LSCPA

LAMAR STATE COLLEGE ★ PORT ARTHUR

Annual Security & Fire Safety Report 2024

2024 Annual Security and Fire Safety Report

Published September 29, 2024

in compliance with the Jeanne Clery Disclosure of Campus Security Policy

and Campus Crime Statistics Act (20 USC § 1092(f), 34 CFR 668.46).

This report contains information for 2023 calendar year and statistics for 2021, 2022, and 2023.

This report is also available on the LSCPA Website at

https://www.lamarpa.edu/Security/Report

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LAMAR STATE COLLEGE ★ PORT ARTHUR

MEMBER THE TEXAS STATE UNIVERSITY SYSTEM™

Lamar State College Port Arthur is an equal opportunity institution and does not discriminate against persons on the basis of race, age, religion, sex, disability, color, sexual orientation, national origin or veteran status.

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A MESSAGE FROM THE PRESIDENT

At Lamar State College Port Arthur, we are a community of students, faculty, and staff members dedicated to the mission of excellence in teaching and community service. To best accomplish this mission, we make safety a top priority by providing strong educational and prevention programs and services.

The 2024Campus Security and Fire Safety Report includes information about the services the college provides and the resources available to the campus community. I encourage you to ask questions and share ideas with staff at LSCPA as we work together to protect all those who are on campus, helping maintain a safe, secure environment. Our goal is to serve everyone on campus, with a particular emphasis on student safety and security.

Safety is a shared responsibility at LSCPA and we work diligently to educate students, faculty, staff and visitors on how to work together to support one another, share information, and be active bystanders in ensuring a safe place.

In the coming year, we will continue to partner with student leaders and our professional colleagues in Student Services, including our Security staff, to educate and engage students in order to prevent crime, promote safe behaviors, and help one another to forge a safe campus environment. Areas of focus include getting student-commuters home safely, having an exceptionally trained on-campus security staff, and working diligently with Seahawk Landing Apartments as well as local businesses to prioritize student well-being.

We encourage our students, colleagues, families, community members and all other stakeholders to reach out to us with their needs, concerns, and ideas.

Betty Reynard, Ed.D., President
Lamar State College Port Arthur

ACCESSIBILITY TO INFORMATION AND NON-DISCRIMINATION STATEMENT

Lamar State College Port Arthur (LSCPA) is committed to creating and maintaining an educational community in which each individual is respected, appreciated, and valued. LSCPA provides equal opportunity and access to all qualified persons. LSCPA to the extent not in conflict with federal or state law, prohibits discrimination on the basis of race, color, national origin, age, sex, religion, disability, veterans' status, sexual orientation, gender identity, or gender expression.

Lamar State College Port Arthur complies with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in educational programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act. All complaints related to sexual misconduct or sex discrimination should be reported to the Title IX Coordinator by emailing titleix@lamarpa.edu, calling (409) 984-6146, online via the LSCPA Title IX Website, in person at the Student Center room 204, or by mail to Title IX Coordinator, Lamar State College Port Arthur, 1520 Procter Street, Port Arthur, TX 77640.

PREPARATION OF THE ANNUAL SECURITY AND FIRE SAFETY REPORT AND DISCLOSURE OF CRIME STATISTICS

Lamar State College Port Arthur coordinates the collection and reporting of crime statistics as specified in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in 20 U.S.C. §1092 (Clery Act) and fire statistics as specified in the Campus Fire Safety Right-to-Know amendment to Higher Education Opportunity Act.

LSCPA publishes this combined report at https://www.lamarpa.edu/Security/Report and notifies all employees and enrolled students of the location of the report via email.

Prospective employees and students are notified about the availability and location of the report on the LSCPA Human Resources Job Search website. Each applicant receives the link in an auto-reply email message after submitting an employment application. Prospective students receive a link to the report via email on the application acknowledgment and welcome letter.

This report is prepared in cooperation with the Campus Safety Office, Physical Plant, Office of the President, Risk Management, Student Services, Title IX Coordinator, ITEX Property Manager, and Port Arthur Police Department. Each entity provides current information about its safety and security educational efforts and programs as well as statistical data. Annually, LSCPA sends a written request to Campus Security Authorities (CSAs) requesting information about all Clery Act Crimes that occurred on LSCPA's geography that were reported to them. LSCPA does allow individuals to report crimes on a confidential, voluntary basis for inclusion in the annual disclosure of crime statistics. Reports of criminal activity given to CSAs and reports of crimes made to local law enforcement agencies are requested and included in the Annual Security Report as required by the Clery Act. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported

All of the statistics are gathered, compiled, and reported to the College community via this report, which is published by Campus Safety Office. Campus Safety submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

REPORTING CRIMES AND OTHER EMERGENCIES

All members of the LSCPA community and all visitors are encouraged to accurately and promptly report potential criminal activity, suspicious behavior, and any emergency situations that may constitute an immediate threat to the health and/or safety of students and/or employees, or if the crime being reported is currently in progress on campus, on public property running through or immediately adjacent to the campus, or in other property that is owned or controlled by Lamar State College Port Arthur, dial 911 or call the Campus Safety Office at (409) 984-6255. After hours and on weekends, the Campus Safety Office can be reached at (409) 548-2048.

Pushing the call button on any Code Blue Emergency Call Station located around campus. The emergency call goes directly to 911 emergency dispatch with the Port Arthur Police Department.

In response to a phone call to Campus Safety, the Campus Safety Office will send a safety officer immediately to the location reported and may contact Port Arthur Police Department via a shared radio channel if the situation or incident warrants, including requesting emergency medical services or asking the victim to report to Campus Safety Office to file an incident report. All reported crimes will be investigated by the College and may become a matter of public record. Campus Safety Office incident reports are forwarded to the Dean of Students Office for review and potential action, as appropriate. Individuals reporting an alleged crime should attempt to preserve evidence that might prove the crime

was committed. All criminal incidents are investigated by the Port Arthur Police Department. If a sexual assault or rape should occur, staff on the scene, including Campus Safety Office, will offer the victim a wide variety of services.

Members of the LSCPA community should report crimes and emergencies to Campus Safety Office in order to be assessed for issuing timely warning notices and for inclusion in the annual crime statistics. LSCPA encourages its faculty and staff to inform persons seeking counseling or medical referrals of the opportunity to report crimes on a voluntary, confidential basis for inclusion in the college's annual disclosure of crime statistics. This process is employed at the discretion of faculty and staff, as they deem appropriate.

LSCPA has adopted Maxient, a reporting platform that will help mitigate, deter, and control harmful and inappropriate behavior as well as help create a positive and safe learning environment for our campus community. Maxient allows the campus community to submit Title IX incident reports at Sexual Misconduct Incident Reporting Form (maxient.com). Non-emergency incident reporting must be conducted by contacting the Campus Safety Office at (409) 984-6255, or in person at the Student Center located at 1520 Procter St, room 104, Port Arthur, Texas 77640.

Reporting Emergencies in Campus Housing

In an emergency or threat to person or property, dial 911 and give a clear description of the problem, your location (including floor and room) and your name. Immediately following the call, please notify Resident Assistant, so that they may be of additional assistance.

Voluntary, Confidential Reporting

LSCPA **does allow** individuals to report crimes on a **confidential, voluntary basis** without including personally identifying information and encourages all victims or witnesses of a crime to file a report with the Campus Safety. Individuals wishing to make a voluntary anonymous report to the Campus Safety Office may do so by phone at (409) 984-6255 or email any listed campus safety officer at Department of Campus Safety (lamarpa.edu).

Anonymous reports may also be made to Campus Security Authorities (CSAs). CSAs who are submitting reports of Clery crimes to the Campus Safety Office are not required to identify the victim by name if the victim wishes to remain anonymous.

Victims of sexual assault, dating violence, domestic violence, stalking, and other types of sexual misconduct that wish to remain anonymous will be directed to Confidential reporting resources.

Victims or witnesses who wish to remain anonymous and/or seek confidential support or resources, and who do not wish to pursue action with the college or police department are referred to local agencies that provide support to our students.

Anonymous reports of criminal activity will be included in the statistics presented in the ***Annual Security and Fire Safety Report*** if they meet Clery Act definitions.

Reporting to the LSCPA Campus Safety Office

Prompt and accurate reporting of criminal offenses aids in providing a timely response and timely warning notices to the LSCPA community when appropriate and assists in compiling accurate crime statistics. Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents in an accurate and timely manner to the Campus Safety Office and local law enforcement. Crimes should be accurately and promptly reported to the Campus Safety Office or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report. Any alleged criminal actions (including sex offenses) or emergencies that occur on or off campus of the LSCPA can be reported in any of the following ways:

For Emergencies

In emergency situations that may constitute an immediate threat to the health and/or safety of students and/or employees dial 911 or call the Campus Safety Office at (409) 984-6255. After hours and on weekends, the Campus Safety Office can be reached at (409) 548-2048.

Emergencies include any crime in progress, medical emergencies, a person being forced into a vehicle, a strange car repeatedly driving in the same area of campus, any intoxicated person, a safety hazard, or any situation that you believe is suspicious or dangerous.

For Non-Emergencies

- Call Campus Safety Office at (409) 984-6255 or personally visit the Campus Safety Office located in the Student Center, Room 104 (first floor).
- Request that any campus employee assist with reporting any non-emergency incident.

Emergency Call Stations

LSCPA has installed Code Blue Emergency Call Stations around campus at the following high-traffic areas:

- In between Gates Memorial Library and the Ruby Fuller Building
- In front of the Performing Arts Center
- Northwest section of the walkway located beside the Allied Health Building

In the event of an emergency, these call stations can be used to contact the 911 police operator.

Anonymous Reporting

Anyone with information on criminal activity can call (409) 984-6255 to report a crime or email any listed campus safety officer at Department of Campus Safety (lamarpa.edu). You may remain anonymous when you report your crime tip. With such information, the college can keep an accurate record of incidents involving its students, determine if there is a crime pattern, help identify an assailant, and alert the campus community to potential danger.

See ***Voluntary, Confidential Reporting*** for more information.

Reporting to Other Campus Security Authorities

LSCPA expects that campus community members accurately and promptly report all crimes and other emergencies to the Campus Safety Office at (409) 984-6255. In some cases, when crime reports are not emergencies, we understand individuals may appropriately want to report to other campus offices as long as it is safe to do so for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

Campus Security Authorities (CSAs) are individuals designated by LSCPA that have responsibility for campus safety and security or have significant responsibility for student and campus activities. These individuals receive special training. CSAs include Campus Safety Officers; individuals who are responsible for monitoring buildings or grounds, or with similar security responsibilities who are not part of the Campus Safety Office; individuals or organizations specifically identified to receive reports of criminal offenses; and LSCPA officials with significant responsibility for student and campus activities, including but not limited to:

- Title IX Coordinator: Joseph Hargrave, Student Center Room 204, (409) 718-7570, titleix@lamarpa.edu
- Dean of Students: Dr. Tessie Bradford, Student Center Room 301B, (409) 984-6156, bradfordts@lamarpa.edu
- Athletics Director: Scott Street, Carl Parker Multipurpose Center Room 102, (409) 984-6292, streetsa@lamarpa.edu
- Director of Student Activities: Dr. Rezvan Khoshlessan, Student Center Room 205, (409) 984-6191, khoshlessanr@lamarpa.edu

Students are informed via the Student Handbook that they may report concerns to CSAs in addition to the Campus Safety Office. CSAs must report immediately to the Campus Safety Office all crimes or reports of criminal activity that are brought to their attention.

Pastoral and Professional Counselors

Campus “Pastoral Counselors” and “Professional Counselors,” when acting as such, are not considered to be a campus security authority for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics. LSCPA supports professional and pastoral counselor’s professional obligations to not disclose or report certain incidents. Should a professional or pastoral counselor determine that Campus Safety or police involvement and reporting is needed, Campus Safety will work with the counselor to respond appropriately.

LSCPA does not require pastoral and professional counselors to notify individuals they are counseling of the option to report crimes on an anonymous or confidential basis for inclusion in the annual statistical disclosure of crime statistics unless the counselors would like to do so. Additionally, LSCPA is

not required to provide a timely warning with respect to crimes reported to pastoral or professional counselors. LSCPA does not currently have any pastoral or professional counselors on campus.

