

# **Brazosport College** **The College of Choice<sup>®</sup>**

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**2020**

## **Annual Security Report**

**Reporting Period: January 1 – December 31, 2019**



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

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## Introduction

Thank you for taking the time to review the Brazosport College 2020 Annual Security Report. This report reflects our ongoing efforts to keep you informed of the Brazosport College Police Department's (BCPD) programs to ensure your safety and to provide you with important information regarding the various College resources available to assist you.

BCPD is committed to serving the entire Brazosport campus community, our students, faculty, staff, and community members with a customer service focus that upholds a safe and secure campus environment in which individuals can learn, grow and work. We work hard and shape our training around ensuring a safe campus community while respecting freedom of expression, safeguarding life and property while upholding the Constitution, and enforcing applicable federal, state, and local laws.

We aggressively investigate reported crimes and work with other campus and law enforcement partners to ensure resources are available to support community members impacted by crime. Campus safety is a shared responsibility, and we work in partnership with those we serve to provide a safe environment. It is important for everyone - including our students, faculty, and staff - to be aware of their surroundings and to take reasonable precautions. As your safety partner, we welcome your input and value your concerns for making our community a safer place for everyone.

BCPD is under the leadership of the Chief of Police / Director of 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 9 full-time police officers, 26 – 30 part-time Security Officers, and six 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 several 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.
  - a. Please note the U.S. Department of Education extended the deadline for distribution of the 2020 Annual Security Report from October 1<sup>st</sup>, 2020 to December 31<sup>st</sup>, 2020 in response to the ongoing COVID-19 national pandemic.
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/for-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 Coordinator, Marielle Rolon, by calling (979) 230-3303 or in person at the

Human Resources Office located in the BC Central C-Wing, Suite C.100.

**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 979-230-3030 or on campus extension 3030.**

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 can 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.
- Always carry your keys 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.

All 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 police 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, Brazoria County Health District, 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 that 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 of Richwood Police Department, the City of Angleton Police Department, Angleton ISD Police Department, the City of 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**

**2017-2019**

#### **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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	1	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
LARCENY/THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INTIMIDATION	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	1	N/A	0	0
	2017	0	N/A	0	0
DATING VIOLENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STALKING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	1	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	2
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### The Freeport Center

**305 East Park Avenue, Freeport, TX 77541**

**2017-2019**

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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	1	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
LARCENY/THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INTIMIDATION	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DATING VIOLENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STALKING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### Angleton I.S.D. - Angleton High School

**1 Campus Drive, Angleton, TX 77515**

**2017-2019**

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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	1	N/A	0	0
	2018	0	N/A	0	0
	2017	1	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	1	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	2	N/A	0	0
	2018	6	N/A	0	0
	2017	6	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	1	N/A	0	0
	2017	1	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
LARCENY/THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INTIMIDATION	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	1	N/A	0	0
DATING VIOLENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STALKING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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.	2019	1	N/A	0	0
	2018	1	N/A	0	0
	2017	4	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	1	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	6	N/A	0	0
	2018	11	N/A	0	0
	2017	12	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	6	N/A	0	0
	2018	0	N/A	0	0
	2017	3	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	1	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	6	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### Angleton I.S.D. - Angleton CATS Academy

**300 South Walker, Angleton, TX 77515  
2017-2019**

*BC students did not attend classes at CATS Academy in 2017 or Spring Semester 2018.*  
Angleton 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 (Angleton CATS Academy)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	N/A	0	0
	2018				
	2017				
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018				
	2017				
RAPE	2019	0	N/A	0	0
	2018				
	2017				
FONDLING	2019	0	N/A	0	0
	2018				
	2017				
INCEST	2019	0	N/A	0	0
	2018				
	2017				
STATUTORY RAPE	2019	0	N/A	0	0
	2018				
	2017				
ROBBERY	2019	0	N/A	0	0
	2018				
	2017				
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018				
	2017				
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017				
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018				
	2017				
ARSON	2019	0	N/A	0	0
	2018				
	2017				



**HATE CRIMES (Angleton CATS Academy)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	N/A	0	0
	2018				
	2017				
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018				
	2017				
RAPE	2019	0	N/A	0	0
	2018				
	2017				
FONDLING	2019	0	N/A	0	0
	2018				
	2017				
INCEST	2019	0	N/A	0	0
	2018				
	2017				
STATUTORY RAPE	2019	0	N/A	0	0
	2018				
	2017				
ROBBERY	2019	0	N/A	0	0
	2018				
	2017				
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018				
	2017				
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017				
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018				
	2017				
ARSON	2019	0	N/A	0	0
	2018				
	2017				
LARCENY/THEFT	2019	0	N/A	0	0
	2018				
	2017				
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018				
	2017				
INTIMIDATION	2019	0	N/A	0	0
	2018				
	2017				
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018				
	2017				

**VAWA OFFENSES (Angleton CATS Academy)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2019	0	N/A	0	0
	2018				
	2017				
DATING VIOLENCE	2019	0	N/A	0	0
	2018				
	2017				
STALKING	2019	0	N/A	0	0
	2018				
	2017				

**ARRESTS AND REFERRALS (Angleton CATS Academy)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018				
	2017				
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018				
	2017				
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018				
	2017				
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018				
	2017				
ARRESTS: LIQUOR LAW VIOLATIONS	2019	1	N/A	0	0
	2018				
	2017				
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	3	N/A	0	0
	2018				
	2017				

**UNFOUNDED CRIMES (Angleton CATS Academy)**

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2019	0	N/A	0	0
	2018				
	2017				

## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### Angleton I.S.D. - Angleton Marshall Center

300 Parrish Street, Angleton, TX 77515

2017-2019

*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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
LARCENY/THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INTIMIDATION	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DATING VIOLENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STALKING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### Angleton Christian High School

**976 Anchor Road, Angleton, TX 77515  
2017-2019**

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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

**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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
LARCENY/THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INTIMIDATION	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

**VAWA OFFENSES (Angleton Christian High School)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DATING VIOLENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STALKING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

**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.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

**UNFOUNDED CRIMES (Angleton Christian High School)**

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0



## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### Angleton Library

**401 E. Cedar St., Angleton, TX 77515  
2017-2019**

***BC did not hold any classes at the Angleton Library prior to 2019***

Angleton Library 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 Library)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	N/A	0	0
	2018				
	2017				
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018				
	2017				
RAPE	2019	0	N/A	0	0
	2018				
	2017				
FONDLING	2019	0	N/A	0	0
	2018				
	2017				
INCEST	2019	0	N/A	0	0
	2018				
	2017				
STATUTORY RAPE	2019	0	N/A	0	0
	2018				
	2017				
ROBBERY	2019	0	N/A	0	0
	2018				
	2017				
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018				
	2017				
BURGLARY	2019	0	N/A	0	0
	2018				
	2017				
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018				
	2017				
ARSON	2019	0	N/A	0	0
	2018				
	2017				

**HATE CRIMES (Angleton Library)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	N/A	0	0
	2018				
	2017				
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018				
	2017				
RAPE	2019	0	N/A	0	0
	2018				
	2017				
FONDLING	2019	0	N/A	0	0
	2018				
	2017				
INCEST	2019	0	N/A	0	0
	2018				
	2017				
STATUTORY RAPE	2019	0	N/A	0	0
	2018				
	2017				
ROBBERY	2019	0	N/A	0	0
	2018				
	2017				
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018				
	2017				
BURGLARY	2019	0	N/A	0	0
	2018				
	2017				
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018				
	2017				
ARSON	2019	0	N/A	0	0
	2018				
	2017				
LARCENY/THEFT	2019	0	N/A	0	0
	2018				
	2017				
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018				
	2017				
INTIMIDATION	2019	0	N/A	0	0
	2018				
	2017				
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018				
	2017				

**VAWA OFFENSES (Angleton Library)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2019	0	N/A	0	0
	2018				
	2017				
DATING VIOLENCE	2019	0	N/A	0	0
	2018				
	2017				
STALKING	2019	0	N/A	0	0
	2018				
	2017				

**ARRESTS AND REFERRALS (Angleton Library)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018				
	2017				
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018				
	2017				
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018				
	2017				
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018				
	2017				
ARRESTS: LIQUOR LAW VIOLATIONS	2019	1	N/A	0	0
	2018				
	2017				
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	1	N/A	0	0
	2018				
	2017				

**UNFOUNDED CRIMES (Angleton Library)**

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2019	0	N/A	0	0
	2018				
	2017				

## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### Brazoria County East Annex – Brazoria County Probations Department

**1524 E. Mulberry Street, Angleton, TX 77515  
2017-2019**

*NO Brazosport College Students attended courses at this location prior to the Fall of 2019*  
 Angleton Library 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 (Brazoria County East Annex)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	N/A	0	0
	2018				
	2017				
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018				
	2017				
RAPE	2019	0	N/A	0	0
	2018				
	2017				
FONDLING	2019	0	N/A	0	0
	2018				
	2017				
INCEST	2019	0	N/A	0	0
	2018				
	2017				
STATUTORY RAPE	2019	0	N/A	0	0
	2018				
	2017				
ROBBERY	2019	0	N/A	0	0
	2018				
	2017				
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018				
	2017				
BURGLARY	2019	0	N/A	0	0
	2018				
	2017				
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018				
	2017				
ARSON	2019	0	N/A	0	0
	2018				
	2017				

**HATE CRIMES (Brazoria County East Annex)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	N/A	0	0
	2018				
	2017				
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018				
	2017				
RAPE	2019	0	N/A	0	0
	2018				
	2017				
FONDLING	2019	0	N/A	0	0
	2018				
	2017				
INCEST	2019	0	N/A	0	0
	2018				
	2017				
STATUTORY RAPE	2019	0	N/A	0	0
	2018				
	2017				
ROBBERY	2019	0	N/A	0	0
	2018				
	2017				
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018				
	2017				
BURGLARY	2019	0	N/A	0	0
	2018				
	2017				
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018				
	2017				
ARSON	2019	0	N/A	0	0
	2018				
	2017				
LARCENY/THEFT	2019	0	N/A	0	0
	2018				
	2017				
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018				
	2017				
INTIMIDATION	2019	0	N/A	0	0
	2018				
	2017				
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018				
	2017				

