



ANNUAL

# SECURITY & FIRE SAFETY REPORT

FOR 2022

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

(20 USC ~ 1092(f), 34 CFR 668.46)

80 FORT BROWN | BROWNSVILLE, TEXAS 78520

***FY2023***

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## Preparation of Annual Disclosure of Crime Statistics & Clery Compliance

The Texas Southmost College Annual Security Report is prepared in response to the mandate set forth by the Jean Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). This document provides context for the crime statistics reported as part of compliance with the Clery Act. The Environmental Health, Safety, and Risk Management office is primarily responsible for preparing the Annual Security Report (ASR). The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the Texas Southmost College community obtained from the following sources: American Surveillance Company (up until 8/31/2020), Allied Universal Security (9/1/2020 onward), the Brownsville Police Department (BPD), the Cameron County Sheriff's Office, the Texas Department of Public Safety, the Cameron County Constable Precinct #2's Office, and non-police or public safety personnel who have been designated as Campus Security Authorities (CSAs). Additionally, the Office of Student Life and the Human Resources Department are key offices from which drug, alcohol, and weapon offenses along with Title IX data is obtained for the preparation of the ASR.

Final report preparation is coordinated by the Director of Operations- Safety + Security at the Office of Environmental Health, Safety, and Risk Management, with the Vice President of Finance and Administration and the Vice President of Student Services.

A written request for statistical information is made at least on an annual basis to all identified CSAs (as defined by federal law). CSA is a Clery-specific term that encompasses the following categories of individuals within an institution:

- People or offices responsible for campus security. This includes police and non-police security staff that is responsible for monitoring or controlling entrance to campus property. This also includes security officers and special events security staff that are contracted by the institution.
- People or offices to which campus policy directs that crimes be reported
- "Officials with significant responsibility for student and campus activities." This includes, but is not limited to, those that handle student discipline, campus judicial proceedings, and organization advisors. An official is defined as any person who has authority and the duty to take action or respond to particular issues on behalf of the institution.

Statistical information is not from, nor is it provided by licensed mental health counselors or pastoral counselors (recognized by a religious organization to provide confidential counseling) and are working within the scope of their license or religious assignment. While they are not obligated to report crimes for the purposes of compiling these statistics, they are encouraged, when they deem it appropriate, to inform the persons they are counseling of their ability to report any crimes to campus security for inclusion in the annual statistics.

The Clery Act is designed to assist the campus community in making decisions which affect personal safety by requiring institutions of higher education to provide certain campus security information to current and prospective students and employees annually.

The Annual Security Report (ASR) is published on the Texas Southmost College's website every year by October 1<sup>st</sup> and it contains three years of campus crime statistics and campus security policy statements in accordance with the Clery Act. On the day the ASR is published, students and employees receive an email notification with information and a link to the published report. Prospective students and employees will also be directed to the link and information about the Clery Act and the ASR in information sessions and orientations.

The reporting requirements have remained unchanged and the ASR still includes statistics of campus crime from the most recent 3 calendar years, details about efforts to improve campus security, and any policy statements relating to safety topics such as crime reporting, incidence of drug and alcohol use, and the prevention of or response to sexual assault, domestic or dating violence, and stalking.

## Annual Security Report Availability Notification

Each year, an email notification is sent to all current students, faculty, and staff providing online access to this report. Additionally, all prospective students and employees are entitled to request a copy of the Texas Southmost College Annual Security Report. Printed copies of the report may also be obtained at the office of Environmental Health, Safety, and Risk Management, located at the Newman Building (1850 Ridgely Rd. Brownsville, Texas 78520) or by calling 956-295-3825.

The full text of the annual report is found at the following link:

<https://www.tsc.edu/campus-security/clery-report/>

### [2022 Annual Security and Fire Safety Report \(tsc.edu\)](#)

Texas Southmost College submits the annual crime statistics published in this document to the Department of Education. The statistical information gathered by the Department of Education is available to the public through the Department of Education website.

## Policy Authority and Jurisdiction

### Security Overview

As of September 1, 2020, Texas Southmost College contracts with Allied Universal Security to provide security services to campus locations to ensure a safe and secure environment for Texas Southmost College students, faculty, staff, and visiting community members. Allied Universal Security, hereafter referred to as TSC Campus Security, provides armed security services to Texas Southmost College and operates under the Department of Public Safety and is

commissioned as set forth by the Texas Occupations Code Chapter 1702. The City of Brownsville Police Department responds to any criminal acts that occur on campus and an off-duty officer is patrolling from 7 a.m. to 11 p.m. Monday through Friday.

TSC Campus Security is available 24 hours a day, 365 days a year for emergency and non-emergency incidents and can be contacted at (956) 295-3700. The TSC Campus Security services office is located at the Newman Building (1850 Ridgely Rd., Brownsville, TX 78520).

TSC Campus Security officers are responsible for securing and granting access to buildings, as well as patrolling the campus to report and deter any suspicious activity. Campus security officers file reports on all incidents including criminal activity that occur on campus including parking lots. For medical emergency, crisis, or other life threatening situation, TSC students, faculty, staff, and community members should call 911.

### Jurisdiction

Allied Universal Security is the primary security authority for Texas Southmost College. The boundaries of Texas Southmost College fall within the incorporated city limits of Brownsville, Texas. Allied Universal security officers are security guards commissioned by an institution of higher education have authority and jurisdiction in all counties in which property is owned, leased, or otherwise under the control of the institution of higher education. A TSC Campus Security officer's jurisdiction is limited to the Texas Southmost College campuses including buildings and parking lots.

### Authority to Arrest & Relationships

While within the jurisdiction set out in Texas Southmost College policy CHA (local), peace officers and security guards employed and commissioned by the College District shall have all the powers, privileges, and immunities of peace officers. This includes the authority to detain and arrest suspects as per Texas Code of Criminal Procedures (Article 14.01).

Texas Southmost College is located near two international bridges to Mexico. TSC Campus Security officers and Texas Southmost College have a working relationship with Brownsville Police Department, the University of Texas Rio Grande Valley Police Department, the Cameron County Sheriff's Office, the Cameron County Constable Precinct #2's Office, the U.S. Border Patrol, U.S. Customs and Border Protection Office of Field Operations, and the Brownsville Independent School District Police.

### Monitoring Non-Campus Locations

Institutionally-sponsored travel by a student or student organization to a location outside of Cameron County may result in the location's meeting the criteria for Clery non-campus property. TSC Campus Security does not respond to or investigate criminal activity at these non-campus locations, but will record crime statistics for Clery offenses which occur and are made

available by the local law enforcement agency with jurisdiction at the location.

## Crime Reporting and Response

The safety of students, faculty, staff, and visitors is of vital concern to Texas Southmost College. Everyone within the campus community is involved in creating a safe and secure environment and is encouraged to report all safety concerns by calling TSC Campus Security. It is imperative that all criminal actions, emergencies, or other public safety related incidents occurring within the College's Clery geography be reported in an accurate and timely manner. The College's geography includes: on-campus property; public property adjacent to and immediately accessible from on campus property, and non-campus property owned or controlled the by College. Accurate and timely reporting ensures that TSC Campus Security or law enforcement agencies are able to evaluate, consider and send timely warning reports, disclose crimes through ongoing disclosure processes such as posting of crimes in the Daily Crime Log, and accurately document reportable crimes in its annual statistical disclosure.

To report a crime or emergency, members of the community should:

- Dial 9-911 from a campus phone or 911 from a mobile device with cellular service
- Call TSC Campus Security at (956) 295-3700 or extension 3700
- Contact an officer in uniform on patrol

To obtain information or request any public safety escort services, community members should call TSC Campus Security at (956) 295-3700 or extension 3700.

## Response to Reports

TSC Campus Security is staffed 24 hours a day, 365 days a year. TSC Campus Security will respond as quickly and safely as possible to any request for assistance whether it is an emergency or not. Response time is based on current activity and nature of the call. Crimes in progress, crimes against persons, alarms, and medical assists have a higher priority than other types of calls. For non-campus offense, we encourage prompt reporting to the proper local law enforcement agency.

## Reporting Criminal Offenses to Campus Security Authorities

The Clery Act recognizes certain College officials and offices as "Campus Security Authorities (CSA)." The Clery Act, as defined in 668.46(a), breaks down Campus Security Authorities into three categories. First, campus security department officials or those who hold responsibilities for campus security. Second, any individual or organization the institute's campus security policy states students and employees should report criminal offenses. And lastly, "an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings." If such an individual is a licensed pastor or professional counselor, the official is not considered a CSA if acting as a pastoral or professional counselor.



Campus Security Authorities can report Clery crimes to the TSC Campus Security or the office of Environmental Health, Safety and Risk Management.

While the College prefers that community members promptly report all crimes and other emergencies directly to TSC Campus Security, we also recognize that some may prefer to report to other individuals or College offices. The College has officially identified the offices listed in the table below as places where campus community members should report crimes; however, you may report a crime to any CSA, including student organization advisors.

Name	Phone	Location
Student Life and Civility	(956) 295-3409	Lightner Center
Counselor (if acting in role of administrator)	(956) 295-3417	Lightner Center
Environmental Health, Safety, and Risk Management	(956) 295-3825	Newman Building

### Confidential Reporting

Texas Southmost College also has a confidential, anonymous options for reporting a crime to the institution. The links can be found below:

<https://texassouthmostcollege.wufoo.com/forms/incident-report/>

<https://www.tsc.edu/division-of-student-services/conflict-resolution-center/student-complaints/>

A student may talk with a TSC counselor by calling (956) 295-3417. You can also view the Counseling Center webpage here: [Counseling and Student Accessibility Resources - TSC](#). The TSC counselor will provide confidential support and will discuss options regarding reporting, accompanying the student to the hospital and/or police department (either on or off campus) if requested, and facilitate arrangement to ensure safety.

