRIMINAL ACTIVITY, OR REQUESTING OFFICER ASSISTANCE

Members of the campus community are encouraged to immediately notify Campus Police or the appropriate law enforcement agency whenever they witness an offense being committed. In this type of situation, immediate reporting and response increases the opportunity for intervention and apprehension. For crimes that have already been committed, quick reporting will still assist Officers in protecting the crime scene and gathering evidence.

Important Phone Numbers:

Campus Police 903-813-2555 (or Ext. 2555 from a campus phone)

Sherman Police Dept. 903-892-7290

Emergency 911

(All 911 calls are routed to the Sherman Dispatch Office for Police/Fire/Ambulance)

When the Campus Police Office is unoccupied, phone calls to 903-813-2555 (X-2555) are routed to the patrol officer(s) by way of a radio patch system. Other phone numbers assigned to Campus Police will not relay to the radio patch system when the office is unoccupied. For this reason, community members should always consider this number as the primary contact number for the Department. Depending on circumstances surrounding the phone calls answered by radio, the responding Officer may request a callback number so that the information can be received via cell phone or landline.

Reporting an incident may be handled in one of several ways. Individuals who want to report alleged criminal action or emergencies that occur on campus may do so by calling Campus Police at the number listed above. This procedure is recommended if the caller is observing current activity or the suspect's direction and mode of travel, and current information will assist in intervention or apprehension of an individual. There are a number of Emergency Phones around campus that may be utilized if no other phone is currently available. Community members may also choose to visit the Campus Police Office located in the Jackson Technology Center to make a report in person. This procedure may be preferred whenever a report is of a sensitive or complex nature, or possibly requires a written statement as part of the investigative process. Requesting immediate assistance from any officer on patrol is also an option.

When a report of a crime in progress or major offense is received, Austin College Police Department will dispatch an officer immediately to investigate the suspected criminal activity. Responses include, but are not limited to:

- Dispatching one or more officers.
- Preparing any needed investigation reports.
- Arresting and filing charges, depending upon the circumstances of the offense.
- Referring alleged offenders to appropriate campus agencies for action.

For less serious crimes that have already occurred, Officers may respond immediately if time permits, or make arrangements to meet at a later time if there are more pressing circumstances requiring immediate attention.

Offenses occurring off-campus should be reported to the appropriate law enforcement agency. If they are off campus but within the City of Sherman, Sherman Police Department can be reached at 903-892-7290.

NOTIFICATION OF CRIME TO THE CAMPUS COMMUNITY

Efforts are made to advise the campus community about campus crimes and crime related problems on a timely basis. These include the Campus Police Crime Log, the College's student newspaper, Special Crime Alerts and, in extreme situations, Crime Bulletins that are distributed through the campus voice mail system or e-mail.

The Crime Log

A Crime Log of incidences occurring on campus will be maintained at the Campus Police Department. This log is a public record document and may be viewed upon request.

Neighborhood Alerts

Neighborhood Alerts are for trends occurring in the Sherman community within close proximity of the Austin College campus. When such alerts are issued, students may not have been affected, but could be a target of a similar crime because they live in close proximity to the area where such a crime occurred.

Crime Alerts

Crime Alerts are notification by e-mail and postings regarding crime trends and particular security risks. Once a security issue or crime trend is identified, notifications are prepared and distributed to alert the community. Depending on the circumstance, distribution may go to a specific residence hall, all students, or the entire campus community.

Crime Bulletins

Crime Bulletins are similar to Crime Alerts, but are for situations that are more serious in nature. They may be issued whenever a major crime risk is identified. It may be after a single specific crime has been committed, or after a major security risk has been identified.

CRIME PREVENTION PROGRAMMING

Crime Prevention Programs on personal safety and theft prevention are coordinated through Campus Police, Student Life Office (SLO), the Mentors in Violence Prevention (MVP) Program, and various other groups on campus. Individuals and groups wishing to host a program should contact one of these areas to make arrangements for the specific topic being considered. Each Fall, “The Shadow” program is held as a contest between the four traditional Residence Halls. Each Jan Term, the Sexual Harassment And Rape Prevention (S.H.A.R.P) Program is presented.

SECURITY AND MAINTENANCE OF CAMPUS FACILITIES

Non-Residential Facilities

Non-residential facilities at Austin College follow routine opening and closing schedules. During weekday business hours, the College (excluding housing facilities) will be open to employees, students, parents, contractors, guests and invitees. Business Hours are generally defined as 8:30 am to 5:00 pm, Monday through Friday.

During evening and weekend hours, access to most academic facilities (for classes, meetings, review sessions, etc.) will be by card access only, unless the event is open to outside guests. Abell Library, Craig Hall, IDEA Center and the Wright Campus Center are the only buildings that are routinely open during evening hours. Emergency situations may necessitate changes or alterations to any building schedules, and will be communicated to the campus community via postings, e-mail, internet, or other communication methods as deemed necessary at the time.

Residence Halls

Residence Halls remain locked 24 hours a day, and are accessible by card access or key only. Except for scheduled breaks, occupants will have 24-Hour card access to the residence hall they occupy. Resident Access to the traditional residence halls during scheduled breaks will be limited to only those who receive approval through the Area Coordinator. Approved student guests may be given limited card access during approved “Guest Access Hours” only. The Guest Access approval does not extend through the scheduled break periods. Guest Access may be revoked by a SLO Professional Staff Member or a Campus Police Officer at any time depending on the circumstances, once a concern has been brought to their attention.

Maintenance Issues

Campus Police Officers patrol the campus in an effort to assure a high level of physical security. As a regular part of their patrol duties, they also submit maintenance requests regarding any safety problems such as defective lighting, inoperative doors or locks, broken sidewalks, steps and handrails and any other condition which might detract from one's personal wellbeing. All such conditions can be reported by the college community to the Physical Plant Department Hot Line, 903-813-2006, or through e-mail to physicalplant@austincollege.edu. Campus Police can be notified at 903-813-2555 regarding issues that require immediate attention after regular business hours.

EMERGENCY RESPONSE

The Austin College Emergency Response Guide includes information on response procedures as well as contingency and continuity plans for the campus, whether those situations require shelter in place or evacuation procedures. Various campus personnel and departments are trained to assist with those plans, drills are conducted and alert systems are tested to verify proper operation.

All Campus Police Officers have completed the FEMA ICS-100 Course in Incident Command. When a serious event occurs on campus, the Officers of the Campus Police Department are usually the first to respond. Officers will contact the appropriate campus staff and departments to assist. Depending on the type of incident, if needed, Campus Police will seek assistance of Sherman Police, Fire, and Ambulance Services. Other local, state or federal agencies could be summoned and involved in responding to the incident as well. Once on the scene, all summoned departments and agencies will work together to manage the incident.

The Emergency Response Guide and other helpful information is available on the Austin College Web Site at, <https://www.austincollege.edu/campus-life/police/campus-emergencies/>, and is publicized to the campus community annually as part of the school's Clery Act compliance efforts. Various other departments and entities on campus have response and contingency plans that outline in greater detail the responsibilities of that particular department. These include, but are not limited to Athletics, Library Services, Physical Plant, the Sciences, Housekeeping and Dining Services.

All members of the Campus Community are encouraged, through the annual distribution of various documents, printed and/or electronic, as well as through the use of notices on Bulletin Boards, to notify Campus Police of any situation or incident on campus that involves a significant emergency or dangerous situation. In turn, Campus Police has a responsibility to respond to such incidents to determine the validity and scope of the threat, determine its risk to the health and safety of the campus community, and to assist those adversely affected by the threat. In situations where a valid threat is identified, Federal Law requires that the institution immediately notify the campus community, or appropriate segments of the community that may be affected by the situation. This communication is relayed to the campus community by the Office of the Director of Public Affairs, who

collects the information from the Campus Police Department or the Campus Crisis Committee. This communication will also, where applicable, provide information on where to find updates regarding the threat.

Notification to the Austin College Community about an Immediate Threat

The Office of Public Affairs and the Campus Crisis Committee receive information from various offices/departments on campus, such as the Campus Police Department, Student Life, Environmental Health and Safety, etc. When the Office of Public Affairs or Campus Crisis Committee confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the AC Community, they will collaborate to determine the content of the message and will use any or all of the systems available, to communicate to the AC Community, or the appropriate segment, if the threat is limited to a particular building or segment of the population. The Office of Public Affairs and the Campus Crisis Committee will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (ACPD, Sherman Police, Fire, Ambulance, or other possible entity), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the AC Community, the College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the AC Community. These methods of communication may include campus e-mails, emergency text messages that can be sent to a phone or PDA, and emergency alert messages on the college's web site. The college will post updates by any or all of the methods available, as those updates are received or pertain to the AC Community.

PROCEDURES FOR TESTING EMERGENCY RESPONSE AND EVACUATION

Timed Evacuation Drills are held each Fall and Spring Semester in the Residence Halls, and at Roo Suites. Timed Evacuation Drills are also performed annually in the Academic and Nonresidential Buildings. Full documentation of the Drills is kept on file at the Campus Police Office. Through these drills, the AC Community learns the location of the emergency exits within the buildings they occupy, and are provided guidance about the direction they should travel when exiting the facility at the time of the Evacuation Drill. In actual long term evacuation situations, AC Community members would be given instruction on alternate locations to meet, receive further instruction, etc. depending on the situation requiring the evacuation.

Residence Hall and Apartment Complex Drills are monitored by Campus Police and SLO Staff. The Nonresidential Facility Drills are monitored by Campus Police and Physical Plant Supervisors and Technicians, with the assistance of other Physical Plant Staff. Lockdown (Shelter in place) Simulation Drills are monitored by Campus Police and each

building's assigned Emergency Lockdown Personnel. Reports are prepared by participating departments, which identify immediate concerns to be addressed or repaired. Service Requests and Equipment concerns are submitted to the Physical Plant or other areas of responsibility.

SLO Staff, including Area Coordinators (ACs), Head Residents (HRs), Resident Managers (RMs), Site Managers (SMs), and Resident Assistants (RAs) receive annual training and ongoing in-service training and act as an ongoing resource for the students living in residential facilities. Fire Drills, Emergency Evacuations, Shelter-in-Place procedures, as well as other residence hall safety topics are a part of the Policy Review in Cluster Meetings and Town Hall Meetings during opening of school.

The City of Sherman tests the operation of the Emergency Notification Sirens at 9 am on the first Wednesday of the month, as long as weather is permitting. These tests include the Severe Weather Alert Tone as well as the College's Lock-Down Siren Tone. These tests can either be an audible test where the siren is completely activated, or a silent test where each remote siren's response to specific commands is tested, but the sirens are not heard. An E-mail notification is sent to the campus community on the Monday or Tuesday before the Siren test process takes place.

