Annual Security Report
&
Fire Safety Report

2021

TABLE OF CONTENTS

The Clery Act 5
Compliance with the Clery Act 5
Campus Safety 5
Preparing the Report 5
Notifications 5
Campus Security Department 6
Agreements Regarding Investigating Criminal Offenses 6
Campus Geography 7
Campus: 7
Non Campus Buildings or Property: 7
Local Law Enforcement Monitoring 7
Public Property 7
Incident Reporting and Response 8
Regular Reporting Procedures 8
Campus Security Authorities 9
Reporting Criminal Offenses to Campus Security Authorities 9
What are Campus Security Authorities required to do? 9
Timely Warning 11
Content of Notification 12
Procedures for Notification 12
Emergency Response and Evacuation Procedures 12
Notification about Immediate Threat 12
Content of Notification 12
Procedures for Notification 12
Concept of Operation 14
Emergency Preparedness 14
Testing Mass Notification 14
Procedures for Testing Emergency Response and Evacuation Plan 15
Security of and Access to Campus Facilities 15
Safety Checkpoints 16
Maintenance of Campus Facilities 16
Drugs and Alcohol 16
Drug Free Schools and Communities Act 16

Policy Distribution to Students and Employees 17
Student Standard of Conduct 17
Employee Standard of Conduct 17
Alcohol and Drug Use Policy 18
Controlled Substances 18
Northeast Texas Community College Sanctions 19
Employee Sanctions 20
Student Sanctions 20
Health Risks of Drugs 22
Health Risks of Alcohol 22
How to Help an Intoxicated Friend 22
Missing Student Notification 23
HEOA Victim Notification 23
Title IX Reporting 24
Preventing and Responding to Domestic Violence, Dating Violence, Sexual Assault, and Stalking 24
Prevention and Awareness 24
Bystander Intervention 25
Sexual Harassment Policy 26
Sex Offender Registration Information 26
Definitions 27
Institutional Crime Definitions 27
Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking 30
Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking 32
Risk Reduction 36
Active Bystanders 37
Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking 38
Primary Prevention and Awareness Programs 39
Ongoing Prevention and Awareness Campaigns 40
Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs 41
Involvement of Law Enforcement and Campus Authorities 41

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking 42
Procedures Northeast Texas Community College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported 42
Assistance for Victims: Rights & Options 44
Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution 45
Accommodations and Protective Measures Available for Victims 46
On and Off Campus Services for Victims 47
Confidentiality 48
Adjudication of Violations 49
Bullying and Dating Violence, Domestic Violence, Sexual Assault, Stalking 50
Procedures for Reporting Bullying and Dating Violence 50
Investigation of Report 50
Concluding the Investigation 50
Appeal 51
Definitions 51
Student Complaints & Grievance Procedures 54
Student Grievance Process 54
Discipline Procedure 56
Reports of Alleged Misconduct 56
Conference 56
Student Discipline and Penalties 57
Disciplinary Appeals Committee 58
Appeal Process 60
Expulsion Hearing 62
Crime Statistics 62
Location Definitions 62
Criminal Offenses Reporting Table 63
Hate Crimes. 64
Fire Safety Report 65
Notification 66
Introduction 66
Fire Safety System 66

Emergency Fire Evacuation Procedures 67
Fire Drills/Equipment 68
Policies on electrical appliances, smoking, and open flames 68
Fire Doors 70
Health and Safety Checks 70
Smoke Detectors 70
Smoking 70
Training 70
Failure to Evacuate 71
Reporting Fires 71
Future Improvements in Fire Safety 71
2020 Fire Statistics 71

The Clery Act

Compliance with the Clery Act

Northeast Texas Community College prepares this report on an annual basis to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*. This report is prepared with the cooperation of the local police departments, Office of Student Life, Office of Residence Life, Office of Admissions, and Human Resources Office.

Campus crime arrest and referral statistics include those reported to: local police where crimes occur on the street in front of our campus; designated campus officials and campus security authorities. This would include Deans, Director of Student Housing, Resident Advisors, Faculty Advisors to student groups, Coaches, Human Resource Officers, and Office of Student Life staff. The Admissions Office home page on the Northeast web site gives the website address for this report. Copies of this report can be obtained at the Office of Administrative Services.

Northeast Texas Community College is committed to putting the health and safety of our students, employees, and visitors above all other priorities. There is nothing more important than a human life. This report is designed to inform students and employees of various policies, procedures, and prevention methods employed by Northeast. This report also informs students and staff of the type and amount of crime that has occurred on the campus over the past three years.

Campus Safety

Preparing the Report

In compliance with the requirements of the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act,* and in order to promote the safety and security of the campus community, the following information is provided to the Northeast Texas Community College Campus.

Notifications

Each year, an email notification shall be sent to currently enrolled students, faculty, and staff of the availability of this report. For further information about the security department of the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, please contact the Security Department or view the security department website located at:

https://www.ntcc.edu/index.php/about-us/campus-security

A link to this report is on the Admissions homepage for prospective students. Copies of this report can be obtained from the office of the Vice President of Administrative Services. In addition to this report, the campus maintains a Daily Log of Crimes reported on the Northeast campus.

Campus Security Department

It is the desire of Northeast to promote a safe and secure environment for the students, faculty, and staff. The Campus Security Department is committed to being a sensitive, caring, and impartial security organization. The department is dedicated to the highest level of professionalism and uncompromising integrity.

Northeast has a full-time Campus Security Department. The department consists of four, full-time security officers and part-time officers as needed. The department is a level three security department licensed under a government letter of authority from Texas Department of Public Safety, Private Security Bureau.

Campus Security possess the authority outlined under Texas Occupations Code 1702. The Campus Security Department is not a police/law enforcement agency. The Security Department does not have the power to arrest; however, if necessary, they will detain until law enforcement arrives. Campus Security's jurisdiction is limited to the Northeast campus; however, since the security officers are without powers of arrest, local law enforcement will maintain primary jurisdiction and have greater response obligations.

Campus Security will report all crimes occurring on campus to appropriate police agencies; purse cooperative relationships with municipal, county, state, and federal law enforcement agencies; and when requested, will aid in any investigations or apprehensions on the campus. Student and employees will be encouraged to report crime on campus to Campus Security and to appropriate police agencies.

Northeast has primary responsibility for the safety and wellbeing of our campus community. Northeast works closely with the Titus County Sheriff's Department and other law enforcement agencies. Campus Security patrols on campus 24-hours a day, in vehicles and on foot, providing around-the-clock protection. Campus Security works to safeguard the campus community and enforce college rules and regulations. Campus Security investigates all reported criminal activities and emergencies occurring on campus.

The Campus Security Department has the primary responsibility for carrying out mandates of the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*.

Agreements Regarding Investigating Criminal Offenses

Northeast Texas Community College does not have any agreements with local Police Departments regarding the investigation of alleged criminal offense.

Campus Geography

Campus:

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

Non Campus Buildings or Property:

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

Local Law Enforcement Monitoring

Northeast Non-campus Property includes the following locations and the responsible monitoring parties while areas are in use:

- Community Resource Center (CRC), Mount Pleasant, TX: Monitored by Mount Pleasant Police Department; Titus County Sheriff's Office; Texas State Police
- Industrial Technology Training Center, Mount Pleasant, TX: Monitored by Mount Pleasant Police Department; Titus County Sheriff's Office; Texas State Police
- Culinary Arts School, Pittsburg, TX: Monitored by Pittsburg Police Department; Camp County Sheriff's Office; Texas State Police
- Hanson-Sewell, Pittsburg, TX: Monitored by Pittsburg Police Department; Camp County Sheriff's Office; Texas State Police
- Data is collected from the responsible monitoring parties only for times that the Non Campus Property is being used by Northeast students, faculty, and staff.

Public Property

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

Incident Reporting and Response

Regular Reporting Procedures

Any on-campus emergency, criminal offense or suspected criminal activity should be reported immediately. Students are encouraged to report this information to either Campus Security (dial 8127 from a campus phone or 903-434-8127 from any other phone. Text messages can be sent to 903-563-1417) or by using the RED emergency phones mounted on Student Services Center, Business Technology, Math/Science, Resident Hall East, and FIT buildings. You can also call the Titus County Police Department by dialing **911**. In addition, you can report a crime to the following areas:

Office of Vice-President of Student Services	903-434-8242
Director of Plant Services Office	903-434-8173
Office of Administrative Services	903-434-8106
Resident Advisor on duty	903-380-0815
Human Resources Department	903-434-8121
Director of Student Activities and Multicultural Affairs	903-434-8265

Once a crime report has been made, the Campus Security Department must be notified immediately. Security will investigate the crime to determine validity and take proper actions based on findings. All reports will be included in the Annual Security Report.

If a crime is not reported promptly, evidence may be destroyed, leads could be missed, and the potential to apprehend a suspect could be lost. Only by knowing what's really happening in the campus community can steps be taken to help solve, reduce, or prevent crimes from happening in the first place. Crimes that aren't reported to authorities could give the campus community a false sense of safety. We encourage you to report any and all violations, even if the victim, elects not to, or is unable to, make such a report.

Northeast Texas Community College does not provide pastoral care or counseling services. If you are a victim of a crime and do not want to pursue action within the Campus System or the Criminal Justice System, you may still file a confidential report. You can contact any of the Campus Security Authorities and report a crime without revealing your identity. Northeast can then keep an accurate record of the number of crimes, reveal crime patterns, and be able to alert the campus community to potential dangers. Felony Crimes on campus can also be reported anonymously by calling the local Crime stoppers number – **903-*575-2141***.