### Responsibilities of the Texas Southmost College Community for Their Own Personal Safety

TSC Campus Security enforces the rules and regulations set forth by Texas Southmost College and includes a proactive patrol of the campus buildings and the area it surveys. This approach aims to eliminate or minimize criminal opportunities whenever possible and encourages community members to take responsibility of their own and other's safety. In addition to this,

members of the Texas Southmost 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 TSC Campus Security immediately.
- Try to avoid walking alone at night. Walk with a friend or use the TSC Campus Security escort service.
- Carry only small amounts of cash.
- Never leave valuables (wallets, purses, books, phones, etc.) unattended.
- Carry your keys at all times and do not lend them to anyone.
- Lock up bicycles. Lock car doors and close windows when leaving your car.
- Lock office doors if possible when not present. Keep windows closed and locked. Do not prop exterior windows.
- Do not leave valuables in your car, especially if they can be easily noticed.

Texas Southmost College wants to state clearly, if you are the victim of a crime, it is not your fault and these strategies are not meant to imply otherwise. No matter what you do or how you act, no one has the right to cause you harm. There are always ways to decrease your risk, but you can never 100% prevent a crime from occurring to you because that crime is a choice that someone else makes.

## Missing Students Notification

The requirement to have a missing student notification policy applies only to institutions that maintain on-campus student housing. TSC has no on-campus or off-campus residential facilities at this time, therefore no missing student notification policy is in place.

## Emergency Response and Evacuation Policy

The purpose of emergency planning and preparedness at Texas Southmost College is to take an integrated approach to planning based on the framework of the four interconnected phases of emergency management: prevention/mitigation, preparedness, response, and recovery.

The office of Environmental Health, Safety, and Risk Management is responsible for the Emergency Operations Plan. This plan is designed to be a multi-hazards disaster response and emergency management plan that complies with FEMA guidelines for higher education that includes planning, mitigation, response, and recovery actions.

### Evacuation Procedures

Students, faculty and staff should follow these safety procedures in the event of evacuation emergencies:

- Evacuate when prompted by continually sounding fire alarms or by official

announcement (Emergency Notification System).

- Be aware of, and make use of, designated primary and alternate evacuation routes.
- Close classroom or office doors as you leave.
- Leave the building in an orderly manner without rushing or crowding and do not use the elevators.
- Be aware of and follow instructions given by TSC Security and other officials.
- Always evacuate crosswind and/or upwind away from an emergency by a safe route.
- Evacuate at least 300 feet from the building and out of the way of emergency vehicles.
- Report to emergency responders any individuals who may be injured or left behind.
- Do not re-enter a building until an all-clear is given by TSC Security personnel.

Some potential causes for emergency evacuations may include, but are not limited to: major fire, explosion, hazardous materials spill or release, chemical/biological/radiological spill, structure failure, bomb threat, or power failure.

### Severe or Inclement Weather Procedures

Students, faculty and staff should follow these procedures in the event of severe or inclement weather:

- Depending on the timeliness of information, you will receive an RAVE alert prior to, during, or immediately after a severe weather event.
- Seek shelter immediately in designated safe shelter areas.
- If you're inside a building, if possible, go to the lowest level of the building.
- Stay away from windows.
- Go to an interior hallway; and use arms to protect head and neck in a "drop and tuck" position.
- Use a jacket, cap, backpack, or any similar items, if available, to protect face and eyes.

### Hazardous Materials Procedures

Students, faculty, and staff should observe the following steps in the event of a hazardous material spill or release on campus:

- You will receive an RAVE alert shelter-in-place announcement.
- Immediately move indoors.
- Close all windows and doors to shelter and seal as best you can, using towels, clothes, or paper.
- If there appears to be air contamination within the shelter, place a paper mask, wet handkerchief or wet paper towel over the nose and mouth for temporary respiratory protection.
- Continue to follow instructions given by official authorities.

## What it means to “Shelter-In-Place”

The procedures described above for severe weather and hazardous materials release are known as shelter-in-place procedures. Sheltering-in-place is the use of any designated safe shelter area within a building, any classroom, or office for the purpose of providing temporary shelter. Shelter-in-place procedures are internationally recognized as standard practices of providing shelter for any of the following reasons: a chemical truck overturning, tornado, chemical train derailment, chemical facility accident, pipeline rupture, terrorist attack, release of biological agents, release of chemical agents, hazardous materials release, or radiological release.

## Drills, Exercises, and Trainings

Procedures to schedule drills, exercises and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities throughout the year include the following:

- Evacuation
  - Scheduling pre-exercise drill meetings with building occupants to review evacuation process
  - Scheduling exercise drill regarding building evacuation once a year.
    - In so doing,
      - Building occupants familiarize themselves with exits
      - TSC assess/evaluates emergency plans and capabilities
- Emergency Notification
  - Scheduling testing of *Rave Alert™*, at least, once each semester.

TSC, via email, will publicize emergency response and evacuation procedures in conjunction with the test and to document, for each test, a description of the exercise, the date, time and whether it was announced or unannounced will be done.

## Timely Warnings and Emergency Notifications

Circumstances in which a timely warning will be issued shall be decided on a case by case basis depending on the situation and will be issued to the college community via mass e-mail without delay once the event has been confirmed, unless it is determined that such notification may compromise efforts to assist victims or would adversely impact efforts to contain, respond to, or mitigate the emergency.

Notifications are made in a manner that allow members of the campus community to protect themselves, and in a manner that will aid in the prevention of similar crimes by providing the following:

- A succinct statement of the incident.

- Possible connection to previous incidents, if applicable.
- Physical description of the suspect, if available.
- Date and time the bulletin was released.
- Other relevant and important information.
- Appropriate safety tips.

TSC Office of Environmental Health, Safety and Risk Management (TSC Risk Management), in coordination with the TSC Office of Marketing and Community Relations, (TSC Marketing) will be responsible for issuing the warning. *Rave Alert™* mass emergency notification system will be used for delivering messages via e-mail addresses and mobile phone numbers.

### Confirming the Existence of a Significant Emergency and Procedures Used to Notify the Campus Community

The process used to confirm that there is significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees (faculty and staff) is to crowdsource from as many as possible multiple resources as are available at the time of the incident:

- Personal observations
- Victim and eyewitness statements
- Surveillance camera evidence
- Physical evidence
- Forewarned credible source of information
- Local 9-1-1 Dispatch Center

Individuals experiencing a campus emergency or wishing to alert the college of any emergency or crisis may dial 911 or may also call (956)295-3700 for Campus Security.

The process to determine which population segment or segments will receive an emergency notification will be based on the physical scope of the potential impact of said significant emergency or dangerous situation and which populations segments would be impacted by said scope.

Based on the above confirmation, TSC will determine – without hesitation and taking into consideration the safety of the community – the content of the notification and initiate the notification system unless it is determined that such notification may compromise efforts to assist victims or would adversely impact efforts to contain, respond to, or mitigate the incident.

The process of initiating the notification system – whether directed to population segment(s) or the larger community -- is as follows upon confirmation of the incident:

- TSC Office of Environmental Health, Safety and Risk Management (TSC Risk Management), in coordination with the TSC Office of Marketing and Community Relations, (TSC Marketing) will be responsible for the following actions or actions:
  - Develop the content of the notification
    - Its content will include details of the nature of the threat (time, place, description, etc.) available at the time of the incident and any safety tips
  - After approval, initiate the alert to TSC e-mail addresses and “opted-in” U.S. mobile phone numbers to students and employees using *Rave Alert™* -- a mass emergency notification system for delivering messages via e-mail addresses and mobile phone numbers.
- A minimum of two of the following individuals (4 vice-presidents and/or president) are required to approve the message in order to initiate the alert.

### RAVE Testing and Registration

Texas Southmost College has partnered with RAVE Mobile Safety to provide an emergency alert system that delivers messages to TSC e-mail addresses, as well as to mobile devices with cellular service that are registered. Students, faculty, and staff information is automatically updated in the RAVE Emergency Notification System each semester.

RAVE Emergency Notifications are issued as part of the TSC’s crisis management program. Notifications will be for major emergencies and emergency instructions that will alert students, faculty, and staff on what to do and where to proceed in the event of an emergency situation. This will allow students, faculty, and staff to stay safe and keep out of harm’s way as a situation is happening. The system will not be used for minor situations such as weather advisories, campus event notifications, or cancellations of any kind.

Texas Southmost College strongly encourages students, faculty, and staff to log in to their RAVE account at <https://www.getrave.com/login/tsc> to confirm contact information and choose notification preferences. Otherwise, students, faculty, and staff may only be notified of emergency situations via e-mail. RAVE does not charge for sending or receiving messages through this service. However, carrier’s standard messaging and/or date charges may apply.

