



Texas Wesleyan  
UNIVERSITY

# Annual Security and Fire Safety Report

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January 1<sup>st</sup> 2020 – December 31<sup>st</sup> 2020



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## **INTRODUCTION**

The safety and security of all members of the university community are of paramount concern to Texas Wesleyan University. Through the teamwork of the university and campus community, Texas Wesleyan University consistently strives to be among the safest college campuses in Texas. We work to achieve this by developing a partnership with students, administrators, faculty, and staff.

The Texas Wesleyan University campus is reflective of the communities it serves and is not immune to societal problems. Preventing or reducing crime in any community is a tough job. Success in crime prevention and safety at Texas Wesleyan depends in large part on the education and participation of the campus community.

The campus community is provided information about safety programs and services, but individuals should be advised that they are responsible for their own security and safety. Each year the university publishes this annual report concerning campus security and crime statistics.

This document provides information for reporting crimes, important university policies and procedures, campus security, and support services for victims of crimes. It is the policy of Texas Wesleyan University to provide an environment conducive to an educational mission. Any conduct that is prohibited by state, federal, or local law is subject to discipline under the provisions of policies stated in Texas Wesleyan University Student Handbook, University Catalog, or Employee Handbook.

Pursuant to 20 United States Code Section 1092(f), also known as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act,” or the Clery Act, and the Code of Federal Regulations (CFR), each institution of higher education in the United States which participates in federal student aid programs must produce and distribute an annual report containing crime statistics and statements of security policy. Failure to provide required information or the inclusion of inaccurate information may result in fines up to \$35,000 per violation imposed by the U.S. Department of Education. The purpose of the Clery Act is to provide the campus community with accurate, complete and timely information about crime and the safety of the campus environment so they can make informed decisions to keep themselves safe.

### The Clery Act Legal Requirements

- Publish an annual report every year by October 1 that contains three (3) years of crime statistics and certain security policy statements including sexual assault policies.
- Disclose crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus, and certain non-campus facilities, including Greek housing and remote classrooms.
- The statistics must be gathered from campus police or security, local law enforcement, and other University officials who have “significant responsibility for students and campus activities.”
- Provide timely warning notices of those crimes that have occurred and pose an ongoing threat to students and employees.
- Disclose in a public crime log any crime that occurred on campus or within the patrol jurisdiction of the campus police and is reported to the campus police or security department.

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This publication, in keeping with the requirements of the Clery Act, is designed to aid in the cooperative effort of providing the public with specific information on campus security, crime statistics for the most recent three-year period, alcohol and drug use, crime prevention, security operations and authority, policies relating to reporting crime, and campus disciplinary procedures.

**POLICY STATEMENT FOR PREPARATION AND DISCLOSURE OF THE ANNUAL SECURITY REPORT**

The University's Campus Security Department and Director of Security in conjunction with the Dean of Students prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Input and guidance on preparation of the annual security report is compiled from the Title IX & Clery Compliance committee, comprised of representatives from Campus Security, the Division of Student Affairs including the Dean of Students office, Human Resources, and the University's general counsel.

The full text of this report can be located on the University's website at <https://txwes.edu/security/clery-act-reports/>. This report is prepared in cooperation with local law enforcement agencies surrounding our campus sites and the office of the Dean of Students.

Campus crime, arrest and referral statistics include those reported to Campus Security, University officials, campus security authorities, and local law enforcement agencies. Faculty, staff and students may confidentially report criminal or unethical behavior through the *Campus Conduct Hotline* by calling (866) 943-5787. More information regarding this service is available on the University's website.

At least once per semester, an e-mail notification is sent to all enrolled students, faculty and staff as notification of the report's availability. Printed copies of the report may also be obtained at the campus security office located in the Glick House, by emailing [security@txwes.edu](mailto:security@txwes.edu), or by calling security at (817) 531-4251 or (817) 531-4911 on the Texas Wesleyan University campus.

The office of Human Resources will notify all prospective employees by email to provide access to this report. The report will also be made to prospective employees by email to those seeking employment or submitting online resumes. Prospective employees may obtain a copy from the Office of Human Resources located at 1201 Wesleyan Street, in the O'Neal Sells Administration building, room 101, by emailing [hr@txwes.edu](mailto:hr@txwes.edu), or by calling (817) 531-4403. A copy of the report may also be obtained from the campus website at <https://txwes.edu/security/clery-act-reports/>.

At least once per semester, the Office of Admissions will notify by email all prospective students of the report's availability. Prospective students may obtain a copy of the report by contacting the Office of Admissions either in person in the Martin University Center, by emailing [admissions@txwes.edu](mailto:admissions@txwes.edu), or by contacting the office directly at (817) 531-4422. A copy of the report may also be obtained from the campus website at <https://txwes.edu/security/clery-act-reports/>.

A copy of this report is included in the [\*Student Handbook\*](#) which can be found online.

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### CAMPUS SECURITY

The department of Campus Security is located in Glick House at 3001 Avenue D, on the campus of Texas Wesleyan University. Campus Security provides uniformed security officers, safety and security services 24 hours a day, 365 days a year. Security maintains a staff consisting of a supervisor, dispatcher and patrol officers 24 hours a day. Officers patrol by foot, vehicle, and bicycle all areas of campus. Security may be reached at any time by calling (817) 531-4911.

Campus Security is dedicated to providing a safe and secure environment for the students, faculty, staff, and guests of Texas Wesleyan University. Security officers are licensed through the Texas Department of Public Safety Bureau of Private Security, and receive extensive training annually in emergency management, first aid/CPR, and non-violent crisis intervention.

#### Campus Security Mission Statement

The department of Campus Security works to facilitate the safety and security of the students, staff, faculty, visitors, and property of Texas Wesleyan University. Campus Security is a community service-oriented organization that promotes safety, security, and education. We are committed to a partnership with the campus community in which we pledge to provide high quality services to the University.

#### Campus Security Policy Statement

The safety and security of all students, faculty staff, guests, and visitors are of the utmost concern and priority of the administration of Texas Wesleyan University. In addition, the protection of personal and University property must be safeguarded continuously. To that end, the University has established the department of Campus Security. The University relies on the Fort Worth Police and Fire Departments for emergency response and other assistance.

#### Security Services

Campus Security provides the following services:

- Monitor and answer calls for assistance 24 hours a day, 365 days a year. Security can be reached at 817-531-4911.
- Patrol of the campus community to detect and deter criminal activity.
- Response to crimes in progress, medical emergencies, fires and public requests for assistance.
- Reporting of security and safety incidents.
- Maintaining the Daily Crime and Fire Log (which can be found online at [www.txwes.edu/security](http://www.txwes.edu/security)).
- Crime prevention programming and instruction.
- Vehicle assistance (dead batteries and flat tires).
- Escorts – Security will provide escorts 24 hours a day on campus to anyone with a safety concern or to anyone with a disability that needs assistance.
- Parking assistance and enforcement.
- Monitoring of emergency call boxes and campus camera system.
- Portable automated external defibrillator.

**POLICY STATEMENT FOR CAMPUS SECURITY/LAW ENFORCEMENT AUTHORITY**

Campus Security officers are outsourced and employed by the University's contract security service provider, Sunstates Security, and reports to the Director of Campus Security. Campus security is located in the Glick House at 3001 Avenue D, Fort Worth, Texas. 76105. Campus Security officers are on duty twenty-four hours a day, seven days a week.

Campus Security officers and University management have the authority to ask persons for identification and to determine whether individuals have lawful business at the University. Campus Security and/or the Fort Worth Police Department will respond, as appropriate, to all calls for assistance. Campus Security officers are unarmed and do not have police powers. Officers have the authority to issue parking tickets, which may be billed to student and employee accounts. Security officers do not possess the power of arrest. Criminal incidents are referred to the Fort Worth Police Department who have jurisdiction on the historical campus. All crime victims and witnesses are strongly encouraged to immediately report crime to Campus Security and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

Campus Security has a working relationship with local law enforcement agencies. Texas Wesleyan also employs Off-Duty Fort Worth Police Officers to patrol campus at various times during the day and for certain athletic events.

The Dean of Students administers student conduct matters.



## **POLICY STATEMENT FOR REPORTING CRIMINAL ACTIVITY**

In the event of an emergency situation, always contact the Fort Worth Police Department first, by calling 911.

In order to accurately include all crimes in our Annual Security Report, all University students, faculty, staff, and guests are encouraged to promptly report any criminal activity to Campus Security.

Campus Security may be contacted by calling (817) 531-4911. Campus Security will dispatch officers to speak with you and take a report at your request. Reports may also be made in person at the department of Campus Security located in the Glick House at 3001 Avenue D, Fort Worth, TX 76105.

Victims of off-campus crimes or incidents may also contact Campus Security, who will provide assistance in contacting the appropriate agency and providing referral information.

Any suspicious activity or person observed in parking lots or loitering around vehicles, buildings or residential halls should be reported immediately to Campus Security.

### Campus Security Authorities

The Clery Act also mandates that institutions must disclose statistics both for crimes reported to local police agencies or campus security and crimes reported to campus security authorities. Campus Security Authorities include the following:

- A member of a campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security, but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, the following positions:
  - Student Affairs and Resident Life personnel
  - Athletics Director and Coaching staff
  - Faculty Advisors, both academic and advisors to student organizations
- An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many people, students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

Those whose positions with the universities qualify them as Campus Security Authorities should note their obligation to report all criminal activity to Campus Security.

In addition, you may report a crime to the following areas:

- Director of Campus Security: (817) 531-4251
- Dean of Students: (817) 531-4872
- Confidential Reporting: (866) 943-5787

### Daily Crime Log

In accordance with Clery Act requirements, the department of Campus Security , maintains a daily crime log. The crime log is a printed report which contains information on all crimes reported to the Campus Security Department. The following information is made available:

- The date and time the crime occurred
- The nature of the crime
- The general location of the crime
- The disposition of the complaint, if known

Crime log information is recorded based on criminal offenses reported to Campus Security, regardless of the finding of a court, or lack of evidence for prosecution.

If a reported crime is determined to be “unfounded” (false or baseless – meaning that the offense neither occurred nor was attempted), then “unfounded” is the disposition that should be recorded for the case in the crime log. UCR protocol stipulates that a decision to “unfound” a complaint can only be made by the investigating police agency. The assignment of this disposition would be appropriate in an instance where the investigation has established that the initial report of the offense was fabricated.

The Crime Log contains data for the most recent 60-day period. The crime log is available online at the [Campus Incident Log](#) or by contacting the Director of Campus Security at (817) 531-4251, or in person at Campus Security in the Glick House at 3001 Avenue D.

Requests for log information older than 60 days can be requested and will be provided within two business days of the request.

**POLICY STATEMENT FOR VOLUNTARY CONFIDENTIAL REPORTING**

If you are the victim of a crime or a witness to a crime and do not want to pursue action within the University or the criminal justice system, you may still want to consider making a confidential report. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure future safety for you and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Faculty, staff, and students may confidentially report criminal or unethical behavior through the *Campus Conduct Hotline* by calling (866) 943-5787. More information regarding this service is available on the University's website.

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### **POLICY STATEMENT FOR COUNSELORS AND CONFIDENTIAL REPORTING OF CRIMINAL ACTIVITY**

Campus “pastoral counselors” and campus “professional counselors”, when acting as such, are not considered to be a Campus Security Authority and are not required to report crimes for inclusion in the annual disclosure of crime statistics. However, counselors should encourage, when they deem it appropriate, persons being counseled to follow the procedures to report crimes on a voluntary and confidential basis for inclusion in the annual crime statistics.

#### Definitions:

A pastoral counselor is an employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

A professional counselor is an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

The designated confidential resource for Texas Wesleyan University is:

<<Position Open>>

Counseling Center Director/Counselor

817/531.4859

**POLICY STATEMENT ADDRESSING CRIMINAL ACTIVITY OFF CAMPUS**

The department of Student Activities maintains contact with recognized University organizations. Campus Security does not provide security for off-campus locations that may be used by organizations or students. Organizations and students using off-campus locations should consult with local law enforcement in the affected area if needed. Campus Security will upon report or request assist by providing a person reporting criminal activity off campus with a referral or assistance in contacting the appropriate agency.

## **POLICY STATEMENT FOR THE ISSUANCE OF TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS**

This policy applies to the issuance of timely warnings and emergency notifications required by the Clery Act to all faculty, staff and students.

### Timely Warnings

The University will issue a Timely Warning for any Clery Act crime that occurs within its Clery defined geography that is:

- Reported to campus security authorities or local police agencies; **and**
- Is considered by the institution to represent **a serious or continuing threat** to students and employees.

Timely Warnings are not limited to violent crimes or crimes against persons. Timely warnings may be issued for threats to persons or to property.

Anyone with information warranting a timely warning should report the circumstances to one or more of the following offices by telephone, email or in person:

- Campus Security                      Glick House at 3001 Avenue D    (817) 531-4911
- Dean of Students                      Martin Center, Suite 230    (817) 531-4872

### *Decision to Issue a Timely Warning*

The decision to issue a Timely Warning will be considered on a case-by-case basis considering the following factors:

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

The decision to issue a Timely Warning will be made by the Director of Campus Security. If time permits, the decision will be made in consultation with the Vice President for Student Affairs/Dean of Students and the Vice President for Enrollment, Marketing, and Communications.

### *Method of Disclosure*

Timely Warnings will most commonly be disseminated through all-campus email to all students, faculty and staff. They will generally be titled "Timely Warning – Campus Crime Alert"

In addition, Timely Warnings may be sent through the Texas Wesleyan Alerts System and/ or posted as flyers in common areas of residential halls and academic buildings.

### *Timely Warning Content*

A "Timely Warning" will typically include the following:

1. Date and time or timeframe of the incident;
2. A brief description of the incident;
3. Information that will promote safety and potentially aid in the prevention of similar crimes
4. Suspect description(s) when deemed appropriate and if there is sufficient detail;
5. Campus Security and Fort Worth Police contact information; and
6. Other information as deemed appropriate by University administration.

## **Texas Wesleyan University**

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#### Emergency Notifications

The University is required to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus or on public property immediately adjacent to the University. This is accomplished through the Texas Wesleyan Alerts System. Texas Wesleyan Alerts is an automated system of sending emergency alerts by email, voice mail, phone calls, and text messages.

The Director of Campus Security will, upon receiving information that meets the criteria of an emergency notification, issue the Emergency Notification. Additionally, the Dean of Students, Human Resources, and Office of Communications have been trained in issuing Emergency Alerts. The Alerts will go out to all registered students, faculty and staff, by all means they have registered in the Alert System; email (required), voice call, and/or text message. The Office of Communications will also disseminate the alert through the university website in the form of an alert banner and update university social media (Facebook and Twitter.)