**VAWA OFFENSES (Brazoria County East Annex)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2019	0	N/A	0	0
	2018				
	2017				
DATING VIOLENCE	2019	0	N/A	0	0
	2018				
	2017				
STALKING	2019	0	N/A	0	0
	2018				
	2017				

**ARRESTS AND REFERRALS (Brazoria County East Annex)**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018				
	2017				
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018				
	2017				
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018				
	2017				
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018				
	2017				
ARRESTS: LIQUOR LAW VIOLATIONS	2019	1	N/A	0	0
	2018				
	2017				
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	1	N/A	0	0
	2018				
	2017				

**UNFOUNDED CRIMES (Brazoria County East Annex)**

	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2019	0	N/A	0	0
	2018				
	2017				

## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### Brazosport I.S.D. - Brazosport High School

**1800 West Second, Freeport, TX 77541**

**2017-2019**

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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	1	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	1	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	1	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
LARCENY/THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INTIMIDATION	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	1	N/A	0	0
	2017	0	N/A	0	0
DATING VIOLENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STALKING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	1	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	4	N/A	0	0
	2018	4	N/A	0	0
	2017	6	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### Brazosport I.S.D. - Brazoswood High School

**302 West Brazoswood Drive, Clute, TX 77531**

**2017-2019**

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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	1	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	1	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	1	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
LARCENY/THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INTIMIDATION	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	1	N/A	0	0
	2017	0	N/A	0	0
DATING VIOLENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	2	N/A	0	0
STALKING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	7	N/A	0	0
	2018	3	N/A	0	0
	2017	7	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### Columbia Brazoria I.S.D. - Columbia High School

**521 South 16th Street, West Columbia, TX 77486**

**2017-2019**

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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	2	N/A	0	2
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	1	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
LARCENY/THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INTIMIDATION	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DATING VIOLENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STALKING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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.	2019	0	N/A	0	0
	2018	0	N/A	0	2
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	3	N/A	0	1
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	2	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### Sweeny I.S.D. - Sweeny High School

**600 East Ashley Wilson Road, Sweeny, TX 77480**

**2017-2019**

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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	1
	2017	1	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	2
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
LARCENY/THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INTIMIDATION	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	2
	2017	0	N/A	0	1
DATING VIOLENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STALKING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	3	N/A	0	1
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0

## BRAZOSPORT COLLEGE CAMPUS CRIME STATISTICS

### Sweeny I.S.D. - Sweeny Petrochemical Academy

**8554 FM 524 Road, Sweeny, TX 77480**

**2017-2019**

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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MANSLAUGHTER by NEGLIGENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
FONDLING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INCEST	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STATUTORY RAPE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ROBBERY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
AGGRAVATED ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
BURGLARY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
MOTOR VEHICLE THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARSON	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
LARCENY/THEFT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
SIMPLE ASSAULT	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
INTIMIDATION	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DESTRUCTION, DAMAGE, OR VANDALISM OF PROPERTY	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DATING VIOLENCE	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
STALKING	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	0	N/A	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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	2019	0	N/A	0	0
	2018	0	N/A	0	0
	2017	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 a BCPD Police 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 Police 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 of Campus Safety / Chief of Police or the BCPD Police Lieutenants 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 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 Police 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 Police 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 Police 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 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) 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](mailto: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](http://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

- Voicemail
- 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, Brazoswood Independent School District, 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 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 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
- 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 Police 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) 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.

### 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 Zone:

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](http://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 that 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 prejudge 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 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.

The definition of consent is included in Brazosport College's Freedom From Discrimination, Harassment, and Retaliation – Sex and Sexual Violence policies, [DIAA](#) (Local) and [FFDA](#) (Local). The definition of consent is used to 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.”<sup>1</sup> 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 list<sup>2</sup> 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

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

<sup>2</sup>Bystander 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's Freedom From Discrimination, Harassment, and Retaliation – Sex and Sexual



Violence policies, [DIAA](#) (Local) and [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](http://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 member 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 mats, 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.

## Freedom from Discrimination, Harassment, and Retaliation - Sex and Sexual Violence – Student (FFDA(LOCAL))

**NOTE:** This policy addresses student complaints of sexual discrimination, sexual harassment, sexual assault, dating violence, domestic violence, and stalking perpetrated by students, employees, or third parties under the control of the College District. 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](#). Complaints by College District employees are addressed in [DIAA](#) and [DIAB](#).

### Statement of Nondiscrimination

The College District prohibits discrimination and harassment of any student on the basis of sex in the education programs and activities of the College District. This policy also prohibits retaliation against any student who in good faith reports a violation of this policy or who cooperates in an investigation, disciplinary process, or judicial proceeding arising from such a report. This policy applies to sexual harassment, sexual assault, dating violence, domestic violence, and stalking on the basis of sex, which this policy refers to collectively as “sexual misconduct.”

Board members, the College President, administrators, faculty, staff, students, and other individuals subject to the control of the College District shall comply with this policy. This policy applies regardless of the sex, sexual identity, or sexual orientation of the parties. Individuals who violate this policy are subject to discipline up to and including expulsion for students and termination for employees.

As used in this policy, “student” and “complainant” refer to an individual who was participating in or attempting to participate in the education programs or activities of the College District at the time of the incident, including individuals 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. An individual who is both a student and an employee shall be treated as a student under this policy.

This policy applies to conduct that occurs on campus or on College District-owned or College District-leased property; during a College District activity or event sponsored by the College District whether on campus or off campus; in a building owned or controlled by a student organization that is officially recognized by the College District; in College District vehicles; or in other instances in which the College District exercised substantial control over the alleged perpetrator and the context in which the conduct occurred. This policy applies to off-campus conduct that deprives another student of equal access to the College District's education programs or activities.

This policy requires the prompt and thorough investigation of complaints by personnel who are impartial, neutral, and trained on investigations and applicable laws pertaining to sexual harassment, sexual assault, dating violence, domestic violence, and stalking.

The College District Administration shall take action to ensure that the College District provides training and educational materials to students and employees as may be required by law and as may be required to ensure compliance with this policy, including providing training to all Title IX Coordinators, investigators, decision-makers, and other individuals involved in the processing of reports and complaints under this policy.

College District personnel involved in implementing this policy (including the Title IX Coordinator, investigator, decision-maker, or any person designated to facilitate the process) shall not have a conflict of interest or bias against complainants or respondents generally or with respect to the parties in a specific case.

This policy implements legal requirements found in Title IX of the Education Amendments of 1972 and its implementing regulations; the Clery Act and its implementing regulations; and the Texas Education Code, Chapter 51, Subchapter E-2.

### **Title IX Coordinator**

Reports of discrimination based on sex, including sexual harassment and gender-based harassment, may be directed to the Title IX Coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, and related state and federal laws:

Title IX Coordinator: Mareille Rolon, Human Resources Coordinator  
Address: 500 College Drive, Lake Jackson, TX 77566  
Telephone: (979) 230-3303  
E-mail: [titleix@brazosport.edu](mailto:titleix@brazosport.edu)  
Webpage: <https://brazosport.edu/students/for-students/student-services/sexual-misconduct/>

### **Definitions:**

The following definitions apply to this policy:

**Complainant:** In this policy, the term “complainant” refers to an individual who is alleged to be the victim of conduct prohibited by this policy.

**Respondent:** In this policy, the term “respondent” refers to an individual who allegedly engaged in conduct prohibited by this policy.

**Formal Complaint:** In this policy, the term “formal complaint” refers to a document filed by a complainant or signed by the Title IX Coordinator alleging sexual misconduct against a respondent and requesting an investigation of the allegations.

**Sexual Discrimination:** “Sexual discrimination” is the act of treating students disparately based on their sex, sexual orientation, gender identity, and/or gender expression. Disparate treatment is the act of treating similarly situated persons differently, such as applying a different academic standard to students based on their sex or denying a student participation in an activity because of the student’s sexual orientation. This prohibition applies to College District programs and activities such as admission, academic programs, discipline, counseling, scholarship and loan programs, cocurricular activities, and extracurricular activities sponsored by the College District.

**Sexual Misconduct:** “Sexual misconduct”, as used in this policy, collectively refers to sexual harassment, sexual assault, domestic violence, dating violence, and stalking.

**Sexual Harassment (Title IX):** “Sexual harassment” includes the following:

1. Physical, verbal, or nonverbal conduct by a College District employee based on the student’s sex, sexual orientation, gender identity, and/or gender expression in which the employee conditions the provision of an aid, benefit, or service of the College District on an individual’s participation in unwelcome sexual conduct (“quid pro quo” harassment); 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
2. Unwelcome conduct directed toward a student by an employee, student, or third party that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College District’s education program or activity; or
3. Conduct that constitutes “sexual assault,” “dating violence,” “domestic violence,” or “stalking” as defined in this policy.

**Sexual Assault:** “Sexual assault” is forcible and nonforcible sex offenses as defined under the uniform crime reporting system of the Federal Bureau of Investigation. Forcible sex offenses are any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Forcible sex offenses include rape, sodomy, sexual assault with an object, and fondling. Nonforcible sex offenses include incest and statutory rape.

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 respondent or themselves with or on any of these body parts.

**Dating Violence:** “Dating violence” means violence that is committed against a victim with whom the person is or has been in a social relationship of a romantic or intimate nature, and where the existence of the relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship;
2. The type of relationship; and
3. The frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** “Domestic violence” includes felony or misdemeanor crimes of violence committed

by a current or former spouse, a current or past intimate partner, a person who the victim shares a child with, or a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Texas. In Texas, a person 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 that person 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.