### The Daily Crime Log

TSC Campus Security maintains a Daily Crime Log for the most recent 30-day period which summarizes all crimes and other serious incidents that occur on campus, in a non-campus building or property, or public property that is adjacent to TSC property. The Daily Crime Log includes the nature, time, and general location of each crime reported to security, as well as the disposition of the complaint if the general information is known at the time the log is created. The Daily Crime Log is published daily on the Campus Safety webpage and anyone may view a printed copy of the Daily Crime Log during normal business hours at the Environmental Health, Safety, and Risk Management office located at the Newman Building (1850 Ridgely Rd.) or

obtain a copy by calling (956) 295-3700.

Any portion of this crime log older than 30 days is made available for public inspection within 2 business days of a request. Furthermore, TSC Campus Security incident and crime reports are property of Texas Southmost College and Allied Universal Security, and prior approval is needed from the appropriate Administrator before any report is released to any person.

## Security of and Access to Campus Facilities

### General Provisions

It is unlawful for any person to:

- Trespass on the grounds of an institution of higher education or of a private or independent institution of higher education; or
- Damage or deface any of the buildings, statues, monuments, memorials, trees, shrubs, grasses, or flowers on the grounds of an institution of higher education or of a private or independent institution of higher education. (Texas Education Code Section 51.204)

As per the Texas Education Code Section 51.209, the governing board's authorized representatives, such as TSC Campus Security may refuse to allow persons having no legitimate business to enter the property and may eject any undesirable person from the property on the person's refusal to leave peaceably on request. Identification may be required of any person on the property, and the person must provide that identification on request.

### Academic and Administrative Buildings

Texas Southmost College academic and administrative building are open and accessible to the public during business hours. To promote personal safety and the protection of property, campus facilities are secured after business hours according to established schedules set forth by Texas Southmost College and TSC Campus Security. Building hours may vary between semesters. After normal business hours, buildings are locked, and access is permitted only with proper authorization and identification. Access to classrooms and office building for special events after normal business hours, weekend, and holidays is coordinated with various campus departments overseeing the area in question. Many building, offices, labs, computer rooms, and other areas of campus are equipped with electronic access. Most campus buildings are typically locked on weekends and holidays.

TSC Campus Security conduct routine patrols of academic and administrative facilities to monitor security related matter. All members of the College community should carry their TSC identification with them at all times, as they may be requested to present it by a campus official, security officer, or staff member. If any person refuses or fails upon request to present evidence of their identification, proof of their authorization to be in the building or on campus, or if it is determined that the individual has no legitimate reason to be in the building or on

campus, the person will be asked to leave. Refusal to do so could lead to further disciplinary or legal action. Persons who behave in a suspicious or a threatening manner or are involved in suspicious activities should be reported to TSC Campus Security at (956) 295-3700.

## Maintenance of Campus Facilities

Texas Southmost College is committed to campus safety and security. Proper lighting and building security are major factors in reducing crime on campus. Facilities Management maintains building and grounds with concern for safety and security in mind. Inspections of campus facilities are conducted regularly, and repairs are made as quickly as possible. All members of the campus community are encouraged to report safety hazards, such as broken locks and windows to TSC Campus Security (956) 295-3700 who in turn will report to TSC Facilities Management.

## Alcohol, Other Drugs, and Weapons

### Statement of Alcohol Policy

Texas Southmost College forbids the manufacture, possession, sale, use, or distribution of alcoholic beverages on campus and at College sponsored events, whether they occur on or off campus. Students found in violation will face disciplinary action, up to and including dismissal from the College. Alcohol may be permitted at certain College-sponsored events with appropriate approval from College administration. Moreover, Texas Southmost College complies with and upholds all federal, state, and local laws and regulations that regulate or prohibit the possession, use, and/or distribution of alcoholic beverages.

Consequences for policy violation may result in sanctions by the College and/or criminal charges/arrest by BPD for state law violations. Examples of state law violations are listed below.

- **Public intoxications.** The minimum penalty is a fine not to exceed \$500. The maximum penalty varies with age and number of offenses.
- **Purchase of Alcohol by a Minor.** The minimum penalty is a fine not to exceed \$500. The maximum penalty varies with age and number of offenses.
- **Consumption or Possession of Alcohol by a Minor.** The minimum penalty is a fine not to exceed \$4,000 or confinement in jail for a term of not to exceed one year, or both. The maximum penalty is the same.
- **Driving While Intoxicated (includes intoxication from alcohol, drugs, or both).** The minimum penalty is confinement in jail for a term of not more than 180 days nor less than 72 hours, and a fine of not more than \$2,000. The maximum penalty is imprisonment for a term of not more than ten years nor less than two years, and a fine not to exceed \$10,000.

### Statement of Drug Policy

Texas Southmost College forbids the possession, usage, control, manufacture, transportation,



distribution, selling or attempt to possess, use, control, manufacture, transmit, distribute, or sell any drugs or drug paraphernalia prohibited by federal or Texas narcotic laws. All students involved in the non-prescribed use of drugs including but not limited to amphetamines, barbiturates, marijuana, hallucinogens, cocaine, or narcotics will be subject to College disciplinary actions that may include referral to drug and alcohol counseling or rehabilitation programs or student assistance programs, suspension, expulsion, and referral to appropriate law enforcement officials for prosecution.

Examples of State and Federal law violations are listed below.

#### Penalties under Texas Law

- **Manufacture or Delivery of Controlled Substances (Drugs)** - The minimum penalty is confinement in jail for a term of not more than two years or less than 180 days, and a fine not to exceed \$10,000. The maximum penalty is confinement in Texas Department of Corrections for life or for a term of not more than 99 years nor less than fifteen years, and a fine not to exceed \$250,000.
- **Possession of Controlled Substances (Drugs)** - The minimum penalty is confinement in jail for a term of not more than two years or less than 180 days, and a fine not to exceed \$10,000. The maximum penalty is confinement in TDC for life or for a term of not more than 99 years nor less than fifteen years, and a fine not to exceed \$250,000.
- **Possession of Marijuana** - The minimum penalty is confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000, or both. The maximum penalty is confinement in TDC for life or for a term of not more than 99 nor less than five years, and a fine not to exceed \$250,000.
- **Delivery of Marijuana** - The minimum penalty is confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000, or both. The maximum penalty is imprisonment for life or for a term of not more than 99 years nor less than ten years, and a fine not to exceed \$100,000.

#### Penalties under Federal Law

- **Manufacture, Distribution, or Dispensing of Drugs (including Marijuana)** - The minimum penalty is a term of imprisonment for up to three years and a fine of \$250,000, or both. The maximum penalty is a term of life imprisonment without release (no eligibility for parole) and a fine not to exceed \$8,000,000 for an individual or \$20,000,000 (if other than an individual).
- **Possession of Drugs (including Marijuana)** - The minimum penalty is imprisonment for up to one year and a fine not less than \$1,000, or both. The maximum penalty is imprisonment for not more than 20 years nor less than five years and a fine not less than \$5,000 plus costs of investigation and prosecution.
- **Distribution of Drugs to a Person under 21 Years of Age** - The minimum penalty is double the federal penalty for distribution of drugs. The maximum penalty is triple the federal penalty for distribution of drugs.

## College Sanctions for Alcohol or Drug Violations

Necessary information of sanctions may be found in the Student Code of Conduct and Employee Conduct Procedures/Workplace policy.

- Possible Alcohol and/or Drug Sanctions for Students
  - a) Probation
  - b) Workshops
  - c) Suspension
  - d) Expulsion
- Possible Alcohol and/or Drug Sanctions for Employees
  - a) Referral to drug and alcohol counseling
  - b) Referral to Employee Assistance Program
  - c) Termination
  - d) Referral to appropriate law enforcement officials for prosecution

## Smoke and Tobacco Free Environment

Texas Southmost College, including all its facilities and grounds, is a smoke and tobacco free environment. Smoking and/or using tobacco products is prohibited in all classrooms, laboratories, offices, conference rooms, hallways, parking lots, and all other rooms in all the buildings of Texas Southmost College and on all property owned, leased, rented, or otherwise under the control of Texas Southmost College. Law enforcement officers will issue a citation to those in violation of the policy and repeated violations may result in appropriate disciplinary action by Texas Southmost College.

## Drug Free Workplace Policy

In accordance with the Federal Drug-Free Workplace Act of 1988, other laws, and Texas Southmost College policies, employees are prohibited from unlawfully consuming, distributing, possessing, selling, or using controlled substances while on duty. In addition, employees may not be under the influence of any controlled substance, such as drugs or alcohol, while at work, on TSC's premises or engaged in TSC's business. Prescription drugs or over-the-counter medication, taken as prescribed, are an exception to this policy. Anyone violating this policy may be subject to disciplinary action, up to and including termination.

## Drug Free School and Communities Act

In compliance with the Drug Free Schools and Communities Act, Texas Southmost College publishes information regarding the College's educational programs related to drug and alcohol abuse prevention, sanctions for violations of State laws and College policy, a description of health risks associated with alcohol and other drug use, and a description of available treatment programs for Texas Southmost College students and employees.

