

# 2017-2018 ANNUAL SECURITY REPORT



## Grayson College Police Department

Based on previous three-year activity: 2014-2015-2016

Grayson College Police Department

# 2017 Annual Security Report

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*In compliance with the Jeanne Clery Disclosure of Campus Security Policy and  
Campus Statistics Act*

Grayson College is required to distribute the following information to all current and potential students and employees. Please take a moment to read the following information. The information is also available on the Grayson College Police Department web site:

[www.grayson.edu/campus-life/campus-police/monthly-crime-reports.html](http://www.grayson.edu/campus-life/campus-police/monthly-crime-reports.html)



Grayson College Police Department  
6101 Grayson Dr., Campus Police Bldg.  
Denison, TX 75020  
903-463-8777 Main Number  
903-465-8012 Fax  
[www.grayson.edu](http://www.grayson.edu)  
police@grayson.edu

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## A Message from the Vice President for Business Services

On behalf of all of the employees of the Grayson College Police Department (GCPD), I extend a warm welcome. The Grayson College communities with whom our department personnel interact are a concentration of highly educated academicians, outstanding students, and well-qualified staff. Our personnel are sensitive to the unique nature of the Grayson College population and realize that they serve in direct support of higher education.

Our department's highest priority is to provide professional law enforcement and security services in a professional and collaborative manner and to make a safe work and study environment available to all. We place our emphasis on service and the promotion of involvement to maintain a safe and secure environment. Together we are all keenly aware of our responsibilities in the prevention of crime.

This guide is published to provide information about department services, programs and statistical information as required by law. If you have any questions or suggestions concerning this publication, please contact the GCPD by calling 903 463-8777 or stop by the College Police Building.

Sincerely,

A handwritten signature in cursive script that reads "Giles Brown".

Giles Brown  
Vice President for Business Services  
Grayson College

## **Police Department Contact Information**

Grayson College Web Site: [www.grayson.edu](http://www.grayson.edu)

Police Department Web Site: [www.grayson.edu/campus-life/campus-police/index.html](http://www.grayson.edu/campus-life/campus-police/index.html)

### ***Emergencies***

Police/Fire/Medical – 911

### ***Non-Emergencies***

General Information – 903-463-8777

Patrol Officers Cell Phone – 903-814-3343

College Police Fax – 903-465-8012

South Campus Patrol Office – 903-415-2501

### ***Non-Emergencies***

Grayson County Sheriff's Office – 903-813-4408

Denison Police Department – 903- 465-2422

Sherman Police Department – 903-892-7281

Texas Department of Public Safety – 903-813-3420

Grayson College South Campus Main – 903-415-2500

## Department Overview

The Grayson College Police Department (GCPD) provides law enforcement and security services to all components of Grayson College including academic campuses, student housing, athletic events and satellite facilities throughout Grayson County.

The department consists of 4 full-time certified Police Officers, 7 part-time certified Police Officers and the Crime Records Coordinator. To provide a safe campus for our students, staff, faculty and visitors, the department has certified police officers on patrol 24 hours a day during the majority of the school year.

Patrol is the core of the GCPD. These officers are the ones who answer calls for service, respond to alarms and enforce state criminal and traffic laws in addition to the policies of Grayson College. The department strives to maintain on-staff police officers trained in Criminal Investigation, Crime Prevention and Special Patrol.

## Policy for Preparing the Annual Disclosure of Crime Statistics

The college coordinates the collection and reporting of crime statistics as specified in the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act). Each year, the college notifies all enrolled students and employees, via email, that they can view the report at: [www.grayson.edu/campus-life/campus-police/monthly-crime-reports.html](http://www.grayson.edu/campus-life/campus-police/monthly-crime-reports.html)

This report is prepared in cooperation with the GCPD, GC Emergency Management, local law enforcement agencies, and the Office of Vice President of Student Affairs. Each entity provides current information about its safety and security programs, as well as educational efforts and resources. Annually, the college sends a written request to Campus Security Authorities (CSAs) requesting information about all Clery Crimes that have occurred on Grayson College's Clery Geography that were reported to them. Grayson College does allow individuals to report crimes on a confidential, voluntary basis for inclusion in the annual disclosure of crime statistics.

Reports of criminal activity given to CSAs and reports of crimes made to local law enforcement agencies are collected and included in the Annual Security Report as required by the Clery Act.

## Law Enforcement Authority/Other Police Agencies

GCPD employs both commissioned Police Officers and non-commissioned Public Safety Officers.

Grayson College Police Officers are vested with full law enforcement and arrest powers under the Texas Code of Criminal Procedure and Section 51.203, Texas Education Code. Officers must meet training requirements mandated by the Texas Commission on Law Enforcement Officers Standards and Police Officers; their police authority extends throughout Grayson County.

Public Safety Officers (PSO) are non-sworn uniformed civilian personnel. These civilian officers perform non-emergency contact functions for the department, thereby increasing the availability of sworn enforcement personnel. These functions include performing directed foot patrols, assisting with facility access, directing traffic where needed, writing parking citations, performing personnel and property escorts, and providing vehicle assists such as battery jumps or door unlocks. PSOs also serve in fixed post security positions in key buildings on campuses. Public Safety Officers do not have the authority to arrest except as provided for citizens as outlined in the Texas Penal Code.

All criminal incidents within their jurisdiction are investigated by Grayson College police officers. A cooperative relationship is maintained with local municipal police agencies and county sheriff's departments as well as the Texas Department of Public Safety and Texas Rangers. Interagency cooperation includes training programs, special events, coordination and investigation of serious incidents. Cases are filed with Grayson County District Attorney's office or Justice of Peace Precinct 2, depending on the nature of the violation.

All violations of Texas law and/or Grayson Code of Student Conduct will be reported to the Office of the Vice President of Student Affairs for referral to the campus disciplinary process in accordance with Grayson College Policy FM and FMA. These policies can be located on the Grayson College website under Board Policy & Procedures Manual: <http://grayson.edu/employee-resources/policies%20handbooks%20and%20guides.html> or directly from the Texas Association of School Boards policy database at: <http://pol.tasb.org/Home/Index/523>

The College requests that all crimes or suspected crimes occurring on campus be reported to the GCPD as soon as possible.

## Access to Campus Facilities

Most campus buildings and facilities are accessible to members of the campus community and their guests and visitors during normal business hours, Monday through Friday, and for limited hours on the weekends (this excludes most holidays). Students have access to the buildings during all scheduled class sessions including laboratory, library study and research periods unless otherwise expressed by departments.

### **Buildings Without Electronic After Hours Access**

After normal business hours, including weekends and holidays, all campus buildings are considered closed and secured. Normal business hours may differ from building to building. Faculty and Staff needing entry must present their Grayson College ID to the officer prior to gaining access to a building. Students desiring to enter a building after hours must have prior written approval by the a campus administrator.

### **College Housing**

Viking Hall, located on the Main Campus, is a secure facility and is only accessible to current residents. All exterior doors are key controlled and should remain locked at all times. Residents found bypassing any locking device may be subject to disciplinary action as outlined in the Residence Hall Handbook. Visitors are allowed in the residence hall during normal visitation hours which is from 12pm until midnight during the week and from 12pm until 2am during the weekend. Any overnight visitors must be approved by the Resident Hall Supervisor.

### **Maintenance of Campus Facilities**

Campus facilities, lighting and grounds are maintained so as to reduce hazardous conditions. Officers routinely report the need for replacement lights and other physical hazards they observe. Malfunctioning lights and other unsafe conditions are reported to the Facilities Maintenance Department for repair or correction as necessary. Facilities Management can be reached by calling 903-463-8640.

### **Student Use of College District Facilities**

The grounds and facilities of the College District shall be made available to students or registered student organizations [see FKC] when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting student or student organization shall pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the executive administrator.

To request permission to meet on College District premises, interested students or registered student organizations shall file a written request with the executive administrator in accordance with administrative procedures. The student or the registered student organization making the request shall indicate that they have read and understand the policies and rules governing use of College District facilities and that they will abide by those rules.

The executive administrator shall approve or reject the request in accordance with provisions of and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, or other content of the speech likely to be associated with the student's or registered student organization's use of the facility.

Approval shall not be granted when the official has reasonable grounds to believe that:

1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
2. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;
3. The proposed use includes non-permissible solicitation [see FI];
4. The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
5. The applicant owes a monetary debt to the College District and the debt is considered delinquent;
6. The proposed activity would disrupt or disturb the regular academic program;
7. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or
8. The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

The executive administrator shall provide the applicant a written statement of the grounds for rejection if a request is denied.