**Other Inappropriate Conduct:** “Other inappropriate conduct” means conduct on the basis of sex that may not meet the Title IX regulatory definitions of sexual harassment, sexual assault, dating violence, domestic violence, or stalking but that adversely impacts the educational environment. The term includes the following:

1. “Sexual harassment” as defined under the Texas Education Code, Section 51.251(5), which prohibits unwelcome, sex based verbal or physical conduct that: a. In the employment context, unreasonably interferes with a person’s work performance or creates an intimidating, hostile, or offensive work environment; or b. In the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student’s ability to participate in or benefit from educational programs or activities at a postsecondary educational institution.
2. Unwelcome sexual advances or requests for sexual favors; unwelcome physical contact or touching of a sexual nature; persistent and unwanted sexual attention; sexual voyeurism (such as watching a person disrobing, using the restroom, or engaging in sexual acts, without the consent of the person observed); unwelcome sexual gestures; public exposure of one’s sexual organs on campus or at an event under the control of the College District; displaying obscene materials in a public place on campus; forwarding pornographic or obscene material via email or text message to nonconsenting recipients; recording or photographing sexual activity or a person’s genital area or breast area or from a vantage point that a reasonable person would view as an invasion of personal privacy; knowingly administering a controlled substance to a person for the purpose of incapacitating that person and performing a sexual act with or against the person; and allowing a third party to view consensual sex without the knowledge of the other participant(s).
3. Unwelcome comments of a sexual nature that a reasonable person would view as gratuitous, intimidating, offensive, and/or degrading and that adversely impacts an individual’s educational environment. In the academic context, including the context of a classroom discussion or preparation of a course assignment, a relevant factor is whether the comments are reasonably related to course content or serve a legitimate pedagogical function. The College District’s definitions are not intended to restrict constitutionally protected speech.
4. A consensual sexual or amorous relationship between a student and employee when the student is enrolled in a course being taught or supervised by the employee; when the student is being supervised, coached, or advised by the employee in connection with a College District-related activity; and/or when the student is enrolled or working in a program in which the employee has direct or indirect supervisory authority. If such a relationship exists or develops, the employee has the professional and ethical responsibility to remove himself or herself from any decision-making that may reward or penalize the student involved. Accordingly, in the event of such a relationship, the employee shall promptly notify his or her administrative leader of the relationship.
5. Conduct of a sexual nature that is consensual between two or more parties but that is nonetheless inappropriate in an educational environment, such as engaging in sexual acts in a campus



building.

**Consent:** As previously defined in this report.

**Retaliation:** A student who reports a violation of this policy, opposes conduct prohibited by this policy, or 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 likewise are protected from unlawful retaliation. The College District may not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right secured by law because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Prohibited retaliation includes an unwarranted grade reduction, exclusion from a school activity, destruction of property, and cyberbullying. Retaliation is a decision or action that is materially adverse to the reporting party and is of the type that would dissuade a reasonable person from exercising his or her rights to file a complaint or to participate in an investigation. Unlawful retaliation does not include petty slights or annoyances. Retaliation does not include:

1. Exercising First Amendment rights; or
2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding.

This policy prohibits charges against an individual for code of conduct violations that do not involve sex discrimination or sexual misconduct but arise out of the same facts or circumstances as a report or complaint of sex discrimination or sexual misconduct when the purpose of the charge is to interfere with any right or privilege secured by this policy or Title IX and its implementing regulations. Students who believe that they have been subjected to retaliation may file a complaint in accordance with this policy. Employees who believe that they have been subjected to retaliation may file a complaint as stated in policy [DIAA](#)(LOCAL).

## Reporting Procedures

### Administrative Reports

Any student or other individual may report sexual misconduct or other violations of this policy whether or not the person reporting is the alleged victim. Reports may be submitted to the College District's Title IX Coordinator in person or by mail, telephone, email, or [online portal](#). Submitting a report does not obligate a student to file a formal complaint or to participate in an investigation.

When a student (or someone on his or her behalf) makes a report to the Title IX Coordinator, the Title IX Coordinator will notify the student in writing of the student's rights and options, including how to file a formal complaint if desired and how to request support services or supportive measures. A student may request support services or supportive measures without filing a formal complaint.

The submission of an anonymous report is permissible but may impair the College District's ability to investigate and address the prohibited conduct. No student shall be required to report prohibited conduct to the person who allegedly committed the conduct.

An allegation against the Title IX Coordinator should be reported to the College President. This policy and the College District's grievance process shall apply to the extent practicable; avoidance of any conflict of interest is paramount. The College President may appoint another administrator or external attorney as may be appropriate to fulfill the duties of the Title IX Coordinator in the event such a complaint is filed.



### **Reports to the Police**

The complainant may report a crime in progress by calling 911. If the incident occurred on campus, the complainant may make a report to the College District police department at (979) 230-3030 or to another police agency in the jurisdiction where the incident occurred. Prompt reporting will aid in the preservation of evidence. The decision whether to report to law enforcement belongs to the alleged victim. Crime victims may choose to report an offense to law enforcement or to decline to report a crime to law enforcement. Additionally, regardless of whether the alleged victim files a police report, the alleged victim has a right to file an administrative complaint with the College District or to seek support services or supportive measures from the College District. A student may request the assistance of the Title IX Coordinator in making a police report.

### **Amnesty**

College District policy prohibits charges against an individual for code of conduct or disciplinary violations that do not involve sex discrimination or sexual misconduct but arise out of the same facts or circumstances as a report or complaint of sex discrimination or sexual misconduct when the purpose of the charge is to interfere with any right or privilege secured by this policy or Title IX and its implementing regulations.

To encourage reporting of sexual misconduct and other inappropriate conduct, the College District may grant immunity (also known as amnesty) from disciplinary action to a student or employee who acts in good faith in reporting an alleged violation, filing a formal complaint, or participating in a grievance process under this policy. For example, students who report that they were a victim of sexual assault will not face disciplinary charges for other code of conduct violations, such as underage drinking, that occurred in conjunction with the alleged sexual assault. A person who allegedly engaged in sexual misconduct or other inappropriate conduct may not avoid discipline by reporting his or her own acts of sexual misconduct or other inappropriate conduct.

### **Supporting Services and Supportive Measures for Complainants and Respondents**

When the College District receives notice or an allegation of conduct that, if true, would meet the definition of sexual misconduct under this policy, the Title IX Coordinator shall promptly contact the complainant to:

1. Discuss the availability of supportive measures (also known as interim measures) and inform the complainant that such measures are available without the filing of a formal complaint;
2. Consider the complainant's wishes with respect to supportive measures; and
3. Explain to the complainant the option and process for filing a formal complaint.

The complainant shall receive a list of community and campus resources, including medical services, mental health services, legal services, victim advocacy, academic support, counseling, and disability services as may be applicable. Complainants and respondents are both entitled to request supportive measures. Supportive measures are non-disciplinary, nonpunitive individualized services offered when appropriate and reasonably available. Supportive measures are designed to restore or preserve access to the individual's education program or activity without unreasonably burdening the other party; protect the safety of all parties and the educational environment; and deter sexual harassment and other sexual misconduct. Supportive measures may include counseling, extensions of deadlines or other course related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The complainant and respondent are entitled to drop a course in which both parties are enrolled, without an academic penalty.

### **Emergency Removal or Administrative Leave of Respondent**

A student-respondent may be removed from the College District's education program or activity on an

emergency basis. The College District must undertake an individualized safety and risk analysis and determine whether an immediate threat to the physical health or safety of any student or another individual arising from the allegations of sexual harassment justifies removal. The respondent must be provided with notice of the removal and an opportunity to challenge the decision immediately following the removal. The administration shall send written notice to the student via hand-delivery or electronic mail and first-class U.S. mail. A student who is notified of an emergency removal is entitled to a hearing at his or her request, which ordinarily will be held within five business days. An emergency removal will take effect immediately even if the affected student requests a hearing. The purpose of the hearing is not to resolve the underlying charge of misconduct but to determine if removal is justified pending a hearing on the underlying charge.

In some circumstances, the College District may determine that removal of an employee-respondent from campus would be appropriate prior to a determination of responsibility. Administrative leave can include a temporary reassignment, restrictions on access to a part of campus, or suspension from campus. Administrative leave must be approved by the College President. The terms and conditions of the leave, including the employee's pay status, shall be in accordance with the employee's contract, if any, and the College District's personnel policies.

The provisions relating to emergency removal and administrative leave may not be construed to modify any rights that a student or employee may have under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973.

### **Mandatory Employee Reporting**

Any employee who, in the course and scope of his or her employment, observes or receives information regarding an incident that the employee reasonably believes constitutes sexual harassment, sexual assault, dating violence, domestic violence, or stalking that was committed by or against a College District student or employee must promptly report the incident or allegation to the College District's Title IX Coordinator or Deputy unless an express exception applies. The duty to report applies if the student was enrolled at the College District at the time of the incident or if the employee was employed by the College District at the time of the incident. The employee shall report all known information regarding the incident, including, if available, the name of the alleged victim, respondent, location, and nature of the incident. If the alleged victim has expressed a desire for confidentiality, the employee shall provide this information to the Title IX Coordinator.

"Course and scope of employment" means an employee performing duties in the furtherance of the College District's interests. Employees who fail to make a mandatory report are subject to termination in accordance with College District termination procedures. Additionally, an employee is subject to criminal prosecution as stated in Section 21.255 of the Texas Education Code.

An employee who makes a report under this policy may have additional reporting obligations under other law. Employees who are campus security authorities under the Clery Act will have an obligation to report incidents to the College District police department in accordance with the Clery Act. Additionally, any employee who has cause to believe that a child's physical or mental health or welfare has been adversely affected by sexual abuse, child abuse, or neglect by any person must report the suspicion as required by Chapter 261 of the Texas Family Code. A child is a person who is 17 years old or younger. An employee who suspects abuse or neglect of a child must within 48 hours report the suspicion to the Texas Abuse Hotline (1-800-252-5400) at the Texas Department of Family and Protective Services (DFPS). If the child is in immediate danger, the employee should first call 911 and then the Texas Abuse Hotline.

### **Responsible Employees**

Some employees have the authority and duty to institute corrective measures when they have actual knowledge of alleged violations of Title IX. Responsible employees are those who serve at or above the

level of dean or director.

### **Exceptions**

Victims of an alleged incident are not required to report their own incidents.

#### *Employees with Confidentiality Obligations*

Absent the student's consent, employees with a legal duty of confidentiality – such as a licensed professional counselor providing therapeutic services – are required to report only the type of incident (e.g., sexual assault or stalking) but are not required to provide any other details, such as the names of the individuals involved in the incident. This exception also applies to persons who are supervised by such a person and persons who serve as a nonprofessional counselor or advocate designated in administrative procedures as a confidential source. This exception does not apply to persons who hold professional licenses, such as a licensed professional counselor, but whose job responsibilities for the College District do not include the provision of mental health and/or therapeutic services. The exception does not apply to academic and testing counselors providing academic and personal support in education, life, and career planning.