As part of TSC's commitment to providing a safe environment and in compliance with the Drug Free Schools and Communities Act, TSC provides students and employees with information

about the importance and implications of Title IV and the Drug and Alcohol Use policies on campus along with the following programs:

Department	Title	Description
Student Life – Student Activities	Student Organization Training	Students and advisors learn about risk management – hazing and the consequences of Alcohol and Other Drugs (AOD) use.
Student Life – Counseling	Trick or Treat: Collegiate Drug and Alcohol Awareness	Students and employees learn about the consequences of AOD use by playing MADD Drunk Driving Loteria and participating in a DWI simulation. Students and employees receive information about health risks and consequences of AOD use via brochures and pamphlets.
Student Life – Counseling	Safe Zone Ally Training	Students and employees learn about AOD use in the LGBTQIA population and the negative effects on those individuals’ health, life, and decision-making skills.
Student Life – Counseling	Spring Break Safety Conference	Students and employees learn how to maintain their safety during Spring Break. Community entities present on their subject relating to education of health risks and consequences of AOD use. The Cameron County Sheriff’s Office present on Travel in to Mexico and how laws differ in regards to AOD violations and sanctions imposed. Students and employees receive information about health risks and consequences via brochures and pamphlets.
Student Life – Counseling	Suicide Prevention Training	Students and employees learn about how AOD use can play a role in suicidal behaviors and affects judgement and health.
Student Life – Counseling	Domestic Violence Awareness Conference	Students and employees learn how AOD use is involved in a high percentage of domestic violence cases, health risks, and

		are presented with resources available for those experiencing substance abuse or domestic violence. Students and employees receive fact sheets, brochures, and pamphlets.
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Additional resources are provided in the College’s webpage is available at: Assistance Programs Available to Employees

To maintain the College’s commitment to comply with the Federal Drug-Free Workplace Act of 1988, other laws, and Texas Southmost College policies, drug counseling and treatment is available to our employees on an outpatient and inpatient basis under our medical insurance program subject to specific contractual provision.

### Weapons Policy

Texas Southmost College prohibits the use, possession, or display of a firearm or any prohibited weapon as defined by law, on College property or College-sponsored or related activity, unless authorization is granted in advance by the College President or designee. Additionally, weapons such as firework, incendiary devices, and instruments designed to expel a projectile with the use of pressurized air like a BB gun, razors, chains, or martial throwing stars are prohibited. Employees and students found to be in violation of this policy shall be subject to disciplinary action.

Texas law (Penal Code – 46.03) prohibits the possession and carrying of weapon onto an educational institutional (public or private) by those other than people with proper authorization, such as TSC Campus Security (Allied Universal Security). Texas Southmost College will strictly support and enforce this law. An offense under this law is a 3<sup>rd</sup> degree felony in the state of Texas.

This prohibition of firearms on campus does not apply to persons holding permits for concealed carry. Texas Southmost College is committed to providing a safe environment for students, faculty, staff, and visitors, and to respecting the individual’s right to those who are licensed to carry a concealed handgun where permitted by law. Individuals who are licensed to carry may do so on campus premises except in designated exclusion zones as prohibited by law or campus procedures.

### Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Texas Southmost College is committed to providing a safe learning and working environment, and in accordance with federal law, prohibits illegal discrimination on the basis of sex and prohibits sexual harassment, sexual assault, rape or any other form of non-consensual sexual activity, dating violence, or stalking, (as those terms are defined for the purposes of the Clery

Act) and/or related retaliation. Policies and procedures have been adopted and enforced to respond to incidents. Violations of the policies are subject to disciplinary sanctions through those outlined in applicable College policies. Guidelines apply to all students, faculty, staff, contractors, and vendors.

## Definitions

**Consent:** Sexual activity requires consent, which is defined as a voluntary and positive agreement between the participants to engage in sexual activity. Consent to sexual activity may be communicated in a variety of ways, but one should presume that consent has not been given in the absence of a clear, positive agreement between the participants. While verbal consent is not an absolute requirement for consensual sexual activity, verbal communication prior to engaging in sexual activity helps to clarify consent and avoid any misunderstandings.

**Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without 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.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without 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:** Sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Dating Violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the relationship length, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating also includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered by the definition of domestic violence.

**Domestic Violence** is a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;

- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any other person against an adult or youth victim who is protected from that person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking** is defined by engaging in a course of conduct dedicated at a specific person that would cause a reasonable person to for the person's safety or the safety of others or suffer substantial emotional distress.

- a) Course of conduct: two or more acts, including, but not limited to acts in 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.
- b) Reasonable person: a reasonable person under similar circumstances and with similar identities to the victim
- c) Substantial emotional distress: significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling

While these definitions are clear, survivors often have difficulty reporting these crimes for numerous reasons, such as knowing the perpetrator, fear of retaliation, fear of parents knowing about the incident or fear of getting in trouble with law enforcement. Despite these concerns, it is vital to report such incidents in order to get help.

If a person would like to press criminal charges for an alleged violation of any of the above criminal laws, or would like to seek an order of protection, the definitions contained in the Texas Penal Code and Texas Family would apply, not the internal definitions used in this document.

### College Sexual Misconduct Policy Statement

At Texas Southmost College, we are committed to the prevention of all forms of sexual misconduct including but not limited to sexual assault, harassment, and abuse. Coercive sexual contact and unwanted comments of a sexual nature are offensive and undermine the safety, security, and dignity of all members of the College community. This commitment is core to our institutional culture, reflected in our policies and practices, and is in accordance with state and federal laws, such as Title IX and the Clery Act.

Texas Southmost College addresses sexual misconduct and gender-based misconduct policies and procedures in the following documents. These and other important College policies are available on our digital TSC Board Policy Manual at <https://pol.tasb.org/Home/Index/253>:

- I. Freedom From Discrimination, Harassment, and Retaliation: Sex and Sexual Violence Policy (FFDA – Local)
- II. Freedom From Discrimination, Harassment, and Retaliation: Other Protected Characteristics Policy (FFDB – Local)
- III. Student Rights and Responsibilities: Student Complaints Policy (FLD – Local)
- IV. Student Welfare: Freedom From Bullying (FFE – Local)
- V. Freedom From Discrimination, Harassment, and Retaliation: Sex and Sexual Violence Employee Policy (DIAA – Local)
- VI. Freedom From Discrimination, Harassment, and Retaliation: Other Protected Characteristics Employee Policy (DIAB – Local)

Each of the component parts of the Policy will be reviewed and updated in accordance with the regular review processes within the College’s governance and administrative processes.

### Prevention and Awareness Programs

Texas Southmost College is committed to education of prevention and awareness of sexual misconduct.

Student Life – Counseling	Domestic Violence Awareness Conference	Students and employees learn how AOD use is involved in a high percentage of domestic violence cases, health risks, and are presented with resources available for those experiencing substance abuse or domestic violence. Students and employees receive fact sheets, brochures, and pamphlets.
Human Resources	Title IX Brochures	Students and employees receive information about Title IX policies and procedures at TSC. These brochures can also be found throughout campus for easy access and awareness.
Human Resources	Title IX Posters	Students and employees can find posters around campus about Title IX policies and procedures at TSC. The posters are in highly visible and high-traffic areas for easy access and awareness.

### **Safety Tips and Risk Reduction**

- 1. Listen carefully. Take time to hear what your partner is saying. If you feel they are not being direct or are giving you mixed signals, ask for clarification. Be aware of your

partner's body language and demeanor at all times. Keep the lines of communication open.

2. Do not fall for the "No means Yes" stereotype. When a person says "No," they mean "no."
3. Date rape is a crime. It is never acceptable to use force in sexual situations.
4. Do not automatically assume that they want to have sex just because they are intoxicated, dressed provocative, "coming on to you," or if they agree to go home with you or to your room. Also, do not assume that because a person consents to kissing or other sexual intimacies they are willing to have sexual intercourse.
5. Having sexual contact with a person who is physically or mentally unable to give consent is a crime. If you have sexual contact with a person who is drugged, unconscious, or incapable of saying "no," or unaware of what is happening around them, you are guilty of sexual assault.
6. You have the right to say "no" to any unwanted sexual contact. If you are uncertain about your situation, ask your partner to respect your feelings.
7. Communicate your limits firmly and directly. Do not assume that your partner will "get the message" without you telling them.
8. Listen to your gut feelings. If you feel uncomfortable, leave the situation or ask your partner to leave immediately. Don't hesitate to state your feelings.
9. Date rape is the most common form of sexual assault. Be aware of your situation at all times!

### **Protection Against Stranger Rape**

1. Stay alert to your surroundings. Your senses are your best early warning system. Avoid the use of technology which is distracting (i.e., using your phone while walking, using headphones with high volume).
2. Avoid walking alone or in isolated areas. Avoid unfamiliar areas. At night, stick to well-lit, populated areas and walk with another person.
3. Call TSC Campus Security for an escort if you need one.
4. Take special precautions in parking lots, stairwells, elevators, bathrooms, and dark areas.
5. If you suspect that you are being followed, go to a place where there are other people as soon as possible. If you choose to run, run as fast as you are able and scream to attract attention or summon help.
6. Follow your gut instincts. If you sense that you may be at risk or in danger, try to get out of the situation. Report your suspicions to the authorities.
7. If you choose to attend a party, protect yourself against "date rape" drugs by never leaving your beverage unattended or uncovered, and avoid group beverages, such as punch. Many drugs used in the commission of sexual assaults are tasteless and odorless,



and very little needs to be ingested to take effect. Possible symptoms may include, but are not limited to: nausea, vomiting, dizziness, blurred vision, and memory loss.

8. If you suspect you or a friend has been drugged, get to the hospital as quickly and safely as possible.
9. Avoid giving out personal information. If someone asks for your number, ask for theirs instead.

### How to be an Effective Bystander

Bystanders play a critical role in the prevention of sexual assaults, domestic violence, dating violence, and stalking. For example, bystanders may have the power to stop assaults, get help for people who have been victimized, and/or alert the appropriate authorities.