Campus Security Authorities

Reporting Criminal Offenses to Campus Security Authorities

Northeast encourages anyone who is a victim or witness/bystander to any crime to promptly report the incident to the police. As an option, criminal offenses may also be reported to these designated Campus Security Authorities (CSA):

- Director of Student Activities
- Academic Deans
- Division Chairs
- Program Directors
- Human Resource Officers
- Director of Residence Life
- Vice President of Student and Outreach Services
- Dean of Enrollment Management
- Registrar
- Academic Advisors
- Student Success Coaches

If a crime is reported to a CSA, they must in turn notify Northeast Security with this information immediately. Even if the reporting person does not want a police investigation, the CSA must still report the information to Northeast Security and that crime will be reported in the annual crime statistics report.

Northeast Security, Student Services Offices, and other campus security authorities will accept confidential and anonymous reports of crime for inclusion in the annual statistical report. Reporting individual must disclose their wish for their report to be confidential to the CSA at time of report.

What are Campus Security Authorities required to do?

CSAs are responsible for reporting all those allegations of crimes specified in the *Clery Act* that are reported to them, and that they conclude were made in good faith, to the Northeast Security Department. The crimes specified in the *Clery Act* are murder/non-negligent manslaughter, negligent manslaughter, forcible and non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, domestic violence, dating violence, stalking, and arson. If there is evidence that the perpetrator was motivated by bias, then simple assault, larceny (theft), intimidation, and vandalism must be reported as well (please see the definitions provided below). Timely submission of reports by CSAs is very important. If a crime is reported to a CSA, but goes no farther than that, Northeast will be unable to fully meet its obligations under the law. Moreover, the campus community may lack information that could help them to stay safe.

CSAs are not responsible for determining whether a crime took place. CSAs are also not responsible for attempting to apprehend an alleged perpetrator of a crime. These are matters best left to law enforcement personnel. CSAs should refrain from attempting to convince a victim to contact law enforcement if the victim chooses not to do so. However, they may note that crimes can be reported to the police anonymously.

When a crime is reported to a CSA, they should first ask the reporting party if they would like to report the crime to the police. If they would, they should contact the Northeast Security Department at (903) 434-1417 or Titus County Sheriff's Department at (903) 572-6641. In the event that an in-progress emergency is being reported, the reporting party should be advised to call 911 immediately. If they are unable to, the CSA may do so on their behalf.

If the reporting party does not want to contact the police about the crime, the CSA should complete a Campus Security Authority Crime Report Form. Even if the reporting party does wish to contact the police about the crime, the CSA must complete the form for their records (check the appropriate box for the law enforcement agency the crime was/will be reported to). The procedure for completing the form is as follows:

- Have the reporting party read the top (boxed) portion of the form.
- Ask if they have reported, or are going to report, the crime to the police. Advise them that reporting a crime to the police does not commit them to filing charges. Crimes may be reported anonymously if the victim/reporting party so desires.
- Personal identifying information for the reporting party should be included if available. This will help to avoid double counting crimes. No such personal identifying information will be included in the *Clery* statistical disclosures.
- If a victim does not want the report to go any further than the CSA, they should be advised that the CSA is required to submit the report for statistical purposes. However, the report can be submitted without identifying the victim.
- It is very important that the location of the crime is reported as precisely as possible. A building name, parking lot number, close address, or cross street should be provided.
- A description of the crime should be given, including as much detail as possible. This is to aid in the determination of exactly what crime occurred. It is important to note any injuries sustained or weapons used. The reporting party should indicate if they feel that the perpetrator committed the crime because of bias; and, if so, what lead them to believe that to be the case.
- Liquor, drug, and weapon offenses are reported when an arrest (including a citation) is involved, or a referral for campus disciplinary action is made. Note the number of people arrested or referred.
- If possible, determine what *Clery Act* geographical location the crime occurred in. Consult the location definitions provided below as needed. If in doubt contact Northeast Security at (903) 563- 1417

When the form is completed, please forward it as soon as possible rtaylor@ntcc.edu. The form may also be submitted by Fax to 1-866-740-3587 or 903-434-4407. Some

departments may wish to retain a copy for their files. If so, the forms should be retained for at least three years.

Timely Warning

In the event that a situation arises, either on-campus or off-campus, that, in the judgement of the Coordinator of Campus Security, Director of Plant Services and/or a Cabinet Member constitutes an immediate threat to the health or safety of students or employees, a campus-wide "timely warning" will be issued upon confirmation and a notice "will be published to inform students and employees of criminal occurrence on campus."

Certain information may be temporarily withheld to protect a victim or maintain the integrity of an in-progress criminal investigation. Campus Security will be primarily responsible for carrying out mandates of the *Jeanne Clery Disclosure of Campus security Policy and Crime Statistics Act*.

Warnings to members of the campus community regarding occurrences of *Clery Act* crimes will be issued by means of the college's Marketing and Public Relations Office. Warnings are issued through one or more of the following mediums: IRIS, school messenger system (SMS and email opt-out system), college email, website, local radio announcements, college voice mail message, social media postings, press release, and/or web calendar event postings..

Depending on the type of emergency, especially in all situations that could pose an immediate threat to the community and individuals, Campus Security may also post signs on campus or alert occupants in buildings on foot. In emergency or dangerous situations, warnings include procedures for both response and evacuation. These are notifications that are sent to the campus community advising of event(s) that have occurred on the campus property or advising of event(s) occurring near the campus. Timely warnings are meant to provide information to make Northeast's campus community aware of ongoing threats or risk, aid in the prevention of similar crimes and provide safety tips. These notifications usually occur as an all-campus email and should be issued as soon as the pertinent information is available.

Anyone having knowledge of an ongoing or continuing threat to the campus community that may warrant a timely warning to be issued should immediately report this information to Campus Security and/or the Titus County Sheriff's Department. The safety and security of the campus community is of the utmost importance.

Content of Notification

Timely warnings will be issued for *Clery* crimes which pose a serious or continuing threat to the campus community. Any release of information to the public will comply with the open crime logs or timely warning provisions of the *Clery Act*; the names of victims or information that could easily lead to a victim's identification will not be released.

Procedures for Notification

College administrators will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the timely warning.

Upon determination by the Northeast Coordinator of Campus Security, Director of Plant Services, President and/or a Cabinet Member/Vice President of a serious or continuing threat to campus safety, the Director of Marketing and Public Relations (or designee) will send an email to all students and employees, notify local media outlets, and make announcements on the campus-wide intercom system, as time permits.

Emergency Response and Evacuation Procedures

Notification about Immediate Threat

The entire campus community will be notified, without delay, upon the confirmation there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole. If the initial notification does not go to entire campus community, there will be a continuing assessment of the situation and additional segments of the campus community may be notified if a situation warrants such action.

Content of Notification

The Coordinator of Campus Security, Director of Plant Services, President and/or a Cabinet Member/Vice President will determine the content of the notification and determine the appropriate segment(s) of campus community to receive notifications.

Procedures for Notification

The Coordinator of Campus Security, Director of Plant Services, President and/or a Cabinet Member/Vice President will determine whether notification should be

given to any one or all of the aforementioned personnel before the notification is given to the campus community. Fire alarms will sound in the case of a fire emergency to alert the campus community to evacuate. The Coordinator of Campus Security, Director of Plant Services, President and/or a Cabinet Member/Vice President will determine what information to provide in notifications. The Director of Marketing and Public Relations (or designee) will send an email to all students and employees, notify local media outlets, and make announcements on the campus-wide intercom system, as time permits.

College administrators noted above will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities and first responders, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

- Should an emergency or serious situation occur, Campus Security should be notified by dialing 8127 from a campus phone or 903-434-8127 from any other phone. Text messages can be sent to 903-563-1417.
- Campus Security will take the call and respond to verify the hazard or danger and notify local authorities and EMS if needed.
- The security personnel on scene will offer assistance or direct evacuation of the building(s), if needed.
- The Coordinator of Campus Security will notify the President or a Cabinet Member/Vice President of the situation. As soon as it is confirmed that a significant emergency or dangerous situation exists, the President (or designee), upon consultation with the Coordinator or Campus Security, will determine the course of action and authorize any messages or warning that should ne release and determine to whom these warning should be distributed.
- The entire campus community will be notified if a large segment of the campus community may be affected by or have the potential to be affected by the threat.
- The President (or designee) will then notify the Director of Marketing and Public Relations.
- The Director of Marketing and Public Relations will initiate the process by sending warning or notifications campus wide or to select groups as appropriate for the situation. Information will be sent over following mediums: IRIS, school messenger system (SMS and email opt-out system), college email, website, local radio announcements, college voice mail message, social media postings, press release, and/or web calendar event.
- College administrators will continue to monitor and assess the situation and provide follow-up information, as appropriate, by the same mode(s) utilized in initial notification.

A warning may not be issued for a confined emergency or dangerous situation if doing so will compromise any effort to mitigate the emergency. The decision to withhold issuing a warning will be determined through consultation with the Coordinator of Campus Security, Director of Plant Services, President and/or a Cabinet Member/Vice President.

Concept of Operation

In the event of a serious incident that poses an immediate threat to members of the campus community, Northeast has various emergency notification systems in place for communicating information quickly. The appropriate mode(s) of distribution will be determined by the incident timeline and populations affected, as outlined in this document.

- The Northeast homepage at www.ntcc.edu serves as the official source of emergency notification information. It will be updated as necessary during an incident. Other notification modes may refer to the homepage for additional information.
- Social Media (Facebook and Twitter)
- Campus-wide intercom system
- An email sent to the campus community informing them of the hazard or danger.
- IRIS mass notification system.
- Notifications involve the use of text messages, phone calls and emails
- Campus Security and/or Building Safety Coordinators will strategically travel throughout the campus broadcasting the emergency warnings.
- Depending on the incident, the notification can be distributed to the local media for publication.