## **Reporting Crimes or Other Emergencies**

All college community members and guests of the college are encouraged to report suspected criminal activity to the police as soon as possible. Fires, health emergencies, crimes and violations of College policies and procedures should be reported to the GCPD either in person or by telephone by dialing 911 or 903-463-8777. Elevators located on the main campus are equipped with intercoms that connect directly with the GCPD.

### **911 Services**

Through an Interlocal Agreement, 911 calls originating from the Grayson College campus are answered by the Grayson County Sheriff's Department's Communications Center which operates a designated Public Safety Answering Point (PSAP) in accordance with the laws of the State of Texas. Calls are screened initially by Grayson County to determine the need for a fire or EMS response. Once it is determined the call is for police services on the Grayson College campus, the call is transferred to the College Police Department or is directly dispatched to the officer via radio. This is a rapid and direct screen and transfer process.

### **Reporting Crimes to Other College Officials**

The Clery Act also mandates that institutions disclose statistics both for crimes reported to local Police agencies and crimes reported to campus security authorities. Campus Security Authorities (CSAs) include the following:

An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, the following areas:

- Vice President of Student Affairs
- Resident Hall Coordinator
- All head coaches and assistant coaches for all areas in the Athletic Department
- Peer Advisors
- Student Organization Advisors

An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. The intent of including non-law enforcement personnel as CSAs is to acknowledge that many people, students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

Examples of individuals who DO NOT meet the criteria for being CSAs include a faculty member who does not have any responsibility for student and campus activity beyond the classroom, clerical staff, custodians and maintenance personnel and cafeteria staff. A pastoral or professional counselor on campus does not have significant responsibility for student and campus activity and are exempt from reporting crimes to the campus police.

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

### **Responsibilities of Campus Security Authorities**

Because of the law's complex reporting requirements, the most reasonable and effective way to manage the reporting is as follows: If a CSA observes any crime listed below, or if any person reveals to a CSA, in good faith, that he/she learned of or was the victim of, perpetrator of, or witness to any crime listed below, the CSA must immediately notify the Grayson College Police Department.

Crimes that should be reported are:

- Murder and non-negligent manslaughter
- Negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- All hate crimes involving bodily injury
- All liquor, drug or weapons law violations resulting in an arrest

### **Annual Training for Campus Security Authorities**

At the direction of the Director of Public Safety, annual training is conducted at various times across campus. This training is designed to inform and educate those who may be considered a CSA of their responsibilities and requirements. A request for CSA training can be made through the Director's office.

## Grayson College Missing Person Policy

Grayson College operates one residence hall on the main campus to accommodate its residential students. The college and the residents share an equal responsibility in keeping the residence hall safe. In keeping with this responsibility, the college has adopted this Missing Persons Policy applying to all occupants of the residence hall.

Before a student may be admitted to a college residence hall, the student must be considered a legal adult and above the age of seventeen – no minors are admitted to the residence halls. In addition, the student must submit a completed residence hall occupant registration form, which includes the name of a contact person and how they can be contacted in the event the occupant/resident becomes missing from the residence hall. The contact information submitted is confidential. Knowledge of the missing person may only be released to the person(s) specifically identified by the resident on the registration form and to law enforcement authorities investigating a missing person's report. Custodial parents or guardians, along with any other designated contact person, of a 17-year-old un-emancipated minor will be notified in the event they are determined to be missing.

A resident may be considered missing if the person is absent from the residence hall for a period exceeding twenty-four hours without any apparent reason, and does not include persons who have indicated voluntary absence because of domestic, financial or similar cause. The residence hall supervisor, coordinator, or any other concerned person must notify a Grayson College official (see list below) once they have determined that a resident is missing on an involuntary basis for a twenty-four hour period.

College law enforcement officials may be contacted for the purpose of submitting a missing person's report by calling the College Police office at 903-463-8777 or by contacting the Grayson County Sheriff's Office at 903-893-4388.

### **Procedures for Designation of Emergency Contact Information**

Residential students will be given the opportunity to designate an individual or individuals to be contacted by the College in the event the student meets the missing person criteria. Student notification of this policy and contact designation procedures will be:

- Included on the Grayson College campus housing website
- Discussed during new student orientations and mandatory housing meetings at the beginning of each semester

### **Official Notification Procedures**

- Any individual on campus who has information that a residential student may be a missing person must notify one or more of the following as soon as possible:
  - Resident Hall Supervisor
  - Director of Student Life
  - Grayson College Police Department
  - Vice President of Student Affairs
- The GCPD will gather all essential information about the residential student from the reporting person and from the student's acquaintances. Appropriate campus staff will be notified to aid in the search for the student.
- If the student cannot be located, the Residence Hall Coordinator will notify the confidential contact (for students 18 and over and emancipated minors) and/or the parent/guardian (for students under the age of 18) no later than 24 hours after determining that the residential student is missing.

## Timely Warnings

**The Grayson College Police Department has a responsibility to provide timely warnings about reported crimes to the campus community in a manner that will aid in the prevention of similar crimes.**

### **A. Implementing a Timely Warning:**

A warning must be issued when both of the following conditions are met:

- (1) arson, aggravated assault, criminal homicide, robbery, sex offenses, illegal weapons possession, burglary, motor vehicle theft, or any crime determined to be a hate crime is reported to Grayson College PD or other campus security authorities, and
- (2) the crime is considered by the College to represent a continuing threat to students or employees.

A warning may be issued regarding other crimes as deemed necessary by Grayson College Police Department. The Chief of Police, or his designee, is responsible for making the decision whether a timely warning will be issued.

### **B. Determining Whether a Continued Threat Exists:**

Whether a reported crime constitutes a continuing threat must be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts.

Examples of crimes that could constitute a continuing threat include but are not limited to:

- a serial crime that targets certain campus populations such as sex crimes or race-based crimes in which the perpetrator has not been apprehended;
- a crime in which there is no apparent connection between perpetrator and victim and the perpetrator has not been apprehended.

Crimes that would not constitute a continuing threat include but are not limited to:

- crimes in which the perpetrator has been apprehended, thereby neutralizing the threat;
- crimes in which an identified perpetrator targets specific individuals to the exclusion of others, such as domestic violence.

### **C. Warning Notice Content:**

The warning must contain sufficient information about the nature of the threat to allow members of the campus to take action to protect themselves:

- A succinct statement of the incident
- Possible connection to previous incidents, if applicable
- Physical description of the suspect
- Composite drawing of the suspect, if available
- Date and time the warning was released
- Other relevant and important information

In some cases, law enforcement may need to keep some facts confidential to avoid compromising an investigation.

#### **D. Timing of the Warning:**

In an immediate and serious threat, (e.g., an active shooter on campus), a warning may need to be issued immediately with few facts and then be continually updated until the threat is contained or neutralized. If a threat is less immediate, the warning can go out later after facts are more fully developed.

#### **E. Distribution**

The warning must be distributed in a manner reasonably likely to reach the entire campus community. Depending on the circumstances, any of the following methods, or combination thereof, may be used:

- Posting of notices
- Campus-wide email
- Text message
- Activation of the campus Outdoor Warning System
- Posting to Grayson College website homepage
- Press release
- Closed circuit television systems in buildings
- Voice message over various public address systems

### **Release of the Annual Security Report and Crime Statistics**

Grayson College has an ongoing commitment to provide information that students, faculty, and staff may need to help make their campus safe, and to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Grayson College Police are responsible for gathering information from all campus authorities and local law enforcement agencies when compiling the statistics for the annual report. The report is released to the community every year by October 1st via campus wide e-mail sent from the Chief of Police. A copy of the security report may also be downloaded via the Grayson College Police website at: <http://grayson.edu/campus-life/campus-police/monthly-crime-reports.html> or you may request one in person at the College Police Building.

#### **Monitoring and Recording Criminal Activity**

The Grayson College Police Department tracks and records index crimes occurring on ALL Grayson campuses and in those areas contiguous to the main campus where many students live and frequently access.

In addition, index crimes occurring in non-campus buildings or property owned or controlled by student organizations that are recognized by the college are tracked and recorded. Non-campus buildings or property owned or controlled by the college that are used in direct support of, or in relation to the College's educational purposes, are frequently used by students, and are not in the same reasonable contiguous geographic area of the College. This includes the Munson House "Vinita" located in Denison, TX.

#### **Off-Campus Criminal Activity**

Grayson College Police Department does not track or monitor law enforcement proceedings against students for offenses that occur off campus other than by collecting the required statistics on crimes that occur at specified off-campus locations as required by the Clery Act.

## Security Awareness & Crime Prevention

Security awareness and crime prevention programs are based upon a dual concept of eliminating or minimizing criminal opportunities whenever possible and encouraging students, faculty and staff to share the responsibility for their own safety and for others'. Below is a list of the current Crime Prevention and Security Awareness projects and services provided by the GCPD:

Crime Awareness programs, including personal and property safety topics are presented by the GCPD every semester upon request. Many programs are often a team effort between the police department and various other organizations and groups throughout the college community. Organizations can request programs to be presented to their group by emailing the GCPD at [police@grayson.edu](mailto:police@grayson.edu).

