

Trinity Valley Community College
2023 Annual Security and Fire Safety Report



Data for years 2020, 2021, & 2022

Table of Contents

Welcome.....	3
Important Numbers and addresses	4
Overview	6
Distribution of report	6
Availability of Report	7
Campus Maps	8
Jurisdiction / Enforcement Authority.....	10
Safe Campus Environment.....	11
Security and Access to Campus Facilities.....	12
Reporting Crimes.....	13
Criminal Activity off Campus.....	16
Confidential Crime Reporting.....	16
Campus Safety Authority.....	17
Crime Victim Resources and Information.....	18
Daily Crime log and Fire Log.....	26
Timely Warnings.....	26
Missing Student Procedures.....	27
Weapons Policy.....	28
Alcohol, Illegal Drugs and Substance Abuse.....	32
Emergency Notification, Response, and Evacuation Procedures.....	37
Security Awareness and Crime Prevention Programs and Resources.....	39
Sexual Harassment.....	44
Violence against Women.....	45
Sexual Assault Laws.....	49
Information for Victims of Sexual Assault, Dating Violence, Domestic Violence and Stalking.....	52
Local Councilor's.....	55
Sexual Misconduct complaint and Disciplinary Procedures.....	60
Sexual Assault, Dating Violence, Domestic Violence, and Stalking Education Prevention Programs.....	66
Sex Offenders.....	67
Crime Statics Overview.....	67
Clery Statistic Definitions.....	68
Athens Campus Crime Statistic's.....	72
Kaufman Campus Crime Statistic's.....	74
Palestine Campus Crime Statistic's.....	76
Terrell Campus Crime Statistic's.....	78
Annual Fire Safety Report.....	80
Emergency Procedures.....	82
Fire Safety and Training.....	83
Residence Hall Guidelines.....	83
Fire Log Definitions.....	84
Fire Statistics Athens Campus Residence Facilities.....	86
Fire Safety Systems in Residence Facilities.....	87

Welcome Annual Security and Fire Safety Report

The Trinity Valley Community College's 2022 Annual Security and Fire Safety Report, published in October of 2022, includes 2019, 2020, and 2021 crime and fire statistics for all of Trinity Valley Community College's campuses. This report is designed to provide important information about safety on our campuses. This report also contains information on the resources and services available to the Trinity Valley Community College (TVCC) community. It also contains statistics about crimes reported on or around our campuses, as well as fire safety information and statistics.

Safety and security are everyone's responsibility; it takes a team effort to ensure that the college community remains safe and crime free. The team is comprised of law enforcement professionals; college departments such as Student Services; building maintenance; administrative staff from all divisions of the college, and, of course, you. You are the most important member of our team. It is important to stress that our campus is safe. However, you are encouraged to be aware of your personal safety and security and to be responsible in your actions while on campus. We count on you to safeguard your valuables by securing them in locked vehicles (away from prying eyes), locked securely in your residential rooms or offices and not leaving portable electronic items unattended (not even for a second.)

Trinity Valley has many programs and procedures in place to contribute to a safe campus environment, and you are encouraged to become familiar with them and review them regularly. Please take a moment and familiarize yourself with the information in this report.

Your safety is very important to us. If you notice any suspicious, dangerous or illegal activities on campus, please notify TVPD at 903-675-6235 as soon as possible for investigation and resolution. A campus map is included in this report for your convenience.

TVPD offers a number of personal safety awareness presentations. The presentations included alcohol awareness issues and laws, active shooter awareness, new employee orientation, Building evacuation, and many others. These sessions are offered to the college community upon request. Our collaborative efforts working with Housing and Residential Life staff, other college departments and local law enforcement agencies help make a difference on campus.

I hope your stay on our campus is enjoyable and productive. If you would like more information about this report or campus safety and security in general, please contact the Trinity Valley Community College Police Department (TVPD) at 903-675-6235. We value your comments and ideas to make our college a safe place to learn, work, live and visit.

Sincerely,



Heath Cariker
Director of Campus Police and Public Safety

Important Phone numbers, addresses, locations

Campus Police Department	
Athens.....(903)675-6235 The Rock Suite MJ 105	Terrell..... (972)563-4935 (Campus Phone 6235) "A" building room A102
Palestine..... (430) 502-4123 Anderson Building Suite A114	Kaufman HSC (903) 675-6235
Terrell HSC.....(903-675-6235)	
Director of Campus Police and Public Safety – heath.cariker@tvcc.edu	
Web page: https://www.tvcc.edu/police	
Anonymous Reporting: https://webapps.tvcc.edu/formsapp/Police/PoliceIcdntRpt_ANON.aspx	
Complaints and Compliments: https://www.tvcc.edu/Police/category.aspx?z=868	

Human Resources / Title IX Coordinator
Janene Dotts – (903) 675-6215 Administration Building, Suite AD 214 e-mail: Janene.dotts@tvcc.edu Web page: https://www.tvcc.edu/human-resources/?d=202 Title IX web page: https://www.tvcc.edu/Human-Resources/category.aspx?z=1102 TVCC Policy Online: https://pol.tasb.org/Home/Index/623 Anonymous Reporting: https://webapps.tvcc.edu/formsapp/Police/PoliceIcdntRpt_ANON.aspx

Student Judicial Services	
Harold Jones hjones@tvcc.edu Athens – (903) 675-6256 Administration building suite AD 127	Jason Smith jason.smith@tvcc.edu Terrell HSC – (972) 563-9573 First floor
Karen Shipman kshipman@tvcc.edu Palestine – (903) 723-7023 Anderson building suite P-A-125a	Dr. Debra Airheart debra.airheart@tvcc.edu Terrell – (972) 563-4947 A building Suite T-A-126
Web page: https://www.tvcc.edu/judicial/?d=177	
Student Concern Report: https://webapps.tvcc.edu/formsapp/IncidentRpt/IcdntRpt.aspx	
Judicial Appeals: https://www.tvcc.edu/Judicial/article.aspx?a=542&z=189&d=177	
Student Code of Conduct, Pages 73 – 95: https://www.tvcc.edu/catalogs/files/2018-2019/4/index.html	
Athletic Handbook: https://www.tvcc.edu/Athletics/files/handbook-12-13.pdf	

Student Life	
Audrey Hawkins ahawkins@tvcc.edu Athens – (903) 670-6257 Student Union Building 1 st floor	
Web page: https://www.tvcc.edu/Student-Life/?d=269	
Drug and Alcohol Prevention: https://www.tvcc.edu/Student-Life/category.aspx?z=834	
Drug and Alcohol Prevention Biennial Review: https://www.tvcc.edu/Student-Life/files/2015%20Biennial%20review%20DAAPP.pdf	

Disability Services	
Melinda Berry mlberry@tvcc.edu Athens (903) 675-6224 Technology Building Suite AT 311A	For the Athens campus Terrell Health Science Center, Kaufman campus, and Palestine campus.
Cherie Henson chenson@tvcc.edu Terrell (972) 563-4932 A building Suite TA 109	For the Terrell campus.
Local Mental Health Authorities: https://www.tvcc.edu/Cardinal-Success-Center/article.aspx?a=4503&z=614&d=231	
Disability Forms: https://www.tvcc.edu/Cardinal-Success-Center/article.aspx?a=2418&z=614&d=231	
Online Resources: https://www.tvcc.edu/Cardinal-Success-Center/article.aspx?a=1626&z=614&d=231	
Student rights and responsibilities: https://www.tvcc.edu/Cardinal-Success-Center/article.aspx?a=1630&z=614&d=231	

Local Hospitals	
UT Health Athens 2000 S Palestine St. Athens, TX 75751 (903) 676-1000	UT Health East Texas 100 Municipal Dr. Gun Barrel, TX 75156 (903) 713-1500
Texas Health Presbyterian 850 Ed Hall Dr. Kaufman, TX 75142 (972) 932-7200	Palestine Regional Medical Center 2900 TX-256 Loop, Palestine, TX 75801 (903) 731-1000

Local Law Enforcement Agencies	
Athens Police Department 202 West Scott St. Athens, TX 75751	(903) 675-5454
Henderson County Sheriff's Department 206 N Murchison St. Athens, TX 75751	(903) 677-6311
Anderson County Sheriff's Department 1200 E. Lacy Street Palestine, TX 75801	(903) 729-6068
Palestine Police Department 504 N Queen Street Palestine, TX 75801	(903) 729-2254
Kaufman County Sheriff's Department 1900 US – 175 Kaufman, TX 75142	(972) 932-4337
Kaufman Police Department 105 E Chestnut St. Kaufman, TX 75142	(972) 932-3094
Terrell Police Department 1100 N. State Hwy 34 Terrell, TX 75160	(469) 474-2700

Overview

Preparation of the Annual Security and Annual Fire Safety Report

The Annual Security and Fire Safety Report is required by the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (the Clery Act). The report includes, but is not limited to: campus safety and security policy statements and disclosures; statistics for Clery Act crimes for Trinity Valley Community College property, adjacent property, and non-campus property owned or controlled by the college for the previous three years; and fire statistics for on-campus student housing facilities for the previous three years. To prepare the Annual Security and Fire Safety Report, the college, through the College Police Department, collects, classifies, and counts crime reports and crime statistics. Crime statistics are collected throughout the year from police department and members of the college, designated as Campus Security Authorities (CSA). Crime statistics are also requested from local law enforcement agencies in jurisdictions where the college owns or controls property.

The Trinity Valley Community College Police Department is responsible for preparing and distributing this report by October 1 each year. TVPD works with many other departments and agencies, such as Housing and Residential Life, Human Resources, Athens Police Department, Henderson County Sheriff Department, Anderson County Sheriff Department, Palestine Police Department, Kaufman County Sheriff Department, Kaufman Police Department, Terrell Police Department, and the Department of Public Safety to compile the information. TVPD encourages members of the campus community to use this report as a guide for safe practices on and off campus. It is available on the Web at: www.tvcc.edu

Distribution of the Annual Security Report and the Annual Fire Safety Report

The Annual Security Report and Annual Fire Safety Report is distributed as follows:

1. Current Students and Employees:
 - a. The Director of Campus Police and Public Safety and/or their designee, will distribute information about the availability of the Annual Security and Fire Report to all current students and employees throughout all Trinity Valley Community College Campuses. The information about how to access the report will be distributed to each individual directly by campus tvcc.edu electronic mail. A copy may also be obtained by contacting the Director of Campus Police and Public Safety, Room 105 in the Rock, or the TVPD. Those individuals not on the Athens campus may also receive a copy by visiting the Campus Director of the Kaufman, Palestine, Terrell and Terrell HSC campuses.
2. Prospective Students and Employees:
 - a. Notice of the Annual Security and Fire Safety Report availability, including a description of the report's contents, and the opportunity to request a copy of the report will be provided to Prospective Students and Employees by email. Prospective students will be defined as individuals who have indicated interest in the college by providing their contact information during a campus tour, campus event, high school career event, or through submission of official application for admission. Prospective students will receive email correspondence indicating the notice of the Annual Security and Fire Safety Report availability, description of the report contents, a link to the report, and how to request a copy of the report. Prospective employees may obtain the report from the Human Resources Employment. The full printed report will be provided upon request to all Prospective Students and Prospective Employees.

Availability of the Annual Security and Fire Safety Report

The report is available on the Trinity Valley Community College Police Department website at <https://www.tvcc.edu/police>. Copies of the report also may be obtained at the Police Department located at room 105 in the Math/Journalism building or by calling 903-675-6235. All prospective employees may obtain a copy from the office of Human Resources in the Administration building, room AD 214 or by calling 903-675-6215.

Information regarding the availability of the report, website location and where to access printed copies is announced during new faculty and staff orientation, new student orientation and other campus presentations, and published in the current student handbook and college catalog.

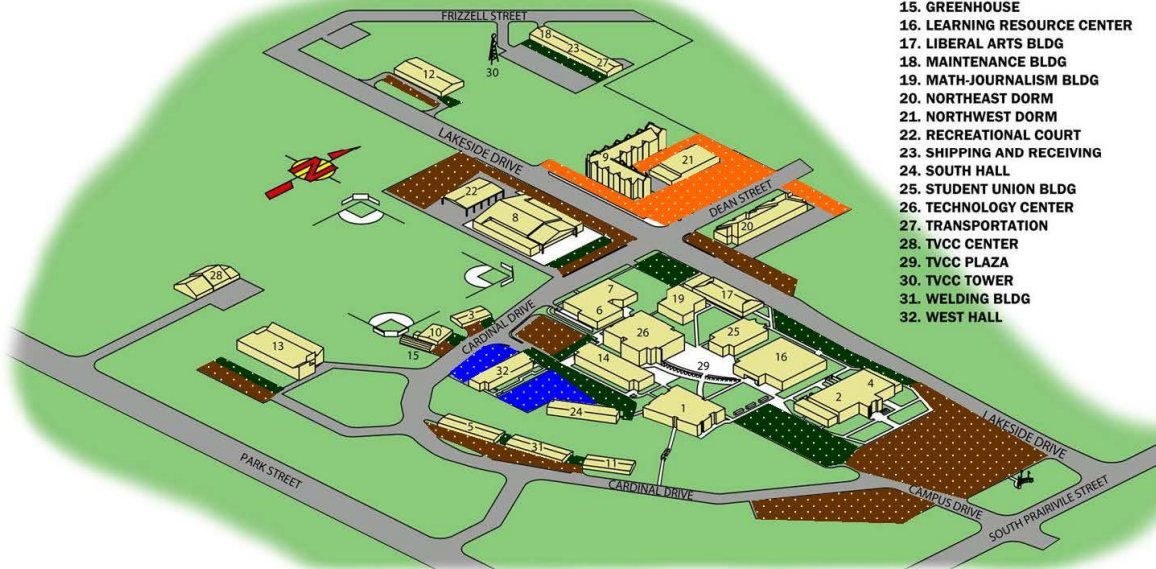
Updates to the Annual Security Report

Any changes after the original October 1 date of publications will be listed here. A campus notification will be sent regarding the changes to this document.

Maps



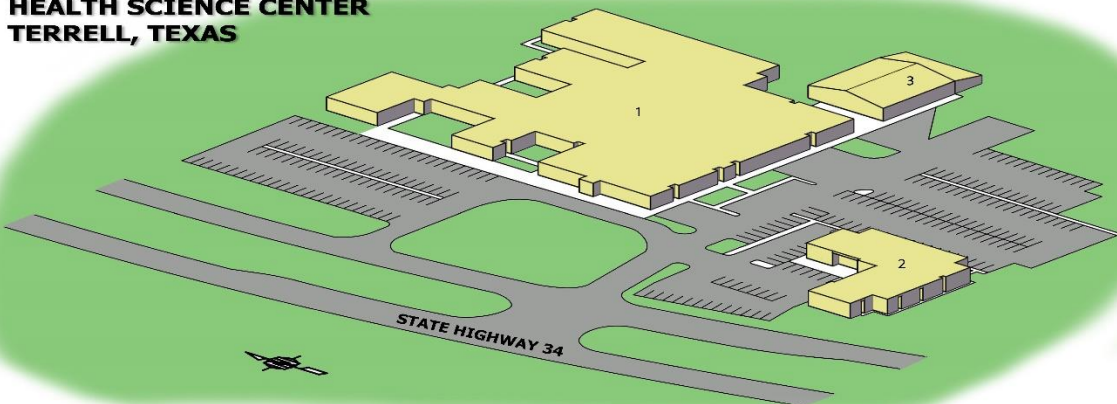
Henderson County Campus Athens, Texas



- BUILDING KEY**
1. ACADEMIC BLDG
 2. ADMINISTRATION BLDG
 3. AGRICULTURE CENTER
 4. AUDITORIUM
 5. AUTO MECHANICS BLDG
 6. BOOKSTORE
 7. CAFETERIA
 8. CARDINAL GYMNASIUM
 9. CARDINAL HALL
 10. CLASSROOM BLDG / NAIL TECH
 11. COSMETOLOGY
 12. FIELD HOUSE
 13. FINE ARTS BLDG
 14. GENERAL STUDIES CENTER
 15. GREENHOUSE
 16. LEARNING RESOURCE CENTER
 17. LIBERAL ARTS BLDG
 18. MAINTENANCE BLDG
 19. MATH-JOURNALISM BLDG
 20. NORTHEAST DORM
 21. NORTHWEST DORM
 22. RECREATIONAL COURT
 23. SHIPPING AND RECEIVING
 24. SOUTH HALL
 25. STUDENT UNION BLDG
 26. TECHNOLOGY CENTER
 27. TRANSPORTATION
 28. TVCC CENTER
 29. TVCC PLAZA
 30. TVCC TOWER
 31. WELDING BLDG
 32. WEST HALL

Trinity Valley Community College

HEALTH SCIENCE CENTER TERRELL, TEXAS



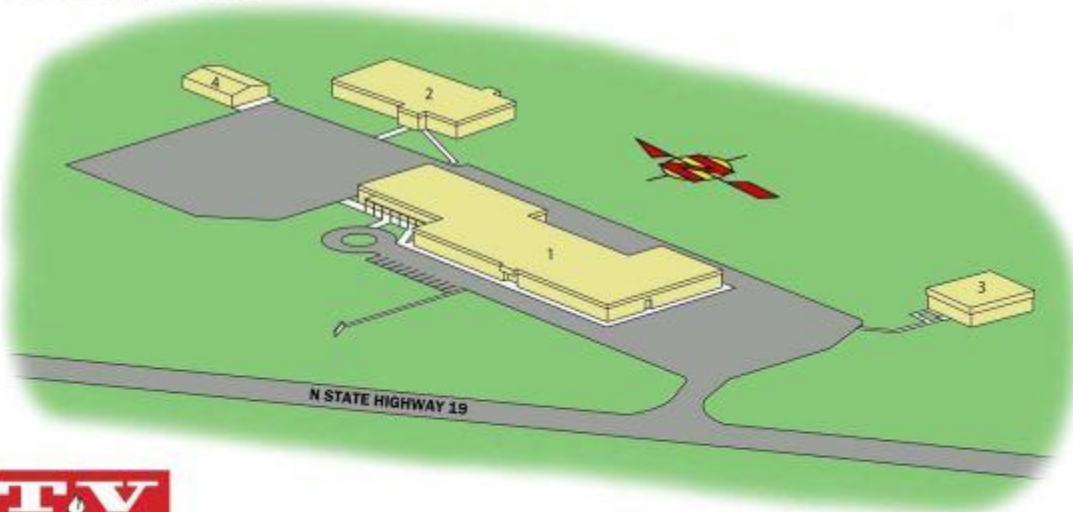
- BUILDING KEY**
1. HEALTH SCIENCE CENTER
 2. PROFESSIONAL BLDG
 3. HEALTH SCIENCE ACADEMY



Trinity Valley Community College

ANDERSON COUNTY CAMPUS
PALESTINE, TEXAS

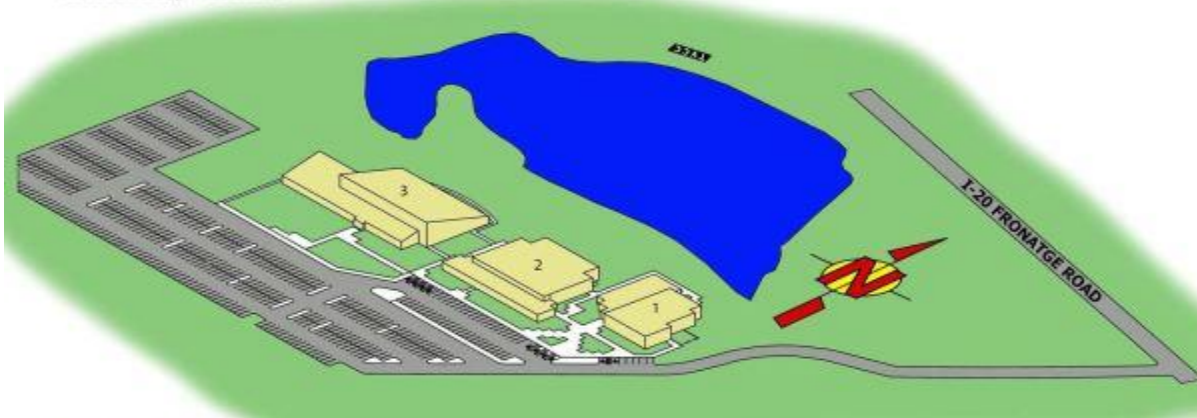
- BUILDING KEY**
1. ANDERSON BLDG
2. CALHOUN BLDG
3. ECRC BLDG
4. MAINTENANCE BLDG



Trinity Valley Community College

KAUFMAN COUNTY CAMPUS
TERRELL, TEXAS

- BUILDING KEY**
1. ADMINISTRATION BLDG
2. EDUCATION BLDG
3. LEARNING RESOURCE CENTER



Trinity Valley Community College Police Department Authority and Jurisdiction

Trinity Valley Community College Police

Our Mission

Our mission is to protect life and property, provide professional police services, and work in partnership with the college community.