Emergency Preparedness

During the reporting period, Northeast has participated and hosted several exercises and drills to improve the college's response to and evacuation capabilities during to various threats to the campus community. A record of the activities is maintained by the Coordinator of Campus Security.

Testing Mass Notification

The Coordinator of Campus Security is responsible for conducting tests of emergency response and evacuation procedures on at least an annual basis through a variety of drills and exercises designed to assess and evaluate Northeast's emergency plans and capabilities. The emergency notification systems are tested each semester. Exercises may include

tabletop, functional, full-scale, or any combination thereof. Tests may be announced or unannounced in advance to the campus community.

Procedures for Testing Emergency Response and Evacuation Plan

Emergency drills are coordinated by the Coordinator of Campus Security and Director of Residential Life each semester. The purpose of the drill is to prepare building occupants for an organized evacuation in case of an emergency. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting for a short-term building evacuation. At Northeast evacuation drills are used to educate and train occupants on issues specific to the facility. During the drill, occupants "practice" drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of the building about the evacuation procedures during the drills, the process also provides the college an opportunity to test the operations of the fire alarm system components. Any deficient equipment is noted so that appropriate repairs may be performed.

Security of and Access to Campus Facilities

Northeast is a public and open campus. For that reason, no effort is made to restrict the general public from entering the campus. However, the Northeast Security reserves the right to ban individuals from the campus if they are considered a threat to the well-being of the campus community.

Resident Hall East and West at Northeast dormitory is locked 24 hours a day and entry can only be gained by residents with a key card. Security cameras are located throughout the dormitory and its parking lot, as well as all other buildings and parking lots throughout the campus.

Providing a secure campus is of the utmost importance to Northeast. Northeast, through a continuous update of our crime prevention programs, is striving to provide a safe and secure environment for students and staff. Students and staff must also assist the campus by being responsible for their own safety and the safety of others.

Northeast campus has numerous security features. Most buildings at the Northeast campus are equipped with video cameras inside and outside the buildings. There are now five emergency phones. They are located at Math/Science, Student Services Center, Business Technology, Resident Hall East, and Fitness Center buildings. These phones are housed in an identifiable red box mounted on the exterior of the previous listed buildings. To use a the Red Emergency Phone simply open box, pick up phone, and wait until you are connected to a security officer on campus.

An Emergency Management Plan is in place to direct any given emergency. The plan

was updated in the Spring of 2013 and put on flipcharts that can be found in all classrooms. It may also be viewed on Northeast web site.

Students are able to view online emergency numbers, hotlines, off campus counseling, and safety shelters on the security link on our website. They also may receive information by contacting these offices: Security Department; Office of Student Affairs; Office of Human Resources; or the Office of Administrative Affairs.

Safety Checkpoints

- Walk with friends in lighted areas.
- Always lock your car.
- Park in well-lighted areas.
- Before entering your vehicle, have your keys out and check the interior of the vehicle.
- Never leave personal property unattended.
- Carry personal items in a backpack or similar device to keep your hands free at all times.
- Report any suspicious activity or person to NTCC Security – Dial 8127 from any phone on NTCC campus or 903-563-1417 from you cell phone.
- Alter your route of travel between home and campus. Whether walking, jogging, biking, etc., vary your routine and walk with a partner

Maintenance of Campus Facilities

The Campus is routinely inspected for environmental safety hazards such as insufficient lighting, overgrown shrubbery, cracked sidewalks or parking lots, and anything that could pose a hazard to members of the campus community.

Drugs and Alcohol

Drug Free Schools and Communities Act

The *Drug and Alcohol Abuse Prevention Program* (DAAPP) addresses the unlawful possession, use, or distribution of alcohol and illicit drugs. The policy is in support of *The Drug-Free Schools and Communities Act* (DFSCA) of 1989 – also known as the *Drug-Free Schools and Campuses Act*. Students, faculty and staff may request information about the Drug-Free Schools and Campuses Act, Northeast's Drug and Alcohol Abuse Prevention Program and DFSCA Biennial Reviews by contacting the Vice President of Student Services at 903-434-8242 or by accessing through the campus security web page at www.ntcc.edu/security.

Policy Distribution to Students and Employees

All students enrolled in at least one academic credit hour of Northeast courses receive the DFSCA Annual Disclosure via their student email accounts. This is inclusive of dual credit and online students. Email notifications are sent following the twelfth class day of the winter and spring semesters and the third class day of each summer session. A link to the DFSCA is also on the campus security web page at www.ntcc.edu/security.

Student Standard of Conduct

Northeast policies (FLBE) and state law prohibit the use, possession, and/or being under the influence of alcohol or illicit drugs on campus. Northeast requires all students to be in compliance with all local, state, and federal laws regarding controlled substances, including, but not limited to their use, sale, possession, and manufacture. A student shall be prohibited from using or being under the influence of intoxicating beverages in the classroom buildings, student housing, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas.

Employee Standard of Conduct

Northeast will uphold all federal, state, and local laws regarding alcohol and other drugs. Northeast employees are required to adhere to state and federal laws relating to controlled substances, illegal drugs, and alcohol use. Northeast policy prohibits the unlawful manufacture, distribution, possession, or use of illegal drugs or alcohol on College property while employees are on official duty or at any school-related events during or outside of usual working hours. An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their physicians about the medications' effect on their fitness for duty and ability to work safely, and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.

Northeast will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety sensitive or that require driving or if they have violated this policy previously.

Alcohol and Drug Use Policy

Alcohol and drug use is prohibited in and around all Northeast property. Any student who possesses or participates in the presence of and/or under the influence of the use, sale, manufacturing, or distribution of illegal drugs, mood-enhancing substances and/or drug paraphernalia will be subject to disciplinary action and/or criminal proceedings. (*Drug paraphernalia, includes bongs, hookah pipes, clips, residue, seeds, a smoke-filled residence hall room, or any other items used in the preparation or consumption of illegal drugs and/or mood-enhancing substances.)* Students who violate this policy shall be subject to appropriate disciplinary action (FM) (FLBE). Such disciplinary action 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. State law shall be strictly enforced at all times on all property controlled by the college in regard to the underage possession and consumption of alcoholic beverages.

In support of a drug-free school and work environment, the College has instituted these policies and procedures. The links below provide greater detail and outlines discipline and penalties in the Student and Employee Handbooks.

NORTHEAST TEXAS COMMUNITY COLLEGE - STUDENT HANDBOOK

RESIDENTIAL LIFE - POLICIES & PROCEDURES

Controlled Substances

Northeast prohibits the possession or use of narcotics or drugs. No student shall possess, use, transmit or attempt to possess, use, or transmit or be under the influence (legal intoxication not required) of any of the following substances on college property during any school term or off-school premises at a school-sponsored activity, function, or event:

A. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, look-alike drugs such as synthetic marijuana (K2) and bath salts, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
B. Any abusable glue, aerosol paint or any other volatile chemical substance for inhalation.
C. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drug.
D. Any performance-enhancing substance, including steroids.
E. Any designer drug.

Texas state law prohibits the manufacture, sale, delivery, possession or use of a controlled substance without legal authorization. A controlled substance includes any drug, substance or immediate precursor covered under the *Texas Controlled Substances Act*, including but not limited to opiates, barbiturates, amphetamines, marijuana, and hallucinogens. The possession of drug paraphernalia is also prohibited under state law. Drug paraphernalia includes all equipment, products and material of any kind which may be used to facilitate, or are intended or designed to facilitate, violations of the *Texas Controlled Substances Act*.

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

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

Northeast Texas Community College Sanctions

Northeast employs a systematic progressive disciplinary process that ensures each disciplinary referral is resolved appropriately, and the consequences or sanctions adequately address the nature of the issue. Emphasis is placed on student and employee development and a holistic approach to the student learning and staff development. For additional information on subjects such as laws, prevention initiatives, publications, community resources, and help for parents, you may access the Texas Department of State Health Services website at www.dshs.state.tx.us/sa/.

Employee Sanctions

The College will give the same consideration to persons with chemical dependency problems as it does to employees having other health problems. Seeking assistance for such problems will not jeopardize an employee's job, whereas continued performance, attendance, or behavioral problems will.
Failure to comply with this policy may subject students and employees to administrative action, which may include dismissal from current classes or termination of employment. Violators other than students or employees may be removed from the campus or any of its activities.

Northeast may impose one or more of the following sanctions upon employees who violate this policy:

- A reprimand in the form of a written or verbal warning;
- Referral to drug counseling programs, drug rehabilitation programs, or employee assistance programs;
- Leave of absence with or without pay;
- Termination from employment with the College.

Employee Standards of Conduct-Searches & Drug/Alcohol Testing (DHB)
Employee Standards of Conduct (DH)

Student Sanctions

The Northeast Disciplinary Policy has the following components with reference to the Code of Student Conduct pertaining to alcohol. Students who violate these policies are subject to college disciplinary action and prosecution through law enforcement agencies.

Student Sanctions - Alcohol

State law shall be strictly enforced at all times on all property controlled by the College District in regard to the possession and consumption of alcoholic beverages. Depending on the circumstances and severity of the alcohol offense, Northeast may impose one or more of the following sanctions:

- The first possession/use of alcohol in any form by a student on the campus of Northeast will result, after a due process hearing, in the student being placed on disciplinary probation (official written warning) and or community service.
- The second possession/use of alcohol on the campus of Northeast or at a college sanctioned event may, after a due process hearing, result in suspension for one academic semester and or referral to alcohol counseling programs.
- The first offense for sale and/or distribution or alcohol may, after a due process hearing, result in suspension for one calendar year.

