

Brazosport College **The College of Choice[®]**

2019

Annual Security Report

Reporting Period: January 1 – December 31, 2018



Disclosure of Campus Security, Crime Statistics, and Fire Safety Policies

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Introduction

On behalf of the Brazosport College Police Department (BCPD), welcome to Brazosport College. We hope you find this publication helpful as it regards your safety and security on campus.

This publication is intended to provide you with information on educational programs, safety practices, and policies regarding the reporting of emergencies and campus crimes when they occur. It is the primary objective of BCPD to work collaboratively with campus community members in its efforts to provide a safe campus environment wherein its community members can work, study, and personally and professionally develop both intellectually and socially.

To be successful in providing the highest degree of public safety services on the campus, it is important that community members understand that safety is the responsibility of all community members, not just those officially charged with enforcing the laws, policies, and rules. We encourage everyone – faculty, staff, students, and visitors – to follow good safety practices including using the campus escort service, securing valuables, and reporting suspicious/criminal activities.

BCPD is under the leadership of the Chief of Police / Director, Campus Safety who reports to the Vice President of Human Resources. BCPD Headquarters is located on the Brazosport College Main Campus, in the BC Central Building, Suite J.119. BCPD consists of 7 full-time police officers, 26 – 30 part-time Security Officers, and five Security Representatives who take calls for service and monitor over 200 security cameras located across campus. Both Police Officers and Security Officers perform patrol, life safety operations, parking enforcement, and security for special events. Contract Police Officers provide additional support during large scale events and assist BCPD with security of on-campus social events/activities.

Brazosport College is a state-assisted, public community college located in Lake Jackson, Texas. Brazosport College has served as the college of choice for students in southern Brazoria County since 1968. Brazosport College offers four-year degree programs in Industrial Management and Health Services Management. BC also offers two-year degree and certificate options in a variety of career fields, as well as courses in major fields of study, which will transfer to four-year schools. The healthcare program at BC offers ADN and LVN opportunities. The College's continued commitment to student success drives initiatives to assist students in attaining their goals. Partnership programs between the college, community and local industry leaders are steered by the Brazosport College Foundation to help ensure student success.

Thank you for taking time to review this publication. Should you have questions, comments, or suggestions regarding the information contained within or any related public safety policies, procedures, or operations, please contact the Chief of Police / Director, Campus Safety at (979) 230 - 3030.

Sincerely,



Chad Leveritt
Chief of Police / Director, Campus Safety

Clery Act

Choosing a postsecondary institution is a major decision for students and their families. Along with academic, financial, and geographic considerations, the issue of campus safety is a vital concern.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal mandate requiring all institutions of higher education (IHEs) that participate in the federal student financial aid program to disclose information about crimes on their campuses and in the surrounding communities. The Clery Act affects virtually all public and private IHEs and is enforced by the U.S. Department of Education. Campuses that fail to comply with the act can be fined and may be suspended from receiving financial aid from the federal government.

The Clery Act, formerly known as the Crime Awareness and Campus Security Act, was signed in 1990 and is named after 19-year-old Jeanne Clery who was murdered in her Lehigh University residence hall in 1986. Clery's parents lobbied Congress to enact the law when they discovered students at Lehigh had not been informed about 38 violent crimes that had occurred on campus in the three years prior to Clery's murder.

Compliance with the Clery Act

The Clery Act requires Brazosport College (also referred to herein as “the College District”) to provide timely warnings of crimes that represent a threat to the campus community and to make their campus security policies available to the public. The act also requires BC to collect, report, and disseminate crime data to the campus community and to the Department of Education annually.

When the Higher Education Opportunity Act (HEOA) was signed into law in 2008, it amended the Clery Act by adding a number of safety and security-related requirements to the Higher Education Act of 1965. To be in full compliance with the law, BC must do the following:

1. Publish and distribute an Annual Security Report to current and prospective students and employees by October 1 of each year. The report must provide crime statistics for the past three years, detail campus and community policies about safety and security measures, describe campus crime prevention programs, and list procedures to be followed in the investigation and prosecution of alleged sex offenses.
2. Provide the campus community with timely warnings of crimes that represent an on-going threat to their safety. The Brazosport College Police Department (BCPD) must also keep and make available to the public a detailed crime log of all crimes reported to them over the previous 60 days. Crime logs must be kept for seven years, and logs older than 60 days must be made available within two business days upon request.
3. Keep the past three years of crime statistics detailing crimes that have occurred: on-campus; in campus residential facilities, if any; in public areas on or near campus; and in certain non-campus buildings, such as fraternities/sororities, if any, and remote classrooms. BC must also report liquor and drug law violations and illegal weapons violations if they result in a disciplinary referral or arrest.
4. Disclose missing student notification procedures that pertain to students residing in any on-campus student housing facilities, if any.
5. Disclose fire safety information related to any on-campus student housing facilities, if any. This includes maintaining a fire log that is open to public inspection and publishing an Annual Fire Safety Report containing policy statements and fire statistics associated with each on-campus student housing facility. These statistics must include the location, cause,

injuries, deaths, and property damage of each fire.

Note: Brazosport College does not have residential facilities or properties nor housing for fraternities or sororities.

6. Submit the collected crime and fire statistics to the Department of Education each fall.
7. Inform prospective students and employees about the availability of the Annual Security Report.

BC has a vested interest in campus security and the personal safety of its students and employees. The following pages contain specific information, including crime prevention, fire safety, law enforcement authority, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. This report also contains information about campus crime statistics.

Members of the campus community are encouraged to use this report as a guide for safe practices on and off campus. Every member of the BC community receives an email that describes the report and provides its website address. For more information, contact the BC Police Department at 979-230-3030.

Crime / Emergency Reporting and College Response

Campus Security Authorities (CSA)

It is the policy of Brazosport College that, employees of the College, as defined below, are considered to be “Campus Security Authorities”. CSAs are also informed in writing and through training to report crimes to BCPD in a timely manner so those crimes can be evaluated for timely warning purposes. A CSA is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution:

- A campus police department or a campus security department of an institution
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into an institutional property)
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student discipline and campus judicial proceedings. 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.

A CSA must report immediately to the BC Police Department all crimes or reports of criminal activity brought to their attention. BC considers all faculty members, administrators, managers, supervisors, employees of the Police Department and employees with significant contact with students, including but not limited to, contact through student campus activities, student discipline, and student life administration to be a “Campus Security Authority.”

Campus Security Authorities can report all crimes or reports of criminal activity by calling BCPD by dialing (979) 230-3030 or on campus extension 3030, report in person to BCPD at the office located in BC Central Suite J.119 or by completing the online link “CSA Crime Statistic Reporting Form” at: <http://brazosport.edu/faculty-and-staff/resources/campus-safety/clery/> (**This form should only be used for non-emergency or non-urgent reporting**).

Brazosport College does not employ professional mental health, pastoral, or other licensed professionals legally bound by professional client privilege. All reported crimes will be investigated by the BCPD and may become a matter of public record. Brazosport College “Campus Security Authorities” include but are not limited to:

- President
- Vice Presidents
- Deans
- Campus Safety and its employees
- Student Affairs Professionals
- Title IX Coordinator and Deputy Title IX Coordinator
- Faculty and Staff Advisors for Registered Student Organizations (RSO)
- Student Life Administrators
- Evening Administrators

This list of Campus Security Authorities is subject to modification and is not intended to be all inclusive, due to changes in responsibilities within the College. Campus faculty, staff, students, community members, and guests are encouraged to report all criminal activity, emergencies, or other public safety related concerns occurring within the College’s Clery geography to BCPD in an accurate, prompt, and timely manner. The College’s Clery geography includes: on campus property including buildings, and/or facilities, designated non-campus properties and facilities, public property adjacent to or contiguous to on-campus property, and facilities leased, rented, or otherwise controlled by the College. BCPD has been designated by Brazosport College as the official office for campus crime reporting. BCPD strongly encourages the accurate and prompt reporting of all crimes or suspicious activities. Accurate and prompt reporting ensures BCPD is able to evaluate, consider, and investigate all safety concerns, send timely warnings when necessary, and ensure that all criminal activity is included in the annual security report. Brazosport College further encourages accurate and prompt reporting to BCPD and/or the local police when the victim of a crime elects to, or is unable to, make such a report.

Students and others are encouraged to report crimes immediately to the BCPD or to appropriate BC employees. Only through your help in promptly reporting criminal activity can BC take effective action to prevent crime and provide timely warnings of possible danger to the community.

To report suspicious activity, crime or emergency, members of the Brazosport College community should:

- Call BCPD immediately by dialing (979) 230-3030 or on campus extension 3030
- Report in person to BCPD at the office located in BC Central Suite J.119.
- Report crimes or emergency situations by dialing 911.
- Notify a BC Campus Security Authority such as a Vice President, Dean, or Evening Administrator.
- Complete the online “Incident Report Form” at: <http://brazosport.edu/students/form-students/student-life/incident-report-form/> (*This form should only be used for non-emergency or non-urgent reporting*)
- Sex Offenses and other incidents of sexual or domestic violence can also be reported to the College’s Title IX Officer, Kelli Forde-Spiers, by calling (979) 230-3355 or in person at the Student Life Office located in the BC Central Student Pavilion, Suite J.117

For non-criminal issues such as requests for safety escort services, information, directions, vehicle lockouts, or jump-starts members of the Brazosport College community should dial 979-230-3207

or on campus extension 3207.

Security Officers are available 24 hours a day to provide community services. BCPD works closely with a full range of local and county resources to assure a complete and timely response to all emergency calls. Priority response is given to crimes against persons and personal injuries. BCPD responds to all reports of crimes and/or emergencies that occur on campus, adjacent to campus within its public property reporting area, or within a campus-owned, controlled, operated, and/or recognized facility, building, or area.

BCPD personnel also have the ability to notify the Brazoria County Sheriff, Clute Police Department, Lake Jackson Police Department, Richwood Police Department, and Freeport Police Department dispatchers of emergency situations occurring on-campus via portable two-way radio communications systems. This system allows BCPD to summon assistance from first responders if deemed necessary and appropriate. Incidents occurring on private property adjacent to or contiguous to College-owned, controlled, operated, or recognized facilities are documented and processed for further investigation and review by local police, depending upon the nature of the crime or emergency. Additional information obtained via any investigation will also be forwarded to the Dean of Student Services if the incident involves a Code of Conduct violation or to Title IX coordinators if the incident involves a Title IX complaint.

Emergency Phones

Six emergency phones have been placed at strategic locations on campus. These phones include emergency call stations that are on white posts with blue lights on top. When an emergency phone is activated, the location of the call is automatically identified, and the caller is connected to Campus Safety. Locations of the telephones are marked on parking maps and safety brochures. When placing an emergency call, remember to stay on the line for the dispatcher to end the call. Individuals with hearing impairments should remain at the phone until an officer arrives. These exterior phones should be used when seeking information and/or reporting activities to include both criminal and non-criminal incidents. If a member of the community finds any of these phones inoperative or vandalized, they should advise BC Campus Safety so the phone can be repaired or replaced as quickly as possible. If assistance is required from the local police or fire departments, BCPD personnel will contact the appropriate agency.

If a sexual assault (rape, fondling, incest, or statutory rape) should occur on campus, staff on scene including BCPD, will offer the victim(s) a wide variety of resources and services. This publication contains information about on and off-campus resources and services and is made available to the Brazosport College community. The information regarding “resources” does not infer that those resources are “crime reporting entities” for Brazosport College.

As mentioned, crimes should be reported to BCPD to ensure inclusion in the Annual Security Report and to aid in providing timely warning Campus Safety Alert notices to the community when appropriate.

Responsibilities of the Brazosport College Community for Their Own Personal Safety

Members of the Brazosport College community must assume responsibility for their own personal safety and the security of their personal property. The following precautions provide guidance.

- Report all suspicious activity to BCPD immediately.
- Never take personal safety for granted.
- Try to avoid walking alone at night. Use the BCPD escort service.

- Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or that have too many people drinking excessively. Remember to call BCPD for help at the first sign of trouble.
- Carry only small amounts of cash.
- Never leave valuables (wallets, purses, books, phones, etc.) unattended.
- Carry your keys at all times and do not lend them to anyone.
- Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car.
- Do not prop open exterior doors.
- Do not leave valuables in your car, especially if they can be easily noticed.
- Engrave serial numbers or owner's recognized numbers such as a driver's license number on items of value.
- Inventory your personal property and insure it appropriately with personal insurance coverage

Confidential Reporting:

Brazosport College does not employ professional mental health, pastoral, or other licensed professionals legally bound by professional client privilege. All reported crimes will be investigated by the BCPD and may become a matter of public record.

Anonymous Reporting:

The Brazosport College Police Department, unless otherwise prescribed by law or as set forth within this Annual Security Report, does permit anonymous reporting of crimes.

Statistical Disclosure of Reported Incidents

Incidents reported to BCPD that fall into one of the required reporting classifications will be disclosed as a statistic in the Annual Security Report published by Brazosport College.

Reporting a Crime to a Local Police Department

A person reporting a crime to BCPD has the right to report the crime to the local police department with jurisdiction if the crime occurs off-campus. BCPD officers regularly discuss this option with the victim of a crime and will assist the victim with that process.

Off-Campus Crime

If a local municipal police department is contacted about criminal activity off-campus involving Brazosport College students, the police are encouraged to notify BCPD. Students in these cases may be subject to arrest by the local police and college disciplinary proceedings through the Dean of Student Services.

Monitoring of Student Organizations Off-Campus

Brazosport College has officially recognized student organizations. If an officially recognized student organization acquires or utilizes a non-campus facility, the College does not use the local law enforcement agencies to monitor or record activities at those locations. If a local law enforcement agency responds to a "non-campus" privately-owned property in response to a citizen complaint or police officer concern, the police may notify BCPD to provide support assistance to one of those locations. However,

the police do this as a courtesy, and they are not “required” to notify or involve BCPD when they respond to a call involving private property. The college can obtain arrest information on students who may have been arrested as this information is open to the public.

Brazosport College Police Department

Establishment of the BCPD was approved on December 10, 2015, by the Brazosport College Board of Regents. The BCPD was recognized as a law enforcement agency by the Texas Commission on Law Enforcement on August 22, 2016. It is an integral part of providing a safe and secure community. The Campus Safety Department, made up of police officers and security officers, provides comprehensive law enforcement and security services to all components of the College. Commissioned officers are empowered to enforce laws and make arrests through the authority of the State of Texas. BCPD commissioned officers have the same authority as Clute, Lake Jackson, or Richwood police officers, and their officers will work and communicate with campus officers on any serious incidents that occur on or near campus. **The College operates no on-campus or off-campus housing or off-campus student organizations;** however, many students live in communities surrounding BC.

While the Clute, Lake Jackson and Richwood Police Departments have primary jurisdiction in areas off campus, the College’s officers can respond to incidents that occur in close proximity to campus. The College’s police officers have direct radio communications with the city police to facilitate rapid response in any emergency situation.

All of the BCPD’s commissioned officers have successfully completed law enforcement training at a state-certified police academy. In addition, all officers are required to attend annual in-service as well as on-the-job training. Full-time police officers and part-time security officers are assigned regular shifts across campus. Additionally, security cameras strategically located across campus are monitored and recorded.

Brazosport College Police Department Enforcement Authority:

BCPD is responsible for providing security services for the Brazosport College Campus. BCPD commissioned police officers are empowered to enforce laws and make arrests through the authority of the State of Texas. Police and Security Officers and staff are responsible to Brazosport College for the enforcement of College policies and Federal and State laws for campus administrative purposes. BCPD Police Officers investigate criminal incidents for possible criminal prosecution and may also investigate campus criminal incidents for administrative purposes as they relate to its campus judicial process. The Dean of Student Services, in cooperation with the Title IX Coordinators and Vice President for Academic and Student Affairs, determine disciplinary action for matters that involve violations of the Student Code of Conduct.

Brazosport College Police Department Arrest Authority:

BCPD Police Officers are commissioned peace officers employed by Brazosport College and have official powers of arrest authority. BC Security officers are unsworn security personnel for Brazosport College and have no official powers of arrest. BC Security Officers will summon support from the Brazosport College Police or other applicable law enforcement entities to effect an arrest on or within campus owned, controlled, leased, or recognized property.

Brazosport College Police Department Training

The BCPD Patrol Lieutenant is primarily responsible for scheduling or conducting training for campus public safety officers. Training subjects may include criminal law, federal law, the Clery Act and campus security authority, sexual assault and gender violence response and investigation, trauma informed investigation, public relations, race relations, interpersonal communications, crisis intervention, critical incident response and incident command system, emergency operations, first responder medical training,

and all facets of protection of persons and property. Training includes annual in-service sessions, select out-service seminars and conferences, applicable online training/webinars, and regular roll-call information sessions.

Brazosport College Police Department Relationships with other Law Enforcement Agencies: BCPD maintains a close working relationship with the Clute Police Department, Lake Jackson Police Department, Richwood Police Department, Freeport Police Department, Brazoria County Sheriff's Department, Brazoria County Office of Emergency Management, and the Brazoria County District Attorney's Office. Collaborative meetings are occasionally held to review issues and incidents occurring within the multiple local jurisdictions. BCPD officers and local law enforcement officers communicate regularly regarding incidents that occur in and around the campus area. BCPD Police Officers work closely with local law enforcement investigators when incidents occur that require joint investigations.

Information Supplied by a local or State Police Agency:

In complying with the statistical reporting requirements BCPD must make a reasonable, good faith effort to obtain statistics for crimes that occurred on or within the institution's Clery geography and may rely on the information supplied by a local or state police agency. If the institution makes such a reasonable, good faith effort, it is not responsible for the failure of the local or state police agency to supply the required statistics.

Recording Crimes:

BCPD must include in its crime statistics all crimes occurring on or within its Clery geography that are reported to a campus security authority for purposes of Clery Act reporting. Clery Act reporting does not require initiating an investigation or disclosing personally identifying information about the victim, as defined in Section 40002(a)(20) of the Violence Against Women Act of 1994, 42 U.S.C. 13925(a)(20). An institution must record a crime statistic for the calendar year in which the crime was reported to local police agencies or to a campus security authority. When recording crimes of stalking by calendar year, an institution must follow the requirements in 34 C.F.R. 668.46(c)(6).

Brazosport College Police Department Jurisdiction:

BCPD's jurisdiction encompasses on-campus property that includes buildings, and/or facilities, designated non-campus properties and facilities, public property adjacent to or contiguous to on-campus property, and leased, rented, or otherwise recognized and/or controlled buildings, spaces, and/or facilities.

While Texas Education Code Section 51.203 grants primary jurisdiction of campus peace officers to all counties in which the Institution of Higher Education (IHE) owns, leases, rents, or otherwise controls property, BCPD's principal jurisdiction will be the properties identified by its Clery reporting geography. This includes areas and/or properties owned, rented, leased, recognized or otherwise controlled by the College.

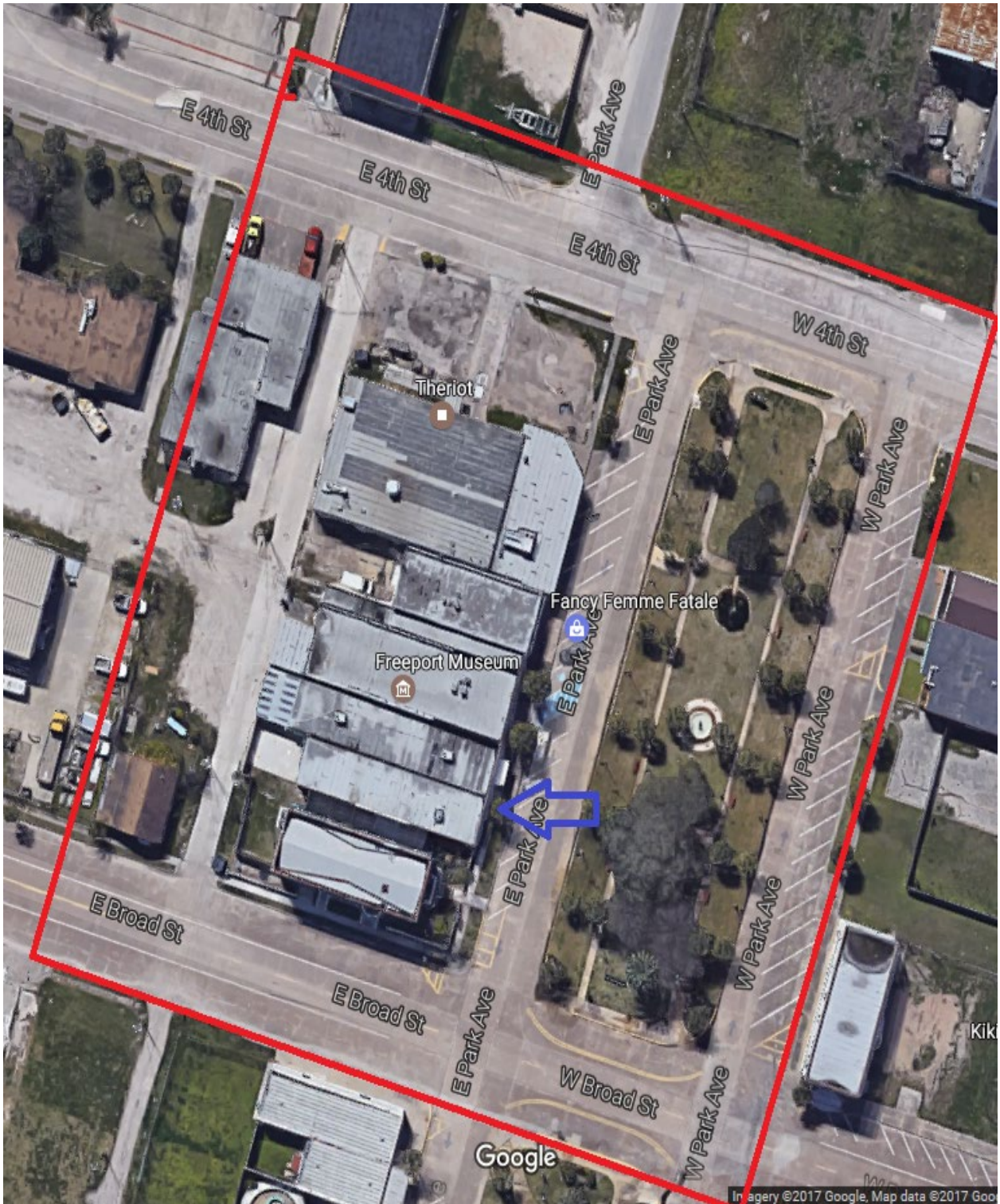
Brazosport College Property Maps

In compliance with the Clery Act, the following maps give a visual representation of BC's Clery geography for our paramount patrol jurisdictions.

Brazosport College Main Campus



Brazosport College Freeport Campus (Non-Campus) Property



Criminal Background Checks:

The College does not routinely conduct state and/or federal criminal background investigations on prospective students. However, it is the policy of the College that all new employees and faculty, as well as volunteers and interns who have significant interaction with Brazosport College students, have their criminal background records and sex and violent offender registries checked prior to an offer of employment. Individuals who work with minors are required to complete additional background checks as required by state and/or federal law.

Interlocal Agreements / Written Memorandums of Understanding with Local Police:

The Brazosport College Police Department has several Agreements, Interlocal Agreements (ILA) and Memorandums of Understanding (MOU) with local police agencies, including the Brazoria County Sheriff's Office, Lake Jackson Police Department, Clute Police Department, Richwood Police Department, and Freeport Police Department in order to support BCPD's mission of achieving the highest level of campus safety through collaborative efforts with the campus and surrounding community.

There are no written agreements with local law enforcement agencies regarding the investigation of alleged criminal offenses either on-campus or off-campus.

Security of and Access to Campus Facilities

Academic and Administrative Buildings:

Brazosport College is a small, yet inviting open campus. No effort is made to restrain the general public from entering the campus; however, BC Campus Safety reserves the right to bar individuals who are considered a threat to the well-being of the campus community.

The majority of academic and administrative buildings are open during normal business hours (typically Monday through Thursday, 7:30 AM to 10 PM, and Friday, from 8am to 12pm, except holidays) and is routinely secured from 10PM to 7:30 AM each night. No Brazosport College buildings are designated for 24-hour academic access. The Campus Safety Department provides 24- hour patrol of campus property and facilities.

Residence Halls:

Brazosport College **does not own, lease, rent or otherwise control residential living quarters** for any members of the Brazosport College community.

Maintenance of Campus Facilities

Brazosport College facilities and landscaping are maintained in a manner that minimizes hazardous conditions. BC Campus Safety regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to Facility Services for correction. Other members of the college community are helpful when they report equipment problems to BC Campus Safety or Facility Services.

Daily Crime Log

The BCPD maintains a Daily Crime Log for the most recent 60-day period open to public inspection at the BCPD, located on campus in the BC Central Building Suite J.119. Any portion of the crime log that is older than 60 days are made available for public inspection within two business days of a request. The information in the crime log typically includes the incident number, crime classification, date reported, date occurred, general location, and disposition of each reported crime. Faculty, staff, and students are encouraged to review these logs periodically to become more familiar with the types and locations of criminal incidents and fires which may impact the College's campus community.

Unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim, newly reported crimes/incidents within the College's Clery geography and updated information regarding previously reported crimes are entered onto the Daily Crime Log within two business days of when it is reported to BCPD. Anytime BCPD assists the local police or BCPD presence is otherwise requested by the police outside of the campus's Clery geography jurisdiction, an incident report will be generated and the crime classification will be annotated on the Daily Crime Log.