Emergencies: Dial 9-1-1 all campuses

Non-Emergency Assistance:

1. Athens Dial 903-675-6235 (Campus Phone 6235)
2. Terrell Dial 972-563-4935 (Campus Phone 6235)
3. Palestine Dial 903-723-7060 (Campus Phone 6235)
4. Kaufman Dial 972-563-4935 (Campus Phone 6235)
5. Terrell Health Science Center 972-563-4935 (Campus Phone 6235)

Located in the Rock room 105 on the Athens campus – Trinity Valley Community College Police Department is open 24 hours a day, 365 days a year. The department consists of professional campus police and campus safety officers dedicated to providing excellent customer service to the community. Officers patrol the campus on foot, motorized cart and in vehicles. The college is serviced by the Henderson County Sheriff's Dispatch Office which is staffed with trained and certified communication officers who answer calls for service, dispatch officers and other emergency services to incidents.

Located in the "A" building room A102 on the Terrell Campus – Trinity Valley Community College Police Department is open Monday through Friday during business hours. The department consists of professional campus police officers who patrol both the I-20 campus and the Health Science Center. Officers patrol the campus on foot and by vehicle. The Trinity Valley Community College also contracts with the Terrell Police Department to provide police services as needed.

Located in the "A" building room A114 on the Palestine Campus – Trinity Valley Community College Police Department is open Monday through Friday during business hours. The department consists of a professional campus safety officer.

The Trinity Valley Community College does not provide a full time officer on the Kaufman campus, however officers patrol the campus up to sixteen hours a week during large event times, such as testing dates and registration.

Enforcement Authority/Other Police Agencies

TVPD is the primary respondent for campus emergencies and reports of criminal activity on all campus. Officers are fully certified by the State of Texas with full arrest powers. The Trinity Valley Community College employs and commissions campus peace officers for the purpose of protecting the safety and welfare of students, employees, and property of the institution in accordance with state law. Any officer so commissioned is vested with all powers, privileges, and immunities of peace officers while the officer is in his or her primary jurisdiction or outside the officer's primary jurisdiction. TVCC officers shall have primary jurisdiction in any county in which the college owns, leases, or rents property.

TVPD cooperate with federal, state and local police, resulting in the college's awareness of criminal activity perpetrated beyond the campus. TVPD does not currently have a written Memorandum of Understanding with these responding agencies. The TVPD compiles and distributes the Annual Security and Fire Safety Report.

TVPD will respond as quickly and safely as possible to any request for assistance, whether it is an emergency or not. Response time is based on current activity and severity of the call. Crimes in progress, alarms, traffic accidents with injuries, and medical assists have a higher priority than other types of calls. College Police officers in vehicles, golf carts, and on foot, are eager to be of assistance and may be contacted directly. For off-campus offenses, we encourage prompt reporting to the proper local law enforcement agency.

Reports of criminal activity will be fully investigated, and appropriate referrals made to the appropriate courts, Student Judicial Services, or Human Resources as necessary. Community members are encouraged to report crime concerns to TVPD.

Safe Campus Environment

The college makes every effort to create a campus environment that fosters personal safety and property security for students, faculty, staff, and visitors. Members of the campus community are urged to immediately advise TVPD, of any criminal action or suspicious behavior. Criminal Trespass Warnings can be issued to suspicious persons and those who violate laws. Anyone returning to a Trinity Valley Community College premises in violation of the Criminal Trespass Warning is subject to arrest.

Trinity Valley Community College will adhere to a "zero-tolerance" of violation of the law and of violence in the workplace. We will investigate complaints of threats of intimidation and take disciplinary action when employees demonstrate any behavior which, in Administration's opinion, constitutes a potentially violent situation. This policy extends to persons connected with college business, including vendors or others who interact with college employees.

A climate of fear or intimidation will not be tolerated at Trinity Valley. Threatening behaviors, acts of aggression and violence will result in appropriate action by the college, up to and including dismissal. Student, faculty and staff misconduct will be handled in accordance with the student code of conduct, Trinity Valley Community College policy or Human Resources policy and/or applicable state or federal laws. Call the Trinity Valley Community College Police Department, to report incidents.

Trinity Valley will not tolerate hate violence and is dedicated to ensuring all persons are protected regardless of their race, national origin, religion, sex, sexual orientation, age or disability or political/religious beliefs. In furtherance of this mission, all 'hate' crimes and incidents will be thoroughly documented, investigated and assigned to the courts for prosecution. Students, staff and faculty are encouraged to promptly report these types of incidents to TVPD or Human Resources.

The Title IX Coordinator, Provides information and assistance with sexual assault, domestic violence, dating violence and stalking, facilitation of employee's complaints alleging illegal discrimination and related retaliation, coordination of an employee's request for reasonable accommodations pursuant to the Americans with Disabilities Act (ADA), facilitation of employee or student complaints alleging discrimination on the basis of disability and oversight of the college's Title IX program to report an incident of sexual misconduct to obtain resources for a pregnant or parenting student) and education.

Title IX Coordinator, The Colleges Title IX Coordinator's core responsibilities include overseeing the Colleges response to Sexual Misconduct. The Colleges Title IX Coordinator must be informed of all reports

raising Title IX issues, regardless of where the report was initially filed. Students may file Title IX violations (sex discrimination, harassment, assault, misconduct, or violence).

The following on-campus resources and services are available to provide assistance and/or counseling. Speaking to these resources does not constitute a report to the college for the purposes of initiating an administrative or criminal investigation of crime. Identifying information will not be shared with anyone without consent from the victim/survivor unless there is an imminent threat of harm to self or others.

On campus counseling: Natalie Palacios, LPC 903-675-610

Off campus counseling: East Texas Crisis Center at 903-595-5591 or 800-333-0358.

Local Mental Health Authority (LMHA):

- Henderson county: The Andrews Center-1-877-934-2131
- Anderson county: ACCESS-1-800-621-1693
- Kaufman county: North Texas Behavioral Health Authority-1-866-260-8000

Campus Victim Support Advocate: Melinda Berry 903-675-6224

All counseling sessions are confidential to the full limits provided by the law; no information can be released within or outside the college without the client's consent.

The Trinity Valley Community College Police Department is the primary responding law enforcement agency to off-campus properties and other student functions or activities located within the Trinity Valley Community. The police department is notified of occurrences reported at these locations. Crime reports and statistics generated at these locations are maintained by the appropriate agencies and are contained in this report where available. The college relies on its close working relationships with these local law enforcement agencies to receive information about incidents on and off campuses. The Trinity Valley Community College Police will actively investigate any crime information it receives concerning or involving a member of the campus community. If the College is notified of a situation in which a campus community member is the victim of a crime, the department may issue a Timely Warning Notice to the campus community, detailing the incident and providing tips so that other community members may avoid similar incidents.

Security and Access to Campus Facilities

Campus Buildings and Grounds

Buildings on the Trinity Valley Community College campuses are open only through the completion of the last scheduled event or class. A daily schedule of room and building openings is provided to the Police Department and buildings are locked on the basis of that schedule. Full time Faculty have access to the buildings and rooms they teach from. Campus police officers have access to all buildings on campuses to provide limited access after-hours, in case of an emergency or other special circumstance. Call 903-675-6235 for assistance.

Facilities Management maintains the college's buildings and grounds with concern for security and safety. Campus facilities and grounds are inspected on a regular basis to ensure that broken windows, locks and repairs are made in an expeditious manner. The College Police Department also receives information from the campus community regarding unsafe facility condition (including steps and handrails), damaged roadways, overgrowth of shrubbery and other areas in need of repair. This information is forwarded to the Facilities Management in a timely manner. We encourage community members to promptly report any maintenance concerns to the Facilities Management via a School Dude work order at:

<https://login.myschoolbuilding.com/msb?acctNum=57024171&productID=MD>. Facilities Management personnel will place safety notices in construction zones and other hazardous areas.

It is unlawful for any person to trespass on the grounds of any Texas institution of higher education or to damage or deface any of the buildings, statues, monuments, memorials, trees, shrubs, grasses, or flowers on the grounds of any state institutions of higher education. (Texas Education Code Section 51.204) The governing board of a state institution of higher education or its authorized representatives may refuse to allow persons having no legitimate business to enter on property under the board's control, and may remove any person from the property on his or her refusal to leave peaceably on request. Identification may be required of any person on the property. (Texas Education Code Section 51.209)

Physical ground surveys are distributed to students, faculty, and staff at the end of each semester. These surveys are used to help improve the features and safety of TVCC campuses.

Campus Lighting Checks

Trinity Valley Community College is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. Representatives from various departments continually conduct security surveys to ensure campus lighting is adequate and that the landscape is appropriately controlled. Campus police officers' conduct routine checks of lighting on campuses during regularly assigned patrol duties, when they observe lights that are out or dim, officers will submit at School Dude request to Facilities Management which is acted upon by a representative of the appropriate maintenance office. Once a month officers' conduct a complete canvas of the College campuses noting any malfunctioning lights and submits that information to Facilities Management for appropriate action and repairs. We encourage community members to report any deficiencies in lighting or other physical safety concern to Facilities Management at:

<https://login.myschoolbuilding.com/msb?acctNum=57024171&productID=MD> or the College Police Department, 903-675-6235.

Surveys are conducted regarding lighting on all campuses and improvements made, as necessary.

Residence Halls

Access to the residence halls is restricted to residents, their guests, college personnel and authorized visitors. Identification cards are coded so that only students who are residents in a particular hall are authorized electronic access entry to that building; the system denies entry to all unauthorized persons. Hall residents may enter their building using their college ID card. Each building has specific doors designated for normal entry which are equipped with card access readers.

All other doors in the building remain closed at all times and are to be used only in an emergency evacuation. All exterior doors are monitored with security cameras. A resident must accompany his/her guests at all times. Crime prevention programs include hall orientation sessions, individual dorm meetings, residential community-wide presentations and educational programs offered in conjunction with the Residence Life and residence life staff. Students are reminded to keep their room doors locked at all times, observe building security procedures and to notify Residence Life staff or the College Police Department (903-675-6235) of any suspicious activity within the residence halls.

Dorm Directors and student resident advisors, who are members of the housing staff, live on campus and provide 24-hour, on-call staff coverage. Residence hall staff undergo comprehensive training each semester for both prevention and response regarding safety and security issues.

Reporting Crimes

Reporting Crimes or Other Emergencies

Campus members observing criminal activities and other emergencies occurring on campus should contact law enforcement immediately by dialing 6235 or 9-1-1 from any campus telephone, contacting a police officer on patrol, or in person at TVPD.

1. Athens Dial 903-675-6235 (Campus Phone 6235)
2. Terrell Dial 972-563-4935 (Campus Phone 6235)
3. Palestine Dial 903-723-7060 (Campus Phone 6235)
4. Kaufman Dial 972-563-4935 (Campus Phone 6235)
5. Terrell Health Science Center 972-563-4935 (Campus Phone 6235)

Other Crime Reporting Options on Campus:

Vice President of Student Services: 903-675-6261

Title IX Coordinator: 903-675-6215

Residence Life Director: 903-675-6256

Office of Human Resources: 903-675-6215

Campus Director Terrell HSC: (972) 932-5720

Campus Director Palestine: (903) 723-7023

Campus Director Terrell: (972) 563-4947

To report a non-emergency security or public safety-related matter, call the College Police Department at 903-675-6235 or report in person at the Math/Journalism Building Room 105 on the Athens campus and in Building “A” room A102 on the Terrell Campus. Officers are available 24 hours a day to answer calls.

For emergencies located off of campuses, please contact the appropriate law enforcement agencies at the numbers below.

Athens Police Department 202 West Scott St. Athens, TX 75751	(903) 675-5454
Henderson County Sheriff’s Department 206 N Murchison St. Athens, TX 75751	(903) 677-6311
Anderson County Sheriff’s Department 1200 E. Lacy Street Palestine, TX 75801	(903) 729-6068
Palestine Police Department 504 N Queen Street Palestine, TX 75801	(903) 729-2254
Kaufman County Sheriff’s Department 1900 US – 175 Kaufman, TX 75142	(972) 932-4337
Kaufman Police Department 105 E Chestnut St. Kaufman, TX 75142	(972) 932-3094
Terrell Police Department 1100 N. State Hwy 34 Terrell, TX 75160	(469) 474-2700

Crimes reported will be listed in the appropriate categories in the Clery Annual Security Report. All reported crimes will be taken seriously, even if reported in an anonymous or confidential manner.

For on-campus or non-campus offenses, we encourage accurate and prompt reporting to the proper local law enforcement agency or Campus Security Authority (CSA), prompt reporting will ensure the issuing of a Timely Warning reports and the annual statistical disclosure. The College relies on its close working

relationships with local law enforcement agencies to receive information about incidents involving students on campus. The Trinity Valley Community College Police will actively investigate any crime information it receives concerning or involving a member of the campus community. If the College is notified of a situation in which a campus community member is the victim of a crime, the department may issue a Timely Warning, detailing the incident and providing tips so that other community members may avoid similar incidents. Information regarding misconduct will be forwarded to the appropriate office for possible disciplinary action.

Alternatives to Immediately Filing a Police Report

While Trinity Valley encourages the campus community to promptly report any criminal event or suspicious person or circumstance to TVPD there will be times when the victim of a crime elects to or is unable (physically/mentally) to make such a report. In those situations, they may elect to:

- Report the crime to TVPD at a later date.
- Make a complaint to the Director of Judicial Services. Such a complaint may be used for actions which include, but are not limited to, on-campus disciplinary proceedings.
- Make an anonymous report to the police. TVPD has a website that may be used to report crimes anonymously https://webapps.tvcc.edu/formsapp/Police/PoliceIcdntRpt_ANON.aspx
- Make an anonymous report to the Director Human Resources and/or Title IX Director https://webapps.tvcc.edu/formsapp/Police/PoliceIcdntRpt_ANON.aspx

Reporting Crimes to Campus Police

Trinity Valley Community College and TVPD encourage the immediate or prompt reporting of any incident that compromises the safety, health or rights of college community members. All students, employees, and visitors should promptly report criminal incidents, accidents, other emergencies (i.e., fire, ambulance, etc.), and suspicious person(s) or activities to TVPD (903) 675-6235 or 911.

Persons who are deaf or hard of hearing should call 911 from a TTY/TDD telephone. Individuals also may report incidents in person at TVPD, Located in the Math/Journalism building room 105 on the Athens campus and in the "A" building room A102 on the Terrell campus.

After receiving information concerning a crime or an emergency, TVPD will ensure an effective investigation and appropriate follow-up actions, which may include issuing Timely Warning notifications to alert the campus community about crimes that pose a serious or continuing threat to safety, or issuing emergency notification and evacuation procedures to alert the campus community about significant emergencies or dangerous situations. Reporting all incidents to TVPD also allows for accurate reporting of crime statistics in public disclosures such as the Annual Security and Fire Safety Report and the Daily Crime and Fire Log.

Campus community members, faculty, staff and students are strongly encouraged to immediately report criminal activity, other emergencies, suspicious activity to TVPD or a local law enforcement agency promptly. Reports will be thoroughly investigated and results will be forwarded to the appropriate prosecutorial entity, the Student Judicial office, the Human Resources office, Title IX Coordinator, or the proper court for prosecution as appropriate. TVPD will take the following actions as necessary:

- Dispatch police, fire and/or medical assistance as needed to the scene of the incident or if a non-emergency ask the victim to report the incident at TVPD.
- Investigate or assist allied agencies with the situation.
- Take appropriate actions to identify, apprehend and submit for prosecution to the courts, the responsible person(s).

- Notify or request assistance from other law enforcement agencies and/or other allied agencies as appropriate.
- Document occurrences or take appropriate action and/or notify appropriate agencies or departments.
- TVPD incident reports involving misconduct by students, faculty or staff may be forwarded to the Student Judicial Office, or the Human Resources office for review and potential disciplinary action. TVPD investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation also will be forwarded to the Student Judicial Office or Human Resources Office.

Criminal Activity Off-Campus

The TVPD, as well as campus officials, will assist students with notification to the proper law enforcement authorities. It is our goal to provide assistance wherever the report is made, to make sure we include the crime in our annual security report. When a Trinity Valley Community College student is involved in an off-campus offense, the TVPD may assist with the investigation in cooperation with local, state, or federal law enforcement agencies. There will be no retaliatory action against any individual with respect to the implementation of any provision of the Clery Act.

Confidential Crime Reporting

The College encourages anyone who is the victim or witness to any crime to promptly report the incident to TVPD or local law enforcement. If you are a victim of a crime and do not want to pursue action within college channels or the criminal justice system, or if you are a witness to a crime and do not want to reveal your identity, you may make a confidential report of the incident to the TVPD https://webapps.tvcc.edu/formsapp/Police/PoliceIcdntRpt_ANON.aspx.

However, because police reports are public records, under state law, TVPD cannot hold all reports of crime in confidence.

The purpose of a confidential report is to maintain the reporting individual's confidentiality, while helping the college protect the safety of the campus community. A student's privacy concerns are weighed against the needs of the college to respond to certain incidents and crimes. To the greatest extent possible, all reports will remain private. In compelling situations, Trinity Valley Community College reserves the right to take reasonable action in response to any crime report, and information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community.

All reports submitted on a confidential or anonymous basis are evaluated for purposes of issuing a campus-wide "Timely Warning" as well as inclusion in the annual crime statistics. Providing this information also helps the college maintain accurate records regarding the number of incidents involving students, employees and visitors; determine a pattern of crime with regard to location, method or assailant; and alert the campus community to potential dangers when appropriate. Reports filed in this manner are included in the annual crime statistics, and when they involve allegations of sexual harassment (including sexual violence) they are made available to the College's Title IX Coordinator. Reports will not include personally identifying information as defined in Section 40002(a) of the Violence Against Women Act (VAWA) of 1994.

Voluntary, confidential and/or anonymous reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other Campus Security Authorities at Trinity Valley Community College campuses. Anonymous reports of crimes may also be made to Henderson County Crime Stoppers at (800) 545-8477 or text HCC plus your message to 274637 (CRIMES). In Kaufman County, call (877) 847-7522 or text TIPLINE plus your message to 274637. In Anderson County, call (903) 729-8477.

Campus Security Authority

In addition to TVPD personnel (police officers and campus safety officers) the College has designated individuals as Campus Security Authorities (CSA's), including officers from local law enforcement who are contracted by the institution to provide campus safety-related services. CSA's are identified as individuals that have significant responsibility for students or campus activities. CSA's have a legal obligation to notify TVPD of any Clery Act crimes that were conveyed to them in good faith, meaning that there is reasonable basis for believing that the information is not rumor or hearsay. CSAs must report immediately any Clery Act crime that comes to their attention. CSA crime reports should include sufficient detail, such as dates and locations, and, where appropriate, personally identifying information, including name and contact information if available. At the request of the victim(s), identifying information may be excluded from the report (e.g., names, initials, contact information, etc.). CSAs can submit Clery Act crimes to TVPD in a number of ways, including:

- Completing the CSA Crime Statistics Reporting Form available at:
- Notifying the Trinity Valley Community College Police Department at 903-675-6235

Upon receipt of a Clery Act crime report, TVPD reviews the reports and determines the appropriate office to submit the report to.