Shelter-in-Place Procedures

There are situations, such as during a Tornado Warning, a major natural gas leak or other possible situation, where sheltering in place may be safer or at least provide less of a safety risk than evacuating. To "shelter-in-place" means to make a temporary shelter of the building you are in, until it is determined to be safe to resume normal activities.

Shelter-in-Place alerts may come from any form of emergency notification procedure available, and from any source, including ACPD, SLO Staff, other employees of the institution, or local, state, or federal government.

No matter where you are on campus, basic precautions for sheltering in place are the same. Basic Shelter-in-Place steps include:

- Staying in the building you currently occupy.
- If outside, seek shelter in the building closest to your location.
- Collect needed shelter-in-place supplies and a telephone for use in an emergency.
- Close and lock any open windows in your immediate area.
- Go to an interior room or hallway, away from exterior doors and windows.
- Turn off any air conditioners, heaters and fans. If possible, close any air vents that have controls on them.
- Make a list of the people with you. Contact, or have another close by person to contact ACPD, to let them know where you are sheltering.
- If available, turn on Radio or Television to listen for further instruction.
- Try to stay as comfortable as possible until ACPD or other authorized personnel advise that it is safe to leave.

OFF CAMPUS CRIMINAL ACTIVITY

The Austin College Student Life Office (SLO) is the campus entity immediately responsible for contact with student organizations. Campus Police does not provide law enforcement services to off-campus residences. Off-campus criminal activity within the City of Sherman is monitored and recorded by the Sherman Police Department. Sherman Police may call on Campus Police anytime their assistance is needed. SLO and Campus Police maintain a close working relationship with the Sherman Police Department. This cooperative approach addresses situations as they arise as well as future concerns.

MISSING STUDENT POLICY

Higher Education Act Reauthorization with Higher Education Opportunity Act – 2008 Section 485(j) requires all institutions of Higher Education that participate in any Title IV program and provide on-campus housing to students to establish both a Missing Student Notification Policy and Official Notification procedure for handling missing persons that apply to missing students reports of student who reside on campus.

Missing student policy is defined as any currently registered student of Austin College who has not been seen by friends, family members or associates for 24 hours, and whose whereabouts have been questioned and brought to the attention of a member of the College community. The College will initiate an investigation when notified that a student; who resides in a campus residence hall, is missing, with no reasonable explanation for his/her absence. The investigation will include gathering of all information including: discussions with friends and roommate, meal and card access use around campus, use of social networking sites if possible, and contacting them by phone or text.

In the event of a missing student residing on campus, the Vice President for Student Affairs or a designee will notify the designated contacts regarding the situation. In the event the student does not reside in a College residence hall, the appropriate local police authorities will be notified by Campus Police and an investigation will be initiated.

Each fall, new and continuing students will be provided with an opportunity to denote the confidential contact person. If a student has not reached their 18th birthday at the time they are reported missing for 24 hours, then the student's custodial parent or guardian will be notified by the College.

Revisions and clarifications will be published as experience with the law and institution's policy warrants.

FIREARMS ON CAMPUS

All firearms are prohibited on Austin College campus property. The possession, storage, or use of any firearm, (openly carried or in a concealed manner) or weapon is strictly forbidden. In accordance with Section 411.2031, Texas Government Code, and after

consultation with the campus community, Austin College determined to prohibit handgun license holders from carrying concealed handguns on campus.

Statutory Notice Prohibiting Concealed Handguns on the Austin College premises by License Holders

All students, employees, outside contractors, and visitors holding a valid license issued by the State of Texas to carry a handgun are forbidden from entering in or on the Austin College premises with a concealed handgun and are given the following statutory notice with which they must comply:

Concealed Handguns Prohibited

Pursuant to **section 30.06** penal code (trespass by license holder with a concealed handgun), a person licensed under subchapter h, chapter 411, government code (handgun licensing law), may not enter this property with a concealed handgun.

Openly Carried Handguns Prohibited

Pursuant to **section 30.07** penal code (trespass by license holder with an openly carried handgun), a person licensed under subchapter h, chapter 411, government code (handgun licensing law) may not enter this property with a handgun that is carried openly.

Prohibido Entrar Con Armas De Fuego Ocultas (Pistolas)

Conforme a la **Sección 30.06** del código penal (traspasar portando armas de fuego ocultas) personas con licencia bajo del sub-capitulo h, capitulo 411, codigo de gobierno (ley de portar armas), no deben entrar a esta propiedad portando un arma de fuego ocultas.

Prohibido Entrar Con Armas De Fuego Al Aire Libre (Pistolas)

Conforme a la **Sección 30.07** del código penal (traspasar portando armas de fuego al aire libre licencia) personas con licencia bajo del subcapitulo h, capitulo 411, codigo de gobierno (ley de portar armas), no deben entrar a esta propiedad portando un arma de fuego al aire libre.

The Only Exceptions Are:

- a. A regular employee of Austin College (whose primary purpose at Austin College is employment related) who holds a valid handgun license issued by the state may store or transport a lawfully possessed firearm or ammunition in a locked, privately owned or leased motor vehicle on the Austin College premises, per Section 411.2032(b), Texas Government Code.
- b. Austin College Regulations allow members of the College community to bring shotguns or rifles on campus provided they are stored at the Campus Police & Safety Office under

lock and key. The owner may retrieve the weapon(s) at any time if the owner is taking them off campus.

c. Law enforcement officers and other officials authorized by state law.

ALCOHOL

The possession, sale or the furnishing of alcohol on the Austin College Campus is governed by Austin College, Sherman City Ordinances and Texas State Law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the Texas Alcoholic Beverage Commission (TABC) and enforcement is the responsibility of the Austin College Campus Police Department. In addition to state laws, campus policies regarding possession and consumption are further defined in the AC Environment. Individuals, organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the college. Violators are subject to disciplinary action, criminal prosecution, fine and imprisonment.

The Pouch Club is a licensed facility and is allowed to sell beer and wine for consumption specifically within the boundaries and provisions set forth by the Texas Alcoholic Beverage Commission License held by the club.

Possession and consumption by anyone under the age of 21 is prohibited by law. The following Texas Alcoholic Beverage Code Offenses are Class C Misdemeanors, and are punishable by fine not to exceed \$500.00.

106.02	Purchase of Alcohol by a Minor
106.025	Attempt to Purchase Alcohol by a Minor
106.04	Consumption of Alcohol by a Minor
106.05	Possession of Alcohol by a Minor
106.07	Misrepresentation of Age by a Minor

Penalties for these Offenses are enhanced after the 2nd conviction, and may result in confinement and suspension of the person's driver's license.

It is also unlawful for another person to sell, furnish or provide alcohol to a person under the age of 21 (TABC 106.03 and 106.06). Such Offenses are Class A Misdemeanors and are subject to a fine not to exceed \$4000.00, and/or confinement in jail not to exceed one year.

DRUGS

Austin College has been designated a "Drug Free" campus and much of the campus is positioned within the Jefferson Elementary School "Drug Free School Zone" because of our close proximity to the campus, as defined by state law. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the AC Campus Police Department. Violators are subject to disciplinary action, criminal prosecution, fine and imprisonment.

SERVICES AVAILABLE ON-CAMPUS

Alcohol & Drug Education Programs

The Student Affairs Division offers a number of services and educational programs on-campus to provide help for alcohol and drug problems. These include the following:

Support Groups: Campus community members are encouraged to contact Counseling Services if they are interested in starting a support group on-campus or participating in one.

Assessment: The Director of Counseling (located in Adams Center) coordinates referrals for students to off-campus services for assessment of alcohol and drug dependencies.

Intervention: Information on intervention techniques is available to College community members through Health, Wellness and Counseling Services.

Education and Prevention: At Austin College, we pride ourselves on providing an enlightening college experience, which demands a safe and healthy student environment. We utilize an online interpersonal violence prevention program, *Not Anymore* from Vector Solutions (formerly Student Success). This program is an innovative, engaging, and informative course designed to promote a healthier and safer campus environment for everyone.

This course, created with students for students, is a video-based program that provides critical information about Consent, Bystander Intervention, Sexual Assault, Dating and Domestic Violence, Stalking, Alcohol, Drugs, Tobacco Use, Prescription and Opioid misuse and much more. While first-year students are required as part of their admissions process to visit the site, any member of the Austin College student body who wants to learn in an up-to-date, non-judging manner can visit. *Not Anymore* programming will help you better understand how vitally important these issues are and what you can do to help make your campus safer.

POLICY FOR SEXUAL MISCONDUCT AND HARASSMENT (As found in the Operational Guide)

Policy Approved: 02/04/2019, 7/1/2019*

Supersedes any policies previously adopted and/or published in College handbooks, in the operational guide, or on the website.

Congress passed the Higher Education Amendments in 1972, and included within them was Title IX, which states: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...” Since 1972, several other federal and Texas state laws have been adopted to offer further protection to those in higher education (i.e., students, employees, and

third parties) from discrimination and harassment based on a person's sex or gender. Austin College is committed to establishing an environment free of such discrimination and prohibits such acts.

Hence, Austin College (the College) will respond to complaints, reports, allegations, and information about sex- and gender-based discrimination of which the College is aware. These responses are intended to stop prohibited conduct, prevent its recurrence, and address any lingering impact on both participants and the campus community. Any retaliation against, or intimidation of those involved in a misconduct incident, be it those bringing a complaint, those accused, or those participating in the resolution process, is prohibited and will not be tolerated by the College.

Austin College supports persons involved in this process through available support services. The College encourages students who wish to receive confidential support services regarding sex- and gender-based discrimination to seek assistance from the Title IX Coordinator, staff in counseling services or health services, the office of the College chaplain, the Grayson County Crisis Center, or to seek other medical attention. Additionally, employees needing support services may seek assistance from the Human Resource Department or the Employee Assistance Program. Questions regarding Title IX may also be referred to the United States Department of

Education's Office for Civil Rights.
Office for Civil Rights – Dallas Office
U.S. Department of Education
1999 Bryan Street, Suite 1620
Dallas, TX 75201
Telephone: 214-661-9600
FAX: 214-661-9687
TTD: 877-521-2172
Email: OCR.Dallas@ed.gov

NOTICE OF NON-DISCRIMINATION

Austin College is committed to equal opportunity and does not discriminate on the basis of age, color, disability, national origin, race, religion, sex, gender, gender identity, sexual orientation, citizenship status, genetic information, status as a veteran, or any other characteristic that is protected by applicable state or federal law in its operations, employment opportunities, educational programs, and related activities.