Violation of Alcohol/Intoxicating Substances

§ First Offense - Placed on disciplinary probation and community service.
§ Second Offense - May result in suspension for one academic year and or referral to drug and alcohol counseling or rehabilitation programs, as a condition for remaining a student or being readmitted to the institution.

- A student may be subject to discipline for violations of College District policies and procedures, including the rules outlining expectations for student conduct. Such disciplinary action 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.

More details regarding the drug and alcohol policy, and specific penalties related to violations may be found by clicking on the link below.

RESIDENTIAL LIFE - POLICIES & PROCEDURES

Student Sanctions - Drugs
Depending on the circumstances and severity of the drug offense, Northeast may impose one or more sanctions. The penalty for the use, sale and/or possession of illicit drugs for students is as follows:

- The possession/use of any controlled illegal drug as defined by Texas Statutory Law on the campus of Northeast or at any college-sanctioned activity or event may result in disciplinary probation for at least one calendar year and or removal from student housing; The student's disciplinary file will reflect the probation, and he/she will be referred to a professional counselor as a condition for remaining at the institution on disciplinary probation.
- The second possession/use of any controlled illegal drug on the campus of Northeast or college-sanction activity may result in suspension for one calendar year and or referral to drug and alcohol counseling or rehabilitation programs as a condition for being readmitted as a student to the institution.
- The first offense for selling and/or distributing any illegal drug as defined by Texas Statutory Law on the campus of Northeast or at a college-sanctioned activity or event may result in expulsion; Criminal charges may be filed by the institution, and expulsion bars readmission to the college.

Drug/Drug Paraphernalia Violations:

- First Offense - Disciplinary probation for one calendar year and possible removal from campus housing.
- Second Offense - Dismissal (or Expulsion) from the institution

A student may be subject to discipline for violations of College District policies and procedures, including the rules outlining expectations for student conduct. Such disciplinary action 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.

Health Risks of Drugs

Use of illicit drugs may lead to physiological and mental changes similar to those caused by alcohol, although changes are usually more severe and more sudden. Death or coma resulting from overdose of drugs is also more frequent. Illicit drugs are commonly classified in seven categories: cocaine, amphetamines, heroin, and other opiates, hallucinogens, solvent inhalants, steroids, and marijuana.
In addition to adverse effects associated with use of a particular drug, intravenous-drug users who use unsterilized needles or who share needles with other users can develop AIDS, hepatitis, tetanus, and infections of the heart. Brain damage is also a real possibility.

Health Risks of Alcohol

Health hazards associated with excessive use of alcohol or alcohol dependency include dramatic behavioral changes, retardation of motor skills, and impairment of reasoning and rational thinking. These factors result in a higher incidence of accidents and accidental death for such persons than for nonusers of alcohol.

Nutrition also suffers and vitamins and mineral deficiencies are frequent. Prolonged alcohol abuse causes bleeding from the intestinal tract, damage to nerves and the brain, liver damage, psychotic behavior, and loss of memory and coordination. Other risks include impotence, inflammation of the pancreas, and damage to bone marrow, the heart, testes, ovaries, and muscles. Damage to nerves and organs can be irreversible.

High Risk Alcohol Intake

People who consume large amounts of alcohol over a short period of time can reach very high blood alcohol levels before they pass out. This can lead to decreased breathing and death. Vomiting associated with high levels of alcohol may also cause choking and death.

How to Help an Intoxicated Friend

Do:

- Keep calm and get lots of help. Individuals with high alcohol-blood levels can be unpredictable and violent.
- Speak in a firm, clear, reassuring manner.
- Stay with a person who is vomiting. If the victim is lying down, turn them on their side, keep the tongue from falling back into the throat and protect them from choking.

- Monitor the person. If they become unconscious or appear to have problems breathing, seek medical help immediately by calling 911.

Don't:

- Don't try to walk, run, or exercise the person and don't try to keep them awake.
- Don't force anything orally – food, liquids, or drugs- in an attempt to sober them up.
- Don't try and give them a cold shower-this can be very dangerous.
- Don't try to restrain them without a lot of sober assistance.

Missing Student Notification

If a member of the Northeast campus community has reason to believe that a student who resides on-campus is missing, he or she should notify the Campus Security Department at 903-563-1417 and/or the Director of Student Housing at 903-434-8168 so they can investigate whether the student is actually missing. In the absence of either the Security Department or the Director of Housing, the Titus county Sheriff's office should be notified at 903-572-6641. All official student missing reports should be immediately referred to the Campus Security Department.

If the Director of Student Housing determines that the student is missing and has been missing for more than 24 hours, the Director of Student Housing will notify the student's emergency contact as soon as possible, but no later than 24, hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated (legal independent status) individual, the Director of Student Housing will notify the student's parent or legal guardian and Northeast Security immediately after the student has been determined to be missing for more than 24 hours. Northeast security will notify Titus County Sheriff's Department as soon as possible, but no later than 24 hours, after a student has been declared missing.

In addition to registering an emergency contact, students residing on-campus have the option to identify, confidentially, an individual to be contacted in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Northeast will notify that individual as soon as possible, but no later than 24 hours, after the student is determined to be missing. Students who wish to identify a confidential contact can do so through the Director of Student Housing.

HEOA Victim Notification

Northeast will, upon written request, disclose to the alleged victim of a crime of violence, or non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense,

the institution will provide the results of the disciplinary hearing to the victim's next of kin, if requested in writing.

In Texas, sexual assault (rape) is an offense that ranges from a second degree felony to a first degree felony punishable by a sentence ranging from two to ninety-nine years in prison and a fine of up to $10,000. The definition of sexual assault may be found in Texas Penal Code 22.011 and is also found on the security link on the Northeast website.

Title IX Reporting

Individuals may also report a sex offense to the campus Title IX coordinator. This individual is responsible for coordinating the campus compliance with Title IX. The Title IX coordinator's office is located in the department of Human Resources on Northeast's main campus and the phone number is (903) 434-8121.

Preventing and Responding to Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Northeast Texas Community College's Conduct Policy prohibits sexual violence, which can be crimes as well. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal relationship violence, sex/gender-based stalking, and sexual harassment. While Northeast utilizes different standards and definitions than the State of Texas Code, sexual misconduct often overlaps with the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence.

Prevention and Awareness

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence occurring among its students, the college utilizes a range of campaigns, strategies, and initiatives to provide awareness, education, risk reduction, and prevention programming.

It is the policy of the College to offer programming to prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults), and stalking each year. See sexual misconduct policy.

Educational programs, training and workshops are offered to raise awareness for all incoming students on the risk reduction of dating violence, domestic violence, stalking, and other forms of sexual assault/misconduct as well as bystander intervention, consent, and drug and alcohol awareness training. Training for incoming students and new employees is conducted during new student and new

employee orientation. These and other program so offered throughout the year include strong messages regarding not only awareness, but also primary prevention and discussion of institutional policies on sexual misconduct as well as the State of Texas definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals, and how to avoid potential attacks. Participants also learn approaches to prevent victim-blaming. Throughout the year, ongoing awareness and prevention campaigns are directed to current students and employees, including faculty, often taking the form of emails, guest speakers, and events.

Northeast's Human Resources Department informs all employees of the policy on sexual misconduct through the Employee Handbook, which covers policy information relating to sexual harassment, Title IX, and other EEO Training.

The office of Student and Outreach Services is responsible for providing ongoing educational opportunities for students on Northeast's sexual misconduct policy. This includes precautions they can take to avoid becoming the victim of a crime, the influence of drugs and alcohol on such crimes, what to do if a crime occurs, how to preserve evidence and how to report the crime, the penalties for committing such a crime, and the disciplinary process involved in investigating such crimes. This education is provided through a combination of presentations in Learning Framework's classes, campus trainings, workshops, campus activities, and other programs throughout the year.

Bystander Intervention

Bystander intervention is the act of feeling empowered and equipped with the knowledge and skills to effectively assist in the prevention of sexual violence. Bystander intervention is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention based apps, identifying allies and / or creating distractions. Bystanders are encouraged to take precautions to protect their own safety as much as possible when planning an intervention.

Bystander intervention plays a significant role in the prevention of sexual misconduct. Bystander interventions:

1. discourages victim blaming and makes the issue a community problem rather than individual problem;
2. helps create allies in ending sexual misconduct;
3. plays a role in social and community norm changing.

http://www.health.ny.gov/publications/2040

Below is a list of ways to be an active bystander.

-watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.

-confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.

-Speak up when someone discusses plans to take advantage of another person

-Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

-Refer people to on- or off-campus resources listed in this document for support in health, counseling, or legal assistance.

Sexual Harassment Policy

Sexual offenses such as sexual assault, rape, etc. against any student or employee are strictly prohibited. Immediate action will be taken to protect/investigate such offenses in order to protect the individual. Any individual aware of such incidents are encouraged to report the offense immediately to an appropriate campus official or campus security officer.

Sexual harassment of students and employees at Northeast Texas Community College is unacceptable and will not be tolerated. Any member of the Campus community violating this policy will be subject to disciplinary actions.

Sex Offender Registration Information

The Federal Campus Sex Crimes Prevention Act requires institutions of higher education to advise the campus community where law enforcement agency information is provided by a State concerning registered sex offenders and where it may be obtained.

In the State of Texas, the Texas Department of Public Safety (DPS) is the statewide source of information on sex offenders required by law to register. The DPS Sex Offender Registration open record information may be obtained at:

https://records.txdps.state.tx.us/DpsWebsite/index.aspx

In addition, the Texas DPS is required to notify Northeast if a registered sex offender is either enrolled, employed, or carrying on some type vocation at Northeast.