Unfounded Crimes

If a crime is reported as occurring On Campus, in or on Non-campus buildings or property, or on Public Property, and the reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded." Only sworn or commissioned law enforcement personnel may classify a crime as "unfounded" after a thorough investigative process.

Preparation of Annual Crime Statistics & Clery Compliance

The following information provides context for the crime statistics reported as part of compliance with the Clery Act. The BCPD is primarily responsible for preparing the Annual Security Report. This responsibility is specifically designated to the Director of Campus Safety / Chief of Police or designee. The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the college community obtained from the following sources: the BCPD, the City of Clute Police Department, the City of Lake Jackson Police Department, the City Richwood Police Department, the City of Angleton Police Department, Angleton ISD Police Department, the City West Columbia Police Department, the Columbia-Brazoria ISD Police Department, the City of Freeport Police Department, the City of Sweeny Police Department, the Sweeny ISD Police Department, and Brazosport ISD Police Department, Brazoria County Sheriff's Department, Texas Department of Public Safety, the Texas Parks and Wildlife Department, the BC Office of Human Resources, and non-police or public safety personnel who have been designated as Campus Security Authorities (CSAs). The Dean of Student Services and BC Human Resources Department are key offices from which drug, liquor, and weapon offense referral data is obtained. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

The final report preparation is coordinated by the Director of Campus Safety / Chief of Police with Human Resources, Dean of Student Services, Student Life, and Title IX Coordinators.

Brazosport College does not employ professional mental health, pastoral, or other licensed professionals legally bound by professional client privilege. All reported crimes will be investigated by the BCPD and may become a matter of public record. Reports of Clery Act crimes received by a CSA and reported to BCPD are included in the College's annual crime statistics.

All statistics are gathered, compiled, and reported to the college community via this report, entitled the "Annual Security Report," which is published by BCPD. BCPD submits the annual crime statistics published in this brochure to the Department of Education (DOE). The statistical information gathered by the Department of Education is available to the public through the DOE website.

Brazosport College sends an email to every enrolled student and current employee on an annual basis informing them of the availability of the Annual Security Report. Notification is also provided to prospective students and employees. The email includes a brief summary of the contents of the report. The email includes the address for the BCPD website where the Annual Security Report can be

found online, and notification that a physical copy may be obtained by making a request to BCPD by calling (979) 230-3579 or in person at the BCPD, located on campus in the BC Central Building, Suite J.119.

Specific Information about Clery Act Reportable Offenses:

The statistics in this report are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting (UCR) Handbook, National Incident-Based Reporting System (NIBRS), relevant federal law (the Clery Act), and applicable State law. Note that, although the law states that institutions must use the UCR Program definitions, Clery Act crime reporting does not have to meet all of the other UCR Program standards.

Clery Act Reporting:

For Clery Act reporting purposes, the number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-Negligent Manslaughter, Manslaughter by Negligence, Sex Offenses, and Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart. The number reflected in the statistics for the following crime categories includes one offense per distinct operation: Robbery, Burglary, Larceny, Vandalism, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart. In cases of Motor Vehicle Theft, each vehicle stolen is counted as a statistic. In cases involving Liquor Law, Drug Law, and Illegal Weapons violations the statistics indicate the number of people arrested or referred to the Dean of Student Services for possible disciplinary action for violations of those specific laws and the Student Code of Conduct.

Hate crimes may be reported in either a tabular format or in a narrative form or descriptive format and separated by category of prejudice. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense, which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of their bias against the victim's race, sexual orientation, gender, religion, ethnicity, national origin, gender identity, or disability, the assault is then also classified as a hate crime.

For Clery Act Purposes, Hate Crimes include any of the following offenses that are motivated by the offender's bias: Murder and Non-negligent Manslaughter, Sexual Offenses (rape, fondling, incest and statutory rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny/Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property.

Campus SaVE was signed into law on March 7, 2013, as part of the reauthorization of the Violence Against Women Act (VAWA). It covers students and staff of institutions of higher education and amends the Jeanne Clery Act to include new reporting requirements for Domestic Violence, Dating Violence, and Stalking and other additional policy statements and training requirements.

Geography Definitions from the Clery Act:

On-Campus defined as: (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

Non-Campus Building or Property defined as: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution (i.e., a privately owned fraternity); or (2) any building or property owned or controlled by an institution that is used in direct support of or in

relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property 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. The Brazosport College crime statistics do not include crimes that occur in privately-owned homes or businesses within or adjacent to the campus boundaries.

On-campus Student Housing Facility defined as: Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This category is a considered a subset of the On-Campus category. **Brazosport College does not have on-campus Student Housing Facilities.**

Reasonably Contiguous is defined in the 2016 Handbook for Campus Safety and Security Report as follows: Refers to a building or property an institution owns or controls that is in a location that students consider to be, and treat as, part of the "campus."

BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

Brazosport College

500 College Drive, Lake Jackson, TX, 77566

2016-2018

CRIMINAL OFFENSES (Brazosport College Main Campus)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	1	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

HATE CRIMES (Brazosport College Main Campus)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
LARCENY/THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
SIMPLE ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INTIMIDATION	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

VAWA OFFENSES (Brazosport College Main Campus)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	1	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DATING VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STALKING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

ARRESTS AND REFERRALS (Brazosport College Main Campus)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	1	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	1	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	2
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

UNFOUNDED CRIMES (Brazosport College Main Campus)

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

The Freeport Center

305 East Park Avenue, Freeport, TX 77541

2016-2018

The Freeport Center is considered a Non-Campus Property under the Clery Act. Although Brazosport College is not required to list statistics for this location separately, reporting statistics for each location in the Annual Security Report provides more detail on any criminal activity at each location.

CRIMINAL OFFENSES (The Freeport Center)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

HATE CRIMES (The Freeport Center)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
LARCENY/THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
SIMPLE ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INTIMIDATION	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

VAWA OFFENSES (The Freeport Center)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DATING VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STALKING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

ARRESTS AND REFERRALS (The Freeport Center)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

UNFOUNDED CRIMES (The Freeport Center)

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

Angleton High School

1 Campus Drive, Angleton, TX 77515

2016-2018

Angleton High School is considered a Non-Campus Property under the Clery Act. Although Brazosport College is not required to list statistics for this location separately, reporting statistics for each location in the Annual Security Report provides more detail on any criminal activity at each location.

CRIMINAL OFFENSES (Angleton High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	1	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	1	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	6	N/A	0	0
	2017	6	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	1	N/A	0	0
	2017	1	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

HATE CRIMES (Angleton High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
LARCENY/THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
SIMPLE ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INTIMIDATION	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

VAWA OFFENSES (Angleton High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	N/A	0	0
	2017	1	N/A	0	0
	2016	0	N/A	0	0
DATING VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STALKING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

ARRESTS AND REFERRALS (Angleton High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	1	N/A	0	0
	2017	4	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	1	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	11	N/A	0	0
	2017	12	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	39	N/A	0	0
	2017	3	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	1	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	6	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

UNFOUNDED CRIMES (Angleton High School)

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

Angleton Christian High School

**3133 N Valderas St, Angleton, TX 77515
2016-2018**

BC students did not attend classes at Angleton Christian High School in 2016.

Angleton Christian High School is considered a Non-Campus Property under the Clery Act. Although Brazosport College is not required to list statistics for this location separately, reporting statistics for each location in the Annual Security Report provides more detail on any criminal activity at each location.

CRIMINAL OFFENSES (Angleton Christian High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				

HATE CRIMES (Angleton Christian High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
LARCENY/THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
SIMPLE ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
INTIMIDATION	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				

VAWA OFFENSES (Angleton Christian High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
DATING VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
STALKING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				

ARRESTS AND REFERRALS (Angleton Christian High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				

UNFOUNDED CRIMES (Angleton Christian High School)

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016				

BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

Angleton Marshall Center

300 Parrish Street, Angleton, TX 77515

2016-2018

BC students did not attend Angleton Marshall Center in the Fall Semester of 2018

The Angleton Marshall Center is considered a Non-Campus Property under the Clery Act. Although Brazosport College is not required to list statistics for this location separately, reporting statistics for each location in the Annual Security Report provides more detail on any criminal activity at each location.

OFFENSES (Angleton Marshall Center)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

HATE CRIMES (Angleton Marshall Center)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
LARCENY/THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
SIMPLE ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INTIMIDATION	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

VAWA OFFENSES (Angleton Marshall Center)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DATING VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STALKING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

ARRESTS AND REFERRALS (Angleton Marshall Center)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	1
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

UNFOUNDED CRIMES (Angleton Marshall Center)

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

Brazosport High School

1800 West Second, Freeport, TX 77541

2016-2018

Brazosport High School is considered a Non-Campus Property under the Clery Act. Although Brazosport College is not required to list statistics for this location separately, reporting statistics for each location in the Annual Security Report provides more detail on any criminal activity at each location.

CRIMINAL OFFENSES (Brazosport High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	1	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	1	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

HATE CRIMES (Brazosport High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
LARCENY/THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
SIMPLE ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INTIMIDATION	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

VAWA OFFENSES (Brazosport High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	1	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DATING VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STALKING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

ARRESTS AND REFERRALS (Brazosport High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	1	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	4	N/A	0	0
	2017	6	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	22	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	1	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

UNFOUNDED CRIMES (Brazosport High School)

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

Brazoswood High School

302 West Brazoswood Drive, Clute, TX 77531

2016-2018

Brazoswood High School is considered a Non-Campus Property under the Clery Act. Although Brazosport College is not required to list statistics for this location separately, reporting statistics for each location in the Annual Security Report provides more detail on any criminal activity at each location.

CRIMINAL OFFENSES (Brazoswood High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	1	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	1	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	1	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

HATE CRIMES (Brazoswood High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
LARCENY/THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
SIMPLE ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INTIMIDATION	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

VAWA OFFENSES (Brazoswood High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	1	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DATING VIOLENCE	2018	0	N/A	0	0
	2017	2	N/A	0	0
	2016	0	N/A	0	0
STALKING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

ARRESTS AND REFERRALS (Brazoswood High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	3	N/A	0	0
	2017	7	N/A	0	0
	2016	0	N/A	0	1
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	15	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	1
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	4	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

UNFOUNDED CRIMES (Brazoswood High School)

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

CATS Academy

300 S. Walker Angleton, TX 77515

2016-2018

BC students did not attend classes at CATS Academy in 2016 or 2017 or Spring Semester 2018.

CATS Academy is considered a Non-Campus Property under the Clery Act. Although Brazosport College is not required to list statistics for this location separately, reporting statistics for each location in the Annual Security Report provides more detail on any criminal activity at each location.

CRIMINAL OFFENSES (CATS Academy)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017				
	2016				
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017				
	2016				
RAPE	2018	0	N/A	0	0
	2017				
	2016				
FONDLING	2018	0	N/A	0	0
	2017				
	2016				
INCEST	2018	0	N/A	0	0
	2017				
	2016				
STATUTORY RAPE	2018	0	N/A	0	0
	2017				
	2016				
ROBBERY	2018	0	N/A	0	0
	2017				
	2016				
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017				
	2016				
BURGLARY	2018	0	N/A	0	0
	2017				
	2016				
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017				
	2016				
ARSON	2018	0	N/A	0	0
	2017				
	2016				

HATE CRIMES (CATS Academy)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017				
	2016				
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017				
	2016				
RAPE	2018	0	N/A	0	0
	2017				
	2016				
FONDLING	2018	0	N/A	0	0
	2017				
	2016				
INCEST	2018	0	N/A	0	0
	2017				
	2016				
STATUTORY RAPE	2018	0	N/A	0	0
	2017				
	2016				
ROBBERY	2018	0	N/A	0	0
	2017				
	2016				
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017				
	2016				
BURGLARY	2018	0	N/A	0	0
	2017				
	2016				
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017				
	2016				
ARSON	2018	0	N/A	0	0
	2017				
	2016				
LARCENY/THEFT	2018	0	N/A	0	0
	2017				
	2016				
SIMPLE ASSAULT	2018	0	N/A	0	0
	2017				
	2016				
INTIMIDATION	2018	0	N/A	0	0
	2017				
	2016				
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2018	0	N/A	0	0
	2017				
	2016				

VAWA OFFENSES (CATS Academy)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	N/A	0	0
	2017				
	2016				
DATING VIOLENCE	2018	0	N/A	0	0
	2017				
	2016				
STALKING	2018	0	N/A	0	0
	2017				
	2016				

ARRESTS AND REFERRALS (CATS Academy)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017				
	2016				
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017				
	2016				
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017				
	2016				
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017				
	2016				
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017				
	2016				
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017				
	2016				

UNFOUNDED CRIMES (CATS Academy)

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2018	0	N/A	0	0
	2017				
	2016				

BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

Columbia High School

521 South 16th Street, West Columbia, TX 77486

2016-2018

Columbia High School is considered a Non-Campus Property under the Clery Act. Although Brazosport College is not required to list statistics for this location separately, reporting statistics for each location in the Annual Security Report provides more detail on any criminal activity at each location.

CRIMINAL OFFENSES (Columbia High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	2	N/A	0	2
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	1	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

HATE CRIMES (Columbia High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
LARCENY/THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
SIMPLE ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INTIMIDATION	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

VAWA OFFENSES (Columbia High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DATING VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STALKING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

ARRESTS AND REFERRALS (Columbia High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	2
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	3	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	1	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

UNFOUNDED CRIMES (Columbia High School)

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

Sweeny High School Satellite Campus

600 East Ashley Wilson Road, Sweeny, TX 77480

2016-2018

Sweeny High School is considered a Non-Campus Property under the Clery Act. Although Brazosport College is not required to list statistics for this location separately, reporting statistics for each location in the Annual Security Report provides more detail on any criminal activity at each location.

CRIMINAL OFFENSES (Sweeny High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	1
	2017	1	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

HATE CRIMES (Sweeny High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
LARCENY/THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
SIMPLE ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INTIMIDATION	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

VAWA OFFENSES (Sweeny High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	1
	2016	0	N/A	0	0
DATING VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STALKING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

ARRESTS AND REFERRALS (Sweeny High School)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	3	N/A	0	1
	2017	0	N/A	0	0
	2016	2	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	10	N/A	0	0
	2017	0	N/A	0	0
	2016	2	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	1	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

UNFOUNDED CRIMES (Sweeny High School)

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

Sweeny Petrochemical Academy

8554 FM 524 Road, Sweeny, TX 77480

2016-2018

Sweeny Petrochemical Academy is considered a Non-Campus Property under the Clery Act. Although Brazosport College is not required to list statistics for this location separately, reporting statistics for each location in the Annual Security Report provides more detail on any criminal activity at each location.

CRIMINAL OFFENSES (Sweeny Petrochemical Academy)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

HATE CRIMES (Sweeny Petrochemical Academy)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
FONDLING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INCEST	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STATUTORY RAPE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ROBBERY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
AGGRAVATED ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
BURGLARY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
MOTOR VEHICLE THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARSON	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
LARCENY/THEFT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
SIMPLE ASSAULT	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
INTIMIDATION	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

VAWA OFFENSES (Sweeny Petrochemical Academy)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DATING VIOLENCE	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
STALKING	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

ARRESTS AND REFERRALS (Sweeny Petrochemical Academy)

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

UNFOUNDED CRIMES (Sweeny Petrochemical Academy)

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

Timely Warning Campus Safety Alerts – Notifying the Brazosport College Community about Crimes

In an effort to provide timely notice to the Brazosport College community in the event of a serious incident which may pose a serious or ongoing threat to members of the campus community, a BC Alert (Timely Warning Notice) that withholds the names of victims as confidential and will aid in the prevention of similar crimes, is sent primarily by blast email to all students and employees on campus. Alerts can also be sent / communicated via Brazosport College's text/voice messaging system and a variety of other notification methods, as outlined in the emergency/immediate notification section of this Annual Security Report.

BC Alerts are generally written and distributed to the campus community by the Director of Campus Safety / Chief of Police or the BCPD Patrol Lieutenant and may be reviewed and approved by the President of the College or the Vice President of Human Resources prior to distribution. The Director of Campus Safety / Chief of Police, BCPD Patrol Lieutenant or an On-Duty Sworn Police Officer have the authority to issue a BC Alert without such consultation if time is not available.

Should the Director, Campus Safety / Chief of Police or the BCPD Patrol Lieutenant be directly impacted and involved in an incident response or otherwise unavailable, any of the following Brazosport College Personnel could write and send a BC Alert:

- President of the College
- Vice Presidents of the College
- Police Officer on Duty
- College Deans
- Director of Marketing and Communications or designee
- Director of Information Technology or designee
- Title IX Coordinator / Deputy Title IX Coordinator.

Timely Warning BC Alerts are sent to the college community to notify members of the community about specific Clery Act crimes (as described below) that have been reported to BCPD and that have occurred on campus or on non-campus property or public property, where it is determined that the incident may pose a serious or ongoing threat to members of the college community. Such timely warnings provide an opportunity for individuals to take reasonable precautions for their own safety.

Crimes that occur outside the campus's Clery geography as stipulated or other non-Clery specific crimes, will be evaluated on a case-by-case basis. Information related to these crimes may be distributed to the campus as a Public Safety Notice, as outlined and described in the policy statement below for Public Safety Bulletins. Updates to the campus community, when deemed necessary, about any particular case resulting in a BC Alert may be distributed via blast email, may be posted on the college website, may be shared with the local newspaper for a follow-up story, and may be distributed by the Director of Campus Safety / Chief of Police or other members of the college Emergency Planning Committee, as deemed necessary and appropriate. Brazosport College professional staff members are informed of their responsibility to share Alert information with their sponsored visitors and/or guests. Staff members are instructed to inform conference attendees, camp counselors and/or directors/leaders of BC Alerts.

BC Alerts (timely warnings) may be distributed for any of the following Clery Act crime categories/classifications: murder and non-negligent manslaughter, sex offenses (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, arson, hate crimes, motor vehicle theft, domestic violence, dating violence, stalking, or arrests and referrals for liquor law, weapons law, and drug law offenses.

Alerts for the crimes of aggravated assault, motor vehicle theft, burglary, sex offenses, domestic violence, dating violence, stalking, and arrests or referrals for liquor, drug, and weapons offenses are considered on a case-by-case basis and depend upon a number of factors. These include:

- Nature of the crime.
- Timeliness of the report.
- Continuing or ongoing danger to the campus community.
- Possible risk of compromising law enforcement efforts.

If the threat is sudden and serious, a warning will be issued immediately and will be continuously updated until the threat is contained or neutralized. If a threat is less immediate, the warning will be fully developed and distributed after that point in time.

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

- Serial crimes that target certain campus populations such as sex crimes or race-based crimes in which the perpetrator has not been apprehended, and
- Ongoing criminal activity in which there is no apparent connection between perpetrator and victim.

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

- Crimes in which the perpetrator has been apprehended, thereby eliminating the threat, and
- Crimes in which an identified perpetrator targets specific individuals to the exclusion of others, such as domestic violence

In cases involving sex offenses that can be typically reported long after the incident occurred, there is no ability to distribute a timely warning Campus Safety alert to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by BCPD.

Typically, alerts or warnings are not issued for any incidents reported that are older than two weeks or 14 days from the date of occurrence as such a delay in reporting does not afford the college community an opportunity to react or respond in a timely manner.

Warning Content

The warning contains sufficient information about the nature of the threat to allow members of the campus community to take protective action:

- A succinct statement of the incident.
- Possible connection to previous incidents, if applicable.
- Date, time, and location of the incident.
- Description of the suspect, if available.
- Risk reduction and safety tips.
- Other relevant and important information.

In some cases, BCPD may need to keep some facts confidential to avoid compromising an ongoing investigation.

Notification Methods

The following methods may be used to notify the campus community of various emergencies that may affect the campus community:

- Phone
- Text message
- Email
- Official BC website and BCPD webpage
- Local media

Brazosport College is committed to making timely warnings to the campus community of crimes reported to BCPD or local law enforcement that are determined by those authorities to present a safety or security threat to students, employees, or the campus community. After determining that an incident requires a timely warning, the College will do the following:

- Distribute the crime alert via BC Alert to the campus community.
- Not include any names of victims in a timely warning.

Public Safety Bulletin

A Public Safety bulletin may be sent to the campus community for general crime prevention purposes, to inform the community of crimes and/or incidents that are not generally time sensitive or considered to be an ongoing threat, but are important to be aware of, and/or to inform the campus of incidents occurring on, around, or even off-campus that do not meet the requirements or specifications for distribution of a BC Alert (timely warning), as outlined above.

A Public Safety Bulletin may be sent via blast email to all students and employees on campus. A Public Safety Bulletin is generally written and distributed to the campus community by the Director of Campus Safety / Chief of Police or BCPD Patrol Lieutenant, and they are reviewed and approved by the President of the College or the Vice President of Human Resources.

Updates, when deemed necessary, to the campus community about any particular case resulting in a Public Safety Bulletin may be distributed via blast email, may be posted on the college website, may be shared with the local newspaper for a follow-up story, and may be distributed by Director of Campus Safety / Chief of Police or BCPD Patrol Lieutenant.

Immediate or Emergency Warning Policy and Emergency Response

The immediate notification capability of an emergency alert process is designed to assist the College in determining the content of the notification and initiating the notification system without delay, taking into account the safety of the community, unless issuing a notification will, in the professional judgment of responsible institutional authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency situation/incident.

The Director of Campus Safety / Chief of Police, BCPD Patrol Lieutenant or a designee from the College's Emergency Planning Committee (see list of Emergency Planning Committee members identified in this Annual Report), or a Campus Administrator in coordination with BCPD, may initiate the College's emergency notification processes during extremely violent or hazardous incidents that pose immediate danger or threat to the health and safety of campus community members wherein Campus Safety personnel need to notify campus community members immediately in order to reduce the likelihood of casualties or injuries.

Immediate notification to the campus about a confirmed seriously violent or extremely hazardous incident or dangerous situation involving an immediate threat to the health and/or safety of students or staff occurring on the campus or near the campus can be accomplished through a variety of communications methods, but the use of the emergency cell phone text/voice messaging, all campus email, and/or alert siren would be the most common and quickest form of communications under these circumstances. Confirmation typically involves the response and assessment of campus Safety Officers, college officials, local police, or emergency responders. As previously stated, notification will occur for these types of incident situations as described unless the notification will compromise efforts to assist a victim(s) or contain, respond to, or otherwise mitigate the emergency.

In the event of an emergency, an effective campus-wide communications process is vital in order to provide the greatest safety possible for the campus community. As part of its Emergency Operations Plan, the College has adopted a formalized procedure for issuing emergency alerts to the campus community. When on-duty Campus Safety Officers become aware of a situation that may warrant the issuing of an emergency alert, the on-duty Campus Safety Officer confirms (through response, investigation, or collaboration with emergency responders) that there is a significant emergency and then immediately contacts the Director of Campus Safety / Chief of Police, BCPD Police Lieutenant or other designated personnel, (see list of personnel identified in this Annual Report) or a Campus Administrator who quickly evaluates the situation to determine if an alert is warranted, develops the content of the notification message, and then identifies the appropriate segment or segments of the campus community who will receive the notification.

Notification message content is determined based on the type of incident, the context with which it is occurring, and the immediate danger or threat to the campus community and the need to advise campus community members to take action. Messages have been pre-prepared as part of the emergency notification system to aid in rapid communication processes during incidents of grave concern. The segment(s) of the campus receiving an immediate or emergency notification is decided based on who is directly impacted by the emergency and whose health and/or safety may be in jeopardy. In situations where an imminent threat is present, the Director of Campus Safety / Chief of Police, BCPD Police Lieutenant, or other designated personnel has the ability and authority to issue an alert without delay and without further consultation with any other College official.

In situations lacking the presence of an imminent threat, the Director of Campus Safety / Chief of Police, BCPD Police Lieutenant or designated personnel consults with the Vice President Human Resources and/or other members of the College Administration prior to an alert being issued. The College, based on the judgments of all consulted, will endeavor to immediately notify the campus community (or appropriate segments separately and distinctly impacted) upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on or near the campus. A threat is imminent when the need for action is instant, overwhelming, and leaves no time for deliberation. Such situations may include, but are not limited to, a hazardous materials incident requiring sheltering in place or evacuation, an active shooter on or near campus, or a shooting incident on or near the campus. Follow-up notices/communications will be provided as necessary during an active incident and may be provided by any of the following:

- President of the College
- Vice Presidents of the College
- Chief of Police or designee
- Police officer on Duty
- College Deans
- Director of Marketing and Communications or designee
- Director of Information Technology or designee
- Title IX Coordinator / Deputy Title IX Coordinator

It is the explicit policy of Brazosport College that it is **FAR BETTER TO ACTIVATE WARNINGS**, which later prove to be unfounded, **THAN NOT TO WARN**. False alarms may reduce the effectiveness of subsequent well-founded warnings, but the failure to warn the College community of imminent danger may have far more tragic consequences. When in doubt, Brazosport College will issue a warning appropriate to achieve the following goals:

1. To preserve life and protect the lives of all involved in hazardous incident(s).
2. To provide prompt warning of circumstances and suggested defensive actions to persons in or around the campuses so as to minimize risk to innocent bystanders.
3. To include the apprehension of criminal actors, neutralization of weaponry, protection of property, enforcement of applicable laws, and resumption of normal College activities.
4. All this is based on the consideration that issuing a notification will compromise efforts to contain the emergency.