When a bystander notices a situation that seems out of the ordinary, he or she needs to evaluate and determine if it is an emergency situation or one in which someone needs assistance. From there they must decide the best course of action, whether it is to help the person leave the situation, confront a behavior, diffuse a situation, or call for other support/security. Consider the following strategies to intervene safely and effectively.

#### **Distract**

Use or create a distraction to redirect the focus somewhere else.

#### **Delegate**

Recruit the help of friends of both people to step in as a group. Divert the attention of one person away from the other person. Have someone standing by to redirect the other person's focus.

#### **Direct**

Step in and separate two people. Let them know your concerns and reasons for intervening. Let them know you are acting in their best interest. Make sure each person makes it home safely.

**The best way bystanders can assist in creating an empowering climate free of interpersonal violence is to diffuse the problem behaviors before they escalate. \*Please remember that any situation that threatens physical harm to yourself or another student should be assessed carefully. Contact TSC Campus Security at 956-295-3700 if needed to assist in defusing the situation.**

### Note on Police Procedures

If a crime is reported to police, one should understand that they may be obligated to pursue an investigation even without the victim's consent. Therefore, reporting to the police may not be a confidential process.

If one chooses to file a report, the individual is encouraged to bring a trusted friend or family member for support. One can also request to have a TSC counselor or advocate from Family Crisis Center (956-423-9305) to accompany her/him through the reporting process.

A student or employee who believes they have had unwanted sexual experiences or is the victim of dating violence, domestic violence, or stalking (even if they are unsure), they have the option of notifying on-campus and local law enforcement authorities. Below is a list of local law enforcement agencies. Reports should be filed with the agency where the incident occurred.

In accordance with Chapter 57 of the Texas Code of Criminal Procedures, victims may use a pseudonym to protect their identity when reporting sexual violence offenses or family violence offenses to Texas law enforcement agencies. A pseudonym is a set of initials, or a fictitious name, chosen by the victim to be used in all public files and records concerning the sexual assault.

Agency	Phone
Brownsville Police Department	(956) 548-7000
Cameron County Sheriff's Department	(956) 554-6700
Texas Department of Public Safety	(956) 983-1920

### Reporting Procedures

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to one of the following:

- Texas Southmost College Campus Security
  - 956-295-3700
- Title IX Responsible Employee
  - Elizabeth Lara, Title IX Coordinator Executive Director of Human Resources
    - 956-295-3771
  - Armando Ponce, Executive Director of Student Life and Civility
    - 956-295-3570
  - Vanessa Vasquez, Executive Director of Enrollment & Academic Support Services
    - 956-295-3605
  - Dr. Gisela Figueroa, Vice President of Finance & Administration
    - 956-295-3379
  - Dr. Joanna Kile, Vice President of Instruction
    - 956-295-3398

- Title IX Anonymous Report
  - <https://www.tsc.edu/campus-security/anonymous-sexual-assault-reporting/>

Although you may submit an anonymous electronic report, the submission of an anonymous electronic report may impair the College District’s ability to investigate and address the prohibited conduct. A victim of a crime has the right to choose whether to report the crime to law enforcement, to be assisted by the College District in reporting the crime to law enforcement, or to decline to report the crime to law enforcement. It is important that a victim of prohibited conduct go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.

### Procedures to be Followed After an Incident of Sexual Assault, Dating Violence, Domestic Violence or Stalking

- Go to a safe location immediately. Find a trusted friend or family member to accompany you, if possible.
- Call 911 or 956-295-3700 (TSC Campus Security) to report the crime.
- Take steps to preserve the evidence of a sexual assault.
  - Do not change your clothes, shower, bathe, or wash your hands.
  - Do not brush your teeth or eat/drink anything.
  - If possible, do not use the toilet.
  - Do not clean up the scene of the incident or remove any items.
  - Save all clothing, linens, or other items that may have been touched by the assailant (do not wash) for the Police Officers who will be responsible for collecting evidence. If you remove clothing worn at the time of the assault, it should be placed in a PAPER BAG (use of a plastic bag may destroy vital physical evidence. All physical evidence, including seminal fluids, hair, blood, and scrapings of flesh from the victim’s fingernails may be used in court.
- You may request that the police investigation be conducted by a police officer of your gender, if available. As a survivor of sexual assault, your name will not be released to the news media.
- Seek immediate medical attention. Survivors should undergo sexual assault exam as soon as possible, regardless of whether or not they choose to report the assault to police. This will provide you with medical and nursing assistance for any injuries you may have received, and will preserve evidence if you decide later to file a report of sexual assault with the police.
  - Regardless of the amount of time that has occurred following a sexual assault, medical attention is very important. Sooner is better.
  - Transportation to the hospital can be provided by a city police officer.
  - Although it is highly likely that medical personnel will contact law enforcement officials, it does not mean you are required to file a police report or charges.
  - In the event that you do file a police report, as a survivor of sexual assault your

name will not be given to the media.

- You should take a fresh set of clothes so that the hospital can save the clothes which you were wearing during the assault as evidence in case you decide to report the assault to the police.
- A hospital examination may also be necessary for insurance claims and for partial reimbursement of survivor's expenses by civic agencies.
- If you suspect you have been given any drug against your will (whether or not a sexual assault occurred), request that medical personnel test your blood and urine for drugs. Some drugs may stay in your system for days, while others will only remain detectable for a few hours.

### Campus and Community Resources

If you become the victim of sexual assault, be sure to utilize all resources available to you when making decisions. You may want to contact someone you trust to assist you during your recovery process. The following are resources that can provide additional information and support for both men and women who become victims of sexual assault:

Resource	Number
Texas Southmost College Counseling & Psychological Services	956-295-3409
Texas Southmost College Office of Civility	956-295-3409
Texas Southmost College Security	956-295-3700
Friendship of Women	956-544-7412
Family Crisis Center	956-423-9305
Rape, Abuse, & Incest National Network	800-656-4673
Valley Regional Medical Center	956-350-7000
Valley Baptist Medical Center	956-698-5400
UTRGV Counseling and Training Clinic	956-882-7792
Tropical Texas Behavioral Health	956-547-5400
Texas Rio Grande Legal Aid	956-982-5540

Crime Victims' Compensation	800-983-9933
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### Confidentiality & Reporting

To the greatest extent possible, consistent with the law, Texas Southmost College shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law. Texas Southmost College is required to complete publicly available recordkeeping, including Clery Act reporting and disclosures such as the annual security report and daily crime log, without inclusion of personally identifying information about the victim. The College will comply with the Family Educational Rights and Privacy Act (FERPA), with Texas Education Code Section 51.971, and other confidentiality laws as they apply to Title IX investigations.

Under Texas law, all Texas Southmost College employees are required to report to the Title IX Coordinator or Deputy Title IX Coordinator to conduct reasonably believed to be sexual harassment, sexual assault, stalking, or dating violence by or against a student or employee at the time of the incident. In addition, certain employees at Texas Southmost College must also report to the Title IX Coordinator all known incidences of sexual misconduct (a broader category of misconduct) committed by or against a student or employee; these employees are referred to as, "Title IX Responsible Employees." All employees should make their mandatory obligation(s) clear, prior to disclosure, and it is best if complainants ask the person that they outcry to if that individual has any mandatory reporting obligation. When choosing a reporting resource, please consider that privileged reporting consists of those communication that legally can't be disclosed to any other person without the person's consent, except under very limited circumstances, such as an imminent threat of danger to self or others or if the complainant is a minor.

### College Disciplinary Actions and Penalties

Student found responsible for sexual misconduct may receive a warning, specific penalties, disciplinary probation, suspension, or expulsion, as explained in the Student Handbook under Student Code of Conduct.

Faculty, staff, and administrators found responsible for sexual misconduct or retaliation may receive penalties ranging from a warning to immediate dismissal as described within the Disciplinary Policy section of the Employee Handbook.