In the event that a registered offender(s) is working or enrolled in classes at Northeast, a list of that person(s) name may be obtained at Human Resource office located in the

Executive Suite of the Learning Commons, or at the Office of the Vice-President of Student and Outreach Services in the Student Services Center.

Definitions

Institutional Crime Definitions

Murder and Non-Negligent Manslaughter – The willful (non-negligent) killing of one human being by another.

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

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

Simple Assault – Assaults and attempted assaults where no weapon was used and which did not result in a serious or aggravated injury to the victim. (Currently, this crime category only applies to hate crimes.)

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

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

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

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. Include attempted Sexual Assaults, but do not include in your *Clery Act* statistics any Sexual Assaults other than the four types of Sexual Assaults described in this chapter.

Rape – is defined as 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.

Incest - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. Count one offense per victim.

Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. Fondling is recognized as an element of the other sex offenses. Therefore, count fondling only if it is the only sex offense.

Statutory Rape – is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent. (There is no statute of Statutory Rape in Texas)

Sex Offense Non Forcible (N) – Unlawful, non-forcible sexual intercourse: incest; statutory rape.

Consent - Consent is established when a reasonable person would consider the words of the parties to have manifested an agreement between them to do the same thing, in the same way, at the same time, with one another. Consent is not given if it results from the use of force, threats, intimidation, or coercion.

Domestic Violence – means a felony or misdemeanor crime of violence committed by:

- a current or former spouse or intimate partner of the victim,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating Violence – means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

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

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

A) *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method,

device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

   a. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of *Clery Act* reporting.

Hate Crimes – Any crime that manifests evidence that the victim was intentionally selected because of the victim's actual or perceived race; religion; gender; sexual orientation; ethnicity or physical/mental disabilities.

Liquor Law Violation – The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still, furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; or any attempts to commit any of the foregoing violations. Note: this list does not include public drunkenness and driving under the influence.

Drug Law Violation – Violations of State and local laws related to the possession, sale, use, growing, manufacturing, and making of illicit drugs.

Weapon Law Violation – The violation of laws or ordinances regulating weapons.

Disciplinary Referrals – incidents in which a student was not arrested but was referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

Northeast Texas Community College prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the college community. Toward that end, Northeast Texas Community College issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College official.

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

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- **Domestic Violence:**
  - i. A Felony or misdemeanor crime of violence committed—
    - A) By a current or former spouse or intimate partner of the victim;
    - B) By a person with whom the victim shares a child in common;
    - C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
    - D) 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
    - E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
  - ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Dating Violence**: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  - A) The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - B) For the purposes of this definition—
    - i. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - ii. Dating violence does not include acts covered under the definition of domestic violence.
  - C) For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Sexual Assault** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against

another person, without the consent of the victim, including instances where the victim if incapable of giving consent."

- **Rape** is defined as 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** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

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

- **Stalking:**
  - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
    A) Fear for the person's safety or the safety of others; or
    B) Suffer substantial emotional distress.
  - For the purposes of this definition—
    A) *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
    B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
    C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

- **Domestic Violence:** The state of Texas defines domestic violence as follows: "The Texas Family Code defines Family Violence as an act by a member of a family or household against another member that is intended to result in physical harm, bodily injury, assault, or a threat that reasonably places the member in fear of imminent physical harm."
- **Dating Violence:** The state of Texas defines dating violence as follows: § 71.0021. DATING VIOLENCE. (a) "Dating violence" means an act by an individual that is against another individual with whom that person has or has had a dating relationship and that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the individual in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself. (b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

  1) the length of the relationship;

  2) the nature of the relationship; and

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

  (c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).
- **Sexual Assault:** The state of Texas defines sexual assault as follows:

  i. (a) A person commits an offense if the person:
  ii. (1) intentionally or knowingly:
  iii. (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
  iv. (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
  v. (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
  vi. (2) intentionally or knowingly:
  vii. (A) causes the penetration of the anus or sexual organ of a child by any means;
  viii. (B) causes the penetration of the mouth of a child by the sexual organ of the actor;
  ix. (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;

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

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

xii. (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:

xiii. (1) the actor compels the other person to submit or participate by the use of physical force or violence;

xiv. (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;

xv. (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;

xvi. (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;

xvii. (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;

xviii. (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;

xix. (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;

xx. (8) the actor is a public servant who coerces the other person to submit or participate;

xxi. (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;

xxii. (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or

xxiii. (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

xxiv. (c) In this section:

xxv. (1) "Child" means a person younger than 17 years of age.

xxvi. (2) "Spouse" means a person who is legally married to another.

xxvii. (3) "Health care services provider" means:

xxviii. (A) a physician licensed under Subtitle B, Title 3, Occupations Code; [FN1]

xxix. (B) a chiropractor licensed under Chapter 201, Occupations Code;

(C) a physical therapist licensed under Chapter 453, Occupations Code;

(D) a physician assistant licensed under Chapter 204, Occupations Code; or

(E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.

(4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:

(A) licensed social worker as defined by Section 505.002, Occupations Code;

(B) chemical dependency counselor as defined by Section 504.001, Occupations Code;

(C) licensed professional counselor as defined by Section 503.002, Occupations Code;

(D) licensed marriage and family therapist as defined by Section 502.002, Occupations Code;

(E) member of the clergy;

(F) psychologist offering psychological services as defined by Section 501.003, Occupations Code; or

(G) special officer for mental health assignment certified under Section 1701.404, Occupations Code.

(5) "Employee of a facility" means a person who is an employee of a facility defined by Section 250.001, Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.

(d) It is a defense to prosecution under Subsection (a) (2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.

(e) It is an affirmative defense to prosecution under Subsection (a)(2):

(1) that the actor was the spouse of the child at the time of the offense; or

(2) that:

(A) the actor was not more than three years older than the victim and at the time of the offense:

(i) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or

(ii) was not a person who under Chapter 62, Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and

(B) the victim:

(i) was a child of 14 years of age or older; and

li. (ii) was not a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.

lii. (f) An offense under this section is a felony of the second degree, except that an offense under this section is a felony of the first degree if the victim was a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.

- See more at: http://codes.findlaw.com/tx/penal-code/penal-sect-22-011.html#sthash.juWWj3Cs.dpuf

- **Stalking:** The state of Texas defines stalking as follows: A person commits an offense if on more than one occasion and pursuant to scheme or course of conduct directed at specific person, knowingly engages in conduct that: (1) stalker knows/reasonably believes victim will view as threatening, (2) causes fear, and (3) would cause a reasonable person to fear. Penal Code 42.072
- **Consent:** According to chapter 22 of the Texas Penal Code, in order for sexual activity to be considered legal, consent must be given by:
  - A person who is old enough to legally agree to sex (an adult aged 17 or over)
  - A person who is mentally capable of understanding the activity
  - A person who is fully conscious and aware of the activity
  - A person who has not been intoxicated or drugged against their will
  - A person who has not been threatened or coerced

http://www.mintzerlaw.com/sex-crimes/sexual-assault-legal-definition-of-consent-in-texas

Further: Consent must be informed, voluntary, and mutual and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

Consent cannot be gained by ignoring or acting without regard to the objectives or intentions of another, or by taking advantage of the incapacitation of another, where the individual knows or reasonably should have known of such incapacity. Use of alcohol or drugs may impair an individual's capacity to freely consent and may render an individual incapable of giving consent. Consent is absent when the activity in question exceeds the scope of previously given consent.

Northeast Texas Community College defines consent as per Chapter 22 of the Texas Penal Code.

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

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

15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
    a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
    b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
    c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
    d. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
    If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Active Bystanders

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."[1] We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list [2] of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

---

[1] Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.
[2] Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse

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

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and that:

A. Northeast Texas Community College strictly prohibits any criminal act of sexual misconduct or Sex Offenses: This is defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
B. Defines the following: domestic violence, dating violence, sexual assault, and stalking according to any applicable jurisdictional definitions of these terms.
C. What behavior and actions constitute consent, in reference to sexual activity, in the State of Texas.
D. A description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

E. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

F. Information regarding:

a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" elsewhere in this document)

b. how the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);

c. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in "Assistance for Victims: Rights and Options" elsewhere in this document); and

d. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);

e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in "Adjudication of Violations" elsewhere in this document);

Primary Prevention and Awareness Programs

These programs include Educational and Informational programs aimed at prevention and awareness of sexual assault.

Programs within these sub-populations include sessions for student-athletes, international student orientation and residence life. Also, employee/staff members participate in bi-annual professional development in which various sections of sexual assault are covered or reviewed.

https://www.justice.gov/sites/default/files/ovw/legacy/2008/01/11/campus-minimum-standards-orientation.pdf

Specifically, the College offered the following primary prevention and awareness programs for all incoming students in 2020-2021:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Student-Athlete Forum	September of 2020	Athletic Fieldhouse	Sexual Assault/Drug and Alcohol Abuse/Dating Violence
Unintended Consequences-The Truth About Alcohol and Drug Use	September of 2020		Sexual Assault/Drug and Alcohol Abuse
Title IX Awareness	Various	New Student Orientation	Sexual Assault
Sports Medicine Forum (Justin Hargrove)	September of 2020	Athletic Fieldhouse	Sexual Assault/Drug and Alcohol Abuse/Dating Violence

The College offered the following primary prevention and awareness programs for all new employees in YEAR:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
New Hire Orientation	September of 2020	Community Room	Sexual Assault/Drug and Alcohol Abuse

***DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking**

Ongoing Prevention and Awareness Campaigns

Northeast Texas Community College has developed an annual educational campaign consisting of:

- Face to Face presentations with students/staff
- Printed materials defining domestic violence, dating violence, sexual assault, stalking
- Bystander and consent information/reporting procedures.