The Austin College Policy for Sexual Misconduct and Harassment (“Sexual Misconduct Policy”) applies to all students, employees, and third parties.

The Vice President of Student Affairs has been designated to handle discrimination or harassment inquiries that do not fall under this policy for students and third parties.

Tim Millerick
Vice President of Student Affairs
Wright Campus Center, Room 251
900 N. Grand Ave., Suite 61595
Sherman, TX 75090

Telephone: 903-813-2428 (press 1)
Email: tmillerick@austincollege.edu

The Chief Human Resources Officer has been designated to handle discrimination or harassment inquiries that do not fall under this policy for employees.

Keith Larey
Chief Human Resources Officer
Caruth Administration Building
900 N. Grand Ave., Suite 6I
Sherman, TX 75090
Telephone: 903-813-2435
Fax: 903-813-3197
Email: klarey@austincollege.edu

SCOPE OF THIS POLICY

The Federal mandates established by Title IX and the Campus SaVE Act reaffirm that students, employees, and third parties have the right to be free from discrimination based on their gender, sex, sexual orientation, and gender appearance/expression. All procedures regarding such incidences can be found herein.

This policy applies to Austin College students, employees, and third-parties both on and off campus, as well as in cyberspace. Off-campus coverage of this policy includes incidents that occur on employee-led trips, study-abroad sites, internship sites, service-learning sites, college-owned properties, and off-campus residences of students.

DEFINING AND RECOGNIZING PROHIBITED CONDUCT

Conduct that is prohibited and encompassed by this policy includes sexual harassment, sex and gender discrimination, sexual assault, rape, stalking, and relationship abuse (including domestic and dating violence). These acts are also a violation of federal and state law (including Title IX, Title VII, the Campus SaVE Act, and the Violence Against Women Act). These acts are prohibited in any sex or gender configuration (i.e., between the same or differing genders), regardless of sex and gender identity, or in any power configuration. Individuals found responsible for violating these policies will face sanctions that are commensurate with the severity of the policy violation, ranging from warning to expulsion or termination of employment.

Many of the behaviors outlined in this policy may be felony or misdemeanor crimes in addition to violations of this policy. Victims are encouraged to explore legal options for prosecution if they desire. Austin College will conduct its own investigation and resolution process for a complaint, regardless of whether the alleged misconduct is also being pursued through the criminal justice system. Acts of harassment or sex- and gender-based discrimination may vary in severity and include the following categories:

A. Sexual Assault Sexual assault is a form of sexual misconduct that is a violation of the College policy as well as federal and state statutes. Austin College defines sexual assault as actual or attempted sexual contact with another person without that person's consent.

Sexual assault includes:

- intentional touching of another person's intimate body parts without that person's consent;
- other intentional sexual contact with another person without that person's consent;
- coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's consent; or
- rape, which consists of 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.

Sexual assault can be committed by persons of the same sex as well as those of different sex.

Students, employees, and third-parties should understand that forced or unwanted sexual intercourse or sexual contact (as defined above), whether it involves a stranger or an acquaintance, is sexual assault. The severity of the violation is the same whether the responding participant is a stranger or known to the reporting participant.

B. Sexual Exploitation Sexual exploitation occurs when a person takes non-consensual, unjust, or abusive sexual advantage of another for their own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited. This behavior may not fall within the definition of non-consensual sexual contact/activity, or sexual harassment, but it is still a violation of policy. There are many degrees and types of sexual exploitation. Examples of sexual exploitation are described below.

- Photographing or taping someone (via audio or video) involved in sexual activity, or in a state of undress without their consent or knowledge constitutes prohibited sexual exploitation (even if a person consented to the sexual activity or the state of undress, photographing or taping someone without their knowledge goes beyond the boundaries of that consent).
- Disseminating photographs or video/audio of someone involved in sexual activity or in a state of undress without their knowledge or consent constitutes a separate and additional act prohibited by this policy.
- Voyeurism, which is the act of observing a person involved in sexual contact/activity or in a state of undress without their knowledge or consent, is prohibited by this policy.
- Inducing intoxication/incapacitation for the purpose of sexual activity (i.e., offering drugs, alcohol, or other substances to a person with or without their knowledge with the intent to impair their ability to withhold consent or their ability to knowingly consent to sexual activity) is a violation of this policy. This type of conduct constitutes sexual exploitation regardless of whether any sexual activity takes place.

C. Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature. Examples of this type of harassment are:

- unwanted sexual advances that may take the form of o inappropriate sexual or suggestive comments, o sounds or jokes; o unsolicited touching or fondling; o unwanted intercourse or o assault;
- unwelcome requests for sexual favors; or
- other behavior of a sexual nature where:
 - o Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or participation in a college-sponsored educational program or activity. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual (often referred to as quid pro quo harassment), or
 - o Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, as well as creating an intimidating or offensive educational, social, living, or working environment.

D. Harassment Based on Sexual Orientation, Gender, or Gender Identity

Harassment based on sexual orientation, gender, or gender identity is defined as derogatory comments, actions, or conduct that may include acts of verbal, nonverbal, cyber, or physical aggression, intimidation, or hostility, even if those acts do not involve conduct of a sexual nature. Such conduct is directed toward an individual by virtue of their actual or presumed sexual orientation, gender, or gender identity and humiliates or intimidates an individual, impedes academic or work performance, or interferes with college life.

E. Hostile Environment

A hostile environment is created when harassing conduct is sufficiently severe, persistent, pervasive, or offensive that it denies, limits, or interferes with an employee's or student's ability to participate in or benefit from

- educational programs, services, opportunities, or
- activities or employment access, benefits, or opportunities.

F. Stalking

Stalking is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to fear for their safety, fear for the safety of others, or suffer emotional distress.

Stalking can occur between strangers, individuals who know each other, or individuals who are or were previously in a relationship. Stalking behaviors may include unwanted

following or watching, unwelcome gifts, or communications in person, in writing, or through the use of technology. It also includes accessing personal information to monitor a person's activity.

G. Relationship Abuse

Relationship abuse can be physical, sexual, verbal, emotional, financial, or digital. It is unwanted and causes physical or emotional harm. At Austin College, relationship abuse encompasses dating violence and domestic violence and can involve current or former intimate partners, spouses, or dating relationships. Relationship violence can occur in both same-sex and different-sex relationships. Examples of relationship abuse include:

- physical abuse, such as hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, or throwing objects at a person.
- sexual abuse, such as attacks on sexual parts of the body, forcing sex after physical violence, treating one in a sexually demeaning manner, coercing or attempting to coerce any sexual contact or behavior without consent, or marital rape.
- psychological or emotional abuse, such as a pattern of behavior undermining a person's sense of self-worth or self-esteem, constant criticism, possessiveness, damaging possessions, threats, intimidation, diminishing a person's abilities, name-calling, public humiliation, or damaging a person's relationship with their friends or family.
- financial abuse, such as taking money from or prohibiting access to bank accounts.
- digital abuse, such as controlling social media accounts, or harassment through social media or other forms of technology.

H. Retaliation

Retaliation occurs when an adverse action is taken against an individual for raising concerns about conduct which is prohibited by law or policy. All members of the Austin College community have the right to raise concerns or file a complaint without fear of retaliation. Additionally, it is a violation of college policy to retaliate against an individual for filing a report of sexual misconduct or gender based discrimination. Retaliation is also prohibited against reporting participant, responding participant, and anyone who participates in an investigation of sexual misconduct or gender-based discrimination. Examples of retaliation include hostility, intimidation, threats, exclusion, or discrimination.

J. Complicity

Complicity is any act taken with the purpose of aiding, facilitating, promoting, or encouraging the commission of an act of prohibited conduct by another person.

K. Consensual Relationships

Sexual, romantic, or dating relationships between employees and students are inconsistent with the mission of the College and inappropriate because they carry a risk of damaging the student's educational experience and the faculty or staff member's career. The College thus prohibits sexual, romantic, or dating relationships, even of a consensual nature, between employees and currently enrolled students. Enrolled students who are employed by College are considered students for consensual relationships. There are exceptional circumstances in which the spouse or partner of a faculty or staff member is a student at the College. This policy does not apply in such circumstances. The Dean of the Faculty or the appropriate vice president is the administrative officer who determines whether a circumstance is exceptional.

ADDITIONAL PROVISIONS, DEFINITIONS, AND CLARIFICATIONS

A. Consent

Consent is clear, active, and affirmative permission to act, either by words or actions. The person who initiates sexual activity is responsible for obtaining the other person's consent for that activity each and every time. The existence of a dating relationship, or prior intimate relationships, does not imply consent, and once consent has been given, it can be withdrawn at any time. Consent can never be assumed or implied. The absence of "no" or silence does not mean that consent has been given. Additionally, consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent is not present when coercion, manipulation, intimidation, or force is used. Consent can not be obtained under duress as described below:

- Consent cannot be obtained by force, including:
 - o physical violence, meaning that a person is exerting control over another person through the use of physical force. Examples of physical force include hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.
 - o threats, meaning words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.
 - o intimidation, meaning an implied threat that menaces or causes reasonable fear in another person. A person's size alone does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g. blocking access to an exit).
 - o coercion, meaning the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes a clear decision not to participate in a particular form of sexual contact or sexual intercourse, a decision to stop, or a decision not to go beyond a certain interaction, continued pressure can be coercive. In evaluating whether coercion was used, the College will consider: (a) the frequency of the

application of the pressure, (b) the intensity of the pressure, (c) the degree of isolation of the person being pressured, and (d) the duration of the pressure. Coercion includes continued pressure after an individual has made it clear that they do not want to engage in the behavior.

- Consent is not present when an individual is incapacitated. An incapacitated individual is someone who cannot make rational, reasonable decisions because that person lacks the capacity to understand the “who, what, when, where, why, or how” of a sexual interaction. This only includes a person whose incapacity results from a disability, sleep or lack thereof, involuntary physical restraint, unconsciousness, or use of alcohol or other drugs. Every individual may manifest signs of incapacitation differently; typical signs include slurred or incomprehensible speech, unsteady gait, combativeness, emotional distress, vomiting, or incontinence. The impact of alcohol and other drugs varies from person to person, and if there is any doubt as to the level or extent of the other person’s intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.
- Being impaired by alcohol or other drugs is not a defense to any violation of this policy, including failure to obtain consent. In evaluating consent in cases of alleged incapacitation, the College seeks to determine 1) if the person initiating sexual activity knew that the other participant was incapacitated and 2) if not, would a reasonable person have known that the other participant was incapacitated. If the College determines that either of these statements are true, consent was absent.
- Consent is never present if an individual is under the legal age of consent (17 in the State of Texas).