### **Confidentiality**

To the greatest extent possible, the College District shall maintain the confidentiality of records related to reports and complaints under this policy. Limited disclosures may be necessary in order to conduct a fair and thorough investigation. The College District will share information only as necessary, which may include investigators, witnesses, the complainant, the respondent, parties' advisors, decision-makers, appellate officers, College District attorneys, and others who have a responsibility to ensure compliance with applicable law.

### **Complainant's Request Not to Investigate**

In some instances, a complainant might decline to pursue a complaint or participate in an investigation, or he or she may wish to keep the matter completely confidential or to withdraw a formal complaint after it is filed. In such circumstances, the College District must weigh the rights, interests, and safety of all parties and the larger campus community. In weighing a request not to investigate, the College District will evaluate:

1. The seriousness of the alleged conduct;
2. Whether the College District has received other reports of a Title IX incident involving the same respondent(s);
3. Whether there is a risk of harm to others; and
4. Any other evidence that the College District determines to be relevant to the analysis.

The Title IX Coordinator must inform the complainant in writing of the decision whether or not to investigate. If the Title IX Coordinator decides not to investigate based on the complainant's request not to investigate, the College District shall take any steps necessary to protect the health and safety of the College District community in relation to the alleged incident. If the Title IX Coordinator determines that an investigation is necessary, the complainant is not required to participate.

### **Initial Assessment and Response to the Complaint**

Upon receipt of a formal complaint, the College District must evaluate whether the allegations, if proven to be true:

1. Describe sexual misconduct as defined in this policy;
2. Do not describe sexual misconduct but do describe other inappropriate conduct or other violations of College District policy; or
3. Do not describe a violation of College District policy.

The College District will dismiss a formal complaint if the allegations, even if true, do not describe a violation of this policy, did not occur in a College District program or activity, or did not occur in the United States. The College District official may refer the complaint for possible investigation and discipline under other College District policy or the Student Code of Conduct.

Before dismissing a formal complaint, the Title IX Coordinator will evaluate whether it is still possible to grant the relief requested by the complainant if the complaint were sustained. For example, even if the respondent is no longer employed by the College District, the College District may have the authority and ability to restore educational benefits or opportunities. The College District may dismiss a formal complaint for any of the following reasons:

1. The employee-respondent is no longer employed by the College District;
2. The reporting party requests dismissal in writing;
3. The student-respondent is no longer enrolled at the College District;
4. The conduct alleged does not describe a violation of College District policy; or
5. Other circumstances exist that prevent the College District from gathering evidence sufficient to reach a determination as to the allegations in the formal complaint.

The Title IX Coordinator will provide written notice to the parties regarding filing of the formal complaint. The notice will contain the following information:

1. A description of the support services and supportive measures available to complainants and respondents;
2. A copy of the applicable College District's sexual misconduct policies and procedures;
3. A statement of the allegations of misconduct with sufficient detail known at the time of the filing of the complaint, including the identity of the parties and the date(s), time(s), and location(s) of the alleged conduct (if known);
4. Identification of the alleged policy violations or Code of Conduct violations being investigated;
5. A statement that the respondent is presumed not responsible and that a determination regarding responsibility will be made at the conclusion of the grievance process;
6. A statement regarding the parties' right to inspect and review the evidence gathered during the investigation that is directly related to the allegations in the formal complaint; and
7. A statement regarding the prohibition on knowingly making false statements during the grievance process.

### **Investigation and Hearing Process**

The College President shall prepare a grievance process that complies with Title IX and its implementing regulations, see [FFDA](#)(LOCAL). That process shall be known as the "Title IX Grievance Process." In addition, the College President shall prepare a grievance process to address complaints of other inappropriate conduct that do not fall under the Title IX Grievance Process.

The College District's grievance processes shall provide for the prompt and equitable resolution of complaints through timely investigations, hearings, and appeals. A grievance ordinarily will be completed within 150 calendar days from the filing of the formal complaint, with the investigation phase taking approximately 60 to 90 calendar days and the hearing and appeal phase taking approximately 45 to 60 calendar days. Most cases should be resolved in less than 150 calendar days, while some cases may take additional time due to extenuating circumstances such as a party's illness, a concurrent law enforcement proceeding, witness unavailability, a public health emergency, or the need to arrange for language assistance or technology or disability-related accommodations. The College District may extend the timeframes for good cause and with written notice to the parties of the delay, the reason for the delay, and the length of the extension of time.

A complainant's sexual predisposition or prior sexual behavior are not relevant in any investigation or hearing format under the College District's grievance processes except where questions and evidence about a complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the alleged conduct charged by the complainant or if the questions or evidence concern specific incidents of the complainant's prior sexual behavior with the respondent and are offered to prove the complainant's consent of the alleged conduct. The grievance processes shall be posted on the College District's website.

### **Title IX Grievance Process**

The Title IX Grievance Process shall address and require the following elements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence by unbiased investigators and decision-makers;
3. A presumption that the respondent is not responsible for the alleged violation until a determination is made at the conclusion of the Title IX Grievance Process;
4. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
5. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
6. A description of the supportive measures available to the complainant and respondent;
7. A prohibition on using or seeking information protected under a legally recognized privilege (such as the attorney-client privilege) unless the individual holding the privilege has waived the privilege;
8. Compliance with the requirements stated in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, investigation procedures, and access to evidence gathered during the investigation; and
9. Other local procedures reasonably necessary to facilitate a fair and equitable process, including a process for resolving complaints in which the Title IX Coordinator is the respondent.

The College District must provide a hearing and the opportunity for both parties to present their case in accordance with 34 C.F.R. 106.45(b). The grievance process shall describe the method for appointing individuals to serve as decision-makers. The decision-maker(s) must:

1. Conduct a fair and equitable hearing;
2. Permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including questions challenging credibility;
3. Permit the party's advisor (but not a party) to conduct cross-examination, which must be conducted directly, orally, and in real time;
4. At the request of either party, provide the live hearing with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions;
5. Permit only relevant cross-examination and other questions to be asked of a party or a witness and decide prior to the party or witness answering a question if it is relevant; and
6. Not rely on any statement of a party or witness who did not submit to cross-examination at the live hearing in the determination regarding responsibility. The decision-maker(s) cannot draw an inference about determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. However, this policy does not preclude the hearing board from considering a party's testimony about statements made by the other party that constitute prohibited conduct. For example, if the reporting party alleges that the respondent made sexually harassing statements, the hearing board may consider the reporting party's testimony about the alleged statements even if the respondent

declines to submit to cross-examination.

To the extent needed and reasonable, the parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. The College District shall create an audio or audiovisual recording, or transcript, of the live hearing and make it available to the parties for inspection and review.

If a party does not have an advisor, the College District must provide an advisor of the College District's choice, without fee or charge to that party, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

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

A written determination must be provided to the parties and be in accordance with 34 C.F.R. 106.45(b). The College District must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

### **Withdrawal of Student-Respondent While Charges are Pending**

If a student-respondent withdraws or graduates from the College District after a student files a formal complaint, the College District may not end the grievance process or issue a transcript to the respondent until the College District makes a final determination of responsibility. In such instances, the College District shall expedite the College District's disciplinary process as necessary to accommodate both the student-respondent's and student-complainant's interest in a speedy resolution.

If a respondent student withdraws from the College District prior to the final determination, and upon making a determination of responsibility, the College District will also determine whether the respondent will be ineligible to reenroll. If the respondent is ineligible to reenroll for a non-academic or non-financial reason, the College District shall include on the respondent's transcript the notation required under 19 Administrative Code 3.30(b).

### **Concurrent Criminal or Civil Investigation Proceedings**

The College District will not, as a matter of course, wait for the outcome of a concurrent criminal or civil justice proceeding to take action on a formal complaint. The College District has an independent duty to respond to formal complaints. At the College District's discretion, and in consultation with the relevant police agency or District Attorney's Office, the College District may temporarily delay the investigation or grievance hearing so as not to interfere with criminal justice activities. This determination will be made on a case-by-case basis and will balance the interests of the complainant, the respondent, and the College District. 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**

The Title IX Coordinator is responsible for effective implementation of any remedies. Remedies may include, but are not limited to:

1. Suspending or expelling a student or revoking privileges;
2. Terminating or suspending an employee or not renewing a contract;
3. Reprimanding, reassigning, or demoting an employee;
4. Changing a policy, procedure, program, or service;



5. Providing an effective escort to ensure that the complainant can move safely between classes and activities;
6. Ensuring the complainant and respondent do not share classes or extracurricular activities;
7. Arranging comprehensive, holistic victim services including counseling and academic support services, such as tutoring;
8. 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;
9. Reviewing and determining whether to set aside any disciplinary actions previously taken against the complainant;
10. Issuing a no-trespass order to a third party;
11. Providing counseling, training, and learning opportunities for the respondent to eliminate the inappropriate behavior and hostile environment; and
12. Taking other action appropriate to the circumstances as informed by the evidence.

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. **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 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 District. This effectively ends an academic career at the College District. The student may not register for any classes or take part in any academic programs associated with the College District. Likewise, expulsion is a revocation of a person's privilege to be physically present on the campus.

### **Right of Appeal**

The College President shall ensure the development of a Title IX appeal process that complies with applicable legal requirements [see [FFDA\(LEGAL\)](#)]. The complainant and respondent have a right to appeal from a determination regarding responsibility or from the College District's dismissal of a formal complaint or any allegation therein, on the following bases:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The Title IX Coordinator shall notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. The decision-maker(s) on appeal may not be the same decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator. The appeal must be conducted in a fair and equitable manner. Both parties

must be given reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. The decision-maker(s) must issue a written decision describing the result and rationale and provide the written decision simultaneously to both parties.