When a threat is neutralized or effectively removed, campus community members will be appropriately informed via all or some of the aforementioned communications methods.

When an emergency warning is activated using the siren, email, and cell phone text/voice messaging, college officials will notify campus community members of the emergency situation, its exact location, and will most likely request community members to protect themselves by evacuating the affected area if it is safe to do so and/or by employing the “shelter-in-place” concept. Local police, emergency responders, officials at the Brazosport Center for the Arts and Sciences are also alerted of any actual on-campus emergency that poses a threat to campus and/or the immediate local community.

Shelter-in-place means to take immediate shelter wherever you happen to be at the time of a shelter-in-place notification in privately-owned housing near campus, in an academic or administrative building, etc. Community members should remain in a shelter-in-place status until the all clear is communicated by emergency response personnel via an emergency notification and paging system.

College authorities may instruct campus community members to "shelter-in-place" if a condition exists that is potentially life threatening and has an immediate threat to the health and personal safety of the campus community. Immediate threats would include, but are not limited to: active shooter incidents, acts of violence, tornadoes, terrorist attacks, or hazardous materials incidents.

How to Shelter-In-Place:

- If you are instructed to “shelter-in-place” you should, stay where you are, unless instructed otherwise by faculty or staff. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel.
- Locate a room to shelter inside. It should be:
 - an interior room;
 - above ground level; and
 - without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
- Shut and lock, if possible, all windows and close exterior doors. Doors and windows may need to be barricaded, if possible.
- Turn off air conditioners, heaters, and fans.
- Close vents to ventilation systems as you are able.
- Make a list of people with you.
- Turn on a radio or TV and listen for further instructions.
- Make yourself comfortable.

Off-Campus Emergencies:

BCPD officials may receive emergency information from the local or county 911 Centers regarding incidents in the immediate area that could imminently impact the safety of the Brazosport College community. When appropriate, BCPD notifies the campus community of off-campus threats that could also represent a serious or continuing threat to students, employees, and visitors.

Emergency Warning System Testing and Registration:

The emergency notification system is tested at least once per academic semester with a small user group, to ensure all systems are working properly and a full test of the system occurs on an annual basis. Test messages to the campus community may or may not be announced. Unannounced test messages will indicate that the activation is a test. After-action reviews will be conducted following each test and/or exercise that documents the test/exercise, provides a description for each test/exercise, the date, time, and whether the test was announced or unannounced.

Information regarding the Emergency Warning System is presented to students during New Student Orientation by members of the Information Technology Department. At the time a student initially enrolls or registers for courses or a staff member begins employment, the College shall:

1. Obtain a personal telephone number or e-mail address from the student or staff member to be used to notify the individual in the event of an emergency; and
2. Register the student or staff member in the institution's emergency alert system.

It is the responsibility of each student to ensure all of their contact information is current by consulting the Registrar's Office. Faculty/Staff should ensure their contact information is current by consulting the Human Resources office. Additionally, Brazosport College offers a process in which community members may enroll to receive emergency alerts. Community members can download the Mobile App named Contact. Before you can download Contact, you must receive an invitation from the BC IT Department. Anyone wishing to receive an invitation should contact helpdesk@brazosport.edu. Once the invitation is received instructions for downloading the Mobile App for BC Alerts can be found at www.brazosport.edu/it.

A student or staff member may elect not to participate in an emergency alert system. An election may be submitted electronically or in writing, as chosen by the College, and must be renewed at the start of each academic year as noted in Texas Education Code Section 51.218(d). The personal identifying information obtained from an individual for the purpose of the emergency alert system of an institution of higher education, including an e-mail, address or telephone number is confidential and not subject to disclosure under Texas Government Code 552.021.

The College's means of communicating during an emergency situation includes the following, although not all of these methods are always employed. The communications method used would depend on the type of emergency:

- Cell phone Text/Voice Messaging
- Alert Siren
- All Campus Email Alerts
- Voice-Mail
- College Website, Facebook, and Twitter Accounts
- Telephone Trees
- Public Media (TV, radio, news websites)
- Fire Alarm System Notification
- Public Address System from Siren and from Public Safety Vehicles
- Direct On-foot and In-person Notifications

Evacuation Procedures

BCPD in conjunction with BC Faculty and Staff shall be responsible for the safe evacuation of all persons utilizing the College's facilities in the event of natural disasters, civil disturbances, and active threats. The level of necessity will determine the response by BCPD. If large scale events occur that are beyond the resource capabilities of BCPD and the College, BC officials will request assistance from outside emergency resources such as Clute Police and Fire, Lake Jackson Police and Fire, Richwood Police and Fire, Brazoria County Sheriff's Department, Brazoria County Office of Emergency Management, Texas Department of Public Safety, and/or state departments of emergency management. The need to implement evacuation from a campus building or the entire campus shall be based upon information received or furnished to Brazosport College.

The information may be in the form of instructions or advice from the Brazoria County Office of Emergency Management, the Governor's Office or other officially recognized agency. Full or partial evacuations may be necessary as a protective action to reduce campus community members' exposure to a hazard. Protective actions reduce time of exposure, create distance, or provide shielding from a specific hazard. Hazards that may require an evacuation include:

- Fire
- HAZMAT release
- Bomb threat or suspicious device/package
- Hostile intruder
- Massive utility failure
- Severe weather conditions
 - Tropical Storm
 - Hurricane
 - Tornado
- Hazard that renders facilities uninhabitable

Exercise of Judgment and Contingencies:

The actions described are basically standard by nature. When situations arise for which the procedures to be followed are not fully prescribed in the College's Emergency Operations Plan (EOP), responsible personnel will be expected to exercise good judgment, make appropriate decisions, and provide any support necessitated by the situation.

As part of the decision-making process relative to an evacuation, the evacuation must be able to be completed well before the arrival of a hazard. When there is little to no warning time, a shelter-in-place decision/order may be more appropriate. Additional factors to consider beyond warning time when deciding on whether or not to evacuate include:

- Size and geographical area affected.
- Population density of the surrounding area.
- Capacity and condition of the road network.
- Are sufficient transportation resources available – college transportation, public transportation, and private transportation?
- Are there safe alternatives?
- Ability of campus facilities to provide shielding from the hazard.
- Ability of facilities to support the population.
- Local considerations and local police and emergency resources support.

Scope of an Evacuation:

The scope of an evacuation can include a single building, or a group of buildings, and/or a large geographical area. The scope could go beyond the borders of the institution, and/or the College may be impacted by an evacuation initiated by the local authorities. Size and scope considerations must be included in the overall decision-making process.

Building Evacuation:

- All building occupants are required to evacuate when the fire alarm sounds or upon the order of an authorized College official, such as a Campus Safety Officer.
- If time permits, stabilize lab procedures, turn off stoves and ovens, and unplug or disable any device that could make a dangerous situation even worse.
- Move to the closest exit and proceed down the EXIT stairwell in a safe and orderly manner. Take personal belongings with you. DO NOT use elevators.
- Proceed to the evacuation zone closest to your location. Keep roadways open, and beware of approaching emergency vehicles. Notify emergency responders of anyone trapped, especially anyone with a physical disability.

Large-Scale Campus Evacuation:

- If evacuation of part or all of the campus is necessary, monitor text message/voice alert system, email, and the College's website for additional information.
- Those in need of transportation will be directed to areas to await transport to an off-campus site.

Emergency Preparedness Overview & Management

Emergency preparedness at Brazosport College is guided by the College's Emergency Operations Plan (EOP) and input from the Emergency Planning Committee (EPC). The EOP is a multi-hazard plan for use in Brazosport College facilities. The plan addresses mitigation, preparedness, response, and recovery. The EOP provides for appropriate employee training, coordination with state, county, and local entities, and implementation of a safety and security audit. In accordance with federal law, the College shall maintain effective emergency response and evacuation procedures that can be implemented on short notice and that will ensure optimum safety for students and personnel.

All emergency incidents occurring on campus or impacting the college campus community will be managed using the Incident Command System (ICS) and the National Incident Management System (NIMS) as outlined by Federal and State agencies.

The primary responsibility for responding to emergencies on Brazosport College's campus rests with the Department of Campus Safety, which includes BCPD, local emergency services, and the President of the College. In responding to an emergency or disaster, Brazosport College will make full use of the facilities, equipment, supplies, personnel, and resources of the College. The College President, as Chief Executive, has the authority to direct and coordinate disaster operations and may delegate this authority to an emergency manager. Incident Command is established when an authorized individual (a member of the EPC, fire chief, or police officer) is onsite and communicates their authority with all personnel involved.

If a situation arises on or around campus that could potentially threaten the health or safety of College community members, College Officials and members of Campus Safety are immediately summoned as part of Brazosport College's crisis response procedure. Campus Safety officers, supervisors, and administrators are trained in crisis response and have the authority to take immediate action in response to an imminent crisis, using the Emergency Operations Plan (EOP) and departmental procedures as a guideline. These actions may include:

- Deployment of additional Campus Safety officers
- Summoning of local, county, or state emergency management officials
- Enhanced patrol of the campus
- Closing of roads and entrances onto campus
- Securing of campus buildings
- Evacuation of campus buildings

There is one Incident Commander (IC) for an incident. When more than one jurisdiction or one agency is involved, a Unified Command structure will be established. Command will function from an Incident Command Post (ICP). Certain "triggering" conditions may dictate a broader institutional response. This broader response will be managed from an Emergency Operations Center (EOC) by members of the EPC. When an Emergency Operations Center (EOC) is established, EPC will assume a policy, direction, and coordination role over the institution's response and recovery. The EOC will act as an umbrella organization that brings together all of the elements necessary to support the incident and maintain ongoing operations. Command will remain with the Incident Commander or Unified Command group.

The EPC consists of members who are the decision-makers and developers and implementers, and include key department heads from organizations throughout the institution. The members of EPC are institutional emergency incident resources and potential responders.

The EPC composition is as follows:

- President of the College
- Provost and Vice President of Academic & Student Affairs
- Vice President of College Advancement
- Vice President of Financial Services & CFO
- Vice President of Human Resources
- Vice President of Industry and Community Resources
- Dean of Planning, Institutional, Effectiveness and Research
- Dean of Student Services
- Dean of School and College Partnerships
- Dean of Instruction
- Director of Campus Safety / Chief of Police
- Director of Facility Services
- Director of Information Technology
- Director of Marketing and Communications
- Law Enforcement Academy Coordinator
- BCPD Patrol Lieutenant

Testing, Exercise Preparedness Drills and Table-Top Exercises

In accordance with the institution's Emergency Operations Plan (EOP), Brazosport College will use its emergency procedures and plans for testing emergency notification, response, and evacuation. A test is defined as regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.

The EPC will perform periodic table-top exercises (at least one per year) in order to practice the

implementation of the campus's emergency operations plan and supplement emergency policies and procedures and to assess and evaluate emergency plan capabilities. The Director of Campus Safety / Chief of Police will be responsible for scheduling and conducting these table-top exercises. As a minimum, one EPC Table-Top exercise per academic year will occur with the entire EPC. Additionally, local emergency responders from the Fire and Police Departments, CHI St. Luke's Health Brazosport Hospital, and the Brazoria County Office of Emergency Management (BCOEM) will be invited to participate along with college officials during one table-top each year. Exercises can be either announced or unannounced.

After-Action Reports of Tests /Exercises:

After-action reviews will be conducted following each test and/or exercise that documents the test/exercise, provides a description for each test/exercise, the date, time, and whether the test was announced or unannounced.

Brazosport College Weapons Policy

Brazosport College is committed to maintaining a safe and secure environment that supports the academic mission of the College. Except as allowed under Texas' Concealed Carry Law in Texas Government Code, Section 411.2031, employees, students and visitors are prohibited the use, possession, or display of any location-restricted knife, club, or prohibited weapon, as defined by law on College District property or at a College District-sponsored or -related activity, unless written authorization is granted in advance by the College President or designee. Additionally, the following weapons are prohibited on College District property or at any College District-sponsored or related activity:

1. Fireworks of any kind.
2. Incendiary devices.
3. Instruments designed to expel a projectile with the use of pressurized air, like a BB gun.
4. Razors.
5. Chains.
6. Martial arts throwing stars.

The possession or use of articles not generally considered to be weapons may be prohibited when the College President or designee determines that a danger exists for any student, College District employee, or College District property by virtue of possession or use.

Employees and students found to be in violation of this policy shall be subject to disciplinary action. [See [DH](#), [FM](#), and [FMA](#)]

Brazosport College Rules Regarding Concealed Carry on Campus

1) Introduction:

On June 13, 2015, Governor Greg Abbott signed into law Texas Senate Bill No. 11 (S.B. 11) or what is commonly referred to as the "Campus Carry" law. Once signed into law, S.B. 11 amended Texas Government Code 411.2031 to allow individuals who are licensed to carry a handgun by the State of Texas to carry a concealed handgun on the campus of Texas public institutions of higher education. This also modified Texas Penal Code 46.035. Any weapons which were listed as prohibited or illegal weapons are still prohibited on the property of institutions of higher education. Individuals who do not possess a valid License to Carry a Handgun are still prohibited from carrying handguns on campus. S.B. 11 went into effect for two (2) year institutions (community colleges) on August 1, 2017.

A task force consisting of administrators, faculty, staff and students was formed and maintained to discuss and develop this Policy/Procedure, allowing all areas of the college community to provide input into the

Conceal Carry Policy at Brazosport College. The task force followed the guidelines set forth in Subchapter H, Chapter 411 of the Government Code as a foundation for the development and maintenance of this policy in order to maintain the rights and privileges of all who utilize college resources. The task force developed a website, informational video, and survey tool that were shared with the campus community. Four forums were held in 2016 for students and the broader campus community to gather additional feedback from all stakeholders.

2) Policy:

This Policy will establish rules, regulations and provisions pertaining to the carry of concealed handguns by license holders on the campus of Brazosport College (the “College”) as well as any properties owned, leased, or controlled by Brazosport College including any campuses that may be established in the future.

- a) In accordance with Government Code Section 411.2031 and Texas Penal Code 46.035, Brazosport College recognizes the right of individuals who possess a license to carry concealed handguns to carry a concealed handgun on campus property and in buildings whether owned or leased by Brazosport College, unless otherwise prohibited by this policy.
- b) This policy applies to all faculty members, staff, students and visitors of the College, except for the officers of Brazosport College Police Department, any law enforcement officers who are working for the College through a contract or other law enforcement officers as allowed by law, and those other individuals described within this policy that may be exempt. It is the primary responsibility of the Brazosport College Police Department to enforce this policy utilizing both policies established by the Board of Regents and State Law as appropriate.

3) Definitions:

- a) Handgun – Any firearm that is designed, made, or adapted to be fired with one hand.
- b) Open Carry – Visible possession of a handgun in public
- c) Concealed Handgun – A Handgun that is not openly discernible to the ordinary observation of a reasonable person.
- d) Reveal – To intentionally or knowingly display a handgun, in whole or part, in plain view of another person in a public place.
- e) Gun Free Zone – An area of the Campus which may be all or part of a building or a room in which the possession of handguns are prohibited as provided in Campus Carry Appendix 1. Each restricted area requires that notice be given to license holders as specified under Texas Penal Code 30.06.
- f) License to Carry a Handgun – A License to Carry a Handgun issued by the Texas Department of Public Safety (TXDPS), under Texas Government Code 411, Subchapter H, including a valid conceal carry license issued by TXDPS.
- g) Disciplinary Action – Sanctions by the College, up to and including removal, probation, suspension, dismissal or termination for violation of codes of conduct or academic violations.
- h) Governmental Meeting – An “Open Meeting” with deliberation between a quorum of a governmental body, or between a quorum of a governmental body and another person, during which public business or public policy over which the governmental body has supervision or control is discussed or considered or during which the governmental body takes formal action; or that is conducted by the governmental body for which the governmental body is responsible as defined under chapter 551 of the Texas Government Code and the governmental entity provided notice as required by that chapter (Example: Board of Regents Meetings).
- i) On or about – Actual care, custody, control or management of a firearm under Texas Penal Code 1.07 (A) (39).

4) Procedures:

Failure to comply with any of the following procedures may result in Disciplinary Action and/or criminal prosecution.

A holder of a License to Carry may carry a concealed handgun on or about their person while on College property or in any buildings or properties owned, leased, rented, or otherwise under the control of Brazosport College except in areas that have been deemed Gun Free Zones under this policy. Handguns must be holstered and carried in a manner that would prevent accidental discharges. It is the responsibility of the License to Carry holder to conceal the handgun in a manner that does not allow it to be visible to another person in whole or part. Any person who does not have a valid License to Carry is prohibited from carrying a handgun on any portion of the college campus, its properties, or buildings whether it is concealed or not.

S.B. 11 does not require colleges to provide handgun storage for License to Carry holders. No handgun storage will be provided by Brazosport College. Lockers, cabinets, desks, closets and furnishings are property of Brazosport College and shall not be used to store a handgun. License to Carry holders have sole responsibility to secure their firearms in a manner compliant with the law. Should a CHL holder learn of a need to go to a gun-free zone, the CHL holder may lock the handgun in his or her vehicle or make other off-campus arrangements.

Any employee who is not required to carry a firearm as part of their specific assigned duties with the College, but who carries a concealed weapon as a License to Carry holder, is considered to be outside the scope of the duties and responsibilities of their employment with the College. Therefore, any employee who chooses to carry or use a firearm is acting in the employee's own accord and not as an agent or representative of the College.

The concealed handgun policies of Brazosport College and guest locations apply and must be adhered to by all persons who enter or use college property.

The following circumstances are prohibited or illegal:

- a) The possession of a weapon on campus while intoxicated.
- b) The possession of a weapon on campus in a designated Gun Free Zone under this policy.
- c) The carrying of a handgun while traveling in a College owned or leased vehicle on a College sponsored trip is prohibited.
- d) The carrying of a handgun on campus in an unconcealed manner, also known as "Open Carry," is prohibited. Authorized members of the Brazosport College Police Department, other law enforcement officers and other persons designated appropriate by law enforcement authorities are exempt.
- e) Intentionally revealing a handgun on campus is prohibited and subject to Disciplinary Action and/or criminal prosecution.
- f) With the exception of authorized Brazosport College Police Department personnel, no College employee should inquire whether or not a person is carrying a concealed weapon or whether the person possesses a License to Carry.
- g) It may be considered a threat under some circumstances if a person states they are a concealed carry person or they possess a License to Carry in an attempt to intimidate another.
- h) Discharging a weapon on campus whether intentional or unintentional, other than in defense of one's self or others, could be grounds for Disciplinary Action.
- i) Violating the illegal weapon and other weapons prohibitions of Chapter 46 of the Texas Penal Code.

5) Gun Free Zones:

This portion of the Policy clarifies the areas on Brazosport College Campus or properties owned, leased or rented by Brazosport College, which are deemed Gun Free Zones and thus the carrying of a concealed handgun inside the defined locations is prohibited by this policy. Any further mention of properties owned, leased or rented by Brazosport College in this policy/procedure will be referred to as "campus" unless otherwise stated. There are two types of Gun Free Zones under this policy. One

is of a permanent nature and the second is temporary. A permanent Gun Free Zone is one that meets the requirements of a Gun Free Zone on a constant, daily basis. A temporary Gun Free Zone is a building, room, or area used for a short period of time, which meets the requirements of a Gun Free Zone only periodically when a specific event occurs so as to make it a Gun Free Zone for that period of time.

Appendix 1 – Pertains to Permanent Gun Free Zones.

Appendix 2 – Pertains to Temporary Gun Free Zones.

All noted Appendixes can be located, along with a copy of the policy noted above at [Campus Carry](#)

6) Signage for Gun Free Zones:

All areas deemed Gun Free Zones or Temporary Gun Free Zones must have written notice conspicuously placed at the entrance and must be clearly visible giving notice that the premise is a Prohibited Conceal Carry location or Gun Free Zone. Written notice must be given as to where those with a License to Carry may not carry handguns. Notice for the Gun Free Zone must be given on a card, document or sign that contains the language exactly as specified in Section 30.06 of the Texas Penal Code:

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

When signage is posted to declare an area or room a Gun Free Zone, the sign must meet the minimum statutory requirements:

- Must include the above listed language in both English and Spanish;
- Constructed in contrasting colors with at least 1” block lettering; and
- Be displayed in a conspicuous manner clearly visible to the public.

7) Request for a Gun Free Zones:

A written request may be made to the President for a gun free zone at a special event as allowed by the Texas Penal Code, including Texas Penal Code §46.035(b)(2), relating to high school, collegiate, or professional sporting event or interscholastic event, and §46.035(c), relating to open meetings of a governmental entity. The written request shall be presented to the Office of the President at least twenty (20) business days before the event. A form for such requests is attached as Appendix 3.

Anyone found violating this College policy shall be subject to the disciplinary procedures applicable to students or employees and/or criminal prosecution by the appropriate jurisdiction.

Brazosport College Alcohol and Drug Policies

In compliance with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law L01 - 226), the following information is provided to you. Please read it carefully so that you are aware of college regulations and other information pertaining to the illicit use of drugs and abuse of alcohol by students. If you have questions concerning any of the information, please contact the Office of the Dean of Student Services at 979-230-3233.

Standards of Conduct

Please review the standards of conduct that prohibit the unlawful possession, use, or distribution of drugs and alcohol by students on our campus. Be governed by this information while you are a student at Brazosport College.

Alcohol Policy

The possession, sale or the furnishing of alcohol on the Brazosport College campus is governed by the

Brazosport College Board Policies [FLBE](#) (regarding students), [DH](#) (regarding employees) and [GD](#) (LOCAL) (regarding community use of the facilities). Only in certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by Brazosport College Police Department. Violators are subject to Brazosport College disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the Brazosport College Board Policies for anyone to consume or possess alcohol in any public or private area of campus without Brazosport College approval.

Drug Policy

It is the policy of the College that the unlawful manufacture, distribution, dispensation, sale, possession or use of a controlled substance (as defined in 21 U.S. C. 812 and 21 CFR 1300.15) by employees and students in the workplace, on the campus, or as part of any College sponsored business activities and/or student activities off College premises, is prohibited. BCPD enforces all federal and state drug laws pertaining to the possession, use and sale of illegal drugs. Statement: The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the BCPD. Violators are subject to Brazosport College disciplinary action, criminal prosecution, fine and imprisonment.

Arrest and Disciplinary Referrals for Violation of Weapon, Drug Abuse and Liquor Laws

The Clery Act requires Brazosport College to separately report statistics for arrests and, if an arrest is not made, for referrals to a Brazosport College official for disciplinary action (an action for which a record is kept and may result in a sanction), with respect to the following violations:

1. *Weapon: Carrying, Possessing, Etc.*
The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
2. *Drug Abuse Violations*
Drug abuse violations include: (1) the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use; (2) the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance; and/or (3) arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.
3. *Liquor Law Violations*
The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.
4. *Referred for Disciplinary Action*
Defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction. This may also be referred to as “disciplinary action”, “mediation”, “judicial process”, or some other term.

Local, State, & Federal Law for Unlawful Possession, Use, or Distribution of Illicit Drugs; and Alcohol Abuse

The controlled substances listed below are grouped into felonies and misdemeanors. This list of controlled substances is not a complete list of illegal drugs, but represents the most common controlled substances found on college campuses. In some instances, the amount of controlled substances

determines the degree of penalty. A felony is an offense for which the person could be sentenced to a term in the penitentiary. A state jail felony is an offense for which a person could be sentenced to confinement in a State Jail for a term not more than 2 years or less than 180 days. The person can additionally be fined up to \$10,000.

A misdemeanor is an offense in which the person could be sentenced to time in a county jail or a fine or a combination of both fine and county jail time.

Felony – Deliver / Sale and Possession

- Cocaine
- “LSD” (Lysergic Acid Diethylamide)
- “Ecstasy”/MDMA(4-Methylenedioxy Methamphetamine)
- Methamphetamine
- Amphetamine
- Methaqualone
- Benzodiazepines (Delivery/sale only)
- Heroin
- Methadone
- Marijuana
 - More than 4 ounces, less than 5 pounds
 - Delivery to a minor
- Flunitrazepam (Rohypnol)
 - Distribution any amount
 - Possession: 28 grams or more

Misdemeanor - Possession

- Benzodiazepines
- Phenobarbital
- Marijuana
 - Four (4) ounces or less
 - Delivery/sale of 1/4 ounce or less

Drug Free Zones

Institution of higher learning means any public or private technical institute, junior college, senior college, or university, medical or dental unit, or other agency of higher education as defined by Section 61.003, Education Code.

An offense otherwise punishable as a state jail felony under Section 481.112, 481.113, 481.114, or 481.120 is punishable as a felony of the third degree, and an offense otherwise punishable as a felony of the second degree under any of those sections is punishable as a felony of the first degree, if it is shown at the punishment phase of the trial of the offense that the offense was committed: in, on, or within 1,000 feet of premises owned, rented, or leased by an institution of higher learning.

The above information is found in the Penal Laws of Texas, Subtitle C., Texas Health and Safety Code (Controlled Substances Act, Dangerous Drugs Act, Simulated Controlled Substances, Volatile Chemicals and Abusable Glue and Aerosol Paint).

Rules concerning penalties for drug abuse and alcohol are subject to changes in state law. Students will be responsible for any changes that have occurred since publication of this document.