Regulations require that all enrolled students and current employees be added to the Texas Wesleyan Alert System. The system provides notification of university-related emergencies via telephone, email and text messaging options. To comply with this mandate, all Texas Wesleyan email addresses have been registered. If you wish to update your profile to receive the alerts in the form of a text message or telephone call, you can do so by logging into "Ramlink" or by a link located on the "Emergencies" page of the university website at <https://txwes.edu/security/emergency/>.

For those that do not wish to receive emergency notifications from the University, the mandate allows for them to unsubscribe. Each fall, all enrolled students and current employees are automatically registered again, which will require them to unsubscribe.

The Director of Campus Security will issue reminders regarding Texas Wesleyan Alerts, at least once per semester, to faculty, staff, and students. Reminders will include the need to update personal contact information. The Office of Human Resources will also request copies of any opt-out forms from the Registrar each semester.

## **POLICY STATEMENT FOR EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

Texas Wesleyan University has an emergency plan in place that will inform our students and employees about threats to their health and safety. This plan includes emergency response and evacuation procedures that are regularly tested and evaluated.

Each department is provided with an Emergency Information “flip chart”, which includes policies and procedures to be followed in the event of an emergency on campus. Training for emergency procedures is offered annually to all faculty and staff and conducted by the Director of Security.

In the event of an emergency on campus, the Texas Wesleyan Alert will contain important information on what to do. If the emergency is restricted to a particular area of campus or building, that information will be provided.

Generally, in the event of an emergency, you will be asked to perform one of three actions: **evacuate, shelter-in-place, or lockdown.**

- **Evacuate** – means to leave a particular building or area. Evacuation orders may be given for a single building, an area of campus, or all of campus. Examples of emergencies in which an evacuation may be ordered, include a fire or a gas leak. Evacuate to your designated evacuation area, in a calm manner, using the nearest available exit. Ensure that you are accounted for. Do not re-enter the evacuated area until an “All Clear” order is issued through Texas Wesleyan Alert, Campus Security, or emergency response personnel on the scene. Emergency evacuation locations for all buildings on campus may be found in the Emergency Information Flip Chart or on the Emergencies page of the university website at <https://txwes.edu/security/emergency/>.
- **Shelter-in-place** – means to seek shelter in the lowest interior space of the closest building. Take cover under desks or tables and cover your face and head. If available use a mattress for protection. Stay away from windows and exterior walls. A tornado warning is an example of emergency that would result in a “shelter-in-place” order being issued. Continue to shelter-in-place until an “All Clear” order is issued through Texas Wesleyan Alerts. The recommended shelter-in-place locations for each building on campus may be found on the Emergencies page of the university website at <https://txwes.edu/security/emergency/>.
- **Lockdown** – means to go to the nearest room or office, close doors, and lock if possible. If unable to lock the door, try to secure it or barricade it by other means. Stay away from all windows and doors. Turn off lights, silence cell phones and other audible devices, and remain quiet. No one should leave the secured room until an “All Clear” order is issued through Texas Wesleyan Alerts. Examples of emergencies where a “Lockdown” order may be issued include a hostage situation, civil disturbance, or active shooter on campus.

### Emergency Response Resources

The University has prepared an Emergency Information Flipchart that contains information on how to respond to a wide range of emergency situations that could occur on campus. The flipchart is available free of charge and can be obtained either in person at Campus Security by contacting Campus Security at (817) 531-4911. Additionally, the information is available in an interactive electronic version on the Emergencies page of the university website at <https://txwes.edu/security/emergency/>.



## **POLICY STATEMENT FOR FACILITY ACCESS AND SECURITY**

During normal business hours, the University (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees.

All campus residence halls are locked twenty-four hours a day. Residence Life Coordinators (live-in professional staff) and Resident Assistants (student staff) are available to provide assistance. Exterior doors are not to be propped open and left unattended under any circumstances. Additional policies are contained in the [Student Handbook](#), and are administered by the Dean of Students.

### Residence Hall Visitation Policy

Only residents, their guests and appropriate University personnel are allowed in the residence halls. All non-resident students and visitors in the residence halls must be accompanied by a resident of that building. All visitors must be signed into the Guest Log in the Hall Office. Visitors must also be signed out when they leave. Residents may visit other residents in any hall without leaving a photo ID or receiving a guest pass, but they must sign in to the Guest Log and be escorted by a resident of that hall; visitation policies apply.

### Visitation Hours and other Guidelines:

1. Monday–Thursday, and Sunday: Noon–Midnight  
Friday and Saturday: Noon–1 a.m.
2. Residents are responsible for seeing that their guests abide by all University policies while in the residence halls.
3. Visitors are permitted to park only in designated areas.

Academic buildings are secured each evening by Campus Security. The schedule of closings varies based on each building's normal hours of operation and scheduled activities. Unauthorized students or visitors are not allowed in buildings after hours. Campus Security will escort any unauthorized person from the building. Criminal trespass could result in arrest. Students needing access to buildings after hours must have a professor, or supervisor for student workers, send written permission to Campus Security via email. Students and student workers, faculty, and staff must provide photo identification before security will grant access. Contact Campus Security 817/531.4911 for details on gaining access to buildings after hours. Emergencies may necessitate changes or alterations to normal schedules.

The Facilities Operations department is responsible for maintaining campus facilities. This includes interior and exterior security lighting, monitoring equipment and other physical safety areas. Safety related issues may be reported by calling 817/531.4454.

## **POLICY STATEMENT FOR SECURITY AWARENESS PROGRAMS FOR STUDENTS AND EMPLOYEES**

The success of Campus Security depends on the support and assistance of the campus community. Any suspicious persons, behavior or activity must be reported promptly.

Students, faculty, and staff must ensure their safety and the safety of their property by practicing fundamental crime prevention techniques. To that end, Campus Security will provide orientation sessions at the beginning of the fall and spring semesters for students. These sessions will typically be held in conjunction with residence hall orientations. Security will also provide this information at transfer and graduate student orientation sessions. In addition, safety and crime prevention information will be published periodically in available campus publications.

Information usually covered in these sessions includes:

### Crime Prevention Tips

Following the precautions outlined in this section can substantially decrease your chances of becoming a victim of crime.

#### *General*

- Be aware! Recognize your vulnerability.
- Report all suspicious persons, vehicles and activities to the Campus Security Department immediately.
- Use the "buddy system" and watch out for your neighbor.
- Keep your doors locked whenever you find yourself alone in a building.
- Report lights that are out and any hazardous conditions immediately to the Facilities Operations Department.
- If you see someone being victimized, get involved and notify Campus Security.

#### *Walking*

- Avoid traveling alone at night.
- Confine walking to well-lit, regular traveled walks and pathways. Avoid shortcuts and keep away from shrubbery, bushes, alleyways, or any other areas where an assailant might be lurking.
- Avoid the athletic fields and tennis courts after dark.
- Do not accept rides from casual acquaintances.
- When walking to your vehicle or residence, have your keys ready in hand.
- When being dropped off by taxi or private vehicle, ask the driver to wait until you get inside.
- If threatened by an approaching vehicle, run in the opposite direction. The vehicle will have to turn around in order to pursue you.
- When getting out of a car, take a look around to make sure that you are not being followed.
- If you think you are being followed, cross the street and, if necessary, keep crossing back and forth. If you are pursued, call for help and run to a campus building, business, or residence, enlist the aid of a passerby, flag down a passing motorist, or as a last resort pull a fire alarm. Do anything that might attract attention or summon assistance. If you are walking alone and someone passes you, check to be sure that person has continued walking in the other direction.
- Call Campus Security at x4911 for Escort Service if walking alone at night.
- If you find yourself confronted by an assailant you must remember that while screaming and struggling may in some instances frighten off the assailant, in other instances you may further

antagonize the assailant and bring forth a more violent reaction. Above all, you must keep your head and assess the situation before choosing your course of action. Whether or not the assailant is armed or has made threats against your life should be a determining factor in your decision. The key word in this type of situation is survival.

#### *Athletic Facilities*

- Avoid using athletic facilities alone, especially after dark or during off-hours.
- Use the "buddy system." Work out with a friend, and make arrangements to leave the gym together.
- Confine your running and jogging to the daylight hours and to open, well-traveled areas. If you run or jog at night you must wear a reflective vest.
- Avoid showering alone in the locker room.
- In the women's locker room....
  - If there is another female in the locker room, ask her to wait for you. If you are with a male companion, ask him to wait for you just outside the locker room.
  - If you encounter an intruder in the women's locker room:
    - Call for help
    - Keep out of the intruder's way, and do not attempt to prevent him from leaving.
    - Formulate a description of the intruder in your mind.
    - Notify Campus Security by dialing x4911 on the campus phones.
    - Report all incidents of voyeurism to Campus Security immediately.

#### *Elevator*

- If, while waiting for an elevator, you find yourself alone with a stranger, let them take the elevator and wait for its return.
- If you are on an elevator with someone who makes you feel uneasy, get off at the next floor.
- Always stand near the control panel, where you have access to the alarm and floor buttons.
- Emergency phones are installed in all passenger elevators.

#### *Driving*

- Do not pick up hitchhikers.
- Whenever possible, limit traveling to well-lit, well-traveled roads.
- Keep your windows closed and doors locked.
- When stopped at traffic lights or stop signs, keep your vehicle in gear. If threatened, sound your horn and drive away as soon as possible.
- Consider installing an alarm system with a panic switch.
- Avoid stopping in poorly lit, out-of-the-way places.
- If your vehicle breaks down, signal for assistance by raising the hood and by tying a white handkerchief to the radio antenna or door handle. Stay inside your vehicle with the windows closed and the doors locked. If a roadside Samaritan stops, roll down your window just enough to talk and ask that he/she call the police. If the person appears to be a threat, sound the horn and flash your lights.
- If you think you are being followed, keep out of isolated areas. Look for a place where there are people, then stop and let the vehicle pass you.
- If the vehicle continues to follow, drive to the nearest location where you can get assistance, i.e., gas stations, shopping centers, police or fire station, etc.

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- If you are followed into your driveway or parking lot, stay locked inside your vehicle until you can identify the occupants of the vehicle. If threatened, sound your horn until you attract attention or the vehicle leaves.
- When parking at night, choose well-lit areas. Before getting out of your vehicle, check for people loitering.
- Always remove your ignition keys. Lock the vehicle whenever it is unattended.
- Before entering your vehicle, always check the interior, paying particular attention to the floor and rear seat.
- For escorts to and from your vehicle, dial 817/531.4911.

#### *Rape/Sexual Assault*

- The University has established a prescribed procedure to assist and support victims of rape or sexual assaults. Campus Security will assist you in obtaining medical, counseling, and police services.
- You are encouraged to report immediately any incidents of this nature by dialing 817/531.4911 even if you do not wish to pursue the matter further. Keep in mind that an assailant who is allowed to go free is a potential future danger, not only to you but also to other members of the community.
- All information that you give will be held in the strictest confidence in accordance with our own policy as well as by Texas state law. If you wish to report information concerning a rape or sexual assault anonymously, you may do so.
- When you report a rape or sexual assault, you may choose to file charges through the District Attorney's office or not at all. If you choose to file charges, Campus Security will assist you in every way, but no action will be taken without your expressed consent.
- Every situation will be different. Therefore, we cannot provide any specific rules as to what to do or not to do if you are faced with a threat. Only you can make the determination as to the appropriate course of action.
- If you think you are being followed, you can call out for assistance and run to a lighted building or residence; enlist the assistance of a passerby or flag down a passing vehicle, break a window in a building or residence or pull a fire alarm. Do anything that might attract attention or summon assistance.
- If you find yourself confronted by an assailant you must remember that, while screaming and struggling may in some instances frighten off an assailant, in other instances such action may further antagonize an assailant and bring forth a more violent action.
- There are many services available to victims of rape and sexual assault, and you are encouraged to use all support services.
- Additional information and resources can be found at [www.txwes.edu/titleix](http://www.txwes.edu/titleix).

#### *Protect Your Property*

Larcenies are crimes of opportunity and occur primarily when property is left in unlocked or in unattended areas. In an attempt to alleviate this problem, Campus Security makes the following suggestions:

##### Residence halls and private residences

- Keep the door(s) to your room or residence and windows locked at all times.
- Report defective campus locks on windows and doors immediately to the Facilities Operations Department at 817/531.4454.

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- Never sleep in an unlocked room or house.
- Do not put your name or address on key rings.
- Do not keep your room or residence and vehicle keys on the same ring.
- If you lose the keys to your residence, have the lock(s) changed. On campus residents should notify Residence Life immediately.
- Women living alone should not use prefixes "Ms.," "Miss," or "Mrs." On their doors or mailboxes. Instead, use the first initial and last name. This is also advisable for telephone directory listings.
- Do not study in poorly lit or secluded areas.
- Require callers to identify themselves before opening your door. Campus and non-campus residents should require official identification from all repair or service personnel.
- Do not let strangers in to use your telephone. Direct them to a public telephone.
- If you receive obscene or harassing telephone calls or several calls with no one on the other end, immediately notify Campus Security or the Fort Worth Police Department.
- If you find that your room has been entered, do not go inside. Go to a neighbor and call Campus Security. If you are already inside, do not touch anything. You may disturb evidence that is important to the police investigation.
- If an intruder awakens you in your room, do not try to apprehend them. They may be armed or may easily arm themselves with something inside the room. If they pose an immediate threat, get out of the room.
- If you see a suspicious person or vehicle on campus or in your neighborhood, immediately contact Campus Security. Try to get the license plate number.
- Students in private residences should consider installing "peep holes" and intruder chains on outside doors. Also, if returning after dark, leave a light on at the entrance to your residence.
- Students living in campus housing are not allowed to block open doors to residence halls or other buildings or use of fire exit doors is in violation of fire code.
- Do not allow strangers to follow you into your residence hall.
- Be cautious when using bathroom facilities when there is no one else around, particularly at night.

#### Offices and laboratories

- Keep all offices and laboratories locked when not in use.
- Make sure that all locking devices are in proper working order.
- Utilize a key control system. All department keys should be signed out and collected when not in use. Keys should be issued only when absolutely necessary.
- Do not label keys with their use. Use a code system instead.
- Keep desks, cabinets, etc., locked when not in use.
- Laptops and other portable office machines should be bolted or locked down. Smaller items, such as calculators, tape recorders, etc., should be kept locked up when not in use.
- Avoid bringing valuable personal property with you.
- Petty cash should be kept to a minimum.
- Women should keep their purses locked up, and men should not hang up coats or jackets with wallets or other valuables in the pockets.
- Before leaving, check to make sure that no one is hiding and that your area is properly secure.
- Help protect yourself and others around you. If someone forgets to secure his/her area or property, keep an eye on it.
- Report all suspicious persons or improperly secured areas to Campus Security immediately.