CSA's for the Trinity Valley Community College are the:

- Director of Student Judicial Services
- Vice President of Student Services
- Director of Human Resources
- Director of Student Engagement
- Faculty/staff advisors for student organizations
- Director of Disability Services
- Counselors
- Dorm Directors
- Campus Directors
- All TVCC employees in a Director's role or above
- Assistant Athletic Directors; head coaches, assistant coaches, graduate assistant coaches and any part-time employees and volunteers with a coaching function;
- Strength and Conditioning coaches, and assistant trainers;
- Summer Camp coordinators and staff;
- Title IX Coordinator and Deputy Title IX Coordinators;
- Temporary assignments for faculty/staff requiring CSA duties (e.g., faculty and staff accompanying student travel)

The college encourages professional counselors, at their discretion, to inform those they counsel to report crimes in a voluntary, confidential manner for the purposes of collecting crime statistics. A procedure is in place to anonymously capture crime statistics disclosed confidentially should a student or employee wish to report.

Certain individuals are encouraged to report crime statistics to TVPD, but according to federal law, they are not designated as CSAs and are not required to report crime statistics. This reporting exemption extends only to the following:

Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution. An example is professional mental health counselors, functioning in that capacity, in the Colleges Counseling Center.

Triage Nurse: A triage nurse at the hospital or crisis intervention staff at the rape crisis clinic at an institution. Trinity Valley Community College does not employ a triage nurse.

Pastoral Counselor: A person associated with a religious order or denomination who is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor. Trinity Valley Community College does not employ any pastoral counselors who meet this exemption.

Crime Victim Resources and Information

Campus and Community Resources for Victims of Crime

In addition to campus based resources there are community-based organizations that provide services to victims of crime, such as:

Campus Resources:

- TVPD Athens– 903-675-6235
- TVPD Terrell – 972-563-4932
- TVPD Kaufman – 972-563-4935
- TVPD Palestine – 903-723-7060
- TVCC Title IX Coordinator – 903-675-6215
- TVCC Human Resources – 903-675-6215
- TVCC Vice President of Student Services – 903-675-6216

Local Legal Assistance Henderson County

- County Attorney's Office 903-675-6112
 - 100 East Tyler Athens, TX 75751
- District Attorney's Office 903-675-6100
 - 109 West Corsicana St Athens, TX 75751
- Indigent Health 903-675-6372
 - 125 N Prairieville Athens, TX 75751

Local Legal Assistance Kaufman County

- County Attorney's Office 972-932-0212
 - 100 W. Mulberry Kaufman, TX 75142
- District Attorney's Office 972-932-0260
 - 100 W Mulberry Kaufman, TX 75142
- Indigent Health 972-932-0287
 - 100 N. Washington St Kaufman, TX 75142

Local Legal Assistance Anderson County

- County Attorney's Office 903-723-7400
 - 500 N. Church St Palestine, TX 75801

- District Attorney's Office 903-723-7400
 - 500 N. Church St Palestine, TX 75801

Social Service Organizations

- Henderson County Help Center 903-675-4357
 - 807 N Palestine St 75751
- Texas Health and Human Services 903-675-9141
 - 101 W Baker St Athens, TX 75751
- Family and Protective Services 903-675-5631
 - 420 Athens Brick Rd Athens, TX 75751
- Crisis Center 903-675-2137
 - 309 Royal St Athens, TX 75751
- Genesis Center 972-932-4351
 - 2675 TX-34 Kaufman, TX 75142
- National Sexual Assault Hotline 800-656-4673
- Texas Association Against Sexual Assault 1-844-303-7233
 - <http://taasa.org/>
- Texas Council on Family Violence 512-794-1133
 - <http://tcfv.org/>
- National Suicide Hotline & Chat 800-784-2433
 - <http://hopeline.com/hotline/>
- National Suicide Prevention Lifeline & Chat 800-273-8255
 - <https://suicidepreventionlifeline.org/>

Crime Victim Information

Reporting with Intent to Press Criminal Charges

When a victim decides to report the crime to police and to file criminal charges, they need to be aware of the steps involved:

- initial law enforcement officer's interview
- medical examination (if needed)
- investigator's interview
- prosecutor's interview
- court procedures

This may all seem overwhelming. An understanding of the benefits of reporting encourages many Individuals to choose to press criminal charges, resulting in the convictions of more defendants. Contact TVPD at 903-675-6235 for more information.

Option Not to Report

Not all individuals want to report crimes to a law enforcement agency. This is an individual decision. Without an official report, however, the law enforcement agency will not know that a sexual assault or other crime has occurred. Law enforcement agencies can only help the community when they are aware of crimes being committed. If the assailant was a stranger, the prospect of identifying the suspect greatly decreases over time, and crucial physical evidence will be lost as well. Even if you choose not to report, it is important for your own well-being that you receive medical attention immediately after the assault. Title IX Coordinator at 903-675-6215.

Crime Victim Rights

Texas Code of Criminal Procedure, Crime Victim' Rights, Article [56.02](#), provides that a victim, guardian of a victim, are entitled to the following rights:

1. the right to receive from law enforcement agencies adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;
2. the right to have the magistrate take the safety of the victim or his family into consideration as an element in fixing the amount of bail for the accused;
3. the right, if requested, to be informed:
 - a. by the attorney representing the state of relevant court proceedings, including appellate proceedings, and to be informed if those proceedings have been canceled or rescheduled prior to the event; and
 - b. by an appellate court of decisions of the court, after the decisions are entered but before the decisions are made public;
4. the right to be informed, when requested, by a peace officer concerning the defendant's right to bail and the procedures in criminal investigations and by the district attorney's office concerning the general procedures in the criminal justice system, including general procedures in guilty plea negotiations and arrangements, restitution, and the appeals and parole process;
5. the right to provide pertinent information to a probation department conducting a presentencing investigation concerning the impact of the offense on the victim and his family by testimony, written statement, or any other manner prior to any sentencing of the offender;
6. the right to receive information regarding compensation to victims of crime as provided by Subchapter B, including information related to the costs that may be compensated under that subchapter and the amount of compensation, eligibility for compensation, and procedures for application for compensation under that subchapter, the payment for a medical examination under Article 56.06 for a victim of a sexual assault, and when requested, to referral to available social service agencies that may offer additional assistance;
7. the right to be informed, upon request, of parole procedures, to participate in the parole process, to be notified, if requested, of parole proceedings concerning a defendant in the victim's case, to provide to the Board of Pardons and Paroles for inclusion in the defendant's file information to be considered by the board prior to the parole of any defendant convicted of any crime subject to this subchapter, and to be notified, if requested, of the defendant's release;
8. the right to be provided with a waiting area, separate or secure from other witnesses, including the offender and relatives of the offender, before testifying in any proceeding concerning the offender; if a separate waiting area is not available, other safeguards should be taken to minimize the victim's contact with the offender and the offender's relatives and witnesses, before and during court proceedings;
9. the right to prompt return of any property of the victim that is held by a law enforcement agency or the attorney for the state as evidence when the property is no longer required for that purpose;

10. the right to have the attorney for the state notify the employer of the victim, if requested, of the necessity of the victim's cooperation and testimony in a proceeding that may necessitate the absence of the victim from work for good cause;
11. the right to counseling, on request, regarding acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection and testing for acquired immune deficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS, if the offense is an offense under Section [21.02](#), [21.11\(a\)\(1\)](#), [22.011](#), or [22.021](#), Penal Code;
12. the right to request victim-offender mediation coordinated by the victim services division of the Texas Department of Criminal Justice;
13. the right to be informed of the uses of a victim impact statement and the statement's purpose in the criminal justice system, to complete the victim impact statement, and to have the victim impact statement considered:
 - a. by the attorney representing the state and the judge before sentencing or before a plea bargain agreement is accepted; and
 - b. by the Board of Pardons and Paroles before an inmate is released on parole;
14. to the extent provided by Articles [56.06](#) and [56.065](#), for a victim of a sexual assault, the right to a forensic medical examination if, within 96 hours of the sexual assault, the assault is reported to a law enforcement agency or a forensic medical examination is otherwise conducted at a health care facility;
15. for a victim of an assault or sexual assault who is younger than 17 years of age or whose case involves family violence, as defined by Section [71.004](#), Family Code, the right to have the court consider the impact on the victim of a continuance requested by the defendant; if requested by the attorney representing the state or by counsel for the defendant, the court shall state on the record the reason for granting or denying the continuance; and
16. if the offense is a capital felony, the right to:
 - a. receive by mail from the court a written explanation of defense-initiated victim outreach if the court has authorized expenditures for a defense-initiated victim outreach specialist;
 - b. not be contacted by the victim outreach specialist unless the victim, guardian, or relative has consented to the contact by providing a written notice to the court; and
 - c. Designate a victim service provider to receive all communications from a victim outreach specialist acting on behalf of any person.

Compensation for Victims of Crime

The State of Texas, Code of Criminal Procedure, Article [56.31](#), recognizes that many innocent individuals suffer personal injury or death as a result of criminal acts. Crime victims and persons who intervene to prevent criminal acts often suffer disabilities, incur financial burdens, or become dependent on public assistance. There is a need for the compensation of victims of crime and those who suffer personal injury or death in the prevention of crime or in the apprehension of criminals. The intent of the law is that the

compensation of innocent victims of violent crime encourage greater public cooperation in the successful apprehension and prosecution of criminals.

If you are the victim of a crime in Texas; physically/emotionally injured during the crime; injured trying to stop a crime; injured trying to catch a person who committed a crime; or are the surviving spouse, parent, grandparent, sibling, or child of a victim who was killed, then you may be awarded benefits up to a maximum award of \$15,000 for certain unreimbursed losses, such as wages, medical expenses, mental health counseling expenses, funeral/burial expenses up to \$3,500, moving expenses up to \$1,000, crime scene clean-up expenses, pregnancy expenses resulting from sexual assault, and other reasonable/necessary expenses incurred as a result of the crime (e.g., prescriptions). In order to be eligible to apply you must:

1. Report the crime to a law enforcement agency within a reasonable period of time, but not so late as to interfere with or hamper the investigation and prosecution of the crime.
2. File the application within three years of the date of the crime.
3. Be a United States resident with the crime occurring in Texas or a Texas resident who becomes a victim in a state or country without a compensation program; United States citizenship not required, claim within 1 year from the date of the crime (or show good cause for not doing so).

A victim of child sexual assault has 10 years past the date of their 18th birthday to file a claim. For more information or an application, contact the District Attorney in the county the crime occurred or the Crime Victims' Compensation Program in the Office of the Attorney General by calling 1-800-983-9933 or visit their website at <https://texasattorneygeneral.gov/cvs/crime-victims-compensation>.

No-Contact Orders (issued by the college)

No-Contact Orders issued by the college are designed so that students involved in a campus conduct process do not have any communication with each other to help minimize further altercations between those involved. Students who have no-contact orders are not to contact each other using ANY means. This includes, but is not limited to: comments, words, or gestures in person, through postal mail, email, social networking sites, or through others (friends, acquaintances, family members, etc.) acting on the student's behalf. An order of no contact will remain in place until both parties agree, in writing, to cancel the order, pending final approval by the Title IX Coordinator.

Code of Criminal Procedure- Protective Order

Code of Criminal Procedure, Art. 6.08. PROTECTIVE ORDER PROHIBITING OFFENSE CAUSED BY BIAS OR PREJUDICE.

1. At any proceeding in which the defendant appears in constitutional county court, statutory county court, or district court that is related to an offense under Title 5, (Crimes Against Persons) Penal Code, or Arson, Criminal Mischief or Graffiti, Penal Code, in which it is alleged that the defendant committed the offense because of bias or prejudice as described by Article Family Violence, a person may request the court to render a protective order under Title 4, Family Code, for the protection of the person.
2. The court shall render a protective order in the manner provided by Title 4, Family Code, if, in lieu of the finding that family violence occurred and is likely to occur in the future as required by Section Family Violence, Family Code, the court finds that probable cause exists to believe that an offense under Title 5, (Crimes Against Persons) Penal Code, or Arson, Criminal Mischief or Graffiti, Penal Code, occurred, that the defendant committed the offense because of bias or prejudice, and that the nature of the scheme or course of conduct engaged in by the defendant in the

commission of the offense indicates that the defendant is likely to engage in the future in conduct prohibited by Title 5, Penal Code, or Arson, Criminal Mischief or Graffiti, Penal Code, and committed because of bias or prejudice.

3. The procedure for the enforcement of a protective order under Title 4, (Protective Orders and Family Violence) Family Code, applies to the fullest extent practicable to the enforcement of a protective order under this article, including provisions relating to findings, contents, duration, warning, delivery, law enforcement duties, and modification, except that:
 - a. the printed statement on the warning must refer to the prosecution of subsequent offenses committed because of bias or prejudice;
 - b. the court shall require a constable to serve a protective order issued under this article; and;
 - c. the clerk of the court shall forward a copy of a protective order issued under this article 26 to the Department of Public Safety with a designation indicating that the order was issued to prevent offenses committed because of bias or prejudice.
 - d. For an original or modified protective order rendered under this article, on receipt of the order from the clerk of the court, a law enforcement agency shall immediately, but not later than the 10th day after the date the order is received, enter the information required by Section 411.042(b)(6), Government Code, into the statewide law enforcement information system maintained by the Department of Public Safety. Protective Orders (issued by the Courts) "Protective order" an injunction or other order, issued by a tribunal under the domestic violence or family violence laws or another law of the issuing state, to prevent an individual from engaging in violent or threatening acts against, harassing, contacting or communicating with, or being in physical proximity to another individual. Protective orders are court orders meant to protect victims who have experienced or are reasonably in fear of physical violence, sexual assault or stalking by another individual. If a court finds from the information contained in an application for a protective order that there is a clear and present danger of family violence, the court, without further notice to the individual alleged to have committed family violence and without a hearing, may enter a temporary ex parte order for the protection of the applicant or any other member of the family or household of the applicant. In a protective order, the court may prohibit the person found to have committed family violence from:
 1. Committing family violence;
 2. Communicating:
 - a. directly with a person protected by an order or a member of the family or household of a person protected by an order, in a threatening or harassing manner;
 - b. a threat through any person to a person protected by an order or a member of the family or household of a person protected by an order; and
 - c. if the court finds good cause, in any manner with a person protected by an order or a member of the family or household of a person protected by an order, except through the party's attorney or a person appointed by the court;

3. going to or near the residence or place of employment or business of a person protected by an order or a member of the family or household of a person protected by an order;
4. going to or near the residence, child-care facility, or school a child protected under the order normally attends or in which the child normally resides;
5. engaging in conduct directed specifically toward a person who is a person protected by an order or a member of the family or household of a person protected by an order, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person;
6. possessing a firearm, unless the person is a peace officer, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision; and
7. Harming, threatening, or interfering with the care, custody, or control of a pet, companion animal, or assistance animal that is possessed by a person protected by an order or by a member of the family or household of a person protected by an order.
 - a. In an order, the court shall specifically describe each prohibited location and the minimum distances from the location, if any, that the party must maintain.
 - b. In a protective order, the court shall suspend a license to carry a concealed handgun that is held by a person found to have committed family violence.

If you are a student or employee victim, please inform the Trinity Valley Community College Police of any protection orders. Show these to the police officer, magistrate, prosecutor, or judge if he/she violates the order. Officers shall enforce protective orders from Texas and other states or possessions of the United States. The Trinity Valley Community College Police Department will explain and provide assistance in the process of obtaining protective orders. The Trinity Valley Community College Police Department officers will provide victims of domestic violence with a "NOTICE TO ADULT VICTIMS OF FAMILY VIOLENCE" which states:

- a. "It is a crime for any person to cause you any physical injury or harm even if that person is a member or former member of your family or household. You may report family violence to a law enforcement officer by calling the following telephone numbers: 903-675-6235" If you, your child, or any other household resident has been injured or if you feel you are going to be in danger after a law enforcement officer investigating family violence leaves your residence or at a later time, you have the right to: "Ask the local prosecutor to file a criminal complaint against the person committing family violence; and apply to a court for an order to protect you. You may want to consult with a legal aid office, a prosecuting attorney, or a private attorney." A court can enter an order that:
 1. prohibits the abuser from committing further acts of violence;
 2. Prohibits the abuser from threatening, harassing, or contacting you at home;
 3. directs the abuser to leave your household; and
 4. Establishes temporary custody of the children or any property." A VIOLATION OF CERTAIN PROVISIONS OF COURT-ORDERED PROTECTION MAY BE A FELONY.

If you feel that you qualify for or you would like to obtain a protective order which aims to protect the health or safety of any person regardless of a decision to arrest. Emergency Protective Orders are issued by a Justice of the Peace. In a protective order, the court may prohibit the person found to have committed family violence from:

1. committing family violence;
2. communicating:
 - a. directly with a person protected by an order or a member of the family or household of a person protected by an order, in a threatening or harassing manner;
 - b. a threat through any person to a person protected by an order or a member of the family or household of a person protected by an order; and
 - c. if the court finds good cause, in any manner with a person protected by an order or a member of the family or household of a person protected by an order, except through the party's attorney or a person appointed by the court;
3. going to or near the residence or place of employment or business of a person protected by an order or a member of the family or household of a person protected by an order;
4. going to or near the residence, child-care facility, or school a child protected under the order normally attends or in which the child normally resides;
5. engaging in conduct directed specifically toward a person who is a person protected by an order or a member of the family or household of a person protected by an order, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person;
6. possessing a firearm, unless the person is a peace officer, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision; and
7. Harming, threatening, or interfering with the care, custody, or control of a pet, companion animal, or assistance animal that is possessed by a person protected by an order or by a member of the family or household of a person protected by an order.

In an order, the court shall specifically describe each prohibited location and the minimum distances from the location, if any, that the party must maintain.

In a protective order, the court shall suspend a license to carry a concealed handgun that is held by a person found to have committed family violence. The victim may also apply for an arrest warrant. If a warrant is issued, the alleged perpetrator will be arrested. An arrest warrant charges someone with committing a crime.

Daily Crime Log and Fire Log

TVPD provides a daily crime log for all campus property and a fire log for all reported fires that occur in on-campus housing facilities. The logs include the date and time the crime occurred, general location and

disposition of the complaint, if known. These logs are available to any member of the public, free of charge, upon request. Logs may be picked up in person at the Trinity Valley Community College Police Department, located in the Math/Journalism building room 105, on the Athens campus. Logs may also be mailed or e-mailed.

Timely Warnings

In the event a situation arises, either on or off campus, that in the judgment of the Director of Campus Police and Public Safety, or their designee, constitutes an ongoing or continuing threat to the campus community, a campus-wide “Timely Warning” will be issued using the colleges email system and ALERT system <https://www.tvcc.edu/IT-Services/category.aspx?z=164>. Timely Warning’s will also be posted on the TVPD’s web page. The college will issue the timely warning to provide students, faculty and staff as reasonably and timely as possible, notification in order to heighten safety awareness throughout the community.

The Director of Campus Police and Public Safety or their designee, will notify the Vice President of Student Services. They make the decision whether to issue a Timely Warning on a case-by-case basis in light of all the facts surrounding the incident. Timely Warnings are issued as soon as possible after TVPD is notified; however, the release of the warning is subject to the availability of accurate facts concerning the incident. Criteria to be evaluated may include but not be limited to:

- The nature of the crime
- The continuing danger to the campus community
- The possible risk of compromising law enforcement efforts

Timely warnings include information that promote safety and would aid in the prevention of similar crimes, including, but not limited to:

- Brief description of the crime(s) that occurred
- Date and time when the crime(s) occurred
- Location of the crime(s)
- Possible connections between incidents(if applicable)
- Description of suspect(s) and/or any available information to aid in the apprehension of the offender(s) (if applicable)
- Recommended actions
- Precautions for the campus community to protect itself
- Description of crime reporting options at the college

Timely Warnings are issued to the campus community in a manner that is timely and that withholds as confidential the names and other identifying information of victims through college email and ALERT systems. When the imminent threat no longer exists the college will send out a follow up notification or an all clear message.

Personnel authorized to issue a Timely Warning notice to any Trinity Valley Community College campus are:

- Director of Campus Police and Public Safety or their designee,
- Vice President of Student Services or their designee
- President of the College or their designee.
- Campus Director of any campus or their designee

Anyone with information warranting a Timely Warning should immediately report the circumstances to TVPD, by phone 903-203-3970 or in person on the Athens campus in the Math/Journalism building room 105. On the Terrell campus by phone 972-563-4935 in the “A” building room A102, or any Campus

Director or their designee on the Palestine and Kaufman campuses. Information Warranting a timely warning may also be reported to any Campus Security Authority, as noted in the CSA and Law Enforcement sections of this document.