ABOUT THE LSCPA CAMPUS SAFETY OFFICE

The LSCPA Campus Safety Office helps to provide a safe and pleasant environment for the students, faculty, staff, visitors and guests on campus. Through high visibility and the employment and help of off-duty police officers, the Campus Safety Office works to deter occurrence of infractions and criminal activity. The officers patrol all LSCPA campus facilities on foot or in vehicles marked with LSCPA Safety or Port Arthur Police vehicles. Campus Safety Officers are available to provide safety escorts to anyone who may be concerned with their safety.

Port Arthur Police Department
(409) 983-8600
645 4th Street
Port Arthur, TX 77640

LSCPA Campus Safety Office
Office: (409) 984-6255
Duty Phone: (409) 720-7369
After Hours & Weekends: (409) 548-2048
1520 Proctor Street
Student Center, Office 104
Port Arthur, TX 77641

Law Enforcement Authority

Campus Safety Officers have enforcement authority on property owned and controlled by the college. The streets contiguous to and running through the campus are under the authority of the Port Arthur Police Department. Campus Safety Officers are authorized by state statute to enforce federal and state laws within their jurisdiction, in addition to rules and regulations issued by the Texas State University System Board of Regents. LSCPA Campus Safety Officers have no arrest powers.

The off-duty police officers contracted by LSCPA are commissioned as peace officers under Texas Education Code 51.203 and are certified police officers under the requirements of the Texas Commission on Law Enforcement (TCOLE). Officers are sworn with the full powers of arrest and mandated to enforce all applicable federal and state laws, as well as local ordinances.

LSCPA will contract police officers from local agencies for relatively rare large events. These officers exercise full arrest authority while on campus at these events.

Working Relationship with Local, State, and Federal Law Enforcement Agencies

The LSCPA Campus Safety Office enjoys a good working relationship with federal, state, local, city, and county law enforcement authorities, including Port Arthur Police Department, and employs off-duty police officers. This working relationship with other area law enforcement agencies ensures that crimes and violations at nearby campus sites may be reported to LSCPA Campus Safety Officers and, if further assistance is needed, at on-campus locations. Additionally, the Campus Safety Office has a shared radio channel with Port Arthur Police Department that makes communication easily accessible and timely.

There is a written Memorandum of Understanding (MOU) between LSCPA and the Port Arthur Police Department. The MOU sets forth the operational procedures and responsibility of LSCPA and Port Arthur Police Department with regard to communications services, specifically Motorola portable communications radios and emergency phones. LSCPA utilizes radios to provide communications between LSCPA Campus Safety Officer and Port Arthur Police Department Officers/Dispatchers. Two emergency channels have been established and are monitored at all times.

Crimes Involving Student Organizations at Non-Campus Locations

LSCPA recognizes the right of college-affiliated groups and organizations to sponsor and hold off-campus events. The College assumes no responsibility for the conduct of participants nor for the financial and/or contractual obligations associated with off-campus events; however, the College does hold each group/organization and its officers responsible for abiding by all state and local laws and college policies.

Sponsoring groups or organizations and their officers are responsible for conducting off-campus events in a manner that reflects favorably upon themselves and the College, and for arrangements for adequate safeguards at these events.

Sponsoring groups or organizations and their officers are responsible for fulfilling all financial and contractual obligations entered into in conjunction with off-campus events.

Violations of law, unacceptable conduct, and/or failure to meet financial or contractual responsibilities may subject a group or organization to disciplinary action by the College. Monitoring and recording of criminal activity at non-campus locations of student organizations officially recognized by the College will be done through local police agencies. Regular contact between Campus Safety and local law enforcement agencies is maintained to aid in the tracking of criminal activities. For purposes of reporting the data, the term “non-campus buildings” includes areas off campus owned or controlled by registered student organizations. However, the Campus Safety Office has no responsibility for security policies, procedures, or safety at these locations.

LSCPA does not have officially recognized student organizations that own or control housing facilities outside of the LSCPA core campus. Therefore, Port Arthur Police Department is not used to monitor and record criminal activity since there are no non-campus locations of student organizations.

TIMELY WARNINGS – CRIME ALERTS

The purpose of a timely warning notice is to notify the campus community of incidents that may pose a serious or ongoing threat to students or employees, to provide information that may enable college community members to protect themselves from similar incidents, and with the goal of aiding in the prevention of similar crimes.

LSCPA provides a campus-wide timely warning notices to the campus community in the event a crime is reported to have occurred within LSCPA's Clery Act Geography (on campus, public property, and non-campus property) that, in the judgement of President or designees, constitutes a serious or continuing threat.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Aggravated assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger LSCPA community)
- Major incidents of Arson
- Murder/Nonnegligent manslaughter
- Robbery (involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sex offenses (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the Director of Safety, or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Other Clery crimes as determined necessary by the President, or designee.

These warnings will be distributed if an incident is reported to an LSCPA Campus Security Authority (CSA) or if LSCPA is notified by local law enforcement. LSCPA has requested that local law enforcement agencies and CSAs notify the LSCPA Campus Safety Office about crimes reported to them that may require a timely warning. Timely warnings may also be posted for other crime classifications and locations, as deemed necessary, even though that is not required by the law, at the sole discretion of LSCPA.

Timely warnings will be distributed as soon as pertinent information is available, in a manner that withholds any personally identifying information of reporting parties or victims. All initial timely warning messages will begin with "LSCPA Timely Warning" to indicate the severity of the message and will provide, at a minimum, a brief description of the incident. The following information may also be included, if known and applicable to the incident:

- Type of crime
- Date, time and location of the crime
- Available suspect information
- Safety tips to help with the risk of being involved in a similar incident.

Decisions concerning whether to issue a timely warning will be made on a case-by-case basis using the following criteria:

- Nature of the crime
- Danger and continuing danger to the campus
- Risk of compromising law enforcement efforts

Timely Warning Notices are typically written by the President, or designee, and typically distributed by the Office of Public Information.

Timely warnings will contain information about the nature of the threat and allow members of the community to take protective action. Timely Warning Notices will be issued to the campus community via E-mail blast to all MyLSCPA email accounts. Timely warnings may also be issued using some or all of the following methods of communication: text messages or emails sent through the College's LSCPA Seahawk Emergency Communications System (eLERTS), or building postings by Building Administrators.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Lamar State College Port Arthur regularly reviews and annually updates plans and procedures for emergency response and evacuation for the campus community. Emergency plans and procedures as well as a variety of additional resources are available for viewing through the Emergency Operations Plan & the Hazardous Communication Program (HCP) which is available for viewing at the Campus Safety Office, Student Center, room 104.. These plans outline incident priorities, campus organization and specific responsibilities of particular units or positions.

College departments are responsible for developing emergency response and continuity of operations plans for their areas and staff. The Campus Safety Committee provides resources and guidance for the development of these plans. Emergencies occurring on campus should be reported by calling 911 or the Campus Safety Office at (409) 984-6255. After hours and on weekends, the Campus Safety Office can be reached at (409) 548-2048.

The primary law enforcement response to emergencies occurring on LSCPA property are LSCPA Campus Safety, Port Arthur Police Department, and Fire Department/EMS (Emergency Medical Services). Emergency response is provided by local EMS services. LSCPA Campus Safety is usually first to respond to emergencies occurring on the LSCPA campus and works with the City of Port Arthur first responders when necessary to resolve the situation.

Types of Emergencies

Lamar State College Port Arthur has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an

emergency (immediate) notification after confirmation. Possible emergencies that may occur include, but are not limited to the following:

1. Active Shooter
2. Bomb Threat
3. Explosion
4. Fire
5. Flooding
6. Fumes and Vapors
7. Hazardous Substance Spills
8. Mechanical Failures
9. Utility Failures
10. Medical Emergencies and Community Health Issues
11. Pandemic
12. Public Relations Emergencies
13. Severe Weather (other than tropical weather)
14. Student Crisis (suicide, assault, etc.)
15. Technology, Telecommunications, and Information Services
16. Violent or Criminal Behavior (Campus shooting, rape, assault, etc.)
17. Hurricane and Tropical Weather Preparations

Individuals can report emergencies occurring at LSCPA by calling 911 or the Campus Safety Office at (409) 984-6255. After hours and on weekends, the Campus Safety Office can be reached at (409) 548-2048.

Given the potential day-to-day and large-scale hazards that may affect the LSCPA campus, a tiered approach has been established to define the appropriate response to any campus emergency. Each of the response levels is relative to the magnitude of the emergency. The approach is flexible enough to be used in an emergency response situation regardless of the size, type, or complexity of the emergency.

Levels of Emergency

Routine Response

Routine incidents occur on campus daily and are often handled by Campus Safety or Physical Plant personnel. These incidents can be handled through normal response procedures and do not require additional resources from other campus units. The scope of the incident is well-defined and it can be resolved within a short time period. Policies and procedures relating to routine responses are developed and maintained by the responding units. A routine response does not require activation of the Emergency Operations Plan or the Crisis Management Team.

Limited Emergency

Limited emergencies are those incidents that significantly impact one or multiple campus units; are complex, or require interaction with outside response organizations; and/or require a longer or more intense response than the affected unit(s) can effectively manage. These incidents include extended power outages affecting single or multiple buildings, localized flooding, and hazardous material releases. Limited emergencies may be handled by the responding departments with support from local first responders such as Port Arthur Police and/or Fire Departments. The Director of Safety will notify the President and/or Crisis Management Team members who will provide leadership and coordination support. The Emergency Operations Plan may be partially activated to support a limited emergency.

Major Emergency

Major emergencies include those incidents where many, if not all, campus units are impacted; normal campus operations are interrupted; response and recovery activities will continue for an extended period of time; and routine response procedures and resources are overwhelmed. Procedures for responding to a major emergency are contained within this plan. Major emergencies will likely require partial or full Emergency Operations Plan activation and full Crisis Management Team participation.

Roles and Responsibilities

President

- Pre-approve broad policies relative to emergency operations, risk management, and disaster response and recovery.
- Review and approve all communications with the campus, community, and TSUS office.
- Decide when classes will be canceled, create a timeline to limit services, close buildings or to evacuate campus.
- Communicate with TSUS Chancellor and System Officers.

Executive Director of Campus Safety (Shared Services)

- Member of the Crisis Management, Assessment, and Disaster Response Teams.
- Lead the Crisis Management Team.
- Make the decision as to the appropriate level of response up to and including the evacuation of campus.
- Communicate with the Assessment Team and the Disaster Response Team.
- Maintain communications with Jefferson County Emergency Management Coordinator and Port Arthur Police Department.
- Recommend to the President when classes will be canceled, create a timeline to limit services, close buildings or to evacuate campus.
- Communicate with the Coordinator of Public Information (CPI).
- Communicate with President and advises on the College's state of readiness.
- Schedule a meeting following emergencies to assess the reaction and make recommendations for improvement.

Executive Vice President for Finance and Operations (Shared Services)

- Member of the Crisis Management, Assessment, and Disaster Response Teams.
- Lead the Crisis Management Team in the absence of the Executive Director of Campus Safety (Shared Services).
- Communicate emergency instructions to Business Office supervisors.
- Communicate with TSUS Finance Officers.

Vice President for Academic Affairs

- Member of the Crisis Management, Assessment, and Disaster Response Teams
- Following consultation with the President, communicate to direct reports when classes will be canceled and when the campus will be evacuated.
- Inform deans, academic departments and department chairs of the decision and timeline to limit services, close buildings or to evacuate campus.
- Implement building closure procedures.

Dean of Academic and Technical Affairs

- Member of the Crisis Management, Assessment, and Disaster Response Teams.
- Assist the Vice President for Academic Affairs in the damage assessment.

Director of Physical Plant

- Member of the Crisis Management, Assessment, and Disaster Response Teams
- Advise Executive Director for Campus Safety, Crisis Management Team and Assessment Team of campus conditions.
- Determine the structural safety and serviceability of any structure damaged during a disaster.
- Coordinate contractors and facilities staff in their response to a disaster.
- Coordinate damage repairs and reconstruction and advises the team on available resources and timelines.
- Procure, store, and maintain in an operable condition all supplies and equipment necessary to prepare the campus for a Tropical Weather event as outlined in this plan.

Assistant Vice President of Information Technology Services

- Member of the Disaster Response Team
- Coordinate with the Vice President for Finance and Operations and the Vice President for Academic Affairs on initiation of Information Technology Services Department backup, recovery, and failover procedures.

Director of Safety

- Provide the Crisis Management Team with timely updates to any emergency situation.
- Notify the President and/or Vice Presidents of emergency situations, regardless of College wide impact, immediately upon occurrence of such an emergency.
- Responsible for campus security.