### Motor Vehicles

- Report all suspicious persons or vehicles around parking areas to Campus Security immediately.
- Keep your vehicle locked and the windows rolled up tightly.
- Never leave your vehicle running when unattended.
- When parking, choose a well-lit, heavily traveled area.
- Packages, luggage, and other valuables should be locked in the trunk.
- Stereos and other electronic equipment should be mounted either out of sight or with slide-out brackets. These brackets will permit the removal of the unit and allow you to take the unit with you or to put it in the trunk when the vehicle is unattended. C.B. radio antennas should be magnetic or detachable, and should be stored in the trunk or taken with you.
- Consider having your vehicle ignition, doors, and trunk keyed differently.
- Keep spare keys in your wallet or purse, not inside the vehicle where a thief can easily find them.
- Consider the installation of anti-theft devices such as alarm systems, hidden ignition or fuel "kill" switches, steering column ignition switch protectors, steering wheel to brake pedal bar caps, mag wheels, spare tires, etc.
- Keep a record of your vehicle identification number (VIN), registration plate number, and title certificate number.

### Bicycles

- Invest in a good U-Bar bicycle lock.
- Always lock your bicycle. Bicycles should be locked around the frames to an object such as a telephone pole, sign or lamppost, bicycle rack, etc.
- If you must leave your bicycle outside, choose a well-lit, heavily traveled location.
- Find out if your bicycle is covered under your parents' insurance policy. If not, it would be advisable to insure it.

### What You Can Do

- Your involvement is essential to the prevention of crime on campus. Disinterest and complacency are the prime contributors to the success of crime. The burden of crime prevention rests not only with Campus Security but also with each member of the Texas Wesleyan community.
- Campus Security cannot be everywhere at once and are, therefore, dependent upon you to recognize and report incidents of suspicious and criminal activity. The extent of your cooperation will greatly influence Campus Security's effectiveness in combating crime. Doing your part means:
  - Being aware of your vulnerability and following the suggestions outlined in this handbook to protect yourself and your property.
  - Being alert for suspicious or criminal activity and conditions that may represent a hazard to the community.
  - Getting involved by becoming more security conscious and by reporting all incidents of suspicious or criminal activity, no matter how insignificant, to Campus Security immediately.
- Remember that unreported crimes cannot be solved and that, by not reporting crimes, you allow the perpetrators to commit additional and perhaps more serious crimes. Many times crime solving depends upon how accurately and promptly the incident is reported.

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- It is important that you be able to provide as much of the following information as possible:
  - The nature of the incident.
  - When and where the incident occurred.
  - Number of persons involved (names, sex, race, age, height, hair style/color complexion, distinctive characteristics, i.e. facial features, scars, physical defects, glasses, clothing, etc.).
  - Direction and method of travel.
  - Vehicles involved (color, type, make, model, license plate number and state, distinctive characteristics, i.e., decals, bumper stickers, damage, number of occupants, etc.).
  - Description of stolen property (item, manufacturer, model number, serial number, value, color, dimensions, etc.).
  - Any other applicable information.

At least once annually Campus Security will provide several training sessions mandated for faculty and staff, and open to students, that covers the emergency response information detailed in the Emergency Information Flipcharts. These sessions are scheduled on different days and times to accommodate as the varying faculty and staff work schedules.

Campus Security will accommodate any request for training or additional information.

**POLICY STATEMENT FOR CRIME PREVENTION PROGRAMS FOR STUDENTS AND EMPLOYEES**

The University, through Campus Security, Division of Student Affairs, residence hall programs, Human Resources, and University counselors, sponsors crime prevention programs that are open to all students and employees.

In addition, Campus Security distributes a newsletter every December addressing crime prevention during winter break and every May addressing crime prevention during summer break.

A newsletter will also be sent out in September and February to all faculty, staff, and students addressing crime prevention and personal safety in the office, classroom, residence halls and the general campus community.

Once a year, Campus Security in coordination with the Fort Worth Police Department, hosts a vehicle window etching program. In this free service, the Fort Worth Police etch a personal identification number into the glass of your vehicle's windows. This program makes helps to deter auto theft by making your vehicle easily identifiable and difficult to sell for stolen parts.

Campus Security also has a personal property etching program. In this free service, Campus Security will use an engraving tool to engrave a personal identification number onto your personal property. An engraved personal identification number along with recording of property serial numbers help to deter theft and provide a better chance of recovering your property if it is stolen.



**POLICY STATEMENT FOR ALCOHOL AND ILLEGAL DRUG ABUSE OR POSSESSION**

The University prohibits the possession, use or distribution of alcohol on campus with the exception of specified locations on campus under specific conditions. Please see the [Student Handbook](#) and [Employee Handbook](#) for details on the alcohol policy.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. It is also a violation of the *University Alcohol Policy* for anyone to consume or possess alcohol in any public or private area of campus without prior University approval. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.

The use, possession, presence, sale and/or distribution of illegal drugs (those specified as illegal by federal, state and local laws) and/or drug paraphernalia on and off campus will lead to disciplinary action and/or criminal action. Special efforts are made to keep drugs off campus and to prevent the distribution or sale of illegal drugs on campus.

The University provides drug/alcohol counseling, treatment and rehabilitation programs for students and University employees. Resources include the Director of Health Services located in the West Village, Building 1, room 110 and University counselors located in Counseling Center located at 3112 E. Rosedale Street.

**POLICY STATEMENT OF PREVENTION OF ALCOHOL ABUSE AND DRUG USE ON CAMPUS AND IN THE WORKPLACE**

Drug-Free Schools and Communities Act

Texas Wesleyan University

Spring 2020

The Drug-Free Schools and Communities Act (DFSCA) of 1989 - also known as the Drug-Free Schools and Campuses Act - requires institutions of higher education to establish policies that address unlawful possession, use, or distribution of alcohol and illicit drugs. The DFSCA also requires the establishment of a drug and alcohol prevention program (DAAPP). This document must describe:

- a. The annual distribution to each employee, and to each student who is taking one or more classes for any type of academic credit except for continuing education units, to report on the following:
  - i. Standards of conduct that clearly prohibit at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;
  - ii. Legal sanctions under federal, state, and local law for the unlawful use, possession, or distribution of illicit drugs and alcohol;
  - iii. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
  - iv. A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
  - v. A clear statement that Texas Wesleyan University will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by paragraph (a)(i) of this section.
  
- b. A biennial review by Texas Wesleyan University of its program to:
  - i. Determine its effectiveness and implement changes to the program if they are needed; and
  - ii. Ensure that the disciplinary sanctions described in paragraph (a)(v) of this section are consistently enforced.

*Distribution of Report*

All members of the Texas Wesleyan University community are encouraged to review the information on the following pages. This document will be included in the Texas Wesleyan University Annual Security Report (ASR) and distributed annually via electronic media to all current students and employees. It will also be distributed along with ASR to all prospective students and employees. At least once per semester, an e-mail notification is sent to all enrolled students, faculty and staff, and prospective students and employees of the report's availability. Please contact the Division of Student Affairs (via phone at (817) 531-4872, via email at [deanofstudents@txwes.edu](mailto:deanofstudents@txwes.edu), or in person in the Student Affairs suite on the first floor of the Brown-Lupton Center) for additional information and resources.

The responsibilities to distribute DFSCA and DAAPP via the ASR will be as follows:

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- a. Current employees
  - i. Includes all faculty and staff members at Texas Wesleyan University including adjunct faculty and temporary staff appointments.
  - ii. Will be notified via email by the Division of Student Affairs at least once a year on or before October 1<sup>st</sup>.
  - iii. Hard copies of the ASR will be made available through the Division of Student Affairs.
  - iv. Independent of the ASR, the DFSCA and DAAPP report will be made available through the Texas Wesleyan University website.
- b. Current students
  - i. Includes all individuals who are taking one or more classes for any type of academic credit except for continuing education units and regardless of length of program of study.
  - ii. Will be notified via email by the Division of Student Affairs at least once a year on or before October 1<sup>st</sup>.
  - iii. Hard copies of the ASR will be made available through the Division of Student Affairs.
  - iv. Independent of the ASR, the DFSCA and DAAPP report will be made available through the Texas Wesleyan University website.
- c. Prospective Employees
  - i. Includes all individuals who contact Human Resources about an open position, job posting, or application for employment.
  - ii. Applicants will be notified by application verification email after employment application has been submitted through the applicant tracking system. Email will include ASR pdf and link to ASR on our website and include the Associate Vice President of Human Resources signature. Hard copies of the ASR will be made available through the Division of Student Affairs.
  - iii. Independent of the ASR, the DFSCA and DAAPP report will be made available through the Texas Wesleyan University website.
- d. Prospective Students
  - i. Includes all individuals that are considered to be prospective students including those that contact the University, applicants, and individuals whom the University contacts to encourage applying.
  - ii. Prospective undergraduate students will be notified, via email and by written publication, by the Office of Admissions at least once a semester.
  - iii. Prospective graduate students will be notified, via email or by written publication, by the Office of Admissions at least once a semester.
  - iv. Prospective international students will be notified, via email or by written publication, by the Office of International Programs at least once a year on or before October 1<sup>st</sup> of each year.
  - v. Prospective student communications and publications will include information directing individuals to the online ASR.
  - vi. Hard copies of the ASR will be made available through the Division of Student Affairs.
  - vii. Independent of the ASR, the DFSCA and DAAPP report will be made available through the Texas Wesleyan University website.

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### *Section a.i: Standards of Conduct*

Texas Wesleyan University supports and endorses the Federal Drug-Free Workplace Act of 1988 (41 USC § 701 et seq.) and the Drug-Free Schools and Communities Act amendments of 1989 (20 USC § 1145(g)).

According to this policy, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol on property owned or controlled by the University or as part of any University sponsored programs off-campus is prohibited, except as noted within the policy as provided in section 7.19 of the Texas Wesleyan University [Employee Handbook](#).

Pursuant to these Acts, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or abuse of alcohol (as defined in these Acts) by an employee or student on University property or as part of any University activities is prohibited. Any student or employee of the University found to be abusing alcohol or using, possessing, manufacturing, or distributing controlled substances in violation of the law on University property or at college events shall be subject to disciplinary action in accordance with applicable policies of the University.

For employees, the University will take appropriate personnel action for such infractions, up to and including termination as set forth in the Employee Handbook, Section 7.1.3 addresses Drug Screening; Section 7.19 addresses Drug Free Environment; and Appendix N addresses the university alcohol policy.

Students who violate this policy will be subject to sanctions as set forth in the [Student Handbook](#) for Alcohol and Drug/Substance Abuse, Section VII. The Code of Student Conduct which include policies for suspension and expulsion from the University.

As a condition of their employment, all employees shall abide by the terms of the Employee Handbook, 41 USC § 701 et seq., and 20 USC § 1145(g). All employees must notify the University of any criminal drug conviction for a violation occurring in the workplace no later than five days after such conviction. In this context a “controlled substance” means any substance listed in schedules I through V of Section 202 of the Controlled Substances Act (21 USCS Section 812). “Convictions” include nolo contendere, and “criminal statutes” include state and federal prohibitions against the manufacture, distribution, dispensation, possession or use of any controlled substance. Any employee convicted of a violation of the drug free workplace policy will be subject to disciplinary action, which may include termination of employment or required participation in a drug free assistance or rehabilitation program approved by the federal, state or local health, law enforcement or other appropriate agency. Note: The University has an alcohol policy for University-sponsored functions and events. That policy is contained in Appendix N and must be followed by all employees.

### *Section a.ii: Legal Sanctions*

Federal and Texas state laws prohibit the use of illicit drugs and actions related to the abuse of alcohol. Summarized below are the general federal and state laws relating to drugs and alcohol.

#### **Federal Law**

In 1984, the [National Minimum Drinking Age Act](#) (Public Law 98-363) was passed. The following table summarizes the federal drug trafficking penalties.

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (Except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine	First Offense: Not less than 5	Cocaine	First Offense: Not less than

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	500-4999 grams mixture	yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. Or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. <b>Second Offense:</b> Not less than 10 yrs. And not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kilograms or more mixture	10 yrs. And not more than life. If death or serious bodily injury, not less than 20 yrs. Or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
II	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture	PCP 100 grams or more pure or 1 kilogram or more mixture		
<b>Substance/Quantity</b>		<b>Penalty</b>		
Any Amount Of Other Schedule I & II Substances		<b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. Or more than Life. Fine \$1 million if an individual, \$5 million if not an individual. <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Any Drug Product Containing Gamma Hydroxybutyric Acid Flunitrazepam (Schedule IV) 1 Gram or less		<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
Any Amount Of Other Schedule III Drugs		<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		
Any Amount Of All Schedule V Drugs		<b>First Offense:</b> Not more than 10 yrs. Or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual. <b>Second Offense:</b> Not less than 20 yrs. Or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.		
<b>Federal Trafficking Penalties for Marijuana, Hashish, and Hashish Oil, Schedule I Substances</b>				
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants		<b>First Offense:</b> Not less than 5 yrs. Or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. Or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual. <b>Second Offense:</b> Not less than 10 yrs. Or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.		
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants		<b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. Or more than life. Fine \$1 million if an individual, \$5 million if other than an individual. <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.		
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants				
Hashish More than 10 kilograms				

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Hashish Oil More than 1 kilogram	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants	
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

**Texas State Law**

- i. [Alcoholic Beverage Code Title 4. Regulatory and Penal Provisions Chapter 101.](#) General Criminal Provision
- ii. [Alcoholic Beverage Code Chapter 106.](#) Provisions Relating to Age
- iii. [Health & Safety Code Subtitle H. Public Health Provisions Chapter 161. Public Health Provisions Subchapter E: reports of gunshot wounds and Controlled Substance overdoses, section 161.042 – 161.403](#)
- iv. [Health & Safety Code Subtitle C. Substance Abuse Regulation and Crimes Chapter 481.](#) Texas Controlled Substances Act
- v. [Government Code Chapter 2113. Use of Appropriated Money; Subchapter A.](#) General Provisions

An act or failure to act which results in a violation of the code or rules that represents a threat to the public health, safety, or welfare will be assessed sanctions and penalties as follows:

Description	Minimum Punishment	Maximum Punishment
Driving while intoxicated (includes intoxication from alcohol, drugs, or both.	License suspension of at least 60 days. Jail term no more than 180 days and fine up to \$2,000	Imprisonment up to 10 years and fine up to \$10,000
Public intoxication	A fine not to exceed \$500	Varies with age and number of offenses
Purchase of alcohol by a minor	A fine not to exceed \$500. Varies with number of offenses.	At least 8 hours of community service, 30 day license suspension
Consumption or possession of alcohol by a minor	A fine not to exceed \$500. Varies with number of offenses.	At least 8 hours of community services, 30 day license suspension, mandatory alcohol-awareness class
Providing alcohol to a minor	A fine not to exceed \$4,000 or confinement in jail for no more than one year, or both.	If binge drinking was involved: 180 day license suspension, 20 – 40 hours of community service, mandatory alcohol-awareness class

Note: Penalties may be increased or enhanced for prior offenses and/or offenses within 1000 feet of a public school.