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at (Titus Regional Medical Center, Mt. Pleasant, TX.) In Texas, evidence may be collected even if you chose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents, if they have any, that would be useful to College adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Involvement of Law Enforcement and Campus Authorities

Although the college strongly encourages all members of its community to report violations of this policy to law enforcement (including on campus security and/or local police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, Northeast Texas Community College Security will assist any victim with notifying law enforcement if the victim so desires. The Mount Pleasant Police Department may also be reached directly by calling 903-575-4004, in person at 501 N. Madison, Mt. Pleasant, TX 75455. Additional information about the Mount Pleasant Police department may be found online at: http://www.mpcity.net/police

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Amy Adkins, Director of Human Resources (Executive Office Building, 903-434-8121) by calling, writing, or coming into the office to report in person and Campus Public Safety (if the victim so desires.) Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant choses to pursue criminal charges.

Procedures Northeast Texas Community College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The College will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to NTCC Security or local law enforcement. Students and employees should contact NTCC Security and/or Amy Adkins, Title IX Coordinator for these accommodations.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below are the procedures that the College will follow:

Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care 2. Institution will assess immediate safety needs of complainant

	3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 4. Institution will provide complainant with referrals to off campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, if appropriate. 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 8. Institution will provide written instructions on how to apply for Protective Order 9. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution 10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is 11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation
Stalking	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate
Dating Violence	1. Institution will assess immediate safety needs of complainant

	2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate
Domestic Violence	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate

Assistance for Victims: Rights & Options

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

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;

- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

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

Northeast Texas Community College complies with Texas law in recognizing orders of protection. Any person who obtains an order of protection from the State of Texas or any reciprocal state should provide a copy to Campus Security and the Office of the Title IX Coordinator. A complainant may then meet with Campus Security to develop a Safety Action Plan, which is a plan for campus security officers and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) The College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

Type of Order:	Who Can File For One:	Court:	Based On:
Domestic Violence Civil Protection Order – up to 5 years, can be renewed**	**Family or household members including : • Spouses, former spouses • Parent, child, foster parent • People who have kids together • Intimate partners who lived together in the last 5 years • Same sex couples are eligible**	**Domestic Relations Court – where victim lives, where abuser lives or has a business, or where incident(s) occurred**	**Causing or trying to cause injury or placing someone in fear of imminent serious harm (Courts use different requirements for how recent the incident must be)**
Stalking Protection Order - up to 5 years, can be	**Any person who is a victim of stalking. No relationship with stalker is required.**	**Common Pleas Court - where victim lives (if family or household**	**Pattern of conduct (2 or more events), closely related in time,**

renewed**		**member, can be filed as DV Protection Order, see above)**	**that cause distress or make a victim believe the stalker will cause harm**
Sexually Oriented Offense Protection Order - up to 5 years, can be renewed**	**Any person who was a victim of a sexually oriented offense (see ORC 2950.01). No relationship with offender is required. Case does not have to be criminally prosecuted.**	**Common Pleas Court – where victim lives**	**Sexual assault or unwanted sexual contact (see ORC 2950.01)**
Juvenile Protection Order – until abuser reaches age 19	**Victim of abuse by a person who is under age 18, or the victim's parent or other household member, or other parties the Court approves.**	**Juvenile Court – where victim lives**	**Assault, stalking, sexual offenses, threats of harm or aggravated trespass**

The College may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the College receives a report that such an institutional no contact order has been violated, the College will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Northeast Texas Community College will provide written notification to students and employees about accommodations available to them, including academic, living, transportation and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

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

Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.
To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact campus security or the college Title IX coordinator either in person or by e-mail. If the victim wishes to receive assistance in requesting these accommodations, she or he should contact campus security, the college title IX coordinator, faculty, staff or the office of the V.P. of Student and Outreach Services.

On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Northeast Texas Community College will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

ON CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling	Unlimited Virtual Visits	The Virtual Care Group	eagleassist@ntcc.edu
Health	None		
Mental Health	Unlimited Virtual Visits	The Virtual Care Group	eagleassist@ntcc.edu
Victim Advocacy	None		
Legal Assistance	None		
Visa and Immigration Assistance			Dean of Enrollment Management/Kim Lawrence
Student Financial Aid			Financial Aid Coordinator/Shala Ridens
Other			

OFF CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling	Unlimited Virtual Visits	The Virtual Care Group	eagleassist@ntcc.edu
Health			
Mental Health	Unlimited Virtual Visits	The Virtual Care Group	eagleassist@ntcc.edu
Victim Advocacy		SAFE-T	903-575-9999
Legal Assistance		SAFE-T	903-575-9999
Visa and Immigration Assistance		SAFE-T	903-575-9999
Student Financial Aid		NTCC	903-434-8132
Other			

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:
http://www.rainn.org – Rape, Abuse, and Incest National Network
http://www.ovw.usdoj.gov/sexassault.htm - Department of Justice
Department of Education, Office of Civil Rights

Confidentiality

Victims may request that directory information on file with the College be withheld by request to Betsy Gooding, registrar (bgooding@ntcc.edu)

Regardless of whether a victim has opted-out of allowing the College to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain

as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Adjudication of Violations

The College's disciplinary process includes a prompt, fair, and impartial investigation, and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited to (AN ADVISOR MAY ONLY CONSULT AND ADVISE HIS OR HER ADVISEE, BUT NOT SPEAK FOR THE ADVISEE AT ANY MEETING OR HEARING.);

5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim, and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

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

NTCC prohibits bullying, domestic violence, dating violence, sexual assault and stalking as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of NTCC policy. (FFE) Information regarding this policy shall be made to NTCC employees and published on the NTCC Website. Copies of the policy shall be readily available at the NTCC administrative offices.

Procedures for Reporting Bullying and Dating Violence

Any NTCC employee who receives notice that a student has or may have experienced bullying or dating violence shall immediately the Vice President for Student and Outreach Services, as such:

Name:	Dr. Josh Stewart
Position:	Vice President for Student and Outreach Services
Address:	2886 FM 1735, Mount Pleasant, TX 75455
Telephone:	(903) 434-8100

Investigation of Report

If a report is made orally, the Vice President for Student and Outreach Services or designee shall reduce the report to written form and shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by the policy (FFDA), and if so, shall proceed under the policy instead.

The Vice President for Student and Outreach Services or designee shall conduct an appropriate investigation based on the allegations in the report and shall promptly take interim action calculated to prevent prohibited conduct during the course of the investigation, if appropriate.

Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within ten college business days from the date of the report; however, the Vice President

for Student and Outreach Services or designee shall take additional time if necessary to complete a thorough investigation. The Vice President for Student and Outreach Services or designee shall prepare a written report of the investigation, including a determination of whether prohibited conduct occurred, and shall send a copy to the College President or designee. If the results of an investigation indicate that prohibited conduct occurred, NTCC shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct. NTCC may take action based on the results of an investigation, even if the College concludes that the conduct did not rise to the level of prohibited conduct under the policy. Retention of records shall be in accordance with NTCC's records retention procedures. [See (CIA)]

Appeal

A student who is dissatisfied with the outcome of the investigation may appeal through (FLD), beginning in the appropriate level.

Definitions

Definitions of Dating Violence

Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner to the point that the abuse:

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

Examples of dating violence against a student may include physical or sexual assaults, name-calling, put- downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors.

- **Domestic Violence:**
  1. A Felony or misdemeanor crime of violence committed—
     i. By a current or former spouse or intimate partner of the victim;
     ii. By a person with whom the victim shares a child in common;
     iii. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

iv. 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
v. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

2. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Dating Violence**: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  1. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  2. For the purposes of this definition—
     i. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
     ii. Dating violence does not include acts covered under the definition of domestic violence.
  3. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

  - **Rape** is defined as 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** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

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

- **Stalking:**
  - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
    A) Fear for the person's safety or the safety of others; or
    B) Suffer substantial emotional distress.
  - For the purposes of this definition—
    D) *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
    E) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
    F) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Definitions of Bullying

Bullying occurs when a student or a group of students engages in written or verbal expression or physical conduct that:

- Will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
- Is sufficiently severe, persistent, or pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

Examples of bullying of a student my include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name-calling, rumor spreading, and ostracism.

Prohibited Conduct

The term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by NTCC POLICY (FFE) and bullying and dating violence as defined in NTCC POLICY (FLB), even if the behavior does not rise to the level of unlawful conduct.

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 an instructor, counselor, administrator, or other College District employee.

Alternatively, a student may report prohibited conduct directly to the appropriate College District official. For the purposes of the College District policy, College District officials are the Title IX Coordinator, the ADA/Section 504 Coordinator, the Vice President for Students and Outreach Services, and the College President.

The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.

A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the ADA/Section 504 Coordinator or the Title IX Coordinator may be directed to the College President. A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

To the greatest extent possible, NTCC 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.

The following behavior shall be prohibited:

1. Violations of federal, state, or local law or College District policies, procedures, or rules, including the student handbook.
2. Threatening another person, including a student or employee.
3. Intentionally, knowingly, or negligently causing physical harm to any person.
4. Engaging in conduct that constitutes harassment, bullying, or dating violence directed toward another person, including a student or employee. [See (DIAA), (FFDA), and (FFE) as appropriate]

Student Complaints & Grievance Procedures

Student Grievance Process

A student grievance is a College District-related concern or problem that the student believes is unfair, inequitable, discriminatory, or a hindrance to the student's education. The College District's student grievance process affords the student a means for filing a grievance and provides a process for resolving a grievance.

The College District supports the concept of due process, a means by which students are assured that specific problems are addressed in a fair and impartial manner. A student grievance shall be initiated by a student and may proceed, if necessary and applicable, through the College District's formal hearing process. [See (FMA)] Complaints of sexual harassment, discrimination, and retaliation shall be handled in accordance with (FFDA) and (FLD).