B. Amnesty

Students may be concerned about reporting sexual misconduct believing that their own behavior might subject them to disciplinary action (e.g., if a reporting participant or witness is underage and was using alcohol or drugs at the time of the incident). Witnesses and reporting participants should be assured that the focus in matters of sexual misconduct is always on the reported behavior, not on whether the witness or reporting participant was using alcohol or drugs at the time. Individuals are encouraged to come forward and report such conduct regardless of the surrounding circumstances. In situations involving allegations of sexual misconduct, Austin College will seek to make the sexual misconduct allegation the primary focus of any investigation or disciplinary action. The College will not pursue disciplinary action against reporting participants, witnesses or a third party for disclosure of their own personal consumption of alcohol or drugs at or near the time of the incident provided that any such violation did not harm or place the health and safety of any other person at risk. It should be noted that the use of alcohol or drugs does not excuse sexual misconduct and a person who has been

incapacitated through the use of alcohol or drugs (or by any other means) cannot give consent to sexual activity.

C. Confidentiality

Because breaches of confidentiality compromise the ability of Austin College to investigate and resolve claims of harassment and discrimination, the Title IX Coordinator will attempt to protect the confidentiality of harassment and discrimination proceedings to the extent reasonably possible.

On campus, complete confidentiality can only be guaranteed when a concern is shared with a College-designated confidential source (defined herein) and when the concern does not involve a continuing threat of serious harm to self or others as determined by the Title IX Coordinator.

A list of confidential resources on and off campus is available. The College is obligated to investigate all allegations that may constitute harassment or discrimination. Any person seeking information or guidance concerning potential harassment or discrimination should be advised that the College may need to act once informed of an allegation, whether or not the person wants to pursue a complaint.

D. Academic Freedom and Harassment

Austin College is committed to principles of free speech and upholding the tradition of academic freedom. This policy is not intended to restrict teaching methods or freedom of expression, nor will it be permitted to do so. The proper exercise of academic freedom does not include harassment or discrimination as defined by this policy.

E. Participants

Title IX Coordinator: This individual is responsible for the oversight of this policy.

Informing Participant: Any person who shares information with the College regarding a possible violation of this policy.

Reporting Participant: An individual who provides notice to the College that they have experienced one or more acts of sexual misconduct described in this policy. If necessary the College can assume the role of reporting participant.

Responding Participant: Any individual who is alleged to have carried out one or more of the prohibited acts defined in this policy.

Process Advisor: The College maintains a list of limited reporter employees who are trained to assist participants understand this policy and the resolution processes. These individuals are appointed by the College. They will report the incident to the Title IX Coordinator; however, they are not required to report personally identifiable information about the reporting or responding participants. Not providing identifying information may limit the College's ability to conduct a thorough investigation and pursue

disciplinary action. A process advisor is not a responsible employee as defined in this policy.

Responsible Employees: These persons are College employees who have the authority to redress sexual violence, who have the duty to report incidents of sexual violence or other misconduct, or who a student or employee could reasonably believe has the authority or duty. All College employees and volunteers (defined as individuals having signed such forms in the current academic year) are considered responsible employees and have an obligation to report any knowledge of a sexual misconduct incident to the Title IX Coordinator or designee. A report to a responsible employee constitutes a formal report to the College and generally obligates the College to investigate the incident and to take appropriate steps to address the situation. These employees cannot guarantee confidentiality due to Austin College's responsibility to provide a safe campus environment. Reports made to Campus Police will also be reported to the Title IX Coordinator.

Responsible employees include: faculty, administrative staff, coaches, campus police, area coordinators, faculty mentors, communication/inquiry student leaders, resident assistants, and resident language house assistants. Process advisors are limited reporters and therefore are not responsible employees under this definition.

College-appointed work-study students, student-graduate assistants, undergraduate teaching assistants, other student paraprofessionals, and peer leader appointees are exempt from this definition.

Witnesses: The reporting and responding participants have the right to identify any individuals who may be witnesses to the conduct alleged in a formal complaint. Participants may provide an explanation the witness's relevance to this investigation at the time the witnesses are identified to the investigator(s). Participants should be aware that it is possible for both reporting and responding participants to list the same people as witnesses on their behalf. Witnesses are expected to cooperate and speak the truth.

Witnesses should not be intimidated, threatened or improperly influenced in any way by either participant or through others individuals (e.g. friends, family members, attorneys, social media, etc). Any attempt to threaten, intimidate or otherwise improperly influence the recollection of a witness will result in a separate disciplinary action by the College. The investigator(s) will attempt to interview any witnesses identified by the participants that the investigator(s) deems to be relevant to the resolution of the complaint. As members of the Austin College community, students and employees are expected to cooperate with and participate in the investigation process.

Attorneys: Although not necessary, the participants have the right to seek the assistance of a private attorney at their own expense regarding a complaint. This policy and related processes do not attempt to create a courtroom environment and attorneys are not permitted to actively participate in the resolution process. Attorneys will be considered support persons (described below) during the resolution process. Participants should seek legal advice about how this disciplinary process could impact any criminal case in which

they are or may become involved. Austin College will conduct its own investigation and resolution of any complaint in accordance with this policy, regardless of whether the alleged misconduct is also being pursued through the criminal justice system.

Confidential Resources: Medical professionals, professional, licensed counselors and the College chaplain are not required to report any information concerning an incident without the participant's permission.

Counseling Services	College Chaplain	Medical Professional
Adams Center	Wynne Chapel	Adams Center
903.813.2247	903.813.2220	903.813.2247

F. Support Person(s)

Each participant in a sexual misconduct investigation is entitled to one support person of their choosing to accompany and assist them throughout the campus resolution process. The support person can be a friend, family member, attorney, faculty member, or any other individual a participant selects who is willing, eligible, and available. A support person cannot be otherwise involved in the process.

Participants are entitled to be accompanied by their support person in all meetings and interviews at which participants are requested to be present. The support person may help their participant prepare for each meeting.

All support persons are subject to the same campus rules, whether or not they are attorneys. They may not present on behalf of their participant at any point during the process including meetings and interviews. They may confer quietly with their participant as necessary, as long as it does not disrupt the process. Support persons are expected to refrain from interference with the College's investigation and resolution. Support persons who step out of their role or otherwise violate this policy during the campus resolution process will be subject to removal as a support person.

The College expects the support persons to adjust their schedules to allow them to attend College meetings, interviews, or other necessary events when scheduled. The College does not typically change such scheduled meetings to accommodate a support person's ability to attend. Other accommodations for participation may be considered (e.g. phone, Skype).

Participants must inform the Title IX Coordinator of the identity of their support person. Participants and the support person must provide timely notice of a change in support persons to the Title IX Coordinator. Prior to attending any interviews, the support person will be required to agree to confidentiality/non-retaliation, agreeing not to disclose or discuss anything relating to the formal report with anyone other than those authorized to see or hear such information under this process. A participant may change support persons or a support person may choose to withdraw from their role during the process for any reason.

G. Jurisdiction

Any person may file a report of sexual misconduct through this process against an Austin College student, employee, or third party, regardless of where the alleged sexual misconduct occurred.

The reporting participant need not be an Austin College student. If the person bringing the report is not a current student or the alleged conduct did not occur on campus, at a college-affiliated location, or at a college-sponsored event, the matter will be referred to the Title IX Coordinator for a determination regarding whether the College can exercise jurisdiction over the matter. In cases where Austin College has exercised jurisdiction, the College will investigate the incident of sex/gender-based harassment or discrimination to the best of its ability, regardless of location.

H. College Initiated Investigations

Austin College may independently initiate a disciplinary investigation/action against a person under this resolution process. In this type of investigation or action, the College will act as the reporting participant in the resolution of a sexual misconduct report against a person. Such reports will proceed under the process outlined herein and may result in disciplinary action as if the reporting participant were a student or employee.

I. Timing of Reports

There is no time limit for the submission of a report alleging sexual misconduct. A report received after the semester has ended or during a college break or holiday may result in a delay of the resolution process until the beginning of the subsequent semester or return to college operation. The College's ability to provide effective sanctions for violations of this policy is limited once the responding participant is no longer enrolled at, employed by, or serving as a third-party at Austin College.

Austin College reserves the right to initiate an investigation of a report immediately when necessary to protect the interests and safety of the Austin College community, even when the incident takes place after the end of the semester.

J. Intentional Presentation of False Information

Participants in this resolution process must present, in good faith, truthful and accurate information to those involved in ensuring a fair process. Knowingly making false statements or presenting inaccurate information is unacceptable and will result in a separate disciplinary action regarding that conduct. Please note that filing a report or providing information which a participant or witness genuinely believes is accurate, but which is ultimately dismissed due to insufficient evidence or found to be untrue, does not constitute the intentional presentation of false information.

K. No-Contact Orders between Participants

When the Title IX Coordinator receives a report, a no-contact order may be issued barring any communication between the reporting participant and the responding participant. This order prohibits any direct or indirect contact between either of the participants. Indirect contact includes a participant contacting the other participant through other people (friends, family, attorneys) in any way, including social media. The Title IX Coordinator will work with participants involved in this resolution process to help facilitate the no-contact order between the participants, so that they may attend classes, perform work-related tasks and use college facilities as appropriate. A nocontact order may be extended after the conclusion of the resolution process at the request of either participant. In cases where a demonstrated violation of this order has been shown, the participant who violated the non-contact order may be separated from the College pending the remainder of the resolution process. Austin College police are able to provide information and assistance to students or employees who wish to seek a protective order from the courts.

L. Parental Notification

Since Austin College views students as adults, parents and guardians will not be notified when a formal complaint is filed under this policy. Parents of minors who are not students at Austin College may be notified as determined by the Title IX Coordinator. Students are encouraged to inform their parent(s) or guardian(s) if they are involved in a disciplinary action and should refer them to the Title IX Coordinator for questions.

RESOLUTION PROCESS

A. Reporting an Incident

Individuals may choose to seek action or assistance both on campus as well as through surrounding community resources. The following are examples of reasons that one might choose to report an incident of alleged misconduct to

- seek formal action against someone.
- educate someone about their behavior through use of the College's Title IX process and procedures.
- make Austin College aware of behavior in case it is part of a larger pattern.
- help prevent similar incidents from happening in the future.
- receive support in coping with an incident.

A person who has experienced an incident of conduct prohibited by this policy may file a report against the participant responsible for that conduct.