Sale to Minors

It is a Class A Misdemeanor to sell an alcoholic beverage to an individual under 21 years of age through an act of criminal negligence.

Public Intoxication Statute of Texas

An arrest for Public Intoxication (P.I.) may occur if an individual appears in a public place while intoxicated so much that the person may endanger himself or herself or another person. This is a Class C misdemeanor. Blood Alcohol Concentration testing is not required for P.I.

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#### Purchase of Alcohol for a Minor; Furnishing Alcohol to a Minor

It is a Class A Misdemeanor to purchase or make available an alcoholic beverage to an individual under 21 years of age through an act of criminal negligence. This offense is punishable by a fine of up to \$4,000 and/or confinement in jail for up to one year. A person's driver's license is automatically suspended for 180 days on final conviction of the offense of Purchasing Alcohol for a Minor or Furnishing Alcohol to a Minor.

#### Civil Liability for Provision of Alcohol to a Minor

An adult 21 years of age or older is liable for damages proximately caused by the intoxication of a minor under the age of 18 if the adult is not the minor's parent, guardian, or spouse; or an adult in whose custody the minor has been committed by a court; and the adult knowingly served or provided the minor any of the alcoholic beverages that contributed to the minor's intoxication; or allowed the minor to be served or provided any of the alcoholic beverages that contributed to the minor's intoxication on the premises owned or leased by the adult.

#### Possession of Alcoholic Beverage in Motor Vehicle

It is a Class C Misdemeanor to knowingly possess an open container in a passenger area of a motor vehicle that is located on a public highway, regardless of whether the vehicle is being operated or is stopped or parked.

#### Driving While Intoxicated; Flying or Boating While Intoxicated

It is a Class B Misdemeanor to operate a motor vehicle, aircraft, or watercraft in a public place while intoxicated. The minimum term of confinement is 72 hours. An ignition interlock device will have to be installed on the car of a person convicted of driving with a blood alcohol level of .15 or more, if the defendant is to receive probation.

#### Intoxication Assault

It is a third degree felony to cause serious bodily injury to another by accident or mistake while operating any vehicle (motor, aircraft, or watercraft) in a public place while intoxicated.

#### Intoxication Manslaughter

It is a second degree felony to cause death to another by accident or mistake while operating any vehicle (motor, aircraft, watercraft) in a public place while intoxicated.

#### Administrative License Revocation; Implied Consent

After being arrested for Driving While Intoxicated, failing or refusing the Blood Alcohol Concentration (BAC) test can result in license revocation. Revocation may NOT be probated and there is a \$125 reinstatement fee. An appeal process is available. The following penalties apply:

▪ **Terms of Offense- Adults**

○ Failure Case

90 days with no alcohol or drug related “enforcement contacts” listed on driving record within ten years prior to date of the offense. 1 year with one or more alcohol or drug related “enforcement contacts” listed on driving record prior to date of offense within ten years of date of the offense.

Refusal Case

180 days with no alcohol or drug related “enforcement contacts” listed on driving record within ten years prior to date of the offense. Two years with one or more alcohol or drug related “enforcement contacts” listed on driving record prior to date of offense within ten years of date of the offense.

If the person who refuses is a resident without a license, an order will be issued denying the issuance of a license to the person for 180 days.

▪ **Terms of Offense – Minors**

Minors are subjected to the same length of suspension as adults for refusing a blood or breath test. Failure of a blood or breath test by a minor, however, is a 60-day license suspension with no “enforcement contacts,” a 120-day license suspension with one prior “enforcement contact” or a 180-day license suspension with two or more “enforcement contacts.” Keep in mind that any detectable amount of alcohol for a minor is a failure. Even if a minor refuses a breath or blood test, but alcohol is detected by other means, the minor is subjected to the failure suspension periods rather than the refusal suspension periods.

Consumption of Alcohol by a Minor; Possession of Alcohol by a Minor

It is a misdemeanor for minors to consume or possess alcoholic beverages except in the visible presence of the minor’s adult parent, guardian, or spouse.

Purchase of Alcohol by a Minor; Attempt to Purchase Alcohol

It is a misdemeanor for individuals under 21 years of age to attempt purchasing alcoholic beverages. “Attempt” implies acting beyond mere preparation.

Misrepresentation of Age by a Minor

It is a misdemeanor to falsely state or to present false documents indicating an individual is 21 years of age or older to a person selling or serving alcoholic beverages.

Punishment for the above Alcohol-Related Offense by a Minor

For a minor without two previous alcohol-related offenses, these are Class C misdemeanors. Punishment includes 8 to 12 hours community service and denial or suspension of the minor’s driver’s license or permit for 30 days. Attendance at an Alcohol Awareness Course is also required.

If a minor has at least two prior alcohol-related convictions, the offense is punishable by a fine of \$250 to \$2,000; and/or confinement in jail for up to 180 days. Punishment includes 20 to 40 hours of community service.



The minor's driver's license or permit will be denied or suspended: 60 days for a 2<sup>nd</sup> alcohol related conviction; 180 days for subsequent convictions.

Attendance at Alcohol Awareness Course; License Suspension

On first conviction of an alcohol-related offense, the court shall require the minor to attend an alcohol awareness course approved by the Texas Alcohol and Drug Abuse Commission. If under 18 years of age, a parent or guardian may be required to attend the course with the defendant. The defendant must present evidence of completion of the course and community service within 90 days of the date of final conviction. If the required evidence is presented within the prescribed period, the fine may be reduced up to half the original amount. Failure to comply results in denial or suspension of driver's license or permit for up to six months.

Driving Under the Influence of Alcohol by a Minor

A minor commits an offense if the minor operates a motor vehicle in a public place while having any detectable amount of alcohol in the minor's system. For a minor without previous alcohol related offenses, these are Class C misdemeanors. Punishment includes 20 to 40 hours of community service and denial or suspension of driver's license or permit for 60 days. If a minor has at least two prior alcohol-related convictions, the offense is punishable by a fine of \$500 to \$2,000; and/or confinement in jail for up to 180 days. Punishment includes 40 to 60 hours community service. The minor's driver's license or permit will be denied or suspended: 120 days for 2<sup>nd</sup> alcohol-related conviction; 180 days, for subsequent convictions. The minor is not eligible for deferred adjudication.

*Section a.iii: Health Risks*

Abuse of alcohol and use of drugs is harmful to one's physical, mental and social well-being. Accidents and injuries are more likely to occur if alcohol and drugs are used. Alcohol and drug users can lose resistance to disease and destroy their health. Tolerance and psychological dependence can develop after sustained use of drugs.

Alcoholism is the number one drug problem in the United States. Alcoholism takes a toll on personal finances, health, social relationships and families. It can have significant legal consequences. Abuse of alcohol or use of drugs may cause an individual driving a motor vehicle to injure others and may subject the abuser to criminal prosecution. Drunk drivers are responsible for more than half of all traffic fatalities.

The use of any illicit drug or abuse of alcohol is potentially hazardous to your health. Faculty, staff, and students should evaluate the health risks associated with use of illicit drugs or abuse of alcohol. Synthetically produced drugs may contain impurities and the true amounts and ingredients are rarely known. The effects of a drug may be significantly different with each use.

The U.S. Drug Enforcement Administration states: "The illegal importation, manufacture, distribution, and possession and improper use of controlled substances have a substantial and detrimental effect on the health and general welfare of the American people."

According to Ralph W. Hingson, SC.D., Professor of Social Behavioral Sciences and Associate Dean for Research at Boston University School of Public Health, "The harm that college students do to themselves and others as a result of excessive drinking exceeds what many would have expected." [NIH](#)

[News Release – College Drinking Hazardous to Campus Communities Task Force Calls for Research-Based Prevention Programs](#)

The National Institute of Alcohol Abuse & Alcoholism (NIAAA) provides comprehensive information and resources associated with alcohol abuse. Some of the major health risks of alcohol abuse include alcohol dependence, lasting effects on the brain, sexual assault, and suicide.

- i. Visit <http://www.niaaa.nih.gov/> for more information.
- ii. For college students in particular, visit <http://www.collegedrinkingprevention.gov/>.
- iii. Health risks associated with alcohol and other drugs are indicated in the following table: (Visit <http://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm> and <http://www.dea.gov/druginfo/factsheets.shtml> for more specific drug information)

Alcohol			
<b>Short-Term Health Risks</b>	<ul style="list-style-type: none"> <li>▪ Injuries: Such as motor vehicle crashes, falls, drowning, etc.</li> <li>▪ Violence: Including homicide, suicide, sexual assault, and intimate partner violence.</li> <li>▪ Alcohol Poisoning: A medical emergency that results from high blood alcohol levels.</li> <li>▪ Risky Sexual Behaviors: Including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted infections and diseases, including HIV.</li> <li>▪ Miscarriage and stillbirth or fetal alcohol spectrum disorders among pregnant women.</li> </ul>		
<b>Long-Term Health Risks</b>	<ul style="list-style-type: none"> <li>▪ High blood pressure, heart disease, stroke, liver disease, and digestive problems.</li> <li>▪ Cancer of the breast, mouth, throat, esophagus, liver, and colon.</li> <li>▪ Learning and memory problems, including dementia and poor school performance.</li> <li>▪ Mental health problems, including depression and anxiety.</li> <li>▪ Social problems, including lost productivity, family problems, and unemployment.</li> <li>▪ Alcohol dependence or alcoholism.</li> </ul>		
Other Drugs			
Substance/Drug	Physical Dependence	Psychological Dependence	Possible Effects, Overdose, and Withdrawal
Heroin	High	High	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea
Morphine	High		
Codeine	Moderate	Moderate	
Other Narcotics (Percodan, Darvon, Talwin, Percocet, Opium, Demerol)	High-Low	High-Low	Slow and shallow breathing, clammy skin, convulsions, coma, possible death  Yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, runny nose, chills and sweating, watery eyes
Barbiturates (Amytal, Nembutal, Phenobarbital, Pentobarbital)	High-Moderate	High-Moderate	Slurred speech, disorientation, drunken behavior without odor of alcohol
Benzodiazepines (Ativan, Diazepam, Librium, Xanax, Valium, Tranxene, Versed, Halcion)	Low	Low	Shallow respiration, clammy skins, dilated pupils, weak and rapid pulse, coma, possible death
Methaqualone	Moderate	Moderate	Anxiety, insomnia, tremors, delirium, convulsions, possible death
GHB			
Rohypnol			
Other Depressants	Moderate	Moderate	Increased alertness, increased pulse rate and blood pressure, loss of appetite, euphoria, excitation, insomnia  Agitation, increased body temperature, hallucinations, convulsions, possible death  Apathy, long periods of sleep, irritability, depression,
Cocaine	Possible	High	
Amphetamine	Possible	High	
Methamphetamine	Possible	High	
Ritalin	Possible	High	
Other Stimulants	Possible	High	

			disorientation
Marijuana	Unknown	Moderate	Euphoria, relaxed inhibitions, increased appetite, disorientation
THC, Marinol	Unknown	Moderate	
Hashish	Unknown	Moderate	
Hashish Oil	Unknown	Moderate	Fatigue, paranoia, possible psychosis Occasional reports of insomnia, hyperactivity, decreased appetite
LSD	None	Unknown	Illusions and hallucinations, altered perception of time and distance
Mescaline & Peyote	None	Unknown	
Psilocybin Mushrooms	None	Unknown	
Ecstasy (MDMA)	Unknown	Unknown	Longer, more intense “trip” episodes, psychosis, possible death
Phencyclidine (PCP)	Unknown	High	
Ketamine			
Other Hallucinogens	None	Unknown	Unknown
Testosterone	Unknown	Unknown	Virilization, Testicular atrophy, acne, edema, gynecomastia, aggressive behavior
Nandrolone	Unknown	Unknown	
Oxymethalone	Unknown	Unknown	Unknown Possible depression

*Section a.iv: Counseling, Treatment or Rehabilitation or Re-Entry Programs*

The University’s Drug Free Workplace Policy recognizes that rehabilitation of employees and students for drug and alcohol violations is preferred to discipline. Many community agencies are available to assist employees and students seeking alcohol and drug counseling and treatment. Students seeking additional information about health problems and treatment related to alcohol and drug problems may contact a counselor at the Counseling Center at (817) 531-4859.

Employee Assistance Program

An employee who is alcohol or drug-dependent is someone who cannot control the use of a substance. It is usually difficult to quit or limit how much is used. The University’s Employee Assistance Program (EAP) offers supportive resources and confidential counseling for anyone struggling with an addiction. The EAP can be reached at (888) 628-4824. Employees may receive this additional information through the Office of Human Resources at (817) 531-4403. In addition to the EAP, individual and group drug and alcohol abuse treatment are available for faculty, staff, and students through the Community Counseling Center. Call the University’s Community Counseling Center at (817) 531-4859.

Other resources are available including the Substance Abuse and Mental Health Services Administration (SAMHSA) at <http://www.samhsa.gov>, the National Institute of Drug Abuse at <http://www.drugabuse.gov>, and the Partnership for Drug Free Kids at <http://drugfree.org>.

*Section a.v: University Discipline for Violations*

Texas Wesleyan University complies with federal and Texas state laws and penalties regarding the misuse of legal drugs (alcohol and tobacco) and use of illegal drugs. In addition to the criminal sanctions that may apply, Texas Wesleyan University will impose discipline on any employee or student who violates the University’s drug and alcohol policies.

**Student Policy and Discipline**

A student who violates any provision of this policy shall be subject to appropriate disciplinary action including suspension and expulsion as provided in University Policy 319.01. The Dean of Students and

any designee is responsible for enforcing the University's Code of Student Conduct, as found in the [Student Handbook](#), and ensuring that violations of this policy are dressed in a fair and consistent manner. Students are encouraged to read the Texas Wesleyan Student Handbook and become familiar with the policies, procedures and protections that are afforded to all students.

### **Code of Student Conduct**

#### **Section V.E.1**

**Alcohol.** Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and the University's Alcohol Policy. (See [University Policies and Community Standards](#) for further information.)

#### **Section V.E.2**

**Drugs.** Use, possession, or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the University's Drug Policy. (See [University Policies and Community Standards](#) for further information.)

#### **Section V.E.3**

**Prescription Medications.** Abuse, misuse, sale, or distribution of prescription or over-the-counter medications.

### **Section VIII.L**

#### **Sanctions**

One or more of following sanctions may be imposed upon any student for any single violation of the *Code of Student Conduct*:

1. *Warning:* An official written notice that the student has violated University policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.
2. *Restitution:* Compensation for damage caused to the University or any person's property. This could also include situations such as failure to return a reserved space to proper condition (labor costs and expenses). This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
3. *Community/University Service Requirements:* For a student or organization to complete a specific supervised University service.
4. *Loss of Privileges:* The student will be denied specified privileges for a designated period of time.
5. *Confiscation of Prohibited Property:* Items whose presence is in violation of University policy will be confiscated and will become the property of the University. Prohibited items may be returned to the owner at the discretion of the Dean of Students and/or Campus Security.
6. *Behavioral Requirement:* This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
7. *Educational Program:* Requirement to attend, present, and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
8. *Restriction of Visitation Privileges:* May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.