Missing Student Procedures

Missing Student Notification

In the event that a member of the campus community has reason to believe that a Trinity Valley Community College student, residing on-campus, is missing, he or she shall immediately notify TVPD at 903-675-6235. TVPD will generate a missing person report and initiate an investigation. In addition, TVPD will report the missing person to TVCC Administration, or if the student is residing off campus, TVPD will assist in contacting the appropriate law enforcement agency. Regardless of whether the student has identified a contact person, is above the age of 18, or is in an emancipated minor, TVPD will inform the local law enforcement agency that has jurisdiction in the area where the student is presumed missing within 24 hours, unless the local law enforcement agency was the entity that made the determination that the student is missing.

If the investigation determines that the student has been missing over 24 hours then within the next 24 hours, the college will:

- Notify the individual identified as the student's emergency contact person;
- If under 18 years of age and not emancipated, the college will notify the custodial parent or guardian; and;
- Notify surrounding law enforcement agencies.

Contacting Emergency or Confidential Contact and/or Family Members

Individuals identified as emergency or confidential contacts by a missing student, and/or the parent(s) if the student is under 18 years of age, will be contacted by TVPD, within 24 hours of the initial missing person report to campus police.

In situations in which the student has failed to designate a confidential contact for missing student notification, campus police will use college records and resources to continue its investigation. Family members, including those not formally identified by the student, may be contacted during the course of the investigation to resolve a report of a missing student.

Missing Person Contact Registration

The college will request of all new students each year that they provide, on a voluntary basis, emergency contact information in the event that the student would be reported missing while at the institution. This information is confidential and will not be disclosed to authorized campus officials and law enforcement except in furtherance of their missing person investigation.

Reporting a Missing Student

Any concerned person should notify TVPD, 903-675-6235, or a campus security authority (CSA) of a belief that a student has been missing for 24 hours.

A missing person is an individual whose whereabouts are unknown; they have disappeared for no known reason and there is reasonable concern for their well-being and safety. If a student or employee is believed to be missing and there is reasonable concern for his or her well-being and safety, call the police immediately.

A student enrolled at the college at either a full- or part-time status, who is perceived by the reporting person to be overdue in reaching home, campus, or another specific location, and there is an identifiable concern for the well-being of the student, may be reported as a missing student.

Any college employee receiving a complaint of a missing student must immediately notify TVPD and provide further information related to the reported missing student. Be prepared to provide the following information if known:

- The missing person's full name and nicknames or aliases
- Full description to include sex, race, date of birth (age), height, weight, eye color, and hair color
- Photograph
- Medications
- Vehicle information
- Unusual or visible physical attributes such as birthmarks, tattoos, scars, or piercings
- Date and time of last contact
- Last known whereabouts
- What they were last seen wearing
- Who they were last seen with
- Fingerprints, recent photos, dental records, and all other significant and relevant information, if available

Weapons Policy

Campus Weapons Policy

Trinity Valley Community College strives to provide a safe and secure environment for its students, staff and faculty. Trinity Valley prohibits the possession or storage of any weapons, fireworks or explosives on any campus premises or at any college-sponsored activity, except in the following cases:

- law enforcement personnel engaged in the official performance of their assigned duties
- approved college experiments and/or projects;
- transporting of firearms to and from a place of storage;
- Individuals who are licensed to carry a concealed handgun.

Weapons as defined in Texas Penal Code, Chapter 46, include, but are not limited to:

- Handguns, revolvers, pistols, etc.
- Chemical weapons and /or explosives (including bullets or fireworks)
- Location restricted knives, bows and arrows; slingshots
- Martial arts weapons

Carrying Concealed Handguns on Campus

Trinity Valley Community College has established a policy regulating carrying concealed handguns on all campuses, building, and parking areas pursuant to Texas Government Code [411.2031](#).

The College District prohibits the use, possession, or display of a firearm on College District property or at a College District-sponsored or -related activity in violation of law and College District regulations. This policy does not apply to commissioned peace officers in accordance with law.

All persons, including license holders, are prohibited from openly carrying a handgun on all College District campuses and premises.

License holders may carry a concealed handgun on or about their person while on College District campuses and premises. License holders are responsible for complying with applicable federal and state law and this policy and associated regulations.

1. **Activities** – All functions, events, and programs on all College District premises.
2. **Campus** – All land and buildings owned or leased by an institution of higher education.
3. **Premises** – A building or a portion of building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.
4. **Campus Housing** – A residential facility owned or leased and operated by the College District, including the ranch bunkhouse.
5. **Collegiate Sports** – Intercollegiate, club, and intermural athletic activities.
6. **Concealed Handgun** – A handgun, the presence of which is not openly noticeable to the ordinary observation of a reasonable person.
7. **Handgun** – Any firearm that is designed, made, or adapted to be fired with one hand.
8. **Intramural Athletic Competition** – Intramural sports organized by TVCC Student Lift.
9. **License Holder** – A person issued a License-to-Carry a handgun by the Texas Department of Public Safety under Chapter 411 of the Texas Government Code.
10. **Store** – To take steps that a reasonable person would take to prevent access to a firearm, including but not limited to placing a firearm in an approved locked container. For purposes of this policy, a firearm that is temporarily rendered inoperable by use of a trigger lock or other means is not stored.
11. **On or about their person** – On your person or within your reach and under your control.

Employees, other than law enforcement and commissioned peace officers, shall not use the weapon in the course and scope of performing their duties. License holders whose possession, use, or storage of a handgun results in personal injury or property damage shall be personally liable.

A license holder must display his or her license to carry when directed by a law enforcement officer in accordance with law. Otherwise, an individual shall not be required to disclose whether he or she is a license holder in order to participate in any program offered by the College District, except as required by law.

License holders must secure their handgun when it is not on or about their person. License holders must carry their handgun in a holster or case specifically designed to carry a firearm that completely covers the trigger and entire trigger guard area. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling.

License holders may not carry a partially or wholly visible handgun or intentionally or knowingly display a handgun in plain view of another person, even if holstered, on College District premises, including public driveways, streets, sidewalks, walkways, parking lots, parking garages, or other parking areas, in accordance with law.

The College District shall not provide storage for license holders to secure their handguns. License holders may secure their handgun in a locked, privately owned or leased vehicle.

A license holder may carry his or her handgun in a College District owned vehicle and store it in the vehicle as permitted by law while traveling on College District business.

License holders living in College District residential housing, including staff whose employment responsibilities require them to reside on campus, may store their handgun in an approved gun safe that meets the safety requirements set forth in administrative regulations.

An individual who resides with a license holder who possesses a firearm may request to be moved to another room.

License holders whose possession, use, or storage of a handgun results in personal injury or property damage shall be personally liable.

License holders are prohibited from carrying concealed handguns in accordance with law and this policy as follows:

- A location where a collegiate, professional, or intramural athletic competition or sporting event is taking place in accordance with law. Notice, as required by law, shall be posted during such events at the following locations: Cardinal Gym, Bruce Field, and the Cain Softball Fields.
- A location used as a church, synagogue, or other established place of religious worship in accordance with law.
- A location designated as a polling place on the day of a federal, state, or local election, including while early voting is in progress in accordance with law.
- A location where the campus premises is used by a court unless the handgun is carried pursuant to written regulation or written authorization of the court in accordance with law.
- A nonpublic, secure portion of the College District Police Department used to conduct official business in accordance with law.
- A location where mental health counseling is provided.
- In the room or rooms where a properly posted open meeting, subject to the Open Meetings Act, is taking place so long as notice is provided in accordance with law.
- In rooms exclusively used for the Early College High School Pinnacle Program. These areas shall be gun free zones only during Pinnacle class times.
- In locations where formal hearings such as student disciplinary hearings, student grade appeal hearings, financial aid appeal hearings, or employee disciplinary hearings are being held.
- In all testing centers and rooms specifically used for providing tests where the contracted testing company strictly prohibits firearms such as CLEP, ACT, GED, Comptia-Nes-NBTS, and Early Child Hood Development.
- Areas where a pre-K-12 school-sponsored activity, including all high school graduations, is conducted in a classroom or in a specific building and this is the only event occurring in that specific classroom or building.

The College President may place an occasional, reasonable, temporary restriction in locations on campus where guns would otherwise be allowed. The College President shall appoint a concealed carry committee to hear requests to temporarily prohibit concealed carry at a specific location or event. The committee shall review the request and make a recommendation to the College President. The College President's decision is final.

A request to temporarily prohibit concealed carry must be submitted to the College President at least 30 days before the event. The request must describe the specific, factual reasons for the temporary prohibition, including any safety concerns, the nature of the student population, and any unique features or circumstances related to the building, part of a building, or activity that regularly takes place in the building.

The College District shall provide notice at all locations and activities where concealed carry is prohibited in accordance with law. The College District may post notice where handguns are expressly prohibited, but where notice is not required to be posted by law. The College District shall publish this policy annually in appropriate publications and on the College District website.

Training shall be provided to faculty, staff, and students at freshman orientation, new hire orientation, and at other appropriate events upon request.

The College President shall appoint a concealed carry committee to hear requests to amend this policy. The committee shall research and make a recommendation to the College President. The College President may amend this policy to designate locations where the carrying of concealed handguns is prohibited. Prohibitions are based on specific safety considerations, the nature of the student population, and the uniqueness of the campus environment and shall not generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on College District property. Amendments to this policy shall be submitted to the Board for approval.

The College President shall prepare a report describing the College District's adopted rules regulating concealed carry on campus no later than September 1st of every even-numbered year in accordance with law.

The College District prohibits the use, possession, or display of any illegal knife, club, or prohibited weapon, as defined by law, on College District property or at a College District-sponsored or -related activity, unless written authorization is granted in advance by the College President or designee.

Additionally, the following weapons are prohibited on College District property or at any College District-sponsored or -related activity:

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

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

Employees and students found to be in violation of this policy shall be subject to disciplinary action. [See DH, FM, and FMA] Handguns may not be stored in College District housing during extended breaks, including, but not limited to: spring break, Christmas break, Thanksgiving break, and summer break.

Administrative Regulations

The following is required for gun safes used in College District residential housing:

1. Be large enough to fully contain all firearms and ammunition placed in it and provide for secure storage
2. Have exterior walls constructed of a minimum 16-gauge steel

3. Have a high-strength locking system consisting of a mechanical or electronic combination or biometric lock, not a key lock
4. Be kept inside the license holder's residential room out of view from the public unless transporting the safe and firearm to or from his or her vehicle
5. The license holder may not provide access to his or her safe to any other individual

Alcohol, Illegal Drugs and Substance Abuse

College's Alcohol and Drug Abuse Policy

The college recognizes alcohol/drug dependency as an illness and a major health problem. Excessive use of alcohol and other drugs is a serious health problem in itself, but alcohol and drug abuse also can contribute to a host of other physical and mental health problems such as complications in pregnancy, violent behavior, HIV infection and other sexually transmitted diseases, psychological depression, hallucinations and death. Information, assessment and referral services for alcohol or drug-related problems are available on campus. Services for students are available at Student Life, Student Housing, and Human Resources Services. Services for employees are available through the college's Human Resources Office.

College disciplinary charges may be pursued against faculty, staff and students alleged to have violated TVCC regulations and/or local, state and federal laws concerning alcohol and/or controlled substances. Violations of any local, state or federal law pertaining to alcohol and/or controlled substances that occur off campus and are not associated with a college-connected activity may result in disciplinary charges in situations in which the continued presence of the individual on campus is likely to interfere with the educational process and the orderly operation of the college. College disciplinary proceedings will be in accordance with procedures outlined in the Student Code of Conduct and college policy (faculty and staff). Voluntary admission to a substance abuse treatment program prior to the issuance of charges may be looked upon favorably in disciplinary cases. Disciplinary action in cases involving serious alcohol and/or drug-related violations will result in termination, suspension, dismissal or expulsion from the college, depending on the nature and seriousness of the case. Participation in a substance abuse education or treatment program may be required in addition to other sanctions. Any disciplinary action imposed by the college may precede and be in addition to any penalty imposed by an off-campus authority.

Biennial Review Process

Trinity Valley Community College educates students, faculty, and staff on the use and misuse of alcohol and other drugs, policies, and sanctions via a comprehensive institution-wide program and events sponsored by college departments. These include the Housing & Residence Life, Athletics, Student Life, Campus Police Department, and the Nursing program.

In compliance with the Drug-Free Schools and Campuses Regulations [EDGAR Part 86] of the Drug Free Schools and Communications Act (DFSCA), in July 2016, a Biennial Review committee meets biannually to assess the effectiveness of Trinity Valley Community College's Alcohol and Drug Abuse Program (DAAP) and policies within academic years. This executive summary outlines the procedures used in completing this assignment, findings, and recommendations.

The Biennial Report can be found at the following site:

<https://www.tvcc.edu/police/files/TVCC%20Prevention%20of%20Alcohol%20Abuse%20and%20Illicit%20Drug%20Use%20Students.pdf>

Alcohol

In compliance with the Drug Free Schools and Campuses Regulations (34CFR, Part 86) of the Drug Free Schools and Communications Act (DFSCA), and the Higher Education Act (Section 120A), Trinity Valley Community College recognizes that the abuse of alcohol and other drugs is a threat to the mission of this institution and to the members of the college community.

Trinity Valley Community College prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession, use, or sale of alcoholic beverages, controlled substances, and illegal drugs on campus. The impairment by alcohol or drugs of any student or employee while participating in an academic function, or of employees when reporting for work or engaging in work – during normal work hours or other times when required to be at work – is also prohibited. The use of alcoholic beverages by members of the Trinity Valley Community College community is at all times subject to the alcoholic beverage laws of the State of Texas. Individuals must be at least 21 years old to purchase, possess or consume alcoholic beverages. Violators are subject to college discipline, criminal prosecution and removal from campus housing.

On-campus use or possession of alcohol is strictly prohibited.

The Texas Alcoholic and Beverage Code and college policy prohibit the use of alcohol by a minor, someone under 21 years of age. Violations include, but are not limited to:

- Purchase of Alcohol by a Minor: A minor purchases an alcoholic beverage.
- Attempt to Purchase Alcohol by a Minor: A minor does an act amounting to more than mere preparation that tends but fails to affect the commission of the offense intended.
- Consumption of Alcohol by a Minor: A minor consumes an alcoholic beverage.
- Possession of Alcohol by a Minor: A minor possesses an alcoholic beverage.
- Purchase of Alcohol for a Minor; Furnishing Alcohol to a Minor: A person purchases an alcoholic beverage for or gives or makes available an alcoholic beverage to a minor with criminal negligence.
- Misrepresentation of Age by a Minor: A minor falsely states that he is 21 years of age or older or presents any document that indicates he is 21 years of age or older to a person engaged in selling or serving alcoholic

Punishment for Alcohol-Related Offenses by Minor

Punishment for persons found guilty of alcohol related offenses may include:

- A fine of not less than \$250 or more than \$2,000;
- Confinement in jail for a term not to exceed 180 days; or
- Both the fine and confinement.

In addition to any fine and any order issued, the court shall order a minor placed on deferred disposition for or convicted of an offense to which this section applies to perform community service for:

- Not less than eight or more than 12 hours, if the minor has not been previously convicted of an offense to which this section applies; or
- Not less than 20 or more than 40 hours, if the minor has been previously convicted once of an offense to which this section applies; and
- The court shall order the Department of Public Safety to suspend the driver's license or permit of a minor convicted of an offense to which this section applies or, if the minor does not have a driver's license or permit, to deny the issuance of a driver's license or permit for:

- 30 days, if the minor has not been previously convicted of an offense to which this section applies;
- 60 days, if the minor has been previously convicted once of an offense to which this section applies; or
- 180 days, if the minor has been previously convicted twice or more of an offense to which this section 35 applies.
- Community service ordered under this section must be related to education about or prevention of misuse of alcohol if programs or services providing that education are available in the community in which the court is located. If programs or services providing that education are not available, the court may order community service that it considers appropriate for rehabilitative purposes.

Amnesty Policy

The safety and health of college students is a primary concern at Trinity Valley Community College. As such, any student can seek assistance from TVPD (903-675-6235) for themselves or others who are intoxicated or drug-impaired. Texas statutes provide that a person may not be cited for illegal possession or consumption of alcoholic beverages if the individual:

- Requested emergency medical assistance in response to the possible alcohol overdose of the minor or another person;
- Was the first person to make a request for medical assistance; and
- If the minor requested emergency medical assistance for the possible alcohol overdose of another person:
 - Remained on the scene until the medical assistance arrived; and
 - Cooperated with medical assistance and law enforcement personnel.

A complete description of these regulations is contained in the College Student Responsibility Policy.

This policy can be located in the student handbook or at the Human Resources webpage:

<https://pol.tasb.org/Policy/Code/623?filter=FLB>; <https://pol.tasb.org/Policy/Code/623?filter=FLBE>;
<https://www.tvcc.edu/Athletics/files/handbook-12-13.pdf>

Drugs

Trinity Valley Community College strives to assist students in achieving their potential as human beings and in becoming self-directed in all activities. Because growth and development are shaped by a student's experience, the College seeks to develop an environment where students can learn how to live fulfilling and productive lives. Substance abuse disrupts this environment and threatens not only the lives and well-being of our students, faculty and staff but also their potential for contribution to society. It is important for all members of the College community to take responsibility for preventing substance abuse from negatively affecting the community's learning environment and the academic, physical and emotional well-being of its membership. In recognition of the problems of substance abuse, members of the College community have developed a college-wide drug policy. These policies deal with education, prevention, intervention and treatment activities as well as disciplinary sanctions for those found in violation of the policy. The college has established comprehensive substance abuse prevention programs to help eliminate the threat that substance abuse poses. Through education, the college is committed to helping individuals achieve their personal and academic goals.

Legal Aspects and Consequences Concerning Controlled Substances and Illegal Drugs

All members of the college community are expected to abide by local, state and federal laws pertaining to controlled substances and illegal drugs. More specifically, the Trinity Valley Community College policy prohibits “manufacturing, possessing, and having under control, selling, transmitting, using or being party thereto any illegal drug, controlled substance or drug paraphernalia on college premises or at college-sponsored activities.” The term “controlled substances,” when used in this policy, shall refer to those drugs and substances whose possession, sale or delivery results in criminal sanctions under the Texas Controlled Substance Act (Texas Health and Safety Code, Chapter 481), as well as substances that possess a chemical structure similar to that of a controlled substance (e.g., “designer drugs”).

Education, Prevention and Referral for Treatment

Trinity Valley Community College is committed to providing comprehensive drug education and prevention as well as early intervention and treatment referral services. Student Services, Student Life, Counseling Center, and Human Resources provides a broad-base of educational programs to assist in the prevention of substance abuse. The college realizes the importance of treatment services in assisting faculty, staff and students to overcome substance abuse problems. Assessment and intervention services are available through Student Services, Student Life, Counseling Center, and Human Resources. If further treatment is necessary, the student may be referred to outside counselors and programs.

Penalties

Three factors determine offense level for drug possession, the main factors are; (1) the type of drug; (2) the amount; and (3) surrounding aggravating circumstances (such as drug-free zone or possession with intent to deliver.)

Marijuana

- Usable amount less than 2 ounces, class B misdemeanor;
- Between 2 and four ounces, class A misdemeanor;
- 4 ounces to 5 pounds, state jail felony;
- 5 pounds to 50 pounds 3rd degree felony.

Other Narcotics such as Methamphetamine, Cocaine, Unauthorized Prescription medications etc.

Penalty groups 1 and 2

- Less than 1 gram, state jail felony;
- Between 1 to 4 grams, 3rd degree felony;
- Between 4 to 200 grams, 2nd degree felony.

Penalty groups 3 and 4

- Less than 28 grams, 3rd degree felony;
- 28 to 200 grams, 2nd degree felony;
- 400 grams or more, 1st degree felony.