Informal Student Complaints Process

Whenever possible, student complaints at Northeast Texas Community College are handled in an informal manner. Administrators, faculty, and staff maintain an "open-door"

policy to discuss issues of concern for all students. Faculty and staff serve as a resource for individuals seeking assistance in resolving matters within the campus community.

The chart below details the initial area for assistance referral and subsequent contact areas. It should be noted that sometimes the complainant may not feel comfortable in meeting the person at the first response level.

If an informal conference regarding a complaint fails to reach the outcome requested by the student, the student may initiate the formal process described on the following page by timely filing a written complaint.

Even after initiating the formal complaint process, students are encouraged to seek informal resolution of their concerns. A student whose concerns are resolved may withdraw a formal complaint at any time.

Issue	First Response	Level I
Academic Concerns	Instructor	Program Director/Division Dean
Academic probation/suspension	Advisor/Retentions Specialist	Dean of Enrollment Management
Advising for specific major	Instructor or Advisor	Division Director
Advising for undeclared majors	Advisor	Dean of Enrollment Management
Admissions Application/Process	Admissions Coordinator	Dean of Enrollment Management
Assessment/Testing Center	Director of Testing	Dean of Enrollment Management
Black Board technical difficulties	Director of Computer Services	VP of Administrative Services
Book Store	Bookstore Manager	VP of Administrative Services
Campus Tours	College Recruiter	Dean of Enrollment Management
Concerns regarding Academic Faculty	Instructor	Division Director
Concerns regarding Workforce Faculty	Instructor	Division/Program Director
Counseling/Advisement	Advisor	Dean of Enrollment Management
Discipline Issues in the classroom	Instructor	Division Director
Discipline Issues outside the classroom	Instructor/Advisor/Staff	VP for Student and Outreach Services
Grade appeals	Instructor	Division Director/Associate VP
Financial Aid	Financial Aid Coordinator	Dean of Enrollment Management
Graduation	Registrar	Dean of Enrollment Management
Housing	Residence Assistant/Hall Director	Housing Director
Library	Library Staff	Director of the Learning Commons
Parking tickets and security	Security Coordinator	Director of Plant Services
Refund requests	Student Accounts	Comptroller
Transcripts	Registrar	Dean of Enrollment Management
Residency	Admissions Coordinator	Dean of Enrollment Management
Student activities	Director of Student Activities	VP for Student and Outreach Services
Student Orientation	Orientation Coordinator	Dean of Enrollment Management
Tutor Support (ASC)	ASC Coordinator	Director of Developmental Education
Veteran benefits	Advisor/VA Coordinator	Dean of Enrollment Management

Formal Student Complaint Process

Formal complaints are generally written and filed when the student has not received satisfactory resolution by the informal process or when the alleged behavior of the college employee is deemed to be strongly offensive. The student is always free to file a written complaint regardless of whether the student has sought to resolve the matter informally. A formal complaint may progress through four levels. It is the intent of the College to resolve the formal complaint at the lowest level possible. A student can designate a representative through written notice to the college, during any part of the process. (FLD)

Discipline Procedure

Reports of Alleged Misconduct

College District faculty and staff shall submit an alleged violation or violations of College District policies and procedures, including the rules for student conduct [see (FLB)], committed by a student to the Vice President of Student and Outreach Services within a reasonable time following an alleged incident, not to exceed ten College District business days. The allegations must be submitted in writing, through traditional or electronic means, and must describe the violation and any surrounding facts. The Vice President of Student and Outreach Services or designee shall investigate the matter as necessary. If an allegation is deemed to be unfounded, the Vice President of Student and Outreach Services or designee shall dismiss the allegation and shall provide the student written notice that the allegation of misconduct was made against the student and that the allegation was dismissed.

Conference

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

Unfounded Allegations

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

Misconduct Warranting a Penalty

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

Suspension

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

Expulsion

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

Interim Disciplinary Action

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

Student Discipline and Penalties

Penalties for Student Misconduct

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:

- Reprimand - A verbal or written warning to the student following a rule violation. Repetition of such misconduct may result in more severe disciplinary action.
- Restitution - Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damage.
- 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.
- 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.

- 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 one regular long semester (with summer sessions not counting in the one semester minimum time lapse). However, suspension may exceed the one semester minimum.
- Expulsion - Permanent forced withdrawal from the College District. A student receiving disciplinary expulsion shall have the action noted in the student's permanent record.

Suspended or Expelled Students

No former student who has been suspended or expelled from the College District for disciplinary reasons shall be permitted on the campus or other facilities of the College District, initiated into an honorary or service organization, or permitted to receive credit for academic work done in residence or by correspondence or extension during the period of suspension or expulsion without the prior written approval of the College President or a designated representative.

Disciplinary Appeals Committee

The disciplinary appeals committee shall be convened:

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

Composition

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

Hearing Notice

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

Content of Notice

The notice shall:

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

Failure to Appear for Hearing

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

Hearing Procedure

The hearing shall proceed as follows:

1. The chairperson shall read the description of the misconduct.
2. The chairperson shall inform the student of his or her rights.
3. The designated official or representative shall present the College District's case.
4. The student or representative shall present the student's defense.
5. The designated College District official or representative shall present rebuttal evidence.
6. The committee members may ask questions of witnesses testifying on behalf of the student or the College District.
7. The designated official or representative shall summarize and argue the College District's case.
8. The student or representative shall summarize and argue his or her case.
9. The designated official or representative shall have an opportunity for rebuttal argument.
10. The committee members shall deliberate in closed session. The committee members shall vote on the issue of whether or not the student violated College District policies and procedures, including the rules for student conduct.
11. If the committee finds the student did commit misconduct, the committee shall determine whether the penalty assessed, or proposed in the case of suspension, by the Vice President of Student and Outreach Services or designee is appropriate and, if necessary, shall assess a different or additional penalty.
12. The committee chairperson shall communicate the decision and any findings of

facts in support of the committee's decision to the student in writing within ten College District business days of the hearing. The notice shall include procedures for appealing the committee's decision to the College President.

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

Evidence

Evidence shall be handled in accordance with the following:

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

Appeal Process

Appeal to College District Administration

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

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

Appeal to Board

If the College President affirmed or modified the decision of the disciplinary appeals committee or if the time for a response has expired, the student may appeal the decision to the Board. The appeal notice must be filed in writing, on a form provided by the College District, within ten College District business days after receipt of the written response

from the College President, or, if no response was received, within ten College District business days of the response deadline.

The College President or designee shall inform the student of the date, time, and place of the Board meeting at which the appeal will be on the agenda for presentation to the Board.

The College President or designee shall provide the Board the evidence presented to the College President, as well as the audio recording of the College President's conference with the student and the written response provided by the College President to the student.

The College District shall determine whether the appeal will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See (BD)]

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

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the hearing. The hearing, including the presentation by the student or the student's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter. The Board shall then consider the evidence. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the evidence by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the Vice President of Student and Outreach Services' decision.

Expulsion Hearing

If the Vice President of Student and Outreach Services or designee determines that the student's misconduct warrants expulsion [see CONFERENCE, above], the Board shall convene to conduct an expulsion hearing. The College President or designee shall inform the student of the date, time, and place of the Board meeting at which the appeal will be on the agenda for presentation to the Board. The notice shall contain the contents described at DISCIPLINARY APPEALS COMMITTEE—CONTENTS OF NOTICE, above.

The College President or designee shall provide the Board the documentation presented by the Vice President of Student and Outreach Services.

The Board shall proceed according to the procedures set out at DISCIPLINARY APPEALS COMMITTEE—FAILURE TO APPEAR FOR HEARING, HEARING PROCEDURE, and EVIDENCE, above, with the Board substituted for references to the committee and the presiding officer of the Board substituted for the committee chairperson.

Crime Statistics

Location Definitions

Geographical Location-Northeast Texas Community College is a state –supported institution of higher education located on approximately 220 acres at the main campus outside Mount Pleasant, Texas and inside Titus County.

There are 7 primary buildings on the Main campus and a campus map can be located on Northeast website [Campus Map].

Campus – (i) any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in paragraph (i) 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).

Non-Campus – (i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) any building or property owned or controlled by an institution that is used in direct support of, or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Housing – Residence Halls or other college-owned residences.
Public Property–"public property" is defined by the *Clery Act* regulations as all public property including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus. This includes the sidewalk across the street from our campus, but does not include public property beyond the sidewalk.

Criminal Offenses Reporting Table

Offense	Year	On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Murder / Non-Negligent Manslaughter	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Rape	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Fondling	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Incest	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Robbery	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Burglary	2018	1	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Arson	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2019	1	1	0	0
	2020	0	0	0	0
Dating Violence	2018	0	0	0	0

	2019	0	0	0	0
	2020	0	0	0	0
Stalking	2018	1	0	0	0
	2019	0	0	0	0
	2020	1	0	0	0
Arrests: Weapons: Carrying, Possessing, Etc.	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Arrests: Drug Abuse Violations	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals Drug Abuse Violations	2018	6	6	0	0
	2019	1	1	0	0
	2020	0	0	0	0
Arrests: Liquor Law Violations	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2018	0	0	0	0
	2019	2	2	0	0
	2020	3	3	0	0

Unfounded Crimes Combined Category Reporting	2018	1
	2019	0
	2020	0

Hate Crimes

There were no Hate Crimes reported in 2018, 2019 or 2020. No criminal offense was committed because of the perpetrator's bias against the victim's race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability.