Coordinator of Public Information

- Reviews all announcements with the President prior to distribution.
- Receives information from the Executive Director of Campus Safety and develop announcements to be made following an emergency event after consultation with the President.
- Develop and implement a communication plan for campus evacuation, return to campus, and media response during and following an emergency event.
- Inform entire campus of the decision and timeline to limit services, close buildings or to evacuate campus.
- Communicates plan to the media, updates campus website and social media.

Dean of Student Services

- Notify the Director of Campus Safety, President and/or Vice Presidents of emergency situations, regardless of College wide impact, immediately upon occurrence of an emergency.

Executive Director of Procurement (Shared Services)

- Member of the Disaster Response Team
- Advise the Disaster Response Team regarding the procurement of services and/or equipment.

Athletics Director

- Member of the Disaster Response Team
- Implement evacuation of student athletes and dormitory residents during campus evacuations.

Crisis Management Team

The Crisis Management Team (CMT) will be convened should the President or any Crisis Management Team member determine the emergency event will have a wide-ranging or long-lasting effect. The Crisis Management Team will be the decision-making group throughout all phases of the emergency event and campus response. The CMT will review all known information to decide on a course of action, proper response, public statement, and appropriate activities. As events develop or change, the team will communicate clearly before further action or further statements are issued.

Emergency Notification

In the event of an emergency, Lamar State College Port Arthur will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the College community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employee and visitors.

The College uses the LSCPA Seahawk Emergency Communications System (eLERTS) to notify students, faculty and staff about any significant emergency or dangerous situation involving an immediate threat to health or safety, including school closures related to weather or other circumstances. Available phone numbers and email addresses in the college’s student registration and human resources

systems are automatically enrolled in the eLERTS system. Additional contact points may be added through the MyLSCPA portal.

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the life, safety, or security of the campus community occurring on campus, LSCPA will without delay, and taking into account the safety of the community, determine the content of emergency notification messages and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: Campus Safety, Port Arthur Police Department, and/or the Port Arthur Fire Department and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The content of an emergency notification will contain information that will aid the campus community in responding to a particular situation or provide evacuation procedures when/if necessary.

Some emergency notifications are intended to be used by LSCPA community members when they become aware of a dangerous situation, such as fire alarms and/or certain severe weather. LSCPA community members are authorized to activate the appropriate alarm system when the corresponding emergency is occurring. The alarm systems in place are designed to notify others of the danger via audible and/or visual means.

The following campus officials have been designated to serve as authorized officials who are empowered to determine the content and issuance of written emergency notifications:

- President or designee
- Executive Vice President for Finance and Operations (Shared Services)
- Dean of Student Services

When an authorized official receives a report of an imminent or already occurring situation that poses an immediate threat to life, safety, or security on campus, they will confirm the report. Depending on the situation, confirmation may be achieved through one or more of the following sources:

- Investigation by LSCPA Campus Safety Office
- Investigation by other LSCPA campus departments, including but not limited to, Dean of Students Services and/or Emergency Operations Committee.
- Investigation by City of Port Arthur Fire Department and/or Police Department
- Jefferson County Emergency Services and/or Health Department
- Texas Department of State Health Services
- National Weather Service
- Media reports originating from the incident scene

The authorized official will determine, consulting with other campus officials as appropriate, how much information is appropriate to disseminate at different points in time. This determination will be based on the following:

- Nature of the incident or threat
- Segment to be notified

- Location of the incident or threat Depending on the circumstances

LSCPA may send emergency notification messages to the entire campus community or only a segment of the population. If a confirmed emergency-situation appears likely to affect a limited segment of the campus community, emergency notification messages may be limited to that group. If the potential exists for a very large segment of the campus community to be affected by a situation or when a situation threatens the operation of the campus as a whole, the entire campus will be notified. In any case, there will be a continuing assessment (including follow-up messages) of the situation and additional segments of the campus community may be notified if the situation warrants such action.

The authorized official will, considering the nature of the threat and the population to be notified, choose the appropriate communication tool(s) to utilize. LSCPA has at its disposal several tools that may be used to disseminate emergency notifications to the campus community. They will be distributed through one or more of the following methods:

- eLERTS system via Blackboard Connect
    - Text message to a cell phone number registered in the College's student information system or human resources system.
    - E-mail notification to a MyLSCPA email account.
    - Audio message to a cell phone or other telephone number registered in the College's student information system or human resources system.
- Designated websites.
- In-person communication. If any these systems fail or the College deems it appropriate, in person communication may be used to communicate an emergency.

Additional notification methods may include:

- Fire alarms
- Posted advisory messages
- Emergency responder announcements

The nature of the emergency will determine the types and extent of the notification. The authorized official will approve the issuance of notification and contact the Public Information Officer, who will issue the notification message as soon as possible if it is related to fire, or natural disasters. The authorized official will notify administration officials.

In case of an emergency, a message will be sent to registered email and phone numbers. All students and employees who have a @lamarpa.edu email address are automatically registered to receive email alerts in the eLERTS system; however, a student or employee may elect not to receive notifications from the College. This preference must be submitted electronically or in writing and must be renewed at the start of each academic year. The eLERTS system will be used to notify the campus community of any immediate threat to both life and safety.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the LSCPA homepage at www.lamarpa.edu and/or social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

Emergency Response Drills and Exercises

In conjunction with other emergency agencies, the College conducts emergency response drills and exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

Campus Safety conducted a tabletop exercise on August 28, 2023 for the LSCPA Emergency Operations Committee. The tabletop simulated a home invasion in the adjacent neighborhood with the actor moving toward campus. Part of this tabletop involved student evacuation and shelter in place scenarios. On July 2, 2024, Campus Safety conducted another tabletop exercise for the LSCPA Emergency Operations Committee. The tabletop simulated a hurricane disaster. Part of this tabletop involved discussions of student evacuations from Seahawk Landing.

Evacuation Procedures

Emergency Evacuation Procedures

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Campus Safety does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Campus Safety staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At LSCPA evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm

General Evacuation Procedures

If you receive instructions to evacuate or a fire alarm is activated, immediately proceed to the nearest exit and leave the building. During an evacuation, the fire alarm will generally be the first notification system utilized. However, depending upon the circumstances of the emergency, you may receive a text message through the eLERTS system (Blackboard Connect). If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify the LSCPA Campus Safety Office at (409) 984-6255 or dial 911.

During an evacuation, please follow the following guidelines:

- ✓ Remain calm.
- ✓ Do not use elevators, use the stairs.
- ✓ If needed, assist persons with access or functional needs.
- ✓ If a person is unable to evacuate, attempt to move them to a safe location. Once you have evacuated the building, immediately inform first responders of the person's location.
- ✓ Proceed to a clear area at least **150 feet** from the building. Keep all walkways clear for emergency vehicles.
- ✓ Do not re-enter the building.

Shelter-in-Place Procedures

What it Means to "Shelter-in-Place"

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of

the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic "Shelter-in-Place" Guidance

If an incident occurs and the building you are in is not damaged, stay inside an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest College building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to "Shelter-in-Place"

A shelter-in-place notification may come from several sources, Campus Safety Office, Housing Staff members, other College employees, Port Arthur Police Department, or other authorities utilizing the College's emergency communications tools.

How to "Shelter–in-Place"

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
   - An interior room;
   - Above ground level; and
   - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (College staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to Campus Safety Office so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

SECURITY OF AND ACCESS TO LAMAR STATE COLLEGE PORT ARTHUR FACILITIES

The President of Lamar State College Port Arthur is authorized by the Board of Regents of the Texas State University System to establish and administer regulations and procedures to provide for the security of campus buildings, equipment, and personnel.

Key System

The installation and maintenance of a key system and policies governing the use of that system is managed by the Physical Plant Department. In accordance with current policy, the President has delegated the administration of the Key Control System to the Director of Physical Plant in consultation with the Campus Safety Office.

The Director of Physical Plant will designate a key mechanic who will maintain all campus locks and manufacture keys as needed. No other person is authorized to install, alter, or remove locks without the approval of the President or the Director of Safety.

Cameras

An outdoor camera system covers the four main campus parking lots at the Carl A. Parker Multipurpose Center, the Performing Arts Center, Allied Health Building and Seahawk Landing (campus housing). The system currently includes 20 cameras and the College plans on expanding the system to be campus-wide in a phased approach.

The Campus Safety Office oversees the camera system and has the ability to monitor the cameras within their office and using mobile devices.

Emergency Call Stations

Code Blue Emergency Call Stations are installed in the following high-traffic areas:

- In between Gates Memorial Library and the Ruby Fuller Building
- In front of the Performing Arts Center
- Northwest section of the walkway located beside the Allied Health Building.

In the event of an emergency, these call stations can be used to contact 911 emergency dispatch from Port Arthur Police Department.

View the LSCPA Campus Map online.

Campus Safety Officers conduct routine patrols of campus buildings to evaluate and monitor security related matters.

Access to Facilities

Exterior access to facilities is generally available to faculty, staff, and students from 7 a.m. to 9 p.m., Monday through Thursday, and from 7 a.m. to 8 p.m. on Fridays. Employees may request building access keys for use after hours. Employees receiving building access keys must agree to follow entrance/exit procedures and sign a waiver of liability acknowledging the absence of campus security during after hour periods.

LSCPA has a public/private partnership with ITEX to provide a residential facility, Seahawk Landing. Residents are assigned key cards for their rooms and exterior doors require a passcode. A management office is on site and is open during normal business hours. LSCPA operates security cameras in the parking lot.

Maintenance of Facilities

The Physical Plant Department is responsible for the renovation, maintenance, repair, and operation of facilities at Lamar State College Port Arthur in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. The Campus Safety Office works closely with the Physical Plant Department to address burned out lights promptly as well as malfunctioning door locks or other physical conditions that enhance security. These responsibilities encompass routine maintenance, extraordinary repairs/renovations, and service requests from campus personnel/departments. The Physical Plant Department is responsible for all preventative maintenance including:

- monitoring all buildings and mechanical systems to ensure their integrity and proper operation;
- scheduling and performing preventive maintenance on buildings and building-related equipment as necessary;
- maintaining the safety of all facilities and equipment; and
- coordinating the licensure and inspection of all building-related equipment/facilities as required by law.

Other members of the College community are helpful when they report equipment problems to the Campus Safety Office or to the Physical Plant Department.

LSCPA RESPONSE TO SEXUAL AND GENDER VIOLENCE

LSCPA does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts also can be forms of sex-based discrimination and are prohibited whether sexually based or not and include dating violence, domestic violence, and stalking.

As a result, LSCPA issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs and procedures that address sexual assault, domestic violence, dating violence, and stalking whether the incident occurs on or off campus and when it is reported to a College official.

In this context, LSCPA prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the College community.

Prohibited Conduct and Related College Policies

The Texas State University System, its colleges and universities (collectively referred to as "System" and/or "Components" and used interchangeably herein) are committed to creating and maintaining educational communities in which everyone is respected, appreciated, and valued. The System diligently strives to foster an environment that permits and encourages everyone to perform at their highest levels in academia. The System's focus on tolerance, openness, and respect is key in providing every member of the TSUS community with basic human dignity free from harassment, exploitation, intimidation, or other sexual misconduct (to include domestic violence, dating violence, sexual assault and stalking as defined below). Any report of behavior that threatens our institutional values and breaches this policy shall be promptly investigated and remediated in accordance with principles of law, fairness, and equity to all parties involved.

The Texas State University System and its Components are firmly committed to maintaining an educational environment free from all forms of sex discrimination.

Sexual misconduct is a form of sex discrimination and will not be tolerated. The System and Components will maintain an environment that promotes prompt reporting of all types of sexual misconduct and timely and fair resolution of sexual misconduct complaints. The Components will take prompt and appropriate action to eliminate sexual misconduct when such is committed, prevent its recurrence and remedy its effects.

College policies explain how LSCPA addresses these issues when they are reported to a College official. The following College policies address these issues:

- Texas State University System Sexual Misconduct Policy and Procedures (NOTE: This policy applies to all members of the Texas State University System, including LSCPA.)
- Prohibition of Discrimination (Policy and Procedure Manual, Section 1.1 Equal Opportunity Policy)
- Student Discipline Code

Clery Act definitions of domestic violence, dating violence, sexual assault, and stalking are provided in the ***Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking*** section.