Health Risks of Drug Alcohol Misuse and/or Abuse

The list below only a partial list of the health risks caused by the misuse or abuse of alcohol or drugs:

Excessive alcohol use poses immediate health risks as well as long-term physical consequences. Consuming too much alcohol—even on a single occasion—can result in injury, violence, risky sexual behaviors, miscarriage and stillbirth among pregnant women, and alcohol poisoning. Long-term, excessive use can lead to the development of chronic diseases, neurological impairments, and social problems. In addition, people risk significant health problems when they use illicit drugs or prescription drugs for recreational purposes.

Stimulants (e.g., cocaine, speed) raise blood pressure, increase the heartrate, and cause rapid breathing. Frequent and long-term stimulant use may cause paranoia, anxiety, hallucinations, insomnia, and depression. Hallucinogens (e.g., LSD, “shrooms”) can result in memory impairment and flashbacks, and have been known to lead to injuries and deaths if the user gets violent or out of control due to a “trip.” Sedatives (e.g., heroin, GHB) can cause memory loss, vertigo, reduced heart rate, seizures, insomnia, anxiety, tremors, and respiratory failure.

Description of Drug and Alcohol Abuse Education Programs

Trinity Valley Community College is committed to providing comprehensive drug education and prevention as well as early intervention and treatment referral services. The office of Student Engagement provides broad-based educational programs and activities throughout the year to assist in the prevention of substance abuse. The college realizes the importance of treatment services in assisting faculty, staff and students to overcome substance abuse problems. Assessment and intervention services are available through the Human Resources, Cardinal Success Center, and Student Engagement offices. If further treatment is necessary, the student or employee may be referred to outside counselors and programs.

Substance abuse and Prevention Programs

The office of Student Engagement is committed in coordinating programs, leadership training, workshops, and events throughout the academic year that educate students as well as the campus community on how to make healthier choices about alcohol and drug usage. These programs offer students opportunities to engage in activities free from alcohol and drugs, such as skate night, bowling night, movie night, intermural activities, and college-based concerts, and other activities. Trinity Valley’s nursing program also conducts a health fair on all campuses, in the Fall and Spring semester. During this program, educational information is provided to all whom attend in the areas of Drug and alcohol usage, prevention, and dangers. Other health related information is available as well, such as, proper diet, diabetes, and sexually transmitted diseases. During this fair, vendors from the surrounding mental health organizations are also invited to provide information on mental health.

A complete description of these regulations is contained in the College Student Responsibility Policy.

This policy can be located in the student handbook or at the Human Resources webpage:

<https://pol.tasb.org/Policy/Code/623?filter=FLB>; <https://pol.tasb.org/Policy/Code/623?filter=FLBE>;
<https://www.tvcc.edu/Athletics/files/handbook-12-13.pdf>

Emergency Notification, Response and Evacuation Procedures

Emergency Reporting

Notify Campus Police at (903) 675-6235 or local police at 9-1-1 in case of emergency. All members of the campus community are notified on an annual basis that they are required to notify TVPD or local emergency services of any situation that involves a significant emergency or danger that may pose an immediate or ongoing threat to the health and safety of the campus community.

Campus Emergency Notifications

In the event of a significant emergency or dangerous situation involving the immediate threat to the health or safety of persons on the campus, the college 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 judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Trinity Valley Community College ALERT

Providing a safe and secure environment for our students, faculty, and staff is one of the Trinity Valley Community College's top priorities. The TVCC ALERT, will contact members of the campus community through voice, text message, e-mail, and e2 campus in the event of an emergency situation.

The TVCC ALERT provides communication tools to keep students, faculty, and staff informed during threatening situations and weather-related closings.

To receive a TVCC ALERT through voice, text messages, and emails, register your information here <https://www.tvcc.edu/IT-Services/category.aspx?z=164&d=148&a=>

In addition to a TVCC ALERT, the College will also use well-established communications methods including:

- The Trinity Valley Community College website;
- College / Campus broadcast emails;
- Official Trinity Valley Community College Facebook and Twitter sites;
- Local media

Procedure

When determined that a timely warning should be issued, the TVPD and Communications departments will work collaboratively to inform the campus community of the incident by taking one or more appropriate steps to ensure timely notification:

- Issue a TVCC ALERT – Members of the campus community may enroll to receive these notifications at <https://www.tvcc.edu/IT-Services/category.aspx?z=164>
- Email of the timely warning notice to all college community members with a tvcc.edu email
- Distribute warning fliers across the campus
- Post information on the TVPD website at <http://www.tvcc.edu/police>
- Post information on the TVCC web page at <http://www.tvcc.edu>
- Post information on the TVCC social media pages
- Activate the outdoor weather siren

These warning(s) may include, but are not limited to, the following information:

- Type of crime
- Date, time, and location of the incident
- Suspect description
- Public safety reminder(s)

All decisions concerning the discontinuation of college functions, cancellation of classes, or cessation of operations, rest with the President or their designee. After consulting with the involved administrators, the President shall be responsible for declaring a major institutional emergency. Should it be deemed necessary to warn the College community of an impending threat or emergency situation, the College Emergency Notification Systems will be activated.

The College Emergency Notification Systems consist of the following:

- Text Messaging
- Voice Messaging
- Email
- Television and Radio Media
- Departmental Phone Listing
- College website www.tvcc.edu
- Social Media

Campus Evacuation

In some emergency situations, such as severe weather, utility failures, etc., an evacuation of the campus may be ordered by the President or their designee. A campus evacuation or closure is an organized withdrawal from campus facilities where the time of return is determined by the circumstances of the emergency or event. When such action is warranted, notification will be made by the College Emergency Notification Systems.

If notified to evacuate campus because of inclement weather, follow Building Evacuation Procedures. Offices and instructional areas should be secured to protect equipment and critical documents. Detailed instructions on evacuations will sent through the TVCC ALERT such as, the designated rally point, traffic routs, and traffic congestion.

Building Evacuation

An evacuation will occur when the fire alarm sounds and/or notification is made by TVPD, the building manager, or the housing manager.

All persons (students, employees and campus visitors) are to immediately vacate the area in question, leaving by the nearest marked exit or in accordance with the posted evacuation plan and alert others to do the same. Once outside, proceed at least five hundred feet from the affected area. Personnel shall not return to an evacuated building until given the all clear signal by Campus Police or Fire personnel.

Annually, one or more buildings on each campus are selected at random, an emergency is declared within or in the vicinity of a campus building, and evacuation procedures are executed. The drill is critiqued and an After Action Report (AAR) is generated. The AAR will be retained for a minimum of (2) two years.

A building evacuation is most commonly initiated by the building's fire alarm system. When the building fire alarm sounds:

- Evacuate the building immediately, calmly, and quickly;
- Carry all personal items(i.e. books, purses, etc.) as you may not be allowed back in the building;

- Walk to the nearest exit/stairwell, closing doors behind you;
- Do not use elevators;
- Proceed to designated area outside the building, moving as far away from the building as possible. Do not stand on porch areas;
- Keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and personnel;
- Do not re-enter building until cleared by authorized personnel;
- Assist individuals with special needs.

Drills, Exercises and Training

Unannounced fire drills are coordinated by TVPD, housing offices, and the local Fire Marshal each fall and spring semesters for all residential facilities at Trinity Valley. Test is defined as regularly scheduled drills, exercises and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities. The emergency evacuation procedures for each residential unit.

Annually, one or more buildings on each campus are selected at random, an emergency is declared within or in the vicinity of a campus building, and evacuation procedures are executed. The drill is critiqued and an After Action Report (AAR) is generated. The AAR will be retained for a minimum of (2) two years.

Housing managers meet with all incoming resident students the first week of classes and conduct an orientation. During this orientation students are instructed on fire safety, evacuation routes, and evacuation procedures.

The purpose of the drills is to prepare building occupants for an organized evacuation in cases of an emergency. Evacuation drills are used as a way to educate and train occupants on issues specific to their facility. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. All occupants are instructed that in the cases where fire alarms are activated they must evacuate the building immediately.

In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the college an opportunity to test the operation of the fire alarm system components. Any deficient equipment is noted so that appropriate repairs can be performed.

Faculty, staff, and students who fail to evacuate during a drill or actual event will be reported to the appropriate college official for possible disciplinary action for unsafe practices. Students may be fined up to fifty dollars for each occurrence.

Security Awareness and Crime Prevention Programs

The primary goal of the Trinity Valley Community College Police Department is the prevention of crime before it occurs. However campus police officers cannot be everywhere all of the time; therefore they need the help of all of the campus community to take an active role in their own personal safety and property protection.

For information or to schedule a crime prevention program campus police encourage everyone to call (903) 675-6235 or email the Chief of Police at heath.cariker@tvcc.edu.

Each semester campus police conduct scheduled training throughout all TVCC campuses in the following areas. These programs aim to eliminate or reduce incidents of domestic violence, dating violence, sexual assault, stalking, illicit drug use and dangers, theft, vandalism, personal safety and campus/residence hall safety, active shooter awareness, bystander intervention.

Safety Awareness Resources

Brochures are available through TVPD, and are placed in high student and faculty traffic areas, which provide additional information and training. The college's Emergency Management Plan is available to the campus community through TVPD and online at <https://www.tvcc.edu/Police/category.aspx?z=1064> with information concerning procedures for emergency evacuation, responding to fire, serious injury, bomb threat, hazardous material leaks and violent crimes. Safety tips can also be located on the police departments' web page at <https://www.tvcc.edu/police>.

Sexual Assault Prevention Programs:

The Trinity Valley Community College Police Department provides educational programs to prevent sexual assault and to increase student awareness to circumstances which could lead to sexual assault. These educational programs include: Date Rape, Drug Abuse, Hate Crimes, and Personal Safety. Brochures on rape prevention and another on acquaintance rape are located at the Police Department as well as high student and faculty traffic areas on all campuses.

Police Escort:

The campus community members can request an escort to their vehicle or to their residence hall when alone at night by contacting campus police at (903) 675-6235. Transportation will be provided based on the availability of patrol officers.

Security Cameras

Video surveillance at Trinity Valley plays an ever increasing role in the total security package that the college is able to provide for the students, faculty, staff, and visitors. The college maintains and monitors a comprehensive video surveillance system.

Personal Safety Tips

The safety and well-being of our students, faculty, staff, and visitors will always be a primary institutional goal at the Trinity Valley Community College. Campus Police can help you protect yourself and your property by reducing the possibility of being victimized. As a member of the college community, you can help in reducing the potential for criminal activity.

The college's safety and security measures are designed to address every area of campus life, but a safe environment also depends on the awareness and cooperation of individual campus community members. Here are some common-sense steps you can take for personal safety and loss prevention:

General:

- Know the phone number of TVPD: (903)675-6235 program it into your cell phone.
- Notify Campus Police or a campus employee of any individual who appears not to have legitimate business on campus or whose actions arouse suspicion or concern.
- Remain alert, pay attention to your surroundings, and avoid listening to musical devices such as an iPod to make it more difficult to be taken by surprise.
- When traversing the campus at night, stay within well-lit walkways.
- Never prop doors open, even for a short time.
- Park in well-lighted areas, and check the inside of your vehicle before entering it.
- Although the campuses are considered safe, students and staff are encouraged to walk in pairs or groups after dark. Students may request a security escort by calling campus police.

Walking:

- Have a plan, be aware of your surroundings, and walk with confidence.
- Walk with a friend whenever possible.
- Avoid dark areas, high shrubbery, and shortcuts: stay in well lighted areas.
- Try to walk facing oncoming traffic.
- Cross streets using marked crosswalks or at intersections.
- Use sidewalks.
- Maintain a secure grip on purses and personal items.
- Keep your cell phone at the ready.
- Be wary of newly acquired acquaintances.
- Don't reveal personal information to new found friends.

Residence Halls:

- Never give your key or student ID to anyone.
- Never open your door to strangers.
- Never leave your door open or unlocked, even for a short period of time, when no one is in your room.
- Keep all laptops, electronics, jewelry, and expensive items out of sight.
- Close your blinds or shades after dark.
- Never "prop" the entrance doors to the residence halls.
- Never let anyone "piggyback" into the residence halls when you swipe in.
- Don't leave keys under the door mat or in other "hiding places" and don't leave notes.

Laundry room:

- Be cautious.
- Try to never be in the laundry room alone.
- Remove clothes promptly from washers and dryers.

- Consider folding your clothes in your room.

To prevent theft and help in the recovery of stolen property:

- Engrave personal property such as computers, televisions, and stereos.
- Record all serial numbers of property and maintain a receipt of purchase in a safe, secure place.
- Take photographs of all expensive items. These photographs can assist in proving ownership in the event of a fire or a theft. Keep these photographs in a safe, secure place.

Bystander Intervention

Bystander intervention can be as simple as calling the police if you witness a serious situation in progress. If you feel you are being stalked and want to report it as a crime; you should immediately call campus police if the incident occurred on any campus call (903) 67-6235 or 911.

Safe and Positive Options for Bystander Intervention

Everyone has a role to play in preventing sexual assault. There are many different ways that you can step in or make a difference if you see someone at risk. This approach to preventing sexual assault or other crimes is referred to as “bystander intervention.”

Bystander Intervention involves 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.

- Be aware of comments and behaviors from others that would indicate they are intent on having sexual intercourse even if a partner is unwilling.
- Notice if someone is getting ready to have sexual intercourse with a partner who is incapacitated.
- Never pressure or encourage friends to drink or have sex as often or with as many people as possible.
- Never joke about sexual assault; comments and jokes that are meant to “ease the tension” or are “just kidding around” can trivialize the severity of the behavior.
- Know your level of comfort with conversations and talk about sexual behavior. If you find groups or individuals who talk about sexual relationships that are not in sync with how you feel, or the type of relationship you want, do not be afraid to state your position.
- Many perpetrators are unaware that what they have done is a crime. They may say, “Yeah, that was messed up, but it was fun.” Let them know that what they did was not right and was against the law.
- Speak up when you hear threatening language.
- Respectfully challenge comments that degrade others.

A bystander’s role in preventing sexual assault, dating violence, domestic violence or stalking

The key to keeping your friends safe is learning how to intervene in a way that fits the situation and your comfort level. Having this knowledge on hand can give you the confidence to step in when something isn’t right. Stepping in can make all the difference, but it should never put your own safety at risk.

- Create a distraction. Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place. Cut off the conversation with a diversion like, “Let’s get pizza, I’m starving,” or “This party is lame. Let’s try somewhere else.” Bring out fresh food or drinks and offer them to everyone at the party, including the people you are concerned about. Start an activity that draws other people in, like a game, a debate, or a dance party.
- Ask directly. Talk directly to the person who might be in trouble. Ask questions such as “Who did you come here with?” or “Would you like me to stay with you?”
- Refer to an authority. Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation, such as a resident assistant, security guard, bartender, or other employee. It’s in their best interest to ensure that their patrons are safe, and they will usually be willing to step in. Don’t hesitate to call 9-1-1 if you are concerned for someone else’s safety.
- Enlist others. It can be intimidating to approach a situation alone. Enlist another person to support you or to come with you to approach the person at risk. Or ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort that person to the bathroom. Enlist the friend of the person you’re concerned about by saying, “Your friend looks like they’ve had a lot to drink. Can you check on them?”

If you become aware that a sexual assault, dating violence, domestic violence or stalking has occurred or are told of an incident occurring:

- Believe the person. He or she will need you to be supportive and understanding.
- Tell them it is not their fault.
- Encourage them to talk to a professional, such as someone from campus police, human resources, a faculty member, or the Title IX Coordinator. Realize, however, there may be reasons that the person does NOT want to do that at this time. Respect that decision.
- Don’t pry or try to get information out of the person if they are unwilling to be forthcoming with information. Be ready to listen when the individual is ready to talk. The person may feel uncomfortable about involving others, and will open up when ready.
- If you learn of the perpetrator’s identity, do not suggest physical retaliation of any kind.
- Know available resources.
- Listen.
- Be patient.

Tips for Violence Risk Reduction

The following are some strategies to reduce one’s risk of violence (adapted from the Rape, Abuse, and Incest National Network (RAINN) at: www.rainn.org and Love is Respect at: www.loveisrespect.org or other similar help sites). Risk reduction options are 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. With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of violence, sexual assault or harassment:

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Walk with purpose. Even if you don’t know where you are going, act like you do.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.

- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact campus police immediately or 911.
- Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Make or order your own drinks and never feel pressured to have "just one more."
- 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.
- If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

Sexual Harassment

It is the policy of the Trinity Valley Community College, that the sexual harassment of students, employees and users of college facilities is unacceptable and prohibited. This stance is consistent with the college's efforts to maintain equal employment opportunity, equal educational opportunity, and non-discrimination in program services, use of facilities, and the affirmative action program. The office Human Resources publishes a policy that gives detailed information about sexual harassment. These are available in the Human Resources office and online at <https://pol.tasb.org/Policy/Code/623?filter=DIAA>

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

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

Anyone subjected to suspected sexual harassment should contact the Title IX Director located in the Administration building on Athens campus suite AD 214 or call (903) 675-6215, Student Judicial office located on the Athens campus suite AD 127 or call (903) 675-6256, or the Campus Director on the Palestine, Kaufman, and Terrell campuses.

Confidentiality

The college will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, stalking, or sexual exploitation to the fullest extent possible or required by law.

However, when accessing college resources, individuals should be aware of the college's confidentiality and mandatory reporting obligation in order to make informed choices. Some on-campus resources offer confidentiality, sharing options, and advice without an obligation to disclose identifying information unless the complainant wants them to or when state or federal law requires mandatory reporting. Confidentiality is limited to licensed professional counseling staff. In addition, complainants may speak on or off-campus with members of the clergy and chaplains who will keep reports made to them confidential. Any information provided anonymously or formally will be used in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act for data collection.

Violence Against Women (VAWA) Sexual Assault, Dating Violence, Domestic Violence, and Stalking

On March 7th, 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) was enacted by the United States Congress. Among other provisions, this law amended sections of the Clery Act. These statutory changes require institutions to compile statistics for certain crimes that are reported to campus security authorities or local police agencies including incidents of sexual assault, domestic violence, dating violence, and stalking. Additionally, institutions will be required to include certain policies, procedures, and programs pertaining to these crimes in their Annual Security Reports beginning with the 2013 Annual Security Report.

Trinity Valley Community College strictly prohibits the offenses of domestic violence, dating violence, sexual assault, stalking, or other forms of sexual misconduct. Offenders may be subject to appropriate campus adjudication processes, disciplinary action, and/or criminal proceedings. The college utilizes procedures that provide prompt, fair, and impartial investigation and resolution in cases involving domestic violence, dating violence, sexual assault, and stalking. These procedures are carried out by officials who receive specific annual training.

Sexual violence is a form of sexual harassment and services are available to students, faculty, and staff who experience sexual violence, domestic violence, dating violence, and instances of stalking. In these situations, Trinity Valley Community College is committed to providing crisis intervention measures for students, faculty, and staff, as well as appropriate administrative response for the complainant and respondent; referring individuals to criminal authorities; and educating and promoting discussion on interpersonal abuse and violence issues. The college's process does not preclude adjudication under state law. The college prohibits retaliation by its officers, employees, students, or agents against a person who exercises his or her rights or responsibilities under any provision federal or state law, including Title IX and the Campus SaVE Act, or this policy.

A victim of crime will have questions. What should you do? Generally speaking, a victim of sexual assault, dating violence, domestic violence, or stalking has four choices:

- Choose to not report the crime to police or any campus authority.
- Report the crime to campus Police anonymously.
https://webapps.tvcc.edu/formsapp/Police/PoliceIcdntRpt_ANON.aspx
- Report the crime to Campus Police (903) 675-6235 or local police with the intent of pressing criminal charges.
- Report the crime to the college, including the Title IX Coordinator (903) 675-6256, with the intent of using the Student Code of Conduct Process to hold the offender responsible. See Trinity Valley Community College's Sexual Misconduct Policy <https://pol.tasb.org/Policy/Code/623?filter=FFDA> and <https://pol.tasb.org/Policy/Code/623?filter=DIAA>

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

Sexual Assault Penal Code

Texas Penal Code Sec. [21.01](#). DEFINITIONS. In this section:

- 1) "Deviate sexual intercourse" means:
 - A) any contact between any part of the genitals of one person and the mouth or anus of another person; or
 - B) the penetration of the genitals or the anus of another person with an object.
- 2) "Sexual contact" means, except as provided by Section 21.11, any touching of the anus, breast, or any part of the genitals of another person with intent to arouse or gratify the sexual desire of any person.
- 3) "Sexual intercourse" means any penetration of the female sex organ by the male sex organ.
- 4) "Spouse" means a person to whom a person is legally married under Subtitle A, Title 1, Family Code, or a comparable law of another jurisdiction.