9. *University Housing Probation*: Official notice that, should further violations of Residence Life or University policies occur during a specified probationary period, the student may immediately be removed from University housing. Regular probationary meetings may also be imposed.
10. *University Housing Reassignment*: Reassignment to another University housing facility. Residential Life personnel will decide on the reassignment details.
11. *University Housing Suspension*: Removal from University housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to University housing may be specified. Under this sanction, a student is required to vacate University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Assistant Dean of Students for Residence Life. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for University housing, the student must gain permission from the Assistant Dean of Students for Residence Life. This sanction may include restrictions on visitation to specified buildings or all University housing during the suspension.
12. *University Housing Expulsion*: The student's privilege to live in, or visit, any University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.
13. *University Level 1 Conduct Probation*: The student is put on official notice that, should further violations of University policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.
14. *University Level 2 Conduct Probation*: The student is put on official notice that for the remainder of their academic career, should further violations of University policies occur the student is likely to face suspension or expulsion. Regular probationary meetings may also be imposed. This sanction results in a permanent conduct record and good standing is permanently removed.
15. *Eligibility Restriction*: The student is deemed "not in good standing" with the University for a specified period of time. Specific limitations or exceptions may be granted by the Dean of Students and terms of this conduct sanction may include, but are not limited to, the following:
  1. Ineligibility to hold any office in any University-recognized student organization or hold an elected or appointed office at the University; or
  2. Ineligibility to represent the University to anyone outside the University community in any way including: participating in the study abroad program, attending conferences, or representing the University at an official function, event, or intercollegiate competition as a player, manager or student coach, etc.
16. *University Suspension*: Separation from the University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Dean of Students or Assistant Dean. During the suspension period, the student is banned from university property, functions, events, and activities without prior written approval from the Dean of Students or Assistant Dean. This sanction may be enforced with a trespass action as necessary. This sanction results in a permanent conduct record, good standing is permanently removed, and it will be noted as an Administrative Suspension on the student's official academic transcript.
17. *University Expulsion*: Permanent separation from the University. The student is banned from university property and the student's presence at any University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. This sanction

results in a permanent conduct record, good standing is permanently removed, and it will be noted as an Administrative Expulsion on the student's official academic transcript.

18. *Other Sanctions:* Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Dean of Students or Assistant Dean.

The following sanctions may be imposed upon groups or organizations found to have violated the *Code of Student Conduct*:

1. One or more of the sanctions listed above, specifically 1 through 9 and 16 through 19; and/or
2. Deactivation, de-recognition, loss of all privileges (including status as a University registered group/organization), for a specified period of time.

### **Alcohol Policy**

Generally, the University prohibits the possession, use or distribution of alcohol on the University's campuses. However, alcohol may be served at University sponsored and third-party events with a Vice President's approval. Upon approval, the President's Suite, Trustee Boardroom, the Baker Martin House, the Louella Baker Martin Pavilion, and other areas may be deemed appropriate and approved by the Vice President or his/her designee. Approval is required for all events serving alcohol on campus and for all student events whether on or off campus. Typically, the President or Vice President for Advancement approves University sponsored events. The Vice President for Student Affairs approves off campus student events. A Vice President must approve third-party facility use events.

The Alcohol Permit Form must be completed and approved for all events on campus and all student events serving alcohol off campus. The Alcohol Permit Form can be found online or in the Dean of Student's Office.

Basic requirements for all events serving alcohol:

1. A third-party vendor (licensed bartender covered by site liability) sells and/or distributes the alcoholic beverages;
2. Neither the sale nor use of alcoholic beverages shall in any way violate state or local laws;
3. Alcoholic beverages are not the focus of the activity;
4. Advertisements of the event may not use alcohol as a draw; and
5. An off-duty Fort Worth police officer is mandatory for all third-party events. The cost is assumed by the event sponsor.

All off-campus student events that are sponsored by the University and serve alcohol must have proper authorization. An Alcohol Permit Form must be completed and approved by the Vice President for Enrollment and Student Services. For approval, the following federal guidelines must be met:

1. A variety of nonalcoholic beverages will be conveniently and readily available;
2. Adequate food (non-salty preferred) must be provided;
3. A carding and labeling procedure must be enforced;
4. Alternate transportation arrangements must be available;
5. A designated person must be responsible for compliance, monitoring of the event, and enforcing University, local, state and federal policies or laws;
6. All alcoholic beverages must be kept in a secure area; and
7. An off-duty Fort Worth Police Officer is mandatory for student and third-party events. The cost is assumed by the event sponsor.

Student organizations that violate these policies may be subject to the following sanctions:

1. The loss of off-campus alcoholic privileges for up to one year;
2. The loss of campus reservation privileges for up to three months;
3. The student organization or group may be fined \$ 100; and
4. The organization or group's president may be fined \$ 50.

At its sole discretion, the University may disapprove the use of alcohol at any event for any reason.

### **Drug Policy**

The use, possession, presence, sale, and/or distribution of illegal drugs (those specified as illegal by federal, state and local laws) and/or drug paraphernalia on and off campus will lead to disciplinary action and/or criminal action. Special efforts are made to keep drugs off campus and to prevent the distribution or sale of illegal drugs on campus.

Under the discretion of the Dean of Students or his/her designee, local law enforcement may be called in the case of an illegal substance.

### **Tobacco-Free Campus**

#### *Purpose*

The purpose of this policy and procedure is to provide guidelines for the implementation of a policy on the prohibition of tobacco use on the campus of Texas Wesleyan University.

#### *Background and Rationale*

Cigarette smoking causes more than 480,000 deaths each year in the United States. This is about one in five deaths. (CDC 2014). Use of cigarettes, smokeless tobacco, cigars, pipes and other tobacco products lead to disease and death. In addition to causing direct health hazards, smoking and smokeless tobacco use contribute to institutional costs in other ways, including fire damage, cleaning and maintenance costs and costs associated with employee and student absenteeism, healthcare, and medical insurance. Therefore, this policy is designed to include all tobacco products. Because there is no safe tobacco product, the only logical action is to promote a campus that is tobacco free. It is the policy of Texas Wesleyan University to promote the health, well-being and safety of students, faculty, staff and visitors while on the campus. Tobacco use and second-hand smoke have been identified by the Surgeon General to be the cause of preventable diseases. Texas Wesleyan University encourages students, faculty and staff to support and use tobacco cessation programs. Texas Wesleyan University welcomes students of all ages through a variety of campus programs. In order to support the health and welfare of visitors of all ages the campus will be free of tobacco use and second-hand smoke.

1. Effective August 20, 2014, the use of tobacco products (including cigarettes, cigars, pipes, smokeless tobacco, electronic cigarettes, and other tobacco products) by students, faculty, staff, and visitors are prohibited on all Texas Wesleyan University properties. Limited and appropriate individual exceptions may be considered by the president of the institution or by the president's designee who, in considering whether to grant the exception, will review any sponsored research requirements and ensure that the exception is in support of the mission of the institution.
2. The use of tobacco products (including cigarettes, cigars, pipes, smokeless tobacco, electronic cigarettes, or other tobacco products) is prohibited:
  - In all interior space on Texas Wesleyan University campuses;

- On all outside property or grounds of Texas Wesleyan University campus including partially enclosed areas such as walkways, breezeways and bus shelters ("campus" includes the main campus, all satellite locations, and all other buildings or facilities leased off the main Texas Wesleyan University campus);
  - In Texas Wesleyan University vehicles, including buses, vans, and all other university vehicles;
  - In all indoor and outdoor athletic facilities, as well as the grandstands of outdoor facilities.
  - In any building or structure owned, leased or controlled by Texas Wesleyan University.
3. The use of tobacco products (including cigarettes, cigars, pipes, smokeless tobacco, electronic cigarettes, or other tobacco products) is allowed for use in personal vehicles, provided:
    - The windows are closed;
    - All tobacco waste products are properly disposed of within the vehicle.
  4. The university prohibits the campus-controlled advertising, sale, or free sampling of tobacco products on campus.
  5. Littering the campus with remains of tobacco products or any other disposable product is prohibited.
  6. Organizers and attendees at public events, such as conferences, meetings, public lectures, social events, cultural events and sporting events using Texas Wesleyan University facilities will be required to abide by the tobacco-free policy and procedure. Organizers of such events are responsible for communicating the policy to attendees and for enforcing this policy.
  7. Campus organizations are prohibited from accepting money or gifts from tobacco companies.

#### *Education and Awareness*

The implementation of this policy is augmented by an education and awareness campaign that may include but not be limited to:

1. Notification to prospective students and staff/faculty hires;
2. Informational meetings, postings, and e-mail notifications;
3. Publication in staff/faculty human resources manuals, student guides and handbooks and appropriate web sites;
4. Educational campaigns employing classmates and colleagues;
5. Ongoing smoking cessation programs;
6. Establish a culture of compliance through peer oversight.

#### *Communication of Policy*

Signs bearing the message "Tobacco-free Campus" will be posed at each of Texas Wesleyan University vehicular and pedestrian entrances (as applicable), and each building will display a decal that states "Tobacco Free Facility". However, tobacco-free zones apply on the grounds around all Texas Wesleyan



University, whether or not signs are posted. No ashtrays or smoking shelters will be provided on campuses of Texas Wesleyan University.

#### *Tobacco Use Cessation Programs*

The University is committed to supporting all students and employees who wish to stop using tobacco products. Assistance to students, faculty, and staff to overcome addiction to tobacco products is available through Human Resources and Student Health Services. Referrals to cessation services are encouraged.

#### *Compliance*

Adherence to the policy cited above is the responsibility of all students, faculty, staff, and visitors. It is expected that all students, faculty, staff and visitors to campus comply with this policy. Members of our campus community are empowered to respectfully inform others about the policy in an ongoing effort to enhance awareness and encourage a culture of compliance. An individual who feels that there has been a violation of this procedure may invoke the following actions:

1. The individual should attempt to resolve the problem informally by requesting that the individual comply with the procedure.
2. If a direct appeal fails and the behavior persists, the individual should contact Security, the Office of Human Resources or Office of the Vice President of Enrollment and Student Services for a referral to the appropriate administrative official.
3. Repeat offenses by the same person shall be dealt with through already established administrative/disciplinary policies and procedures. Violations could result in referral to the appropriate university officials for disciplinary action in accordance with established student, staff, and/or faculty codes of conduct and procedures.

#### **Faculty and Staff Policy and Discipline**

For employees, the college will take appropriate personnel action for such infractions, up to and including termination as set forth in the *Employee Handbook*, Section 7.1.3 addresses Drug Screening; Section 7.19 addresses Drug Free Environment; and Appendix N addresses the university alcohol policy.

Pages 56-57 of the *Faculty Handbook* refer to the University's drug and alcohol policies.

#### *Biennial Review*

Every two years, Texas Wesleyan University conducts a review of its Drug and Alcohol Abuse Prevention Program. The review includes two primary parts:

- i. Effectiveness and implementation of needed changes; and
- ii. Consistent enforcement of disciplinary sanctions.

Texas Wesleyan University is committed to providing meaningful, effective, and on-going education and prevention programs for its students, faculty, and staff. Each review will be completed on or before October 1<sup>st</sup> of the year.

To complete the biennial review and to ensure its accuracy, a committee will be convened from a cross-section of institutional stakeholders. The following positions and/or their designee will serve on the biennial review committee:

1. Vice President of Student Affairs/Dean of Students (Chair)

2. Director of Housing and Residence Life
3. Assistant Dean of Students
4. Associate Provost
5. Associate Vice President for Human Resources
6. Athletic Director
7. Director of Campus Security
8. Director of Health Services

### **Section b.i: Program Effectiveness and Recommendations**

#### **Student Affairs**

One of the goals of Student Affairs is to help students be involved on campus and to maximize their University experience. Through a variety of events, services, and resources, the office provides students with opportunities to connect to the university and to other students. Student Affairs promotes a sense of community and loyalty to the university while serving to enhance the social, intellectual, and developmental growth of students as individuals or as members of student organizations. Student Engagement does this through four primary areas: campus-wide events and traditions, student organizations and Greek Life, leadership programs, and volunteerism.

#### Residence Life

##### Educational and Training Initiatives:

- Professional Staff Training each July offers training regarding identifying alcohol and drug misuse and methods of response and resources to offer.
- Resident Assistant training each July and August training regarding identifying alcohol and drug misuse and methods of response and resources to offer
- During opening in the fall, professional staff and resident assistants speak with all residents at floor meetings regarding the alcohol and drug policy on campus.
- Individual staffs completed “sociograms” to better know and understand residents and issues in the halls. Methods on how to notice signs of residents who may be misusing alcohol and drugs are discussed in staff meetings.
- Hall Directors have educational conference conduct meetings with students who break our alcohol or drug policies to discuss behavior and decision making as well as create action plans

##### Programming:

Several programs surrounding alcohol and drug education are provided in each of the halls.

- Pre-spring break events that discuss personal safety during break, including alcohol and drug safety
- “Painting with a Twist”—an event of painting and talking about alcohol safety
- “Club T-Dub”—a mocktails-type, dance program designed to provide a fun atmosphere with alcohol education, namely how to reduce negative consequences associated with alcohol use
- Passive programming via bulletin boards and other media regarding alcohol and drug misuse

#### Ram Camp

As the kick-off to the year, Ram Camp is filled with fun and activities as well as educational sessions for participating students. Each Fall, Student Affairs hosts hundreds of new, incoming students during Ram Camp. Educational session included alcohol and drug abuse prevention discussions and information relating to expectations, community standards, and consequences.

### Drug, Alcohol, and Sexual Misconduct Online Modules

Campus Clarity is a compulsory online education platform designed to equip students with information relating to awareness and prevent of alcohol and drug use/abuse as well as intersections of these topics with sexual misconduct.

A more extensive report of findings from administrations of Campus Clarity can be obtained by contacting Student Affairs at (817) 531-4872 or [deanofstudents@txwes.edu](mailto:deanofstudents@txwes.edu).

### **Human Resources**

#### **EAP (Employee Assistant Program) Connect Services**

Leverage EAP resources related to Drug and Alcohol awareness as well as information related to psychological, emotional and relational struggles to employees as a proactive coping /preventative approach. EAP Informational resources can be shared via website news stories, flyers, posters, annual Health Fair and Well-being Summit.

#### **Annual Health Benefits and Safety Fair**

The annual Health Benefits and Safety Fair is held annually to provide employees with an opportunity to learn more about the university's health benefits vendors and community resources as well as receive free health and wellness screenings. Vendors and resources include: Medical vendors, Law Enforcement Demonstrations and Tarrant County Public Health.