Definitions of domestic violence, dating violence, sexual assault, and stalking applicable to the State of Texas are provided in the ***Texas Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking*** section.

Protecting Minors on Campus

Texas state law requires anyone who suspects child abuse or neglect to report those suspicions to the Texas Department of Family and Protective Services (DFPS) or to a local law enforcement agency. Any person who has reason to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by another person must immediately report the suspected abuse or neglect. This obligation applies to ALL members of the College community, including faculty, administrators, staff, and even students. In addition, there are special reporting obligations for certain employees defined as "professionals." Licensed professionals including, "teachers, nurses, doctors, day care employees, and employees of a clinic or health care facility that provides reproductive services" have a specific duty to make a report not later than 48 hours after suspecting that a child has been or may be abused or neglected or that the child is the victim of the offense of indecency with a child.

A "child" is a person under 18 years of age. Neither Texas law nor any College policy allows individuals to delegate the duty to report child abuse or neglect.

Reporting suspicion to another individual or to a College official does not satisfy the reporting requirement. All employees are required to comply with College policy (Policy and Procedure Manual, 10.6 Campus Program for Minors & Child Abuse Training Requirements); however, an employee's first obligation is to protect the child by reporting to law enforcement or the Department of Family and Protective Services. Any person who knowingly fails to report suspected child abuse or neglect commits a Class A Misdemeanor, which is punishable by up to one year in jail and/or a fine of up to $4,000.

One can contact:

- 911 to report an emergency
- Local law enforcement in your area

SEXUAL MISCONDUCT

Sexual Misconduct is a broad term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature.

The term includes but is not limited to Sexual Assault, Sexual Exploitation, Sexual Intimidation, Sexual Harassment, Domestic Violence, Dating Violence, and Stalking as defined in the ***Texas State University System Sexual Misconduct Policy***.

Sexual misconduct can be committed by men or women, strangers or acquaintances, and can occur between or among people of the same or opposite sex.

- Texas Department of Family and Protective Services at its toll-free, 24-hour Family Violence Hotline at 1-800-252-5400

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

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking in §668.46 Institutional security policies and crime statistics:

- **Domestic Violence**:
  i. A Felony or misdemeanor crime of violence committed—
     A) By a current or former spouse or intimate partner of the victim;
     B) By a person with whom the victim shares a child in common;
     C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
     D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
     E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
  ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Dating Violence**: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  i. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  ii. For the purposes of this definition—
     A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
     B) Dating violence does not include acts covered under the definition of domestic violence.
  iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Sexual Assault** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent."

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

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

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

The State of Texas criminalizes dating violence, family violence (including domestic violence), sexual assault, and stalking. Law enforcement can investigate a reported crime.

Dating Violence

Dating Violence, as defined by the Texas Family Code, Section 71.0021, means an act, other than a defensive measure to protect oneself, by an actor that:

1. is committed against a victim or applicant for a protective order:
   a. with whom the actor has or has had a dating relationship; or
   b. because of the victim's or applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

2. is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.

For purposes of Texas Family Code, Section 71.0021, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

- the length of the relationship;
- the nature of the relationship; and
- the frequency and type of interaction between the persons involved in the relationship.

A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship."

Family Violence (Domestic Violence included)

Family Violence, as defined by the Texas Family Code, Section 71.004, states family violence means:

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

Sexual Assault

Sexual Assault, as defined by the Texas Penal Code, Section 22.011, states a person commits an offense if:

1. the person intentionally or knowingly:
    a. causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
    b. causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
    c. causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
2. regardless of whether the person knows the age of the child at the time of the offense, the person intentionally or knowingly:
    a. causes the penetration of the anus or sexual organ of a child by any means;
    b. causes the penetration of the mouth of a child by the sexual organ of the actor;
    c. causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;

d. causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
e. causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

The law states a sexual assault is without the consent of the other person if:

1. the actor compels the other person to submit or participate by the use of physical force, violence, or coercion;
2. the actor compels the other person to submit or participate by threatening to use force or violence against the other person or to cause harm to the other person, and the other person believes that the actor has the present ability to execute the threat;
3. the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
4. the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
5. the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
6. the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
7. the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
8. the actor is a public servant who coerces the other person to submit or participate;
9. the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
10. the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser;
11. the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code;
12. the actor is a health care services provider who, in the course of performing an assisted reproduction procedure on the other person, uses human reproductive material from a donor knowing that the other person has not expressly consented to the use of material from that donor;
13. the actor is a coach or tutor who causes the other person to submit or participate by using the actor's power or influence to exploit the other person's dependency on the actor; or
14. the actor is a caregiver hired to assist the other person with activities of daily life and causes the other person to submit or participate by exploiting the other person's dependency on the actor.

Stalking

Stalking, as defined by the Texas Penal Code, Section 42.072, states a person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed at a specific other person, knowingly engages in conduct that:

1. constitutes an offense under Section 42.07 (Harassment), or that the actor knows or reasonably should know the other person will regard as threatening:
    a. bodily injury or death for the other person; or
    b. bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
    c. that an offense will be committed against the other person's property;
2. causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship
    a. to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship, or the other person's property; or
    b. to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
3. would cause a reasonable person under circumstances similar to the circumstances of the other person to:
    a. fear bodily injury or death the person;
    b. fear that an offense will be committed against a member of the person’s family or household or an individual with whom the person has a dating relationship
    c. fear that an offense will be committed against the person's property; or
    d. feel harassed, terrified, intimidated, annoyed, alarmed, abused, tormented, embarrassed, or offended.

A trier of fact may find that different types of conduct described above, if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.

"Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.

"Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

Consent

Consent is an informed and freely and affirmatively communicated willingness to participate in a particular sexual activity. Consent can be expressed either by words or by clear and unambiguous actions, as long as those words or actions create mutually understandable permission regarding the conditions of each instance of sexual activity. It is the responsibility of the person who wants to engage

in the sexual activity to ensure that s/he has the consent of the other to engage in each instance of sexual activity.

The State of Texas defines consent as "assent in fact, whether express or apparent" in Texas Penal Code §1.07(11). The definition of consent for the crime of sexual assault in Texas can be found at Texas Penal Code §22.011.

Following The Texas State University System policy, LSCPA will consider the following factors in determining whether consent was provided: The Texas State University System

- consent is a voluntary agreement or assent to engage in sexual activity;
- someone who is incapacitated cannot consent;
- consent can be withdrawn at any time;
- past consent does not imply future consent;
- silence or an absence of resistance does not imply consent;
- consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
- coercion, force, or threat invalidates consent; and
- being intoxicated or under the influence of alcohol, drugs, or any other substance is never an excuse for engaging in sexual misconduct.

Related Texas Laws

Victims' Bill of Rights

The Campus Sexual Assault Victims' Bill of Rights is a federal law (part of the Clery Act) that requires all colleges and universities participating in federal student aid programs to give sexual assault Victims certain basic rights. The following rights are provided in writing to the Victim:

- Victims shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present.
- Both parties shall be simultaneously informed of the outcome of any disciplinary proceeding.
- Victims shall be notified of counseling services.
- Victims shall be notified of options for changing academic and living situations.

A victim of crime is defined by Chapter 56A of the Code of Criminal Procedure as a person who:

- is a victim of the offense of sexual assault; kidnapping; aggravated robbery; trafficking of persons; or injury to a child, elderly individual, or disabled individual; OR
- has suffered personal injury or death as a result of the criminal conduct of another

The law also applies to victims of juvenile crime, including victims who suffer property loss.

Assistance for Victims: Rights and Options

Regardless of whether a Victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist Victims of sexual assault, domestic violence, dating violence, relationship violence, and stalking and will provide each Victim with a written explanation of their rights and options, including:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

The College has procedures in place that are sensitive to those who report sexual assault, domestic violence, dating violence, and stalking. See ***Procedures for Reporting a Complaint*** for more information.

The State of Texas intends that victims of crime receive the following safeguards, assurances, and considerations:

- The Texas Constitution (Article I, Section 30) provides victims of violent crime with the below rights:
  a) A crime victim has the following rights:
     1) the right to be treated with fairness and with respect for the victim's dignity and privacy throughout the criminal justice process; and
     2) the right to be reasonably protected from the accused throughout the criminal justice process.
  b) On the request of a crime victim, the crime victim has the following rights:
     1) the right to notification of court proceedings;
     2) the right to be present at all public court proceedings related to the offense, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial;
     3) the right to confer with a representative of the prosecutor's office;
     4) the right to restitution; and
     5) the right to information about the conviction, sentence, imprisonment, and release of the accused.

  (c) The legislature may enact laws to define the term "victim" and to enforce these and other rights of crime victims.

(d) The state, through its prosecuting attorney, has the right to enforce the rights of crime victims.
(e) The legislature may enact laws to provide that a judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a right enumerated in this section. The failure or inability of any person to provide a right or service enumerated in this section may not be used by a defendant in a criminal case as a ground for appeal or post-conviction writ of habeas corpus. A victim or guardian or legal representative of a victim has standing to enforce the rights enumerated in this section but does not have standing to participate as a party in a criminal proceeding or to contest the disposition of any charge.

- Texas Victim Information and Notification Everyday (VINE) is a system that notifies registered persons of suspect/offender status and court event changes. Notifications are sent when a suspect/offender is released or transferred, there is a change in custody status (e.g., death, escape), or a court event has been set or changed.
    d. VINE 24-hour information on jail status and court events: 1-877-894-8463
    e. Texas VINE website

LSCPA will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Texas Crime Victims' Rights

Under Texas law, a victim of domestic violence, dating violence, sexual assault, stalking, or other violent crime is guaranteed rights and participation in the criminal justice system. These rights extend to the guardian of the victim and to a close relative if the victim is deceased. The full text is available at Chapter 56A of the Code of Criminal Procedure. Questions about these rights and how to exercise them may be directed to the Texas Department of Criminal Justice Victim Services Division at (800) 848-4284 or victim.svc@tdcj.texas.gov.

Victims may also be eligible for the Texas Crime Victims Compensation Program.

Sex Offender Registration/Campus Sex Crimes Prevention Act (Megan's Law)

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student. In Texas, convicted sex offenders must register with the Texas Department of Public Safety (TxDPS). This information can be found on TxDPS website at https://www.dps.texas.gov/section/crime-records-service/texas-sex-offender-registration-program.

Accommodations and Protective Measures Available to Victims

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

The College may issue an institutional no contact order if deemed appropriate. To the extent of the Victim's cooperation and consent, College offices will work collaboratively to ensure that the Victim's health, physical safety, work and academic status are protected. For example, if reasonably available, a Victim may be offered changes to academic, living or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement.

To request accommodations or protective measures, contact the Title IX Coordinator at titleix@lamarpa.edu (409) 718-7570.

Confidentiality

Victims may request that directory information on file with the College be withheld by contacting the Office of the Registrar at humphreyrr@lamarpa.edu or (409) 984-6165.

Regardless of whether a victim has opted out of allowing the College to share directory information, personal identifiable information about the Victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the Victim.

- Publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim.
- LSCPA does not publish the name of crime victims or other personally identifiable information regarding victims or complainants in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Clery Act.
- If a Timely Warning Notice or an emergency notification is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, or any other Clery Act reportable crime, the name of the victim or complainant and other personally identifiable information will be withheld.
- By only sharing personally identifiable information with individuals on a need-to-know basis, LSCPA will maintain as confidential, any accommodations or protective measures provided to the Victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Who Could I Talk To?

If a victim chooses to report sexual assault, relationship violence, sexual misconduct, or stalking to the police, the police officer will need to obtain a statement describing the details of the crime.

On Campus Support Resources

The following On Campus Resources are available to support victims of sexual assault, relationship violence, sexual misconduct, or stalking.

Title IX Coordinator

The Title IX Coordinator oversees the College's response to reports and complaints of sex discrimination (including sexual assault, sexual misconduct, relationship violence, and stalking). The Title IX Coordinator can receive a complaint, provide information or answer questions about the complainant's rights or course of action available to them, and can answer questions about the College policies or procedures relating to sex discrimination. For more information on how to report, see ***Procedures for Reporting a Complaint***.

Joseph Hargrave, Title IX Coordinator
Student Center Building, Room 204
(409) 718-7570
titleix@lamarpa.edu
LSCPA Title IX Website

Dean of Student Services

The Dean of Student Services is the chief student personnel officer. The Dean of Student Services reports directly to the President and is responsible for Financial Aid, Admissions and Records, Advising, and Student Activities. The Dean of Student Service is also a Title IX Deputy Coordinator and aids and provides support to students who experience prohibited conduct.