§ [22.011](#). SEXUAL ASSAULT. (a) A person commits an offense if the person:

- (1) Intentionally or knowingly:
 - A) Causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - B) Causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
 - C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
- (2) Intentionally or knowingly:
 - A) causes the penetration of the anus or sexual organ of a child by any means;
 - B) causes the penetration of the mouth of a child by the sexual organ of the actor;
 - C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
 - D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
 - E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
- b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:
 - 1) the actor compels the other person to submit or participate by the use of physical force or violence;
 - 2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;
 - 3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
 - 4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
 - 5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
 - 6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;

- 7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
 - 8) the actor is a public servant who coerces the other person to submit or participate;
 - 9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
 - 10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or
 - 11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident formally or informally married to each other under Chapter 2, family Code
- c) In this section:
- 1) "Child" means a person younger than 17 years of age who is not the spouse of the actor.
 - 2) "Spouse" means a person who is legally married to another.
 - 3) "Health care services provider" means:
 - A) a physician licensed under Subtitle B, Title 3, Occupations Code;
 - B) a chiropractor licensed under Chapter 201, Occupations Code;
 - C) a physical therapist licensed under Chapter 453, Occupations Code;
 - D) a physician assistant licensed under Chapter 204, Occupations Code; or
 - E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.
 - 4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:
 - A) licensed social worker as defined by Section 505.002, Occupations Code;
 - B) chemical dependency counselor as defined by Section 504.001, Occupations Code;
 - C) licensed professional counselor as defined by Section 503.002, Occupations Code;
 - D) licensed marriage and family therapist as defined by Section 502.002, Occupations Code;
 - E) member of the clergy;
 - F) psychologist offering psychological services as defined by Section 501.003, Occupations Code; or
 - G) special officer for mental health assignment certified under Section 1701.404, Occupations Code.
 - 5) "Employee of a facility" means a person who is an employee of a facility defined by Section 250.001, Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.
- d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.
- e) It is an affirmative defense to prosecution under Subsection (a)(2) that:
- i. the actor was not more than three years older than the victim and at the time of the offense:
 - A) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
 - B) 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
 - C) the victim:
 - a. was a child of 14 years of age or older; and
 - b. was not a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.
- f) An offense under this section is a felony of the second degree, except that an offense under this section is a felony of the first degree if the victim was a person whom the actor was prohibited from

marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.

Texas Penal Code, Sec. [22.021](#). AGGRAVATED SEXUAL ASSAULT (a) A person commits an offense:

- 1) if the person:
 - A) intentionally or knowingly:
 - (i) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - (ii) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
 - (iii) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
 - B) intentionally or knowingly:
 - (i) causes the penetration of the anus or sexual organ of a child by any means;
 - (ii) causes the penetration of the mouth of a child by the sexual organ of the actor;
 - (iii) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
 - (iv) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
 - (v) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor; and
 - 2) if:
 - A) the person:
 - (i) causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode;
 - (ii) by acts or words places the victim in fear that any person will become the victim of an offense under Section 20A.02(a)(3), (4), (7), or (8) or that death, serious bodily injury, or kidnapping will be imminently inflicted on any person;
 - (iii) by acts or words occurring in the presence of the victim threatens to cause any person to become the victim of an offense under Section 20A.02(a)(3), (4), (7), or (8) or to cause the death, serious bodily injury, or kidnapping of any person;
 - (iv) uses or exhibits a deadly weapon in the course of the same criminal episode;
 - (v) acts in concert with another who engages in conduct described by Subdivision (1) directed toward the same victim and occurring during the course of the same criminal episode; or
 - (vi) administers or provides flunitrazepam, otherwise known as rohypnol, gamma hydroxybutyrate, or ketamine to the victim of the offense with the intent of facilitating the commission of the offense;
 - B) the victim is younger than 14 years of age; or
 - C) The victim is an elderly individual or a disabled individual.
- b) In this section:
- 1) "Child" has the meaning assigned by Section 22.011(c) .
 - 2) "Elderly individual" has the meaning assigned by Section 22.04(c) .
 - 3) "Disabled individual" means a person older than 13 years of age who by reason of age or physical or mental disease, defect, or injury is substantially unable to protect the person's self from harm or to provide food, shelter, or medical care for the person's self.
- c) An aggravated sexual assault under this section is without the consent of the other person if the aggravated sexual assault occurs under the same circumstances listed in Section 22.011(b) .
- d) The defense provided by Section 22.011(d) applies to this section.
- e) An offense under this section is a felony of the first degree.

- f) The minimum term of imprisonment for an offense under this section is increased to 25 years if:
 - 1) the victim of the offense is younger than six years of age at the time the offense is committed; or
 - 2) the victim of the offense is younger than 14 years of age at the time the offense is committed and the actor commits the offense in a manner described by Subsection (a)(2)(A).

Sexual Assault

Consent in Reference to Sexual Activity

Texas Penal Code § 1.07 (11) "Consent" means assent in fact, whether express or apparent.

"Effective consent" includes consent by a person legally authorized to act for the owner. Consent is not effective if:

- A) induced by force, threat, or fraud;
- B) given by a person the actor knows is not legally authorized to act for the owner;
- C) given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable decisions; or
- D) given solely to detect the commission of an offense.

Penal Code § [22.011](#) Sexual Assault, (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:

- 1) the actor compels the other person to submit or participate by the use of physical force or violence;
- 2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;
- 3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
- 4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
- 5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
- 6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
- 7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat; or
- 8) Actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the condition of) sexual activity.
- 9) Consent to any one form of sexual activity cannot automatically imply consent to other forms of sexual activity.
- 10) Previous relationships or prior consent cannot imply consent to future sexual acts. Consent can be withdrawn at any time.

Dating Violence Penal Code

Texas Family Code, Sec. [71.0021](#). DATING VIOLENCE. (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:

- 1) is committed against a victim:
 - A) with whom the actor has or has had a dating relationship; or
 - B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
 - 2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:
- 1) the length of the relationship;
 - 2) the nature of the relationship; and
 - 3) the frequency and type of interaction between the persons involved in the relationship.
- c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

Family Violence (Domestic Violence) Penal Code

Texas Family Code, Sec. [71.004](#). FAMILY VIOLENCE. "Family violence" means:

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

Sec. 71.005. HOUSEHOLD. "Household" means a unit composed of persons living together in the same dwelling, without regard to whether they are related to each other.

Sec. 71.006. MEMBER OF A HOUSEHOLD. "Member of a household" includes a person who previously lived in a household.

Stalking Penal Code

Sec. [42.072](#). STALKING.

- a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:
- 1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:
 - A) bodily injury or death for the other person;
 - B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
 - C) that an offense will be committed against the other person's property;
 - 2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and

- 3) would cause a reasonable person to:
 - A) fear bodily injury or death for himself or herself;
 - B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
 - C) fear that an offense will be committed against the person's property; or
 - D) Feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.
- b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:
 - 1) the laws of another state;
 - 2) the laws of a federally recognized Indian tribe;
 - 3) the laws of a territory of the United States; or
 - 4) Federal law.
- c) For purposes of this section, a trier of fact may find that different types of conduct described by Subsection (a), if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.
- d) In this section:
 - 1) "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.
 - 2) "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

Art. [6.09](#) Stalking Protective Order

- a) At any proceeding related to an offense under [42.072](#), in which the defendant appears before the court, a person may request the court to render a protective order under [Title 4, Family Code, 1](#) for the protection of the person. The request is made by filing "An Application for a Protective Order" in the same manner as an application for a protective order under Title 4, Family Code.
- b) The court shall render a protective order in the manner provided by Title 4, Family Code, if, in lieu of the finding that family violence occurred and is likely to occur in the future as required by Section 85.001, Family Code, the court finds that probable cause exists to believe that an offense under Section 42.072, Penal Code, occurred and that the nature of the scheme or course of conduct engaged in by the defendant in the commission of the offense indicates that the defendant is likely to engage in the future in conduct prohibited by Section 42.072(a)(1), (2), or (3), Penal Code.
- c) The procedure for the enforcement of a protective order under Title 4, Family Code, applies to the fullest extent practicable to the enforcement of a protective order under this article, including provisions relating to findings, contents, duration, warning, delivery, law enforcement duties, and modification.

When a victim of sexual assault, dating violence, domestic violence or stalking contacts TVPD, they will contact the Title IX Coordinator. The Title IX Coordinator or their designee will guide the victim through the available options and support the victim in his/her decisions. The victim also will be encouraged to access the counseling services offered through Trinity Valley Community College.

TVPD works in concert with Title IX Coordinator and counseling team, in a team approach in dealing with sensitive situations and referring persons to counseling services, as needed. Police officers are trained in threat assessment and licensed professional counselors encourage their clients to report crimes to TVPD to prevent the potential for future crimes. Crime information can be forwarded anonymously at the request of the client to TVPD.

Counselors do not disclose information to the police department without the consent of the client unless there is an immediate threat to safety.

The victim may choose for the investigation to be pursued through the criminal justice system, the campus disciplinary system or both. Campus police, with the victim's consent, will immediately conduct a criminal investigation of on-campus incidents. Completed investigations will be forwarded to the District Attorney's Office for review and possible prosecution.

Along with criminal prosecution, campus disciplinary action may be imposed on individual students, recognized student organizations and/or college faculty and staff found in violation of the college's policy. College action is an option that can be pursued in lieu of/or concurrent with legal prosecution. College proceedings will provide a prompt, fair, and impartial investigation and resolution conducted by officials who receive training on issues related to domestic violence as well as dating violence, sexual assault and stalking. Equal access and opportunities for the accused and accuser, including to the appeal procedures and support of an advisor; simultaneously inform the parties in writing of the outcome and appeal process; institutional retaliation is prohibited. While an investigation is occurring, the college will assist the victim in any appropriate interim measures, including but not limited to, changing academic and living situations, if such changes are reasonably available. The accused has the right to a presumption of not being responsible for a violation until proven responsible as determined by a preponderance of the evidence present at the hearing. To begin a college investigation, the counselor, police or victim should contact the Title IX Coordinator at (903) 675-6215.

When students are the alleged perpetrator, if they are found responsible for a violation of the Student Code of Conduct the responding student may be placed on probation, suspended or expelled, for committing violent or criminal acts on campus or at campus-related events. Campus disciplinary proceedings, when students are accused of a violation of sexual assault, dating violence, domestic violence or stalking, are detailed in the Trinity Valley Community College student handbook and online at <https://pol.tasb.org/Policy/Code/623?filter=DIAA> and <https://pol.tasb.org/Policy/Code/623?filter=FFDA>.

The institution 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 so requested.

A victim may choose a pseudonym to be used instead of the victim's name to designate the victim in all public files and records concerning the offense, including police summary reports, press releases, and records of judicial proceedings. A victim who elects to use a pseudonym must complete a pseudonym form developed under this article and return the form to the law enforcement agency investigating the offense.

Things to Remember:

- Obtain necessary medical treatment. This may include a voluntary medical exam post-assault medical care. This can be performed at a local emergency room or designated hospital. Many hospitals have a specialized examiner who can complete an exam for victims of sexual violence. Such an exam can help the victim receive an appropriate medical assessment and treatment, and can preserve evidence for possible future action
- Pursue counseling services with appropriate agencies
- Call someone that is known and trusted, such as a friend or counselor. This person can help to evaluate the next steps
- Make a police report to TVPD or other appropriate law enforcement agency
- Make a report to a campus security authority (CSA), Title IX coordinator, or other responsible employee under Title IX
- Make an anonymous report. An anonymous report to the police notifies them that an act of sexual violence has occurred but gives no names or identification.

Procedures for Victims of Sexual Assault, Dating Violence, Domestic Violence or Stalking

If the Assault Just Occurred

- Remember the sexual assault, dating violence, domestic violence or stalking is not your fault.
- Your first priority should be to get to a place of safety. If you do not feel safe and need immediate police or medical assistance, call 9-1-1 or if on campus (903)675-6235. Police can also take you to the hospital or meet you there.
- If you are a victim of sexual assault, you should make every attempt to preserve any physical evidence of the assault; avoid destroying evidence by bathing or showering, douching, changing clothes, or cleaning up in any way, or disposing of any damaged clothing or other items that were present after/during the assault
- Contact someone who can help you: a friend, TVPD, a relative - any or all of the above.
- Get medical attention at a hospital emergency room right away. You do not have to report the incident to the police to be seen in the emergency room or to have an evidence-gathering exam (e.g., using a sexual assault nurse examiner kit). This service is provided to all sexual assault victims at no charge.
- Seek medical help whether or not you want to report the incident. You may have injuries you are not aware of, and a doctor can help you do what you can to prevent pregnancy or sexually transmitted infections.
- Do not shower, drink or eat, douche, or change your clothes. These activities destroy important physical evidence in the event that you decide to press criminal charges against the assailant.
- Know that you have legal choices. Call TVPD or Title IX Coordinator for assistance or to learn about your choices
- As soon as you have a quiet moment, write down everything that you remember happening, with as much detail as possible. This will help with your own healing process and in any legal action you might decide to take.

As soon as possible, the victim of a sexual assault, dating violence, domestic violence or stalking should report the incident to TVPD or to the appropriate law enforcement agency, if the incident took place off campus. Campus Housing and Residence Life staff, or other appropriate college staff of Trinity Valley will assist reporting to campus police or outside agencies as appropriate. Filing a police report with law enforcement will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a report will:

- Ensure that a victim of sexual assault, domestic violence, dating violence or stalking receives the necessary medical treatment and tests. Ideally a victim of sexual assault should not wash, douche, use the toilet or change clothing prior to a medical/legal exam.
- Provide the opportunity for collection of evidence helpful in prosecution or obtaining a protection order, which cannot be obtained later
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of crisis intervention.

Preserving Physical Evidence

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a protection order. The victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam. Any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries following an incident of domestic or dating violence should be documented including through the preservation of photographic evidence. Evidence of stalking including any communication, such as written notes, voicemail, or other electronic communications should be saved and not altered in any way. For more information about how to preserve evidence, contact TVPD at (903) 675-6235.

If someone is pressuring you, or if you need to get out of an uncomfortable or scary situation:

- 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 who is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word or phrase with your friends or family. If you feel uncomfortable in a situation you can call and notify them without alerting the person you are with. Your friends or family can then come get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors or 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.

Campus Resources for Sexual Assault, Dating Violence, Domestic Violence and Stalking

The Trinity Valley Community College Title IX Coordinator (903) 675-6215 and Counseling Services, (903)675-6224, offers free and confidential assessments and counseling for academic, career, and personal issues to all enrolled students. All counseling sessions are confidential to the full limits provided by the law; no information can be released within or outside the college without the client's consent. Counseling for employees is available through the Employee Assistance Program. Visit Human Resources office or contact janene.dotts@tvcc.edu or call (903)675-6215 for more information on services available to employees.

Medical Exam Following Sexual Assault

For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge or can work with you to arrange state reimbursement. Hospitals have specially trained nurses on call 24 hours a day for such purposes. The nurse will collect the evidence and ask TVPD to pick it up and store it for at least six months. The evidence will be in a box marked only with a number, not your name. You are not required to make an official police report for this evidence to be collected. If you later decide to make such a report, the hospital will give your name to the police and the evidence kit will be tested for possible use in a court case. For assistance in this process, contact TVPD at (903)675-6235.

Texas Code of Criminal Procedure, Art. [56.06](#). MEDICAL EXAMINATION FOR SEXUAL ASSAULT VICTIM WHO HAS REPORTED ASSAULT; COSTS.

- a) If a sexual assault is reported to a law enforcement agency within 96 hours of the assault, the law enforcement agency, with the consent of the victim, a person authorized to act on behalf of the victim, or an employee of the Department of Family and Protective Services, shall request a medical examination of the victim of the alleged assault for use in the investigation or prosecution of the offense. A law enforcement agency may decline to request a medical examination under this subsection only if the person reporting the sexual assault has made one or more false reports of sexual assault to any law enforcement agency and if there is no other evidence to corroborate the current allegations of sexual assault.
- b) If a sexual assault is not reported within the period described by Subsection (a), on receiving the consent described by that subsection the law enforcement agency may request a medical examination of a victim of an alleged sexual assault as considered appropriate by the agency.
- c) A law enforcement agency that requests a medical examination of a victim of an alleged sexual assault for use in the investigation or prosecution of the offense shall pay all costs of the examination. On application to the attorney general, the law enforcement agency is entitled to be reimbursed for the reasonable costs of that examination if the examination was performed by a physician or by a sexual assault examiner or sexual assault nurse examiner, as defined by Section 420.003, Government Code.
- d) A law enforcement agency or prosecuting attorney's office may pay all costs related to the testimony of a licensed health care professional in a criminal proceeding regarding the results of the medical examination or manner in which it was performed.
- e) This article does not require a law enforcement agency to pay any costs of treatment for injuries.

Texas Code of Criminal Procedure, Article [56.065](#). MEDICAL EXAMINATION FOR SEXUAL ASSAULT VICTIM WHO HAS NOT REPORTED ASSAULT; COSTS. (a) In this article:

- 1) "Crime laboratory" has the meaning assigned by Article 38.35.
 - 2) "Department" means the Department of Public Safety.
 - 3) "Sexual assault examiner" and "sexual assault nurse examiner" have the meanings assigned by Section 420.003, Government Code.
- b) This article applies to the following health care facilities that provide diagnosis or treatment services to victims of sexual assault: (1) a general or special hospital licensed under Chapter 241, Health and Safety Code; (2) a general or special hospital owned by this state; (3) an outpatient clinic; and (4) a private physician's office.
- c) In accordance with Subchapter B, Chapter 420, Government Code, and except as provided by Subsection (e), a health care facility shall conduct a forensic medical examination of the victim of an alleged sexual assault if:
- 1) the victim arrives at the facility within 96 hours after the assault occurred;
 - 2) the victim consents to the examination; and
 - 3) at the time of the examination the victim has not reported the assault to a law enforcement agency.

- d) The department shall pay the appropriate fees, as set by attorney general rule, for the forensic portion of the medical examination and for the evidence collection kit if a physician, sexual assault examiner, or sexual assault nurse examiner conducts the forensic portion of the examination within 96 hours after the alleged sexual assault occurred. The attorney general shall reimburse the department for fees paid under this subsection.
- e) If a health care facility does not provide diagnosis or treatment services to victims of sexual assault, the facility shall refer a victim seeking a forensic medical examination under Subsection (c) to a health care facility that provides services to those victims.
- f) The department, consistent with Chapter 420, Government Code, may develop procedures regarding the submission or collection of additional evidence of the alleged sexual assault other than through an examination as described by this article.
- g) The department, consistent with Chapter 420, Government Code, shall develop procedures for the transfer and preservation of evidence collected under this article to a crime laboratory or other suitable location designated by the public safety director of the department. The receiving entity shall preserve the evidence until the earlier of:
 - 1) the second anniversary of the date the evidence was collected; or
 - 2) the date on which written consent to release the evidence is obtained as provided by Section 420.0735, Government Code.
- h) The victim may not be required to:
 - 1) participate in the investigation or prosecution of an offense as a condition of receiving a forensic medical examination under this article; or
 - 2) pay for the forensic portion of the medical examination or for the evidence collection kit.
- i) The attorney general and the department each shall adopt rules as necessary to implement this article.
- j) A communication or record that contains identifying information regarding a person who receives a forensic medical examination under this article and that is created by, provided to, or in the control or possession of the department is confidential for purposes of Section 552.101, Government Code. In this subsection, "identifying information" includes:
 - 1) information revealing the identity, personal history, or background of the person; or
 - 2) information concerning the victimization of the person.

If the Assault Occurred Some Time Ago

You may just now be realizing that your experience was unwanted, or may finally be ready to call the experience a sexual assault. Even if the incident did not take place recently, you still have options.