Fire Safety Report

2021

Notification

In accordance with the guidelines established by Northeast Texas Community College, and pursuant to Federal Law 34 CFR 668.49(b), all students, employees, and prospective students are entitled to request and receive a copy of the Annual Campus Fire Safety Report, which is part of the comprehensive "Annual Security and Fire Safety Report" for Northeast Texas Community College. The report contains statistics about the number of fires in Northeast Texas Community College Dormitories, the cause of each fire, the number of injuries and deaths, and the value of property damaged.

The report also includes a description of fire systems, the number of fire drills, evacuation procedures, education and training programs, future plans for fire safety improvements, and the institutions policies on appliances, smoking, open flames, and other potential hazards. All employees and students enrolled at Northeast Texas Community College will receive notification via email with the exact website for the "Annual Campus Security and Fire Safety" report. Copies of this report may be obtained in person from the Northeast Texas Community College Police Department or posted on the Northeast Texas Community College website at:

[CAMPUS SECURITY].

Introduction

The Northeast Texas Community College has two dormitories. Resident Hall East (Northeast RHE) dormitory is a two story modern brick and wood structure that will house 106 students. The Northeast Resident Hall West (Northeast RHW) dormitory is a single story brick and wood structure that will house over 110 students.

We have a fire log located in each of our two dormitories. If someone wants to view the fire log they may contact either of the following during normal business hours:

Director of Student affairs office at: 903-434-8242/8205
Security at: 903-563-1417

Fire Safety System

The Northeast campus has an integrated fire alarm system. As additional buildings are built they will be tied into the existing buildings through one main panel at the Student Services Center. Dormitories have their own fire alarm panel. All buildings use a Simplex 4100U fire panel system.

Both dormitories are equipped with smoke detectors in each dorm room, hallways, stairwells, and common areas. Fire extinguishers are located on each floor of Northeast RHE and in RHW. Evacuation maps that show evacuation routes, fire pull

stations and fire extinguishers are located in all hallways.

Northeast RHE is protected by a fire sprinkler system, which is inspected once every year, and each room is equipped with a fire extinguisher.

Emergency Fire Evacuation Procedures

- When you hear a fire alarm - LEAVE the building immediately closing all doors behind you.
- Follow the main evacuation route but be prepared to use an alternate route.
- If you must evacuate through smoke, get low to the floor and crawl. Heat and deadly smoke rise and cleaner air will be 12-24 inches above the floor.
- If you must open doors while evacuating, test the door before opening. Use the back of your hand to touch the door, the doorknob and door frame. If they are hot, do not open the door. If they are cool, brace yourself against the door and slowly open it. If smoke and heat are present, close the door and use an alternate route.
- Use stairways, never an elevator. I n a fire, elevator shafts may fill with smoke or the power may go out leaving you trapped.
- Once outside, assemble at your designated area, which are the soccer field parking lot for Northeast RHE, and basketball courts for Northeast RHW. Do not return to the building until the Fire Department has indicated the building is safe to re-enter.
- If you are trapped, try to stay as calm as possible. Try to get to a room with an outside window and a telephone. Call 911 or security giving them your exact location. If there is no phone, wave an object outside of the window to signal for help. Keep all doors between you and the fire closed. Cover all vents and seal cracks around the door to keep out smoke. Be as calm and patient as possible. Rescue personnel will arrive to assist you.

Evacuation Assistance

Any person who cannot walk down stairs will be directed to the east or west stairwells in the Northeast RHE dorm. The resident assistants will serve as floor monitors in the dorm and provide this assistance for dorm students and/or visitors. Once in the interior stairwell the RA will call or radio Northeast Security and give their location and how many persons are in the stairwell with them. They will stay there until emergency responders arrive and assist them out.

Fire Drills/Equipment

The Campus will hold fire drills at least once a semester to acquaint the residents with fire evacuation procedures. All residents and guests should follow directions during the drills. Failure to participate in drills may result in disciplinary action, a monetary fine, and possibly suspension.

Because it is imperative that fire and safety equipment functions properly when it is needed, the following acts are prohibited:

- Tampering or playing with fire extinguishers, smoke detectors, exit lights, or emergency lights
- Tampering with or pulling a fire alarm under false pretense
- Removing smoke detector batteries or otherwise rendering a smoke detector inoperable
- Propping open fire doors
- Obstructing halls and stairwells with furniture, debris, and other materials
- Hanging objects from smoke detectors
- Presence on fire escapes in non-emergency situations
- Residents who jeopardize the security or safety of any resident will be subject to severe disciplinary action. Tampering with fire equipment or acts of arson can result in civil prosecution, disciplinary measures, and/or possible fines.

Policies on electrical appliances, smoking, and open flames

Appliances

Electrical appliances not allowed include, but are not limited to: Air conditioning units, room water coolers, cam ping stoves, ceiling fans, electric skillets or woks, griddles, halogen torchiere lamps, potpourri pots, hot oil popcorn poppers, hot plates, oven broilers, power tools, any appliance with an open coil, space heaters, toasters, or toaster ovens. The hall staff will confiscate unauthorized or misused appliances, and the individuals responsible will be subject to disciplinary action. Allowed appliances include: Coffee pots, hot pots, rice cookers, and blenders.

Staff reserves the right to require any cooking appliances to be removed if the appliance is deemed to be unsafe or otherwise damages or could potentially damage the hall or the hall community.

Candles and Incense

Candles and incense are prohibited in the residence hall rooms, lobbies, and storerooms due to possible fire hazards. This rule includes decorative candles with burned or unburned wicks.

If candles are found they will be confiscated. Confiscated items will be disposed of at the end of each semester. Candle warmers and potpourri pots are not allowed.

Cooking

Cooking in the residence hall s is allowed with approved cooking appliances only, with approval of the Director of Residential Life. Residents are responsible for ensuring that proper sanitation, ventilation, and fire safety precautions are taken. Any damage resulting from improper food disposal will be billed to the individuals responsible. No food or waste should be disposed of in sinks. Residents are responsible for cleaning up their own messes.

Extension Cords/Surge Protectors

Extension cords may not be used while living in the dorms. Power strips/Surge protectors should never be placed above the ceiling tiles, underneath carpet or stapled or pinched in anyway. Only power strips and multi-plugs with built in circuit breakers (surge protectors) may be used in rooms. Improper use of multi-plugs may result in a write up or other disciplinary action.

Halogen Lamps

Due to fire safety, halogen torch lamps or other lamps using halogen bulbs are prohibited in the residence halls.

Heaters

For safety reasons, no portable heating units may be used in a residence hall.

Holiday Decorations

- If students decorate their rooms for the holidays, trees and other greenery must be artificial and must have proof of flame resistance
- The Director of Student Housing must approve lights. Lights may not be used until after Thanksgiving (Christmas holiday use only)
- All decorations are to be removed within two days following the holiday
- Holiday lights and rope lights must be taken down in the time period mentioned above
- Fire alarm pull stations, fire extinguisher and their cabinets, smoke detectors, sprinkler heads and exit signs must not be covered, and exits must not be blocked
- No candles, or any open flame may be used

Open Flame

No items that have open flames, flammable fuels or open coils may be used in a residence hall. This includes, but is not limited to candles, lanterns, heaters,

and incense. Violation of this rule may result in immediate relocation and disciplinary action. These items will be confiscated immediately.

Fire Doors

It is absolutely essential that corridor and stairwell doors be kept closed at all times. Closed doors hinder the travel of smoke, heat, toxic gases, and fire from the area of origin. Propping of doors may result in disciplinary action. Nothing should be attached to a fire door.

Health and Safety Checks

Northeast recognizes residents' desire for privacy, particularly in the context of their group living situation, and will do what it can to protect and guarantee their privacy. However, Campus Personnel reserve the right to enter a resident's room to determine compliance with health and safety regulations. Health and Safety Checks will occur.

Smoke Detectors

All student rooms are equipped with smoke detectors. Residents that detect a problem with their smoke detector should contact the hall staff immediately. Disciplinary action will result if a student removes or otherwise renders the detector inoperative. Disciplinary action could also result for residents who cause potential fire hazards through unsafe practices (i .e. overloading circuits, use of inappropriate extension cords, use of unauthorized cooking appliances, etc.).

Smoking

All residence hall common areas and rooms are smoke free. Please smoke outside the buildings at designated areas and be responsible for your cigarette remains. Smoking in a room will result in disciplinary action. The following items are also prohibited within the residence halls: hookahs, pipes, bongs, or any paraphernalia that may be used to inhale or ingest prohibited drugs.

Training

Before the start of each semester, all Resident Advisors (RA's) go through training on all dorm rules and procedures. Northeast RHE and RHW both have meetings at the beginning of every semester going over dorm rules.

Failure to Evacuate

Failure to evacuate a building during a fire alarm can cause harm to the individual as well as fire safety personnel if a rescue is needed. A student's failure to evacuate will result in campus disciplinary action, which could result in suspension or expulsion.

Reporting Fires

Please call one of the numbers listed below and report the fire that is occurring or has occurred:

Fire Emergency	911
Northeast Security	903-563-1417
Director of Residential Life	903-285-0594
Resident advisors	903-285-8805

Future Improvements in Fire Safety

Northeast is committed to providing the safest housing environment for residents in our dormitories. Northeast will continually work to improve our policies, procedures, training, and drills to provide the safest environment possible for our residents.

2020 Fire Statistics

	2018				2019				2020			
Facility	**Fires**	**Injuries**	**Deaths**	**Value of Loss**	**Fires**	**Injuries**	**Deaths**	**Value of Loss**	**Fires**	**Injuries**	**Deaths**	**Value of Loss**
RHW	0	0	0	0	0	0	0	0	0	0	0	0
RHE	0	0	0	0	0	0	0	0	0	0	0	0

Two Fire Alarm Drills were held during the school year, one in the Spring and one during the Fall semester.