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

### **Formal Complaints Against the College President**

A formal complaint against the College President should be submitted to the Chairperson of the Board of Trustees of the College District. This policy and the College District's grievance process shall apply to the extent practicable; avoidance of any conflict of interest is paramount. The Chairperson shall appoint an external investigator, who may be an attorney, to conduct an investigation that complies with 34 C.F.R. 106.45. The Chairperson shall appoint an external attorney to conduct any live hearing required by 34 C.F.R. 106.45. Any investigators or hearing officers shall be neutral and impartial and possess the training required by law. Any appeals shall be heard by the Board of Trustees.

### **Formal Complaints: Sex Discrimination, Other Inappropriate Conduct or Retaliation**

This paragraph applies to retaliation complaints, complaints of other inappropriate conduct, and sexual discrimination complaints that do not meet the Title IX regulatory definitions of sexual harassment, sexual assault, dating violence, domestic violence, or stalking. Individuals with these concerns should direct their complaints in writing to the Title IX Coordinator. A written complaint may be delivered in person or submitted by mail, electronic mail, or via the College District's website. The complaint must contain the complainant's physical or digital signature or otherwise indicate that the complainant is the person filing the complaint. The Title IX Coordinator will promptly evaluate whether the allegation, assumed to be true, describes a violation of this policy.

The Title IX Coordinator will provide written notice to the parties regarding receipt of a complaint alleging retaliation, other inappropriate conduct, or sexual discrimination that does not meet the Title IX regulatory definitions of sexual harassment, sexual assault, dating violence, domestic violence, or stalking. An impartial investigator shall conduct the investigation. The investigator shall conduct a thorough investigation in light of the allegations and the availability of witnesses. The investigator shall prepare a written report with findings of fact.

If the respondent is a student, the report shall be submitted to the Dean of Student Services or designee. The Dean or designee will follow the disciplinary procedures in [FMA\(LOCAL\)](#). If the investigation does not establish a violation of policy or the Code of Conduct, the Dean shall dismiss the complaint. If the Dean or designee determines that reasonable grounds establish a violation of policy or the Code of Conduct, the Dean or designee shall inform the respondent in writing, describing the allegations and the charge, the proposed penalty, and the student's procedural rights under [FMA\(LOCAL\)](#).

If the respondent is a third party, the investigation report shall be submitted to the Vice President of Human Resources or designee. If the investigation does not establish a violation of policy, the Vice President of Human Resources shall dismiss the complaint. If the Vice President of Human Resources or designee determines that reasonable grounds establish a violation of policy by an employee, the Vice President of Human Resources or designee shall inform the third party in writing of the sanction. Any appeal must be in writing and submitted to the College President within ten calendar days. The College President will issue a final written determination within 25 calendar days. The decision of the College President is final, but nothing in this policy precludes any person from appearing before the Board of Trustees at a Board meeting during the hearing of citizens.

If the respondent is an employee, the investigation report shall be submitted to the Title IX Coordinator, the parties, the Vice President of Human Resources or designee, and the respondent's dean, director, or next level supervisor who was not involved in the underlying dispute. The investigator shall submit the



written report to the Title IX Coordinator, the parties to the dispute, the Vice President of Human Resources, and the respondent's dean, director, or next level supervisor who was not involved in the underlying dispute. If the investigation does not establish a violation of policy, the Vice President of Human Resources shall dismiss the complaint. If the investigation demonstrates a violation of policy, the Vice President of Human Resources shall determine an appropriate sanction, discipline, or remedy commensurate with the violation, and the parties shall be notified in writing. The respondent shall be notified of the respondent's procedural rights under applicable policy [see [DGBA](#), [DM](#), [DMAA](#), or [DMAB](#), or other policy].

### **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.

The College District shall ensure that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person facilitating the informal resolution process, does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complaint or respondent.

The College District will develop and implement procedures to train Title IX Coordinators, investigators, decision-makers, appellate officers, and any person facilitating the informal resolution process. This training will include, but is not limited to, the definition of sexual harassment under the law, the scope of the College District's education programs or activities, how to conduct an investigation process, including hearings, appeals, and informal resolution processes, as applicable, and serving impartially. Decision-maker(s) shall also be trained on technology to be used at live hearings required by this policy. Decision-maker(s), investigators, and appellate officers shall be trained on issues of relevance of questions and evidence. Investigators shall be trained on how to create an investigative report that fairly summarizes relevant evidence. The training materials must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment. All materials used to train Title IX personnel must be made publicly available on the College District's website.

### **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. Any person, who in bad faith, knowingly files a false complaint under this policy or provides materially false information is subject to disciplinary action up to and including dismissal or separation. A determination that a respondent is not responsible for allegations of sexual misconduct does not establish the falsity of a report, formal complaint, or evidence. Similarly, a determination that a respondent is responsible for a policy violation does not imply that a respondent's statements disclaiming responsibility were false.

### **Recordkeeping**

The College District must maintain records of each sexual harassment or sexual misconduct investigation, appeal, informal resolution, and all training materials for Title IX personnel in accordance with the law and for a period of at least seven years.

## **Freedom From Discrimination, Harassment, and Retaliation – Other Protected Characteristics -Student (FFDB (LOCAL))**

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

### Statement of Non-Discrimination

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.

### Prevention

ADA/Section 504 Coordinator: Prevention and investigation of non-sex-based claims of discrimination, harassment, or retaliation, including Title VII, and Title II of the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Marshall S. Campbell  
Position: Vice President of Human Resources  
Address: 500 College Drive, Lake Jackson, TX 77566  
Telephone: (979) 230-3459

### Definitions

The following definitions shall be used in this policy:

**Discrimination:** “Discrimination” is the act of treating students adversely based on race, color, religion, national origin, disability, age, veteran status, or genetic information or on any other basis prohibited by law.

**Harassment:** “Harassment” is defined as physical, verbal, or nonverbal conduct based on the student’s race, color, national origin, religion, disability, age, veteran status, genetic information, or any other protected status and that is so severe, persistent, or pervasive that the conduct:

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

Harassment violates this policy whether it is perpetrated by a student, employee, or visitor to the campus

*Examples:* Examples of prohibited harassment include offensive or derogatory comments, jokes, or slurs because of the student's protected status or because of the student's need for an accommodation based on disability or religion; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive or offensive conduct such as theft or damage to property when motivated by the student's protected status.

**Complainant:** In this policy, the term "complainant" shall mean the person alleging a violation of the College District's policy.

**Respondent:** In this policy, the term "respondent" shall mean the person who is alleged to have violated the College District's policy.

**Prohibited Conduct:** In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy.

**Responsible Employee:** Some employees have the authority and duty to institute corrective measures when they have actual knowledge of alleged violations of Title IX. Responsible employees are those who serve at or above the level of dean or director.

**College District Official:** For the purposes of this policy, the "College District official" is the ADA/Section 504 Coordinator.

### **Confidentiality**

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

### **Amnesty**

Students are encouraged to report incidents of discrimination or harassment whether drugs or alcohol were involved on the occasion in question. The college administration will not pursue disciplinary sanctions against a complainant who makes a good faith report of a violation of this policy and who consumed drugs or alcohol in conjunction with the incident in question. Likewise, third party witnesses who observe discrimination or harassment that violates this policy are encouraged to report violations and will not be subject to disciplinary sanctions for having consumed drug or alcohol violations on the occasion in question.

### **Retaliation**

Students who file complaints 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, or cyberbullying.

## **Reporting Procedures**

### **Student Report**

Students who believe that they have experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the allegations to a Responsible Employee.

### **Employee Report**

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

### **Alternative Reporting Procedures**

A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Vice President of Human Resources and ADA/Section 504 coordinator, may be directed to the College President. A report against the College President may be made directly to the Board of Trustees of Brazosport College. If a report is made directly to the Board, the Board shall appoint an appropriate, impartial person to conduct an investigation.

### **Timely Reporting**

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the College District's ability to investigate and address the prohibited conduct.

### **Initial Assessment**

Upon receipt or notice of a complaint, the College District official shall review the allegations to determine if a potential violation of this Policy exists. If so, the College District official shall immediately authorize or undertake an investigation.

### **Interim Measures and Accommodations**

When reviewing a complaint, the College District official or other designated administrator 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 schedule, temporarily suspending the respondent, allowing the complainant to change academic and extracurricular activities or their on-campus working situation as appropriate, or providing a campus escort between classes. The College District official shall consult with the complainant regarding whether interim measures are desired.

### **Informal Resolution**

The College District may institute an informal resolution in response to a situation or report of a violation of 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 potential violation of this Policy. However, the formal investigation process 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 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**

The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. The investigator shall have appropriate training or experience and shall be familiar with the relevant College District's policy and procedures. The investigation may consist of interviews with the complainant, respondent, and others with knowledge of the circumstances surrounding the allegations. As appropriate, the investigator will analyze other information or documents related to the allegations.

### **Concluding the Investigation**

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 College District official shall provide periodic status updates in writing as may be appropriate to both the complainant and the respondent. The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.

### **Notification of the Outcome**

The College District shall simultaneously provide written notice of the outcome to the complainant and respondent and the process for contesting an adverse decision. Correspondence to the parties may be redacted to ensure compliance with the Family Educational Rights & Privacy Act (FERPA).

### **College District Action**

If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct, in accordance with College District's policy and procedures [see [FM](#) and [FMA](#)]. Remedies, sanctions, or corrective action shall be designed to eliminate a hostile environment and to prevent reoccurrence of the prohibited behavior.

### **Corrective Remedies**

Examples of corrective remedies may include, but are not limited to:

1. A training program for both parties involved in the complaint;
2. A comprehensive education program for the College District community or for a particular department;
3. Counseling for the complainant and respondent;
4. Follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred;
5. Involving students in efforts to identify problems and improve the College District's climate; and
6. Reaffirming the College District's policy against discrimination and harassment

### **Improper Conduct**

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct and to prevent reoccurrence.

### **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 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 Vice President of Academics and Student Affairs or designee determines that there may be a reasonable basis for granting the appeal, then he or she may issue a determination consistent with the reasons for granting the appeal. In an appropriate case, the Vice President of Academics and Student Affairs or designee may return the matter to the Vice President of Human Resources for further investigation. The Vice President of Academics and Student Affairs 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. A student shall be informed of the student's right to file a complaint with the U.S. Department of Education, Office for Civil Rights, 1999 Bryan St., Suite 1620 Dallas, Texas 75201-6810; Telephone: (214) 661-9600; E-mail: [OCR.Dallas@ed.gov](mailto:OCR.Dallas@ed.gov).