- Remember that sexual assault is never your fault. Believe in yourself. Get the support you deserve and give yourself time to heal.
- Consider seeking medical attention. You may still need treatment for physical symptoms.
- Seek counseling. Unresolved experiences of sexual assault can have long-term psychological and social effects.
- Take advantage of resources that are there for you. Consult with the Title IX Coordinator, Campus Police, or counseling center. To explore your options regarding
 - Receiving medical care
 - Reporting the incident to the police
 - Pursuing campus judicial intervention
 - Seeking academic or administrative intervention

The Trinity Valley Community College maintains multiple policies on sexual assault and sexual misconduct, they can be found online here, <https://pol.tasb.org/Policy/Code/623?filter=DIAA> <https://pol.tasb.org/Policy/Code/623?filter=FM> <https://pol.tasb.org/Policy/Code/623?filter=FFDA>

Dating Violence and Domestic Violence

Dating Violence and Domestic Violence

The Trinity Valley Community College Police Department takes dating and domestic/family violence complaints seriously. The nature and seriousness of crimes committed between dating partners, family or household members are not mitigated because of the relationships or living arrangements of those involved. Therefore, law enforcement must be thorough when responding to dating violence and/or domestic violence calls. An immediate criminal justice response can make a major difference in the disputants' lives. If an assault should occur, the victim should go to a safe place and contact a friend or family member for support. Call TVPD if the incident occurred on campus at (903) 675-6235; if the incident occurred off campus call 911. For locations not on a TVCC campus, the incident should be reported to local law enforcement and/or the appropriate campus authorities.

With all due consideration for their own safety, the primary duties of a peace officer of the Trinity Valley Community College Police department responding to a dating and/or domestic disturbance and who investigates a dating/domestic/family violence allegation or who responds to a disturbance call that may involve dating/domestic/family violence are:

- To protect any potential victim of dating/domestic/family violence,
- Enforce the law of this state,
- Enforce a protective order from another jurisdiction and
- Make lawful arrests of violators.

State law requires a peace officer who investigates a dating/domestic/family violence incident or who responds to a disturbance call that may involve dating/domestic/family violence, (the officer), shall make a written report, including but not limited to:

- The names of the suspect and complainant;
- The date, time, and location of the incident;
- Any visible or reported injuries;
- A description of the incident and a statement of its disposition; and
- Whether the suspect is a member of the state military forces or is serving in the armed forces of the United States in an active-duty status.

In Texas domestic violence laws apply to incidents of violence in domestic situations that cause bodily injury, threaten to cause imminent bodily injury, or cause any kind of physical contact that someone could reasonably expect would cause the other person to regard as offensive or provocative, including forceful detention which results in physical injury or places one in reasonable apprehension of bodily injury, impeding the normal breathing or circulation of the blood of the person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth and which is committed by a person against such person's family or household member.

The Trinity Valley Community College Police will arrest the aggressor when probable cause exists by the totality of the circumstances which may include: evidence that any of the parties acted in self-defense; a history of violence (prior assault convictions) of the parties involved, including history of calls for service; the relative severity of injuries inflicted on all parties, plus consideration whether the injuries were offensive or defensive; the relative size, bulk, and strength of the parties involved; evidence from persons involved in or witnesses to the incident; the likelihood of future injury to any party; and, current or previous protection orders filed against either party. As with any crime, it is important to preserve evidence. Physical evidence can include injuries of the victim, evidentiary articles that substantiate an attack and the crime scene itself. Photographs of injuries and the crime scene showing a struggle occurred

can be invaluable. All reports of family violence and dating violence made by the police department are forwarded to the Title IX Coordinator.

A student victim of dating violence has the right, in addition to filing charges through the criminal justice system, to file a complaint with the Director of Student Judicial Services (903) 675-6256 located in the Administration building suite AD 127 or the Campus Director of the Kaufman, Palestine, and Terrell campuses, along with criminal prosecution, campus judicial action is an option that can be pursued in lieu of/or concurrent with legal prosecution. College students may report the incident to the Director of Student Judicial Services, regardless of whether the act of violence occurred on or off-campus since the college reserves the right to hold students accountable for certain types of off-campus behavior. Disciplinary action will result if a student's behavior jeopardizes the educational atmosphere or mission of the institution. Sanctions may include disciplinary probation and educational programs and may result in suspension from the college.

Red flags in a relationship:

Indicators in a relationship that might be warning signs of impending dating or domestic violence:

- Always wanting to know where you are and who you are with
- Not wanting you to spend time with others
- Getting angry if you do not answer a call or text immediately
- Always blaming you for their mistakes
- Calling you names or constantly putting you down
- Yelling constantly, throwing or punching objects
- Pressuring you to do more sexually than you are ready for

Do you...

- Feel afraid of your partner most of the time?
- Feel that you can't do anything right?
- Get embarrassed by your partner's behavior toward you?
- Believe that you deserve to be hurt or mistreated?
- Avoid topics or situations out of fear of angering your partner

Does your partner...

- Humiliate, criticize or yell at you?
- Blame you for his behavior?
- Threaten to hurt you?
- Threaten to take your kids away?
- Threaten to harm your kids or pets?
- Force you to have sex?
- Act jealous and possessive?
- Keep you from seeing friends and family?
- Limit your access to money or necessities?
- Keep you from getting a job or going to school?
- Constantly check up on you?
- Threaten to kill or hurt himself if you leave?

Pay attention to the "red flags", and trust your instincts. Instincts may have told victims that there was something wrong early on but they disregarded the warning signs and didn't know that these signs were indicative of an abusive relationship. Survivors of domestic violence frequently report that their instincts told them that there was something wrong early on but they disregarded the warning signs and didn't know that these signs were indicative of an abusive relationship. Always take time to get to know a potential partner and watch for patterns of behavior in a variety of settings.

Understand barriers to getting help such as fear of being judged, embarrassment and not wanting to admit that it's a real problem. Keep in touch with your support system and confide in them. Participate in good self-care can lower your risk of being involved in an abusive relationship.

If anyone has been hit or abused by dating or domestic partner and they want to report it as a crime; they should immediately call campus police if the incident occurred on campus at (903) 675-6235; or to the appropriate law enforcement agency.

Keeping in touch with your support system and participating in good self-care can lower your risk of being involved in an abusive relationship. The Trinity Valley Community College Police Department, along with the college community, is committed to stopping domestic violence in our community by encouraging its community members to be a courageous bystander with safe and positive options for bystander interventions to prevent harm or intervene.

A complete copy of the Trinity Valley Community College's policy and sanctions can be found online at <https://pol.tasb.org/Policy/Code/623?filter=FM>

Stalking

Stalking Behavior

The Trinity Valley Community College strictly forbids stalking on any of its campuses. A complete policy and the sanctions for violating this policy can be found online at <https://pol.tasb.org/Policy/Code/623?filter=FM>

Stalking behaviors can include:

- Showing up at your home or place of work unannounced or uninvited.
- Sending you unwanted text messages, letters, emails and voicemails.
- Leaving unwanted items, gifts or flowers.
- Constantly calling you and hanging up.
- Use social networking sites/technology to track you.
- Spreading rumors about you via the internet or word of mouth.
- Making unwanted phone calls to you.
- Calling your employer or professor.
- Waiting at places you hang out.
- Damaging your home, car or other property

Safe Practices if you are Experiencing Stalking Behavior

- If you have a protection order, make several copies, and carry a copy with you at all times.
- If someone is following you, never go home. Proceed to a local law enforcement location, or call local law enforcement for direction on where to go.
- Acquaint yourself with 24-hour stores and other public, highly populated areas in your neighborhood.
- Under no circumstances should you agree to meet with the perpetrator face to face to "work it out" or "talk." Meeting a stalker in person can be very dangerous.
- Tell someone. Resources like Campus Police Department, Student Judicial Services, and the Title IX Coordinator are here to support and assist you. Victims under the age of 18 should tell a parent or other trusted adult about any harassments or threats.

- Inform friends, family, neighbors, and other people you know that you are being stalked so that the stalker cannot get information about you from them.
- If you have a picture of your stalker, give one to people you know at the places you frequent.
- Send one, clear written warning. This warning should convey that the contact is unwanted, and tell the perpetrator to cease all communications of any kind. Do this only once. Then, no matter the response, under no circumstances have further contact with the stalker.
- Collect and document all evidence. Save all email, postings, or other communications in both electronic and hard-copy form. If possible, save all of the header information from emails and newsgroup postings (use the Help feature on whatever service you are using for instructions). Record the dates and times of any contact with the stalker. All evidence of stalking should be preserved to aid in obtaining a protection order against a perpetrator.
- Save any packages, letters, messages, or gifts from the stalker. They may be important if you decide to report to the police.
- Keep a log of incidents including the date, time, type of incident, what occurred, and the names of any witnesses. Even if you decide not to pursue prosecution, you may change your mind and it will be helpful to have documentation of every incident.
- Document how the stalking is affecting you and any steps you have taken to stop it (e.g., blocked number, unfriended on Facebook, asked the stalker to stop). A free Stalking Log is available at: http://victimsofcrime.org/docs/src/stalking-incident-log_pdf.pdf?sfvrsn=4
- Ignore or reject calls from anonymous or unknown callers. Block unwanted callers. Consult your service provider for more information.
- Use voicemail to screen calls. Save all voicemail messages from the stalker, or record them to a tape recorder and save the digital recording or tapes.
- File a report with Campus Police or local law enforcement. Save copies of police reports and record all contact with law enforcement officials and the prosecutor's office. Add these notes to your Stalking Log.
- Change your contact information. You may want to consider changing your email address, Internet Service Provider (ISPs), and/or phone number, and consider using encryption software or privacy protection programs.
- File a complaint with both parties' ISPs. Many ISPs offer tools that filter or block communications from specific individuals.
- To keep your address confidential, get a post office box and use it on all correspondence. Put this address on your checks. (If you are being sent something from Federal Express or another company that won't mail to P.O. Boxes, change "P.O. Box" to "Apartment" when giving your address).
- Inform security at your place of employment that you are being stalked.

Law Enforcement Response to Stalking

The responding officer's primary responsibility will be the victim's physical well-being and emergency medical needs followed by an investigation to include obtaining preliminary statements, preserving evidence, and documentation with possible arrest. As with any crime, it is important to preserve evidence. Physical and evidentiary articles that substantiate the crime such as text messages, voicemails, videos, letters, photos, cards, unwanted items or gifts and emails should be saved. You should also write down the times, places and dates all the incidents occurred. You should include the names and contact information of people who witnessed what happened and provide this information to the police. Protective orders are meant to protect victims who have experienced or are reasonably in fear of physical violence, sexual assault or stalking by another individual. The Trinity Valley Community College Police Department will provide assistance in the process of obtaining protective orders. Victims have the option

of keeping their report of stalking in complete confidence, protecting their right to anonymity, when making a report through licensed professional counselors.

Only the victim can make this decision. It may be difficult to make complex decisions immediately after the assault. Talking with someone who can give immediate support and information, such as a sexual assault crisis counselor, a victim/witness advocate, or a family member or friend, may help you make a decision

The Trinity Valley Community College Police Department will forward all reports of stalking to the Title IX Coordinator.

Sexual Misconduct Complaint Process and Disciplinary Procedures

The Trinity Valley Community College student code of conduct prohibits sexually violent acts, termed “Sexual Misconduct” by the college, 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, and other sex offences including sodomy (forced anal intercourse); oral copulation (forced oral-genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); and sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).

While the college utilizes different standards and definitions than the Texas Code, sexual misconduct often overlaps with the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence. Victims of these behaviors are protected by federal laws, specifically Title IX and the Clery Act, which mandates the contents of this report.

It is the policy of the college to notify campus law enforcement when sexual misconduct occurs, typically without providing identifying information about the incident, unless a victim wishes that information to be shared, or an emergency requires disclosure. Victims have the option to notify law enforcement directly, or to be assisted in doing so by campus authorities. If requested, campus officials can facilitate reporting to campus or local law enforcement, but may also respect a victim’s request not to do so.

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 promote awareness, educational, risk reduction, and prevention programming.

The College District prohibits discrimination, including harassment, against any student on the basis of sex or gender. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.

Discrimination against a student is defined as conduct directed at a student on the basis of sex or gender that adversely affects the student.

Sexual harassment of a student by a College District employee includes unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A College District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or

2. The conduct is so severe, persistent, or pervasive that it limits or denies the student's ability to participate in or benefit from the College District's educational program.

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it limits or denies a student's ability to participate in or benefit from the College District's educational program.

Sexual violence is a form of sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability.

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; rape; sexual assault; sexual battery; sexual coercion; and other sexually motivated conduct, communications, or contact.

Physical contact not reasonably construed as sexual in nature is not sexual harassment.

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct limits or denies a student's ability to participate in or benefit from the College District's educational program.

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

The College District prohibits retaliation by a student or College District employee against a student alleged to have experienced discrimination or harassment or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or otherwise participates in an investigation.

Examples of retaliation may include threats, rumor spreading, ostracism, and assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding discrimination or harassment shall be subject to appropriate disciplinary action.

In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

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

- 1) Who has the authority to remedy prohibited conduct;
- 2) Who has been given the duty of reporting incidents of prohibited conduct; or
- 3) Whom a student reasonably believes has the authority to remedy prohibited conduct or has been given the duty of reporting incidents of prohibited conduct.

The College District designates the following persons as responsible employees: any instructor, any administrator, or any College District official defined below.

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 a responsible

employee or submit the report electronically through the College District's website. The submission of an anonymous electronic report may impair the College District's ability to investigate and address the prohibited conduct.

Any College District employee who suspects and any responsible employee who receives notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate College District official listed in this policy and shall take any other steps required by this policy. An employee who does not meet the description of a responsible employee in accordance with this policy may alternatively submit the report electronically via the College District's website.

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

A person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source shall not be required to disclose information regarding an incident of prohibited conduct that constitutes personally identifiable information about a student or other information that would indicate the student's identity without the student's consent, unless the person is disclosing information as required for inclusion in the College District's annual security report under the Clery Act [see [GCC](#)].

For the purposes of this policy, College District officials are the Title IX coordinator and the College President.

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

Name: Janene Dotts
Position: Director of Human Resources
Address: 100 Cardinal Drive, Athens, TX 75751
Telephone: (903) 675-6215
e-mail: jdotts@tvcc.edu

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 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.

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

The College District may request, but shall not require, a written report. If a report is made orally, the College District official shall reduce the report to written form.

Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately notify the parties to the complaint of the allegations and the formal and informal options for resolution of the complaint.

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

If the parties voluntarily agree to participate in informal resolution of the complaint, the College District official shall determine if informal resolution is appropriate for the complaint. If the official determines that informal resolution is appropriate, then the official may facilitate that resolution. If the official does not determine informal resolution to be appropriate, then the complaint will be subject to the formal resolution process.

If any of the parties decline to participate in informal resolution of the complaint or the College District official finds informal resolution of the complaint to be inappropriate, the College District official shall authorize or undertake an investigation, except as provided below at Criminal Investigation.

If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the College District shall promptly take interim action calculated to address prohibited conduct prior to the completion of the College District's investigation.

The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. The investigator shall have received appropriate training regarding the issues related to the complaint and the relevant College District's policy and procedures.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations. If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District shall promptly resume its investigation.

Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the College District to delay its investigation, the investigation should be completed within 20 College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.

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

If the accused and complainant accept the finding and any sanctions by signing a written waiver of hearing, no hearing shall be held and no appeal shall be available. If the accused or complainant reject the finding and/or sanctions, a hearing shall be held to determine responsibility.

Further, informal resolution may be used if both parties are agreeable, and the College District deems it appropriate under the circumstances. The College District shall facilitate the information process.

The Title IX hearing shall be conducted by a standing committee created to oversee sexual misconduct complaints. All decisions by the panel shall be made by a majority vote of the panel members present at the hearing.

The hearing shall be conducted in accordance with the following:

- 1) Hearings shall not be open to the public.
- 2) An audio recording of each hearing shall be made.
- 3) Reasonable time limits shall be imposed by the panel, which shall not exceed two hours per party, unless the panel allows for a longer time limit.
- 4) The hearing panel shall be able to reasonably limit evidence and shall exclude irrelevant sexual history and any other irrelevant matters.
- 5) The College District may provide an adviser for the complainant, and if so, that adviser has a right to attend the hearing.
- 6) The complainant shall present evidence first, followed by the accused.
- 7) The College District discourages the parties from cross-examining each other directly.
- 8) A preponderance of the evidence standard shall apply.

The complainant shall have the right to:

- 1) Testify and/or speak on his or her own behalf;
- 2) Be represented or otherwise supported by an attorney or adviser;
- 3) Not be in the same room as the accused;
- 4) Present evidence, including witnesses;
- 5) Be informed of the outcome; and
- 6) Appeal the outcome. Not be in the same room as the accused;

The accused shall have the right to:

- 1) Testify and/or speak on his or her own behalf;
- 2) Be represented or otherwise supported by an attorney or adviser;
- 3) Present evidence, including witnesses;
- 4) Be informed of the outcome;
- 5) Have a written copy of the investigation and findings, which shall include the alleged policy violations;
- 6) Review any information that will be offered against him or her prior to the hearing, to the extent allowed by FERPA or other applicable law; and
- 7) Appeal the outcome.

The College District shall provide written notice to both parties of the outcome of the hearing within ten business days after the hearing date, unless additional time is necessary.

The hearing panel may dismiss a complaint or impose appropriate punishment upon a complainant or accused who fails to appear at the hearing without good cause, and may proceed with the hearing in the person's absence.

The College District shall determine, based on the results of the investigation, whether each individual allegation of misconduct occurred using a preponderance of the evidence standard. If the results of the investigation indicate that prohibited conduct occurred, the College District shall promptly respond by

taking appropriate disciplinary or corrective action reasonably calculated to address the conduct to prevent its reoccurrence and remedy the effects.

Examples of corrective action may include:

- Providing a training program for those involved in the complaint;
- Providing a comprehensive education program for the College District community;
- Providing counseling for the victim and the student who engaged in prohibited conduct;
- Permitting the victim or student engaged in the prohibited conduct to drop a course in which they both are enrolled without penalty;
- Conducting follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred;
- Involving students in efforts to identify problems and improve the College District climate;
- Increasing staff monitoring of areas where prohibited conduct has occurred; and
- Reaffirming the College District's policy against discrimination and harassment.

The College District shall minimize attempts to require a student who complains of sexual harassment to resolve the problem directly with the person who engaged in the harassment; however, if that is the most appropriate resolution method, the College District shall be involved in an appropriate manner.

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

The College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. To the greatest extent possible, the College District shall honor requests for confidentiality; however, such requests may limit the College District's ability to respond to the incident and pursue disciplinary action. The Title IX coordinator shall evaluate all requests for confidentiality. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law. The College District cannot guarantee confidentiality.

A party who is dissatisfied with the outcome of the investigation may appeal through the applicable grievance policy beginning at the appropriate level. [See [DGBA](#)(LOCAL) for employees, [FLD](#)(LOCAL) for students, and [GB](#)(LOCAL) for community members] A party shall be informed of his or her right to file a complaint with the U.S. Department of Education Office for Civil Rights.

Retention of records shall be in accordance with the College District's records retention procedures. [See [CIA](#)]

Sexual Assault, Dating Violence, Domestic Violence and Stalking Education and Prevention Programs

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:

- 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
- 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 employees that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Defines what behavior and actions constitute consent to sexual activity in the State of Texas and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;
- Provides 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;
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The college has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation.

Programs to Prevent Sexual Violence

All members of the campus community should be aware that sexual assaults, including date or acquaintance rape, are prohibited by state laws, policies and college rules. Trinity Valley Community College prohibits sexual violence, which includes the crimes of dating violence, domestic violence, sexual assault, and stalking. The college is committed to increasing the awareness of and preventing sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent sexual assault (rape, acquaintance rape, and sexual assault), domestic violence, dating violence, and stalking before it occurs.

The College Police Department offers sexual assault education and information programs to students and employees upon request. Literature on date rape education, risk reduction and college response measures is available through the police department, Residence Life managers, Residence Life, Student Government, and the Title IX Coordinator.