Crime prevention brochures and other printed materials are presented during each registration and orientation session. Articles are also available upon request.

*Operation Identification:* The engraving of serial numbers or owner recognized numbers on items of value and the cataloging of items. Tools are available for checkout at the GCPD.

*Lighting Surveys:* Ongoing comprehensive lighting surveys of the entire campus are conducted using a Greenlee digital light meter. Results are forwarded to Facilities Management for outage and/or deficiency correction.

*Maintenance and Repairs:* The GCPD and Facilities Management Office are watchful for safety and security considerations in campus maintenance. Inspections of campus facilities by GCPD personnel are made regularly so repairs affecting safety or security can be made. Concerns regarding potential safety and security hazards may be reported to the GCPD at 903-463-8777.

*Lost & Found:* Maintained by The Office of Student Life, persons are asked to give found objects to Recreation Center employees located on the second floor of the Life Center. Lost item inquiries can be made in person or by calling 903-463-8633. Government identification, financial instruments (checks, credit cards, bank cards), or high value electronic equipment will be immediately turned over to the GCPD for safe keeping. Those items will be entered into the secure evidence room for storage until the owner can pick up the item(s). A recognized form of identification is needed to claim property from the GCPD.

*Vehicle Assists:* Vehicle assistance is offered to individuals who need a battery jump or have locked their keys inside their vehicle. Persons requesting assistance should call 903-463-8777, give their name, vehicle information and location and assistance will be dispatched to the location.

*Safe Walk Campus Escorts:* Personal safety escorts are available upon request 24 hours a day. To request an escort, call 903-463-8777. Persons are required to provide name and nearest exit door to their location. An officer or PSO will meet the person at the building and walk him/her to any area on campus.

*Behavior Intervention Team (BIT):* This team reviews behavioral incidents and ensures a systematic response to students whose behavior may be disruptive or harmful to themselves or the Grayson College community, and assists in protecting health, safety, and welfare of students and other members of the Grayson College community.

## **Student Discipline**

College District faculty and staff shall submit an alleged violation or violations of College District policies and procedures, including the rules for student conduct [see FLB], committed by a student to the Vice President of Student Affairs (VPSA) within a reasonable time following an alleged incident, not to exceed ten College District business days. The allegations must be submitted in writing, through traditional or electronic means, and must describe the violation and any surrounding facts.

The VPSA or designee shall investigate the matter as necessary. If an allegation is deemed to be unfounded, the VPSA or designee shall dismiss the allegation and shall provide the student written notice that the allegation of misconduct was made against the student and that the allegation was dismissed.

### **Conference**

If, however, the VPSA or designee determines that the allegation warrants further consideration, the VPSA or designee shall summon the student for a conference to be held within a reasonable time, not to exceed ten College District business days, following the receipt of the allegation of misconduct. At the conference, the VPSA or designee shall notify the student of the allegation or allegations and provide the student an opportunity to respond.

### **Unfounded Allegations**

After conferring with the student, if the VPSA or designee determines that the student did not commit a violation, the allegation or allegations shall be dismissed as unfounded. The student shall be provided written notice of the dismissal.

### **Misconduct Warranting a Penalty**

If the VPSA or designee determines that the student committed misconduct that warrants a penalty other than suspension or expulsion, the VPSA or designee shall provide the student written notice of the penalty and the student's right to appeal to the disciplinary appeals committee.

### **Suspension**

If the VPSA or designee determines that the student committed misconduct that warrants a suspension, the VPSA or designee shall inform the student in writing of the determination, and a hearing shall be scheduled for consideration by the disciplinary appeals committee as described below.

### **Expulsion**

If the VPSA or designee determines that the student committed misconduct that warrants expulsion, the official shall inform the student in writing of the determination. The VPSA or designee shall forward the determination and all evidence collected during the investigation and conference to the College President in order to schedule an expulsion hearing before the Board [see EXPULSION HEARING, below].

### **Interim Disciplinary Action**

The VPSA or designee may take immediate disciplinary action, including suspension pending a hearing, against a student for policy violations if the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting the educational environment.

### **Disciplinary Appeals Committee**

The disciplinary appeals committee shall be convened:

1. On request of a student appealing a penalty other than suspension or expulsion. The request must be filed in writing, on a form provided by the College District, within ten College District business days of the date of the administration's written notice.
2. Automatically, if the VPSA or designee determines that a student committed misconduct warranting suspension.

### **Composition**

The disciplinary appeals committee shall be comprised of at least three College District employees and a minimum of one current College District student. The members of the disciplinary appeals committee and the committee chairperson shall be designated according to procedures developed by the College President. All members of the disciplinary appeals committee shall be eligible to vote during the hearing.

### **Hearing Notice**

The VPSA or designee shall notify the student by letter of the date, time, and place for the hearing. Unless the student and the VPSA or designee otherwise agree, the hearing shall take place within a reasonable time period, not to exceed ten College District business days after the date of the student's request for the hearing or the VPSA or designee's determination that the student should be suspended.

The notice shall:

1. Direct the student to appear on the date and at the time and place specified.
2. Advise the student of his or her rights:
  - a. To have a private hearing.
  - b. To be assisted by an advisor or legal counsel at the hearing.
  - c. To call witnesses, request copies of evidence in the College District's possession, and offer evidence and agreement on his or her own behalf.
  - d. To make an audio recording of the proceedings, after first notifying the VPSA or designee in advance of the hearing, or, at the student's own expense, to have a stenographer present at the hearing to make a stenographic transcript of the hearing.
  - e. To ask questions of each witness who testifies against the student.
3. Contain the names of witnesses who will testify against the student and a description of documentary and other evidence that will be offered against the student.
4. Contain a description of the allegations of misconduct in sufficient detail to enable the student to prepare his or her defense against the charges.
5. State the proposed punishment or range of punishments that may be imposed.

### **Failure to Appear for Hearing**

The disciplinary appeals committee may impose appropriate punishment upon a student who fails without good cause to appear for the hearing; for purposes of assessing punishment, the committee may proceed with the hearing in the student's absence.

The hearing shall proceed as follows:

1. The chairperson shall read the description of the misconduct.
2. The chairperson shall inform the student of his or her rights.
3. The designated official or representative shall present the College District's case.
4. The student or representative shall present the student's defense.



5. The designated College District official or representative shall present rebuttal evidence.
6. The committee members may ask questions of witnesses testifying on behalf of the student or the College District.
7. The designated official or representative shall summarize and argue the College District's case.
8. The student or representative shall summarize and argue his or her case.
9. The designated official or representative shall have an opportunity for rebuttal argument.
10. The committee members shall deliberate in closed session. The committee members shall vote on the issue of whether or not the student violated College District policies and procedures, including the rules for student conduct.
11. If the committee finds the student did commit misconduct, the committee shall determine whether the penalty assessed, or proposed in the case of suspension, by the VPSA or designee is appropriate and, if necessary, shall assess a different or additional penalty.
12. The committee chairperson shall communicate the decision and any findings of facts in support of the committee's decision to the student in writing within ten College District business days of the hearing. The notice shall include procedures for appealing the committee's decision to the College President.

All hearings shall be recorded by the College District. A stenographic digest of the recording shall be made if needed for an appeal, and, on request, the student shall be given a copy of the digest. The student or the student's representative may listen to the tape recording and compare it with the digest.

### **Evidence**

Evidence shall be handled in accordance with the following:

1. Legal rules of evidence do not apply; the committee chairperson may admit evidence or exclude evidence considered to be irrelevant, immaterial, and unduly repetitious.
2. At the hearing, the College District shall be required to prove by a preponderance of the evidence that the charges are true.
3. A student may not be compelled to testify.
4. The committee shall determine if a violation has occurred and assess an appropriate penalty based solely on the evidence presented at the hearing.

### **Appeal to College District Administration**

A student may, within ten College District business days of receiving notice of the disciplinary appeal committee's decision, petition in writing the College President to review the decision. The student's petition shall state with particularity why the decision is believed to be incorrect. After receiving notice of the appeal, the disciplinary appeals committee chairperson shall forward all evidence considered during the hearing, the audio recording of the hearing, and the digest of the hearing, if applicable, to the College President.

The College President shall hold a conference within ten College District business days after the appeal notice is filed. At the conference, the student may provide information concerning any documents or information relied on by the committee. The College President may set reasonable time limits for the conference. The College President shall provide the student a written response, stating the basis of the decision, within ten College District business days following the conference. In reaching a decision, the College President may consider the evidence included in the student's petition, provided during the conference, and forwarded by the committee chairperson.