Tessie Bradford, Ed.D., Dean of Student Services
Student Center, Room 301
(409) 984-6156
bradfordts@lamarpa.edu
Dean of Student Services Website

Human Resources

Human Resources works with Title IX and supervisors to address prohibited conduct by employees. HR also aids and provides support to employees who experience prohibited conduct.

Beth Knape, Executive Director of Human Resources
Business Office Building, Office 123
(409) 984-6237
knapeb@lamarpa.edu
Human Resources Website

Confidential Reporting

Victims who would like to make a confidential report may contact:

Laurie Marcantel, M.Ed., L.P.C., A.T.S.
Disability Services Coordinator
Student Success Center Rm 117
(409) 984-6241
marcantella@lamarpa.edu

Campus Safety Office

The mission of the Campus Safety Office is to help provide a safe and pleasant environment for the students, faculty, staff, visitors, and guests on campus. Through high visibility and the help of off-duty police officers, the Campus Safety Office does its best to deter occurrence of infractions. The Office's patrol system and Campus Safety Escort afford opportunities to see and be seen.

In emergency situations that may constitute an immediate threat to the health and/or safety of students and/or employees, or if the crime being reported is currently in progress, dial 911 or call the Campus Safety Office at (409) 984-6255. After hours and on weekends, the Campus Safety Office can be reached at (409) 548-2048.

Victims of a crime who wish to make a report, should contact the Campus Safety Office at (409) 984-6255. Experienced safety officers will help you make a report.

Campus Safety Office Website

Other On-Campus Services

Service Category		Type of Services Available	Service Provider	Contact Information
Counseling and Mental Health		Mental Health Counseling Referrals	Dean of Student Services Office	(409) 984-6157
Health	No on-campus services are available. See ***Off Campus Services for Victims***.	Timelycare.com/LSCPA		
Legal Assistance		No on-campus services are available. See ***Off Campus Services for Victims***.		
Student Financial Aid		Financial Aid information	LSCPA Student Financial Aid	(409) 984-6203
Visa and Immigration Assistance		No on-campus services are available. See ***Off Campus Services for Victims***.		
Other		No on-campus services are available. See ***Off Campus Services for Victims***.		

Off Campus Services for Victims

Service Category	Type of Services Available	Service Provider	Contact Information
Counseling and Mental Health	**24-Hour Crisis Intervention Line**	Family Services Women and Children's Shelter	(409) 832-7575 or Toll-free 1-800-621-8882
	24-Hour Crisis Line (Suicide, Sexual Assault, General Crisis)	Rape and Suicide Crisis of Southeast Texas	(409) 835-3355 or Toll-free 1-800-793-2273
	Victim Crisis Counseling, Victim Therapy	Jefferson County Victim's Assistance Center	(409) 983-3377
	Counseling	Family Services Counseling Program	(409) 833-2668 ext. 100
	Counseling	Samaritan Counseling Center	(409) 727-6400
	Mental Health Resources for LSCPA Employees	Employee Assistance Program (Interface EAP, Inc.)	713-781-4463 or Toll-free 1-800-324-4327
	Mental Health Resources for LSCPA Students	TimelyCare	Timelycare.com/LSCPA

Service Category	Type of Services Available	Service Provider	Contact Information
Health	**Sexual Assault Examination by a Forensic Nurse Examiner** Hospital	Christus St. Elizabeth (Beaumont)	(409) 892-7171
	Sexual Assault Examination by a Forensic Nurse Examiner	Child Abuse & Forensic Services (Beaumont)	(409) 832-0421
	Hospital	Christus St. Mary Outpatient Center Mid County (Port Arthur)	(409) 724-3600
	Hospital	The Medical Center of Southeast Texas (Port Arthur)	(409) 724-7389
	Hospital	Baptist Hospital (Beaumont)	(409) 212-5000
	Emergency Room	Golden Triangle Emergency Center	(409) 237-5870
	Pregnancy Testing, STD Testing, Ultrasounds	Hope Women's Resource Clinic	(409) 898-4005
	Primary and Preventative Health Care	Triangle Area Network	Beaumont: (409) 832-3377 Orange: (409) 920-4223
	Alcohol and Drug Dependency Treatment	The Recovery Council of Southeast Texas	(409) 842-2408
	Public Health Education, Referrals to Health and Social Services	City of Port Arthur Health Department	(409) 983-8832
	Health Resources for LSCPA Students	TimelyCare	Timelycare.com/LSCPA
Victim Advocacy	Domestic Violence Assistance	National Domestic Violence Hotline	1-800-799-SAFE (7233) TTY 1-800-787-3224 Text “START” to 8878 Online chat at http://thehotline.org
	Sexual Assault Assistance	Rape, Abuse, and Incest National Network	1-800-656-4673 (HOPE) Online chat at http://rainn.org
	Crime Victim Education and Referrals	VictimConnect Resource Center	1-855-4-VICTIM (1-855-484-2846)

Service Category	Type of Services Available	Service Provider	Contact Information
			Online chat at https://victimconnect.org/get-help/talk-to-someone/
	Victim's Rights, Crime Victim's Compensation, Criminal Justice System Assistance, Safety Planning, Protective Order Assistance	Jefferson County Victim's Assistance Center	(409) 983-3377
	All Services	Jefferson County Lawyer Referral Services	(409) 983-3377
Legal Assistance	Domestic Violence, Sexual Assault, and Stalking	Texas Advocacy Project	1-800-374-4673 (HOPE)
	Sexual Assault	Overcoming Violence, Abuse, and Stalking | TLSC	1-844-303-7233 (SAFE) Option 1
	Immigration Assistance	Catholic Charities	(409) 924-4400 or 1-855-924-4400 ext. 4
Visa and Immigration Assistance	Legal Services	Victim's Assistance Center - District Attorney's Office - Jefferson County TX	(409) 983-3377
	Immigration Assistance	Catholic Charities	(409) 924-4400 or 1-855-924-4400 ext. 4
Financial Assistance	Texas Benefits	Texas Health and Human Services	https://www.hhs.texas.gov/services/financial
	Crime Victims' Compensation	Office of the Attorney General – CVC Program	800-983-9933
Other	Law Enforcement	Port Arthur Police Department	(409) 983-8600
	Law Enforcement	Beaumont Police Department	(409) 832-1234
	Law Enforcement	Orange Police Department	(409) 883-1026
	Assistance to at-risk families and single parents	Buckner Child and Family Services	(409) 200-2739
	Social Services	Texas Health and Human Services Commission	dial 2-1-1 or (977) 541-7905
	Court Appointed Special Advocates (CASA)	CASA of Southeast Texas	(409) 832-2272

Other Resources

- National Domestic Violence Hotline: 1-800-799-SAFE (7233)
- Rape, Abuse, and Incest National Network: 1-800-656-4673 (HOPE)
- U.S. Department of Justice
- U.S. Department of Education, Office of Civil Rights
- Financial Education for Survivors of Domestic Violence

Adjudication of Violations

The College's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the Texas State University System Sexual Misconduct Policy and Procedures and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault, and stalking complaints are completed (exclusive of any appeal procedures) within 120 days of the date a complaint is submitted. However, each procedure allows for extensions of timeframes as necessary to accomplish the procedure and for good cause. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault, and stalking complaints are trained on conducting an investigation and hearing process that protects the safety of the victim and promotes accountability. They also receive additional training annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as investigatory procedures and due process. Furthermore, the Texas State University System Sexual Misconduct Policy and Procedures provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited to providing support, guidance, or advice. The advisor may not directly participate in any meeting, hearing, or proceeding, except for the limited purpose of conducting oral cross-examination during a live hearing in a Title IX Sexual Harassment matter. The Advisor may not conduct oral cross-examination during a hearing in a Non-Title IX Sexual Misconduct matter.
5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and

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

Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Whether or not criminal charges are filed, the College or a person (student or employee) may file a complaint under the Texas State University System Sexual Misconduct Policy and Procedures. This section contains an overview of the process.

Confidentiality

The identity of the following individuals is confidential and not subject to disclosure under the Texas Public Information Act, unless such individual(s) waive nondisclosure in writing:

- an alleged victim of an incident of sexual misconduct;
- a person who reports an incident of sexual misconduct;
- a person who sought guidance from LSCPA concerning such an incident;
- a person who participated in LSCPA's investigation of such an incident; or,
- a person who is alleged to have committed or assisted in the commission of sexual misconduct, provided that after completion of the investigation, the Component determines the Complaint or Report to be unsubstantiated or without merit.

The identity of these individual(s) may only be disclosed to the following:

- LSCPA, as necessary to conduct an investigation and resolution of the investigation;
- the person or persons alleged to have perpetrated the incident of sexual misconduct, to the extent required by other law;
- a law enforcement officer, as necessary to conduct a criminal investigation;
- potential witnesses to the incident, as necessary to conduct an investigation; or,
- a health care provider in an emergency situation, as determined necessary by the LSCPA.

If there is a direct conflict between the requirements of FERPA and the requirements of Title IX, such that enforcement of FERPA would interfere with the primary purpose of Title IX to eliminate sex-based discrimination in schools, the requirements of Title IX override any conflicting FERPA provisions.

Prohibition on Retaliation

LSCPA takes reports of sexual misconduct very seriously and will not tolerate retaliation against those who make such reports or participate in the investigatory or adjudicatory process. Retaliation includes, but is not limited to, any adverse employment or educational action taken for making a report of

sexual misconduct, or otherwise participating in any way in the process of investigating or adjudicating an incident of sexual misconduct. Any actual or threatened retaliation, or any act of intimidation to prevent or otherwise obstruct the reporting, investigating, or adjudicating of sexual misconduct may be considered a separate violation of policy and may result in disciplinary sanctions.

Procedures for Reporting a Complaint

If any member of the LSCPA community is a victim of any type of sexual misconduct, including sexual harassment, sexual assault (including rape and acquaintance rape), domestic violence, dating violence, relationship violence, or stalking, there are services available to assist.

First, however, the individual's safety is of utmost importance. If you or a member of the community is in immediate danger or it is otherwise an emergency situation, LSCPA encourages you to contact local law enforcement by dialing 911. If on campus, you may contact Campus Safety at (409) 984-6255.

Please note that as per the Texas State University System Sexual Misconduct Policy and Procedures, the College will not take any disciplinary action for prohibited conduct (e.g., underage drinking, illegal use of drugs) in relation to or concurrently with an incident of sexual misconduct, against a person who is enrolled with or employed by the College for any violation of the College's applicable code of conduct, provided:

- the person acts in good faith;
- the violation of the code of conduct arises out of the same facts or circumstances as a Complaint or Report of sexual misconduct;
- the violation of the code of conduct is not punishable by suspension or expulsion; and
- the person is not reporting his or her own commission or assistance in the commission of sexual misconduct.

Reporting as a Victim

LSCPA has procedures in place to sensitively respond to those who report relationship violence, sexual assault, sexual misconduct, and stalking, including informing individuals about their right to file criminal charges as well as the availability of assistance in the form of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services on and/or off campus, and additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. LSCPA will make such accommodations, if the victim requests them and if they are reasonable, regardless of whether the victim chooses to report the crime to local law enforcement.

Involvement of Law Enforcement and Campus Authorities

Although the college strongly encourages all members of its community to report violations of this policy to law enforcement (including on campus law enforcement and/or local police), it is the victim's choice whether or not to make such a report. A victim may decline to notify local law enforcement; however, LSCPA will assist victims who choose to make such reports. When making a report to a law enforcement agency, a victim may use a pseudonym so that their name will not appear in public files.

Port Arthur Police Department may also be reached directly by calling (409) 983-8600 or by visiting in person at 645 4th Street, Port Arthur, TX 77641. Additional information about the Port Arthur Police department may be found online at: https://www.portarthurtx.gov/394/Police-Department.

See ***Related Texas Laws: Victims' Bill of Rights*** for important information.

Whether the incident occurred on or off campus, victims should contact the Title IX Coordinator to make a report by emailing titleix@lamarpa.edu, calling (409) 718-7570, online via the LSCPA Title IX Website, in person at the Student Center Room 204, or by mail to Title IX Coordinator, Lamar State College Port Arthur, 1520 Procter Street, Port Arthur, TX 77640. The Title IX Coordinator will provide victims with information in writing about assistance and accommodations.