### **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, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed annually to College District employees and students in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the employee and student handbooks 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 a student who makes a report.

### **False Claims**

Investigations of allegations of discrimination and harassment 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 ADA/Section 504 Coordinator, in conjunction with other appropriate administrators, shall carefully evaluate the evidence and shall provide the individual an opportunity to respond to the allegation.

### **Student Discipline and Penalties – Discipline Procedure (FMA (LOCAL))**



## **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, excluding allegations of sexual harassment, sexual assault, dating violence, domestic violence, and stalking, which are addressed in policy [FFDA](#)(LOCAL).

## **Initial Assessment**

In all cases of an alleged violation of the Student Code of Conduct or Board policy not involving sexual misconduct as defined in [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 appropriate to the circumstances. The Dean or designee shall meet with the accused student, describe the allegations against the student, and provide the student an opportunity to respond.

If the Dean or designee determines that reasonable grounds support the complaint, the Dean or designee shall inform the accused student in writing, describing the allegations and the charge, 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 and the reason(s) for the dismissal.

## **Informal Resolution**

In cases in which the accused student does not dispute the facts upon which the charges are based, the student may 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 based on the nature of the charge, the evidence, and the student's disciplinary history, if any. If the accused student does not dispute the underlying allegation of misconduct but does dispute the proposed sanction(s), the matter shall proceed to the formal hearing process.

## **Formal Hearing Process**

When the Dean has determined that there are sufficient grounds to support a charge of misconduct, or when the accused student does not dispute the charge but does dispute the proposed sanction, the matter shall be heard by the College Community Appeals and Adjudication Board (CAAB). The deadlines provided in this policy may be extended by mutual agreement or for good cause by the Dean or CAAB.

## **Notice**

The Dean shall notify the accused student by letter of the charges and date, time, and place for the CAAB 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. A student's failure to update his or her postal and email addresses with the College District, refusal to accept delivery of a letter, or refusal or failure to open an email will not constitute good cause for failure to comply with a notice.

## **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. 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.



The accused student may challenge the impartiality or objectivity of members of the CAAB but must do so promptly after receipt of the notice identifying the CAAB members. A challenge must be submitted in writing to the chairperson of the CAAB. The challenge must state the factual reasons for the challenge. The chairperson will be the sole judge of whether he or she or other members can serve with impartiality and objectivity. If a CAAB member recuses himself or herself, an alternate member will be assigned.

### **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 advisor or legal counsel. The advisor or legal counsel may not be a witness in the matter. The student shall inform the Dean and CAAB chair of the name and contact information of the student's advisor or legal counsel at least three business days prior to the hearing.
2. The student's advisor or legal counsel, if any, may attend the hearing and confer with the student but may not participate in making arguments, presenting evidence, or questioning witnesses.
3. In the event that a student is a qualified person with a disability under federal law and is unable to represent himself or herself at the hearing because of his or her disability, the College District, as a reasonable accommodation to the student, will permit the student to be represented by counsel at the hearing. If the student is represented by counsel, then the College District also may be represented by counsel.
4. 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.
5. At least three business days prior to the hearing, the administration and the student shall exchange their proposed exhibits.
6. The hearing shall be recorded via an audio recording device.
7. 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.
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 may limit cumulative, repetitious, or irrelevant testimony and may impose reasonable time limits on the presentation of evidence. The CAAB may impose reasonable restrictions to prevent the harassment or badgering of witnesses. Finally, although the legal rules of evidence shall not apply, the CAAB shall give effect to legally recognized privileges, such as the attorney-client privilege. The CAAB may seek legal advice from an attorney 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. The administration bears the burden of proving the charges by a preponderance of the evidence, i.e., more likely than not.
11. 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 chairperson shall determine the number of minutes that the parties will be given for closing arguments, taking into consideration the complexity of the case. Each party will receive the same amount of time for a closing

- argument. Neither party may present new evidence during closing arguments.
- d. After closing arguments, the hearing panel shall deliberate privately. The hearing panel shall render a decision within five business days. 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 a statement regarding any applicable appeal procedure. The hearing committee shall transmit a copy of the decision to the student and the Dean.

### **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 above procedures applicable to expulsion hearings shall apply, except as follows:

1. Witness lists and exhibit lists shall be exchanged one business day in advance of the hearing date.
2. Parties may present their own witnesses; however, cross examination of witnesses by the parties shall not be permitted. Members of the hearing panel may question any witness.

### **Failure to Appear**

If the student fails without good cause, as determined by the CAAB, 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. Appeals must be submitted in writing within five business days of the date of the decision to the Vice President, Academic and Student Affairs, or designee. The appeal must set forth the specific grounds that the party believes would warrant setting aside the panel's decision.

The Vice President or designee shall render a written decision based upon the record developed by the CAAB. The Vice President or designee may affirm, reject, or modify the decision of the CAAB. The Vice President or designee may also remand the case back to the CAAB for further fact-finding or correction of procedural error, if any. The Vice President shall render a written decision on the appeal within five business days of receipt of the appeal and shall promptly transmit a copy of the written determination to the parties. The decision of the Vice President or designee is final.

### **Hearing Records**

The disciplinary records and proceedings shall be kept separate from the student's academic record and shall be treated as confidential as required by law.

### **Types of Penalties**

The CAAB or Dean 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, counseling, training;
2. Verbal warning;
3. Written warning;
4. Disciplinary probation;
5. Revocation of a privilege;
6. Grade changes;
7. Restitution;
8. Suspension;

9. Expulsion;
10. Denial of degree; and
11. Other conditions appropriate to the circumstances as identified by the CAAB.

### 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 and may include counseling or training.
2. **Verbal Warning:** An admonition is a verbal warning to a student who has violated a College District 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. **Revocation of a Privilege:** The sanction may include prohibition on participation in a specific activity or restrictions on access to a location on campus.
6. **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.
7. **Restitution:** Restitution is reimbursement for damages to or theft of property. This could be paid to an individual or the College District depending on the ownership of damaged or stolen property. This may take the form of appropriate service work or financial compensation.
8. **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.
9. **Expulsion:** Expulsion is the permanent revocation of a student's privilege to enroll in the College District. This effectively ends an academic career at the College District. The student may not register for any classes or take part in any academic programs associated with the College District. 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.

### **Annual Training for College Community Appeals and Adjudication Board (CAAB)**

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.

### **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](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](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](http://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 (DH (LOCAL))

### 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]

## **Freedom from Discrimination, Harassment, and Retaliation – Sex and Sexual Violence – Employee (DIAA (Local))**

**NOTE:** This policy addresses employee complaints of sexual discrimination, sexual harassment, discrimination based on sexual orientation, gender identity and/or expression, sexual violence, stalking, and retaliation. For legally referenced material relating to this subject matter, see [DIAA\(LEGAL\)](#). For discrimination, harassment, and retaliation involving employees based on race, color, national origin, religion, sex, pregnancy, disability, age, veteran status, or genetic information, see [DIAB](#). Discrimination and harassment claims by College District students are addressed at [FFDA](#) and [FFDB](#).

### **Statement of Nondiscrimination Based on Sex**

The College District prohibits discrimination and harassment of any employee or prospective employee on the basis of sex, pregnancy, sexual orientation, gender identity, and/or gender expression. This policy prohibits sexual harassment, sexual assault, dating violence, domestic violence, and stalking, which this policy collectively refers to as “sexual misconduct.” This policy prohibits retaliation against any employee who in good faith reports a violation of this policy, who opposes conduct prohibited by this policy, or who cooperates in an investigation, disciplinary process, or judicial proceeding arising from such a report.

### **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 the conduct prohibited by this policy 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 full-time or part-time status.

Individuals who violate this policy are subject to discipline up to and including termination.

### **Designated College District Officials for Compliance**

The College District designates the following individuals to coordinate the College District's compliance with federal antidiscrimination laws and the investigation of claims of sex discrimination and/or sexual misconduct:

Title IX Coordinator: Mareille Rolon, Human Resources Coordinator  
Address: 500 College Drive, Lake Jackson, TX 77566  
Telephone: (979) 230-3303  
E-mail: [titleix@brazosport.edu](mailto:titleix@brazosport.edu)  
Webpage: <https://brazosport.edu/students/for-students/student-services/sexual-misconduct/>

### **Definitions**

The following definitions shall be used in this policy.

**Prohibited Conduct:** In this policy, the term “prohibited conduct” includes discrimination, sexual harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation as described by this policy, even if the behavior does not rise to the level of unlawful conduct.

**Complainant:** In this policy, the term “complainant” refers to any individual who is alleged to be the victim of prohibited conduct.

**Respondent:** In this policy, the term “respondent” refers to an individual who allegedly engaged in conduct prohibited by this policy.

**Formal Complaint:** In this policy, the term “formal complaint” refers to a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment and/or other prohibited conduct against a respondent and requesting an investigation of the allegations.

**Sexual Misconduct:** “Sexual misconduct,” as used in this policy, collectively refers to sexual harassment, sexual assault, domestic violence, dating violence, and stalking.

**Sexual Discrimination:** “Sexual discrimination” is the act of treating an employee disparately from similarly situated employees in the terms or conditions of his or her employment based on his or her sex, sexual orientation, gender identity, and/or gender expression. Disparate treatment is the act of treating similarly situated persons differently, such as applying a different performance standard to employees based on their sex or sexual orientation.

**Sexual Harassment of Employees (Title VII):** “Sexual harassment” of a College District employee refers to physical, verbal, or nonverbal conduct based on the employee's sex, sexual orientation, gender identity, and/or gender expression, or other conduct and communication of a sexual nature that:

1. Causes an employee to believe that he or she must submit to the conduct as a term or condition of the individual's employment, or submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

2. 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 of Students (Title IX)** "Sexual harassment" of a College District student by a College District employee is conduct occurring within a program or activity of the College District and includes:

1. Physical, verbal, or nonverbal conduct by a College District employee based on the student's sex, sexual orientation, gender identity, and/or gender expression in which the employee conditions the provision of an aid, benefit, or service of the College District on an individual's participation in unwelcome sexual conduct ("quid pro quo" harassment);
2. Unwelcome conduct directed toward a student by an employee, student, or third party that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a College District education program or activity; or
3. Conduct that constitutes "sexual assault," "dating violence," "domestic violence," or "stalking" as defined in [FFDA](#)(LOCAL).