The College President may act to affirm, modify, remand, or reverse the decision of the disciplinary appeals committee.

### **Appeal to Board**

If the College President affirmed or modified the decision of the disciplinary appeals committee or if the time for a response has expired, the student may appeal the decision to the Board. The appeal notice must be filed in writing, on a form provided by the College District, within ten College District business days after receipt of the written response from the College President, or, if no response was received, within ten College District business days of the response deadline.

The College President or designee shall inform the student of the date, time, and place of the Board meeting at which the appeal will be on the agenda for presentation to the Board. The College President or designee shall provide the Board the evidence presented to the College President, as well as the record of the College President's conference with the student and the written response provided by the College President to the student. The College District shall determine whether the appeal will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BD]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student and the administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the appeal and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the hearing. The hearing, including the presentation by the student or the student's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the evidence. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the evidence by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the VPSA decision.

### **Expulsion Hearing**

If the Vice President for Academics and Student Affairs or designee determines that the student's misconduct warrants expulsion [see Conference, above], the Board shall convene to conduct an expulsion hearing. The College President or designee shall inform the student of the date, time, and place of the Board meeting at which the appeal will be on the agenda for presentation to the Board. The notice shall contain the contents described at Disciplinary Appeals Committee- Contents of Notice, above. The College President or designee shall provide the Board the documentation presented by the dean of students.

The Board shall proceed according to the procedures set out at Disciplinary Appeals Committee- Failure to Appear for Hearing, Hearing Procedure, and Evidence, above, with the Board substituted for references to the committee and the presiding officer of the Board substituted for the committee chairperson.

## **Drug and Alcohol Policy**

Grayson College complies with the Federal Drug Free Schools and Communities Act Amendment of 1989 and the Drug Free Work Place Act of 1988. The statement provided below represents the Grayson College policy with regard to the abuse and/or distribution of alcohol, drugs and chemicals by students, faculty and staff.

### **General Statement**

Grayson College is committed to maintaining a safe, healthy, lawful and productive working and educational environment for its students and employees. Studies have shown that excessive use of alcohol and use of illegal drugs and controlled substances increases the potential for accidents, absenteeism, tardiness, unsatisfactory performance, inefficiency, poor employee morale, and damage to the College's reputation.

The intent of this policy is to make Grayson College a better place to study and work through upgrading the mental and physical health of the total College community. It acknowledges the freedom of choice for those individuals who require or seek assistance and/or referral. The intent is not to restrict individual freedom but rather to encourage students and employees, principally through education and information efforts, to make intelligent choices about drug, controlled substance, and alcohol use and abuse. As caring and concerned educational leaders, administrators, faculty, and supervisors must exercise sound and reasonable judgment when administering this policy. The appropriate vice president is expected to supervise the enforcement of this policy while protecting the rights of individual students, employees, and other personnel. Reason and common sense must be guidelines in the execution of the policy.

1. Definition of legal drugs: A "legal drug" is a prescribed drug or over-the-counter drug which has been legally obtained and is being used for the purpose for which it was prescribed or manufactured.
2. Definition of illegal drugs: An "illegal drug or controlled substance" is any drug or controlled substance which is (1) not legally obtainable or (2) is legally obtainable but was not legally obtained. Illegal drugs include, but are not limited to: marijuana, hashish, cocaine, PCP, LSD, heroin, dilaudid, Quaaludes and methamphetamine.

### **Training**

The subject of drug and alcohol abuse shall be included in College-sponsored student and employee training programs.

1. The College shall inform its students of this policy and referral services through various means, such as freshman orientation, brochures/fliers/posters, Counseling Center, club meetings, "drug-free" related activities each semester, and the College's electronic data boards located in the campus student center.
2. Employees shall be informed of the College's referral services and of this policy through various means, such as divisional and departmental meetings, staff development meetings, wellness clinics, new employee orientation process, and a campus-wide public information document.

### **Ability and Scope**

This policy applies to all students and employees of Grayson College and all organizational elements that occupy space in/on conveyances, offices, buildings, facilities or grounds which Grayson College has custody and control, including but not limited to rentals and leasing of any College property. This policy does not cancel or supersede other laws, orders, instructions or regulations which makes the use, possession, and/or distribution of controlled substances illegal.

### **Policy**

The use, possession and/or distribution of controlled substances which are not medically necessary and prescribed by a licensed physician are prohibited on campus. It is further the policy of the College to prohibit the possession, consumption or distribution of alcoholic beverages on its campuses. The following guidelines apply:

1. The College recognizes that alcoholism, drug and/or controlled substance dependence are illnesses or “disorders,” and the College will seek to provide channels of referrals for help; but it is the student’s or employee’s responsibility to seek help.
2. Students and employees are prohibited from reporting to class or work under the influence of alcohol, drugs, or controlled substances.
3. As outlined in the College’s Sick Leave Policy (DEC Local), employees may utilize accumulated sick leave or a reasonable leave of absence without pay for the purpose of treatment or rehabilitation as in any other illness.
4. If an indefinite suspension or termination of employment is contemplated because of alleged drug or alcohol possession, distribution, or use on campus, and evidence of such allegation is not clearly established, the grounds for an indefinite suspension or termination should be poor performance and strictly a work-related or academic issue as opposed to alleged drug or alcohol use.

### **Referral**

When personal or behavioral problems begin to affect a student’s academic performance or an employee’s work as a result of substance and/or alcohol abuse, the individual should be referred to the College Counseling Center for assistance and/or referral to local community professionals. The following guidelines apply to all referrals:

1. The student or employee is responsible for any cost and/or fees incurred for professional services outside the College Counseling Center.
2. Information concerning a student’s or an employee’s diagnosis, referral treatment, and medical records will be kept strictly confidential.

### **Enforcement**

Failure to comply with this policy may subject students and employees to administrative action, which may include dismissal from current classes or termination of employment. Violators other than student or employees may be removed from the campus or any of its activities.

The GCPD enforces all state laws in regards to drug/alcohol possession/consumption on college property. Enforcement action may be taken in various ways, including Justice of Peace Citations and/or arrest.

The above policy comes from DHB Local of the Grayson College *Policies and Procedures Manual*.

## **Drug and Alcohol Education & Information**

### **Students**

Grayson College provides residence hall students with alcohol and drug awareness programs at least once during the academic year. GCPD routinely works with TxDOT to bring the Beer Goggles Experiment to the campus during the spring of each year. Students wear beer goggles that simulate different levels of intoxication and attempt to perform simple tasks such as throwing a ball into a hoop.

### **On Campus Help**

Alcohol and other drug assistance is available in the form of counseling, assessment, screening and education. Contacting any of the departments below provides a safe and guided first step in receiving help. Departments work together to make sure the Grayson College community receives the most appropriate and effective care possible. In addition, these offices are staffed by professionals who offer a variety of therapeutic services at no charge. All services and records are held confidential in compliance with state and federal laws.

### **Assessment**

The following places on the Main Campus provide an assessment of alcohol and other drug problems or concerns. Individual interviews and tests may be used to assist in determining the nature and extent of substance abuse problems.

Grayson College Counseling Center

Phone: 903-415-2531

Location: Administrative Services Building

Grayson College Police Department

Phone: 903-463-8777

Location: Campus Police Building

Human Resources (for employees)

Phone: 903-463-8770

Location: Administrative Services Building

### **Counseling**

Alcohol and drug counseling is also provided on the Main Campus. Assistance in helping a friend or colleague who has an alcohol or drug problem can also be obtained from the Counseling Center.

## Grayson College's Response to Sexual and Gender Violence

Theft, disorderly conduct, and alcohol-related offense are very common on college and university campuses. However, they don't stand alone. Despite law enforcement's efforts, serious crimes do occur on campuses. It is important to report any suspicious incidents to police and always remain alert and vigilant.

### **What are sexual harassment and gender based harassment?**

Sexual and/or gender-based harassment of a student may be committed by another student, an employee, or another individual affiliated with the college. Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when the conduct is so severe, persistent, or pervasive that it:

- Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
- Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
- Otherwise adversely affects the student's educational opportunities.

Examples of general sexual harassment include, but are not limited to, sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; rape; sexual assault; sexual battery; sexual coercion; and other sexually motivated conduct, communication, or contact. Physical contact not reasonably construed as sexual in nature is not sexual harassment.

Examples of sexual harassment by a Grayson College employee include situations where a student believes he or she must submit to the conduct in order to participate in a college program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct.