Health Risk Associated with Use of Illicit Drugs and the Abuse of Alcohol:

Alcohol

1. Alcohol depresses the central nervous system. Prolonged alcohol abuse permanently impairs brain and nerve function.
2. Alcohol causes facial flushing, which becomes constant in heavy drinkers.
3. Prolonged heavy drinking can cause coronary heart disease, hypertension, heart failure, and stroke.
4. Irritation from large amounts of alcohol can cause gastritis and ulcers.
5. Alcohol acts as a diuretic, increasing urine output. Prolonged heavy drinking can cause renal failure.
6. Alcohol increases sexual confidence, but high levels cause impotence.
7. The liver is the main organ responsible for metabolizing alcohol in the blood. It manifests many of the long-term effects of heavy drinking. These effects include fatty liver, hepatitis, cirrhosis, and liver cancer.
8. Cirrhotic liver is a condition commonly caused by heavy drinking, bands of scar tissue form in the liver impairing its function.
9. Development of dependency includes a loss, or lack of control over alcohol. The drinker can no longer be certain of discontinuing drinking whenever he or she wants to due to physiological dependence. This results in prolonged bouts of intoxication with the drinker suffering observable mental or physical complications.

Drug Abuse

1. Drug dependence may cause physical problems.
2. Mental problems, such as anxiety and depression, are common during withdrawal. Dependence may also be associated with drug tolerance, in which an increasingly higher dose of the substance is needed to produce the desired effect.
3. Complications may occur as an indirect result of dependence. For example, people who inject a narcotic drug may get sick and die as a result of an infection, such as hepatitis or AIDS, introduced into the bloodstream on a dirty needle.
4. Abusers may suffer from an overdose because of confusion about the dosage or because they take a purer, more potent preparation than they are used to.
5. In severe cases of substance abuse, social problems result from the disruption to family life, to Employment and from criminal acts carried out to pay for drugs.

The above information was taken from The American Medical Association Home Medical Encyclopedia, 1989 edition, published by Random House, Inc., New York.

Drug and Alcohol Counseling

Brazosport College has worked cooperatively with the Bay Area Council on Drugs and Alcohol (BACODA) to help individuals, families, and communities stop alcohol/drug abuse and addiction. BACODA offers services such as screening, motivational counseling, and referrals to help individuals and families return to a healthy track for productive lives. Educational programs are also available.

To learn more about how BACODA can help you and your community, visit their website at www.bacoda.org or call 1-800-510-3111. For more information on other programs and services within the community, students should contact a counselor or the Dean of Student Services at 979-230-3233.

Please note: All persons who visit the college campus, including students and employees, are reminded that Brazosport College is within the Drug-Free zone as defined for inclusion purposes in Section 61.003, Texas Education Code - "Institution of higher education" means any public or private technical institute,

junior college, senior college or university, medical or dental unit or other agency of higher education.

Any person involved in an act of substance abuse in, on or within 1,000 feet of the premises owned, rented or leased by Brazosport College, will be subject to punishment as defined and published in the Texas Penal Code.

Sexual Misconduct Policies, Services, Resources and Protocols

Introduction

Sexual misconduct of any kind or any form of violence is inconsistent with the College's values and incompatible with the safe, healthy environment that the College community expects. All members of this community share responsibility for creating and maintaining an environment which promotes the safety and dignity of each individual. The most egregious form of sexual harassment and misconduct is sexual assault, which is an affront to justice that will not be tolerated at Brazosport College. Federal laws view sexual misconduct, sexual assault, and related violence as forms of sexual harassment and discrimination prohibited under Title VII of the Civil Rights Act, Title IX of Education Amendments of 1972, and the Violence Against Women Reauthorization Act. Sexual misconduct, sexual assault, and related violence also violate state law as well as College policy. Employees, students, or guests found responsible for sexual misconduct, sexual assault, or related violence will ordinarily face outcomes up to and including dismissal from the College and may include criminal prosecution.

The College believes that no person should bear the effects of sexual misconduct, sexual assault, or related violence alone. When sexual misconduct, sexual assault or some form of related violence occurs, the College's paramount concern is for the safety, health and well-being of those impacted. To support and assist employees and students, the College provides a wide range of services and resources. Please see the section below on Campus and Local Resources for Medical and Counseling Care.

BC is committed to enforcing all laws and regulations that deal with sexual assault, including acquaintance rape. Whenever a victim reports an alleged sexual assault violation, the College will inform the victim of the following:

- The options to notify law enforcement authorities and the assistance to do so;
- The existing counseling, mental health, or student services for victims of sexual assault both on and off campus including BC Counseling Services and the Women's Center of Brazoria County;
- The opportunities and assistance to change academic arrangements after an alleged sexual assault, if reasonably available. The Title IX Coordinator working in conjunction with the Provost/Vice President for Academic and Student Affairs should be contacted for any change in the academic arrangements.

If you feel you are the victim of a sexual assault, domestic violence, dating violence or stalking, the Campus Police Department will guarantee the following:

- We will meet with you privately, at a time and place of your choice, to take your report.
- We cannot and will not notify your parents without your consent if you are 18 years of age or older.
- Our officers will not prejudice you, and you will not be blamed for what occurred.
- We will treat you and your case with courtesy, sensitivity, dignity, understanding and professionalism.
- We will assist you in arranging for any necessary hospital treatment or other medical needs.
- If you would feel more comfortable talking with a friend or advocate of your choice present, we will do our best to accommodate your request.
- We will assist you in the process of obtaining an order of protection or campus no contact order.
- We will consider your case seriously, regardless of your gender or the gender or status of the

suspect.

In proving a criminal offense, evidence is crucial. Some suggestions in safeguarding potential evidence of intimate partner violence include:

- Do not clean up the area or alter it in any way prior to police arrival.
- Do not bathe, shower, or douche.
- Do not change clothes prior to the medical examination.
- Do not delete text messages or other electronic media related to the incident.

If a victim chooses not to pursue criminal prosecution, the College can initiate disciplinary action that may result in sanctions ranging from a reprimand to expulsion. In cases of alleged sexual assault, the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding and both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceedings alleging a sexual assault. The final result includes only the name of the student, the violation committed and any sanction imposed by the institution against the student.

Brazosport College does not tolerate any retaliation against anyone who exercises rights under the Clery Act and Title IX of the Civil Rights Act.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

Brazosport College is required to report crime statistics as defined by the Clery Act for the following crimes if the crimes are reported and occur in geographic locations as defined above.

Unfounded Crime Reports – According to Uniform Crime Report (UCR) guidelines, a reported offense can be cleared as unfounded by a sworn law enforcement authority “if the investigation shows that no offense occurred nor was attempted.” These cases thus remain as official crime reports and are included in the departmental statistics; however, they are explicitly labeled as “unfounded” cases within UCR reports on the various index crimes. According to UCR guidelines, the statistics on unfounded cases should include crime reports that are either False or Baseless.

Murder/Non-Negligent Manslaughter – The killing of one human being by another.

Manslaughter by Negligence – The killing of another person through gross negligence.

The Federal definition (from VAWA) of Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.
- **Fondling:** The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** 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.

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

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.

Burglary – The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft – The theft or attempted theft of a vehicle.

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, or personal property of another.

Domestic Violence, Dating Violence, and Stalking additions from the 2014 VAWA Negotiated Rulemaking Final Consensus Language:

The Federal definition (from VAWA) of **Domestic Violence**: 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

The Federal definition (from VAWA) of **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
- The existence of such a relationship shall be determined based on the reporting party’s statement with consideration of:
 - the length of the relationship;
 - the type of relationship;
 - the frequency of interaction between the persons involved in the relationship
- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse
- Dating violence does not include acts covered under the definition of domestic violence

The Federal definition (from VAWA) of **Stalking**: engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for the person’s safety or the safety of others; or
- suffer substantial emotional distress

For the purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling

Hate Crimes

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

1. **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
2. **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, e.g., Catholics, Jews, Protestants, Atheists.
3. **Sexual Orientation.** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.
4. **Gender.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
5. **Gender Identity.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
6. **Ethnicity.** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.
7. **National Origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
8. **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Note: Even if the offender was mistaken in their perception that the victim was a member of the group the offender was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

Sexual Assault

Sexual assault is defined as intentionally or knowingly causing physical sexual contact or sexual penetration of another person without that person's consent. Sexual assault is without consent of the other person if the actor compels the other person to submit or participate by the use of physical force or violence, or threat of force or violence, and the other person believes the actor has the present ability to execute the threat; or the other person cannot consent. [Texas Penal Code 22.011]

Sexual assault may include any intentional sexual touching, however slight, including with any object. It may also include intentional contact with the breasts, groin, genitals, mouth, or touching another with any of these body parts, or making another touch the accused or themselves with or on any of these body parts.

The following is the definition of Sexual Assault under Texas Penal Code 22.011:

Sec. 22.011. SEXUAL ASSAULT.

(a) A person commits an offense if:

- (1) the person 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) regardless of whether the person knows the age of the child at the time of the offense, the person 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.
- (b) A sexual assault under Subsection (a)(1) 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, violence, or coercion;
 - (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person or to cause harm to 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.
- (c) In this section:
 - (1) "Child" means a person younger than 17 years of age.
 - (2) "Spouse" means a person who is legally married to another.
 - (3) "Health care services provider" means:
 - (A) a physician licensed under Subtitle B, Title 3, Occupations Code;
 - (B) a chiropractor licensed under Chapter 201, Occupations Code;
 - (C) a physical therapist licensed under Chapter 453, Occupations Code;
 - (D) a physician assistant licensed under Chapter 204, Occupations Code; or

- (E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter [301](#), Occupations Code.
- (4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:
- (A) licensed social worker as defined by Section [505.002](#), Occupations Code;
 - (B) chemical dependency counselor as defined by Section [504.001](#), Occupations Code;
 - (C) licensed professional counselor as defined by Section [503.002](#), Occupations Code;
 - (D) licensed marriage and family therapist as defined by Section [502.002](#), Occupations Code;
 - (E) member of the clergy;
 - (F) psychologist offering psychological services as defined by Section [501.003](#), Occupations Code; or
 - (G) special officer for mental health assignment certified under Section [1701.404](#), Occupations Code.
- (5) "Employee of a facility" means a person who is an employee of a facility defined by Section [250.001](#), Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.
- (d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.
- (e) It is an affirmative defense to prosecution under Subsection (a)(2):
- (1) that the actor was the spouse of the child at the time of the offense; or
 - (2) that:
 - (A) the actor was not more than three years older than the victim and at the time of the offense:
 - (i) was not required under Chapter [62](#), Code of Criminal Procedure, to register for life as a sex offender; or
 - (ii) was not a person who under Chapter [62](#), Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and
 - (B) the victim:
 - (i) was a child of 14 years of age or older; and
 - (ii) was not a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section [25.01](#).
- (f) An offense under this section is a felony of the second degree, except that an offense under this section is a felony of the first degree if the victim was a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section [25.01](#).

Aggravated Sexual Assault

Aggravated sexual assault is defined under Texas law as encompassing the above situations and including: where the perpetrator causes serious bodily injury or attempts to cause the death of the victim or another in the course of the same criminal episode; the perpetrator, by acts or words, places the victim in fear that the victim or any person will become the victim of a human trafficking offense or that death, serious bodily injury or kidnapping will be immediately inflicted on any person; the perpetrator uses or exhibits a deadly weapon during the criminal episode; the accused acts in concert with another who engages in the conduct described above toward the same victim and occurring during the course of the same criminal episode; the perpetrator administers or provides flunitrazepam (known as rohypnol), gamma hydroxybutyrate or ketamine to the victim of the offense with the intent of facilitating the commission of the offense; where the victim is younger than 14 years of age; where the victim is an elderly individual or a disabled individual; or the actor is presumed to have known the person assaulted

was a public servant or a security officer if the person was wearing a distinctive uniform or badge indicating the person's employment as a public servant or status as a security officer.

The following is the definition of Aggravated Sexual Assault under Texas Penal Code 22.011:

Sec. 22.021. AGGRAVATED SEXUAL ASSAULT.

(a) A person commits an offense:

(1) if the person:

(A) intentionally or knowingly:

(i) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;

(ii) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or

(iii) 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

(B) regardless of whether the person knows the age of the child at the time of the offense, intentionally or knowingly:

(i) causes the penetration of the anus or sexual organ of a child by any means;

(ii) causes the penetration of the mouth of a child by the sexual organ of the actor;

(iii) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;

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

(v) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor; and

(2) if:

(A) the person:

(i) causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode;

(ii) by acts or words places the victim in fear that any person will become the victim of an offense under Section 20A.02(a) (3), (4), (7), or (8) or that death, serious bodily injury, or kidnapping will be imminently inflicted on any person;

(iii) by acts or words occurring in the presence of the victim threatens to cause any person to become the victim of an offense under Section 20A.02(a) (3), (4), (7), or (8) or to cause the death, serious bodily injury, or kidnapping of any person;

(iv) uses or exhibits a deadly weapon in the course of the same criminal episode;

(v) acts in concert with another who engages in conduct described by Subdivision (1) directed toward the same victim and occurring during the course of the same criminal episode; or

(vi) with the intent of facilitating the commission of the offense, administers or provides to the victim of the offense any substance capable of impairing the victim's ability to appraise the nature of the act or to resist the act;

(B) the victim is younger than 14 years of age, regardless of whether the person knows the age of the victim at the time of the offense; or

(C) the victim is an elderly individual or a disabled individual.

(b) In this section:

(1) "Child" has the meaning assigned by Section 22.011(c).

(2) "Elderly individual" has the meaning assigned by Section 22.04(c).

- (3) "Disabled individual" means a person older than 13 years of age who by reason of age or physical or mental disease, defect, or injury is substantially unable to protect the person's self from harm or to provide food, shelter, or medical care for the person's self.
- (c) An aggravated sexual assault under this section is without the consent of the other person if the aggravated sexual assault occurs under the same circumstances listed in Section 22.011(b).
- (d) The defense provided by Section 22.011(d) applies to this section.
- (e) An offense under this section is a felony of the first degree.
- (f) The minimum term of imprisonment for an offense under this section is increased to 25 years if:
- (1) the victim of the offense is younger than six years of age at the time the offense is committed;
 - or
 - (2) the victim of the offense is younger than 14 years of age at the time the offense is committed and the actor commits the offense in a manner described by Subsection (a)(2)(A).

Domestic Violence

The state of Texas does not have a specific definition for domestic violence. A person is guilty of domestic assault in Texas if they commit an assault against a family member, household member, or a current or past dating partner. An assault consists of:

1. Intentionally, knowingly, or recklessly causing bodily injury to another person;
2. Intentionally or knowingly threatening another person with imminent bodily injury; or
3. Intentionally or knowingly causing physical contact with another that the offender knows or reasonably should know the victim will find provocative or offensive.

A person commits aggravated domestic assault if they intentionally, knowingly, or recklessly causes serious bodily injury to a family member, household member, or a current or past dating partner, or uses or exhibits a deadly weapon in the course of committing the assault crime. [Texas Penal Code 22.01] "Domestic violence" requires more than just two people living together. The individuals must be family members, former spouses, a parent of a child in common, or in a romantic relationship.

The following is the definition of Assault under Texas Penal Code 22.01:

Sec. 22.01. ASSAULT.

- (a) A person commits an offense if the person:
- (1) intentionally, knowingly, or recklessly causes bodily injury to another, including the person's spouse;
 - (2) intentionally or knowingly threatens another with imminent bodily injury, including the person's spouse; or
 - (3) intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.
- (b) An offense under Subsection (a) (1) is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against:
- (1) a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant;
 - (2) a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code, if:
 - (A) it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this chapter, Chapter 19, or Section 20.03, 20.04, 21.11, or 25.11 against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code; or

- (B) the offense is committed by intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of the person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth;
 - (3) a person who contracts with government to perform a service in a facility as defined by Section 1.07(a)(14), Penal Code, or Section 51.02(13) or (14), Family Code, or an employee of that person:
 - (A) while the person or employee is engaged in performing a service within the scope of the contract, if the actor knows the person or employee is authorized by government to provide the service; or
 - (B) in retaliation for or on account of the person's or employee's performance of a service within the scope of the contract;
 - (4) a person the actor knows is a security officer while the officer is performing a duty as a security officer;
 - (5) a person the actor knows is emergency services personnel while the person is providing emergency services; or
 - (6) a pregnant individual; to force the individual to have an abortion.
- (b-1) Notwithstanding Subsection (b), an offense under Subsection (a)(1) is a felony of the third degree if the offense is committed:
- (1) while the actor is committed to a civil commitment facility; and
 - (2) against:
 - (A) an officer or employee of the Texas Civil Commitment Office:
 - (i) while the officer or employee is lawfully discharging an official duty at a civil commitment facility; or
 - (ii) in retaliation for or on account of an exercise of official power or performance of an official duty by the officer or employee; or
 - (B) a person who contracts with the state to perform a service in a civil commitment facility or an employee of that person:
 - (i) while the person or employee is engaged in performing a service within the scope of the contract, if the actor knows the person or employee is authorized by the state to provide the service; or
 - (ii) in retaliation for or on account of the person's or employee's performance of a service within the scope of the contract.

Text of subsection as added by Acts 2017, 85th Leg., R.S., Ch. 34 (S.B. 1576), Sec. 27

- (b-2) Notwithstanding Subsection (b) (2), an offense under Subsection (a) (1) is a felony of the second degree if:
- (1) the offense is committed against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code;
 - (2) it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this chapter, Chapter 19, or Section 20.03, 20.04, or 21.11 against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code; and
 - (3) the offense is committed by intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of the person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth.

Text of subsection as added by Acts 2017, 85th Leg., R.S., Ch. 440 (H.B. 2908), Sec. 3

- (b-2) Notwithstanding Subsection (b) (1), an offense under Subsection (a)(1) is a felony of the second degree if the offense is committed against a person the actor knows is a peace officer or judge while the

officer or judge is lawfully discharging an official duty or in retaliation or on account of an exercise of official power or performance of an official duty as a peace officer or judge.

(c) An offense under Subsection (a) (2) or (3) is a Class C misdemeanor, except that the offense is:

(1) a Class A misdemeanor if the offense is committed under Subsection (a)(3) against an elderly individual or disabled individual, as those terms are defined by Section 22.04;

(2) a Class B misdemeanor if the offense is committed by a person who is not a sports participant against a person the actor knows is a sports participant either:

(A) while the participant is performing duties or responsibilities in the participant's capacity as a sports participant; or

(B) in retaliation for or on account of the participant's performance of a duty or responsibility within the participant's capacity as a sports participant; or

(3) a Class A misdemeanor if the offense is committed against a pregnant individual to force the individual to have an abortion.

(d) For purposes of Subsection (b), the actor is presumed to have known the person assaulted was a public servant, a security officer, or emergency services personnel if the person was wearing a distinctive uniform or badge indicating the person's employment as a public servant or status as a security officer or emergency services personnel.

(e) In this section:

(1) "Emergency services personnel" includes firefighters, emergency medical services personnel as defined by Section 773.003, Health and Safety Code, emergency room personnel, and other individuals who, in the course and scope of employment or as a volunteer, provide services for the benefit of the general public during emergency situations.

(2) Repealed by Acts 2005, 79th Leg., R.S., Ch. 788 (S.B. 91), Sec. 6, eff. September 1, 2005.

(3) "Security officer" means a commissioned security officer as defined by Section 1702.002, Occupations Code, or a noncommissioned security officer registered under Section 1702.221, Occupations Code.

(4) "Sports participant" means a person who participates in any official capacity with respect to an interscholastic, intercollegiate, or other organized amateur or professional athletic competition and includes an athlete, referee, umpire, linesman, coach, instructor, administrator, or staff member.

(f) For the purposes of Subsections (b)(2)(A) and (b-2)(2):

(1) a defendant has been previously convicted of an offense listed in those subsections committed against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code, if the defendant was adjudged guilty of the offense or entered a plea of guilty or nolo contendere in return for a grant of deferred adjudication, regardless of whether the sentence for the offense was ever imposed or whether the sentence was probated and the defendant was subsequently discharged from community supervision; and

(2) a conviction under the laws of another state for an offense containing elements that are substantially similar to the elements of an offense listed in those subsections is a conviction of the offense listed.

(g) If conduct constituting an offense under this section also constitutes an offense under another section of this code, the actor may be prosecuted under either section or both sections.

Dating Violence

Dating violence is a violent act committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

The following is the definition of Dating Violence under Texas Family Code 71.0021:

Sec. 71.0021. DATING VIOLENCE.

(a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:

(1) is committed against a victim:

(A) with whom the actor has or has had a dating relationship; or

(B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

(2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

(1) the length of the relationship;

(2) the nature of the relationship; and

(3) the frequency and type of interaction between the persons involved in the relationship.

(c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

Stalking

Stalking is a pattern of repeated and unwanted attention, harassment, contact or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

1. No person may intentionally stalk another person.
2. It is not a defense that the actor was not given actual notice that the person did not want the actor to contact or follow the person; nor is it a defense that the actor did not intend to frighten, intimidate, or harass the person. An attempt to contact or follow a person after being given actual notice that the person does not want to be contacted or followed is prima facie evidence that the actor intends to stalk that person.

The following is the definition of Stalking under Texas Penal Code 42.072:

Sec. 42.072. STALKING.

(A) 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, 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.

(B) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense

under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:

1. the laws of another state;
2. the laws of a federally recognized Indian tribe;
3. the laws of a territory of the United States; or
4. federal law

Brazosport Colleges' Definition of Consent as it Relates to Sexual Activity

Affirmative consent is a clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity. Silence or lack of resistance does not constitute consent. Obtaining consent is the responsibility of the person(s) initiating each specific sexual act regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent to any sexual act or prior consensual sexual activity between or with any party does not constitute consent to any other sexual act. The definition of consent does not vary based on a participant's sex, sexual orientation, gender identity, or gender expression. Consent may be initially given but withdrawn at any time.

Consent cannot be given when a person is mentally disabled or incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary), the lack of consciousness, being asleep, or being involuntarily restrained. Consent does not exist when it is the result of any coercion, intimidation, force, or threat of harm. Consent does not exist when the accused misrepresents his or her true identity to the victim.

Under the Texas Penal Code, victims under the age of 17 cannot give consent as a matter of law. However, it is an affirmative defense to criminal prosecution that the offender was not more than three years older than the victim and of the opposite sex; did not use duress, force, or a threat against the victim at the time of the offense; and was not a registered sex offender.

The definition of consent is included in Brazosport College's Freedom From Discrimination, Harassment, and Retaliation policy, [FFDA](#) (Local). The definition of consent is used define instances of sexual harassment, including sexual assault and sexual exploitation.

The following is the definition of Consent under Texas Penal Code 1.07:

Sec. 1.07. Definitions:

- (a) In this code:
 - (11) "Consent" means assent in fact, whether express or apparent.
 - (19) "Effective consent" includes consent by a person legally authorized to act for the owner. Consent is not effective if:
 - (A) induced by force, threat, or fraud;
 - (B) given by a person the actor knows is not legally authorized to act for the owner;
 - (C) given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable decisions; or
 - (D) given solely to detect the commission of an offense.

Confidential Resources

Full-time Employees may access confidential, professional mental health counseling assistance through the College's Health Care Provider. Confidential support for students and part-time employees is offered by off-campus community health providers and/or off-campus rape crisis resources. Students may obtain information about confidential, professional mental health counseling assistance through the College's Title IX Coordinators. Such assistance will remain confidential except within the following limiting circumstances:

- Risk of probable imminent physical or emotional harm to self or physical harm to another;
- Having cause to believe that a child, elderly individual or an individual with a disability has been or may be abused, neglected or exploited physically, emotionally or sexually;
- If there is a report by a patient/client or former patient/client of sexual exploitation by a mental health service provider;
- If a court-ordered subpoena demands release of information.

Parameters of Confidentiality and Mandated Title IX Investigations

In all instances and to the extent possible, the College will protect the privacy of all parties to a report of sexual misconduct or sexual assault. That said, under federal law, College officials (unless they are considered a Confidential Resource) who receive a report of sexual assault, whether from the employee or student involved or a third party, must share that information with the appropriate College authorities for investigation and follow-up. The College is obligated under the law to investigate the complaint, to take action to eliminate sexual misconduct, sexual harassment, and sexual assault, prevent its recurrence and address its effects. An administrative investigation under Title IX must be initiated if the College has enough information to reasonably determine key facts, e.g., time, date, location and names of parties involved in an alleged incident. This administrative investigation will be conducted by the Title IX Coordinator or designee, and will include a review of obtained statements, interviews with both parties, interviews with witnesses as appropriate, and review of relevant documentary evidence. Depending on the circumstances alleged, the College may be obligated to conduct this investigation regardless of the complainant's requests that there be no investigation.

Sexual Misconduct Offenses

Sexual misconduct offenses that are prohibited are:

- **Non-consensual sexual contact**, which is any sexual touching with any object, by any person upon another, without consent. Sexual touching is contact of a sexual nature, however slight.
- **Non-consensual sexual intercourse**, which is any sexual intercourse by any person upon another without consent. It includes oral, anal and vaginal penetration, to any degree, with any object. It is referred to as "sexual assault" in this policy.

Other forms of sexual misconduct include, but are not limited to:

- Sexual harassment
- Sexual exploitation
- Sexual intimidation and indecent exposure
- Sexual exhibitionism
- Sex-based cyber-harassment
- Prostitution or the solicitation of a prostitute
- Peeping or other voyeurism
- Going beyond the boundaries of consent, e.g., by allowing others to view consensual sex or the non- consensual video, photography or audiotaping of sexual activity
- Distribution of pornographic material

How to Be an Active Bystander:

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list² of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, call BCPS at (979) 230-3030 or by dialing 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction:

Effective crime prevention is often a matter of common sense and being aware of one’s surroundings. With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment.