Victims may also notify the following individuals, who will assist with making a report to the Title IX Coordinator:

- Campus Safety Office at (409) 984-6255
- Responsible Employees: College employees, including faculty, staff, and administrators.

Reports of all domestic violence, dating violence, sexual assault and stalking made to the Campus Safety Office will automatically be referred to the Title IX Coordinator regardless of if the complainant choses to pursue criminal charges.

Procedures Victims Should Follow to Preserve Evidence

Following an assault, find a safe place away from the attacker and out of danger. To preserve physical evidence, victims should not bathe, urinate, douche, shower, drink, or change clothes. This will preserve evidence that can be used later if a victim decides to file a police report or may be helpful in obtaining a protection order. Victims can undergo a medical (sexual assault) exam to preserve physical evidence with or without police involvement. This should be done immediately after or as soon after the incident as possible, although evidence may still be able to be collected even after several days.

If possible, victims should not clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours.

Victims should contact CHRISTUS Southeast Texas St. Elizabeth (2830 Calder Street, Beaumont, TX 77702, (409) 892-7171) for a sexual assault examination by a Forensic Nurse Examiner and to receive prompt, thorough medical care. If the victim has been taken to a different medical facility, they may still be able to be seen by the Forensic Nurse Examiner. Victims may choose to have someone take them to the emergency room or a police officer can meet them at their location to provide transportation.

In circumstances of sexual assault, if Victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

For victims of dating violence, domestic violence, stalking, and other types of sexual misconduct, it is important to preserve other types of evidence, such as:

- pictures or audio or video recordings
- text messages or other instant message conversations
- social media posts and messages
- emails, notes and letters
- call logs or any other type of communication not already mentioned
- logs or other copies of documents
- other similar types of evidence

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

Reporting as a Student with Knowledge of Sexual Misconduct

A student who believes that any type of sexual misconduct, including sexual harassment, sexual assault (including rape and acquaintance rape), domestic violence, dating violence, relationship violence, or stalking, has occurred may inform the Title IX Coordinator by emailing titleix@lamarpa.edu, calling (409) 718-7570, online via the LSCPA Title IX Website, in person at the Student Center Room 204, or by mail to Title IX Coordinator, Lamar State College Port Arthur, 1520 Procter Street, Port Arthur, TX 77640.

Reporting as an Employee with Knowledge of Sexual Misconduct

All employees, with few exceptions are Responsible Employees and have an obligation to report sexual misconduct. See ***What are Responsible Employees Required to Report?*** for more information about reporting obligations.

Reporting as a Visitor or Member of the General Public

Anyone with knowledge of sexual misconduct associated with the College may inform the Title

Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault, or Stalking is Reported

The following list is a summary of procedures. A more detailed description of the process can be found in ***Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking***.

1. If appropriate, the College will provide Complainant with access to medical care by calling 911 for emergency services if immediate medical care is needed and providing information about available health care in the area, to include SANE services in the event of sexual assault
2. The College will assess the immediate safety needs of Complainant.
3. The College will assist Complainant with contacting local police if complainant requests and provide the complainant with contact information for local police department.
4. The College will provide Complainant with referrals to off campus mental health providers.
5. The College will assess the need to implement interim or long-term supportive/protective measures, if appropriate.
6. The College will provide the Complainant with a written explanation of the victim's rights and options.
7. The College will provide a campus no contact order against the accused, if appropriate.
8. The College will provide the Complainant with contact information for Victim's Advocate services that will inform Complainant how to apply for Protective Order.
9. Institution will provide a copy of the Texas State University System Sexual Misconduct Policy and Procedures to the Complainant, which contains timeframes for inquiry, investigation and resolution.
10. The College will inform the Complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is.
11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

IX Coordinator by emailing titleix@lamarpa.edu, calling (409) 718-7570, online via the LSCPA Title IX Website, in person at the Student Center Room 204, or by mail to Title IX Coordinator, Lamar State College Port Arthur, 1520 Procter Street, Port Arthur, TX 77640. Anonymous reporting options are available. See ***Confidential and Anonymous Reporting*** for more information.

Confidential and Anonymous Reporting

Victims who would like to make a confidential report may contact:

Laurie Marcantel, M.Ed., L.P.C., A.T.S.
Disability Services Coordinator
Student Success Center Rm 117
(409) 984-6241
marcantella@lamarpa.edu

LSCPA provides an avenue for anonymous reporting of sexual misconduct online via the LSCPA Title IX Website.

Reporting Sexual Interpersonal or Stalking Crimes to Responsible Employees

Before a victim or reporting party reveals any information to a Responsible Employee, the employee should ensure that the victim or reporting party understands the employee's reporting obligations. If the victim or reporting party requests anonymity and confidentiality, the Responsible Employee should refer the victim to a Confidential Employee. See ***Confidential and Anonymous Reporting*** for more information.

If the victim or reporting party reports an incident to the Responsible Employee but also requests confidentiality or requests that the matter not be investigated, the employee should tell the victim that the College will consider the request but cannot guarantee that the College will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the Responsible Employee will inform the Title IX Coordinator of the victim or reporting party's request for confidentiality.

Who are Responsible Employees?

Responsible Employees are employees of LSCPA that are engaged in the course and scope of their employment, including Campus Safety. All LSCPA employees are responsible employees, except for Confidential Employees. Confidential Employees have been designated as being able to take confidential reports of sexual misconduct, including sexual harassment, sexual assault (including rape and acquaintance rape), domestic violence, dating violence, relationship violence, or stalking, without having to report the victim's identity or other confidential information to the Title IX Coordinator. See ***Confidential and Anonymous Reporting*** for more information.

What are Responsible Employees Required to Report?

Responsible Employees must comply with their obligation to promptly report sexual misconduct, including sexual harassment, sexual assault (including rape and acquaintance rape), domestic violence, dating violence, relationship violence, or stalking, to the Title IX Coordinator by email at

titleix@lamarpa.edu, by phone at (409) 718-7570, or online via the LSCPA Title IX Website. They must report all relevant details about the alleged sexual misconduct shared by the victim or reporting party.

A Responsible Employee shall share all information relevant to the investigation, and if applicable, redress of the incident, including whether an alleged victim or other necessary parties have expressed a desire for confidentiality in reporting the incident. A Responsible Employee should not share information with law enforcement without the victim or reporting party's consent unless the victim or reporting party has also reported the incident to law enforcement.

A Responsible Employee is required to report under the following conditions:

- the employee is in the course and scope of employment, at the time the employee witnesses or receives information regarding the occurrence of sexual harassment, sexual assault, dating violence, or stalking, or any other sexual misconduct defined in this Policy; and,
- the employee reasonably believes the incident constitutes sexual harassment, sexual assault, dating violence, or stalking, or any other sexual misconduct defined in this policy; and,
- the incident of sexual harassment, sexual assault, dating violence or stalking or any other sexual misconduct defined in this policy, was either committed by or against an enrolled student or an employee of the component at the time of the incident.

A Responsible Employee is not required to report under the following conditions:

- the person was the victim of such conduct; or,
- the person received information due to a disclosure made at a public awareness event sponsored by LSCPA or another TSUS member institution or by a student organization affiliated with LSCPA.

Procedures for Investigating and Resolving a Complaint

In this section, the term Complainant refers to the victim, Respondent refers to the person accused of misconduct, and the term Party refers to either the Complainant or Respondent.

Allegations Received

Upon receipt of an allegation of sexual misconduct, the Title IX Coordinator will:

- promptly contact the Complainant to discuss the availability of supportive measures, Complainant's wishes with respect to supportive measures, and the availability of supportive measures with or without the filing of a formal complaint or report;
- explain to the Complainant the process for filing a formal complaint or report;
- provide an electronic and/or hard copy of the Texas State University System Sexual Misconduct Policy and Procedures, which explains the process and rights of all Parties;
- request additional information regarding the reported incident;
- explain the investigatory process;
- explain the options for reporting to law enforcement authorities, whether on campus or local police;

- discuss Complainant's request for anonymity and confidentiality, if such has been requested, and explain that confidentiality may impact LSCPA's ability to investigate fully;
- discuss the Parties' consent to release and share documents and/or the need for non-disclosure agreements;
- determine whether the Complainant wishes to pursue informal resolution; and,
- refer the Complainant, as appropriate, to the counseling center or other resources, including but are not limited to, law enforcement, medical assistance, psychological counseling, victim advocacy resources, legal resources, student financial aid, alternative disciplinary processes, and visa and immigration assistance.

Supportive Measures

Supportive measures are available to both Parties, as applicable and appropriate. These measures may include, but are not limited to:

- counseling provided by a counselor who does not provide counseling to any other person involved in the incident
- extensions of deadlines or other course-related adjustments
- without any academic penalty, modifications of work or class schedules or assignments, including the option of dropping a course in which both Parties are enrolled
- campus safety escort
- mutual restrictions on contact between the Parties
- changes in work or housing locations
- leaves of absence
- restrictions from specific activities or facilities
- increased security and monitoring of certain areas of the campus
- immediate and appropriate corrective action, including measures designed to protect the safety of all parties or the College's educational environment, or deter sexual harassment

The College will honor any order of protection, no contact order, restraining order or similar lawful order issued by any criminal, civil, or tribal court. Any person who has obtained such an order should provide a copy to the Title IX Coordinator. The Complainant may then meet with the Title IX Coordinator and other appropriate individuals (e.g., Director of Safety, Dean of Student Services, Director of Human Resources) to develop a plan to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to, escorts, special parking arrangements, or changing classroom or work locations.

The College cannot apply for such orders on behalf of the Victim. The Victim is required to apply directly for these services as per the table below. Off-campus Victim Advocacy services can assist with this process. (See ***Off Campus Services for Victims*** for more information.)

Type of Order	Who Can File for One	Court	Based On
Domestic Violence Civil Protection Order – up to 5 years, can be renewed	Family or household members including: • Spouses, former spouses • Parent, child, foster parent • People who have kids together • Intimate partners who lived together in the last 5 years • Same sex couples are eligible	Domestic Relations Court – where victim lives, where abuser lives or has a business, or where incident(s) occurred	Causing or trying to cause injury or placing someone in fear of imminent serious harm (Courts use different requirements for how recent the incident must be)
Stalking Protection Order - up to 5 years, can be renewed	Any person who is a victim of stalking. No relationship with stalker is required.	Common Pleas Court - where victim lives (if family or household member, can be filed as DV Protection Order, see previous row).	Pattern of conduct (2 or more events), closely related in time, that cause distress or make a victim believe the stalker will cause harm.
Sexually Oriented Offense Protection Order - up to 5 years, can be renewed	Any person who was a victim of a sexually oriented offense (see ORC 2950.01). No relationship with offender is required. Case does not have to be criminally prosecuted.	Common Pleas Court – where victim lives	Sexual assault or unwanted sexual contact (see ORC 2950.01)
Juvenile Protection Order – until abuser reaches age 19	Victim of abuse by a person who is under age 18, or the victim's parent or other household member, or other parties the Court approves	Juvenile Court – where victim lives	Assault, stalking, sexual offenses, threats of harm or aggravated trespass

Supportive measures are confidential to the extent allowed by law and to the extent that maintaining such confidentiality will not impair the ability to provide the measures. LSCPA's inability to take disciplinary action against an alleged Respondent because of a Complainant's insistence on anonymity will not restrict the College's ability to provide appropriate measures for the reasonable safety of the LSCPA community.

Emergency removal of an employee or student prior to a final decision in the grievance process must comply with Texas State University System Rules and Regulations.

Request for No Investigation

If the Complainant does not wish to have an incident of sexual misconduct investigated, the Title IX Coordinator shall discuss this request with Complainant before the Title IX Coordinator decides on whether to proceed with the investigation. In deciding whether to proceed with such an investigation,

the Title IX Coordinator will make an individualized assessment, considering the Complainant's wishes not to proceed as well as other relevant factors including, but not limited to:

- the seriousness of the alleged conduct;
- whether violence or weapons were involved;
- the age of the victim;
- whether other complaints or reports have been made against the alleged Respondent; and,
- whether the alleged incident poses a risk of harm to others.

LSCPA may investigate the alleged incident of sexual misconduct in a manner that complies with the applicable confidentiality provisions in the Texas State University System Sexual Misconduct Policy and Procedures. If LSCPA decides not to investigate, the College will take any steps it determines necessary to protect the health and safety of its community in relation to the alleged incident. LSCPA will inform the Complainant of its decision to either investigate or not investigate the allegations.