Gender-based harassment is a form of sex discrimination and includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. Examples of gender based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

### **Ways to reduce your risk of becoming a victim of sexual violence**

The following are suggestions for how to reduce your risk of becoming a victim of sexual violence:

- Have a plan. Tell someone you trust where you are going and when you expect to return. If you go together, leave together. Do not leave a friend behind.
- Take care of your friends, and ask that they take care of you. Respect them when they do.
- In social situations, do not accept food or open beverages, as it can be easy for someone to slip a drug into them without your knowledge. Warn your friends if you see someone tampering with their drink.
- Take responsibility for your alcohol intake and/or drug use. Using these substances lowers inhibitions and may make you a target.

- Know that you have the right to set limits concerning your sexual activity. Make your limits known as early as possible and communicate them clearly and consistently.
- If you change your mind during sexual activity, speak up and communicate your decision to no longer proceed clearly and firmly. Say something like, “No” or “I want you to stop.”
- If a situation feels uncomfortable or you are uncertain about something, trust your instincts, remove yourself from the situation, and ask for help.
- If you feel you have been victimized, find a safe place away from the aggressor and call the police or a community agency, such as a rape crisis center, domestic violence hotline, or hospital.
- Do not assume, “It can’t happen to me.”
- If you see something of concern, say something.

### **Sexual violence victims’ / complainants’ rights**

- Both the alleged victim/complainant and respondent will have the same opportunity to have observers present during meetings with the hearing officer.
- Both the alleged victim/complainant and respondent will be notified of their options to change class schedules and/or change rooms (if residing in campus housing).
- If the alleged victim/complainant is concerned about safety on campus, the GC Police Department can provide an escort to and from the parking lots.
- The alleged victim/complainant will be informed of the resources provided by Grayson College Counseling Services and community agencies.
- The alleged victim/complainant will be informed of his or her right to report the incident to appropriate law enforcement officials. If the alleged victim/complainant requests assistance, a college official will help the alleged victim/complainant with this process.
- Both the alleged victim/complainant and respondent will be notified in writing of the outcome of any disciplinary proceedings conducted with the respondent.

### **What should I do if I am a victim of sexual violence?**

Seek medical attention immediately. If you request it or if you have already reported the incident to a law enforcement official, a medical professional will conduct both a forensic and medical exam and collect evidence. For evidence collection to take place, it is best for an exam to occur within four (4) days of the incident. It is advised that you do not shower, bathe, eat, drink, wash your hands, change clothes, brush your teeth, or do anything that may interfere with the collection of evidence. If you do change your clothes, be sure to take the clothes you had on when the incident occurred with you to the hospital. It is also important to share as much information as you can remember with medical personnel.

Consider immediately reporting the incident to the appropriate law enforcement official. Note: victims have the right not to report a crime if they so choose. Consider counseling and/or other support services. Counseling services are offered free of charge to all current Grayson College students. Counseling Services can be reached at 903-463-8695.

Keep a journal. Write down everything about what occurred including: the events that led up to the incident, the date the incident occurred, the time the incident occurred, names of any potential witnesses or persons who may have additional information, etc. If applicable, keep any voicemails, harassing letters, texts, online postings, emails, etc. as evidence.

**How will Grayson College respond to a student’s report of prohibited conduct?**

Grayson College will promptly investigate and address reported incidents of prohibited conduct using the appropriate procedures stated in the Student Handbook. The student’s report will be submitted to Grayson College’s Title IX coordinator who will assign an appropriate hearing officer. The hearing officer will use the “preponderance of the evidence standard” (i.e., more likely than not to have occurred) to determine whether or not there was a violation. Sometimes, prohibited conduct may not constitute a crime, but it will be addressed because it is a violation of Title IX and Grayson College policy.

**Are students required to report prohibited conduct?**

No, victims have the right not to report a crime if they so choose.

**Can a student submit an anonymous report?**

Yes, a student can submit an anonymous report of prohibited conduct. However, doing so may limit Grayson College’s ability to thoroughly investigate the matter, respond appropriately, and stop the behavior from reoccurring.

**If a student wants to report prohibited conduct but does not want to pursue action with Grayson College or the criminal justice system, what will happen?**

Once Grayson College knows, or reasonably should have known, that an incident of prohibited conduct has occurred, the college MUST respond and investigate the matter. When an incident of prohibited conduct is reported, Grayson College will follow its policies and procedures, even if the victim does not wish to pursue action with the college or the criminal justice system.

**Can a student report an incident of prohibited conduct that occurred off campus?**

Yes, if the incident occurred at an off-campus Grayson College sponsored event and/or the behavior is impacting the student’s ability to participate in the college’s educational programs, the student should report the incident to the appropriate Grayson College official. If you have a protective order against a person, notify GCPD as soon as possible.

**Notification of The Outcome**

The College District shall provide written notice of the outcome, within the extent permitted by the Family Educational Rights Privacy Act (FERPA) or other law, to the victim and the person against whom the complaint is filed.

**Reporting Options**

Prohibited conduct should be promptly reported to any of the Grayson College officials listed below:

**Grayson College’s Title IX Coordinator**

Dr. Regina Organ  
Administrative Services Building, Main Campus  
903-463-8714  
organr@grayson.edu

**Deputy Title IX Coordinators**

Dr. Kim Williams  
Administration Office, South Campus  
903-415-2506  
williamsk@grayson.edu

Michael McBrayer  
Gym, Main Campus  
903-463-8753  
mcbrayerm@grayson.edu  
Sexual Misconduct Liaison



## Employee Report

Any College District employee who suspects and any responsible employee who receives notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate College District official listed in this policy and shall take any other steps required by this policy.

### Exceptions

A person who holds a professional license requiring confidentiality, such as a counselor, or who is supervised by such a person shall not be required to disclose a report of prohibited conduct without the student's consent.

A person who is a non-professional counselor or advocate designated in administrative procedures as a confidential source shall be required to disclose information regarding an incident of prohibited conduct that constitutes personally identifiable information about a student or other information that would indicate the student's identity without the student's consent, unless the person disclosing information as required for inclusion in the College District's annual security report under the Clery Act.

### Responsible Employee

For purpose of this policy, a "responsible employee" is an employee:

- Who has the authority to remedy prohibited conduct
- Who has been given the duty of reporting incidents of prohibited conduct
- Whom a student reasonably believes has the authority to remedy prohibited conduct or has been given the duty of reporting incidents of prohibited conduct

## Sexual Assault and Domestic Violence Educational Resources

The resources below are available to provide support services for anyone affected by any form of sexual assault or domestic violence. Students who may have been assaulted by someone who is not affiliated with the college may also contact any of the available college support services. Educational and preventive programs that address the issue of sexual assault are available along with brochures and other materials.

### **Counseling Center**

**903-415-2531**

- Individual and group counseling

### **Grayson College Police Department**

**903-463-8777 or 903-814-3343 (text)**

- Crime prevention presentations related to sexual assault
- Campus Safety Escort service
- Crime statistics information

### **Residential Life/Housing**

- Peer Advisor training on issues related to sexual assault
- On-site educational programs
- Individual and group support and follow-up

## Off -Campus Resources

**Family Law Hotline** - Access to Legal Services

Phone: 800-777-3247

**Family Violence Legal Line**

Phone: 800-374-4673

**Grayson County Shelter**- Shelter, Family Services, and Transitional Housing

Crisis Line: 930-465-6041

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

**Grayson Crisis Center** – Shelter, Family Services and Transitional Housing

24 Hour Hotline: 903-893-5615

Website: <http://www.graysoncrisiscenter.org>

**Salvation Army**

Phone: 903-868-9602

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

**Not Alone** - Together Against Sexual Assault

Website: [www.notalone.gov](http://www.notalone.gov)

**Partners in Prevention**

Phone: 800-799-7233

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

**Planned Parenthood** - STD Testing and Birth Control

Phone: 972-548-7482 (located in McKinney)

**RAINN** - Rape, Abuse, and Incest National Network

Phone: 800-656-4673

Website: [www.rainn.org/get-help/national-sexual-assault-hotline](http://www.rainn.org/get-help/national-sexual-assault-hotline)

**Texas Association Against Sexual Assault (TAASA)**

Phone: 512-474-7190

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

**Texas Sexual Abuse Hotline**

Phone: 800-252-5400

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

**The Hotline** - National Domestic Violence Hotline

Phone: 800-799-7233

**The Turning Point** - Rape Crisis Center

Phone: 800-886-7273

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

**The U.S. Department of Education Office for Civil Rights**

Phone: 800-421-3481

Website: <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

## Sex Offender Registry Information

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the GCPD is providing a link to the Texas state sex offender registry. (<https://records.txdps.state.tx.us/sexoffender/>)

Persons wishing to inquire concerning registered sex offenders on campus may search the Texas Department of Public Safety registered sex offender database. A specific link is provided for searching by institution of higher education.

GCPD also maintains a list of registered sex offenders who are either a student, staff, faculty member, or volunteer on campus. This list is open to public inspection during regular business hours.