- **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- **Walk with purpose**. Even if you don’t know where you are going, act like you do.
- **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
- **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- **Make sure your cell phone is with you** and charged and that you have cash money.
- **Don’t allow yourself to be isolated** with someone you don’t trust or someone you don’t know.
- **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- **Don’t leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.
- **Don’t accept drinks from people you don’t know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
- **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place

¹ Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

²Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

immediately.

- **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
 - **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
 - **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
 - **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.
 - **Walk with friends** in well-lighted areas.
 - **Park** in well-lighted areas.
 - **Have your keys ready** when you approach your car and check the front and back seats before entering.
 - **Keep your keys secure, lock your room or apartment** and do not leave personal belongings unattended.
 - **Engrave** your name or identification on personal property
 - **If you are followed,** cross the street, change direction, and go to a well-lighted area.
 - **Report the loss or theft** of keys and valuables immediately to BCPD at 979-230-3030.

Report crimes, suspicious activity and security concerns immediately to BCPD at 979-230-3030 or at on campus extension 3030.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking:

Brazosport College is committed to providing a safe learning and work environment for the entire campus community. Brazosport College programs consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns to prevent dating violence, domestic violence, sexual assault, and stalking which:

- Clearly communicate that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
- Provide the definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- Define consent and describe what behaviors and actions constitute consent, in reference to sexual activity as defined by the student and employee codes of conduct;
 - Affirmative "consent" is a clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity. Refer to Brazosport College policy Freedom from Discrimination, Harassment, and Retaliation – Sex and Sexual Violence FFDA (LOCAL) for the full definition of "consent".

- Provide a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
- Provide information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provides an overview of information contained in the Annual Security and Fire Safety Report in compliance with the Clery Act.
- Provide information regarding:
 - procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this Annual Report);
 - how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report);
 - existing counseling, health, mental health, victim advocacy, student financial aid, and other services available for victims, both in the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report); and
 - options for, available assistance in, and how to request changes to academic, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report);
 - procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this Annual Report).

Primary Prevention and Awareness Programs:

Brazosport College conducts programs to prevent dating violence, domestic violence, sexual assault, and stalking through the following avenues:

- All first time in college students at Brazosport College are required to complete New Student Orientation, which includes an online training module focused on prevention and awareness of dating violence, domestic violence, sexual assault, and stalking. The module details definitions, includes videos related to domestic violence, dating violence, and bystander intervention, and contains contact information for various campus and community resources. Further, the module presents information about bystander intervention and instructs students on what steps they should take if they encounter a situation of sexual misconduct.
- Passive awareness campaigns are conducted through providing literature and resource information related to domestic violence, dating violence, sexual assault, and stalking around campus and on the Brazosport College webpage.
- All new employees are required to attend a training session on preventing harassment and discrimination conducted by Brazosport College’s legal counsel, Thompson & Horton LLP. Additionally, an online sexual harassment and discrimination training module is available for employees at Brazosport College.
- Brazosport College Campus Safety Department offers a free escort service to any student wishing to be accompanied to their car or classroom on campus. This service is advertised in the online New Student Orientation module and the campus security phone number is widely publicized on

all bulletin boards around campus as well as listed on the BC webpage and the Student Guide and Calendar.

Ongoing Prevention and Awareness Campaigns

Brazosport College is committed to providing a safe learning and work environment for the entire campus community. Brazosport College conducts ongoing prevention and awareness campaigns through the following avenues:

- Sexual misconduct webpage, www.brazosport.edu/sexualmisconduct which contains information on sexual misconduct and resolution policies and procedures, process for reporting instances of sexual misconduct, campus and community resources, and a guide for faculty and staff members.
- A notification regarding BC policies and procedures regarding sexual misconduct is distributed to all current students each fall and spring semester.
- Flyers detailing Title IX policies, reporting options, and Coordinator contact information are hung on all bulletin boards across campus.
- Information regarding gender discrimination and sexual harassment is included in English and Spanish in the Student Guide and Calendar which is available both online and in printed copies.
- Resource materials covering topics such as confronting sexual assault, LGBTQI survivors of sexual assault, male survivors of sexual assault, campus and community resources for victims of dating violence, domestic violence, sexual assault, and stalking, and Brazosport College's policies and procedures for sexual misconduct are accessible outside the Office of Student Life, in the BC Police Department, with the Dean of Student Services, and all members of the BC Care Team.
- New Student Orientation online training module covers definitions of and information related to dating violence, domestic violence, sexual assault, and stalking, as well as contact information for campus and community resources. Further, the module presents information about bystander intervention and instructs students on what steps they should take if they encounter a situation of sexual misconduct.
- The topics of dating violence, domestic violence, sexual assault, and stalking are covered in annual training required for student organization officers and advisors. The training also covers resources and how to report incidents of sexual harassment and discrimination.

General Crime Prevention and Awareness Programs

BCPD Offers a variety of crime prevention programs to our community members throughout the year as part of the National Crime Prevention Month activities observed in October or at the request of college department, student organizations, or individual faculty or staff. These programs include:

- **Coffee/Donut with a Cop** – Open agenda meeting on campus in an informal setting, to allow student-law enforcement interaction and facilitate crime prevention discussions.
- **CRASE** – Course teaching Civilian Response to Active Shooter Events on Campus.
- **Avoid, Deny, Defend Highlight** – Fifteen to thirty minute presentations presented to students at a faculty members request to highlight the main principals of the CRASE.
- **Refuse To Be A Victim** – Crime Prevention Program which teaches tips and techniques needed to be alerted to dangerous situations and to avoid criminal confrontation.
- **DWI/DUI Simulations** – Utilizing Drunk Busters of America, LLC goggles, field sobriety matts, carts, and provides hands-on experience, allowing participants to experience the effects of alcohol, marijuana, a concussion, or drowsy or distracted driving firsthand.
- **General Crime Prevention /Safety Tip Presentations** - An in house presentation which discusses college crime statistics, psychology of criminal predators, situational awareness, BC Alerts, fire alarms, building evacuation, fire extinguisher usage and CRASE highlights.

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating

Violence, Sexual Assault and Stalking Occurs

It is the policy of the Brazosport College to provide a campus environment free of sexual misconduct, including sexual violence, dating violence, domestic violence, and stalking. It is the policy of Brazosport College to provide training, procedures, and resources to prevent sexual misconduct and to provide an equitable complaint process that provides for prompt, fair, and impartial investigation of complaints and the imposition of sanctions against individuals who are found in violation of these policies.

Brazosport College policy prohibits a wide range of unwelcome verbal and physical behaviors ranging from offensive sexual comments to unwanted touching to rape. The definitions within this policy are not intended to be mutually exclusive, and, in some instances, the definitions may overlap. For example, an act of sexual assault may constitute sexual harassment, while an act of dating violence also may constitute a sexual assault.

After an incident of sexual assault, dating violence, or family violence, the victim should consider seeking medical attention as soon as possible. Sexual Assault Nurse Examiners (SANE) at the hospital are trained and certified in physical evidentiary recovery kit collection. Evidence may be collected, even if you choose not to make a report to law enforcement.

The State of Texas has established an anonymous reporting protocol for victims of sexual assault. The purpose of this protocol allows a victim, to use a set of initials or fictitious name chosen by a victim to designate the victim in all public files and records concerning the offense, including police summary reports, press releases, and records of judicial proceedings. If a sexual assault victim does not currently wish to involve police, there is still an option to have the forensic evidence collected in a timely manner. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. By providing victims with the opportunity to gather information, solidify their support system, and establish rapport with first responders, the county hopes to create an environment that encourages reporting, even for those victims who initially feel unable, unwilling, or unsure about doing so. Victims may report a sexual assault anonymously at the hospital and have forensics evidence collected during the exam.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours, so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring, or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents, if they have any, that would be useful to College adjudicators/investigators or local police.

Involvement of Law Enforcement and Campus Authorities:

Although the College strongly encourages all members of its community to report violations of this policy to the Brazosport College Police Department (BCPD), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement.

NOTE: In the State of Texas, a person having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report. Persons required to report include professionals, for purposes of the reporting laws, who are licensed or certified by the State or who are an employees of facilities licensed, certified, or operated by the State and who, in the normal course of official duties or duties for which licensure or certification is required, have

direct contact with children. Professionals include:

- Teachers or daycare employees
- Nurses, doctors, or employees of a clinic or health-care facility that provides reproductive services
- Juvenile probation officers or juvenile detention or correctional officers

[Texas Family Code Sec 261.101]

Official Communications

Email will be used as the Brazosport College official method for communicating with students. This policy stipulates that the College will convey relevant academic and administrative information to targeted student populations via their Brazosport.edu email account. Students are responsible for checking their email accounts frequently and consistently, and for familiarizing themselves with the content of College messages. Because correspondence may be time-sensitive, students are encouraged to check their accounts at least daily. Students, however, may opt to redirect email to an account of their own choosing, but do so at their own risk. The College does not guarantee delivery to forwarded addresses. Errors in forwarding, messages returned ‘Mailbox Full’ or ‘User Unknown’, or failing to check email are not acceptable excuses for missing official College communications.

Annual Training for College Community Appeals and Adjudication Board (CAAB) or the Sexual Misconduct Board (SMB).

CAAB and SMB members receive training twice each academic year in the fall and spring semesters. This training is conducted by the Dean of Student Services who is annually trained in the areas of student conduct and due process, including appeals, through the Association of Student Conduct Administrators and is annually trained in all Title IX issues through the Association of Title IX Administrators. Both trainings address the issues of safety, dating violence, sexual assault, and stalking, investigatory procedures and the hearing process.

Student Freedom from Discrimination, Harassment, and Retaliation - Sex and Sexual Violence

NOTE: This policy addresses complaints of sexual discrimination, sexual harassment, and retaliation involving College District students. For legally referenced material relating to this subject matter, see [FFDA](#) (LEGAL). For discrimination, harassment, and retaliation involving students based on race, color, national origin, religion, disability, age, veteran status, or genetic information, see [FFDB](#). Claims by College District employees are addressed at [DIAA](#) and [DIAB](#)

Statement of Nondiscrimination

The College District prohibits discrimination and harassment of any student on the basis of race, color, national origin, religion, sex, pregnancy, sexual orientation, gender identity or gender expression, disability, age, veteran status, genetic information, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.

Board members, administrators, faculty, staff, students, and individuals conducting business with the College District shall comply with this policy. Under this policy, “student” shall be defined as any person who is enrolled in courses provided by the College District, whether for credit or noncredit, including but not limited to, courses through dual enrollment programs, workforce education, the center for business and industry training, and community education. This policy shall apply to behaviors that take place on

campus, at College District-sponsored events regardless of location, in College District communications, and in College District vehicles. Additionally, the College District may investigate off-campus misconduct, online misconduct, or misuse of social media when the College District determines that the conduct affects a substantial interest of the College District, including but not limited to, situations in which the conduct poses a danger or threat to the health or safety of any person at the College District, adversely impacts the operations of the College District, or has the effect of creating a hostile environment in a program or activity of the College District or otherwise causes a substantial on-campus disruption.

Further, it is the policy of the College District to provide a campus environment free of sexual misconduct, including sexual violence, dating violence, domestic violence, and stalking. It is the policy of the College District to provide training, procedures, and resources to prevent sexual misconduct and to provide an equitable complaint process that provides for prompt, fair, and impartial investigation of complaints and the imposition of sanctions against individuals who are found in violation of these policies.

This policy prohibits a wide range of unwelcome verbal and physical behaviors ranging from offensive sexual comments to unwanted touching to rape. The definitions within this policy are not intended to be mutually exclusive, and, in some instances, the definitions may overlap. For example, an act of sexual assault may constitute sexual harassment, while an act of dating violence also may constitute a sexual assault.

Prevention Coordinators

The College District designates the following individuals to coordinate the College District's compliance with federal antidiscrimination laws. Prevention and investigation of claims of sexual misconduct:

Name:	Kelli Forde Spiers
Position:	Director, Student Life and Intramural Programs / Title IX Coordinator
Address:	500 College Drive, Lake Jackson, TX 77566
Telephone:	(979) 230-3355
E-mail:	kelli.fordespiers@brazosport.edu

Definitions:

Complainant: The term “complainant” shall mean the person alleging a violation of College policy.

Respondent: The term “respondent” shall mean the person who is alleged to have violated College policy.

Sexual Discrimination: “Sexual discrimination” is the act of treating students adversely based on their sex, sexual orientation, or gender identity and/or gender expression.

Sexual Misconduct: “Sexual misconduct” as used in this policy collectively refers to a broad range of prohibited acts, including, but not limited to, sexual violence, dating violence, stalking, domestic violence, sexual assault, and sexual harassment. The phrase “sexual misconduct” also encompasses behavior or conduct of a sexual nature that is unprofessional and/or inappropriate for an educational environment even if the conduct is otherwise consensual, such as engaging in sexual activity in a public place.

Sexual Harassment: “Sexual harassment” is physical, verbal, or nonverbal conduct that is based on the student's sex, sexual orientation, gender identity, or gender expression and that is so severe, persistent, or pervasive that:

1. Submission to such conduct is explicitly or implicitly made a term or condition of instruction, participation in a College activity, or College District employment;
2. Submission to or rejection of such conduct is used as a basis for personnel or academic decisions that affect the student who has been subjected to sexual advances; and/or
3. Such conduct interferes with the student's work or academic performance or creates an intimidating, hostile, or offensive work or learning environment.

Sexual harassment violates this policy whether it is perpetrated by a student, employee, or visitor to the campus. Additionally, sexual harassment is wrongful regardless of whether the parties are of the same sex or of the opposite sex.

The definition of sexual harassment in this policy includes acts of sexual violence, which are physical acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other legal or physical disability. The definition of sexual harassment shall also encompass gender-based harassment, such as actions or comments that target the student's failure to conform to stereotypical notions of masculinity or femininity.

Examples:

Examples of prohibited sexual harassment may include sexually offensive comments and gestures; requests for sexual favors accompanied by implied or overt promises of preferential treatment; requests for sexual favors accompanied by implied or overt threats of adverse consequences if the recipient does not comply; unwanted flirtation or repeated requests for social/sexual encounters or favors the recipient deems unwelcome; slurs and name-calling based on the student's perceived sexual orientation; unwelcome or suggestive physical contact, such as grabbing, touching, or patting; and acts of sexual violence, including sexual assault, sexual coercion, and rape.

Consent: As previously defined in this report.

Sexual Assault: As previously defined in this report [Texas Penal Code 22.011]

Aggravated Sexual Assault: As previously defined in this report [Texas Penal Code 22.021]

Domestic Assault: Defined under the term Assault as previously defined in this report [Texas Penal Code 22.01]

Dating Violence: As previously defined in this report [Texas Penal Code 71.0021]

Stalking: As previously defined in this report [Texas Penal Code 42.072]

Sexual Exploitation: "Sexual exploitation" refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and that behavior does not otherwise fall within the definitions of sexual harassment, sexual assault, aggravated sexual assault, domestic assault, dating violence, and stalking. Examples of sexual exploitation may include, but are not limited to:

1. Sexual voyeurism (such as watching a person disrobing, using the restroom or engaging in sexual acts, without the consent of the person observed).
2. Camera phones and other recording devices shall not be used to take a photo of a person's genital area or the female breast area or from a vantage point that a reasonable person would view as an invasion of personal privacy (e.g., under a skirt, inside or down a blouse).

3. Taking pictures, video, or audio recordings of another engaging in a sexual act without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent).
4. Prostitution.
5. Sexual exploitation also includes engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV), a sexually transmitted disease (STD) or infection (STI) without informing the other person of the infection.
6. Attempting to administer or administering controlled substances (including, but not limited to, Rohypnol/flunitrazepam, clonazepam/Klonopin, GHB, ketamine, and alprazolam/Xanax) to another person without his or her knowledge or consent.
7. Exposing one's genitals in non-consensual circumstances.

Retaliation: A student who files a complaint under this policy shall not be subjected to retaliation. Witnesses and other individuals who participate in the investigation process or related proceedings under this policy likewise are protected from unlawful retaliation. Retaliation as used in this policy refers to materially adverse actions or decisions that would dissuade a reasonable person from exercising their right to file a complaint or to participate in an investigation. Prohibited retaliation includes an unwarranted grade reduction, exclusion from a school activity, destruction of property, and cyberbullying.

Reporting Procedures

A student who believes he or she has been subjected to conduct that violates this policy may submit an online incident report through the College's sexual misconduct webpage. A complaint may also be reported via e-mail or in person to the Title IX Coordinator or Deputy Title IX Coordinator.

A complaint against the Title IX coordinators should be reported to the College President. A complaint against the College President shall be submitted directly to the Chairperson of the Board of Trustees of the College. No student shall be required to report prohibited conduct to the person who allegedly committed the conduct.

A student has the right to simultaneously file a criminal complaint with local law enforcement and a complaint with the College. A student also may choose to file a campus complaint without filing a law enforcement complaint or to file a law enforcement complaint without filing a campus complaint. Reports of all complaints involving violations of Title IX made to BCPD will automatically be referred to the Title IX Coordinator for review. A student may also choose not to file any complaint. The Title IX Coordinator shall inform students of their options.

A student is encouraged to report his or her concerns to the College as soon as possible after the alleged violation. A failure to immediately report may impair the College ability to investigate and address the violation.

Amnesty

A student is encouraged to report incidents of sexual misconduct regardless of whether drugs or alcohol were involved on the occasion in question. The college administration shall not pursue disciplinary sanctions against a complainant who makes a good faith report of sexual misconduct and who consumed drugs or alcohol in conjunction with the incident of sexual misconduct. Likewise, third-party witnesses who observe sexual misconduct are encouraged to report sexual misconduct and will not be subject to disciplinary sanctions for having consumed drug or alcohol violations on the occasion in question.

Employee Reporting Responsibilities

To ensure that all complaints are properly processed, any College employee who knows or who, in the

exercise of reasonable care, should have known of allegations of unwelcomed sexual harassment or sexual misconduct prohibited by this policy are strongly encouraged to promptly notify the Title IX Coordinators. A person who holds a professional license requiring confidentiality, or who is supervised by such a person, shall not be required to disclose a report of prohibited conduct without the student's consent.

Responsible Employee

A "responsible" College District employee is an employee who has the authority to take remedial action, who has the duty to report incidents, or whom a student might reasonably view as having authority to take remedial action. Responsible Employees include the College President, all Vice Presidents, Deans, Division Chairs, faculty members, club and activity sponsors, student services personnel, security personnel, and supervisors. Reports to Responsible Employees are not confidential.

Confidentiality

To the greatest extent possible, the College District shall maintain the confidentiality of records related to investigations of complaints based on discrimination, harassment, and sexual violence. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law. The College Title IX Coordinator shall be responsible for evaluating a student's request for confidentiality in the context of the College District's responsibility to provide a safe and nondiscriminatory environment for the entire college community. The Title IX Coordinator shall make every effort to respect a student's request for confidentiality; however, there are situations in which the College may be unable to guarantee complete confidentiality in order to meet its Title IX obligations. When weighing a student's request for confidentiality that could preclude a meaningful investigation or potential discipline of the respondent, the College shall consider a range of factors. These factors include circumstances that reasonably suggest there is an increased risk of the respondent committing additional acts of sexual misconduct or violence against the complainant or any other person.

If the College determines that it must disclose a complainant's identity to a respondent, it shall inform the complainant prior to making this disclosure and take whatever interim measures are necessary to protect the complainant and ensure the safety of others. Additionally, when possible, the complainant and the respondent shall be informed in advance of any public release of information regarding the investigation report. In the event that the College decides to investigate or impose discipline, the College shall honor this request and inform the respondent that the College made the decision to go forward.

Initial Assessment and Review of the Complaint

Upon receipt of a complaint or notice of allegations of sexual misconduct, the Title IX Coordinator shall review the allegations to determine if a potential violation of this policy exists. If so, the Title IX Coordinator shall immediately authorize or undertake an investigation. The Title IX Coordinator or designee shall inform the complainant of his or her rights under this policy, including options with respect to investigations and interim measures. The complainant shall receive a list of community and campus resources, including medical services, mental health services, legal services, victim advocacy, and academic support, counseling, and disability services. The Title IX Coordinator shall inform the complainant that he or she may request administrative assistance (such as a change in a class schedule) without filing a formal complaint. The Title IX Coordinator shall inform the student of the importance of taking action to preserve evidence such as soiled clothing, photos of injuries, voice messages, text messages, and e-mails.

The College will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement. Students and employees should contact the Brazosport College Title IX Coordinator using the information below.

If a report of domestic violence, dating violence, sexual assault, or stalking is reported to the College,

below are the procedures that the College will follow.

Incident Being Reported	Procedures College will Follow
Sexual Assault	<ol style="list-style-type: none"> 1. Depending on when reported (immediate vs delayed report), institution will provide victim with access to medical care 2. Institution will assess immediate safety needs of victim 3. Institution will assist victim with contacting local police if complainant requests AND provide the victim with contact information for local police department (if occurred off-campus) 4. Institution will provide victim with referrals to on- and off-campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, if appropriate. 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" or "No Contact" directive to accused party if deemed appropriate 8. Institution will provide a copy of the policy applicable to Sexual Assault to the victim and inform the victim regarding timeframes for inquiry, investigation, and resolution 9. Institution will inform the victim of the outcome of the investigation, whether or not the accused will be administratively charged, and what the outcome of the hearing is 10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation
Stalking	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of victim 2. Institution will assist victim with contacting local police if complainant requests AND provide the victim with contact information for local police department (if occurred off-campus) 3. Institution will provide written information to victim on how to preserve evidence 4. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate 5. Institution will provide the victim with a written explanation of the victim's rights and options 6. Institution will provide a "No trespass" or "No Contact" directive to accused party if deemed appropriate
Dating Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of victim 2. Institution will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department (if occurred off-campus) 3. Institution will provide written information to victim on how to preserve evidence 4. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate

	<ol style="list-style-type: none"> 5. Institution will provide the victim with a written explanation of the victim’s rights and options 6. Institution will provide a “No trespass” or “No Contact” directive to accused party if deemed appropriate
Domestic Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of victim 2. Institution will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department (if occurred off-campus) 3. Institution will provide written information to victim on how to preserve evidence 4. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate 5. Institution will provide the victim with a written explanation of the victim’s rights and options 6. Institution will provide a “No trespass” or “No Contact” directive to accused party if deemed appropriate

Informal Resolution

The College may institute an informal resolution in response to a situation or report of a violation of College policy when a formal investigation is not desired by the complainant or when there is not enough information to proceed with a formal investigation process. An informal resolution is similar to an interim measure but may serve as a final resolution. Informal resolution does not result in findings related to responsibility or in sanctions. The Title IX Coordinator may institute a formal investigation at any time if the Title IX Coordinator determines that the conduct that is described in the complaint is severe, part of a pattern of persistent misconduct, or otherwise necessary to comply with Title IX.

An informal resolution process may be initiated if the behavior, even if true, would not constitute a potential violation of this policy. However, the formal investigation process will be used when informal resolution is inappropriate (e.g. allegations of sexual misconduct, reports of a pattern of inappropriate behavior, alleged criminal acts such as stalking, sexual assault or physical assault). The resolution sought depends upon the circumstances of the complaint.

Possible resolutions might include, but are not limited to:

1. An agreement by the respondent to cease the behavior;
2. Assisting the respondent to better understand the effects of their conduct and ways in which this behavior might be changed;
3. Participation in educational programs about discrimination or harassment;
4. Verbal or written reprimands;
5. Taking away of privileges or altering schedules.

Investigation

A formal investigation shall be initiated if the allegations in a complaint, if determined to be true, would support a finding that the College District’s policy was violated. The College District may decline to process a complaint if the complaint does not describe conduct covered by this policy.

If the complaint is within the scope of this policy, the College District shall commence an investigation

regardless of whether a law enforcement agency or other agency is investigating the same allegation.

The Title IX Coordinator shall designate an impartial, trained investigator who is not a member of the affected department, e.g., a complaint by a student against an employee shall not be investigated by someone inside the department where the employee works. Depending on the scope of the investigation, more than one investigator may be appointed. In the event of a complaint filed against the Title IX Coordinator, the College President shall designate another impartial, trained administrator to fulfill the responsibilities of the Title IX Coordinator as stated in this policy.

Barring unusual circumstances, e.g., multiple complaints or a complaint filed shortly before the winter break, the investigation shall be completed as promptly as possible, usually within 60 calendar days. The Title IX Coordinator shall provide periodic status updates in writing throughout the investigation process to both the complainant and the respondent.

The investigator shall interview the complainant, the respondent, and other individuals determined by the investigator to possess relevant information. The complainant and the respondent shall be permitted to provide documentation or other tangible evidence to the investigator.

Both the complainant and the respondent may be assisted by an adviser of their own choosing during any meetings or proceedings under this policy so long as the adviser is not also a witness or otherwise has a conflict of interest. Although the adviser may provide advice and counsel to their party, they are not allowed to present evidence; question witnesses, investigators, or college administrators; or argue on behalf of their party. Advisers may confer privately with their advisees in a manner that does not disrupt the process. Advisers may request a meeting in advance with the Title IX Coordinator to clarify any questions on process or procedure.