Notification of Allegations

LSCPA will give written notice of the allegations to the parties, which also includes, but is not limited to, information on the College's grievance process, certain details of the allegations and alleged incident, certain rights of the parties, and the availability of supportive measures to the parties.

Advisors

The Parties are permitted to have an Advisor of their choice. The Advisor may be, but need not be, an attorney who may provide support, guidance, or advice to the Party. The Advisor may not otherwise directly participate in any meeting, interview, or proceeding except for the limited purpose of conducting cross-examination at a live hearing, if any. In addition to cross-examination, the Advisor may provide support, guidance, or advice to Complainant or Respondent, but may not otherwise directly participate in the hearing.

Investigation

The College will assign an investigator, who will gather and review information from the parties and witnesses. The investigator may gather other information, or conduct site inspections, as appropriate. The investigator will provide written notice to persons whose participation is invited or expected of the date, time, location, and purpose of all hearings, investigative interviews, or other meetings.

All Parties will have equal opportunity to present fact and expert witnesses and other inculpatory and exculpatory evidence during the course of the investigation. LSCPA may not restrict the ability of either Party to discuss the allegations under investigation, or to gather and present relevant evidence.

Once the assigned Investigator concludes all fact finding and evidence gathering activities, each Party and their respective Advisors have equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations in the Formal Complaint, including the evidence upon which the Component does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source,

so that each Party can meaningfully respond to the evidence prior to the conclusion of the investigation.

The Investigator will complete a written Investigative Report that includes summaries of interviews conducted; photographs, if any; documents and materials received; descriptions of relevant evidence; summaries of relevant electronic records; and a detailed report of the events related to the incident.

Decision-Making

Any person accused of sexual misconduct at LSCPA is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. The Decision Maker will weigh the admissible evidence using the preponderance of the evidence standard (i.e., is it more likely than not that a policy violation occurred).

Depending on the nature of the allegations, the complaint may proceed to a hearing or the Title IX Coordinator may review the report and issue a finding.

Hearing

If a hearing is required, a Notice of Hearing is sent to the Parties and their Advisors. If a Party does not have an Advisor to conduct cross-examination at the live hearing, the College will provide the Party with an Advisor, who need not be an attorney, for the limited purpose of conducting cross-examination at the live hearing.

The Investigative Report is provided to all Parties, their Advisors, and the Decision Maker. At the hearing, each Party may give a statement, answer questions, present evidence, and witnesses, and cross-examine the other Party and witnesses through their Advisor. LSCPA is required to make all evidence subject to the Parties' inspection and review available at any hearing to give each Party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination. Only relevant questions may be asked of a Party or witness during the hearing.

The hearing may be conducted with all Parties and witnesses physically present in the same geographic location or, at the College's discretion, any or all Parties, witnesses, or other participants may appear at the hearing virtually. At the request of either Party, the College shall provide for the entire hearing, including cross-examination, to occur with the Parties in separate rooms with technology that enables the Parties to see and hear each other or the witness answering questions, at all times while the hearing is in session. LSCPA is required to create an audio or audiovisual recording, or transcript, of any live hearing and make such recording or transcript available to the Parties for inspection and review.

Once the live hearing has concluded, the Decision Maker will issue a written determination, which shall be sent simultaneously to the Parties, along with information about how to appeal the determination.

Appeals

Both Parties must be offered an appeal from a determination regarding responsibility, and from a dismissal of a Formal Complaint or any allegations therein. Grounds for appeal are limited and include procedure irregularities that affected the outcome, new evidence that was not reasonably available at the relevant time, potential conflict of interest or bias, and a substantially disproportionate sanction.

Either Party may appeal a dismissal or Decision Maker's determination by filing a written request to appeal, with supporting information, with the appropriate Appellate Authority within the allowed time frame. If a party appeals, the college will notify the other party and implement appeal procedures equally for both parties. The decision of the Appellate Authority is final.

Finding Issued by Title IX Coordinator

The Title IX Coordinator will review the Investigative Report and determine whether it is more likely than not that the Texas State University System Sexual Misconduct Policy and Procedures was violated. When there is a Finding of no violation of policy, the Title IX Coordinator will communicate the Finding in writing simultaneously to the Parties. When there is a Finding that it is more likely than not there was a policy violation, written notifications of the finding, including the basis for the decision and recommended sanctions, will be sent to the appropriate LSCPA administrator (e.g., Dean of Student Services, employee supervisor, faculty Department Chair) with the authority to determine and issue appropriate sanctions. Either Party may dispute the findings or the sanctions. Procedures for disputes and appeals are documented in the Texas State University System Sexual Misconduct Policy and Procedures.

Informal Resolution

Informal resolution is a process in which a facilitator works with the Parties to come to a solution as an alternative to investigation and adjudication (e.g., mediation). Informal resolution is only available under certain circumstances and either party has the right to withdraw from the informal resolution process at any time prior to reaching an agreement and resume the grievance process. If it is determined that informal resolution is an appropriate mechanism for resolving the complaint:

- Both parties must be willing to engage in the informal resolution process and consent to do so in writing.
- Both parties must be LSCPA students or both parties must be LSCPA employees.

If no agreement can be reached, if one or more Parties withdraws from the process, or it is determined that informal resolution is no longer appropriate, the grievance process will be resumed.

Dismissal

The College is permitted to dismiss a complaint under certain circumstances. For example, if the Victim submits written notification to the Title IX Coordinator requesting that complaint be withdrawn, or specific circumstances prevent the College may be unable to gather evidence sufficient to reach a determination. Complaints dismissed for these reasons may be transferred to an alternative disciplinary process. Upon dismissal, the College will send written notification to both parties which includes the reason(s) for dismissal and instructions for appealing the dismissal.

Sanctions

Sanctions will depend on the nature and gravity of the misconduct and/or any record of prior discipline for sexual misconduct. Sanctions include, but are not limited to, the following:

Student Sanctions	Employee Sanctions
• no-contact orders; • probation (including disciplinary and academic probation); • expulsion from campus housing; • restricted access to activities or facilities; • mandated counseling (this may include, but not be limited to education programs and batterer intervention); • disqualification from student employment positions; • revocation of admission and/or degree; • withholding of official transcript or degree; • bar against readmission; • monetary restitution; • withdrawing from a course with a grade of W, F, or WF; or, • relevant training.	• withholding a promotion or pay increase; • reassigning employment, including, but not limited to demotion in rank; • terminating employment; • barring future employment from System or LSCPA; • temporary suspension without pay; • compensation adjustments; • no-contact orders; • relevant training; or, • recommendation to revoke tenure.

Sanctions will not be implemented until appeal, if requested, has been concluded or until the time for the Parties to submit an appeal has elapsed.

College-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to: a College order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures may constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Lamar State College Port Arthur.

Disclosure of Disciplinary Proceeding Outcome to Victims (or Next of Kin) of Sex Crimes or of Violence

LSCPA will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the

alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Victims' Frequently Asked Questions About Reporting Relationship Violence, Sexual Assault, Sexual Misconduct, and Stalking

Do I have to report?

This is an individual decision. However, you have the option to make a report with the police or Title IX Coordinator. Whether you make a report or not, you are eligible to receive relevant services listed on the LSCPA Title IX Resources website.

If you are not sure about reporting the assault, these resources can give you more information about the reporting process to help you make that decision. If you do not want to make a report, you may tell the responding officer at that time and still receive any medical treatment you need and a forensic exam if requested.

Why should I report?

You may be embarrassed or scared; feeling this way is completely normal. These feelings may prevent you from wanting to report what happened right away. However, there are benefits to reporting as soon as you can, such as being eligible for the Texas Crime Victims Compensation Program, assisting you with supportive measures for assistance and getting you connected to resources that can help.

What happens if I choose to make a police report?

A law enforcement officer will take your statement and ask you questions about what happened. This starts the criminal investigation process.

Will my name be in the report?

When reporting to the police, a victim and other necessary parties may choose a pseudonym (fictitious name) and address to maintain confidentiality or a pseudonym will be assigned by local law enforcement at the request of the victim or reporting party. There is a possibility that courtroom testimony may be required if the case goes to trial.

LSCPA provides an avenue for anonymous reporting of sexual misconduct online via the LSCPA Title IX Website.

If I make a police report, what will happen next?

The Jefferson County District Attorney's Office has a Victim's Assistance Center that can provide you with appropriate services and help you navigate the criminal justice process.

Do I need medical attention?

It is very important to seek immediate medical care following a sexual assault or other physical assault to get treatment for any injuries you may have. Not all injuries from the sexual assault will be

immediately apparent. You also can ask the nurse or doctor about the possibility of pregnancy or contracting sexually transmitted diseases as a result of the sexual assault and receive appropriate care.

Is a sexual assault exam the same as medical treatment?

A sexual assault examination is not medical treatment. A sexual assault exam is performed by medical personnel to collect and preserve evidence following a sexual assault. This is important because certain types of evidence that may be present immediately after the attack will disappear as time passes. Getting a sexual assault exam as soon as you are able will increase the chances of collecting this evidence. Your immediate medical needs and referrals for follow-up care will also be addressed at the time of your visit to the hospital.

It is important that a Victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours. The purpose of this is to preserve evidence that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if Victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of relationship violence, sexual assault, sexual misconduct, and stalking can save other types of evidence such as:

- text message conversations
- instant message conversations
- social networking pages
- call logs or any other types of communications
- photographs or audio or video recordings
- logs or other copies of documents

All the above are useful to the police and the Title IX Office. Although the College strongly encourages all members of its community to report criminal conduct to law enforcement, it is the victim's choice whether to make such a report and Victims have the right to decline involvement with the police. The College will assist Victims with notifying local police if they so desire. Victims will receive information in writing about accommodations and assistance.

What do I do if I observe relationship violence, sexual assault, stalking, or other sexual misconduct?

Bystanders have an opportunity to play a critical role in the prevention of relationship violence. They are individuals who directly or indirectly observe violence or the conditions that perpetuate violence. Bystanders have the choice to intervene, speak up, and do something about the situation. At LSCPA, we want a culture of community accountability where bystanders actively engage in the prevention of violence without causing further harm. We may not always know what to do, even if we want to help.

Following is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at, or being physically abusive towards, another and it is not safe for you to interrupt.

BE AN ACTIVE BYSTANDER

- Watch out for your friends and fellow students/employees. If you see someone who looks like he or she could be in trouble or needs help, ask if he or she is ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on- or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

How do I reduce my risk of being a victim?

The following are strategies to reduce one's risk of sexual assault or harassment.

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act as if you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together.
10. Knowing where you are and who is around you may help you to find a way out of a bad situation. If you see something suspicious, contact law enforcement immediately. Local authorities can be reached by calling 911 in most areas of the US.
11. Don't leave your drink unattended while talking, dancing, using the restroom or making a phone call. If you've left your drink alone, just get a new one.

12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately. Local authorities can be reached by calling 911 in most areas of the US. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
    a. Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
    b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
    c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
    d. Lie. If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

SOURCE: RAPE, ABUSE, & INCEST NATIONAL NETWORK, http://rainn.org.

CAMPUS SECURITY POLICIES, CRIME PREVENTION, AND SAFETY AWARENESS PROGRAMS

Weapons

It is a violation of the Texas State University System Rules and Regulations to possess, carry or otherwise cause a firearm, handgun or other prohibited weapons to be brought on the premises of a System component, in this case Lamar State College Port Arthur. Under some circumstances an

individual with a Permit to Carry (PTC) may bring a handgun on the campus. See the LSCPA Campus Carry Policy (Policy and Procedure Manual, Section 11.1) for more details.

Premises includes buildings, parking lots, and other structures as well as the property itself that is owned by or under control of the College. This includes leased, borrowed or other facilities where a College function, event, or activity is taking place, but does not apply to certain presidentially approved academic or other programs, or to law enforcement personnel acting in performance of their duties.

Prohibited weapons include clubs, explosive weapons, firearms, illegal knives, knuckles, hoax bombs, and chemical dispensing devices as defined by Texas Penal Code §46.01.