Registered sex offenders who are students, staff, faculty, or volunteers on campus are required to notify the law enforcement agency in which they are registered of their affiliation with Grayson College. Registered sex offenders are further required to notify the Chief of Police of Grayson College of their affiliation.

### **Notice to Registered Sex Offenders**

If you are employed at, carry on a vocation at, or are a student at Grayson College, you must notify the campus Chief of Police that you will be attending classes, have become employed, or will be carrying on a vocation. This includes both part-time and full-time students as well as part-time and full-time workers. This also includes non-paid volunteer positions. This includes both in-state and out-of-state residents.

A person subject to the notification requirement must notify the campus Chief of Police not later than, the seventh day after the date on which the person begins to work or attend school or the first date the applicable authority by policy allows the person to register. Grayson College maintains a strict zero-tolerance policy for violators of this provision. Persons found to be in violation of this provision will be reported to the jurisdiction in which the sex offender is registered.

The relevant sections of the Texas Code of Criminal Procedure are:

Art. 62.151. DEFINITIONS. For purposes of this subchapter, a person:

(1) is employed or carries on a vocation if the person works or volunteers on a full-time or part-time basis for a consecutive period exceeding 14 days or for an aggregate period exceeding 30 days in a calendar year;

(2) works regardless of whether the person works for compensation or for governmental or educational benefit; and

(3) is a student if the person enrolls on a full-time or part-time basis in any educational facility, including:

(A) a public or private primary or secondary school, including a high school or alternative learning center; or

(B) a public or private institution of higher education.

**Art. 62.152. REGISTRATION OF CERTAIN WORKERS OR STUDENTS.**

(a) A person is subject to this subchapter and, except as otherwise provided by this article, to the other subchapters of this chapter if the person:

- (1) has a reportable conviction or adjudication;
- (2) resides in another state; and
- (3) is employed, carries on a vocation, or is a student in this state.

(b) A person described by Subsection (a) is subject to the registration and verification requirements of Articles 62.051 and 62.058 and to the change of address requirements of Article 62.055, except that the registration and verification and the reporting of a change of address are based on the municipality or county in which the person works or attends school. The person is subject to the school notification requirements of Articles 62.053-62.055, except that notice provided to the superintendent and any administrator is based on the public school district in which the person works or attends school.

(c) A person described by Subsection (a) is not subject to Article 62.101.

(d) The duty to register for a person described by Subsection (a) ends when the person no longer works or studies in this state provides notice of that fact to the local law enforcement authority in the municipality or county in which the person works or attends school, and receives notice of verification of that fact from the authority. The authority must verify that the person no longer works or studies in this state and must provide to the person notice of that verification within a reasonable time.

(e) Notwithstanding Subsection (a), this article does not apply to a person who has a reportable conviction or adjudication, who resides in another state, and who is employed, carries on a vocation, or is a student in this state if the person establishes another residence in this state to work or attend school in this state. However, that person remains subject to the other articles of this chapter based on that person's residence in this state.

*Reenacted and amended by Acts 2005, 79th Leg., Ch. 1008, Sec. 1.01, eff. September 1, 2005.*

**Art. 62.153. REGISTRATION OF WORKERS OR STUDENTS AT INSTITUTIONS OF HIGHER EDUCATION.**

(a) Not later than the later of the seventh day after the date on which the person begins to work or attend school or the first date the applicable authority by policy allows the person to register, a person required to register under Article 62.152 or any other provision of this chapter who is employed, carries on a vocation, or is a student at a public or private institution of higher education in this state shall report that fact to:

- (1) the authority for campus security for that institution; or
- (2) if an authority for campus security for that institution does not exist, the local law enforcement authority of:
  - (A) the municipality in which the institution is located; or
  - (B) the county in which the institution is located, if the institution is not located in a municipality.

(b) A person described by Subsection (a) shall provide the authority for campus security or the local law enforcement authority with all information the person is required to provide under Article 62.051(c).

(c) A person described by Subsection (a) shall notify the authority for campus security or the local law enforcement authority not later than the seventh day after

the date of termination of the person's status as a worker or student at the institution.

(d) The authority for campus security or the local law enforcement authority shall promptly forward to the administrative office of the institution any information received from the person under this article and any information received from the department under Article 62.005.

(e) Subsection (a)(2) does not require a person to register with a local law enforcement authority if the person is otherwise required by this chapter to register with that authority.

(f) This article does not impose the requirements of public notification or notification to public or private primary or secondary schools on:

(1) an authority for campus security; or

(2) a local law enforcement authority, if those requirements relate to a person about whom the authority is not otherwise required by this chapter to make notifications.

(g) Notwithstanding Article 62.059, the requirements of this article supersede those of Article 62.059 for a person required to register under both this article and Article 62.059.

*Reenacted and amended by Acts 2005, 79th Leg., Ch. 1008, Sec. 1.01, eff. September 1, 2005.*

## Emergency Management Planning and Notification

The College has developed a plan that addresses the emergency management system for extraordinary situations that are likely to have a catastrophic effect on the normal functioning of the College and the surrounding area. The Emergency Operation Plan has been developed to respond to the needs of the College during a disaster and will be placed into operation by the College President when an incident reaches proportions beyond the capacity of routine procedures.

This plan establishes policies, procedures, and an organizational structure that will guide the campus in any emergency situation. Further, as appropriate, building Campus Preparedness Team members must formulate their own action plans and disaster operations checklists that will be used to complement the Emergency Operation Plan.

An “Emergency and Disaster” pamphlet outlines procedures that should be followed during emergencies including, but not limited to tornado warnings, bomb threats, floods, and terrorist attacks. The pamphlet is available by contacting the GCPD at 903-463-8777.

### **Communicating During an Emergency**

#### *GC Alert*

Designed to provide students, employees and other members of the community with emergency information at Grayson College, this system allows College officials to communicate emergency messages regarding weather closings, disasters, impending severe weather or other events that may impact the College.

GC Alert will notify members of the College community in several different ways. They include voice calls, emails, text notification as well as social media post on the College’s official social media outlets.

In the event of an emergency the College’s Emergency Management Team will send out an initial message with one of the following four appropriate actions:

1. Seek Shelter
2. Evacuate
3. Lockdown
4. Campus Closed

The initial message will provide the appropriate response for students and employees to follow along with the area that is affected. Following the initial message, additional information will be sent out as it becomes available. At the conclusion of the event, GC Alert will be used to notify the campus it is safe to return to normal operations.

All current Grayson students and employees are automatically enrolled into GC Alert at the beginning of the semester with the phone numbers that are provided with their application. Users may make edit their contact information or add additional phone numbers and emails by visiting the GC Alert page at: <http://www.grayson.edu/campus-life/campus-police/GC%20Alert.html>

GC Alert is an “opt-out” program.

### *Alertus*

Software utilized by Grayson College to make emergency notifications throughout campus, Alertus allows emergency messages to be sent to every computer connected to the campus system. Messages will be sent with general information about the incident and will provide instructions on how to react. A number of buildings on the Main Campus and South Campus have been equipped with Alertus Beacons and text-to-speech modules which allow for more specific warnings. The beacons are mounted within ADA compliance in common areas and emit flashing strobe light and an audible tone while displaying a text message of the emergency. The text-to-speech module converts the text into an audible voice which is broadcast throughout the buildings through a public-address system.

### *Outdoor Warning System*

Outdoor warning sirens are used to warn the public who are outdoors of an approaching hazard, one of them being to warn against a potential threat or natural disaster in the immediate area. Grayson College has installed an outdoor warning system (OWS) as an additional method to warn the campus of impending or current dangerous situations. The system has siren and voice capability. We test the system the first Wednesday of each month at 9am, weather permitting, to ensure the system is functioning properly and so the campus community becomes familiar with the sound and recognizes and pays attention to the voice messages.

### *Voice Over Internet Protocol (VOIP) Paging*

All campus phones that are VOIP allow for emergency paging through the intercom feature. Routinely, a test will be conducted to ensure proper coverage.

### *Campus Preparedness Team (CPT)*

Approximately 40 members of the Grayson College faculty and staff make up the Campus Preparedness Team. The CPT area dedicated personnel who in times of emergency will direct students and fellow employees to safe locations. CPT members will be identified by their orange reflective vest.

### *Campus Community Emergency Response Team (CCERT)*

Approximately 20 members of the CPT have completed additional training and are part of the Campus CERT. These individuals have undergone specific training to include search and rescue, first aid and use of fire extinguishers. CCERT members will be identified by their green reflective vest.

### **Issuance of an Emergency Notification**

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the life, safety, or security of the campus community occurring on campus, Grayson College will, without delay, and taking into account the safety of the community, determine the content of emergency notification messages and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency.