The standard of evidence for investigating and adjudicating a complaint is preponderance of the evidence. This standard shall be met if the evidence shows that the allegation is more likely than not to have occurred. Possible outcomes of an investigation are:

1. A finding that the allegation is untrue or could not be substantiated; or
2. A finding that the allegation is substantiated and violates this policy and, if so, a referral to the appropriate administrator for a sanction or other corrective action.

The investigator shall prepare a written report that summarizes the evidence and information collected through the investigation process and states whether a policy violation appears to have occurred based on a preponderance of evidence. Subject to the requirements of the Family Educational Rights & Privacy Act (FERPA), each party shall have seven business days in which to review the report and to submit comments to the investigator.

If the respondent is a student, the Title IX Coordinator shall provide a report to the Dean of Student Services or the Dean's designee. The report shall include the results of the investigation, whether a policy violation appears to have occurred based on a preponderance of evidence, and any recommended sanctions. If the respondent student has been found in violation and has been proposed for expulsion, suspension, or other discipline, the procedures set forth in [FMA\(LOCAL\)](#) shall apply.

Disciplinary action against faculty and staff shall be processed under the College District's policies for discipline and dismissal of employees. Disciplinary actions may include, but are not limited to, written reprimands, reassignment, suspension, nonrenewal, and termination. Accordingly, if the respondent is a College District employee, the report shall be provided to the Vice President of Human Resources or designee. If the respondent employee has been found in violation and has been proposed for a sanction,

termination, or nonrenewal, then policy [DGBA](#), [DM](#), [DMAA](#), or [DMAB](#) shall apply, depending on the employee's contract status.

Criminal Investigation

If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal investigation. The College District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal investigation. After the law enforcement agency has completed gathering its evidence, the College District shall promptly resume its investigation. The Title IX Coordinator or designee shall inform the complainant and respondent in writing of any anticipated delays due to a concurrent criminal investigation.

Potential Remedies and Sanctions

Remedies may include, but are not limited to:

1. Suspending or expelling a student or revoking privileges;
2. Terminating or suspending an employee;
3. Changing a policy, procedure, program, or service;
4. Providing an effective escort to ensure that the complainant can move safely between classes and activities;
5. Ensuring the complainant and respondent do not share classes or extracurricular activities;
6. Arranging comprehensive, holistic victim services including medical counseling and academic support services, such as tutoring;
7. Arranging for the complainant to have extra time to complete or retake a class or withdraw from a class without an academic or financial penalty;
8. Reviewing and determining whether to set aside any disciplinary actions previously taken against the complainant; and
9. Providing counseling, training, and learning opportunities for the respondent to eliminate the inappropriate behavior and hostile environment.

These remedies are separate from, and in addition to, any interim measures that may have been provided during the College District's investigation. Additionally, if the complainant did not seek or declined a specific service or measure at the commencement of the investigation, the complainant retains the option of requesting such services or measures at the conclusion of the investigation.

The following sanctions may be imposed on any students found to have violated this policy. Sanctions may include, but are not limited to:

1. **Educational Sanctions:** While any sanction shall be punitive by nature, educational sanctions are those designed to educate students.
2. A **written warning** is a formal notice of a violation and indicates that continuation or repetition of such conduct may be cause for more severe disciplinary action. The written warning shall be placed in the permanent file of the student and may be used in any future conduct proceedings.
3. **Disciplinary Probation:** A student on disciplinary probation is excluded from participation in all extracurricular activities set forth in the notice for a specific period of time. Further violations of any kind during this disciplinary probationary period may result in suspension or expulsion.
4. **Suspension:** Suspension is the revocation of a student's privilege to enroll and to be physically present on campus for a specific period of time. The conditions for reinstatement of these privileges shall be stated in the formal decision of suspension sent to the student.
5. **Expulsion:** Expulsion is the permanent revocation of a student's privilege to enroll in the College. This effectively ends an academic career at BC. The student may not register for any classes or take part in any academic programs associated with the college. Likewise, expulsion is

a evocation of a person's privilege to be physically present on the campus

Right of Appeal

A respondent's right to appeal for adverse findings and/or sanctions is set forth in policy [FMA](#) for students and policies [DGBA](#), [DM](#), [DMAA](#), [DMAB](#), and/or [DMB](#) for employees. If an investigation does not substantiate the complainant's allegation, the complainant may seek review at this stage only on the following grounds:

1. A procedural error or omission occurred that significantly impacted the outcome of the investigation and/or assignment of sanctions (e.g. substantiated bias, material deviation from established procedures, and the like).
2. To consider new evidence, unknown or unavailable during the investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.

The complainant may submit a written appeal to the Provost and Vice President of Academics and Student Affairs (or other administrator designated by the College President) within five business days of disposition of the complaint. The respondent shall have an opportunity to respond in writing to the appeal. If the Provost and Vice President or designee determines that there may be a reasonable basis for granting the appeal, then the Provost and Vice President or designee may issue a determination consistent with the reasons for granting the appeal. In an appropriate case, the Provost and Vice President or designee may return the matter to the Title IX Coordinator for further investigation. The Provost and Vice President or designee shall inform the parties in writing of the outcome of the appeal.

All deadlines in this policy may be extended by mutual agreement or for good cause.

Federal Timely Warning Obligations

The College District must issue timely warnings for incidents reported to the College District that pose a substantial threat of bodily harm or danger to members of the campus community. No such warning shall identify a victim or contain information that could do so unless permitted by the victim.

Access to Policy and Procedures

Information regarding this policy and any accompanying procedures shall be distributed annually to College District employees and students in a manner calculated to provide easy access and wide distribution, including through electronic distribution and inclusion in major College District publications. Information regarding the policy and procedures shall also be prominently published on the College District's website. Copies of the policy and procedures shall be readily available at the College District's administrative offices.

False Claims

Investigations of allegations of sexual discrimination, sexual harassment, or sexual misconduct are serious and often time consuming endeavors. The College District recognizes that the expenditure of time and resources is necessary to ensure the fair and equitable resolution of complaints. Students and employees who knowingly file false complaints or submit false evidence shall be subject to discipline, up to and including dismissal or expulsion. Before determining that an individual has acted in bad faith and imposing discipline, the Title IX Coordinator, in conjunction with other appropriate administrators, shall carefully evaluate the evidence and shall provide the individual an opportunity to respond to the allegation.

If the Victim Does Not Wish to Pursue Resolution:

In all reported cases of sexual misconduct, the College will conduct a fact-finding investigation to the best of its ability. In cases where the Victim wishes to become a Complainant, this investigative report is

provided to the Student Conduct Administrator for a threshold analysis.

In cases where the Victim does not wish to become a Complainant, the College has 2 (two) options:

1. The College may attempt to resolve the complaint in a manner consistent with the Victim's request. This may include holding the report for action at a later date.
2. The College may pursue a judicial hearing against the Respondent named in the investigation. Under these circumstances, the College would take into consideration the nature of the assault, the safety of the Victim and the campus community, as well as the previous disciplinary history and previous allegations of sexual misconduct.

Whether or not criminal charges are filed, the College or a person may file a complaint under the following policies, depending upon the status of the accused (student or employee).

Student Discipline and Penalties – Discipline Procedure

Purpose

The purpose of this policy is to set forth the College District's student disciplinary procedures relating to allegations of a violation of the Student Code of Conduct or Board policy.

Initial Assessment

In all cases of an alleged violation of the Student Code of Conduct or Board policy, excluding [FFDA](#)(LOCAL), the Dean of Student Services ("the Dean") or designee shall make an initial determination as to whether there is sufficient basis to determine that a violation has occurred. The Dean or designee shall interview the complainant and may interview other witnesses as necessary or appropriate. The Dean or designee shall meet with the accused student, describe the allegations against the student, and provide the student an opportunity to respond.

In cases of an alleged violation of [FFDA](#)(LOCAL), the Title IX Coordinator or designee shall initiate the investigation process detailed in [FFDA](#)(LOCAL). If the Title IX Coordinator or designee determines that there are reasonable grounds to support the complaint, a detailed investigative report shall be given to the Dean.

If the Dean or designee determines that reasonable grounds support the complaint, the Dean or designee shall inform the accused student of this determination, the proposed penalty, and the student's procedural rights. If the proposed penalty includes suspension or expulsion, the hearing procedures for suspension or expulsion shall apply.

If the Dean determines that there are insufficient grounds to establish that a violation of the code occurred, the complaint shall be dismissed. The Dean or designee shall inform the complainant and the accused student in writing if the complaint is dismissed.

Informal Resolution

A student accused of a student conduct violation may request the option of having their case decided informally or formally through the student conduct system. The Dean has the discretion to allow an alleged violation to be resolved through an informal process when the student admits wrongdoing and the conduct is not severe enough to warrant a formal hearing.

In any case covered by this policy where the accused student does not dispute the facts upon which the charges are based, including a case involving allegations of sexual harassment, sexual discrimination, or sexual misconduct, the student may admit responsibility or choose not to contest the charge and sign an acknowledgment and a written waiver of the hearing procedures. The Dean or designee shall impose an appropriate sanction or sanctions given the nature of the charge, the evidence, and the student's

disciplinary

Formal Hearing Process

When the Dean has determined, or when the Title IX Coordinator in a case of sexual misconduct has determined, that there are sufficient grounds to support an allegation that a student has engaged in misconduct and the student disputes the charge or the proposed sanction, such charges shall be heard by the College Community Appeals and Adjudication Board (CAAB) or the Sexual Misconduct Board (SMB). The hearing officer for such administrative hearings shall be the Dean or designee. The deadlines provided in this policy may be extended by mutual agreement or for good cause by the Dean, CAAB, or SMB.

Notice

The Dean shall notify the accused student by letter of the charges and date, time, and place for the CAAB or SMB hearing, which shall take place not fewer than ten class days after the date of the letter. The ten-day notice requirement may be altered by the Dean or by mutual agreement of the hearing board chair and the student. In cases of alleged sexual misconduct, the complainant and/or alleged victim shall receive a copy of the letter setting forth the charges and the scheduled hearing

Contents of Notice

The notice shall contain a statement of the specific charges and a general description of the evidence in support of the charges; the rules, regulations, or policies that the student allegedly violated; the proposed penalty; a copy of this policy; and the contact information of the Dean or designee and the chair of the CAAB or the SMB. The notice shall identify the members of the hearing panel. The notice may be sent to the student by electronic mail, U.S. mail, or hand-delivery.

Hearing Procedures for Expulsions and Suspensions

When a student has been proposed for expulsion, suspension in excess of ten school days, revocation of a degree, or removal from campus pursuant to Sections 51.231–.243 of the Texas Education Code, the following procedures shall apply:

1. The student shall be entitled to a private hearing and to appear in person and, if desired, with an adviser, support person, or legal counsel at the hearing. The adviser, support person, or legal counsel may not be a witness in the matter.
2. The student's adviser or legal counsel, if any, may attend the hearing and confer with the student but may not participate in making arguments or presenting evidence. In cases of alleged sexual misconduct, an adviser or legal counsel for the complainant/alleged victim may also attend the hearing and confer with the person being represented but may not participate in making arguments or presenting evidence.
3. At least three business days prior to the hearing, the administration and the student shall exchange witness lists that identify the names of the witnesses who will testify along with a brief description of each witness's knowledge. In cases of alleged sexual misconduct, the College District shall provide a copy of the College District's witness list to the complainant/alleged victim at the same time as it is delivered to the accused and shall provide a copy of the accused student's witness list when it is received.
4. At least three business days prior to the hearing, the administration and the student shall exchange their proposed exhibits. In cases of alleged sexual misconduct, the College District shall simultaneously provide a copy of the College District's proposed exhibits to the complainant/alleged victim at the same time as they are delivered to the accused and shall provide a copy of the accused student's exhibits when they are received.
5. The hearing shall be recorded via an audio recording device.
6. All witnesses shall be sworn in by a notary or another person authorized by law to administer oaths. The accused student may question witnesses presented by the administration, and the administration may question the witnesses presented by the accused student. However, in cases

involving alleged sexual harassment or sexual misconduct, should the complainant testify, he or she may testify in a manner, as determined by the SMB that does not require the complainant to directly confront or be directly questioned by the accused student. The SMB may require the parties to submit proposed written questions to the SMB. The SMB shall determine which questions to ask, and when appropriate, may create a physical barrier or use video technology or other technology to separate the parties.

7. In cases involving sexual harassment, sexual discrimination, or sexual misconduct, evidence about the complainant's or accused's past alleged sexual history with anyone other than each other is not admissible; however, evidence related to the complainant's and accused's history with each other must be relevant to the incident(s) under review. Evidence of prior complaints of sexual misconduct against the accused generally is not admissible unless the evidence is otherwise reliable and is necessary to establish motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident. Parties shall not ask questions or make comments about inadmissible matters.
8. After the parties have questioned a witness, members of the hearing panel may question the witness. An accused student may not be compelled to testify.
9. The hearing shall be conducted as an administrative hearing. Courtroom rules of evidence and judicial rules of civil procedure shall not apply. Evidence, however, must be relevant and of the type that would be accepted by reasonable persons in the conduct of important affairs. The CAAB or SMB may limit cumulative, repetitious, or irrelevant testimony and may impose reasonable time limits on the presentation of evidence. The CAAB or SMB may impose reasonable restrictions to prevent the harassment or badgering of witnesses. Finally, although the legal rules of evidence shall not apply, the CAAB or SMB shall give effect to legally recognized privileges, such as the attorney-client privilege. The CAAB or SMB may seek legal advice before making a decision on the assertion of privilege by any party or witness, even if such would require a recess in the hearing.
10. In cases of alleged sexual misconduct, both the accused and the complainant may choose to attend the entire hearing excluding the deliberations.
11. The administration bears the burden of proving the charges by a preponderance of the evidence, i.e., more likely than not.
12. The order of the hearing shall be as follows:
 - a. The Dean or designee may present an opening statement not to exceed five minutes. The student may present an opening statement not to exceed five minutes.
 - b. The Dean or designee shall present the College District's case first. The student shall present his or her case. The Dean or designee may present rebuttal evidence.
 - c. After the close of the evidence, the hearing panel shall deliberate privately. The hearing panel shall render a decision within three business days of the close of the evidence. The panel shall determine whether the evidence supports the charge(s) by a preponderance of the evidence, and, when warranted, determine a penalty. The panel's decision shall be decided by majority vote. The decision shall be in writing and contain findings of fact, the rationale for the decision, and the notice of appeal. The hearing committee shall transmit a copy of the decision to the student and the Dean. If the case involves any charges of sexual discrimination, including sexual misconduct as defined by policy [FFDA](#), the written decision shall also be provided to the College District's Title IX Coordinator and to the complainant.
 - d. In cases involving charges of sexual harassment or sexual misconduct as defined by policy [FFDA](#), the following additional procedures shall apply during an administrative proceeding to allow rights to the complainant that are already held by the accused party:
 - i. The complainant shall be given an opportunity to make an opening statement, if desired, and may proceed either before or after the Dean or designee has presented the administration's case;
 - ii. The complainant has a right to question any witnesses;
 - iii. The complainant has a right to present witnesses and evidence;

- iv. The complainant has a right to present rebuttal evidence and argument and to present a rebuttal to the Dean's or designee's proposed sanction or sanctions;
- v. The complainant has the right to present a closing statement prior to the accused student's closing statement; and
- vi. The complainant shall receive a copy of the Board's written findings, subject to the Family Educational Rights and Privacy Act (FERPA).

Hearing Procedure Not Involving Expulsion or Suspension

When a student has been proposed for discipline but the penalty does not involve expulsion, suspension in excess of ten days, revocation of a degree, or removal from campus pursuant to Sections 51.231–.243 of the Texas Education Code, the procedures applicable to expulsion hearings shall generally apply, except as follows:

1. Witness lists and exhibit lists shall be exchanged one business day in advance of the hearing date.
2. Cross examination of witnesses by the parties shall not be permitted; however, members of the hearing panel may question witnesses.

Failure to Appear

If the student fails without good cause, as determined by the CAAB or SMB, to appear at the scheduled hearing after receiving proper notice, the Dean or designee may proceed with the hearing in the student's absence, and the student shall forfeit any right to appeal. At the conclusion of the hearing, the Dean or designee shall provide written notice to the student of any action taken in the student's absence.

Right of Appeal

The student or the Dean may appeal an adverse decision. In a case involving sexual misconduct, sexual harassment, or sexual violence, the complainant also has the right to appeal an adverse decision. Appeals must be submitted in writing within five business days of the date of the decision to the Provost and Vice President, Academic and Student Affairs ("Provost and Vice President"), or designee. The appeal must set forth the specific grounds that would warrant setting aside the panel's decision. A party may appeal the findings and/or sanctions on the following grounds only:

1. A procedural error or omission occurred that significantly impacted the outcome of the investigation and/or sanctions (e.g. substantiated bias, material deviation from established procedures, and the like).
2. To consider new evidence, unknown or unavailable during the investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
3. The sanctions imposed fall outside the range of sanctions the College has designated for this offense and the cumulative record of the responding party.

The Provost and Vice President or designee shall render a written decision based upon the record developed by the CAAB, SMB, or Dean. If the Provost and Vice President accepts the decision of the CAAB, SMB, or Dean, then the decision is final. If, however, the Provost and Vice President or designee determines that there may be a reasonable basis for granting the appeal, then the Provost and Vice President or designee shall return the matter to the CAAB, SMB, and/or the Dean for review and further consideration of claimed procedural errors or omissions, new evidence, and/or the appropriateness of the sanctions. The CAAB, SMB, and/or Dean shall render a decision within three business days. Both parties have a right to appeal this decision to the Provost and Vice President, Academic and Student Affairs or designee in writing within five business days within the date of the decision. Appellants shall typically be notified of all decisions within five business days. The disciplinary records and proceedings shall be kept separate from the student's academic record and shall be treated as confidential to the extent required by the FERPA.

Types of Penalties

The CAAB or SMB may impose one or more of the following penalties for offenses listed above or for violation of College District rules or regulations:

1. Educational Sanction
2. Admonition.
3. Written Warning.
4. Disciplinary Probation.
5. Grade Changes.
6. Restitution.
7. Suspension.
8. Expulsion.
9. Denial of Degree.

Nature of Disciplinary Penalties

The penalties above shall be defined as follows:

1. **Educational Sanctions:** While any sanction will be punitive by nature, educational sanctions are those designed to educate students.
2. **Admonition:** An admonition is a verbal warning to a student who has violated a college rule or regulation.
3. **Written Warning:** A written warning is a formal notice of a violation and indicates that continuation or repetition of such conduct may be cause for more severe disciplinary action. The written warning will be placed in the permanent file of the student and may be used in any future conduct proceedings.
4. **Disciplinary Probation:** A student on disciplinary probation is excluded from participation in all extracurricular activities set forth in the notice for a specific period of time. Further violations of any kind during this disciplinary probationary period may result in suspension or expulsion.
5. **Grade Changes:** A student violating academic integrity rules may have a course grade lowered by a letter, changed to a W or an F, or have an assignment or exam graded as a zero.
6. **Restitution:** Restitution is reimbursement for damages to or theft of property. This could be paid to an individual or the college depending on the ownership of damaged or stolen property. This may take the form of appropriate service work or financial compensation.
7. **Suspension:** Suspension is the revocation of a student's privilege to enroll and to be physically present on campus for a specific period of time. The conditions for reinstatement of these privileges shall be stated in the formal decision of suspension sent to the student.
8. **Expulsion:** Expulsion is the permanent revocation of a student's privilege to enroll in the college. This effectively ends an academic career at BC. The student may not register for any classes or take part in any academic programs associated with the college. Likewise, expulsion is a revocation of a person's privilege to be physically present on the campus.

Suspension from the College District prohibits, during the period of suspension, the suspended student from entering a College District campus or facility under control or jurisdiction of the College District without prior written approval of the College President or designee; from being initiated into an honorary or service organization; and from receiving credit for scholastic work done in residence or by correspondence or extension. Except when suspension is imposed for scholastic dishonesty, the Dean may permit the receipt of credit for scholastic work done during the period of suspension.

Student Rights in Cases Involving Sexual Harassment and Sexual Misconduct

In discipline cases involving allegations of sexual harassment or sexual misconduct [see FFDA], both the complainant and the accused shall be entitled to an equal opportunity to receive the same notifications and to participate in the hearing process. In addition to the other procedural rights afforded by this policy, both parties in a sexual harassment or sexual misconduct case shall have the right to:

1. Have an adviser, support person, or legal adviser of choice present during the process;
2. Receive notice of all proceedings and have the opportunity to attend;
3. Present witnesses or have witnesses speak on their behalf at the hearing;
4. Obtain a ruling based on a preponderance of evidence; and
5. Receive the final hearing decision in writing at the same time as the other party without being required to sign a nondisclosure agreement.

The College has procedures in place that serve to be sensitive to victims who report sexual assault, family violence, dating violence, and stalking, including informing individuals about their right to file criminal charges; as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services on and/or off campus; as well as additional remedies to prevent contact between a complainant and an accused party, such as academic, transportation and working accommodations, if reasonably available.

College Community Appeals and Adjudication Board (CAAB)

1. The Community Appeals and Adjudication Board, herein referred to as the CAAB, shall have the discretion to interpret, vary, and adjust procedural requirements in order to promote a fair and just decision, as long as student rights are respected.
2. Membership: The CAAB shall be composed of five members of the BC community. Ideally, each CAAGB will be comprised of faculty and staff.
 - a. Conditions of Student Membership:
 - i. Student members must be in good academic and disciplinary standing.
 - ii. Student members must have earned at least 15 credit hours and be currently enrolled.

The Dean of Student Services shall serve as ex-officio advisor to the CAAB and its chair. The advisor should sit and advise the board at all hearings. It is the duty of the chair to make sure presentation to the board are relevant and that order in the hearing is maintained. The chair has the power to remove someone for disorderly conduct. It is the special duty of the chair to make sure that presentation by the board, by any hearing participant, are relevant to the specific allegations.

CAAB members must participate in any scheduled training sessions as requested by the Dean of Student Services and/or his/her designee to ensure that they understand their duties, their obligations as members and to understand the basic procedures and student rights during the hearing.

The CAAB allows the accused the opportunity to have their case decided by a panel or hearing board. This hearing will be conducted according to the procedures established by BC. Witnesses may be called, cases may be presented, and the CAAB will have the final decision in the case. A simple majority of the CAAB is sufficient to decide the final outcome of the case. The CAAB will recommend sanctions and the Dean of Student Services may make appropriate modifications to those recommendations, if necessary. The parties will be informed within seven days of the final sanctions and how and when they will be implemented.

Sexual Misconduct Board (SMB)

1. The Sexual Misconduct Board, herein referred to as the SMB, shall have the discretion to implement disciplinary hearings when violations of the College District Sexual Misconduct policy (FFDA) have been proposed by the Title IX investigative process. The committee delivers a decision and sanctions are administered by the Dean of Student Services.
2. Membership: The SMB membership is appointed by the President of the College and shall be

composed of five faculty and staff members.

The Dean of Student Services will convene the committee when a case is received. The Dean of Student Services shall serve as ex-officio advisor to the SMB and its chair. The advisor should sit and advise the board at all hearings. It is the duty of the chair to make sure presentation to the board are relevant and that order in the hearing is maintained. The chair has the power to remove someone for disorderly conduct. It is the special duty of the chair to make sure that presentation by the board, by any hearing participant, are relevant to the specific allegations.

SMB members must participate in any scheduled training sessions as requested by the Dean of Student Services and/or his/her designee to ensure that they understand their duties, their obligations as members and to understand the basic procedures and student rights during the hearing.

The SMB allows the accused the opportunity to have their case decided by a panel or hearing board. This hearing will be conducted according to the procedures established by BC. Witnesses may be called, cases may be presented, and the SMB will have the final decision. A simple majority of the SMB is sufficient to decide the final outcome of the case, which will be rendered as a written decision (within college guidelines as spelled out in the 2018-2019 Student Guide and Calendar and Board Policy FMA (Local)) as to the accused student's responsibility of the charges. Students may appeal a committee decision to the Vice President, Academic and Student Affairs.

Facilitated Anonymous Reporting:

Brazosport College does not employ professional mental health, pastoral, or other licensed professionals legally bound by professional client privilege. All reported crimes will be investigated by the BCPD and may become a matter of public record. Students may elect to submit anonymous reports using the link below:

<http://brazosport.edu/students/for-students/student-services/student-complaint-grievance-form/>.

While anonymous reporting is available by these limited means, the College's ability to investigate and appropriately address allegations of misconduct will be significantly limited. Crimes reported are disclosed in the College's crime statistics or reporting process. All reported crimes will be investigated by BCPD and may become a matter of public record.

Assistance for Victims - Rights & Options:

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.

Such written information will include:

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred;
- Information about how the institution will protect the confidentiality of victims and other necessary parties;
- A statement that the institution will provide written notification to students and employees about victim services in the institution and in the community;
- A statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- An explanation of the procedures for institutional disciplinary action

Rights of Victims and the Institution's Responsibilities for Orders of Protection, “No Contact” Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution:

Brazosport College complies with Texas state law in recognizing orders of protection.

Any person who obtains an order of protection from Texas or any reciprocal state should provide a copy to BCPD and the Office of the Title IX Coordinator. A complainant may then meet with BCPD, the Dean of Student Services, or the College’s Title IX Coordinator to develop a Safety Action Plan, which is a plan for the College and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom/work site location, or working with Academic Advising on alternative class possibilities, allowing a student to complete assignments from home, allowing an employee to develop a flexible work schedule, etc.