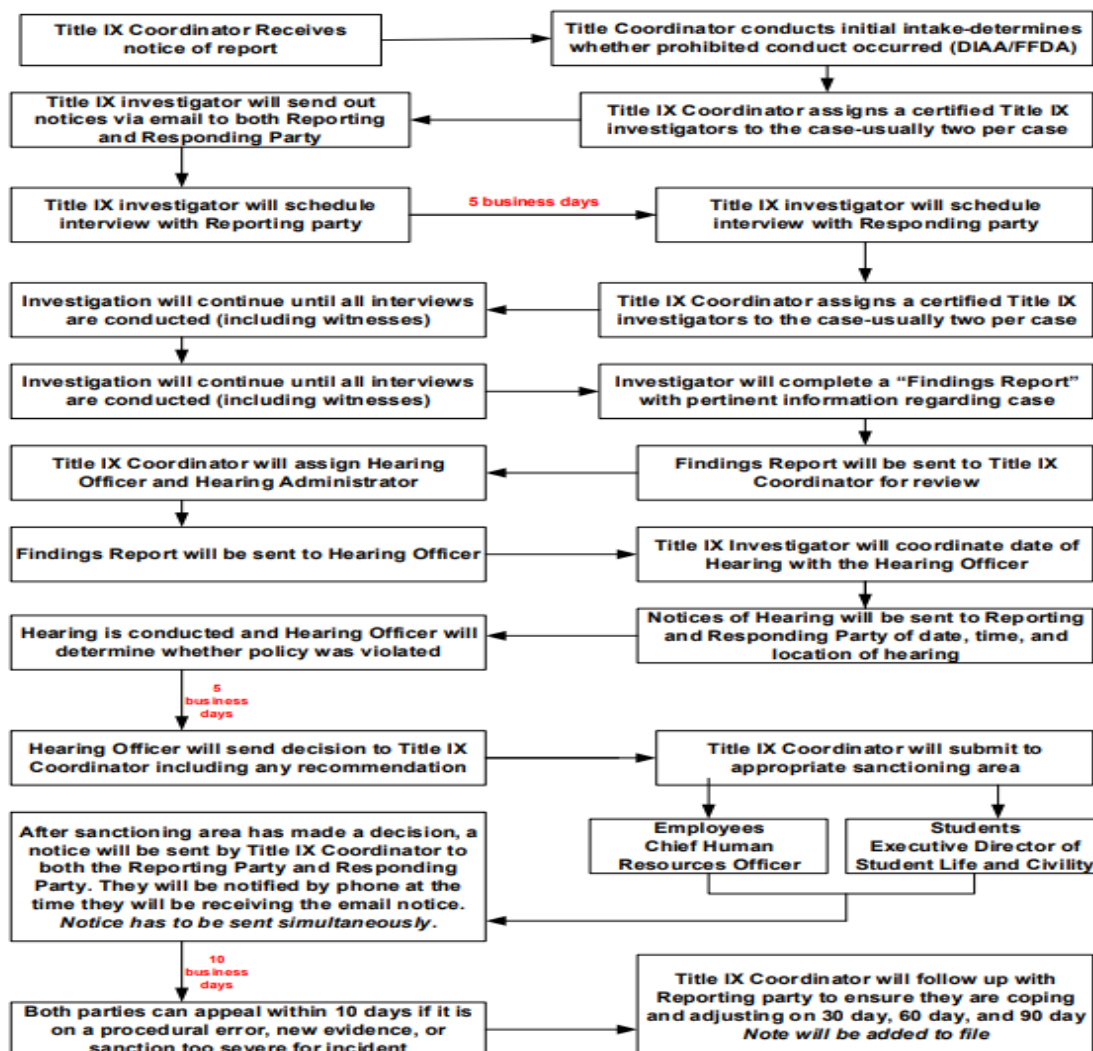
### Legal Rights and Options

There are a number of interim measures the college may take following a report in order to protect the college and community including but not limited to a No Contact Order.

If the respondent is an employee, a student or otherwise has a connection with Texas Southmost College, you have the option to request an administrative No Contact Order through the college. An appropriate College Official will determine if a No Contact Order is warranted. This order is an official note to the accused party (respondent) that he or she is not to contact you. When a No Contact order is issued, the Complainant is also instructed not to contact the Respondent. An administrative No Contact Order is not a legal order, but it is enforceable on College property. A violation of a No Contact Order may be classified as retaliatory and could result in conduct or disciplinary action.

### Sexual Misconduct Procedures

The Title IX Coordinator will determine, using the preponderance of the evidence standard, whether the alleged sexual misconduct did or did not occur. The Title IX Coordinator will deliver the results within five working days of the Title IX Coordinator’s proceeding determination.



An allegation presented as a formal complaint under Title IX is subject to the mandatory dismissal procedures under law. Any complaint may be dismissed at any time on request of a complainant. The Title IX coordinator must first assess the request in accordance with policy DIAA (Local) at Request Not to Investigate. A complaint may also be dismissed if specific circumstances prevent the College District from gathering evidence sufficient to reach a determination as to the complaint or allegation.

### Right to Have an Advisor

Parties have the right to consult with an advisor of their choosing. The advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. A party may be accompanied by his or her advisor to any meeting or proceeding related to a complaint under this policy. While the advisor may provide support and advice to the party at any meeting or proceeding, cross examine complaints witnesses, present witness and evidence on Respondent's behalf, the advisor may not on the party's behalf or otherwise participate in any conduct that would delay, disrupt, or interfere with any meeting and or proceeding.

### Rights of Complaint

If you have experienced sexual misconduct, you have rights and options. The Title IX Coordinator or designee will provide a notice of rights, which is for informational purposes only and does not replace TSC policy or procedure. The notice of rights to complainants includes but is not limited to:

- No Contact Order
- Interim Measures
- A prompt, fair, and impartial administrative investigation and resolution
- Anonymity
- An advisor of your choice

### Rights of Respondent

The Title IX Coordinator or designee will provide written notice of the sexual misconduct complaint to the respondent within three working days of receiving the complaint using the Sexual Misconduct Complaint Notice. The notice will include complaint details, Board Policy and Procedures, and the Title IX Coordinator or designee's contact information.

### Alternative Procedures

If a law enforcement or regulatory agency notifies the College that a criminal or regulatory investigation has been initiated, the College shall confer with the agency to determine if the College's investigation would impede the criminal or regulatory investigation. The College shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed

gathering its evidence, the College shall promptly resume its investigation.

## Appeals

A decision reached by the Student Conduct Board or a sanction imposed by the Executive Director of Student Life and Civility may be appealed by the Accused Student(s) or Complainant(s) to an Appellate Board within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the Executive Director of Student Life and Civility or his or her designee.

Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the Student Conduct Board Hearing and supporting documents for one or more of the following purposes:

- To determine whether the Student Conduct Board Hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the Student Code of Conduct was violated and giving the Accused Student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
- To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Student Code of Conduct occurred.
- To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct which the student was found to have committed.
- To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Conduct Board Hearing.

If an appeal is upheld by the Appellate Board, the matter shall be returned to the original Student Conduct Board and Executive Director of Student Life and Civility for re-opening of Student Conduct Board Hearing to allow reconsideration of the original determination and/or sanction(s). If an appeal is not upheld, the matter shall be considered final and binding.

## Interim Actions

If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the College shall promptly take interim action calculated to address prohibited conduct and protect the victim from retaliation prior to the completion of the College's investigation. Examples of possible accommodation and supportive measures include



academic accommodations, housing and dining modifications, counseling, and health services.

### Typical Sanctions

A student shall be subject to discipline for violations of College District policies and procedures, including the rules outlining expectations for student conduct [see FLB]. If a student commits an infraction or engages in misconduct, the College District may impose one or more of the following penalties:

- i. Reprimand - A verbal or written warning to the student following a rule violation. Repetition of such misconduct may result in more severe disciplinary action.
- ii. Restitution - Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damage.
- iii. Behavior Contract - A written agreement that details clear expectations of the student in carrying out an intervention plan. Behavior Contracts may include referral to a counselor, participation in a monitored supervision plan, signing a “no contact” order prohibiting contact with an individual or individuals, submission to random drug testing for a specific period, restriction from a certain campus location, loss of parking privileges, or other stipulations appropriate to the Student Code of Conduct violation.
- iv. Loss of Privileges - Denial of specified privileges for a designated period.
- v. Discretionary Sanctions - Discretionary Sanctions include, but are not limited to, work assignments, essays, service to the College, or other related discretionary assignments.
- vi. Scholastic Penalties - The assignment of a failing grade on an assignment or examination or in a course by an instructor based on scholastic dishonesty; including cheating, collusion, and plagiarism; committed by a student. The instructor shall submit a written report of the incident and of the planned action to the instructor’s Dean.
- vii. Conditional Probation - The placing of a student on notice that continued infraction of regulations may result in suspension or expulsion from the College District. Conditional probation may include restrictions on a student’s rights and privileges or specified community service. The probation may be for a specified length of time or for an indefinite period according to the relative severity of the infraction or misconduct. Failure to fulfill the terms of the probation may lead to suspension or expulsion.
- viii. Community Service-Students may be asked to complete community service hours as approved by the Executive Director of Student Life and Civility. The number of hours required to complete will be relative to the severity of the infraction or misconduct.
- ix. Workshops- Students may be asked to complete mandatory workshops as approved by the Executive Director of Student Life and Civility. The number of workshops required to complete will be relative to the severity of the infraction or misconduct.
- x. Suspension - Forced withdrawal from the College District for either a definite period of time or until stated conditions have been met. Normally, suspension shall extend through a minimum of 37 one regular long semester (with summer sessions not

counting in the one semester minimum time lapse). However, suspension may exceed the one semester minimum.

- xi. Expulsion - Permanent forced withdrawal from the College District. A student receiving disciplinary expulsion shall have the action noted in the student's permanent record and transcript.

More than one of the sanctions listed above may be imposed for any single violation. Other than College expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record but shall become part of the student's disciplinary record. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions other than College suspension, College expulsion, or revocation or withholding of a degree, upon application to the Executive Director of Student Life and Civility. Cases involving the imposition of sanctions other than College suspension, College expulsion or revocation or withholding of a degree shall be expunged from the student's confidential record eight (8) years after final disposition of the case.

In situations involving both an Accused Student(s) (or group or organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.

The following sanctions may be imposed upon groups or organizations:

- Those sanctions listed above in Article IV (2) (a) (i.), (ii.), (iv.), (v.), and (vi.).
- Loss of selected rights and privileges for a specified period of time.
- Deactivation. Loss of all privileges, including College recognition, for a specified period.

## Sexual Harassment Policy

### Policy and Definitions

Sexual harassment in any manner or form, including sexual harassment based on sexual orientation, is prohibited. It is the policy of Texas Southmost College to maintain both an academic and a working environment free from all forms of sexual harassment. Sexual harassment violates College policies, Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991, the Texas Commission on Human Rights Act, and the Title IX of the Education Amendments of 1972.