#### **Annual Well-Being Summit**

The annual Well-Being Summit showcases campus resources that are available to employees and students that can be utilized to maximize overall well-being. Such resources include: Campus Nurse, Counseling, EAP Connect Services, Fitness Center, Library and Chaplain/Spiritual.

#### **Mandatory Drug and Alcohol Online Training**

As a component of our annual compliance measures and an educational resource tool for our employees, mandatory annual Drug and Alcohol trainings are assigned to all employees.

### **Updates and New Recommendations**

The recommendations from 2018 included:

- In addition to promoting Campus Clarity through ASE classes, enforce its completion through an academic registration hold.
- Increase collaboration between Health Services, Human Resources, and Student Activities to reach all members of the Texas Wesleyan University community.
- Create mandatory trainings for all student organization leaders and advisors which will include educational efforts and expectations surrounding alcohol and drug abuse prevention.
- Create an Event Safety Committee designed to review and support University sponsored events to mitigate risk and ensure compliance with expectations and policy.
- Implement a student conduct database which will provide for effective and efficient tracking of sanctions, completion, and reporting.

Updates on those recommendations are as follows:

1. Collaborations between these functional areas increased over the past two years. In addition to the alignment of online platforms, Human Resources and Student Affairs collaborated on health fairs, risk management, as well as training for students, student leaders, and staff.
2. Beginning in the Spring 2018 semester, the Division of Student Affairs in collaboration with the University's Risk Management Officer, kicked off mandatory in-person trainings for student organization leadership and advisors. These trainings include policies, expectations, and education about alcohol and drug abuse prevention.
3. The trainings referenced in #3 include event-safety and risk management. The Division of Student Affairs has also created an event registration process that includes a conversation with professional staff. During that conversation, the topics of risk management, event safety, and alcohol and drug abuse prevention are covered as it relates to the specifics of the event.
4. In Spring 2016, the Division of Student Affairs completed the implementation of Maxient as a database for student conduct, behavioral intervention, and other informational reports.

**New Recommendations from Spring 2020 Review:**

1. Plan an annual Drug and Alcohol Awareness week campus wide to reach staff, faculty and students. This event will utilize resources from the EAP as well as Risk Management vendor contacts to provide information in various formats such as: informational, visual and simulation.
2. In addition to student organization leadership and advisors, the review team recommends that academic deans and department chairs also take part in trainings related to alcohol and drug abuse prevention, risk management, and event safety. We have learned that a number of academic student organizations do not always complete the registration requirements and, as such, may be missed by the current training structure. A part of this recommendation is to add information about the signs and symptoms associated with drug and alcohol abuse as it relates to their day-to-day relationship with organization members.
3. The review team recommends that the Division of Student Affairs and the Athletics Department work closely in a collaborative manner to better educate and empower student-athletes. We recommend that student-athlete education mirror that of student leaders. Additionally, the two areas of the University are recommended to work collaboratively to address any issues relating to alcohol or drug abuse that come about through drug-testing protocols.
4. The review team recommends that connections are made to transfer student ASE courses as has been done for first-year student ASE courses.
5. The review team recommends that Human Resources leverage EAP resources that are at the University's disposal, but have not yet been utilized. This includes the dissemination of all applicable resources to employees on a regular basis, not only in new-employee orientation. Dissemination would include in-person as well as email. Human Resources is recommended to reach the supervisors of employees and work with them to find appropriate ways to include these resources as part of a department's ongoing professional development.

**Section b.ii: Sanctions**

The Dean of Students and/or his/her designee reviews all allegations of student misconduct, including allegations relating to the use of alcohol and drugs. The Code of Student Conduct details what conduct is prohibited and may result in sanctions, as well as the procedures used to review and adjudicated allegations of misconduct. Students found responsible for violating university policies relating to alcohol and drugs receive sanctions for these violations. Consistency in sanctioning is ensured by use of typical sanctions guidelines that are reviewed for revision annually, routine training and supervision of all staff who review alleged violations, and checks by the chief conduct officer of each completed review.

### Alcohol-Related Misconduct

Alcohol-related misconduct reviewed by the Dean of Students Office include offenses such as driving while intoxicated, being a minor in possession of alcohol, public intoxication, providing alcohol to minors, and illegal distribution of alcoholic beverages.

### Alcohol-Related Sanctions

Sanctions issued for alcohol-related misconduct are based on a number of factors: The number of prior offenses, the nature of the misconduct, any current probationary status in effect, the impact of the behavior on the student and the community, and learning and behavioral outcomes identified for the student during the course of their participation in the conduct process.

Sanctioning includes two parts: A status-based sanction (i.e., probation) in effect for a period of time meant to deter future misconduct, and an educational sanction (e.g., a referral to Under the Influence or other educational program) designed to achieve learning and behavioral outcomes. Violations that take place in residence halls may also include a residence hall status component (e.g., relocation or removal from on-campus housing) intended to mitigate the impact of the student's behavior on the residential community.

First-time alcohol violations that are of lower severity (e.g., minor in possession of alcohol or public intoxication) typically result in Level I Conduct Probation, a referral to Under the Influence, and a warning that subsequent violations may result in more severe sanctions. Level I Conduct Probation is imposed for a period of time (typically 1 calendar year or shorter), and is intended to encourage students to engage in thoughtful decision-making regarding their behavior during the period of time the probation is in effect. Level I Conduct Probation does not remove good conduct standing.

First-time alcohol violations that are more serious in nature (e.g., driving while intoxicated, providing alcohol to minors, or illegal distribution of alcoholic beverages) typically result Level II Conduct Probation, a referral to Under the Influence, and a warning that subsequent violations may result in more severe sanctions. Level II Conduct Probation is imposed for a period of time (typically 1 calendar year), and is intended to encourage students to engage in thoughtful decision-making regarding their behavior during the period of time the probation is in effect. Level II Conduct Probation does remove good conduct standing for the period of time it is in effect.

Egregious or repeated alcohol violations can result in the imposition of a permanent probation, Suspension, or in extreme cases, Expulsion. These sanctions create a permanent record for the student. The Dean of Students and his/her designee may also require students with egregious or repeated alcohol violations to visit with a counselor for additional support, or to seek alcohol education or counseling with an appropriately licensed professional within the community, and provide documentation of completion as a condition of enrollment.

### Drug-Related Misconduct

Drug-related misconduct reviewed by the Dean of Students and his/her designee include offenses such as illegal use, possession, distribution or manufacture of illegal or controlled substances; abuse or unlawful possession of a controlled substance; or possession of drug paraphernalia.

### Drug-Related Sanctions

The Code of Student Conduct outlines the possible sanctions for misconduct. These sanctions can include: Warning, Level I Conduct Probation, Level II Conduct Probation, Suspension, Expulsion, Residence Hall Relocation, Residence Hall Removal, Loss of Privileges, and Educational Sanctions such as a referral to an online educational course or other educational experience.

Sanctions issued for drug-related misconduct are based on a number of factors: The number of prior offenses, the nature of the misconduct, any current probationary status in effect, the impact of the behavior on the student and the community, and learning and behavioral outcomes identified for the student during the course of their participation in the conduct process.

Sanctioning includes two parts: A status-based sanction (i.e., probation) in effect for a period of time meant to deter future misconduct, and an educational sanction (e.g., a referral or educational course) designed to achieve learning and behavioral outcomes. Violations that take place in residence halls may also include a residence hall status component (e.g., relocation or removal from on-campus housing) intended to mitigate the impact of the student’s behavior on the residential community.

First-time drug violations that are of lower severity (e.g., possession of drug paraphernalia or possession or use of less than 2 ounces of marijuana) typically result in Level II Conduct Probation, a referral to Marijuana 101, and a warning that subsequent violations may result in more severe sanctions. Level II Conduct Probation is imposed for a period of time (typically 1 calendar year), and is intended to encourage students to engage in thoughtful decision-making regarding their behavior during the period of time the probation is in effect. Level II Conduct Probation does remove good conduct standing for the period of time it is in effect.

First-time drug violations that are more serious in nature (e.g., possession of 2-4 ounces of marijuana) typically result in a permanent probation, referral to a drug educator/counselor, and a warning that subsequent violations may result in more severe sanctions.

Egregious (e.g., possession of more than 4 ounces of marijuana, possession of other controlled substances, distribution of illegal drugs or controlled substances) or repeated drug violations can result in the imposition of Suspension, or in extreme cases, Expulsion. These sanctions create a permanent record for the student.

**Student Conduct Findings and Sanctions – 2019**

During the calendar year of 2019, the Dean of Students Office managed the following caseload as it applies to alleged violations of the Code of Student Conduct involving alcohol and drugs.

<b>Alleged Violation</b>	<b># Cases</b>	<b># Responsible</b>	<b># Not-Responsible</b>	<b># No Finding/Other</b>	<b># Informational</b>
Alcohol	106	58	19	26	3
Drugs	15	8	1	4	2
Note: The category of “No Finding/Other” includes cases that involved any of the following: mistaken identity, insufficient information to start conduct process, informational, alleged party is a non-student, or the individual left the university before resolution. Due to the retention issues facing the University, many of the cases categorized as “No Finding/Other” are due to students who do not return. Holds are placed on their student accounts until they resolve the case with the Dean of Students Office.					

The following tables enumerate the sanctions imposed for cases in which the student was found responsible pertaining to violations involving alcohol and/or drugs.

Alcohol

Sanction	# Imposed
Online Alcohol Class	7
Reflective Essay	24
Level 1 Conduct Probation	35
Warning	12
Housing Probation	5
Create a Program	2

Drugs

Sanction	# Imposed
Reflective Essay	3
Level 1 University Probation	4
Warning	3
Housing Probation	1

**Student Conduct Findings and Sanctions – 2020**

During the calendar year of 2020, the Dean of Students Office managed the following caseload as it applies to alleged violations of the Code of Student Conduct involving alcohol and drugs.

Alleged Violation	# Cases	# Responsible	# Not-Responsible	# No Finding/Other	# Informational
Alcohol	27	20	5	2	0
Drugs	10	2	1	7	0

Note:  
The category of “No Finding/Other” includes cases that involved any of the following: mistaken identity, insufficient information to start conduct process, informational, alleged party is a non-student, or the individual left the university before resolution.

The following tables enumerate the sanctions imposed for cases in which the student was found responsible pertaining to violations involving alcohol and/or drugs.

Alcohol

Sanction	# Imposed
Reflective Essay	3
Level 1 University Probation	14
Warning	3
Housing Probation	1

Drugs

Sanction	# Imposed
Reflective Essay	1
Level 1 University Probation	2

## **POLICY ON PARENTAL NOTIFICATION FOR ALCOHOL AND DRUG VIOLATIONS**

The Family Educational Rights and Privacy Act (FERPA) permits colleges and universities to inform the parents/guardians of a student under age 21 if such student is found in violation of university or Federal/State alcohol or drug rules. Therefore, Texas Wesleyan University adheres to the following policy to notify parents or guardians of students involved in alcohol and drug incidents:

- a. If a registered student under the age of 21 is involved in a university policy violation and/or Federal or Texas state law violation for public intoxication, the possession, consumption or distribution of alcohol or illicit drugs, the student's parent(s) or guardian(s) may be notified of the incident by the Dean of Students.
- b. The parent(s) or guardian(s) of a registered student, without respect to the student's age, may also be notified in the event of the student's alcohol or drug violation or misuse where such notification is necessary to protect the health or safety of the student or other individuals. This may include, but is not limited to, the following situations: (1) the student is transported to an emergency medical treatment facility for drug use or alcohol intoxication; (2) medical attention to any person, including the student, is required as a result of the student's alcohol or drug related behavior; and (3) the student demonstrates a reckless disregard for his or her personal safety or the safety of others.



**POLICY STATEMENT FOR DISCLOSURES TO ALLEGED VICTIMS OF CRIMES OF VIOLENCE OR NON-FORCIBLE SEX OFFENSES**

Texas Wesleyan University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the University 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 University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Sexual offenses must also be reported to the Title IX Coordinator.

## **POLICY STATEMENT FOR PREVENTING AND RESPONDING TO SEXUAL OFFENSES**

The University, through the Division of Student Affairs, Human Resources, residence hall programs, and University counselors, sponsors awareness programs that encourage students to report forcible and non-forcible sex offenses, as well as educates them about prevention. Programs are open to all students and employees. The Fort Worth Police Department may also offer prevention classes. Additional resources, online report forms, and information can be found at [www.txwes.edu/titleix](http://www.txwes.edu/titleix) and in the [Prevention and Response](#) publication.

If you are a victim of a sexual assault at this institution, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment and call 911. The University strongly advocates that a victim of sexual assault reports the incident in a timely manner to the appropriate law enforcement agency. Time is a critical factor for evidence collection and preservation.

The Violence Against Women Reauthorization Act of 2013 (VAWA), among other provisions, amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, and stalking. The first year of collection was the 2013 year, in which institutions were required to make a good faith effort in reporting these crimes based on the statutory provisions as written. These statistics can be found below.

### Definitions of Sexual Offense Terms

The following can be investigated and/or adjudicated using various grievance processes dependent upon various facts of the incident i.e. jurisdiction, wishes of the victim pursuing the Formal or Informal Resolution process of the Title IX Policy, Student Conduct process, or Employee Handbook.

### **Dating Violence**

Violence committed by a person:

- a. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- b. Where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors:
  1. The length of the relationship;
  2. The type of relationship; and
  3. The frequency of interaction between the persons involved in the relationship.

### **Domestic Violence**

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

### **Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition:

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

### **Sexual Offenses**

An offense that meets the definition of rape, fondling, incest, or statutory rape:

- *Rape*: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ of another person, without the consent of the victim. This offense includes the rape of any individual, including attempted rape.
- *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 incapacitation.
- *Incest*: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Statutory Rape*: Sexual intercourse with a person who is under the statutory age of consent.

### **Sexual Coercion**

The use of manipulation or threat to force someone to have sex.

### **Sexual Exploitation**

Taking non-consensual or abusive sexual advantage of another for one's own benefit, or to benefit or advantage anyone other than the person being exploited, including, but not limited to, non-consensual video or audio-taping of sexual activity or undetected viewing of another's sexual activity.

### **Sexual Harassment**

Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it denies a person access to the institution's education program or activity.

### **Consent**

Words or actions that show an active knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, by ignoring or acting without regard to the objections of another, or by taking advantage of the incapacitation of another, where the student knows or reasonably should have known of such incapacity. Consent is absent when the activity in question exceeds the scope of consent given previously.

- Silence or the absence of resistance alone is not consent.
- Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity.
- A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately.
- Continued pressure can be coercive and is also a violation of this policy.

- Consent to some sexual contact cannot be presumed to be consent for other sexual activity.
- A current or previous dating relationship is not sufficient to constitute consent.