A Quick Review of the Legal System

As obtained from http://www.womenslaw.org/laws_state_type.php?id=592&state_code=TX

The legal system is divided into two areas: civil law and criminal law. Separate courts govern (control) these two areas of the law.

One of the most confusing things about the legal system is the difference between civil cases and criminal cases. In domestic violence situations, there may be both civil and criminal cases occurring at the same time as a result of the same violent act. You may want to pursue both civil and criminal actions for maximum protection. The major differences have to do with who takes the case to court and the reason for the case.

Civil Law

In a civil domestic violence action, you are asking the court to protect you from the person abusing you. You are not asking the court to send that person to jail for committing a crime. However, if the abuser violates the civil court order, he may be sent to jail for the violation. In a civil case, you are the person bringing the case against the abuser and (in most circumstances), you have the right to withdraw (drop) the case if you want to.

Criminal Law

The criminal law system handles all cases that involve violations of criminal law such as harassment, assault, murder, theft, etc. A criminal complaint involves your abuser being charged with a crime. In a criminal case, the prosecutor (also called the district attorney) is the one who has control over whether the case against the abuser continues or not. It is the county/state who has brought the case against the abuser, not the victim. It is possible that if you do not want the case to continue (if you do not want to “press charges”), the prosecutor might decide to drop the criminal charges but this is not necessarily true. The prosecutor can also continue to prosecute the abuser against your wishes and could even issue a subpoena (a court order) to force you to testify at the trial.

In Texas, there are also several different types of courts (state district, county, municipal, Justice of the Peace, and commissioners’ courts). Some of these courts handle both civil and criminal law cases. For example, state district and county courts handle both civil and criminal cases. These differences are important because the process may be different depending on where you live and what court has jurisdiction (authority) over your case.

For more help and information on the Texas legal system, please contact a local program in your area,

which you can find at http://www.womenslaw.org/gethelp_state.php?state_code=TX.

Family Violence Protective Orders

In Texas, a victim of family violence, dating violence, sexual assault, or stalking has the right to file a petition with the courts requesting protection.

A protective order is a civil order that provides protection from harm by someone with whom you have a specific relationship. The order can also place other restrictions on the abuser, such as ordering him/her to stay away from you or stop contacting you.

How can a protective order help me?

A protective order can order the abuser to:

- stop committing acts of family or dating violence or any acts that are reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass you or a family/household member;
- stop all communication with you or a family member (directly or through a third party) or stop communication made in a threatening or harassing manner;
- stay away from your home or place of employment or those of your family or household member;
- stay away from a school or daycare center that a child protected under the order attends;
- complete a battering intervention and prevention program or attend counseling with someone who specializes in family violence;
- follow any custody/visitation terms in the order (Note: The judge can establish temporary custody and visitation for any children you share with the abuser);
- not remove your child from your possession or from the jurisdiction of the court;
- stop any transfer or disposal of property that you own or lease with the abuser;
- not remove a pet, companion animal, or assistance animal from your possession;
- pay child support or spousal support for the time you have the protective order;
- leave your home or other specified property (if certain conditions are met) and allow you to remain there - see “Can the abuser be removed from the home?” for more information;
- not possess any firearms (unless the person is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency) and the judge is supposed to suspend the abuser’s license to carry a handgun if s/he has been found to have committed family violence;
- not harm, threaten, or interfere with the care, custody, or control of your pet, companion animal, or assistance animal, or that of your family or household member; and
- perform any other acts that are necessary to prevent or reduce the likelihood of family or dating violence.*

Whether a judge orders any or all of the above depends on the facts of your case. The court may not grant all of your requests, so be sure to read your order carefully to see what specific protections the judge ordered.

Note: Even if the order doesn’t specifically say that the abuser has to turn over his/her firearms, possession of a firearm by a non-police officer who is a respondent in a protective order case is illegal under Texas state law and federal law. Please see TX State Gun Laws and Federal Gun Laws for more information

* Tex. Fam. Code §§ 85.021, 85.022

What types of protective orders are available?

In Texas, there are three types of orders of protection based on family violence:

1. Temporary ex parte protective order;

2. Permanent protective order; and
3. Magistrate's order of emergency protection (what most people call an emergency protective order)

The first two orders are issued by the civil court upon your application. The abuser does not have to be arrested for you to get one of these orders. The third order is issued by the criminal court after the abuser is arrested for family violence. Each order is explained in more detail in the following questions.

What is a temporary ex parte order? How long does it last?

A temporary ex parte order is a court order designed to provide you and your family members with immediate protection from the abuser. You can get a temporary ex parte order without the abuser present in court. To get a temporary ex parte order, the judge has to believe that the abuser presents a clear and present danger of family violence to you or a family member. The judge will make this decision based upon the information you include in your application for a protective order.*

A temporary ex parte order lasts for the period of time stated in the order, usually up to 20 days. The temporary ex parte order can be extended for additional 20-day periods if you request it or if the judge decides to extend it**

* Tex. Fam. Code § 83.001; ** Tex. Fam. Code § 83.002

How long does a permanent (final) protective order last?

A permanent protective order is effective for the time period stated in the order, which generally may be up to a maximum of 2 years. If there is no time period written on the order, then it expires on the second anniversary of the date the order was issued.* However, a new law that took effect in September 2011 allows the judge to issue an order for longer than two years if:

- the abuser caused serious bodily injury to you or a member of your family or household; or
- the same petitioner (you or your child) had two or more protective orders issued against the abuser in the past and in each of those prior cases, the judge found that the abuser committed family violence and was likely to commit family violence in the future.**

After the order has been in effect for 1 year, the abuser can petition the court to ask that the order be discontinued. The judge will hold a hearing to determine whether there is a continuing need for the order. If the judge believes there is no need to continue the order, the judge can end the order earlier than the original date set. Evidence that the abuser did not violate the order does not by itself support a decision that the order is not needed anymore. ***

Note: If the abuser is in prison on the date that the protective order is set to expire, then the expiration date is extended and it will expire on the one year anniversary date of his/her release from prison.****

* Tex. Fam. Code § 85.025(a); ** Tex. Fam. Code § 85.025(a-1); *** Tex. Fam. Code § 85.025(b); **** Tex. Fam. Code § 85.025(c)

What is a magistrate's order for emergency protection? How long does it last?

A magistrate's order for emergency protection (what most people call an emergency protective order) is issued by the criminal court after the abuser is arrested for committing family violence, sexual assault, or stalking.*

A magistrate's order for emergency protection is usually good for between 31-61 days. However, if the abuser was arrested for assault with a deadly weapon, the order would be good for between 61 - 91 days.** The court can issue this order upon your request, or upon the request of your guardian, a police officer, or the state attorney. If the crime involved serious physical injury or use of a deadly weapon, the

judge is supposed to issue this order even if no one requests it.***

* Texas C.C.P Art. 17.292(a); ** Texas C.C.P Art. 17.292(j); *** Texas C.C.P Art. 17.292(a) & (b)

Can the abuser be removed from the home?

Possibly, yes. A judge can consider excluding the abuser from the home and allow you to stay in the home (grant you "exclusive possession") if the home is:

- jointly owned or leased by you and the abuser;
- owned or leased by you; or
- owned or leased by the abuser and he/she has an obligation to support you or to support your child.*

If you are asking that the abuser be excluded as part of a temporary ex parte protection order, you must prove all of the following through your affidavit and testimony:

- you currently live in the residence or you have lived there within the 30 days before you filed the application;
- the abuser has committed family violence against you or a member of the household within the 30 days before you filed the application; and
- there is a clear and present danger that the abuser is likely to commit family violence against you or a member of the household again. **

Note: If you are asking for exclusion as part of a temporary ex parte order, the judge can postpone the hearing until the end of the same day in order to call the respondent and give him/her the opportunity to be present in court when the court resumes the hearing.**

* Tex. Fam. Code § 85.021(2); ** Tex. Fam. Code § 83.006

In which county can I file for a protective order?

You can file a petition in the county where you live, the county where the abuser lives, or any county where the family violence took place.* However, if you have a divorce case pending or a pending case affecting the parent-child relationship, you must file for the protective order in the court in which that case is pending or in the court in the county in which you reside (and you must notify the clerk of the pending case). **

* Tex. Fam. Code § 82.003; ** Tex. Fam. Code § 85.062(a), (b)

Can I keep my personal information confidential?

Yes. If you request it, the court can remove from the protective order the address and phone number of:

- your home (the order will only state the county in which you live);
- your workplace; and
- your child's daycare center or school.*

Therefore, if you do not want the abuser to know the locations of these places, make sure to tell that to the clerk when filing your petition and/or check the box to keep addresses and telephone numbers for residences, workplaces, schools, and childcare facilities confidential.

* Tex. Fam. Code § 85.007(a)

Accommodations and Protective Measures Available for Victims:

Upon receipt of a report of family violence, dating violence, sexual assault or stalking, Brazosport College will provide written notification to students and employees about accommodations available to them, including academic and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact

information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, College offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, transportation, or working situations regardless of whether the victim chooses to report the crime to law enforcement.

Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc. Issuance of a full, partial, or modified persona non grata (PNG) to the respondent may also be appropriate.

To request changes to academic, transportation and/or working situations, or protective measures, a victim should:

Students: Contact the Title IX Coordinator and/or the Dean of Student Services.

Employees/Faculty: Contact the Office of Human Resources. .

If the victim wishes to receive assistance in requesting these accommodations, the victim should contact the Title IX Coordinator and/or BCPD.

Confidentiality:

Victims may request that directory information on file with the College be withheld by request. Employees can contact the Office of Human Resources to make a similar request regarding directory information at 979-230-3459.

Regardless of whether a victim has opted-out of allowing the College to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know; i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally-identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a BC Alert or Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld; this could include the specific location where an incident is reported to have occurred when reporting the location could inadvertently identify the victim.

On- and Off-campus Services for Victims:

Brazosport College is committed to providing a safe learning and work environment for the entire campus

community. Brazosport College conducts ongoing prevention and awareness campaigns through the following avenues:

- Sexual misconduct webpage, www.brazosport.edu/sexualmisconduct which contains information on sexual misconduct and resolution policies and procedures, process for reporting instances of sexual misconduct, campus and community resources, and a guide for faculty and staff members.
- A notification regarding BC policies and procedures regarding sexual misconduct is distributed to all current students each fall and spring semester.
- Flyers detailing Title IX policies, reporting options, and Coordinator contact information are hung on all bulletin boards across campus.
- Information regarding gender discrimination and sexual harassment is included in English and Spanish in the Student Guide and Calendar which is available both online and in printed copies.
- Resource materials covering topics such as confronting sexual assault, LGBTQI survivors of sexual assault, male survivors of sexual assault, campus and community resources for victims of dating violence, domestic violence, sexual assault, and stalking, and Brazosport College's policies and procedures for sexual misconduct are accessible outside the Office of Student Life, in the BCPD, with the Dean of Student Services, and all members of the BC Care Team.
- New Student Orientation online training module covers definitions of and information related to dating violence, domestic violence, sexual assault, and stalking, as well as contact information for campus and community resources. Further, the module presents information about bystander intervention and instructs students on what steps they should take if they encounter a situation of sexual misconduct.
- The topics of dating violence, domestic violence, sexual assault, and stalking are covered in annual training required for student organization officers and advisors. The training also covers resources and how to report incidents of sexual harassment and discrimination.

Student Records of Disciplinary Action

All records pertaining to student violations of Brazosport College rules and regulations will be maintained as permanent records. These records are subject to college regulations concerning the confidentiality of student records. Once an investigation is completed into a of sexual discrimination, sexual harassment, and retaliation involving BC students, the College District shall simultaneously provide written notice of the outcome to the complainant and respondent and the process for contesting an adverse decision. Subject to the requirements of the Family Educational Rights & Privacy Act (FERPA), each party shall have seven business days in which to review the report and to submit comments to the investigator.

Registered Student Organizations

An organization in which membership is limited to students, staff, and faculty may become a registered student organization by complying with the registration procedures established by the associate dean of students.

Registered student organizations shall abide by College District policies and procedures and applicable law. Registered status shall not imply that the College District endorses a student organization's opinions and activities.

In accordance with state law, officers of a registered student organization shall attend a risk management program provided by the College District.

Organizational Behavior

Student groups are subject to the conduct expectations detailed throughout this policy. Any behavior, patterns of behavior, or information suggesting patterns of behavior that creates or contributes to the

creation of a hostile environment, retaliation, discrimination, or harassment will be investigated and could result in organizational and/or individual charges.

Any member of the College community may bring allegations against a student group/organization for violation of the College's Freedom from Discrimination, Harassment, and Retaliation Policies. The College will conduct a preliminary investigation into an incident. An investigation will be conducted to determine if the allegations have merit and have met the threshold to move forward with charges.

The Title IX Coordinator or Dean of Student Services, may confer with the student group/organization's advisor(s), inter/national headquarters, and/or other faculty and staff with a relationship to the student group/organization to solicit advice and recommendations regarding the case. Ultimately, the College is responsible for determining if the organization and/or individuals will be charged and the process for adjudication. All sections of this policy apply to groups and organizations.

Loss of Registration

Upon written notice, a student organization's registered status may be revoked by the Dean of Student Services if it:

1. No longer meets the eligibility requirements; or
2. Violates College District policies and procedures or local, state, or federal law.

A student organization whose registered status has been revoked may appeal to the College President, who may take appropriate action regarding the issue. If the organization is not satisfied with the decision, it may appeal that decision to the Board. A student organization whose registered status has been revoked shall be prohibited from reapplying for registered status for a period described in the revocation notice. The prohibition shall be for a period of not less than four months following the date of the notice and may be permanent. The revocation shall be effective College District-wide.

Disciplinary Violations

In addition to the revocation of registered status, violations of College District policies and procedures or local, state, or federal law shall subject the student organization and its individual members to disciplinary action in accordance with policies [FM](#) and [FMA](#).

The purpose for an appellate review is to ensure all parties that the original findings of fact and imposition of sanctions or other solutions are consistent with Brazosport College policies and procedures.

1. Written requests for appeal should be submitted to the Dean of Student Services within five business days from the date of the original decision except for reasons of new evidence, outlined below, which must be filed within 30 days of the original decision. In the request the student should outline the specific issues and rationale for the appeal. Requests for appeal will be considered only when based on one or more of the following:
 2. Substantial procedural irregularity based upon a violation of student rights; Bias by the hearing officer or board resulting in a violation of the standards of fairness used in disciplinary hearings;
- OR
3. Evidence not available at the hearing which, had it been available, would in all reasonable likelihood have produced a different decision.

Once a completed appeal is received it will be forwarded to the Provost and Vice President, Academic and Student Affairs. The Provost and Vice President will first determine if the student or organization has grounds for appeal, based on the criteria above. The Provost and Vice President, Academic and Student Affairs may choose to modify the finding of responsibility, modify the sanctions, or modify both; remand the case for a new hearing; or uphold the original decision. Appellants will typically be notified of the decision within 5 days. The decision of the Provost and Vice President, Academic and Student Affairs is final.

Records of Disciplinary Actions

All records pertaining to student violations of Brazosport College rules and regulations will be maintained as permanent records. These records are subject to college regulations concerning the confidentiality of student records. Students have the right to inspect their disciplinary records upon written request filed in a timely manner with the Dean of Student Services office.

Employee Standards of Conduct

Standards of Conduct

The following standards of conduct shall apply to all College District employees:

1. No employee shall accept or solicit any gift, favor, or service that might reasonably tend to influence the employee in the discharge of official duties or that the employee knows or should know is being offered with the intent to influence official conduct.
2. No employee shall accept employment or engage in any business or professional activity that the employee might reasonably expect would require or induce the disclosure of confidential information acquired by reason of the official position.
3. No employee shall accept other employment or compensation that could reasonably be expected to impair the employee's independence of judgment in the performance of official duties.
4. No employee shall make personal investments that could reasonably be expected to create a substantial conflict between the employee's private interest and the public interest.
5. No employee shall intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the employee's official powers or performed official duties in favor of another.

Tobacco and E-cigarettes

An employee shall not use tobacco products or e-cigarettes on College District property, in College District vehicles, or at College District-related activities, unless authorized by the College President or designee.

"E-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking. The term includes:

1. A device described by this definition regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and
2. A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Alcohol

Employees shall not be under the influence of alcohol during working hours or at school-related activities outside of usual working hours. An employee need not be legally intoxicated to be considered "under the influence of alcohol."

Employees shall not possess or use alcohol during working hours or at school-related activities except for specific activities as specified in Board policy.

Drugs

Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of a controlled substance, as defined in state or federal law, during working hours, while at school, or at school-related events outside of usual working hours. An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

Notice

Each employee shall be given a copy of the College District's statement regarding a drug-free workplace.

Arrest, Indictments, Convictions and other Adjudications

An employee shall notify his or her immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or any offense involving moral turpitude.

Moral Turpitude

Moral turpitude includes, but is not limited to:

1. Dishonesty, fraud, deceit, theft, or misrepresentation;
2. Deliberate violence;
3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
5. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
6. Acts constituting abuse under the Texas Family Code

Consensual Relationships

All employees have a responsibility to avoid any apparent or actual conflict of interest. A conflict of interest arises when:

1. An employee currently has or formerly had a consensual, intimate relationship with a subordinate or with a student; and
2. The employee's professional responsibilities give the employee the power or authority to influence or affect the subordinates or student's status, assessment, opportunities, or benefits.

Consensual, intimate relationships between employees and their subordinates or between employees and students may lead to complaints of harassment by the subordinate or student and may lead to the perception that the subordinate or student is receiving special access, advantage, or favoritism or that others are receiving restricted opportunities or unfavorable treatment. These concerns may be damaging to all participants, whether the favoritism is real or perceived.

Accordingly, all consensual, intimate relationships between employees and their subordinates are prohibited. Likewise, this policy prohibits all consensual, intimate relationships between an employee and a student who is under the jurisdiction of the employee or who is subject to the employee's influence or decision-making authority.. If a relationship of this nature occurs, or has occurred in the past, the employee must disclose the relationship to his or her supervisor so that the conflict of interest may be resolved.

This policy applies to all employees, including faculty members, and employees who are also enrolled as students in the College District.

Violations of this policy shall constitute employee misconduct and may subject affected employees to institutional sanctions, including termination. Additionally, regardless of whether the participants are disciplined, the College District may transfer one or both parties to a new department or job responsibility, if available, alter reporting lines, or take other necessary action to resolve the conflict. Allegations of sexual harassment shall be addressed in accordance with the applicable sexual harassment policy. [See [DIAA](#) series for employees and [FFDA](#) series for students]

Employee Freedom from Discrimination, Harassment, and Retaliation – Sex and Sexual Violence

Statement of Nondiscrimination

This policy prohibits discrimination, including harassment, against an employee on the basis of sex, pregnancy, sexual orientation, and gender.

Purpose and Scope

It is the policy of the College District to promote employment practices that provide a work environment where fairness, equality, and mutual respect are valued. The purpose of this policy is to define prohibited sexual misconduct, sexual discrimination, sexual harassment, and retaliation and to establish procedures for investigating and remediating claims.

This policy protects employees in all College District workplaces and vehicles, during business travel, and in any other location where College District business is conducted, regardless of whether the property is owned or leased by the College District. This policy applies to all employees regardless of classification, contract status, length of employment, or fulltime or part-time status.

This policy prohibits a wide range of unwelcome verbal and physical behaviors ranging from offensive sexual comments to unwanted touching to rape. The definitions within this policy are not intended to be mutually exclusive, and, in some instances, the definitions may overlap. For example, an act of sexual assault may constitute sexual harassment, while an act of dating violence also may constitute a sexual assault.

Designated College District Officials – Title IX Coordinators

Reports of discrimination, harassment, or retaliation based on sex may be directed to the Title IX Coordinator. The College District designates the following people to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name:	Kelli Forde Spiers
Position:	Director, Student Life and Intramural Programs / Title IX Coordinator
Address:	500 College Drive, Lake Jackson, TX 77566
Telephone:	(979) 230-3355
E-mail:	kelli.fordespiers@brazosport.edu

Definitions

Complainant: In this policy, the term “complainant” refers to the person alleging a violation of College District’s policy.

Respondent: In this policy, the term “respondent” refers to the person who is alleged to have violated the College District’s policy.

Prohibited Conduct: In this policy, the term “prohibited conduct” includes sexual misconduct, sexual discrimination, sexual harassment, and retaliation as defined by this policy.

Sexual Misconduct: “Sexual misconduct” as used in this policy collectively refers to a broad range of prohibited acts, including but not limited to, sexual violence, dating violence, stalking that is based on sex, domestic violence, sexual assault, and sexual harassment. The phrase “sexual misconduct” also encompasses behavior or conduct of a sexual nature that is unprofessional and/or inappropriate for the workplace even if the conduct is otherwise consensual, such as engaging in sexual activity in a public place.

Sexual Discrimination: “Sexual discrimination” is the act of treating an employee adversely in the terms or conditions of his or her employment based on his or her sex, sexual orientation, or gender identity and/or gender expression.

Sexual Harassment: “Sexual harassment” is unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee’s employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee’s work performance or creates an intimidating, threatening, hostile, or offensive work environment.

Sexual harassment violates this policy whether it is perpetrated by a student, employee, or visitor to the campus. Additionally, sexual harassment is wrongful regardless of whether the parties are of the same sex or of the opposite sex.

The definition of sexual harassment in this policy includes acts of sexual violence, which are physical acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol or due to an intellectual or other legal or physical disability. The definition of sexual harassment shall also encompass gender-based harassment, such as actions or comments that target the employee’s failure to conform to stereotypical notions of masculinity or femininity.

Examples:

Examples of prohibited sexual harassment may include sexually offensive comments and gestures; requests for sexual favors accompanied by implied or overt promises of preferential treatment; requests for sexual favors accompanied by implied or overt threats of adverse consequences if the recipient does not comply; un-wanted flirtation or repeated requests for social/sexual encounters or favors the recipient deems unwelcome; slurs and name-calling based on the employee’s perceived sexual orientation; unwelcome or suggestive physical contact, such as grabbing, touching, or patting; and acts of sexual violence, including sexual assault, sexual coercion, and rape.

Consent: Affirmative “consent” is a clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity. Silence or lack of resistance does not constitute consent. Obtaining consent is the responsibility of the person(s) initiating each specific sexual act regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent to any sexual act or prior consensual sexual activity between or with any party does not constitute consent to any other sexual act. The definition of consent applies regardless of a participant’s sex, sexual orientation, gender identity, or gender expression. Consent may be initially given but withdrawn at any time. Consent cannot be given when a person is mentally disabled or incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary), the lack of consciousness, being asleep, or being involuntarily restrained. Consent does not exist when it is the result of any coercion, intimidation, force, or threat of harm. Consent does not exist when the respondent misrepresents his or her true identity to the victim.

Under the Texas Penal Code, victims under the age of 17 cannot give consent as a matter of law. However, it is an affirmative defense to criminal prosecution that the offender was not more than three years older than the victim and of the opposite sex; did not use duress, force, or a threat against the victim at the time of the offense; and was not a registered sex offender.

Sexual Assault: “Sexual assault” is defined as intentionally or knowingly causing physical sexual contact or sexual penetration of another person without that person’s consent. Sexual assault is without consent of the other person if the actor compels the other person to submit or participate by the use of physical force or violence, or threat of force or violence, and the other person believes the actor has the present ability to execute the threat; or the other person cannot consent. [Texas Penal Code 22.011] Sexual assault may include any intentional sexual touching, how-ever slight, including with any object. It may also include intentional contact with the breasts, groin, genitals, mouth, or touching another with any of these body parts, or making another touch the respondent or his or herself with or on any of these body parts.

Aggravated Sexual Assault: “Aggravated sexual assault” is defined as sexual assault in which the actor:

1. Causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode;
2. By acts or words, places the victim in fear that any person will become the victim of an offense under Penal Code 20A.02(a)(3), (4), (7), or (8) (smuggling of persons) or that death, serious bodily injury, or kidnapping will be imminently inflicted on any person;
3. By acts or words occurring in the presence of the victim, threatens to cause any person to become the victim of an offense under Penal Code 20A.02(a)(3), (4), (7), or (8) (smuggling of persons) or to cause death, serious bodily injury, or kidnapping;
4. Uses or exhibits a deadly weapon in the course of the same criminal episode;
5. Acts in concert with another who commits a sexual assault directed toward the same victim and occurs during the same criminal episode; or
6. Assaults a victim who is younger than 14 years of age or is an elderly or a disabled individual.

[Texas Penal Code 22.021]

Domestic Assault: A person is guilty of “domestic assault” in Texas if he or she commits an assault against a family member, household member, or a current or past dating partner. An assault consists of:

1. Intentionally, knowingly, or recklessly causing bodily injury to another person;
2. Intentionally or knowingly threatening another person with imminent bodily injury; or
3. Intentionally or knowingly causing physical contact with another that the offender knows or reasonably should know the victim will find provocative or offensive.

A person commits aggravated domestic assault if he or she intentionally, knowingly, or recklessly causes serious bodily injury to a family member, household member, or a current or past dating partner, or uses or exhibits a deadly weapon in the course of committing the assault crime.

[Texas Penal Code 22.01]

Dating Violence: “Dating violence” means an act, other than a defensive measure to protect oneself, by an actor that:

1. Is committed against a victim:
 - a. With whom the actor has or has had a dating relationship; or
 - b. Because of the victim’s marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
2. Is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.