As used in this policy, the term "sexual harassment" means unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of

- a person's employment or education; or
2. Submission to or rejection of such conduct by a person is used or threatened as the basis for academic or employment decisions, or evaluations affecting that person; or
  3. Such conduct has the purpose or effect of a) unreasonably interfering with a person's academic or professional performance or b) of creating an intimidating, hostile, or offensive employment, educational, or campus environment for any person or group of persons.

Other sex-related behaviors, that may or may not be definable as sexual harassment, will hereinafter be referred to as "sexual misconduct."

Title IX also protects individuals who report sex discrimination and sexual misconduct from retaliation by individuals or by institutions. The reporting of incidents of discrimination is integral to the effective enforcement of Title IX law. Therefore, the protection of complainants, as well as the accused, is important. Retaliation against any individual who reports or makes a complaint about a Title IX violation will not be tolerated at TSC. The College will impose appropriate corrective action against any individual found to have engaged in acts or threats of retaliation.

#### Examples of Sexual Harassment and Retaliation

The examples of sexual harassment given below are intended to illustrate appropriate behavior but are not all-inclusive. Courts in this country have recognized two types of sexual harassment: The first type is quid pro quo ("something for something") harassment, where sexual activity is demanded or offered in exchange for an actual, tangible job or benefit; the second type is hostile environment harassment, where there is not necessarily a loss or gain of a tangible job or benefit. This policy includes quid pro quo harassment and hostile environment harassment.

Examples of unacceptable verbal or physical conduct which may constitute sexual harassment include, but are not limited to:

1. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;
2. Intimidating conduct which exerts pressure for sexual activity;
3. A pattern of conduct in class or in the workplace (not reasonably or legitimately related to the subject matter of the course or job) which would discomfort or humiliate a reasonable person at whom the conduct was directed, through comments of a sexual nature, such as sexually explicit statements, questions, jokes, anecdotes, or references to sexual orientation.
4. A pattern of conduct that would discomfort or humiliate a reasonable person at whom the conduct was directed, through one or more of the following: a) inappropriate touching, patting, hugging, or brushing against a person's body, b) repeated or unwanted staring, c) remarks of a sexual nature about a person's clothing or body, or d) remarks about a

person's sexual orientation, sexual activity, or speculations about previous sexual experience;

5. A pattern of conduct which a reasonable person would identify as one or more of the following: a) inappropriate remarks or humor based on gender stereotype of tasks that are not gender specific.

### General Procedures of Handling Complaint

Any member of the TSC community who believes he/she has been the victim of sex discrimination, sexual misconduct, or who has witnessed such conduct, should report such misconduct or file an informal or formal complaint with the College's Title IX Coordinator. While there is no required format for making a report, any member of the TSC community may use the online reporting system or can contact the Title IX Coordinator for assistance. Any victim of sexual misconduct who would prefer to speak with someone and have the form completed on his/her behalf should contact the Title IX Coordinator.

Students who believe they have been or, are victims of sex discrimination or sexual harassment, including sexual assault or sexual violence on or off campus, whether by College employees, contracted services employees, other students or non-community members, are encouraged to request immediate personal support and assistance from any member of the Office of Student Services or the Title IX Coordinator. Student complaints against other students concerning sexual assault, sexual violence or other sexual misconduct may be made on an informal or formal basis with the College's Title IX Coordinator or with TSC Security. All complaints filed with or received by the TSC Security will be forwarded to the Title IX Coordinator, who will direct that an appropriate investigation be conducted.

Employees who believe they are being harassed or discriminated against on account of their gender should promptly make a report to the Title IX Coordinator, to his/her supervisor, to the Chief Human Resources Officer; the campus President; or the Vice President of Student Services. All reports made to the employee's supervisor, campus President, Vice President of Student Services or TSC Security must, in turn, be immediately forwarded to the Title IX Coordinator.

Reporters and survivors may remain anonymous. The report form need not include the name of the survivor or the accused, unless the survivor or reporter chooses to include them. Filing an anonymous report will ensure that information is recorded in the event the survivor would like to file a complaint at a later date. Survivors are encouraged to include their initials, in the event they would like to later file a formal complaint, although this is not required. Filing an anonymous report will not result in a police investigation. An anonymous report can be filed using the following link <http://www.tsc.edu/index.php/about/campus-security/anonymous-sexual-assault-reporting.html>

For additional campus safety information, visit our web site at

## Other Considerations

### Retaliation

Texas Southmost College prohibits retaliation against a student who makes a claim alleging to have experienced prohibited conduct or a person who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation. This prohibition does not apply to discipline of a person who perpetrated or assists in the perpetration of the prohibited conduct. Examples of retaliation include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwanted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

### Failure to Report and False Claims

While Texas Southmost College is committed to preventing and punishing unlawful discrimination, harassment, assault, and retaliation, it also recognizes that false accusation of sexual misconduct or retaliation may harm an innocent party who has been falsely accused. An employee who fails to make a required report or a student or employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with the College investigation regarding prohibited conduct shall be subject to appropriate disciplinary action.

### Sex Offender Registration

The “Campus Sex Crimes Prevention Act” is a federal law enacted on October 28, 2000, that provides for the tracking of convicted, registered sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires the Texas Department of Public Safety provide a list or notify Texas Southmost College of registered sex offenders who have indicated that they are either enrolled, employed, or carry on a vocation at Texas Southmost College.

Texas Southmost College is required to inform the campus community that the Sex Offender Registration database is maintained and operated by the Texas Department of Public Safety (DPS). It can be found at, <https://publicsite.dps.texas.gov/SexOffenderRegistry>. Chapter 62 of the Texas Code of Criminal Procedure requires that all sex offenders within the state of Texas register with the local law enforcement agency where they reside. Sex offenders who attend TSC must register with the designated student services representative prior to their first semester of attendance. They must also register with TSC Campus Security every semester after.

### Definitions of Clery Act Offenses

**Aggravated Assault** is the unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or means likely to produce death or great bodily harm.

**Arson** is the 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.

**Burglary** is the unlawful entry of a structure to commit a felony or a theft.

### **Criminal Homicide**

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

**Manslaughter by Negligence** is the killing of another person through gross negligence

**Hate Crimes** is defined as a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act, only the following eight categories of covered classes are reported: race, religion, gender, gender identity, disability, sexual orientation, ethnicity, or national origin.

#### Categories of bias included in the annual statistical disclosure are:

**Race:** a preformed negative attitude toward a group of persons who possess common physical characteristic, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as distinct division of humankind, e.g., Asians, blacks or African Americans, whites.

**Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceive gender, e.g., male or female.

**Gender Identity:** A performed 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. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person by may be perceived as such.

**Religion:** A performed 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.

**Sexual Orientation:** A performed negative opinion or attitude towards a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the

same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

**Ethnicity:** A preformed negative opinion or attitude toward a group of people who 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. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

**National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associated with people of a certain national origin.

**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

For purposes of the annual statistical disclosure, hate crimes include any Clery-reportable criminal offence (listed above) and the following additional 4 offenses:

**Larceny-Theft** is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another (Larceny theft means the same thing in the UCR). Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.

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

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

**Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

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

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

fear.

Under the Clery Act institutions must also report arrests and referrals for disciplinary action for liquor law violations, drug abuse violations, and weapons law violations.

**Arrests:** persons processed by arrest, citation or summons.

Referred for Campus Disciplinary Action: The referral of any person to any campus official who initiates a disciplinary action to which of record is kept and which may result in the imposition of a sanction.

**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.

**Drug Abuse Violations:** 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. 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 relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**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 or drunkenness.

## VAWA Offenses

### Dating Violence, Domestic Violence, & Stalking

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

**Domestic Violence** is a felony or misdemeanor crime of violence committed:

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



person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking** is defined by engaging in a course of conduct dedicated at a specific person that would cause a reasonable person to for the person's safety or the safety of others or suffer substantial emotional distress.

- a) Course of conduct: two or more acts, including, but not limited to acts in 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.
- b) Reasonable person: a reasonable person under similar circumstances and with similar identities to the victim
- c) Substantial emotional distress: significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

### Written Notification of Rights and Options

Texas Southmost College has listed a number of resources that victims of dating violence, domestic violence, sexual assault, or stalking can turn to for help. These resources can be used whether the offense occurred on or off the campus. This notification provides information on the different ways to report a crime, the preservation of evidence if criminal charges are pursued, medical services, counseling services, and legal services. This written notification can be obtained at Environmental Health, Safety, and Risk Management, located at the Newman Building

### Hierarchy Rule and Exceptions

The Federal Bureau of Investigation's Hierarchy Rule must be used when counting multiple offenses. Under this rule, only the most serious offense is counted when more than one offense is committed during a single incident. A single incident means that the offenses must be committed at the same time and place, meaning the time interval between the offenses and the distance between the locations where they occurred were significant.

The following list shows the hierarchy that must be used, beginning with the most serious offense:

1. Murder and Non-Negligent Manslaughter
2. Manslaughter by Negligence
3. Sexual Assault
4. Robbery
5. Aggravated Assault
6. Burglary
7. Motor Vehicle Theft

Exceptions in applying the Hierarchy Rule:

### **Arson**

- Always count arson as an offense, regardless of the nature of any other offenses committed during the same incident
- When multiple offenses are committed during the same distinct operation, report the most serious along with the arson
- Incidents in which persons are killed as a direct result of arson are classified as both murder/non-negligent manslaughter and arson or manslaughter by negligence and arson

### **Hate Crimes**

- All of the offenses committed in a multiple offense incident that are bias motivated should be disclosed.
- In a multiple offense incident, only the crimes that are bias motivated should be classified as hate crimes.