The following campus officials have been designated to serve as authorized officials who are empowered to approve the content and issuance of emergency notifications:

- President or designee
- Vice President of Business Services
- Chief of Police or designee

When an authorized official receives a report of an imminent or already occurring situation that poses an immediate threat to life, safety, or security on campus, s/he will confirm the report.

Depending on the situation, confirmation may be achieved through one or more of the following sources:

- Investigation by GCPD
- Investigation by other Grayson College campus unit, including but not limited to, Emergency Management personnel, Facilities maintenance personnel
- Investigation by City of Denison Fire Department and/or outside law enforcement agencies
- Grayson County Office of Emergency Management and/or Health Department
- Texas Department of State Health Services
- Media reports originating from the incident scene
- Texas Department of Public Safety

The authorized official will determine, consulting with other campus officials as appropriate, how much information is appropriate to disseminate at different points in time. This determination will be based on the following:

- Nature of incident or threat
- Segment to be notified
- Location of the incident or threat

Depending on the circumstances, Grayson College may send emergency notification messages to the entire campus community or only a segment of the population. If a confirmed emergency situation appears likely to affect a limited segment of the campus community, emergency notification messages may be limited to that group. If the potential exists for a very large segment of the campus community to be affected by a situation or when a situation threatens the operation of the campus as a whole, then the entire campus will be notified. In any case, there will be a continuing assessment of the situation and additional segments of the campus community may be notified if the situation warrants such action.

The authorized official will, considering the nature of the threat and the population to be notified, choose the appropriate communication tool(s) to utilize. Grayson College has at its disposal a number of tools that may be used to disseminate emergency notifications to the campus community. Emergency notification will typically be sent through GC Alert, email, Grayson College's website, and/or social media. Additional notification methods may include fire alarms, public address systems, posted advisory messages, or emergency responder announcements depending on the nature of the emergency.

A combination of some or all of the methods listed above will be used by Grayson College to issue a follow-up message to the campus community. Information regarding the status of emergency situations will be developed and disseminated to the larger community as soon as possible. This information may come in the form of updates to Grayson College's website and/ or communications directly with the media, if necessary.



## **Emergency Drills, Testing and Evacuation Procedures**

### **Drills and Testing**

In order to ensure the proper state of readiness and operational ability of the Grayson College Emergency Notification System and to ensure proper conveyance of emergency information has been achieved, the Grayson College Office of Emergency Management will conduct drills and exercises throughout each semester. Fire Alarm testing and evacuation drills are conducted each semester in Viking Hall and are typically unannounced.

Drills and exercises may include activities such as shelter-in-place, lockdown, storm shelter or evacuations. Annually, the College holds a full scale functional exercise where outside resources are brought in to assist College personnel and students in preparing, responding to and recovering from an emergency such as an active shooter.

Table top exercises are also conducted for various members of the campus community, to include college administration and first responders. Each drill and/or exercise is compared to the College's written emergency operations plan and best practices in order to perform a thorough evaluation of the process. Changes in planning or procedures are then recommended and adopted accordingly.

### **General Evacuation Procedures**

Persons receiving instructions to evacuate or a fire alarm is activated, immediately proceed to the nearest exit and leave the building. During an evacuation, the fire alarm will generally be the first notification system utilized. However, depending upon the circumstances of the emergency, you may receive a text message through GC Alert or a police officer or other college official may instruct you to evacuate.

Those who are the first to recognize a fire situation should activate the alarm, evacuate to a safe location using the nearest exit, and notify GCPD by calling 911. During an evacuation please follow the following guidelines:

1. Remain calm.
2. Do not use elevators, use the stairs.
3. Assist the physically impaired. If he/she is unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform GCPD or the responding Fire Department of the individual's location.
4. Proceed to the designated assembly area, as identified by the Safety Information Poster located in each classroom.
5. Do not re-enter the building.

# HEOA 2010 Fire Safety Reporting

## Policies and Procedures

### Fire Prevention – Hazards/Flammables

A witness of smoke or fire should call 911 immediately. Fire can cause significant damage and threaten human life. The role you play in campus safety is extremely vital. Listed below are suggestions to help prevent fires in the residence halls:

- Turn off and unplug all non-essential appliances immediately after use, including such items as curling irons, hot pots, irons, and popcorn poppers.
- Remain in your room when any electrical appliance is in use.
- The use of objects with open flames including but not limited to; candles, potpourri, stenos, and incense; as well as combustible decorations and chemicals are prohibited in housing at all times.
- Open element appliances (hot plates, indoor grills, immersion heating coils, and heaters) are also prohibited.
- Check for frayed cords and do not locate electrical cords under rugs or other items that permit heat build-up in the cord.
- Do not block any exits.
- The use of halogen lamps is prohibited.
- When using microwave ovens, be sure to check cooking instructions for microwave cooking, not conventional cooking.
- You may not store gasoline in your room.
- Report any fire safety hazards immediately to the appropriate campus housing official.
- It is recommended that all power strips used for protection of computers and other electrical equipment have a 1449 UL listed surge suppression rating with sufficient joule capacity.

### Fire/Security Equipment/Evacuations

Grayson College is committed to maintaining high standards for health, safety and security in the housing areas. Individuals who jeopardize the health, safety, and security of others by not following health and safety procedures will be subject to fines and possible disciplinary proceedings, leading up to termination of housing privileges. All residents and their guests must recognize the importance of the following health and safety regulations.

If a person discovers a fire, make sure that all other persons are out of the suite. Leave the area and close the door behind you. Pull the nearest fire alarm station and then call 911 as soon as you are safely clear of the immediate threat.

All residential buildings in the housing community are provided with a fire alarm system designed to alert the building occupants of emergency conditions which include manual fire alarm pull stations located at all major exits. Selected buildings have automatic detection systems (i.e. smoke detectors) which are intended to protect special hazards or equipment. Upon sensing smoke or heat conditions or the activation of a manual pull station by building occupants, the alarm systems will sound bells, horns or horn/strobe devices. Upon hearing or seeing any of these devices, all building occupants should evacuate the building from the nearest exit and report to their designated assembly area.

At the assembly area, details of the incident and the "all-clear" notice will be provided to evacuees by the housing personnel or emergency responders.

Monthly, College personnel will conduct regular inspections of all fire and safety equipment as part of the monthly preventative maintenance routine. **Tampering with smoke detectors, fire sprinklers, fire alarm pull stations, fire extinguishers, fire hoses, door alarms, door/hardware/closing mechanisms and “EXIT” signs and lights is prohibited.** Such action is a misdemeanor offense and violators are not only subject to fines and disciplinary procedures but legal prosecution and eviction.

When exiting a building during a life-threatening emergency, proceed as quickly as possible to your designated assembly area. Please become familiar with the designated evacuation area for your building.

### **Evacuations**

- Evacuate the building immediately when you hear the alarm or if instructed by a first responder.
- Close the door behind you and take personal items only if it is safe to do so.
- Use stairways, not the elevator. Remain calm and help others if necessary.

### **Appliances**

Electrical appliances not allowed in the residence hall include, but are not limited to: air conditioning units, room water coolers, camping stoves, ceiling fans, electric skillets or woks, griddles, halogen lamps, potpourri pots, hot oil popcorn poppers, hot plates, oven broilers, power tools, any appliance with an open coil, space heaters, toasters, or toaster ovens. The hall staff will confiscate unauthorized or misused appliances, and the individuals responsible will be subject to disciplinary action. Allowed appliances include: coffee pots with auto shutoff, hot pots with auto shutoff, microwave/refrigerator.