According to chapter 22 of the Texas Penal Code, in order for sexual activity to be considered legal, consent must be given by:

- A person who is old enough to legally agree to sex (an adult aged 17 or over)
- A person who is mentally capable of understanding the activity
- A person who is fully conscious and aware of the activity
- A person who has not been intoxicated or drugged against their will
- A person who has not been threatened or coerced

As it can be seen, consent is a crucial part of any sexual activity. In some cases, a person who gives consent can still be the victim of sexual assault. For example, minors defined by the state, individuals that are mentally handicapped and drugged/intoxicated people cannot legally give consent to engage in sex.

### **Sexual Assault Prevention and Risk Reduction**

Risk reduction is actively taking steps to reduce the likelihood a behavior will happen. The focus of risk reduction is on potential victims. Meaning that most risk reduction strategies and awareness programs are targeted towards potential victims or bystanders who learn strategies to use in-the-moment, should an attack or attempted sexual assault happen. Some examples of risk reduction programs include blue safety lights on campus, self-defense classes, bystander intervention techniques, the buddy system, rape whistles, etc.

One of the most effective methods of preventing sexual assault is bystander intervention.

- This approach encourages people to identify situations that might lead to a sexual assault and then safely intervene to prevent an assault from occurring.
- Active Bystander Intervention discourages victim blaming by switching the focus of prevention to what a community of people can do collectively.
- The approach also allows for a change in cultural expectations by empowering everyone to say or do something when they see inappropriate or harmful behavior.
- This method of intervention places the responsibility of sexual assault prevention on everyone.

### **How to Intervene**

Basic components of Active Bystander Intervention include:

- a. Recognizing when to intervene. Some people might be concerned that they are being encouraged to place themselves in jeopardy to stop crimes in progress. This is not the case. There are many situations and events that occur prior to a sexual assault that are appropriate for intervention. Active bystander intervention encourages people to watch for those behaviors and situations that appear to be inappropriate, coercive and harassing.
- b. Deciding if there is a responsibility to act. A great deal of research has been done to understand the conditions that encourage people to get involved. There are situational factors that influence a person's willingness to act. These include the presence of other witnesses, the uncertainty of the situation, the apparent level of danger or risk to the victim, and the setting of the event. Personal characteristics of the bystander also contribute to a decision to act.

### **Help Someone You Know**

When choosing what form of assistance to use, there are a variety of ways to intervene. Some of them are direct, and some of them are less obvious to the perpetrator:

- Making up an excuse to get him/her out of a potentially dangerous situation
- Letting a friend or co-worker know that his or her actions may lead to serious consequences
- Never leaving his/her side, despite the efforts of someone to get him/her alone or away from you
- Using a group of friends to remind someone behaving inappropriately that his or her behavior should be respectful
- Taking steps to curb someone's use of alcohol before problems occur
- Calling the authorities when the situation warrants

Understanding how to safely implement the choice. Safety is paramount in active bystander intervention. Usually, intervening in a group is safer than intervening individually. Also, choosing a method of intervention that de-escalates the situation is safer than attempting a confrontation. However, there is no single rule that can account for every situation.

The University prohibits the crimes of domestic violence, dating violence, stalking, and sexual assault, and will make every effort to prevent, respond to, and investigate these crimes as defined by University policy as well as local, state, and federal regulations.

As a part of these efforts, the Division of Students Affairs in collaboration with Human Resources, will provide sexual assault awareness and response training to incoming students and new employees and ongoing trainings for continuing students and employees.

**Should an Assault Occur**

An assault on-campus must be reported directly to Campus Security and/or the Dean of Students. The Title IX Coordinator must be notified as soon as practical. Filing a report with the University will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions.

Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, use the toilet, or change clothing prior to a medical/legal exam);
- Ensure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

If in Fort Worth, victims have the option of contacting the Fort Worth Police, 1100 Nashville St., Fort Worth, TX 76105, (817) 335-4222 or dialing 911. University personnel will assist the student in notifying the Fort Worth Police if the student requests assistance. University contacts include:

<u>Office</u>	<u>Building/Address</u>	<u>Phone</u>
Dean of Students	Martin Center, Suite 230 3165 E. Rosedale Street	(817) 531-4872
Director of Counseling	Community Counseling Center 3112 E. Rosedale Street	(817) 531-4859

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Director of Health Services	West Village, Room 110 817 Wesleyan Street	(817) 531-4875
Chaplain's Office	Poly United Methodist Church 3229 E. Rosedale Street	(817) 531-4972

Title IX Coordinators and Deputy Coordinators

Director for Title IX and ADA Compliance (Title IX Coordinator)

- 817/531.4890
- Martin University Center, Division of Student Affairs Suite #230

Associate Provost – Academic Affairs

- 817/531.4405
- Provost Office, First floor, Oneal-Sells Administration Building

Associate Athletic Director

- 817/531.4874
- Brown Lupton/Sid Richardson Building

Purchasing Director

- 817/531.4298
- Basement, Oneal-Sells Administration Building

Associate Vice President for Student Affairs

- 817/531.4872
- Martin Center, Suite 240

Associate Vice President for Human Resources

- 817/531.4403
- Oneal-Sells Administration Building, Basement

Confidential Resources

Confidential resources are people who are not obligated to share any personally identifying information about a report of sexual violence (such as the survivor or accused's name) with law enforcement, the Title IX Coordinator or any other University administrator.

The confidential resources for Texas Wesleyan University are the following individuals:

**Anice Lewis-Hollins**

Director of Health Service

817-531-4948

<<Position Open>>

Counseling Center Director/Counselor

817-531-4859

Every effort should be made to preserve the alleged crime scene and any associated evidence.

University disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the [Title IX Policy](#). This policy is available in the [Student Handbook](#) and the [Employee Handbook](#). These procedures provide for a timely, fair, and impartial disciplinary proceeding in cases of alleged dating violence, domestic violence, sexual assault, or stalking which include, but are not limited to:

- officials are appropriately trained and do not have a conflict of interest or bias for or against the accuser or the accused;
- the accuser and the accused have equal opportunities to have others present, including an advisor of their choice;
- the accuser and the accused receive simultaneous notification, in writing, of the result of the proceeding and any available appeal procedures;
- the proceeding is completed in a reasonably prompt time frame;
- the accuser and accused are given timely notice of meetings at which one or the other or both may be present; and
- the accuser, the accused, and appropriate officials are given timely and equal access to information that will be used during informal and formal disciplinary meetings and hearings;

Once it is determined that a sexual assault has occurred and an investigation or hearing is completed, the University may impose sanctions up to and including expulsion against the parties involved. The accuser and the accused shall be entitled to the same rights or opportunities as offered through the normal disciplinary process, including the opportunity to have others present during a disciplinary proceeding. Both shall be informed of the outcome of any campus disciplinary proceeding.

#### *Victim/Survivor Rights and Services*

A University representative will be appointed, if requested, to guide the victim/survivor through the available options and support them in his or her decision. Various counseling options are available from the University through the student health center, University Chaplain, employee assistance (if applicable), and the counseling center. Counseling and support services are also available outside the University.

Counseling and victim assistance is available through the rape crisis hotline by calling 817/927.2737. The University will also offer free counseling to victims of sexual assault through the counseling office. Counselors may be reached by calling 817/531.4859.

The University will offer to make the following accommodations as supportive measures, but are not limited to:

- Change the victim's/survivor's University housing assignment.
- Change the victim's/survivor's academic schedule.
- Assist the victim/survivor with procedures for obtaining a protective order, if desired.

The University, through the Division of Student Affairs, Human Resources and counselors, sponsors of programs that encourage students to report crimes of violence or non-forcible sex offenses, as well as educates them about prevention. Programs are open to all students and employees.

The University will disclose to the alleged victim/survivor of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the University against another 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 University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Compliance with these provisions do not constitute a violation of section 444 of the General Educations Provisions Act (20 U.S.C. 1232g), commonly known as FERPA, the Family Educational Rights and Privacy Act of 1974.



**POLICY STATEMENT FOR SEX OFFENDER REGISTRATION**

In accordance with federal regulations, the campus security department is providing a link to the Texas Department of Public Safety Sex Offender Registry. The University is required to issue a statement advising the campus community where law enforcement information provided by the state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

Pursuant to Texas Code of Criminal Procedures Article 62.005, the Texas Department of Public Safety (DPS) establishes this website as the official internet public access to the DPS sex offender registration computerized central database. Use the following URL to access the Texas DPS website:

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

## **POLICY STATEMENT FOR MISSING STUDENT**

Texas Wesleyan University takes student safety very seriously. The following policy and procedure has been established to assist in locating students living in Texas Wesleyan owned on-campus housing that, based on the facts and circumstances known to Texas Wesleyan, has been determined to be missing.

- At the beginning of each academic year, Texas Wesleyan will inform students residing in on-campus housing that the University will notify either a parent or an individual selected by the student not later than 24 hours after the time the student is determined to be missing. This information will include the following:
  - Students have the option of identifying an individual to be contacted by Wesleyan not later than 24 hours after the time the student has been determined to be missing. Students can register this confidential contact information through the housing office.
  - If the student is under 18 years of age, and not an emancipated individual, Wesleyan is required to notify a custodial parent or guardian not later than 24 hours after the time that the student is determined to be missing.
  - Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, Texas Wesleyan will notify the appropriate law enforcement agency not later than 24 hours after the time that the student is determined to be missing.
  - If Texas Wesleyan security or law enforcement personnel has been notified and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to campus, the University will initiate the emergency contact procedures in accordance with the student's designation.
- The University will follow the notification procedure below for a missing student who resides in on-campus housing:
  - Once the University receives a missing student report via the Dean of Students Office, University security, Residence Life office or other source, the following offices will be notified:
    - Campus Security
    - Dean of Students Office
    - Residence Life Office
  - Any official missing person report relating to this student shall be referred immediately to security.
  - If University security, after investigating the official report, determines the student has been missing for more than 24 hours, the University will contact the individual identified by the student, the custodial parent or legal guardian if the student is under 18 and not emancipated, or local law enforcement if these do not apply.
- Upon notification from any entity that any student may be missing, the University may use any of the following resources to assist in locating the student. These resources may be used in any order and combination.
  - Through the housing office, the resident assistant may be asked to assist in physically locating the student by unlocking into the student's assigned room and talking with known associates.

- Security may search on campus public locations to find the student (library, cafeteria, etc.).
- Security may issue an ID picture to assist in identifying the missing student.
- The Dean of Students Office may try to contact known friends, family, or faculty members for last sighting or additional contact information.
- Student affairs or academic departments may be contacted to seek information on last sighting or other contact information.
- Security may access card access logs to determine last use of the card and track the card for future uses.
- Security may access vehicle registration information for vehicle location and distribution to authorities.
- IT may be asked to look up email logs for last login and use of the University's email system.
- If there is any indication of foul play, the local police department will immediately be contacted for assistance.

## **POLICY STATEMENT FOR STATISTICAL REPORTING**

Major legal requirements of the Clery Act require the University to:

1. Disclose crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus, and certain non-campus facilities, including Greek housing and remote classrooms.
2. The statistics must be gathered from campus police or security, local law enforcement, and other University/College officials who have “significant responsibility for students and campus activities.”

One of the main purposes of these crime statistics is to provide students, faculty, staff, and prospective students and employees, with an accurate “official” statistics about how much crime has occurred on a respective college or university campus when selecting an institution of higher education to attend.

The Clery Act requires the University to disclose three general categories of crime statistics:

1. Criminal Offenses— Murder and non-negligent manslaughter, negligent manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson
2. VAWA Offenses – Domestic violence, dating violence, and stalking.
3. Hate Crimes—Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias; and
4. Arrests and Referrals for Disciplinary Action for illegal weapons, drug abuse violations and liquor law violations.

Statistics numbers are based on the number of **reported** offenses, regardless of the finding of a court, or lack of evidence for prosecution.

If a reported crime is determined to be “unfounded” (false or baseless – meaning that the offense neither occurred nor was attempted), then “unfounded” is the disposition that should be recorded for the case in the crime log. UCR protocol stipulates that a decision to “unfound” a complaint can only be made by the investigating police agency. The assignment of this disposition would be appropriate in an instance where the investigation has established that the initial report of the offense was fabricated.

In the event a crime is determined to be “unfounded”, that information will be disclosed in the Annual Security Report.

### Crime Definitions

Per the Clery Act, crimes are classified and defined based on the Federal Bureau of Investigation’s (FBI’s) *Uniform Crime Reporting Handbook (UCR)*. For sex offenses only, definitions from the FBI’s *National Incident-Based Reporting System (NIBRS)* edition of the *UCR* are used. Hate crimes are defined according to the FBI’s *Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection*.

### **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 Offenses**

An offense that meets the definition of rape, fondling, incest, or statutory rape:

- *Rape*: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ of another person, without consent.
- *Fondling*: The touching of the private body parts of another person for the purpose of sexual gratification, without consent, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent incapacitation.
- *Incest*: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Statutory Rape*: Nonforcible sexual intercourse with a person who is under the statutory age of consent.

### **Robbery**

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

Essential Elements of a Robbery:

1. Committed in the presence of a victim (usually the owner or person having custody of the property).
2. Victim is directly confronted by the perpetrator.
3. Victim is threatened with force or put in fear that force will be used.
4. Involves a theft or larceny.

### **Aggravated Assault**

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

### **Burglary**

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

The UCR definition of a structure includes:

- Apartment, barn, cabin, church, condominium, dwelling house, factory, garage, house trailer or houseboat (used as permanent dwelling), mill, office, other building, outbuilding, public building, railroad car, room, school, stable, storage facility, vessel (ship) and warehouse.
- Any house trailer or other mobile unit that is permanently fixed as an office, residence or storehouse.

The UCR definition of a structure does not include:

- Motor vehicles.
- Tents, tent trailers, motor homes, house trailers or other mobile units that are being used for recreational purposes.
- A telephone booth.
- A gym locker or cubby.

### **Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle.

### **Arson**

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

The Violence Against Women Reauthorization Act of 2013 (VAWA), among other provisions, amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, and stalking. The first year of collection was the 2013 year, in which institutions were required to make a good faith effort in reporting these crimes based on the statutory provisions as written.

### **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; and
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - The length of the relationship
  - The type of relationship
  - The frequency of interaction between the persons involved in the relationship

### **Domestic Violence**

Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who has cohabitated with the victim as a spouse, or by a person similarly situated to a spouse of the victim or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

### **Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

1. Fear for his or her safety or the safety of others; or
2. Suffer substantial emotional distress

### **Hate Crimes**

Criminal offenses committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the victim.

For Clery purposes, hates crime offenses include any offense in the following two groups that is motivated by bias.