Reports should be filed with the Title IX Coordinator and Deputy Title IX Coordinator:

Melanie Oelfke
Director of Human Resources & Wellbeing/Title IX Coordinator
Administration Building, Room 216
900 N. Grand Avenue, Suite 6i
Sherman, TX 75090

Telephone: 903.813.2433 (press 1)
Email: moelfke@austincollege.edu

Jacob Sapp
Compliance Officer/Deputy Title IX Coordinator
Administration Building, Room 216
900 North Grand Avenue, Suite 6i
Sherman, Texas 75090
Telephone: 903.813.2432
Email: jsapp@austincollege.edu

Austin College is committed to the prompt and equitable resolution of all alleged or suspected violations of this policy about which the College knows or reasonably should know. The College maintains this commitment regardless of whether a report alleging a violation of this policy has been filed and regardless of where the alleged conduct occurred. In resolving a particular matter, the College may use some or all of the following processes: initial assessment and interim measures, administrative agreement, informal resolution, formal resolution, sanctioning and appeal, as described herein. Regardless of the specific processes employed, the College will seek to complete the investigation and resolution process (excluding any appeals) within 60 days unless the College determines in its discretion that more time is required. In this case the participants will be notified of the need for an extension of the 60-day period. The College will provide periodic updates as it deems appropriate.

The College's ability to investigate an alleged incident, or the extent of the investigation in any given situation, may be affected by any number of factors. These factors include whether the report is anonymous, whether the reporting participant is willing to file a complaint or consent to an investigation, the reporting participant's request for confidentiality, the location where the alleged incident occurred, and the College's access to information relevant to the alleged incident. In instances where the reporting participant is unwilling or unable to file a report or participate in an investigation and resolution process, the College may elect to proceed and to seek resolution of the matter in accordance with the processes described below or other process that resolve the complaint in a manner consistent with applicable law, the Office for Civil Rights (OCR) or other relevant government guidance.

The Title IX Coordinator will review the available options with both reporting and responding participants. These include the opportunity to request interim measures as well as the opportunity to request that the situation be resolved through either administrative agreement, the informal resolution process, or the formal resolution process. The reporting participant and the responding participant will receive periodic updates regarding the status of the resolution.

B. Preliminary Contact and Interim Measures

The Title IX Coordinator will make a preliminary assessment of the report(s), which will determine whether the alleged conduct would present a potential violation of the policy

and what further action is warranted. The Title IX Coordinator will implement any appropriate interim measures and remedies to protect the safety and well-being of those involved as well as the campus community. Such measures and remedies may be requested by or provided to those involved. Academic interim measures will be coordinated with and communicated to the faculty member(s) of record and the Academic (divisional) Dean or the Vice President for Academic Affairs. Interim measures will be kept confidential to the extent that maintaining such confidentiality would not impair the ability of the College to provide interim measures. Interim measures will be confirmed in writing. Examples of interim measures include:

- counseling services.
- changes to academic, living, dining, transportation, and campus work situations.
- academic assistance, accommodations or adjustments.
- obtaining and enforcing campus no-contact orders.
- honoring an order of protection or a no-contact order entered by a State civil or criminal court.
- providing safety escorts from the Austin College police.

An employee or student's failure to comply with the terms of interim measure directives is a separate violation of Austin College policy.

C. Confidentiality and Non-Retaliation

During the resolution process all participants should not disclose or discuss anything relating to the formal report with anyone other than those authorized to see/hear such information under the process. Participants are free to discuss the facts underlying the subject of the complaint with counselors, clergy, support persons, advisors, attorneys, and parents. Participants should refrain from discussing the formal report with anyone affiliated with Austin College who is not part of the resolution process. This is to preserve the integrity of the investigation and prevents retaliation. All participants must refrain from any retaliatory conduct against other participants and witnesses in the matter and may be responsible for any retaliation by persons affiliated with her/him.

D. Initial Assessment

The first step of the initial assessment will typically be a meeting between the reporting participant and the Title IX Coordinator. At this time, a written complaint may be submitted by the reporting participant, but a written complaint is not necessary; information provided by the reporting participant in any form will be considered in resolving allegations reported to the College. This initial meeting will allow the Title IX Coordinator to do the following:

- assess the nature and circumstances of the allegation;
- discuss the types of conduct prohibited by the policy and review the reporting participant's complaint as it pertains to the prohibited conduct;
- address any immediate concerns about the physical safety and emotional well-being of the participants;

- notify the reporting participant of the option to notify law enforcement and to be assisted in doing so;
- provide the reporting participant with information about the range of available on- and offcampus resources;
- describe the range of interim measures and remedies for security and support to all participants;
- in cases where the college believes there is a risk of harm to the reporting participant or others, the College may, at its discretion, impose an interim suspension or leave of absence on the responding participant;
- discuss the options afforded to the reporting participant by this policy, including the right to a support person, the informal resolution process, administrative agreement, the formal resolution process, and the need to preserve any relevant evidence or documentation in the case;
- inform the participant that the College prohibits any retaliation against individuals who have filed a report or participated in any manner in an investigation or proceeding under this policy;
- assess whether there is a need for a timely warning or emergency notification under federal law; and
- provide the participant with a written copy of this policy.

If the reporting participant requests at any time that their identity remain confidential or that no formal action be taken, the College will balance this request along with its responsibility to foster an educational environment that is free of discrimination and harassment for all members of the campus community.

As soon as practical after the initial meeting with the reporting participant, the responding participant(s) will also be notified that a report or complaint alleging a violation of the policy has been made unless the College determines that notifying the responding participant is not necessary or appropriate under the circumstances. When notified of the report or complaint, the responding participant will also receive parallel discussions regarding the policies in this document, including the right to a support person, available interim measures, the informal resolution process, administrative agreement, the formal resolution process, and the need to preserve any relevant evidence or documentation in the case. All participants will be informed that the College prohibits any retaliation against participants who have filed a report, assisted, or participated in any manner in an investigation or proceeding under this policy. The responding participant(s) will be provided with a written copy of this policy.

E. Interim Measures

Throughout the investigation and resolution process, the Title IX Coordinator will monitor the effectiveness of interim measures or remedies and coordinate with all participants and appropriate College personnel on the provision and implementation of these measures.

F. Administrative Agreement

The responding participant may elect to accept responsibility for the alleged policy violation at this stage or at any later stage throughout the process. To execute an administrative agreement the responding participant must acknowledge the policy violation, accept the proposed sanction(s), and waive any opportunity for appeal.

G. Informal Resolution Process

Where appropriate, the informal resolution process can be used to resolve allegations of sexual misconduct or interpersonal violence by taking immediate and corrective action to stop the conduct, address its effects, and prevent recurrence without implementing a formal resolution process and its subsequent determination of a policy violation. An informal resolution process may also include a remedies-based process (mediation), which allows both participants to come to a mutual agreement regarding the resolution of the complaint.

The informal resolution process may include the range of interim measures described above, as well as targeted or broad-based training and educational programming for relevant individuals and groups or any other remedy that will achieve the goals of the College's policy. This process is facilitated by the Title IX Coordinator. For example, both participants may agree that the permanent application of interim measures (e.g. no-contact order) may be sufficient to resolve the complaint. This option is available if the College determines that such a process would be appropriate and all participants agree to participate. The informal resolution process will never be used to resolve allegations of sexual assault.

The participants in any informal resolution process will not be required to interact with each other directly. Instead, the Title IX Coordinator or designee will arrange for or facilitate a remediesbased process or other form of mediation between the involved participants who are in different rooms. Once an informal resolution process is complete, both participants will be notified simultaneously/ contemporaneously (to the greatest extent possible, and consistent with FERPA or other applicable law) of the resolution.

H. Formal Resolution Process

To file a formal complaint and begin the formal resolution process, the reporting participant must submit an initial, written statement detailing the allegations of misconduct. This statement is the first opportunity for the reporting participant to describe the allegations against the responding participant. The signed complaint initiates the formal process and is forwarded to the investigator(s). The statement should include the name(s) of the accused, the date and location of the alleged sexual misconduct, and the details of the alleged misconduct. This statement should provide details about the facts surrounding the alleged sexual misconduct. The statement must be signed by the reporting participant.

The responding participant shall be given written notice when a formal complaint has been filed against them. Notice that a formal complaint has been filed against a

responding participant will be provided to that participant in by the Title IX Coordinator or designee. At this meeting the Title IX Coordinator will discuss the nature of the complaint, review this policy, and give the responding participant a copy of the relevant policies. The responding participant may provide a written response to the formal complaint. This statement will be submitted to the investigator(s) and serves as an opportunity to respond to allegations made by the reporting participant. This statement should provide as much detail as possible about the facts surrounding the alleged misconduct and must be signed by the responding participant.

I. Investigation

The formal resolution process includes a prompt, thorough, impartial, and fair investigation into the allegations. Throughout the investigation and process, participants will be treated fairly and equitably.

The Title IX Coordinator will assign an investigator(s) who has been trained in the investigation of, and other issues related to, sexual discrimination, sexual misconduct, and interpersonal violence. The investigator(s) shall not have a conflict of interest or bias for or against any participants involved in the potential policy violation. The investigator(s) will undertake an investigation for the purposes of determining whether the responding participant is responsible for the alleged violation(s) of the policy and assign sanctions and remedies in coordination with the Title IX Coordinator and other college representatives.

It is the responsibility of the investigator(s) to gather the evidence relevant to the formal complaint and the facts raised in the participant's statements, to the extent reasonably possible. Participants and witnesses should make themselves available to the investigator(s) and can provide information they believe relevant to the investigators. The scope of the investigation will not necessarily be limited to information provided by the participants or the violations outlined in the formal complaint. Austin College expects all participants to act with integrity and honesty. Participants and witnesses who refuse to cooperate with the investigator(s) in the investigation(s) may face disciplinary action for their refusal to cooperate. During the investigation, the investigator(s) may utilize some or all of the procedure below, in whatever order the investigator(s) deems most appropriate.

- Document Review: The investigator(s) will review the statements and all supporting material referenced. The investigator(s) will then attempt to obtain any documents or other materials deemed relevant to the investigation. Any documents or information deemed to be material to the findings regarding the formal complaint or any other violations will be disclosed to both reporting and responding participant for comment or rebuttal.
- Participant interviews: The investigator(s) will interview the reporting participant and responding participant separately. These meetings provide opportunities for the participants to discuss their recollection of the event(s) in question, supplement any written statements previously submitted, voice concerns, and work with the investigator(s) to determine what information may be

helpful in the investigation of the allegation(s). Participants may also discuss the impact that this experience has had on them. The investigator(s) may interview the participants more than once, as necessary.