A dating relationship means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the nature of the relationship, and the frequency and type of interaction between the persons involved in the relationship. A casual acquaintance or ordinary fraternization in a business or social context does not constitute a dating relationship.

[Texas Penal Code 71.0021]

Under federal regulations, when the reporting party asserts there was a dating relationship, the College District should err on the side of assuming that the victim and respondent were in a dating relationship.

Stalking: “Stalking” is any repeated conduct directed specifically at another person that would cause a reasonable person similarly situated (or a member of that person’s family or household) to fear for his or her safety. Such conduct includes, but is not limited to, following another person and acts that threaten or intimidate another person through fear of bodily injury or death of self or members of that person’s family or household or an offense being committed against that person’s property.

“Repeated conduct” as used in this policy means two or more acts, including, but not limited to, when the stalker acts directly or indirectly, or through third parties, by any action, method, device, or means.

Sexual Exploitation: “Sexual exploitation” occurs when a person takes non-consensual or abusive sexual advantage of another and that behavior does not otherwise fall within the definitions of Sexual Harassment, Sexual Assault, Aggravated Sexual Assault, Domestic Assault, Dating Violence, and Stalking. Examples of Sexual Exploitation may include, but are not limited to:

1. Sexual voyeurism (such as watching a person disrobing, using the restroom, or engaging in sexual acts, without the consent of the person observed).
2. Using camera phones and other recording devices to take a photo or video of a person’s genital area or the female breast area or from a vantage point that a reasonable person would view as an invasion of personal privacy (e.g., under a skirt, inside or down a blouse).
3. Taking pictures, video, or audio recordings of another engaging in a sexual act without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person’s consent).
4. Prostitution.
5. Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI) without informing the other person of the infection.
6. Attempting to administer or administering controlled substances (including but not limited to Rohypnol/flunitrazepam, clonazepam/Klonopin, GHB, ketamine, and alprazolam/Xanax) to another person without his or her knowledge or consent.
7. Exposing one’s genitals to another person in non-consensual circumstances.

Retaliation: The College District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation. To constitute an unlawful act of retaliation, the action must be materially adverse, meaning more than a mere inconvenience or a change in job responsibilities or assignments. An adverse employment action ordinarily will involve a significant change in employment status, such as hiring, firing, failing to promote, reassignment with significantly different responsibilities, or a decision causing a significant change in benefits.

Examples:

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include a threat to cause economic harm or physical harm, unjustified negative evaluations, unjustified negative references, or increased, unjustified surveillance.

Reporting Procedures

An employee may seek advice or information on matters related to this policy without having to lodge a

formal complaint. Employees may seek informal guidance by contacting the human resources department.

Employees who are subjected to prohibited conduct in violation of this policy are encouraged to report the conduct at the earliest possible stage, so that the College District can take appropriate action to remedy the prohibited conduct. A delay in reporting may impair the College District's ability to investigate or take corrective action.

Employees may submit an online incident report through the College District's sexual misconduct webpage ([http://www.brazosport.edu/Sexual Misconduct](http://www.brazosport.edu/Sexual%20Misconduct)). They may also report the complaint via e-mail or in person to the Title IX Coordinator or Deputy Title IX Coordinator. The complaint shall describe all incident(s) considered by the complainant to be discriminating, harassing, or retaliatory. Complaints shall identify any relevant dates or witnesses. If the complaint is against the Title IX Coordinators, the complaint shall be filed with the College President. If the complaint is against the College President, the complaint shall be filed with the Board.

Under no circumstances shall the employee be required to present his or her complaint to the person who is the subject of the complaint.

An employee has the right to simultaneously file a criminal complaint with local law enforcement and a complaint with the College District. An employee also may choose to file a complaint with the College District without filing a law enforcement complaint or to file a law enforcement complaint without filing a complaint with the College District. An employee may also choose not to file any complaint. The College District official or a designee shall inform the employee of his or her options.

Initial Assessment

Upon receipt or notice of a complaint, the Title IX Coordinator shall review the allegations to determine if a potential violation of this policy exists. If so, the Title IX Coordinator shall immediately authorize or undertake an investigation.

Responsible Employees

Supervisors and administrators who receive notice of an alleged violation of this policy shall take prompt and appropriate action reasonably necessary to ensure compliance with this policy. Supervisors and administrators may counsel employees about appropriate and inappropriate behavior in the workplace and may issue appropriate directives to ensure compliance with this policy.

To ensure that all complaints are properly processed, any College District employee who knows or who, in the exercise of reasonable care, should have known of allegations of unwelcomed sexual misconduct, sexual discrimination, sexual harassment, or retaliation prohibited by this policy shall as expeditiously as possible report the occurrence to the College District official or a designee. Employees with reporting responsibilities include the College President, all Vice Presidents, Deans, Division Chairs, faculty members, security personnel, and supervisors. A person who holds a professional license requiring confidentiality, or who is supervised by such a person shall not be required to disclose a report of prohibited conduct without the employee's consent.

Interim Measures and Accommodations

When reviewing a complaint, the Title IX Coordinator or a designee shall determine whether interim measures are needed. These interim measures may include, but are not limited to, issuing a "no contact" order to the respondent, altering a work schedule, temporarily suspending the respondent, or providing a campus escort. The Title IX Coordinator or a designee shall consult with the complainant and the relevant supervisors regarding whether interim measures are appropriate and feasible.

Informal Resolution

The College District may institute an informal resolution in response to a situation or report of a violation of the College District's policy when a formal investigation is not desired by the complainant or when there is not enough information to proceed with a formal investigation process. An informal resolution is similar to an interim measure but may serve as final resolution. Informal resolution does not result in findings related to responsibility or in sanctions. The College District may institute a formal investigation at any time if it determines that the conduct that is described in the complaint is severe, part of a pattern of persistent misconduct, or otherwise necessary.

An informal resolution process may be initiated if the behavior, even if true, would not constitute a violation of this policy. However, a formal investigation will be used when informal resolution is inappropriate. The resolution sought depends upon the circumstances of the complaint.

Possible resolutions might include, but are not limited to:

1. An agreement by the respondent to cease the behavior;
2. Assisting the respondent to better understand the effects of his or her conduct and ways in which this behavior might be changed;
3. Participation in educational programs about discrimination or harassment;
4. Verbal or written reprimands; and
5. Taking away privileges or altering schedules.

Formal Investigation

The Title IX Coordinator or a designee shall designate an impartial investigator to conduct the investigation. Depending on the scope of the investigation, more than one investigator may be appointed. The investigator(s) shall have appropriate training or experience and shall be familiar with the relevant College District's policy and procedures.

Barring unusual circumstances, e.g., multiple complaints or a complaint filed shortly before the winter break, the investigation shall be completed as promptly as possible, usually within 60 calendar days of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation. The Title IX Coordinator shall provide periodic status updates in writing as may be appropriate to both the complainant and the respondent.

The investigation may consist of interviews with the complainant, respondent, and others with knowledge of the circumstances surrounding the allegations as may be appropriate. The investigation may also include an analysis of other information or documents related to the allegations.

The standard of evidence for investigating and adjudicating a complaint is a preponderance of the evidence. This standard will be met if the evidence shows that the allegation is more likely than not to have occurred. Possible outcomes of an investigation are:

1. A finding that the allegation is untrue or could not be substantiated; or
2. A finding that the allegation is substantiated and violates this policy.

The investigator(s) shall prepare a written report that summarizes the evidence and information collected through the investigation process and states whether a policy violation appears to have occurred based on a preponderance of evidence. The College District shall simultaneously provide written notice of the outcome to the complainant and respondent and the process for contesting an adverse decision.

College District Action

If the results of an investigation indicate that prohibited conduct occurred, the Title IX Coordinator shall forward the investigative report to the appropriate administrator for possible disciplinary action. The College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the College District's policies ([DGBA](#), [DM](#), [DMAA](#), or [DMAB](#)) for discipline and dismissal of employees or ([FMA](#)) for discipline of students. Disciplinary

actions may include, but are not limited to, written reprimands, reassignment, suspension, nonrenewal, and termination for employees or written reprimands, schedule adjustments, suspension, or expulsion for students. Disciplinary actions shall be designed to eliminate a hostile environment and to prevent reoccurrence of the prohibited conduct. An employee who is recommended for discipline may seek review of the discipline via policy [DGBA](#), [DM](#), [DMAA](#), or [DMAB](#), as may be applicable.

Federal Timely Warning Obligations

The College District must issue timely warnings for incidents reported to the College District that pose a substantial threat of bodily harm or danger to members of the campus community. No such warning shall identify a victim or contain information that could do so unless permitted by the victim.

Confidentiality

To the greatest extent possible, the College District shall maintain the confidentiality of records related to investigations of complaints based on sexual discrimination, sexual harassment, and retaliation. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Appeal by Complainant

A complainant who is dissatisfied with the outcome of the investigation may appeal through [DGBA](#)(LOCAL), beginning at the appropriate level. The complainant also has a right to file a complaint with the Equal Employment Opportunity Commission or Texas Workforce Commission.

Access to Policy, Procedures, and Related Materials

Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed annually to College District employees in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in employee publications and other major College District publications. Information regarding the policy, procedures, and related materials shall also be prominently published on the College District's website, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to an employee who makes a report.

False Claims

Investigations of allegations of sexual discrimination, sexual harassment, or sexual misconduct are serious and often time-consuming endeavors. The College District recognizes that the expenditure of time and resources is necessary to ensure the fair and equitable resolution of complaints. Students and employees who knowingly file false complaints or submit false evidence shall be subject to discipline, up to and including dismissal or expulsion. Before determining that an individual has acted in bad faith and imposing discipline, the College District officials shall carefully evaluate the evidence and shall provide the individual an opportunity to respond to the allegation.

Employee Assistance Program:

An employee assistance program for medical care and mental health counseling is available through the College's health insurance provided by Blue Cross Blue Shield of Texas through a program offered by the Employee Retirement System of Texas. Employee should contact the College's Human Resources Office at 979-230-3126 or 979-230-3302.

Sex Offender Registration Information

In 2002, the Wetterling Act (the federal law dealing with state registration of sex offenders) was amended by the Campus Sex Crimes Prevention Act (CSCPA) to require states to obtain information about enrollment or employment of registered sex offenders at institutions of higher education and to

provide that information to campus police departments or other appropriate law enforcement agencies.

The CSCPA requires universities to provide notice to the campus community of where information identifying registered sex offenders who are enrolled or employed at the institution can be obtained.

A provision was added to FERPA to allow a college to disclose information provided to it under the Wetterling Act concerning registered sex offenders, including personally identifiable, non-directory information from education records disclosed without prior consent. Information identifying registered sex offenders must be provided to the campus police department or other appropriate law enforcement agency by the state. The College must advise the campus community where sex offender information can be obtained and must make the information available to members of the campus community by some means. The Texas Department of Public Safety must obtain the information and provide it to the College. The College is not required to ask registrants or prospective employees about the information.

The Department of Public Safety has adopted the following procedure:

Notification of Enrollment at or Employment by Institutions of Higher Education

Any registered offender who is enrolled as a student of any university, college, community college, or other institution of higher education, or is, with or without compensation, a full-time or part-time employee of that university, college, community college, or other institution of higher education, or is carrying on a vocation at the university, college, community college, or other institution of higher education, shall report their status as an employee, student, or carrying on a vocation to their local law enforcement authority in the area for which they establish residence within this state.

For local registered sex offender information go to:

<https://records.txdps.state.tx.us/SexOffenderRegistry>

Complaints against BCPD Civilian Employees

BCPD encourages community members to bring forward legitimate grievances regarding any alleged misconduct by employees. Any member of the Department will receive complaints courteously, and they will be handled efficiently. All criminal complaints will be taken seriously and thoroughly investigated by the Director of Campus Safety / Chief of Police or designee. All reports of non-criminal misconduct by civilian employees will be forwarded to the Vice President of Human Resources without delay.

Complaints against BCPD Police Officers

To be considered by the head of a fire department or local law enforcement agency, a complaint against a peace officer must be in writing and signed by the person making the complaint. A copy of a signed complaint against a peace officer appointed or employed by a political subdivision of this state shall be given to the officer within a reasonable time after the complaint is filed. Disciplinary action may not be taken against the officer unless a copy of the signed complaint is given to the officer. The officer may not be indefinitely suspended or terminated from employment based on the subject matter of the complaint unless the complaint is investigated and there is evidence to prove the allegation of misconduct. [TX Gov't Code 614.022-.023]

Missing Students

Brazosport College does not have any on-campus student housing facilities.

If a member of the College community has reason to believe that a student is missing, they should immediately notify BCPD at 979-230-3030. BCPD will generate a Missing Person report and initiate an investigation. After investigating the Missing Person report, should BCPD determine that the student is missing and has been missing for more than 24 hours, BCPD or a representative from the College will notify the law enforcement authority with jurisdiction and the student's emergency contact no later than 24 hours after the student is determined to be missing.

If the missing person is under the age of 18 and is not an emancipated individual, BCPD or a representative from the College will notify the student's parent or legal guardian, the missing person contact, and the local law enforcement with jurisdiction immediately after BCPD has determined that the student has been missing for more than 24 hours, in addition to notifying any additional contact person designated by the student.

Emergency Medical Response Procedures

Brazosport College Campus Safety is the primary first responder agency for aided calls on the Brazosport College campus. Students, faculty, staff, and guest should report any emergency medical situations to Campus Safety immediately at 979-230-3030 or to 911. It is the duty of the responding BCPD personnel to take the appropriate action in all cases. The responding personnel should not under any circumstances go above his/her level of first aid and emergency responder training. Campus Safety can summon an ambulance if requested or necessary.

For the purpose of this document, an aided call refers to any type of medical response made by an employee of BCPD. This includes but is not limited to crisis intervention response, unconscious individual, sick, injured, or any other medical condition or problem.

BCPD personnel will not administer any assistance contrary to the ill or injured person's expressed wishes. The exception to this is when, in the judgment of BCPD personnel, the individual is not capable of rendering a rational decision regarding his or her well-being. In these cases the responding personnel will provide the needed care.

Annual Fire Safety Report

Brazosport College does not own, lease, rent or otherwise control residential living quarters for any members of the Brazosport College community.

The majority of Brazosport College's on-campus academic facilities are covered by integrated automatic sprinklers and all have hard-wired addressable fire alarm systems. In addition, these facilities have the following life safety systems: portable fire extinguishers, emergency lighting, emergency exit signs and doors, and phones which can be used to contact BC Campus Safety. A fire alarm systems test and inspection is conducted annually. Kitchen hoods are cleaned quarterly and inspected every six months.

If a member of the Brazosport College community finds evidence of a fire that has been extinguished, and the person is not sure whether Campus Safety has already responded, the community member should immediately notify Campus Safety to investigate and document the incident. For example, if a housekeeper finds evidence of a fire in a trashcan in the hallway of a building, they should not touch the trashcan, and should report the incident to Campus Safety immediately and wait for an officer's response. The officer will document the incident prior to contacting facilities regarding potential

removal/replacement of the trashcan. Fire alarms alert community members of potential hazards, and community members are required to heed their warning and evacuate buildings immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Do not use the elevator. Community members should familiarize themselves with the exits in each building.

Procedures for Students and employees in the Event of a Fire

Emergency exits are clearly identified with red exit markers overhead. Learn the closest exit including alternative exits in the event of fire and become familiar with posted evacuation floor plan charts in your area. College personnel are responsible for pointing out exit signs and evacuation routes to students in their classes or employees under their supervision. Should a fire condition occur, an audible alarm will sound and/or a flashing strobe light will activate. In the event of a flashing strobe light with no sound, it should be treated the same as an audible alarm.

There are over 150 fire extinguishers on campus. Each classroom, administrative office area, and mechanical room has fire extinguishers. Know the location of the fire extinguishers near your office or classroom.

In the event of a fire, follow these steps:

- Act quickly. Get everyone to safety before trying to fight a fire.
- Contact Campus Safety at 230-3030 and inform them if there is a disabled person in need of assistance to exit a building and provide a location.
- **USE THE STAIRS – DO NOT USE THE ELEVATORS**

Notify someone else about the fire. This person can activate the fire alarm and/or call 911.

If the fire is minor and appears controllable, and you are comfortable with the operation of a fire extinguisher, use one to put the fire out. Faculty and staff members should familiarize themselves with operation of the fire extinguishers.

Utilize the basics of fire extinguisher operation (PASS):

- P....Pull the pin.
- A...Aim extinguisher nozzle at the base of the flame.
- S....Squeeze trigger while holding the extinguisher upright.
- S....Sweep the extinguisher from side to side, covering the area of the fire.

Remember to:

- Test the extinguisher before approaching the fire.
- Keep low and approach with the wind at your back.
- Back away, watching for rekindle.

If the fire is large and uncontrollable, DO NOT attempt to extinguish it. Evacuate all rooms by following instructions in Tab A of the BC Emergency Handbook; close all doors to confine the fire and reduce oxygen.

DO NOT LOCK DOORS

Immediately contact 911 or from a campus phone press button for Campus Police (979-230-3030). The Police will contact the fire department.

- College personnel will notify students in classes and employees of the emergency.
- College personnel should be familiar with fire alarm pull stations and activate an alarm if possible.

- Contact Campus Safety at 230-3030 and inform them if there is a disabled person in need of assistance to exit a building and provide a location.

Once outside, move to the evacuation zones identified in Tab A of the BC Emergency Handbook. Keep streets, hydrants and walkways clear for emergency vehicles and responders.

The College performs an annual fire/evacuation drill each academic year for buildings on the Brazosport College campus. The College President is responsible for developing appropriate policies to regulate smoking on campus.

Brazosport College Smoking Policy

Brazosport College (BC) prohibits the use of any tobacco product, electronic cigarette, or vapor device throughout all indoor areas and within a 15 foot perimeter around all facility entrances, exits and HVAC air intake vents under the control of BC and includes BC vehicles. Included in this ban are tobacco products of all types (including, but not limited to, cigarettes, cigars, pipes, chewing tobacco, snuff and all other kinds and forms of tobacco prepared in such a manner to be suitable for spit tobacco use, smoking, or both). This ban also includes herbal tobacco products and simulated tobacco products that imitate or mimic tobacco products such as e-cigarettes, vapor cigarettes, pipes or other types of inhalation devices.

It is the shared responsibility of all employees to assist in maintaining a tobacco free environment in and around all campus facilities. Noncompliance by a student shall be handled by the Dean of Student Services in accordance with procedures outlined in the Student Code of Conduct in the Student Guide and Calendar. Noncompliance by employees shall be addressed through their supervisory chain of command who may also enlist the Human Resources Office for assistance.

Uniform Crime Reporting (UCR) / National Incident Based Reporting System (NIBRS) Definitions

Uniform Crime Reporting (UCR)

The UCR Program collects statistics on the number of offenses known to law enforcement. In the traditional Summary Reporting System (SRS), there are eight crimes, or Part I offenses, (murder and non-negligent homicide, rape (legacy & revised), robbery, aggravated assault, burglary, motor vehicle theft, larceny-theft, and arson) to be reported to the UCR Program. These offenses were chosen because they are serious crimes, they occur with regularity in all areas of the country, and they are likely to be reported to police.

The Part I offenses are defined as:

Criminal Homicide –

- A. Murder and non-negligent manslaughter: the willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. The program classifies justifiable homicides separately and limits the definition to:
 - 1) the killing of a felon by a law enforcement officer in the line of duty; or
 - 2) the killing of a felon, during the commission of a felony, by a private citizen.
- B. Manslaughter by negligence: the killing of another person through gross negligence. Traffic fatalities are excluded.

Forcible Rape/Legacy Rape— The carnal knowledge of a female forcibly and against her will. Rapes by force and attempts or assaults to rape, regardless of the age of the victim, are included. Statutory offenses (no force used—victim under age of consent) are excluded.

Legacy Rape — See Forcible Rape

Revised Rape — penetration, no matter how slight, of the vagina or anus with any body part or object, or

oral penetration by a sex organ of another person, without the consent of the victim. Attempts or assaults to commit rape are also included; however, statutory rape and incest are excluded

Robbery – The taking or attempted taking of anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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. Simple assaults are excluded.

Burglary (Breaking or Entering) – The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

Larceny - Theft (except Motor Vehicle Theft) – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking, or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Motor Vehicle Theft – The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.

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.

The Part II Offenses are:

Other Assaults (Simple) – Assaults and attempted assaults which are not of an aggravated nature and do not result in serious injury to the victim. Includes subjecting a person to unlawful physical attack or in fear of bodily harm by word or action.

Forgery and Counterfeiting – The altering, copying, or imitating of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud. Attempts are included.

Fraud – The intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with something of value or to surrender a legal right. Fraudulent conversion and obtaining of money or property by false pretenses, confidence games and bad checks, except forgeries and counterfeiting, are included.

Embezzlement – The unlawful misappropriation or misapplication by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control. Stolen Property; Buying, Receiving, Possessing – Buying, receiving, possessing, selling, concealing, or transporting any property with the knowledge that it has been unlawfully taken, as by burglary, embezzlement, fraud, larceny, robbery, etc. Attempts are included.

Vandalism – To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law. Attempts are included.

Weapons; Carrying, Possessing, etc. – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. Attempts are included.

Prostitution and Commercialized Vice – The unlawful promotion of or participation in sexual activities for profit. Attempts are included.

Sex offenses (except forcible rape, prostitution, and commercialized vice) – Statutory rape, offenses against chastity, common decency, morals, and the like. Includes the offense of Fondling. Attempts are included.

Drug Abuse Violations – The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for

violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The following drug categories are specified: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics —manufactured narcotics that can cause true addiction (Demerol, Methadone); and dangerous non-narcotic drugs (Barbiturates, Benzedrine).

Gambling – To unlawfully bet or wager money or something else of value; assist, promote, or operate a game of chance for money or some other stake; possess or transmit wagering information; manufacture, sell, purchase, possess, or transport gambling equipment, devices, or goods; or tamper with the outcome of a sporting event or contest to gain a gambling advantage.

Offenses Against the Family and Children – Unlawful nonviolent acts by a family member (or legal guardian) that threaten the physical, mental, or economic well-being or morals of another family member and that are not classifiable as other offenses, such as Assault or Sex Offenses. Attempts are included.

Driving Under the Influence – Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

Liquor Laws – The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Federal violations are excluded.

Drunkenness – To drink alcoholic beverages to the extent that one’s mental faculties and physical coordination are substantially impaired. Excludes driving under the influence.

Disorderly Conduct – Any behavior that tends to disturb the public peace or decorum, scandalizes the community, or shocks the public sense of morality.

Vagrancy – The violation of a court order, regulation, ordinance, or law requiring the withdrawal of persons from the streets or other specified areas; prohibiting persons from remaining in an area or place in an idle or aimless manner; or prohibiting persons from going from place to place without visible means of support.

All Other Offenses – All violations of state or local laws not specifically identified as Part I or Part II offenses, except traffic violations.

National Incident Based Reporting System (NIBRS)

The Texas version of IBR, includes all national data elements as well as Texas-specific data. As of July 2018, approximately 870 agencies have committed to transition to NIBRS reporting by August of 2021, the transition date set forth by the FBI. At this time, there is not a separate publication for IBR data. IBR data is converted to summary for its inclusion in the Crime in Texas report.

Major Differences – UCR vs. NIBRS

- Additional and expanded Part I offenses - from 8 to 24
- More data elements collected for the Part I offenses for better crime analysis
- Magnetically submitted (e.g. disk, electronic submission) - no paper

The Uniform Crime Reporting Program (UCR) provides a nationwide view of crime based on the submission of crime information by law enforcement agencies throughout the country. This data is used in law enforcement administration, operation, and management, as well as to indicate the level and nature of crime in the United States.

Unlike the summary-based UCR Program, IBR collects data on each single crime occurrence. NIBRS collects data on each single incident and arrest within 24 offense categories made up of 52 Group A offenses. The offenses that fall into this category are:

1. Animal Cruelty
2. Arson
3. Assault
4. Bribery

5. Burglary/Breaking and Entering
6. Counterfeiting/Forgery
7. Destruction/Damage/Vandalism of Property
8. Drug/Narcotic Offenses
9. Embezzlement
10. Extortion/Blackmail
11. Fraud
12. Gambling
13. Homicide
14. Human Trafficking
15. Kidnapping/Abduction
16. Larceny/Theft
17. Motor Vehicle Theft
18. Pornography/Obscene Material
19. Prostitution
20. Robbery
21. Sex Offenses
22. Sex Offenses, Non-forcible
23. Stolen Property
24. Weapon Law Violations

In addition, there are 10 Group B offense categories for which only arrest data are reported. Most Group B offenses only come to law enforcement attention when arrests are made.

1. Bad Checks
2. Curfew/Loitering/Vagrancy Violations
3. Disorderly Conduct
4. Driving Under the Influence
5. Drunkenness
6. Family Offenses, Nonviolent
7. Liquor Law Violations
8. Peeping Tom
9. Trespass of Real Property
10. All Other Offenses
11. Runaway (Not a Crime but data is still collected)

This information is provided as a part of Brazosport College's continuing commitment to safety and security on campus in compliance with the Jeanne Clery Act. Concerns, questions, or complaints related to this document or the applicable statutes should be directed to the Director of Campus Safety either by mail at Brazosport College, 500 College Drive, Box 10, Lake Jackson, TX 77566, or email at: Chad.Leveritt@brazosport.edu, or by telephone at 979-230-3030.