**Sexual Assault:** "Sexual assault" is forcible and nonforcible sex offenses as defined under the uniform crime reporting system of the Federal Bureau of Investigation. Forcible sex offenses are any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Forcible sex offenses include rape, sodomy, sexual assault with an object, and fondling. Nonforcible sex offenses include incest and statutory rape.

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 respondent or themselves with or on any of these body parts.

**Dating Violence:** "Dating violence" means violence that is committed against a victim with whom the person is or has been in a social relationship of a romantic or intimate nature, and where the existence of the relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship;
2. The type of relationship; and
3. The frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** "Domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse, a current or past intimate partner, a person who the victim shares a child with, or by a person similarly situated to a spouse of the victim under domestic or family violence laws.

In Texas, domestic violence occurs when a person 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 that person 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.

**Stalking:** “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

**Other Inappropriate Conduct:** This policy prohibits conduct of a sexual nature, even if the conduct does not meet the legal definitions of sexual harassment, sexual assault, dating violence, domestic violence, or stalking, where the conduct adversely impacts the working environment or campus environment. The term includes the following:

1. Unwelcome sexual advances or requests for sexual favors; unwelcome physical contact or touching of a sexual nature; persistent and unwanted sexual attention; sexual voyeurism (such as watching a person disrobing, using the restroom, or engaging in sexual acts, without the consent of the person observed); unwelcome sexual gestures; public exposure of one’s sexual organs on campus or at an event under the control of the College District; displaying obscene materials in a public place on campus; forwarding pornographic or obscene material via email or text to nonconsenting recipients; recording or photographing sexual activity or a person’s genital area or breast area or from a vantage point that a reasonable person would view as an invasion of personal privacy; knowingly administering a controlled substance to a person for the purpose of incapacitating that person and performing a sexual act with or against the person; and allowing a third party to view consensual sex without the knowledge of the other participant(s).
2. Unwelcome comments of a sexual nature that a reasonable person would view as gratuitous, intimidating, offensive, and/or degrading and that adversely impacts an individual’s educational environment. In the academic context, including the context of a classroom discussion or preparation of a course assignment, a relevant factor is whether the comments are reasonably related to course content or serve a legitimate pedagogical function. The College District’s definitions are not intended to restrict constitutionally protected speech.
3. A consensual sexual or amorous relationship between a student and an employee when the student is enrolled in a course being taught or supervised by the employee; when the student is being supervised, coached, or advised by the employee in connection with a College District-related activity; and/or when the student is enrolled or working in a program in which the employee has direct or indirect supervisory authority. If such a relationship exists or develops, the employee has the professional and ethical responsibility to remove himself or herself from any decision-making that may reward or penalize the student involved. Accordingly, in the event of such a relationship, the employee shall promptly notify his or her administrative leader of the relationship.
4. Conduct of a sexual nature that is consensual between two or more parties but that is nonetheless inappropriate in an educational environment, such as engaging in sexual acts in a campus building.

**Consent:** As previously defined in this report.

### **Mandatory Employee Reporting**

Any employee who, in the course and scope of his or her employment, observes or receives information regarding an incident that the employee reasonably believes constitutes sexual harassment, sexual assault,

dating violence, or stalking that was committed by or against a College District student or employee must promptly report the incident or allegation to the College District's Title IX Coordinator or Deputy unless an express exception applies. The duty to report applies if the student was enrolled at the College District at the time of the incident or if the employee was employed by the College District at the time of the incident. The employee shall report all known information regarding the incident, including, if available, the name of the alleged victim, respondent, location, and nature of the incident. If the alleged victim has expressed a desire for confidentiality, the employee shall provide this information to the Title IX Coordinator.

“Course and scope of employment” means an employee performing duties in the furtherance of the College District's interests.

Employees who fail to make a mandatory report are subject to termination in accordance with College District termination procedures. Additionally, the employee is subject to criminal prosecution as stated in Section 21.255 of the Texas Education Code.

An employee who makes a report under this policy may have additional reporting obligations under other law. Employees who are campus security authorities under the Clery Act will have an obligation to report incidents to the College District police department in accordance with the Clery Act. Additionally, any employee who has cause to believe that a child's physical or mental health or welfare has been adversely affected by sexual abuse, child abuse, or neglect by any person must report the suspicion as required by Chapter 261 of the Texas Family Code. A child is a person who is 17 years old or younger. An employee who suspects abuse or neglect of a child must within 48 hours report the suspicion to the Texas Abuse Hotline (1-800-252-5400) at the Texas Department of Family and Protective Services (DFPS). If the child is in immediate danger, the employee should first call 911 and then the Texas Abuse Hotline.

Exceptions: Victims of an alleged incident are not required to report their own incidents.

Employees with Confidentiality Obligations: Absent the student's consent, employees with a legal duty of confidentiality – such as a licensed professional counselor providing therapeutic services – are required to report only the type of incident (e.g., sexual assault or stalking) but are not required to provide any other details, such as the names of the individuals involved in the incident. This exception also applies to persons who are supervised by such a person and persons who serve as a nonprofessional counselor or advocate designated in administrative procedures as a confidential source. This exception does not apply to persons who hold professional licenses, such as a licensed professional counselor, but whose job responsibilities for the College District do not include the provision of mental health and/or therapeutic services. The exception does not apply to academic and testing counselors providing academic and personal support in education, life, and career planning.

### **Responsible Employees**

Supervisors at the level of dean, director, or above 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 at the level of dean, director, or above may counsel employees about appropriate and inappropriate behavior in the workplace and may issue appropriate directives to ensure compliance with this policy.

### **Reporting Procedures**

Employees have a right to report prohibited conduct, to file complaints, and to seek a prompt and equitable resolution. No employee shall be required to report prohibited conduct to the person who allegedly committed the conduct.

### **Allegations by Employees Against Employees or Third Parties:**

An employee alleging that another employee or third party has engaged in sexual discrimination or sexual misconduct toward the employee may make a report to the employee's supervisor (or next level supervisor if the supervisor is the respondent) or the Title IX Coordinator or Deputy Title IX Coordinator. Formal complaints shall be filed with the Title IX Coordinator or Deputy Title IX Coordinator. The employees' rights and responsibilities are governed by this policy.

An allegation against the Title IX Coordinator or Vice President of Human Resources should be reported to the College President. This policy shall apply to the extent practicable; avoidance of any conflict of interest is paramount. The College President may appoint another administrator or external attorney as may be appropriate.

### **Allegations by Employees Against Students**

An employee alleging that a student has engaged in sexual misconduct toward the employee may make a report to or file a formal complaint with the Title IX Coordinator. The student's rights as a respondent are addressed in [FFDA\(LOCAL\)](#), and the investigatory and grievance process of [FFDA\(LOCAL\)](#) will apply.

### **Allegations by Students Against Employees**

A student alleging that an employee has engaged in sexual discrimination or sexual misconduct against the student must follow the reporting procedures found in [FFDA\(LOCAL\)](#). The employee's rights as a respondent are addressed in [FFDA\(LOCAL\)](#).

### **Allegations Against the College President**

An employee's allegation against the College President shall be submitted to the Chairperson of the Board of the College District. The Chairperson shall appoint an external, impartial investigator, who may be an attorney, to conduct an investigation and to report the results to the Board.

### **Methods of Reporting**

An employee or other individual may report sexual misconduct or other violations of this policy whether or not the person reporting is the alleged victim. Reports may be submitted in person or via email, telephone, or the College District's website portal (<https://www.brazosport.edu/students/form-students/student-services/sexual-misconduct/reporting/>).

### **Administrative Reports**

When an employee makes a report, the Title IX Coordinator will notify the employee in writing of the employee's rights and options, including how to file a formal complaint if desired and how to request support services or supportive measures. An employee may request support services or supportive measures without filing a formal complaint.

The submission of an anonymous report is permissible but may impair the College District's ability to investigate and address the prohibited conduct.

### **Reports to the Police**

An employee may report a crime in progress by calling 911. If the incident occurred on campus, an employee may make a report to the College District police department at (979) 230-3030 or to another police agency in the jurisdiction where the incident occurred. Prompt reporting will aid in the preservation of evidence. The decision whether to report to law enforcement belongs to the alleged victim. Crime victims may choose to report an offense to law enforcement or to decline to report a crime to law enforcement. Additionally, regardless of whether the alleged victim files a police report, the alleged victim has a right to file an administrative complaint with the College District or to seek support services or supportive measures from the College District. An employee may request the assistance of the Title IX Coordinator in making a police report.

Employees who have experienced an alleged sexual assault or other sexual misconduct are encouraged to go to a hospital for a medical exam or treatment as promptly as possible and to preserve all evidence related to the assault or misconduct. Employees should not wash, shower, or change clothes prior to a medical exam or treatment. Clothing, if removed, should be placed in a paper bag. Evidence of emails and text messages should be preserved.

### **Supportive Measures**

Complainants and respondents are both entitled to request supportive measures. The Title IX Coordinator or designee will evaluate whether supportive measures (also known as interim measures) are appropriate or required. Supportive measures are non-disciplinary and non-punitive and are designed to restore or preserve access to the work environment or campus environment without unreasonably burdening the other party, protect the safety of all parties and the campus environment, and deter further violations of this policy. These measures may include, for example, issuing a mutual “no contact” order, altering a work schedule, increasing monitoring of an area, or providing a campus escort. Supportive measures may be requested even in the absence of a formal complaint.

As may be appropriate to the circumstances, the Title IX Coordinator or designee will provide the complainant a list of community and campus resources, such as medical services, mental health services, legal services, victim advocacy, academic support, counseling, and disability services.

The College District’s response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties.

### **Administrative Leave**

In some circumstances, the College District may determine that removal of an employee from campus would be appropriate prior to a determination of responsibility. Administrative leave can include a temporary reassignment, restrictions on access to a part of campus, or suspension from campus. Administrative leave must be approved by the College President. The terms and conditions of the leave, including the employee’s pay status, shall be in accordance with the employee’s contract, if any, and the College District’s personnel policies.