### **Sexual Assaults**

- If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, an incident must record both the sex offense and the murder in its statistics.
- Fondling is recognized as an element of other sexual assaults. Include a sexual assault as fondling only if it is the only sexual assault. If fondling occurs in the same incident as murder, count both fondling and the murder.

## Definitions of Clery Act Geography

For the purposes of collecting statistics for submission to the Department of Education and inclusion in the Annual Security Report, Clery geography includes buildings and property that are part of the institution's campus, the institution's non-campus buildings or property, and public property within or immediately adjacent to and accessible from campus. For the purpose of maintaining an institution's crime log, Clery geography also includes areas within a patrol jurisdiction of the campus security department.

### **On-campus:**

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

### **On-Campus Student Residential Facilities:**

- Any student housing facility that is owned or controlled by the institution or is located

on property that is owned by the institution, and is within the reasonable contiguous geography area that makes up the campus.

**Public property:**

- All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Non-Campus Building or Property:**

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

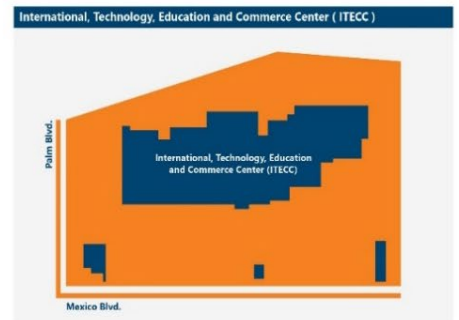
Clery Map



BUILDINGS			
Fort Brown Memorial Center	1	M1 Building	23
TSC Performing Arts Center	2	Cortez Hall	24
Commandant's Quarters	3	Rustberg Hall	25
Champion Hall	4	Smith Amphitheater	26
Gargas Hall	5	Bookstore	27
Old Morgue	6	Cavalry Hall	28
Commissary Building	7	Science, Engineering and Technology (SETB)	29
Commissary Annex	8	SETB MO	30
Regiment House	9	SETB Lecture Hall	31
Oliveira Student Services Center	10	TSC Recreation Center	32
Tandy Hall	11	Scorpion Field	33
Lightner Center	12	Fort Brown Memorial Golf Course	34
Music Building	13	Physical Plant and Central Receiving	35
Old Education Building	14	Riverside II Building	36
Newman Center	15	TSC Recreation Center Field	37
Eidman Hall	16	American Legion Building	38
Garza Gymnasium	17	Center for Early Childhood Center	39
Gymnasium Annex	18	Old Art League Building	40
South Hall	19	Armory Building	41
North Hall	20	Thermal Plant	42
Guerra Early Childhood Center	21	UTB University Library	43
M2 Building	22		

PARKING			
General	P1	Metered Parking	P4
Student / Visitor	P2		
Faculty / Staff	P3		

Primary Golf Cart Route    Golf Cart Parking    Motorcycle Parking



## Texas Southmost College – Reportable Crimes

The Clery Act requires institutions to include statistics for four general categories of crime, including Criminal Offenses, Hate Crimes, VAWA Offenses, and Arrests and Referrals for Disciplinary Action. The following information reflects the number of crimes for the last three years as required to be in compliance. Texas Southmost College does not currently have any residential facilities, therefore statistics for on campus residential facilities is excluded from the table below.

### Criminal Offenses – TSC Main Campus

Offenses	Year	Main Campus	Non-Campus Property	Public Property	*Unfounded Crimes
Murder / Non-Negligent Manslaughter	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Manslaughter By Negligence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Rape	2019	1	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Fondling	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Incest	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Statutory Rape	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Robbery	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Simple Assault	2019	0	0	0	0

	2020	0	0	0	0
	2021	0	0	0	0
Burglary of Structure	2019	0	0	0	0
	2020	0	0	0	0
	2021	2	0	0	0
Motor Vehicle Theft	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arson	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Larceny-Theft	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Destruction/Damage/Vandalism of Property	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

### Hate Crimes – TSC Main Campus

Offense	Year	Main Campus	Non-Campus Property	Public Property	*Unfounded Crimes
Hate Crimes	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

### Violence Women Reauthorization Act (VAWA) Offenses Against – TSC Main Campus

Offense	Year	On Campus	Non-Campus Property	Public Property	*Unfounded Crimes
Domestic Violence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Dating Violence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Stalking	2019	4	0	0	0
	2020	0	0	0	0

	2021	2	0	0	0
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### Arrests and Disciplinary Referrals – TSC Main Campus

Offense	Year	On Campus	Non-Campus Property	Public Property	*Unfounded Crimes
Arrests: Weapons Carrying, Possessing, Etc.	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals: Weapons Carrying, Possessing, Etc.	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arrests: Drug Abuse Violation	2019	1	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arrests: Liquor Law Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	1	0	0	0
Disciplinary Referrals: Liquor Law Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

### Criminal Offenses – ITEC Campus

Offenses	Year	Main Campus	Non-Campus Property	Public Property	*Unfounded Crimes
Murder / Non-Negligent Manslaughter	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Manslaughter By Negligence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Rape	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

Sex Offenses, Fondling	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Incest	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Sex Offenses, Statutory Rape	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Robbery	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Simple Assault	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Burglary of Structure	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Motor Vehicle Theft	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arson	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Larceny-Theft	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Destruction/Damage/Vandalis m of Property	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

### Hate Crimes – ITEC Campus

Offense	Year	Main Campus	Non-Campus Property	Public Property	*Unfounded Crimes
Hate Crimes	2019	0	0	0	0
	2020	0	0	0	0

	2021	0	0	0	0
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### Violence Women Reauthorization Act (VAWA) Offenses Against – ITEC Campus

Offense	Year	On Campus	Non-Campus Property	Public Property	*Unfounded Crimes
Domestic Violence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Dating Violence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Stalking	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

### Arrests and Disciplinary Referrals – ITEC Campus

Offense	Year	On Campus	Non-Campus Property	Public Property	*Unfounded Crimes
Arrests: Weapons Carrying, Possessing, Etc.	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals: Weapons Carrying, Possessing, Etc.	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arrests: Drug Abuse Violation	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2019	0	0	0	0
	2020	0	0	0	0



	2021	0	0	0	0
Arrests: Liquor Law Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

**Unfounded Crimes**

\*Unfounded Crimes There were no unfounded crimes reported in 2019, 2020, or 2021. Calendar year 2019, 2020, and 2021 crime statistics in this report were determined in accordance with the Clery federal register (34 C.F.R.668.46) and guidance in the updated 2016 Handbook for Campus Safety and Security Reporting published by the U.S. Department of Education.

**Hate Crimes**

\*\*Hate Crimes There were no hate crimes reported in 2019, 2020, or 2021. Calendar year 2019, 2020, and 2021 crime statistics in this report were determined in accordance with the Clery federal register (34 C.F.R.668.46) and guidance in the updated 2016 Handbook for Campus Safety and Security Reporting published by the U.S. Department of Education.

**Crime Prevention and Security Awareness**

In addition to the many programs offered by the department of Environmental Health, Safety, and Risk Management along with other College offices, Texas Southmost College has established a number of policies and procedures related to promoting a reasonably safe and secure campus community. TSC also provides multiple avenues where community members can report crimes on campus and programing actively encourages the practice of crime reporting on campus.

TSC places a high priority on crime prevention. While it is impossible to prevent all crimes, TSC believes that people can be aware of ways to reduce their chances of becoming victims. The department provides a wide range of services and educational programs designed to promote campus security and aid in anticipating and minimizing potential dangers to the community and property of the University.

TSC offers a wide variety of ongoing prevention and awareness programming and services to our community members. In accordance with Texas Southmost College’s belief that everyone plays a critical role in providing and maintaining a safe and secure environment, the programs

are designed to encourage students and employees to be responsible for their own safety and security and the safety and security of others.

Training programs are scheduled through the office of Environmental Health, Safety, and Risk Management and are available upon request and are presented throughout the year to groups on campus. In addition, crime prevention posters and handouts are utilized in an effort to make all members of the campus community aware of the potential for crime. Anyone desiring information on crime prevention programs or related literature may contact the office of Environmental Health, Safety, and Risk Management at 956-295-3825 or the Texas Southmost College Security Office at 956-295-3700.

### Important Telephone Numbers

Department	Contact Number
<b>Emergencies – Police/Fire/Medical</b>	<b>911 or 9-911 for on campus; 911 for off campus</b>
Student Life	(956) 295-3600
TSC Campus Security	(956) 295-3700
Environmental Health, Safety, and Risk Management	(956) 295-3825
TSC Counseling	(956) 295-3409
Physical Plant & Facilities	(956) 295-3470
Human Resources	(956) 295-3770
Brownsville Police Department (non- emergency)	(956) 548-7000
Cameron County Public Health	(956) 247-3685
Cameron County Sheriff’s Department (non- emergency)	(956) 554-6700
Texas Department of Public Safety	(956) 983-1920

## Annual Fire Safety Report<sup>1</sup>

The requirement to submit an Annual Fire Safety Report applies only to institutions that maintain on-campus student housing. TSC has no on-campus or off-campus residential housing at this time, therefore no annual fire safety report is included.

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<sup>1</sup> Annual Fire Safety Report Statement was revised on 3/4/2021.