- **Witness Interviews:** The investigator(s) will attempt to interview any witnesses identified by the participants that the investigator(s) deems to be relevant to the resolution of the formal complaint. The investigator(s) may also interview any other persons which they find to be potentially relevant to the complaint. Prior to being interviewed, witnesses will be required to sign and abide by a confidentiality and non-retaliation agreement. The witnesses are expected to refrain from any retaliatory conduct against the participants or any witnesses in the matter and may be responsible for any retaliation by persons affiliated with them (i.e., a friend or family member). The investigator(s) will employ best efforts to interview relevant witnesses who are no longer on campus, attempting to contact them via phone or internet.
- **Expert Witnesses:** The investigator(s) may consult with any experts they deem necessary and appropriate to the determination of the facts of the complaint. An expert witness could be consulted to review or provide a professional opinion regarding evidence discovered in the investigation.

J. Evidence

The investigation is intended to determine if this policy has been violated, without the formalities associated with rules and procedures specifically designed by lawmakers to manage courtroom litigation. Students and employees can address issues and present documents to the investigator(s) without concerns about admissibility. The investigator(s) determines what issues raised and documents presented are relevant and probative of whether the alleged conduct occurred. Then, in the interest of fairness, that information will be disclosed to the other participant in the resolution process. Additional information about specific types of evidence is included below.

- **Sexual History:** The sexual history of the reporting and responding participants will not be used in determining whether the alleged misconduct occurred. Prior consensual sexual activity between the two participants will not be considered in the current pending formal complaint. Consent to one sexual act does not constitute consent for another sexual act.
- **Medical and Counseling Documents:** The use of medical or counseling documents in the resolution process is not required. Medical and counseling documents are privileged and confidential documents that students or employees will never be required to disclose in this process. “Privileged” means that these documents cannot be shared with anyone other than the treating professional unless the patient agrees to disclosure. Participants should be aware that there are legal implications to agreeing to produce privileged documents. Participants are encouraged to seek advice from a knowledgeable source about the possible consequences of releasing this information. All information submitted to the investigator(s) will be included in the report and made available to the other participant. Investigator(s) will attempt to remove unnecessary identifying

information, such as social security numbers, prior to inclusion in the report. A participant who, after due consideration, believes that their own medical or counseling documents would be helpful in determining whether sexual misconduct occurred, has several options for voluntarily presenting this information as described below.

- o Participants can voluntarily decide to present their own medical or counseling documents to the investigator(s) as part of the documents which they would like to have the investigator(s) consider in conducting the investigation. If a participant decides to produce such documents, they must be produced in their entirety. The production of excerpts or selected documents is inappropriate and will not be considered.

- o On occasion, the investigator(s) may ask a participant to voluntarily provide these documents for consideration while conducting the investigation. The participant is under no obligation to provide this information and may simply say “no” to this request. Such refusal is completely acceptable. Prior to responding to such a request, a participant is encouraged to consult with appropriate authorities about the implications of agreeing to or denying the request. If a participant does decide to produce such documents, they must be produced in their entirety. The production of excerpts or selected documents is inappropriate and will not be considered.

- o The investigator(s) may ask a participant to voluntarily provide a verification of therapeutic or medical services to confirm that such treatment occurred, without providing any details regarding that treatment. On rare occasions, a person may be in possession of the medical or counseling documents of another participant or witness. Such documents can only be presented to the investigator(s) under the following circumstances: (i) the person can show that the documents are relevant to the pending formal complaint, (ii) the person can document or otherwise prove that the documents were legally obtained, and (iii) the documents can be authenticated. Failure to meet any of these conditions means the documents will not be considered in the determination regarding the alleged misconduct.

K. Investigation Report

Once the investigation has been completed, the investigator(s) will evaluate the information obtained during the process. The investigator(s) will prepare a report summarizing and analyzing the relevant facts received through the investigation, noting any supporting documentation or statements. The investigator(s) may draw conclusions regarding the credibility of all testimony and the reliability of documentation. The reporting and responding participants will be allowed to review the investigation report prior to the issuance of a finding. Review of the investigation report must be done in the presence of the Title IX Coordinator or designee. The participants cannot duplicate or remove the investigation report from the premises under any circumstance.

L. Participant Final Statement(s)

After reviewing the investigation report, the reporting and responding participants may provide a final rebuttal statement, documents, or other new information regarding the sources of potentially relevant information and witnesses in writing to the investigator(s) within 72 hours of their review. Any information that is submitted will be made available to the other participant for review.

M. Complaint Withdrawal

Prior to the issuance of a finding(s), the reporting participant may withdraw the complaint. Withdrawal of the complaint will, under most circumstances, end the formal resolution process for that complaint. Once a complaint has been withdrawn, it cannot be filed again by the reporting participant within this process. Austin College reserves the right to move forward with the complaint, even if the reporting participant decides to withdraw it, in order to protect the interests and safety of the Austin College community.

N. Acceptance of Responsibility

Prior to the issuance of a finding(s), the responding participant may accept responsibility for the misconduct alleged in the formal complaint. This acceptance, under most circumstances, will end the formal resolution process and the matter will be handled under the administrative agreement process defined herein.

O. Finding(s)

Upon completion of the investigation, the investigator(s) will issue findings. The decision will be made on the preponderance of evidence standard – that is whether the facts presented in the investigation report support a finding that is more likely than not that college policy was violated. Under ordinary circumstances, the investigator's findings will be issued in writing within 10 days of the completion of the investigation unless the College determines in its discretion that more time is required, in which case the participants will be notified of the need for an extension of the 10-day period. The Title IX Coordinator or designee will provide periodic updates to the participants as they deem appropriate.

The investigator(s) may issue one of the following findings to a formal complaint.

- A finding that a college policy was violated.
- A finding that a college policy was not violated as there is insufficient information to substantiate the finding of a violation.
- A finding that a college policy was not violated.

P. Sanction(s)

If a participant is found in violation of a college policy, sanctions will be determined by the investigator(s) in coordination with the Title IX Coordinator and other college

representatives deem appropriate by the Title IX under the circumstances based on a number of considerations. Such considerations may include: severity, persistence, or pervasiveness of the policy violation; nature of the policy violation, including whether the policy violation included violence; impact on the reporting participant; impact on the responding participant; impact or implications of the policy violation on the larger Austin College community; prior misconduct by the responding participant, including the responding participant's relevant prior disciplinary history at the College; whether the responding participant accepts responsibility for the policy violation; maintenance of a safe, nondiscriminatory, and respectful environment conducive to learning; and any other mitigating, aggravating, or compelling factors.

Possible sanctions include one or more of the following:

- Expulsion
- Suspension
- Probation
- Educational sanctions
- Revocation or withholding of admission or degree pending completion of other sanctions
- No-contact orders
- Time and place restrictions or bans
- Housing restrictions
- Extension of requirements used as interim measures;
- Community service
- Loss of privileges
- Notation in permanent record
- Sanctions withheld, such as additional sanctions if deadlines for sanctions are not met
- Restorative justice requirement
- Specific sanctions that must be met before resuming status at Austin College
- Referrals for assessment, such as counseling or medical assessment
- Written warning or reprimand
- Oral warning or reprimand
- Termination of employment
- Other sanctions deemed appropriate by the Title IX Coordinator or designee.

Q. Written Notification

Once findings and sanctions, if appropriate, are issued by the investigator(s), the Title IX Coordinator will notify the reporting and responding participants of the outcome simultaneously (to the extent possible). Each participant will meet with the Title IX Coordinator or designee separately to receive a copy of the finding(s) and sanction(s), referencing the supporting information relied upon from the investigation report. Under federal privacy laws, the final investigation report, statements of one participant that are shared with another participant in the resolution process, and any documents prepared by the College in relation to this incident, constitute education records which may not be disclosed outside of the resolution process, except as may be required by law.

Any sanctions will take effect immediately. Should a student submit an appeal, the Title IX Coordinator has the discretion to allow that participant to complete pending

coursework remotely, if deemed appropriate by the faculty member(s) of record, during the appeal process. Graduation, study abroad, internships/externships, etc. do not in and of themselves constitute exigent circumstances, and students may be barred from participating in those activities during an appeal. In cases where the appeal results in reinstatement to the College or college employment or resumption of privileges, all reasonable attempts will be made to restore the student/employee to his or her prior status.

R. Appeal Process

Once written notification of the finding(s) and sanction(s), if appropriate, has been issued, reporting and responding participants have the right to submit an appeal. Appeals may be submitted solely upon the following three grounds:

- allegations that the investigator(s) deviated from the investigation and resolution process outlined in the policy in a way that substantially altered the outcomes of the case;
- substantive new evidence or information that was not available or known to the participant during the investigation process and that is sufficient to alter a decision; or
- a claim that the sanction is disproportionate to the violation.

Appeals must be submitted in writing to the Title IX Coordinator within 7 days of the participants receiving written notice of finding(s) and sanction(s). Any information that is submitted will be made available to the other participant for review. The other participant may submit a rebuttal of the appeal in writing to the Title IX Coordinator within 7 days of receiving the appeal information.

Upon receiving an appeal and rebuttal, if one is submitted, the Title IX Coordinator will refer it to the appropriate appeal agent for review and final decision making.

- Appeals addressing deviation from the investigation and resolution process in a way that substantially altered the outcomes of the case shall be referred to an alternate investigator(s) for review and decision making.
- Appeals providing substantive new evidence, which is information that was not available or known during the investigation process and that seems sufficient to alter a decision shall be referred to the original investigator(s) for consideration and determination of a finding based on the new information.
- Appeals of a sanction being disproportionate to the violation shall be assigned to the following appeals for review and decision making:
 - The Faculty Hearing Committee or designee if the responding participant is a faculty member,
 - The Vice President for Business Affairs or designee if the responding participant is a staff member,
 - The Vice President for Student Affairs or designee if the responding participant is a student, or

- An appropriate appeals agent as determined by the Title IX Coordinator if the responding participant is not a member of the groups listed above.

The Title IX Coordinator or designee will notify the participants simultaneously, to the extent possible, in writing of the appeal agent's decision. The College will seek to complete the appeals process within 15 days unless the College determines in its discretion that more time is required, in which case the participants will be notified of the need for an extension of the 15-day period. The College will provide periodic updates as it deems appropriate.

Finding and sanction decisions made by appeal agent are final.