#### **Group A**

- Murder and non-negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft

- Arson

Group B

- Larceny-theft
- Simple assault
- Intimidation
- Destruction/damage/vandalism of property

*Arrests and Referrals for Disciplinary Action for Weapons: Carrying, Possessing, Etc., Drug Abuse Violations and Liquor Law Violations.*

**Illegal Weapons**

Illegal weapons possession is defined as the violation of laws or ordinances prohibiting the manufacture, sales, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons that are regulatory in nature. Include in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

**Drug Abuse Violations**

The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation or/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics that can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations**

The violation of laws or ordinances prohibiting: manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; driving under the influence as a minor; maintaining unlawful drinking places; bootlegging; operating an illegal 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. (Public Intoxication and Driving While Intoxicated are Penal Code violations and are not included in this definition.

The Hierarchy Rule

When counting multiple offenses, the University uses the FBI's UCR Hierarchy Rule. This rule requires us to count only the most serious offense when more than one offense was committed during a single incident. A single incident means that the offenses were committed at the same time and place. That is, the time interval between the offenses and the distance between the locations where they occurred were insignificant. Beginning with the most serious offense, the following list shows the hierarchy for Clery Act reporting:

- Murder and Non-negligent Manslaughter
- Negligent Manslaughter

- Forcible Sex Offenses
- Non-forcible Sex Offenses
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arrests
- Referrals for Disciplinary Action

#### Clery Geography Defined

The University must disclose statistics for reported Clery crimes that occur: (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that the University owns or controls. The definitions for these geographic categories are Clery Act-specific and are the same for every institution regardless of its physical size or configuration.

#### *On-Campus*

Encompasses all of the following:

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

#### *On-Campus Subset: On-Campus Student Housing Facilities*

Under the Clery Act, an institution that has on-campus student housing facilities must separately disclose two sets of on-campus statistics:

- The total number of crimes that occurred on campus, including crimes that occurred in student housing facilities; and
- The number of crimes that occurred in on-campus student housing facilities as a subset of the total.

#### *Public Property*

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

#### *Non-Campus*

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

As required, the following statistics are provided for the preceding three-year period.



Crime Statistics – Criminal Offenses  
Fort Worth, Texas

Criminal Offense	2020					2019					2018				
	On	Res*	Non	Pub	Total	On	Res*	Non	Pub	Total	On	Res*	Non	Pub	Total
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	2	2	0	0	2	1	1	0	0	1	4	3	0	1	5
Fondling	0	0	0	0	0	2	1	0	0	2	3	2	1	0	4
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	1	1	0	0	1	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	2	2	0	0	2	2	1	1	0	3	0	0	0	0	0
Burglary	1	1	0	0	1	1	1	0	0	1	3	3	0	0	3
Motor Vehicle Theft	1	1	0	0	1	1	0	1	0	2	2	0	1	0	3

\*Per Clery reporting requirements, residential facilities (Res) is a subcategory of an on campus facility. Offenses, arrests, and disciplinary referrals counted in the "Res" category are also counted in the "On" category, but are not double-counted in the total column.

"On" = On Campus; "Res" = Residential Facilities; "Non" = Non Campus; "Pub" = Public Property; "Total" = Summation for that year

Hate Crimes  
Fort Worth, Texas

Related Criminal Offense	2020					2019					2018				
	On	Res*	Non	Pub	Total	On	Res*	Non	Pub	Total	On	Res*	Non	Pub	Total
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny – Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

One hate crime was reported in 2018 as an act of intimidation based on a bias of race. One hate crime was reported in 2016 as an act of intimidation based on a bias of sexual orientation.

Bias is a preformed negative opinion or attitude toward a group of persons based on their actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the victim.

The one instance of a reported Hate Crime (Intimidation) involved a bias based on a perception of sexual orientation.

\*Per Clery reporting requirements, residential facilities (Res) is a subcategory of an on campus facility. Offenses, arrests, and disciplinary referrals counted in the “Res” category are also counted in the “On” category, but are not double-counted in the total column.

“On” = On Campus; “Res” = Residential Facilities; “Non” = Non Campus; “Pub” = Public Property; “Total” = Summation for that year

VAWA Offenses  
Fort Worth, Texas

VAWA Offense	2020					2019					2018				
	On	Res*	Non	Pub	Total	On	Res*	Non	Pub	Total	On	Res*	Non	Pub	Total
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	2	2	0	0	2	4	4	0	0	4	1	1	0	0	1
Stalking	1	1	0	0	1	1	0	0	0	1	0	0	0	0	0

\*Per Clery reporting requirements, residential facilities (Res) is a subcategory of an on campus facility. Offenses, arrests, and disciplinary referrals counted in the "Res" category are also counted in the "On" category, but are not double-counted in the total column.

"On" = On Campus; "Res" = Residential Facilities; "Non" = Non Campus; "Pub" = Public Property; "Total" = Summation for that year

Arrests and Disciplinary Referrals  
Fort Worth, Texas

Arrests	2020					2019					2018				
	On	Res*	Non	Pub	Total	On	Res*	Non	Pub	Total	On	Res*	Non	Pub	Total
Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violation	3	1	0	0	3	0	0	0	0	0	1	0	0	1	2
Weapons Violation	0	0	0	0	0	2	0	0	2	4	0	0	0	0	0

Disciplinary Referrals	2020					2019					2018				
	On	Res*	Non	Pub	Total	On	Res*	Non	Pub	Total	On	Res*	Non	Pub	Total
Liquor Law Violation	18	18	0	0	18	56	56	2	0	58	37	37	0	0	37
Drug Abuse Violation	8	8	0	0	8	18	18	0	0	18	17	13	0	0	17
Weapons Violation	0	0	0	0	0	1	1	0	0	1	0	0	0	0	0

\*Per Clery reporting requirements, residential facilities (Res) is a subcategory of an on campus facility. Offenses, arrests, and disciplinary referrals counted in the "Res" category are also counted in the "On" category, but are not double-counted in the total column.

"On" = On Campus; "Res" = Residential Facilities; "Non" = Non Campus; "Pub" = Public Property; "Total" = Summation for that year

## **ANNUAL FIRE SAFETY REPORT**

January 1, 2020 through December 31, 2020

The Annual Fire Safety Report, is made available each year by October 1<sup>st</sup>, and contains the University's policies, procedures, and statistics regarding fires, fire safety, and fire safety education in student housing for the previous calendar year.

The University maintains a fire log as part of a combined Daily Crime and Fire Log.

This report is distributed annually by October 1<sup>st</sup> to all current students, faculty and staff, and prospective employees and students as part of the combined Annual Security and Fire Safety Report. This report is available online on the university website at: <https://txwes.edu/security/clery-act-reports/>.

### On-Campus Student Housing

Texas Wesleyan has the following on-campus student housing facilities:

- *Stella Russell Hall*, a three story co-ed residence hall housing 150 students.
  - Located at 3101 Avenue B
- *Otho C. Armstrong Hall*, a two story co-ed residence hall housing 95 students.
  - Located at 3200 Avenue B
- *Elizabeth Means Armstrong Hall*, a two story co-ed residence hall housing 95 students.
  - Located at 3124 Avenue B
- *West Village Student Apartments*, a three story apartment style residence hall, consisting of four buildings, housing 260 students.
  - Located at 817 Avenue A

### Fire Safety System

A description of the fire safety systems for each on-campus student housing facility is described as follows:

- *West Village Student Apartment*: There is a pressurized sprinkler system throughout the complex that is activated by heat or smoke. The fire system is addressable and monitored at a central location. Fire extinguishers are present and inspected annually.
- *Stella Russell Hall*: Individual, monitored smoke detectors are present in each room. The fire system is addressable and monitored at a central location. Fire extinguishers are present and inspected annually.
- *Elizabeth Means Armstrong Hall*: Individual, monitored smoke detectors are present in each room. The fire system is addressable and monitored at a central location. Fire extinguishers are present and inspected annually.
- *Otho C. Armstrong Hall*: Individual, monitored smoke detectors are present in each room. The fire system is addressable and monitored at a central location. Fire extinguishers are present and inspected annually.

### Fire Drills

Each on-campus student housing facility holds two fire drills each year, one each semester. Fire Drills are scheduled by the Director of Security in coordination with the Assistant Dean of Students for

Residence Life. Fire Drills are conducted by Campus Security, Hall Directors, and Resident Assistants of each hall. A report of each drill is kept on file at Campus Security.

### Portable Electrical Appliances, Smoking, and Open Flame Policies

Odor producing paraphernalia requiring the use of open flames (such as candles and incense) are fire safety hazards and are prohibited. Halogen lamps are also a fire safety hazard and are not allowed in the residence halls.

Appliances with exposed heating elements, which could be left unattended for; long periods of time (such as simmering potpourris or scented light bulb rings) and which require heat to release the scent are also prohibited.

Warning: Residence hall wiring cannot accommodate an excessive number of electrical appliances. A maximum of five major appliances is allowed in each room. Major appliances include stereo, TV/VCR, computer, printer, refrigerator, and microwave. Microwaves must be used with an approved plug adapter. See the Hall Director for details. Small refrigerators may also be used in resident rooms. It is a resident's responsibility to keep them clean and in proper working order. The use of a surge protector is recommended with any major appliance.

### Fire Equipment Regulations

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

- Tampering or playing with fire extinguishers, smoke detectors, exit lights or emergency lights
- Tampering with or pulling a fire alarm under false pretense.
- Removing smoke detector batteries or otherwise rendering a smoke detector inoperative.
- Propping open stairwell fire doors.
- Obstructing halls and stairwells with furniture, debris, and other materials.

Residents who jeopardize the security or safety of any student will be subject to disciplinary action. Tampering with fire equipment or acts of arson may result in civil prosecution, disciplinary measures, and/or fines.

### Student Housing Evacuation Procedures

In the event of a fire, immediately contact the Fort Worth Fire Department by dialing 911, followed by Campus Security at 817/531.4911. All students shall be familiar with building exits in their residential halls. In the event of a fire or other emergency situation, students shall:

- Remain calm
- Evacuate the building using the nearest exit, in an orderly manner. Close your door behind you.
- Elevators should not be used.
- Assist those with disabilities
- Students shall meet in a pre-designated area far away from all residential halls to ensure safety.
- The building shall not be reoccupied until appropriate authority (usually the fire department) approves.

If you are trapped, or unable to leave your room:

- Prevent smoke from entering by blocking openings with wet towels.
- Call 911 or Campus Security and notify them of your location.

- Stay close to a window with a wet towel to your face to alert emergency responders to your location.

*Residential Hall Evacuation Locations*

West Village Student Apartments	Parking lot T, to the east of West Village Clubhouse.
Stella Russell Hall	Field east of the building closest to the facilities building.
O.C. Armstrong Hall	Field north of the building closest to the facilities building.
Elizabeth Armstrong Hall	Grassy hill south of the building adjacent to the library.

*Other Building Evacuation Locations*

Martin Center	Lot B – Canafax Clock Tower
Oneal-Sells Administration	Sidewalk along Wesleyan Street
Eunice & James L. West Library	Mall – North end
Armstrong-Mabee Business Center	Mall – South end
Sid W. Richardson Center	Mall – East side
Brown Lupton Campus Center	Mall – East side
Ella C. McFadden Science Center	Mall – South end
Ann Waggoner Fine Arts Building	Front Lawn of the Administration Building
Dan Waggoner Hall	Front Lawn of the Administration Building
Dan Waggoner Annex	Front Lawn of the Administration Building
Art Complex	Parking Lot N
Dora Robert’s Dining Hall	Lawn – North side of the Library
Baker-Martin House	Front Lawn of the Administration Building
Law Sone Fine Arts	Parking Lot N
Nenetta Burton Carter Building	Front Lawn of the Administration Building
Schollmaier Science Center	Mall – South end
Louella Baker Martin Pavilion	Front Lawn of the Administration Building
Health Science / Nurse Anesthesia	Parking lot I
Polytechnic United Methodist Church	Parking lot D
Glick House	Front Lawn of the Administration Building
Wade Hall	Lawn – South of the building
Morton Fitness Center	Mall – South side
Claudia Stepp Scene Shop	Vacant lot - South side of the building
Baker Building	East side of Wesleyan Street

Fire Safety Education and Training Programs

The department of Campus Security provides training each semester for university housing staff, hall directors, resident assistants, and security officers. Fire drills are implemented each semester and, after each drill, all staff and officers meet to debrief and discuss areas of improvement concerning drills.

New employees to the department of Residence Life are trained by the Assistant Dean of Students for Residence Life regarding the emergency action plan as part of their new employee orientation. Each employee will be provided a copy of the plan at that time.

Fire Safety Training will include the following topics:

- Risk factors related to campus fires
  - Cooking

- Overloaded power strips
- Candles
- Arson
- Smoking
- Clutter and decor
- Common preventative methods
- Fire safety considerations for students with disabilities
- Responding to a Fire Alarm
  - A fire alarm should never be ignored. Students must get out of the building immediately and stay out until given the direction to come back in.
  - “Get low and go” under the smoke to the nearest safe exit, assisting people with mobility impairments
  - Never use the elevator- take the stairs instead
  - Carefully feel a closed door for heat before opening. If it’s hot, find another way out
  - R.A.C.E. – General procedures to follow when faced with a fire.
    - Rescue - Rescue people from the immediate fire/smoke vicinity if possible. Do not put yourself in harm’s way.
    - Alert - Alert others by activating the alarm system if available.
    - Confine - Confine fire/smoke by closing all doors. Check if fire exits are clear.
    - Extinguish or Evacuate - If you have been trained and can do so safely, retrieve the nearest fire extinguisher and attempt to extinguish the fire. Evacuate the building as soon as possible.
- Fire Extinguisher Types and Operation:
  - Residents should be aware of fire extinguisher locations in their buildings and promptly report to Campus Security or Facilities any missing or discharged fire extinguishers. If trained to do so, and the fire is small (wastebasket sized or smaller), the following P.A.S.S. technique may be used to extinguish a fire:
    - Pull – the pin
    - Aim – nozzle at base of the fire
    - Squeeze – the handle
    - Sweep – nozzle side to side.

### Fire Reporting Contact List

Texas Wesleyan is required to disclose annually reports on all fires that occur in on-campus student housing facilities.

Following is a list of titles of each person or organization that individuals should report that a fire has occurred. These are non-emergency numbers to call to report fires that have already been extinguished. These are persons to report to if you are unsure whether Campus Security has been notified of the fire. If you find evidence of such a fire or if you have heard of such a fire, please contact one of the following:

Director of Campus Security	817/531.4251
Executive Director of Facilities Operations	817/531.4454
Director for Housing and Residence Life	817/531.5000
Dean of Students	817/531.4872
Fort Worth Fire and Police	911

Fire Statistics

Location	2020			2019			2018		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
West Village	0	0	0	0	0	0	0	0	0
Stella Hall	0	0	0	0	0	0	1	0	0
Elizabeth Hall	0	0	0	0	0	0	0	0	0
OC Hall	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>

2018

- The reported fire in Stella Hall was categorized as unintentional and occurred while cooking. Property damage was \$0 - \$99.