Awareness programs are community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Ongoing and Primary Prevention and Awareness Campaigns

Ongoing prevention and awareness events feature programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution and including information described in the college's most recent Annual Security Report.

Primary prevention programs focus on programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence,

sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Sex Offenders

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the College is providing a link to the Texas State Sex Offender Registry. All sex offenders are required to register in the state of Texas and to provide notice of each institution of higher education in Texas at which the person is employed, carries out a vocation, or is a student. <https://records.txdps.state.tx.us/SexOffender/>

In addition to the above notice to the State of Texas, all sex offenders are required to deliver written notice of their status as a sex offender to the College Police Department no later than three (3) business days prior to their enrollment in, employment with, volunteering at, or residence in the College. Such notification may be disseminated by the College to, and for the safety and well-being of, the College community, and may be considered by the College for enrollment and discipline purposes.

Crime statistics Overview

Reporting Requirements

The United States Department of Education, in its Higher Education Amendments of 1999, published final rules and regulations providing clarification for crime reporting requirements under the Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act. An institution must report statistics concerning the occurrence on campus, on related non-campus property and on public property of the following crimes:

- Murder/Non-Negligent Manslaughter
- Negligent Manslaughter
- Sex offenses, including rape, fondling, incest and statutory rape
- Aggravated assault
- Burglary
- Arson
- Motor-vehicle theft
- Robbery
- Statistics concerning the criminal offenses of murder, forcible rape and aggravated assault which manifest evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity, disability, national origin or sexual orientation, gender identity as prescribed by the Hate Crimes Statistics Act.
- Hate crime statistics concerning the above crimes which manifest evidence of prejudice based on race, religion, sexual orientation, ethnicity, disability, national origin or sexual orientation as prescribed by the Hate Crimes Statistics Act, and
- Domestic violence, dating violence and stalking incidents that were reported to campus security authorities or local police agencies.

Additionally, statistics concerning the number of arrests and disciplinary referrals for the following crimes must be provided:

- Liquor-law violations
- Drug-related violations
- Weapon possession violations

Definitions for Clery Crime Statistics

The following information comes from a variety of sources, including the Department of Education's Handbook for Campus Safety and Security Reporting (2016); Uniform Crime Reporting Handbook; Sex Offenses definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program; and definitions of domestic violence, dating violence, and stalking adapted from the amendments made to the Violence Against Women Reauthorization Act of 2013; and Texas statutes. The following definitions are used when preparing the annual disclosure of crime statistics.

On Campus: 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. This also includes any building or property that is within or reasonably contiguous to the geographic area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Residence Facilities: *any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.*

Non-Campus: 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. This also includes any building or property owned or controlled by a student organization that is officially recognized by the institution.

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

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

Negligent Manslaughter: The killing of another person through gross negligence.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- A. *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.
- B. *Incest* — Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- C. *Statutory Rape* — Sexual intercourse with a person who is under the statutory age of consent.
- D. *Rape*— The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

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

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

Burglary: The unlawful entry of a structure to commit a felony or 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 acts.

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

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 is dating violence.

- A. The existence of such a relationship shall be determined 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.

Domestic Violence: 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

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, *course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens,

HATE CRIMES: Any of the aforementioned offenses, and any other crime involving bodily injury reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias.

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics.

Gender: A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

Gender Identity: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

Ethnicity/National Origin: A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced aged, or illness.

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

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

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

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

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

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

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics (Demerol, methadone), and dangerous non-narcotic drugs (amphetamines).

Liquor Law Violations: 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, and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition.)

Unfounded Crimes: Those crimes that occur on campus, in on-campus student housing facilities, or in non-campus property or buildings, and on public property and are investigated by law enforcement authorities and found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfound a crime. Unfounded crimes include all criminal offenses, hate crime, arrests or disciplinary action referrals for weapons, drug or liquor law violations, and domestic violence, dating violence, or stalking incidents.

Hierarchy Rule: A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted. There are exceptions to the Hierarchy Rule when counting arson, sexual assault, dating violence, domestic violence, stalking, and hate crimes within the criminal offenses categories.

ATHENS CAMPUS CRIME STATISTICS

Criminal Offenses

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Murder/Non-negligent manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	1	1	0	0	0
	2021	1	1	0	0	0
	2022	1	1	0	0	0
Fondling	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated assault	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2020	1	1	0	0	0
	2021	1	1	0	0	0
	2022	2	1	0	0	0
Motor vehicle theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Violence Against Women Act Crimes (VAWA)

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Domestic violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Dating violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Weapons, Drugs, and Alcohol Arrests and Disciplinary Referrals

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Weapons: carrying, possessing, etc. (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons: carrying, possessing, etc. (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor law violations (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor law violations (Referrals)	2020	0	0	0	0	0
	2021	1	1	0	0	0
	2022	3	3	0	0	0
Drug abuse violations (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	2	2	0	0	0
Drug abuse violations (Referrals)	2020	9	4	0	1	0
	2021	2	2	0	0	0
	2022	10	10	0	0	0

Hate Crimes

Campus	Year	Statistics
Athens	2020	No hate crimes were reported for the 2020 calendar year.
	2021	No hate crimes were reported for the 2021 calendar year.
	2022	No hate crimes were reported for the 2022 calendar year.

KAUFMAN CAMPUS CRIME STATISTICS

Criminal Offenses

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Murder/Non-negligent manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Fondling	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated assault	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Motor vehicle theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Violence Against Women Act Crimes (VAWA)

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Domestic violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Dating violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Weapons, Drugs, and Alcohol Arrests and Disciplinary Referrals

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Weapons: carrying, possessing, etc. (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons: carrying, possessing, etc. (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor law violations (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor law violations (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug abuse violations (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug abuse violations (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Hate Crimes

Campus	Year	Statistics
Kaufman	2020	No hate crimes were reported for the 2020 calendar year.
	2021	No hate crimes were reported for the 2021 calendar year.
	2022	No hate crimes were reported for the 2022 calendar year.

PALESTINE CAMPUS CRIME STATISTICS

Criminal Offenses

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Murder/Non-negligent manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Fondling	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated assault	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Motor vehicle theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Violence Against Women Act Crimes (VAWA)

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Domestic violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Dating violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Weapons, Drugs, and Alcohol Arrests and Disciplinary Referrals

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Weapons: carrying, possessing, etc. (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons: carrying, possessing, etc. (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor law violations (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor law violations (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug abuse violations (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug abuse violations (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Hate Crimes

Campus	Year	Statistics
Palestine	2020	No hate crimes were reported for the 2020 calendar year.
	2021	No hate crimes were reported for the 2021 calendar year.
	2022	No hate crimes were reported for the 2022 calendar year.

TERRELL CAMPUS CRIME STATISTICS

Criminal Offenses

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Murder/Non-negligent manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Fondling	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated assault	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	1	0	0	0	0
Motor vehicle theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Violence Against Women Act Crimes (VAWA)

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Domestic violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Dating violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Weapons, Drugs, and Alcohol Arrests and Disciplinary Referrals

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Weapons: carrying, possessing, etc. (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons: carrying, possessing, etc. (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor law violations (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor law violations (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug abuse violations (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug abuse violations (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Hate Crimes

Campus	Year	Statistics
Terrell	2020	No hate crimes were reported for the 2020 calendar year.
	2021	No hate crimes were reported for the 2021 calendar year.
	2022	No hate crimes were reported for the 2022 calendar year.

TERRELL HEALTH SCIENCE CENTER CAMPUS CRIME STATISTICS

Criminal Offenses

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Murder/Non-negligent manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Fondling	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated assault	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Motor vehicle theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Violence Against Women Act Crimes (VAWA)

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Domestic violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Dating violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Weapons, Drugs, and Alcohol Arrests and Disciplinary Referrals

Offenses	Year	On Campus	On-campus Student Housing Facilities	Non-Campus Property	Public Property	Unfounded Crimes
Weapons: carrying, possessing, etc. (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons: carrying, possessing, etc. (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor law violations (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor law violations (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug abuse violations (Arrests)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug abuse violations (Referrals)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Hate Crimes

Campus	Year	Statistics
Terrell Health Science Center	2020	No hate crimes were reported for the 2020 calendar year.
	2021	No hate crimes were reported for the 2021 calendar year.
	2022	No hate crimes were reported for the 2022 calendar year.

Annual Fire Safety Report

Athens Fire Department

The Athens Fire Department (903)675-5454 provides services to the Trinity Valley Community College and area residents for the protection of life and property from fire and natural disasters. They maintain a standard of training which encompasses both a prompt response to emergencies and the safety of citizens. Firefighters promote community safety through public education and fire safety programs.

Emergency Response and Evacuation Procedures

Evacuation drills are coordinated by TVPD and the Athens Fire Marshall each fall and spring semesters for all residential facilities. The emergency evacuation procedures for each residential unit are tested at least once each semester. Students become familiar with the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Students are also instructed on fire alarm pull stations and how to activate them in case of a fire or other emergency situation.

The purpose of the drills is to prepare building occupants for an organized evacuation in cases of an emergency. Evacuation drills are used to educate and train occupants on issues specific to their facility. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. **All occupants are instructed that in the cases where fire alarms are activated they must evacuate the building immediately.** In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the college an opportunity to test the operation of the fire alarm system components. Any deficient equipment is noted so that appropriate repairs can be performed. Students receive emergency information and procedures during their hall meetings.

Campus Evacuation

The president or designee will authorize campus evacuation orders. An announcement of a campus-wide evacuation will be issued through the ALERT system. Students and employees should follow the instructions and timeline for leaving the campus and alert others to do the same. Information about returning to the campus will be provided through ALERT system, the personnel recall process for employees and press releases through the news media outlets.

Building Evacuation

An evacuation will occur when the fire alarm sounds and/or notification is made by the Trinity Valley Community College Police Department, Emergency Management Team, or the Athens Fire Department.

All persons (students, employees and campus visitors) are to immediately vacate the area in question, leaving by the nearest marked exit or in accordance with the posted evacuation plan and alert others to do the same. Once outside, proceed at least 500 feet away from the affected area. Personnel shall not return to an evacuated building until given the all clear signal by TVCC officials.

Annually, one or more buildings are selected at random, an emergency is declared within or in the vicinity of, evacuation procedures are posted and executed. The drill is critiqued and an After Action Report (AAR) is generated. The AAR will be retained for a minimum of (2) two years.

Residence Hall Fire Safety Policy

All residence hall students must comply with directives related to building evacuations.

Fire extinguishers and exit signs are strategically located in each hall. These are for the protection of all residents and are expensive to replace. Persons abusing, removing, or tampering with any fire safety equipment, such as fire alarms, fire extinguishers exit lights, etc., are subject to removal from the residence hall, even on a first offense, and to other appropriate disciplinary action. All residents will be expected to participate when the hall staff conducts fire drills. As part of the fire safety program, the residence hall staff will conduct monthly health and safety inspections.

Emergency Procedures

If you are involved in an emergency fire situation on any TVCC campus, implement the following procedures.

- If you see or smell smoke, investigate. You should try to determine the extent of the fire, the type of fire and the location of the fire.
- Alert the people in the vicinity to the danger as quickly as possible.
- Pull the fire alarm station and ask other people to assist in evacuation of the building.
- NEVER try to control a fire before campus police or the fire department have been notified.
- Instruct someone to call campus police at (903)675-6235 or 911 to report the emergency. If you are alone – call campus police or 911 prior to any attempt at extinguishing the fire.
- Extinguish or... Attempt to extinguish the fire ONLY if it is small enough to be contained AND you know how to use the extinguisher.
- Place yourself between the fire and an exit when using an extinguisher to prevent from being trapped.
- If the fire cannot be extinguished – EVACUATE! Use the stairways to exit the building. Do not use elevators. As you exit the building, close as many doors as possible. Closed doors act as fire barriers.
- Once outside, move to a safe meeting place away from the firefighters. Cooperate with the housing managers and other college emergency response staff to conduct roll of building occupants.
- The fire department should be notified if anyone is left in the building.
- Stay outside the building until the fire department and/or college officials have indicated that the building is safe to re-enter. Campus Police personnel will give the signal when it is safe for persons to re-enter the building.

If you are trapped

Stay Calm – you can take steps to protect yourself:

- If possible, go to a room with an outside window and a phone. Call campus police and give your exact location. If there is no phone – wave an object out the window (a sheet or jacket), to signal for help. Be ready to shut the window if smoke enters the room.
- Keep all doors between you and the fire closed. Cover all vents and seal cracks around the doors to keep out smoke.
- Be patient, trained rescue people will arrive to assist you.

For more fire safety information

Visit: www.tvcc.edu/police

Fire Safety System and Training

Fire Safety System

Trinity Valley Community College residence halls are protected by sprinkler, fire alarm and smoke detection systems which are monitored 24 hours a day, seven days a week by a paid monitoring service.

The Director of Student Housing and housing manager's inspections of all the residence halls before the beginning of each semester. During this process each room is inspected for any fire hazards (extension cords, piggy back power surge, unauthorized cooking appliances, candles, etc.)

Fire evacuation signs are posted each residence hall room.

Fire Safety Training

Faculty, staff and students should be aware of the location of fire safety equipment and building evacuation routes. For on-campus residents, fire evacuation plans and instruction are posted in each residential unit copies may be obtained through campus police.

Housing managers have fire safety training each semester. Fire safety information is discussed at the first meeting of the semester. The College has also designated Resident Assistant to assist with emergencies including building evacuations in their respective areas.

All TVCC community members are instructed to notify campus police, housing managers, and or their assigned CSA in the event of a fire in the residence housing.

Fire drills are also conducted each semester to ensure students understand emergency building evacuation procedures. Students must evacuate the building whenever an alarm sounds. Students who ignore evacuation instruction may be subject to judicial proceedings. Campus Police schedules 2 or more fire drills for each housing unit, per academic year.

Residence Hall Guidelines

Residence Hall Fire Safety at Trinity Valley Community College

There are a number of policies which address matters of health and safety in on-campus housing facilities.

Appliances allowed in the residence halls, provided they are in good condition and are approved, include:

- Coffee pots
- Hair dryers
- Stereos
- Televisions
- Radios
- Computers
- Small refrigerator (maximum is 2 cubic feet)
- Microwaves are permitted in the kitchenette area of Lucio Hall but not in the student's room

For health and safety reasons, the following items are prohibited in the halls:

- Microwave/toaster ovens
- Hot pots
- Air conditioning units/space heaters
- Hot plates
- Extension cords
- Propane stoves
- Hamburger cookers
- Steno stoves
- Candles and incense
- Oven broilers
- Open flame or electrical stoves/grills
- Hot oil popcorn poppers
- Halogen lamps

Residents of on-campus housing are expected to not:

- Overload electrical circuits
- Leave hairdryers or irons plugged in when not in use
- Touch fire sprinkler heads
- Use fireworks
- Hang flammable materials near your bed
- Ignore a fire drill
- Tamper with safety fixtures and devices

Housing Managers will conduct monthly health and safety inspections. Possession of prohibited items or the misuse of restricted items will result in the item(s) being confiscated by hall staff until the resident is able to properly remove the item(s) from the premises. Additionally, students are subject to judicial action.

Candles/Incense/Cooking

The possession or burning of candles, incense and other highly flammable items is prohibited. Fire safety regulations do not permit cooking in student rooms or the use or possession of, broiler ovens, hot plates, or other related appliances with exposed heating elements. Prohibited items are subject to confiscation.

Smoking

In order to ensure a safe, healthy and pleasant work, educational and living environment, the Trinity Valley Community College maintains rules and guidelines that limit smoking and the use of e-cigarettes on all college owned or leased property, smoking and the use of e-cigarettes is strictly forbidden.

Fire Log, Definitions and Fire Statistics

Police Daily Crime Log and Fire Log

The College Police Department provides a daily fire log for all reported fires that occur in on-campus housing facilities for the previous 60-day period. Fire logs are chronological lists of fires occurring in residence halls during a calendar year. The logs list the date, time, incident fire number, general location, nature of incident, cause, number of deaths, number of injuries requiring treatment, and dollar loss. These logs are available to any member of the public upon request. These logs are updated in accordance with federal regulations, within 2 business days of reported incidents. Any portion of the log older than 60 days will be made available within two days of a request for public inspection.

The daily crime log and fire log will be made available, in hard-copy format, to walk-in customers to TVPD's office located in the Math and Journalism building Suite M 105. TVPD Office is open to the public 365 days a year.

Definitions

- **Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

- **Cause of Fire:** The factor or factors that give rise to a fire. The casual factors may be but is not limited to the result of intentional or unintentional action, mechanical failure or act of nature.
- **Fire related Injury:** Any instance in which a person is injured as a result of a fire, including any injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from dangers of the fire. The term person may include students, employees, visitors, firefighters, or any other individuals.
- **Fire Related Death:** Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue or escaping from dangers of fire, or death that occurs within 1 year of injuries sustained as a result of the fire.

Fire Statistics Reporting Table for the Annual Fire Safety Report

Statistics and Related Information Regarding Fires in Residential Facilities for 2020

Residential Facilities	Total Fires in each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Cardinal Hall	0	N/A	N/A	N/A	N/A	N/A
Northeast Hall	0	N/A	N/A	N/A	N/A	N/A
Northwest Hall	0	N/A	N/A	N/A	N/A	N/A
South Hall	0	N/A	N/A	N/A	N/A	N/A
West Hall	0	N/A	N/A	N/A	N/A	N/A

Statistics and Related Information Regarding Fires in Residential Facilities for 2021

Residential Facilities	Total Fires in each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Cardinal Hall	0	N/A	N/A	N/A	N/A	N/A
Northeast Hall	0	N/A	N/A	N/A	N/A	N/A
Northwest Hall	0	N/A	N/A	N/A	N/A	N/A
South Hall	0	N/A	N/A	N/A	N/A	N/A
West Hall	0	N/A	N/A	N/A	N/A	N/A

Statistics and Related Information Regarding Fires in Residential Facilities for 2022

Residential Facilities	Total Fires in each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Cardinal Hall	0	N/A	N/A	N/A	N/A	N/A
Northeast Hall	0	N/A	N/A	N/A	N/A	N/A
Northwest Hall	0	N/A	N/A	N/A	N/A	N/A
South Hall	0	N/A	N/A	N/A	N/A	N/A
West Hall	0	N/A	N/A	N/A	N/A	N/A

Fire Safety Systems in Residential Facilities

2020							
Facility	Fire Alarm Monitoring	Full Sprinkler System	Heat or Smoke Detection	Fire Extinguisher Devices	Strobe Lights	Pull Stations	Number of Fire Drills
Cardinal Hall	Yes	Yes	Yes	Yes	Yes	Yes	2
Northwest Hall	Yes	No	Yes	Yes	Yes	Yes	2
Northeast Hall	Yes	Yes	Yes	Yes	Yes	Yes	2
South Hall	Yes	Yes	Yes	Yes	Yes	Yes	2
West Hall	Yes	Yes	Yes	Yes	Yes	Yes	2

2021							
Facility	Fire Alarm Monitoring	Full Sprinkler System	Heat or Smoke Detection	Fire Extinguisher Devices	Strobe Lights	Pull Stations	Number of Fire Drills
Cardinal Hall	Yes	Yes	Yes	Yes	Yes	Yes	2
Northwest Hall	Yes	No	Yes	Yes	Yes	Yes	2
Northeast Hall	Yes	Yes	Yes	Yes	Yes	Yes	2
South Hall	Yes	Yes	Yes	Yes	Yes	Yes	2
West Hall	Yes	Yes	Yes	Yes	Yes	Yes	2

2022							
Facility	Fire Alarm Monitoring	Full Sprinkler System	Heat or Smoke Detection	Fire Extinguisher Devices	Strobe Lights	Pull Stations	Number of Fire Drills
Cardinal Hall	Yes	Yes	Yes	Yes	Yes	Yes	2
Northwest Hall	Yes	No	Yes	Yes	Yes	Yes	2
Northeast Hall	Yes	Yes	Yes	Yes	Yes	Yes	2
South Hall	Yes	Yes	Yes	Yes	Yes	Yes	2
West Hall	Yes	Yes	Yes	Yes	Yes	Yes	2