SEXUAL ASSAULT & SEXUAL HARRASSMANT EDUCATION

Intentional programming includes:

- Freshman Orientation Programs: "Differences Among Us" and "Risky Choices"
- Project F.L.O.O.R. Programming Topics for Residence Hall Freshman Clusters
- Communication Inquiry Session for first semester Freshmen.
- The College provides sexual misconduct training through Campus Clarity's "Think About It" online educational course. Once a student matriculates to the College, they are expected to complete this online course prior to the first day of classes.
- Opportunities for other programming and guest speakers throughout the school year, which gives students multiple opportunities to learn the risks of victimization as well as possible outcomes for offenders.

Students, faculty and staff will be offered opportunities and be encouraged to attend training sessions on the subject of sexual assault and harassment. Members of the respective hearing boards also will receive training concerning sexual assault and harassment. In addition, this policy will be reiterated at appropriate opportunities through athletics, in classes, meetings, programs and publications.

SEX OFFENDER REGISTRY

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, Austin College provides a link to the Texas Public Sex Offender Registry on its website. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the individual is employed, carries a vocation, or is a student.

WHAT TO DO IF YOU ARE THE VICTIM OF A CRIME...

- Contact Campus Police (903.813.2555) as soon as possible. Describe the suspect to the dispatcher and inform him/her of the direction of travel taken by the suspect.
- Remember and report all you can about the suspect and relay that information to the dispatcher. Try to remember race, gender, clothing description, height, weight, color of hair and eyes, any unusual features, jewelry, and description of vehicle.
- Remain on the phone with the dispatcher until told to hang up.

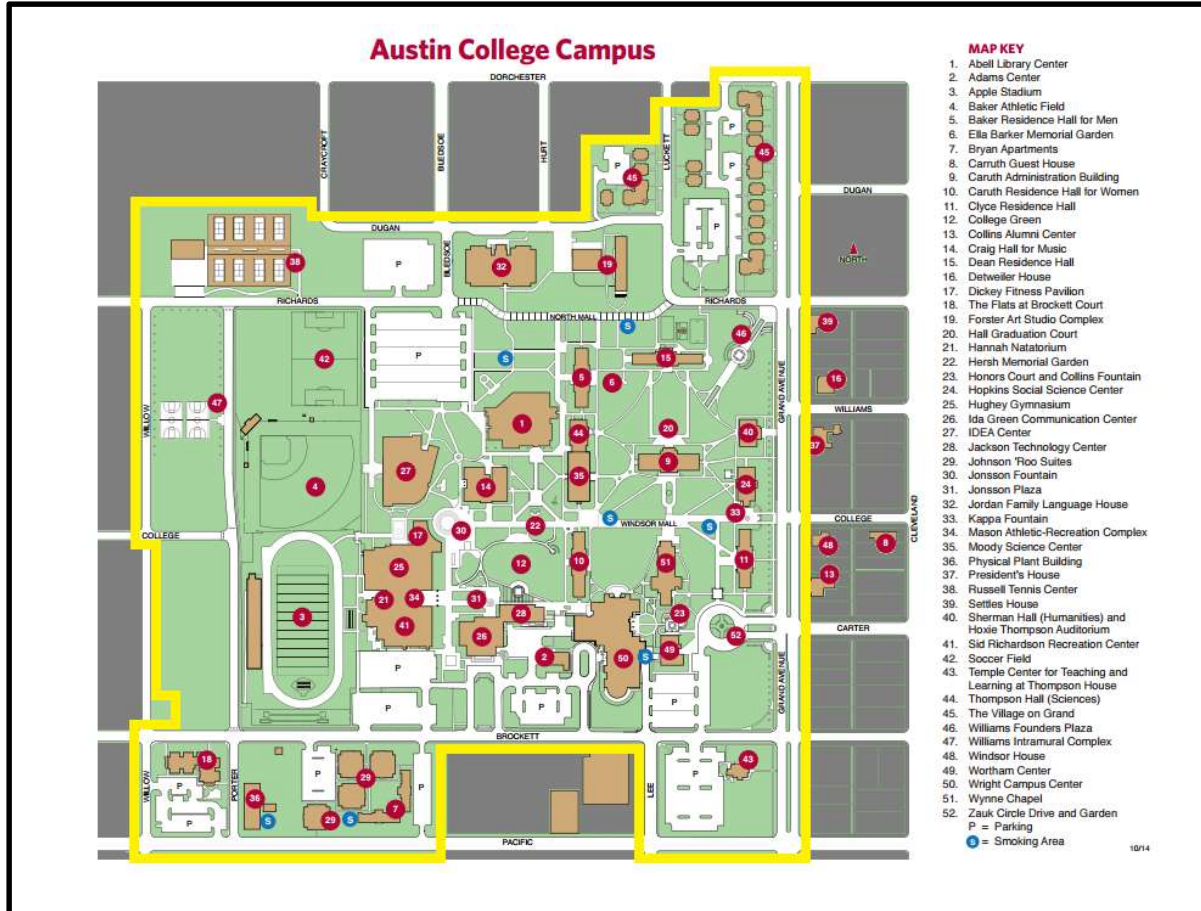
903-813-2555

IMPORTANT PHONE NUMBERS

Emergency	911
AC Campus Police	903-813-2555
AC Student Life Office	903-813-2306
AC Vice President for Student Affairs	903-813-2228
AC Counseling & Health Services Center	903-813-2247
AC College Chaplain	903-813-2210
AC Physical Plant	903-813-2006
AC Title IX Coordinator	903-813-2433
Alcoholics Anonymous-Sherman	903-868-2734
Grayson County Crisis Center	903-893-5615
Heritage Park Hospital	903-813-3700
Texoma Medical Center (TMC) Hospital	903-416-4000
TMC Behavioral Health Center	903-416-3000
The Substance Abuse Council	903-892-9911
Wilson N. Jones Regional Hospital	903-870-4611

ATTACHMENT 1

THE REPORTABLE AREA OF THE AUSTIN COLLEGE CAMPUS AS DEFINED BY CLERY AMENDMENT STANDARDS



The Clery Amendment specifies how the reportable area surrounding the campus is defined in order to maintain a nationwide standard among all colleges and universities. The shaded area is considered outside of the reportable area of the campus. In addition to the Map above, Clery Amendment reporting for Austin College includes Sneed Prairie, which is owned by Austin College and is used specifically for environmental research.

ATTACHMENT 2

THE ANNUAL CRIME STATISTICS FOR 2018

Austin College provides the following information pursuant to the disclosure requirements of The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and The Violence Against Women Reauthorization Act of 2013.

REPORTED OFFENSES	On Campus			Residential Facilities			Non-Campus			Public Property		
	'16	'17	'18	'16	'17	'18	'16	'17	'18	'16	'17	'18
Murder & Non Negligent Manslaughter												
Negligent Manslaughter												
Rape*	5	4	9	5	4	9						
Fondling		1			1							
Incest												
Statutory Rape (Underage Victim)												
Robbery			1			1						
Aggravated Assault	2	2	1	2	2							
Burglary	2	8	9	1	7	4		1				
Motor Vehicle Thefts (Golf Carts)												
Motor Vehicle Thefts (Actual)	1	1	1									
Arson		1			1							

ARRESTS FOR												
Weapons Possession												
Drug Abuse Violations						5						2
Liquor Law Violations												1
Domestic Violence												
Dating Violence												
Stalking												
REFERRALS FOR												
Weapons Possession	1		3	1		3						
Drug Abuse Violations	30	14	25	10	12	19			3			
Liquor Law Violations	45	31	20	44	31	17						3
Domestic Violence	1			1								
Dating Violence		1			1							
Stalking												

**This report includes incidents of sexual assault that meet the criteria for rape that were reported to a counselor whose professional position allows them to maintain confidentiality by law. The persons reporting requested that no further action be taken by the College.*

HATE CRIME REPORTING:

A Hate Crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Under Clery, reportable bias categories include race, gender, religion, sexual orientation, ethnicity, national origin, disability, gender identity.

There were no reported Hate Crimes for the years 2016, 2017 or 2018.

UNFOUNDED CRIMES:

There was one Motor Vehicle Theft determined to be Unfounded in 2016.

There were no Unfounded Offenses in 2017.

There was one Unfounded Theft in 2018.

NOTES PERTAINING TO THE REPORTING OF CRIMES

CAMPUS

The term "campus" means any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to the institution's educational purposes, including residence halls; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as food or other retail vendor).

NONCAMPUS

The term "noncampus building or property" means any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

PUBLIC PROPERTY

The term "public property" means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, or other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

Public Property Offenses are generally those reported by the Sherman Police Department, to have happened adjacent to the Austin College Campus, as defined by Clery Guidelines. Reported crimes may involve individuals not associated with the institution.

THE HIERARCHY RULE

Historically, national crime data reporting shows that offenses of law generally occur singly as opposed to several offenses being committed simultaneously. In regard to this, the Uniform Crime Reporting Handbook states, “The Hierarchy Rule requires that when more than one Part 1 Offense is classified, the law enforcement agency must locate the offense that is highest on the hierarchy list and score that offense involved and not the other offense(s) in a multiple-offense situation.” Exceptions to the Hierarchy Rule include justifiable homicide, motor vehicle theft, arson, and offenses that separated by time and place, as well as the reporting of Hate Crimes.

UNFOUNDING FALSE OR BASELESS COMPLAINTS

If an agency determines through an investigation of an offense that the complaint is false or baseless, meaning no offense occurred nor was attempted, then the agency must mark it as unfounded once that determination is made. Recovery of stolen property, low value of stolen property, the refusal of the victim to cooperate with prosecution, or the failure to make an arrest does not unfound a legitimate offense. For Clery reporting purposes, these statistics contain only the offenses that are believed to have actually occurred.

THE 2019 ANNUAL FIRE SAFETY REPORT

Including Statistics for the
2018 Calendar Year



AUSTIN
COLLEGE

THE AUSTIN COLLEGE ANNUAL FIRE SAFETY REPORT

INTRODUCTION

The Austin College Annual Fire Safety Report is submitted in accordance with the Higher Education Opportunity Act of 2008 (HEOA), and the amended Higher Education Act of 1965 (HEA). This report as well as the Annual Campus Security Report may be found in their entirety in the following locations and formats:

- PDF Format on the Austin College Web Site at:
<http://www.austincollege.edu/campus-life/police/>.
This link will be distributed by e-mail to the entire campus community at the start of each fall semester.
- Printed copies can be obtained upon request at the Campus Police Office, Jackson Technology Center, Room 100.

Fire Safety as well as overall campus safety is handled through a multifaceted approach involving cooperation between Campus Police, the Physical Plant, Student Life, Academic Affairs and outside entities including The Sherman Fire Department, the college's risk management provider and private contractors.