### **Health, Safety and Preventative Monthly Maintenance**

College representatives will perform inspections to ensure health and safety standards are being met and to identify potential hazards. Residents will receive advance notification and will be expected to cooperate. Inspections will focus on the following, but are not limited to this list:

### **Safety Equipment**

- Smoke detectors
- Sprinkler heads
- Other security features (self-closing door hinges, window & door locks, etc)

### **Fire Hazards**

- Frayed and/or overloaded electrical wiring
- Stacks of newspapers or magazines
- Covered heaters
- Build-up of grease in ovens, broilers, or on stovetops
- Storage of gasoline or other flammable materials, or gas powered vehicle in unit

## **Fire Report**

<b>GRAYSON COLLEGE RESIDENTIAL FIRE REPORT (MAIN CAMPUS ONLY)</b>			
	<b>2014</b>	<b>2015</b>	<b>2016</b>
Fires	0	0	0
Fire Deaths	0	0	0
Property Damage	0	0	0
Fire Drills	2	2	2

**GRAYSON COLLEGE - OFFICE OF PUBLIC SAFETY**  
**(Jeanne Clery Annual Crime Report for Calendar Years 2014, 2015, 2016)**

2017

		Main Campus			South Campus	Public Property		Hate Crimes						
		Residential	Other	Non-Campus Bldg		Main	South	Race	Gender	Religion	Sex Orientation	Ethnicity	Disability	
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	1	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	1	0	0	0	0	0	0	0	0	0	0	0
	2014	0	1 strong arm	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	1	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	1	0	0	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	2	0	0	0	0	0	0	0	0	0	0	0
	2014	1	4	0	0	0	0	0	0	0	0	0	0	0
	2015	0	14	0	0	0	0	0	0	0	0	0	0	0
	2016	0	2	0	1	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	1	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	1	0	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	1	0	0	0	0	0	0	0	0	0	0	0
	2016	0	1	0	0	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
	2016	1	0	0	1	0	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
	2015	1	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	2	0	0	0	0	0	0	0	0	0	0	0

## Jeanne Clery Crime Report for 2014-2015-2016 (Continued)

Arrests for Liquor Law, Drug and Weapons Violations							
	Main Campus				Public Property		
	Res.	Other	Non-Campus Bldg		Main	South	
2014	1	3	0	0	0	0	
2015	0	1	0	0	0	0	
<b>2016</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
2014	0	0	0	0	1	0	
2015	0	0	0	0	0	0	
<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	
2014	0	0	0	0	0	0	
2015	0	0	0	0	0	0	
<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
Disciplinary Actions for Liquor Law, Drug and Weapons Violations							
	Main Campus				Public Property		
	Res.	Other	Non-Campus Bldg		Main	South	
2014	0	0	0	0	0	0	
2015	<b>1</b>	<b>1</b>	0	0	0	0	
<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
2014	0	0	0	0	1	0	
2015	0	<b>3</b>	0	0	0	0	
<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
2014	0	0	0	0	0	0	
2015	0	0	0	0	0	0	
<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

## Definitions of Offenses

### **Murder**

**Non-negligent Manslaughter-** The killing of another person intentionally and with premeditation.

**Negligent Manslaughter-** The killing of one human being by another through gross negligence.

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

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

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

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

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

**Weapon Law Violations-** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

**Drug Abuse Violations-** Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, and codeine); marijuana; synthetic narcotics (Demerol, Methadone), and dangerous non-narcotic drugs (GHB, Rohypnol, and Ecstasy).

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

## Sex Offenses Definitions from the National Incident-Based Reporting

### System Edition of the Uniform Crime Reporting Program

**Sex Offenses-Forcible-** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

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

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

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

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

### **Sex Offenses-Non-Forcible: Unlawful, Non-Forcible Sexual Intercourse.**

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

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

## Texas Definitions (Consent, Sexual Assault, etc.)

**Consent** is defined in the Texas Penal Code as, “assent in fact, whether express or apparent.”

A sexual assault under Texas law is without the consent of the other person if:

- (1) the actor compels the other person to submit or participate by the use of physical force or violence;
- (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;
- (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
- (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
- (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
- (6) the actor has intentionally impaired the other person’s power to appraise or control the other person’s conduct by administering any substance without the other person’s knowledge;
- (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
- (8) the actor is a public servant who coerces the other person to submit or participate;
- (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person’s emotional dependency on the actor;
- (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person’s emotional dependency on the clergyman in the clergyman’s professional character as spiritual adviser; or
- (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

**Sexual Assault** is defined in the Texas Penal Code:

A person commits an offense if the person:

- (1) intentionally or knowingly:
  - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person’s consent;
  - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person’s consent; or
  - (C) causes the sexual organ of another person, without that person’s consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
- (2) intentionally or knowingly:
  - (A) causes the penetration of the anus or sexual organ of a child by any means;
  - (B) causes the penetration of the mouth of a child by the sexual organ of the actor;
  - (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of



another person, including the actor;

(D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person,

including the actor; or

(E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

### **Domestic Violence**

The term “domestic violence” means a felony or misdemeanor crime of violence committed

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

### **Family Violence**

Family violence, as defined by the Texas Family Code, means:

- an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;
- abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or
- dating violence, as that term is defined by Section 71.0021.

### **Dating Violence**

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

- who is or has been in a social relationship of a romantic or intimate nature with the victim and;
- where the existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship

Dating violence, according to the Texas Family Code, means:

an act, other than a defensive measure to protect oneself, by an actor that: by an individual that is committed against another individual with whom that person has or has had a dating relationship and that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the individual in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself.

### **Stalking**

The term “stalking” means

- engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.

Stalking, according to the Texas Penal Code, means:

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

- (1) constitutes an offense under Section 42.07 (Harassment), or that the actor knows or reasonably should know the other person will regard as threatening:
  - (a) bodily injury or death for the other person;
  - (b) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
  - (c) that an offense will be committed against the other person's property;
- (2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
- (3) would cause a reasonable person to:
  - (a) fear bodily injury or death for himself or herself;
  - (b) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
  - (c) fear that an offense will be committed against the person's property; or
  - (d) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

## Definitions of Hate Crime(s)

**Hate Crime-** Any of the aforementioned offenses (except for negligent manslaughter), and any other crime involving bodily injury, reported to local police agencies or to a CSA that manifests evidence that the victim was intentionally selected because of the perpetrator's bias.

- Race: A preformed negative attitude toward a group of persons who possess common physical characteristics.
- Gender: A preformed negative opinion or attitude toward a group of persons because those persons are male or female
- Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being
- Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex
- Ethnicity/National Origin: A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions
- Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquire by heredity, accident, injury, advanced aged or illness.

### **Additional Hate Crime Definitions**

In addition to any of the crimes above, the following acts are now reportable as Hate Crimes, when motivated by prejudice on account of race, gender, religion, sexual orientation, ethnicity, or disability.

**Larceny Theft-** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another

**Simple Assault-** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness

**Intimidation-** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack

**Destruction/Damage/Vandalism of Property (Except “Arson”)-** To willfully or maliciously damage, deface, or otherwise injure real or personal property without the consent of the owner of the person having custody or control of it

### **Definitions of Clery Act Locations (General)**

**“On Campus” (Main or South)** is defined as any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s education purposes, including residence halls. This also includes any buildings or property that is within or reasonably contiguous to the geographic area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or other retail vendor).

**“Residence Hall”** for students on campus is a subset of the **“On Campus”** category.

**“Non-Campus”** is defined as any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonable contiguous geographic area of the institution. This also includes any building or property owned or controlled by a student organization that is officially recognized by the institution.

**“Public Property”** is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

## General Safety Tips

- Avoid walking alone, particularly after dark. Contact GCPD for a safety escort whenever possible. If walking alone is unavoidable, be aware of your surroundings and let someone know when to expect you.
- Avoid shortcuts. The shortest route is not always the safest route. Walk along the midpoint between curbs and buildings and away from alleys and bushes.
- Dress for mobility, particularly after dark.
- Avoid deserted areas, poorly lit streets, alleys, and pathways.
- Never jog alone.
- When walking or jogging, go against the flow of traffic; that makes it harder for motorists to bother you. (If harassed from a car, walk or run in the opposite direction. Scream if you are truly frightened.)
- Do not jog while wearing stereo headphones. It's important to be alert to what's happening around you.
- Carry your personal belongings in a backpack or similar container that will enable your arms and hands to be free at all times.
- Avoid approaching your car with bundles that restrict use of your arms. If you've been shopping, ask the store for assistance.
- Always have your keys ready to unlock the door to your car or residence and enter without delay. Lock the doors after you get inside.
- Before entering your car, look in the back seat and on the floorboard.
- Always lock car doors and windows when you leave or enter your car.
- Never leave belongings in plain view in your car. Lock them in the trunk.
- If someone in a vehicle attempts to stop you - even to ask for directions - do not get close to the vehicle.
- Register, engrave, mark, and/or photograph all your valuables including bicycles, stereos, jewelry, vehicles, computers, etc.
- Never get on an elevator with someone who looks suspicious. If someone who looks suspicious gets on, get off immediately.
- Avoid using ATMs in dark, isolated areas; it's best to use machines that are highly visible in public areas such as supermarkets.
- Never flash your cash.
- Be responsible with alcohol. If you are intoxicated, you are less alert and an easier target for robbers and attackers.

## Viking Hall Safety Tips

- Never leave your door open, even if you will be gone for only a few minutes. Never prop any door open. Always lock doors and windows to prevent uninvited access to your room.
- Don't mark your apartment/room key or key chain with your name, address, or telephone number.
- Do not give anyone a key to your apartment/room.
- Do not leave valuables in plain sight.
- Never let strangers into your room. This puts you and others at risk.
- Be aware of suspicious persons and activities. If you observe someone or something suspicious, notify the residence hall staff and the GCPD by calling 903-463-8777.