This provision may not be construed to modify any rights that an employee may have under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973.

### **Initial Assessment and Response to the Complaint**

Upon receipt of a report or complaint of allegations of prohibited conduct, the Title IX Coordinator shall review the allegations to determine if a potential violation of this policy exists.

A formal complaint must contain the complaining party’s physical or digital signature or otherwise indicate that the reporting party is the person filing the complaint. Upon receipt of a formal complaint, the College District must evaluate whether the allegations, if proven to be true:

1. Describe sexual misconduct as defined in this policy;
2. Do not describe sexual misconduct but do describe other inappropriate conduct or other violations of College District policy; or
3. Do not describe a violation of College District policy.

The College District will dismiss a formal complaint if the allegations, even if true, do not describe a violation of this policy, did not occur in a context under the control of the College District, or did not occur in the United States. Before dismissing a formal complaint, the College District will evaluate



whether it is still possible to grant the relief requested by the complainant if the complaint were sustained. For example, even if the respondent is no longer employed by the College District, the College District may have the authority and ability to restore employment opportunities.

The College District may dismiss a formal complaint for any of the following reasons:

1. The employee-respondent is no longer employed by the College District;
2. The complainant requests dismissal in writing;
3. The student-respondent is no longer enrolled at the College District;
4. The conduct alleged does not describe a violation of College District policy; or
5. Other circumstances exist that prevent the College District from gathering evidence sufficient to reach a determination as to the allegations in the formal complaint.

If the complainant at any time expresses a desire not to have an investigation or to keep the matter confidential, the College District must weigh the rights, interests, and safety of all parties and the larger campus community. In weighing a request not to investigate, the College District will evaluate:

1. The seriousness of the alleged conduct;
2. Whether the College District has received other reports involving the same respondent(s);
3. Whether there is a risk of harm to others; and
4. Any other evidence that the College District determines to be relevant to the analysis.

The Title IX Coordinator will inform the complainant in writing of the decision whether or not to investigate. If the College District decides not to investigate based on the complainant's request not to investigate, the College District shall take any steps necessary to protect the health and safety of the College District community in relation to the alleged incident.

If the Title IX Coordinator determines that an investigation is necessary, the complainant is not required to participate in the investigation.

If the College District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules or regulations, the College District official shall refer the complaint for consideration under the appropriate policy.

### **Informal Resolution**

With the consent of the parties, the College District may use an informal resolution process in response to a report of a violation of this policy alleging employee/employee harassment. Informal resolution will not be used in cases in which the alleged misconduct is severe or part of an apparent pattern of misconduct by the respondent. Informal resolution will not result in findings related to responsibility or sanctions but may result in remedies to eliminate conflict or promote harmony in the workplace. 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 College President shall prepare a written procedure to provide for the prompt and equitable investigation of complaints under this policy.

To commence a formal investigation, the Title IX Coordinator or 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 in the conducting of such investigations and shall be familiar with the relevant College District's policy and procedures.

The Title IX Coordinator will provide written notice to the parties regarding commencement of a formal investigation. The notice will contain the following information:

1. Identification of the investigator and contact information for that person;
2. A statement of the allegations of misconduct with sufficient detail known at the time of the filing of the complaint, including the identity of the parties and the date(s), time(s), and location(s) of the alleged conduct (if known); and identification of the alleged policy violations;
3. A copy of the College District's applicable policies and procedures or identification of the website address where the policies and procedures may be easily located;
4. A statement that the respondent is presumed not responsible and that a determination regarding responsibility will be made at the conclusion of the investigatory process;
5. A statement that each party has a right to an advisor of his or her choice, which can be an attorney;
6. A statement that each party has an equal right of access to the evidence gathered during the investigation and will receive a copy of the written report of investigation; and
7. A statement regarding the prohibition on knowingly making false statements during the investigation or other proceedings under this policy. The respondent shall receive a reasonable time to submit a written response to the notice, typically ten calendar days, barring unusual circumstances that warrant additional time.

The College District will provide reasonable written notice to a party whose participation is invited or expected of the date, time, location, and purpose of all meetings, investigative interviews, or other proceedings under this policy.

The investigation shall be completed as promptly as possible, usually within 60 to 90 calendar days of the report. Most cases will be resolved in less time, while some cases may take additional time due to extenuating circumstances such as a party's illness, a concurrent law enforcement proceeding, witness unavailability, a public health emergency, or the need to arrange for language assistance or technology or disability-related accommodations. The College District may extend the timeframes for good cause and with written notice to the parties of the delay, the reason for the delay, and the length of the extension of time. The Title IX Coordinator or investigator shall provide periodic status updates in writing as may be appropriate to both the complainant and the respondent.

The investigator will interview the complainant, respondent, and others with knowledge of the circumstances surrounding the allegations as may be appropriate. The investigation also will gather and review relevant documentary evidence such as emails or text messages related to the allegations. The complainant and the respondent may each suggest witnesses to interview and questions to ask witnesses; however, the decision whether to interview and what questions to ask is a matter of professional judgment for the investigator in light of the allegations and the availability of the witnesses or evidence.

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.

A complainant's sexual predisposition or prior sexual behavior are not relevant in any investigation or hearing under the College District's grievance processes except where questions and evidence about a complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the alleged conduct charged by the complainant or if the questions or evidence concern specific incidents of the complainant's prior sexual behavior with the respondent and are offered to prove the complainant's consent of the alleged conduct.

The investigator(s) shall prepare a written report that summarizes the evidence and information collected through the investigation process. The report shall contain findings of fact regarding each material allegation or claim reported by the complainant. Each party and the Title IX Coordinator shall receive a copy of the investigation report.

### **Determination of Responsibility and Discipline**

The College President shall prepare a written procedure for the determination of responsibility following an investigation. Determinations shall be based on relevant evidence. Decision-makers shall be impartial and free of bias in favor of complainants or respondents. The parties shall receive written notice of the procedures and any applicable deadlines.

Employee disciplinary action may include, but are not limited to, written reprimands, reassignment, suspension, nonrenewal, and termination for employees. The College District shall take appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the College District's policies and procedures for discipline and dismissal of employees ([DGBA](#), [DM](#), [DMAA](#), or [DMAB](#)). Disciplinary action, when warranted, shall be designed to eliminate a hostile environment and to prevent reoccurrence of the prohibited conduct.

### **Extensions of Deadlines**

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

### **Confidentiality**

To the greatest extent possible and consistent with applicable law, the College District shall maintain the confidentiality of records related to investigations of complaints under this policy. Limited disclosures may be necessary in order to conduct a fair and thorough investigation and comply with applicable law. The College District will share information only as necessary, which may include investigators, witnesses, the complainant, the respondent, parties' advisors, decision-makers, appellate officers, College District attorneys, and others who have a responsibility to ensure compliance with applicable law.

### **Retaliation**

Retaliation is prohibited against an employee who in good faith reports or opposes prohibited conduct or who cooperates in an investigation, disciplinary process, hearing, or judicial proceeding arising from such a report. Retaliation is a decision or action that is materially adverse and is of the type that would dissuade a reasonable person from exercising his or her rights to file a complaint or to participate in an investigation. Unlawful retaliation does not include petty slights or annoyances or a mere inconvenience or a change in job responsibilities or assignments. Retaliation is an adverse employment action that would not have occurred but for the employee's protected action. Retaliation does not include exercising First Amendment rights or charging an individual with making a materially false statement in bad faith in the course of a grievance proceeding.

Retaliation does not occur when an employee is disciplined for assisting another individual in the perpetration of prohibited conduct.

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.

### **Investigation of Retaliation Complaints**

An employee's complaint of retaliation shall be directed to the Title IX Coordinator in writing. Employees are encouraged to report such complaints as promptly as possible so that the matter can be addressed. The written complaint shall contain the following information: employee's name and contact information; respondent's name; detailed description of the acts constituting retaliation; the date(s) and location(s) of the alleged occurrence(s); the names of any witnesses to the alleged occurrence(s); and the resolution or remedy sought.

The Title IX Coordinator shall appoint an impartial investigator who shall conduct a thorough investigation. The investigator shall prepare a written report with findings of fact regarding the alleged conduct. The investigator shall submit the written report to the Title IX Coordinator, the parties to the dispute, the Vice President of Human Resources, and the respondent's dean, director, or next level supervisor who was not involved in the underlying dispute. If the investigation does not establish a violation of policy, the Vice President of Human Resources shall dismiss the complaint. If the investigation demonstrates a violation of policy, the Vice President of Human Resources shall determine an appropriate sanction, discipline, or remedy commensurate with the violation, and the parties shall be notified in writing. The respondent shall be notified of the respondent's procedural rights under applicable policy [see [DGBA](#), [DM](#), [DMAA](#), or [DMAB](#), or other policy].

### **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.

The College District shall ensure that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person facilitating the informal resolution process, does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

The College District will develop and implement procedures to train Title IX Coordinators, investigators, decision-makers, appellate officers, and any person facilitating an informal resolution process. This training will include, but is not limited to, the definition of sexual harassment under the law, the scope of the College District's education programs or activities, how to conduct an investigation process, including hearings, appeals, and informal resolution processes, as applicable, and serving impartially. Decision-maker(s) shall also be trained on technology to be used at any hearings required by this policy. Decision-maker(s), investigators, and appellate officers shall be trained on issues of relevance of questions and evidence. Investigators shall be trained on how to create an investigative report that fairly summarizes relevant evidence. The training materials must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

### **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.

Any person, who in bad faith, knowingly files a false complaint under this policy or provides materially

false information is subject to disciplinary action up to and including dismissal or separation. A determination that a respondent is not responsible for allegations of sexual misconduct does not establish the falsity of a report, formal complaint, or evidence. Similarly, a determination that a respondent is responsible for a policy violation does not imply that a respondent's statements disclaiming responsibility were false

### **Recordkeeping**

The College District must maintain records of each sexual harassment or sexual misconduct investigation, appeal, informal resolution, and all training materials for Title IX personnel in accordance with the law and for a period of at least seven years.

### **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 provide 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.

**Drunkness** – 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](mailto:Chad.Leveritt@brazosport.edu), or by telephone at 979-230-3030.