PROCEDURE FOR REPORTING FIRES

Important Phone Numbers:

Campus Police	903-813-2555 (or Ext. 2555 from a campus phone)
Sherman Fire Dept.	903-892-7290
Emergency	911

(All 911 calls are routed to the Sherman Dispatch Office for Police/Fire/Ambulance)

All fires should be reported to the Campus Police Department. This includes fires that have already been extinguished as well as those that are actively burning. In extreme situations when every second counts, it may be pertinent to call 911 to report the fire directly to Sherman Fire Department as well. Once a fire report has been received, Campus Police will coordinate with all responding personnel and agencies, and will submit reports to the other campus Departments. Since evacuation to a safe location is the top priority, calls to report a fire are only to be made once it is safe for the individual to do so.

For fires within residential facilities, in addition to notifying Campus Police, students should report the fire to their Resident Assistant, Head Resident, Area Coordinator, or the Student Life Office.

Student Life Contact Numbers:

Student Life Office (Business Hours)	903-813-2306		
Baker Hall Office	903-813-2201	Dean Hall Office	903-813-2321
Caruth Hall Office	903-813-2211	Jordan Office	903-813-2091

POLICY STATEMENTS

Fire Drills in Residential Facilities

Mandatory Evacuation Fire Drills are conducted in the residence hall facilities each Fall and Spring Semester. Fire drills are also conducted at the apartment complexes that are equipped with fire alarm panels. During fire drills, all occupants of the building are expected to evacuate until the completion of the drill. Fines are assessed through Student Life for those who fail to comply.

Fire Drills in Non-Residential Facilities

Fire Drills are conducted in the non-residential facilities as well. In order to provide instruction regarding the expectation for students and building occupants to respond accordingly, a non-specific time frame for Fire Drills in non-residential facilities is communicated to Faculty and Staff sometime the week prior to the actual Fire Drill.

Fire Incidents

All fires that occur on campus are to be reported to Campus Police, regardless of severity. Campus Police will investigate and coordinate with the Physical Plant, Fire Department, and the Departments affected. Campus Police will document each incident, whether intentional or accidental, and maintain a Fire Log of events occurring on campus.

Fire Alarm Systems are to alert occupants to evacuate, and are only to be used in the case of an actual emergency. When an alarm is activated, all building occupants are to evacuate quickly and safely, and may only reenter once it is determined to be safe to do so.

Those who are determined to be responsible for arson or for false alarms by sounding the Alarm as a prank will be held responsible, either through campus judicial procedures or through formal charges to the appropriate outside court. Incidents that are determined to be Arson are also reported in the Annual Security Report Crime Statistics.

Inspections

All Fire Extinguishers, Alarms and Suppression Systems are certified annually by contractors who are licensed by the State of Texas, as required by law. In addition, Fire Extinguishers are checked monthly by Campus Police. Those in Residence Hall public areas are also checked by Resident Assistants while making regular rounds. R. A.'s report discharged and missing Fire Extinguishers to Campus Police. Discharged Fire Extinguishers are serviced by a licensed contractor prior to being placed back in service. Inspections and Drills in residential facilities will usually occur unannounced.

Fire Log

A Fire Log of incidences occurring on campus will be maintained at the Campus Police Department. This log is a public record document and may be viewed upon request.

Fire Safety Training

Physical Plant Staff and Student Life Staff (Area Coordinators, Head Residents, Residence Managers, Site Managers and Resident Assistants) receive Fire Safety Training annually. In addition, any department, group or organization may request similar training, either by trained campus staff or by a local fire safety professional.

POLICIES PERTAINING TO FIRE SAFETY

(As found in the AC Environment Student Handbook)

Electrical Appliances

Each electrical circuit in the residence halls provides power for several students' rooms. For this reason, you are encouraged to plug in no more than two appliances per outlet. More than two appliances may result in the circuit overloading and shorting. Many appliances use excessive electricity or, if used incorrectly, may present a fire hazard. For these reasons, the following appliances are not permitted in the residence halls: any appliance requiring 220 volts, hot plates, sandwich makers, "George Foreman" grills, microwaves, portable heaters, air conditioners, any appliance with an exposed heating element and any appliance/device which is determined to be the cause of a circuit overload. Microwaves, "George Foreman" grills, and sandwich makers are approved for Roo Suites, Bryan Apartments, The Flats at Brockett Court and The Village on Grand however. Computers, radios, televisions, stereos, hot pots, popcorn poppers, refrigerators no larger than 4.4 cubic feet, clocks, hair dryers and curling irons are permitted in the residence halls.

Fire Hazards

The use and/or possession of explosives, firecrackers or incendiary devices (including candles and incense) in or near the residence halls presents a fire hazard and is not allowed. Appliances with exposed heating elements (such as toasters and hot plates) are not permitted in the residence halls. Halogen lamps of any kind are not permitted in the residence halls. Furniture, including tables, sofas, lounge chairs, cooking grills, smokers and other items, are not allowed in the breezeways or landings of Bryan Apartments, Roo Suites or The Flats at Brockett Court because of the safety hazards they create.

Smoking Policy

Smoking is prohibited in all campus housing facilities.

Responses

Failure to evacuate in an emergency situation (including drills), or being responsible for any open flame or heating element in a residence hall shall minimally result in the following recommended sanctions:

1st Violation – Letter of Warning and a \$25 fine/item

2nd Violation – College Housing Probation and a \$50 fine/item

3rd Violation – College Housing Suspension and a \$100 fine/item

Misuse or tampering with fire emergency related equipment (alarms, extinguishers, lights, etc.) shall minimally result in the following recommended sanctions:

1st Violation – College Housing Probation and a \$100 fine

2nd Violation – College Housing Suspension and a \$200 fine

Greater penalties, including suspension or expulsion may be assessed depending on the nature of the violation

PLANS ADDRESSING FUTURE IMPROVEMENTS IN FIRE SAFETY

Critical needs are reviewed on a continual basis and upgrades are made as specific needs are addressed. Major upgrades and system replacements will occur during planned major facility renovations.

ATTACHMENT 3

2018 FIRE STATISTICS FOR RESIDENTIAL FACILITIES

Residential Facility	Total of Intentional Fires in each Building	Fire Incident Number	Cause of Fire	Number of related injuries resulting in treatment at a medical facility	Number of deaths related to a fire	Value of property damage caused by fire
Baker Hall	0	N/A	N/A	N/A	N/A	N/A
Bryan Apts	0	N/A	N/A	N/A	N/A	N/A
Caruth Hall	0	N/A	N/A	N/A	N/A	N/A
Clyce Hall	0	N/A	N/A	N/A	N/A	N/A
Dean Hall	0	N/A	N/A	N/A	N/A	N/A
Jordan House	0	N/A	N/A	N/A	N/A	N/A
Roo Suites	0	N/A	N/A	N/A	N/A	N/A
The Flats	0	N/A	N/A	N/A	N/A	N/A
The Village	0	N/A	N/A	N/A	N/A	N/A
Hurt St. Duplexes	0	N/A	N/A	N/A	N/A	N/A

FIRE SAFETY PROTECTION LEVEL FOR RESIDENTIAL FACILITIES

Facility	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Number of Evacuation (Fire) Drills each Calendar Year
Baker Hall	Local			X	X	X	2
Bryan Apts.	None			X	X	X	0
Caruth Hall	Local			X	X	X	2
Clyce Hall	Local			X	X	X	2
Dean Hall	Local			X	X	X	2
Jordan House	Monitored		X	X	X	X	2
Roo Suites	Monitored		X	X	Community Rm.		2
The Flats	Monitored		X	X	X		2
The Village	None	X		X	X		0
Hurt St. Duplexes	None			X	X		0

Local Alarms sound within the building but do not alert an outside entity.

Monitored Alarms are monitored by an off-site alarm monitoring company, who will notify both Sherman Fire Department and Austin College Campus Police anytime an alarm is activated.

ATTACHMENT 4

2018 EMERGENCY EVACUATION DRILL DOCUMENTATION

Academic Building Evacuation Drills are announced through an e-mail the week of the event, along with an explanation regarding Fire Safety and expected response during a Drill as well as during an actual Fire Emergency. Academic Building Evacuation Drills generally occur near the end of Jan Term or early Spring Semester.

Residential Facility Evacuation Drills are always carried out unannounced.

Facility	Type of Drill	Date	Time Started	Time Reset	1 Announced 2 Unannounced
Baker Hall	Evacuation	1/29/18	19:40	19:57	2
	Evacuation	9/20/18	19:52	20:08	2
Caruth Hall	Evacuation	1/29/18	19:05	19:25	2
	Evacuation	9/18/18	19:11	19:28	2
Clyce Hall	Evacuation	1/31/18	20:02	20:19	2
	Evacuation	9/18/18	19:43	20:00	2
Dean Hall	Evacuation	2/1/18	20:02	20:23	2
	Evacuation	9/20/18	19:08	19:39	2
Jordan House	Evacuation	1/29/18	20:05	20:15	2
	Evacuation	9/90/18	20:19	20:32	2
Roo Suites "C"	Evacuation	1/30/18	19:53	20:04	2
	Evacuation	9/19/18	19:08	19:28	2
Roo Suites "D"	Evacuation	1/30/18	20:06	20:18	2
	Evacuation	9/19/18	19:33	19:46	2
Roo Suites "E"	Evacuation	1/30/18	19:39	19:51	2
	Evacuation	9/19/18	19:48	19:54	2
Roo Suites "F"	Evacuation	1/30/18	20:27	20:37	2
	Evacuation	9/19/18	19:56	20:04	2
Flats At Brockett Court	Evacuation	1/30/18	19:13	19:31	2
	Evacuation	9/19/18	20:10	20:30	2
Bryan Apts.	No Drills				
The Village	No Drills				
Hurt St. Duplexes	No Drills				

ATTACHMENT 5

EMERGENCY LOCK-DOWN PROCEDURES DOCUMENTATION

During the month of December, “Shelter-In-Place” Drills are held at each individual building, and involve the designated Security Personnel for that building. Campus Police personnel monitor and review the Lock-Down procedure at each building, facilitate discussion among the participants, and answer questions at each location.

12/10-14/2018	Lock Down procedures were reviewed with and demonstrated by Emergency Lockdown Personnel at the following locations.
	Abell Library
	Adams Center
	Administration Building
	Craig Hall
	Forster Art
	Hopkins Center
	Ida Green
	IDEA Center
	Jackson Center
	Mason Complex
	Physical Plant
	Sherman Hall
	Temple Center
	Wortham Center
9/4/18	The after-hours Emergency Response procedure for SLO staff was reviewed and successfully demonstrated.