Related Policies:

- 11.2 Prohibition of Weapons (Policy and Procedure Manual)

Alcohol and Drugs

Based on its commitment to assure the safety and health of its students and employees, Lamar State College Port Arthur seeks to maintain a work and learning environments free of the unlawful manufacture, distribution, possession or use of a controlled substance or the abuse of alcohol. Lamar State College Port Arthur prohibits the unlawful possession, use, and sale of alcoholic beverages and illegal drugs on campus. The Port Arthur Police Department is responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws.

As such, LSCPA has implemented polices with the following objectives:

- To maintain a safe and healthy environment for all students and employees.
- To maintain the good reputation of the College and its employees.
- To minimize accidental injuries to a person or property.
- To keep absenteeism and tardiness at a minimum and to improve the effective performance of job duties and productivity of all employees and the educational performance of all students.
- In appropriate circumstances, to assist students and employees in securing substance abuse rehabilitation.
- To comply with the federal Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments of 1989, and other applicable legislation.
- To adopt and implement a program to prevent use of illicit drugs and abuse of alcohol by students and employees.

Every student should read and become familiar with the policies on alcohol and other drugs that are discussed in the LSCPA Student Handbook. The LSCPA Student Handbook outlines the College's policies for students relating to drugs and the process used to resolve alleged violations of those policies. The College's policies for employees can be found in the Policy and Procedure Manual, Section 11.3 Drug Free Workplace.

Drug Free Schools and Communities Act

In compliance with the Drug Free Schools and Communities Act, Lamar State College Port Arthur publishes information regarding the College's prevention programs related to drug and alcohol abuse prevention which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and College policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for LSCPA students and employees. A complete description of these topics, as provided in the College's annual notification to students and employees, is available online at Health and Safety.

Local Substance Abuse Resources

- Recovery Council of Southeast Texas- Beaumont, TX
- Alcoholics Anonymous
- Spindletop Center - Beaumont, Port Arthur, Silsbee and Orange
- Land Manor- Beaumont, TX
- Texas Treatment Services - Beaumont, TX
- Baptist Behavioral Health Center - Beaumont, TX

Missing Student Notification

In accordance with the Higher Education Opportunity Act, LSCPA must develop and implement certain procedures to be followed when residential students are determined to be missing for 24 hours. Students residing in campus housing will be informed annually that each student has the option to identify a person designated as a confidential missing person contact to be notified by LSCPA no later than 24 hours after the time the student is determined to be missing by the designated College officials authorized to make that determination (specifically, the Campus Safety Office or the local law enforcement agency in which the student went missing).

When campus residents are determined to be missing for 24 hours (i.e., no one can identify where they are), LSCPA reports this to both the Campus Safety Office and Port Arthur Police Department. If a member of the LSCPA community has reason to believe that a student who resides in campus housing is missing for 24 hours, that information should be reported immediately to the Campus Safety Office at (409) 984-6255 or the Dean of Student Services at (409) 984-6156.

Suspected missing students should be reported immediately to the Campus Safety Office. Students residing in campus housing provide a confidential missing person contact for the college to contact in the event the student is determined to be missing for more than 24 hours. LSCPA will notify that individual no later than 24 hours after the student is determined to be missing. When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, and that this information will be accessible only by

authorized campus officials, and law enforcement personnel and that it may not be disclosed outside of a missing student investigation.

If the missing student is under the age of 18 and is not emancipated, LSCPA will also notify that student's custodial parent or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. For all missing students, LSCPA will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

Time is of the essence when a person is missing. The National Child Search Assistance Act now allows police to report missing persons under 21 years of age to the National Crime Information Center and begin an investigation as soon as a missing person report is received. If you receive reliable information that a student cannot be located, please contact the Campus Safety Office immediately at (409) 984-6255.

Missing Student Procedures

All concerns regarding a resident student's unexplained absence or lack of contact that is contrary to the student's normal behavior and/or is unusual based on existing circumstances will be immediately investigated in an attempt to locate the student and confirm their safety.

An official Missing Person Report will be prepared any time a resident student is determined to have been missing for more than 24 hours.

If the student has not been located and their safety confirmed, the following procedures will be followed:

1. Notify the contact person within 24 hours.
2. If the student is under 18 years of age and is not emancipated, notify the student's custodial parent or guardian and any other designated contact person within 24 hours.
3. Contact the local law enforcement agency that has jurisdiction in the area that the student is missing within 24 hours.

Education Programs

Personal Safety and Crime Prevention Programs

One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of LSCPA to inform students of good crime prevention and security awareness practices. LSCPA provides new students, student housing residents and employee orientation sessions throughout the year. During these sessions, individuals are made aware of Campus Safety Office procedures and services, awareness programs, crime prevention efforts, and practices, including safety and prevention tips on the College's website at https://www.lamarpa.edu/Security.

The Campus Safety Office partners with other areas of campus to run drills, trainings, and follow-up education (generally by email). Education topics include but is not limited to Active Shooter scenarios, building evacuation preparation, crime prevention and security awareness, drug/alcohol abuse awareness, cybersecurity, domestic violence awareness, and sexual assault prevention and fire concerns for college employees, students, and campus guests. These topics of awareness trainings happen throughout the year.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others. Participants in these programs are asked to be alert, security-conscious and involved and advised to call the Campus Safety Office to report suspicious behavior. For additional questions regarding crime prevention, contact the department directly at (409) 984-6255.

The Campus Safety Office is available to provide crime prevention presentations each semester to classrooms, campus clubs and student groups as requested. Anyone interested in having a Campus Safety Officer speak to his or her classroom or group should contact them at (409) 984-6255.

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

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

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

LSCPA believes that awareness and education on topics related to sexual assault prevention can help create a culture of respect both on campus and in our community. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees, as well as ongoing awareness and prevention activities that:

- Identify domestic violence, dating violence, sexual assault and stalking as prohibited conduct.
- Define using definitions provided by state law about what behavior constitutes domestic violence, dating violence, sexual assault, and stalking.
- Define what behavior and actions constitute consent to sexual activity in the State of Texas.
- Provide the institution’s definition of consent and the purposes for which that definition is used
- Provide a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate

violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

- Provide information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provide information on:
    - procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in ***Procedures for Reporting a Complaint*** elsewhere in this document)
    - how the institution will protect the confidentiality of victims and other necessary parties (as described in ***Assistance for Victims: Rights and Options*** elsewhere in this document);
    - existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in ***On Campus Support Resources*** and ***Off-Campus Services for Victims*** elsewhere in this document); and
    - options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in ***Supportive Measures*** elsewhere in this document);
    - procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in ***Procedures for Investigating and Resolving a Complaint*** elsewhere in this document)

Primary Prevention and Awareness Programs

Incoming freshman and transfer students are required to complete Vector Solutions' Sexual Assault Prevention training online. This is a comprehensive education and training solution that fosters healthy relationships behaviors and prepares students to recognize and respond to sexual assault and harassment. The course content includes:

- Importance of Values
- Aspects of (Un)healthy Relationships
- Gender Socialization
- Sexual Assault
- Sexual Harassment
- Stalking
- Consent
- Bystander Intervention
- Victim Support
- Reporting and Responding

Faculty and staff are required to take Vector Solutions Preventing Harassment and Discrimination/Title IX/Clery Act training at hire. The course content includes:

- Preventing Harassment and Discrimination
- Developing Awareness and Recognizing Discrimination

- Cultivating Attitudes and Identifying Harassment
- Taking Action Against Retaliation
- Maintaining Positive Workplaces
- Bystander Intervention
- Aspects of (Un)healthy Relationships
- Consent
- Sexual Assault
- Stalking
- Reporting and Disclosure
- Supportive Measures
- Grievance Process

Additionally, faculty and staff are made aware of additional relevant information, such as recent legislative updates, during onboarding.

Specifically, the College offered the following **primary prevention and awareness programs** for all **incoming freshman and transfer students** in calendar year 2023:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Orientation – Vector Soulitions' Sexual Assault Prevention Training	Throughout the Year	Online	DoV, DaV, SA, S

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

The College offered the following **primary prevention and awareness programs** for all **new employees** in calendar year or 2023:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Orientation - Preventing Harassment and Discrimination with Title IX/Clery Module	Employee Onboarding	Online	DoV, DaV, SA, S
Texas Senate Bill 212 Awareness	Employee Onboarding	Human Resources Office	DaV, SA, S
Texas Senate Bill 1735 Awareness	Employee Onboarding	Human Resources Office	DaV, SA, S

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

Ongoing Prevention and Awareness Campaigns

LSCPA offers a variety of educational opportunities for both students and employees as part of its ongoing awareness and prevention programs. The Title IX Coordinator works with the Director of Human Resources, the Director of Student Activities, and the Office Public Information to coordinate and advertise the programs.

This includes resources made available on the LSCPA website at Title IX and in-person and online activities during Domestic Violence Awareness Month and Sexual Assault Prevention Awareness Month. Where practical and relevant, printed materials are also provided. Each awareness month has

its own dedicated webpage with information and resources on the relevant prohibited behavior, along with a listing of local and online events. College-sponsored events are also advertised via email and social media.

Additionally, every semester students and employees are emailed contact information for LSCPA's Title IX Coordinator and Title IX Staff and a copy of the Texas State University System Sexual Misconduct Policy and Procedures. Members of the LSCPA community are welcome to contact the Title IX Coordinator at titleix@lamarpa.edu or (409) 984-6146 to arrange for additional events, activities, or speakers.

The College offered the following **ongoing awareness and prevention programs** for **students** in calendar year 2023:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered
Title IX Website	Ongoing	Online	DoV, DaV, SA, S
Spanish Language Informational Brochures Available	Ongoing	Ruby Fuller Building	DoV
Domestic Violence Awareness Posters	Ongoing	Campus-wide bulletin boards	DoV
Title IX Information Email	01/23/2023	Email	DoV,DaV, SA
Sexual Assault Awareness Month Website	April 1-30	Online	SA
Sexual Assault Awareness Month Resource Materials	April 1-30	Seawall Café, Student Center	SA
Title IX Campus Climate Survey	4/2023 - 05/2023	Online	DoV, DaV, SA
Overdose Awareness	08/22/2023	Student Center 4th floor	
Title IX Information Power Point	08/29/2023	Email	
Title IX Information Email	09/13/2023	Email	

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered
Domestic Violence Speaker "How to Handle Abuse"	10/18/2023	Student Center room 422	DoV, DaV
Domestic Violence Speaker "Dealing with Family Violence"	10/25/2023	Student Center room 422	DoV, DaV
Domestic Violence Awareness Month Website	October 1-31	Online	DoV, DaV
Domestic Violence Awareness Month Resource Materials	October 1 - 31	Seawall Café, Student Center	DoV
CRASE Training Class	11/3/2023	Carl Parker Banquet Room	Civilian Response to Active Attacker events

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

The College offered the following **ongoing awareness and prevention programs** for **employees** in calendar year of 2023:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Title IX Website	Ongoing	Online	DoV, DaV, SA, S
Sexual Assault Awareness Month Website	April 1-30	Online	SA
Sexual Assault Awareness Month Resource Materials	April 1-30	Seawall Café, Student Center	SA
Title IX Information Email	06/20/2023	Email	
Overdose Awareness	08/22/2023	Student Center 4th floor	
Active Assailant Tabletop	08/28/2023	Ruby Fuller Conference room	
Domestic Violence Speaker "How to Handle Abuse"	10/18/2023	Student Center room 422	DoV, DaV
Domestic Violence Speaker "Dealing with Family Violence"	10/25/2023	Student Center room 422	DoV, DaV
Domestic Violence Awareness Month Resource Materials	October 1-31	Seawall Café, Student Center	DoV
CRASE Training Class	11/3/2023	Carl Parker Banquet Room	Civilian Response to Active Attacker events
Title IX Information Email	09/13/2023	Email	

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

Alcohol EDU

Designed for students entering college, this interactive online program uses the latest evidence-based prevention methods to create a highly engaging user experience, inspiring students to make healthier decisions related to alcohol and other drugs. Course content includes:

- Overview of Key Definitions
- Myths and Misperceptions

- Alcohol and Motivation
- Standard Drink
- Blood Alcohol Concentration
- Key Strategies for Drinkers
- Key Strategies for Non-Drinkers
- Bystander Intervention Skills
- Academic Brain Science
- Media Literacy and Expectations
- Alcohol and the Law
- Mental and Physical Effects of Alcohol
- College, Drinking and Stress

POLICY FOR PREPARING THE ANNUAL DISCLOSURE OF CRIME STATISTICS

Definitions Used in Classification of Crime Statistics

The following definitions are used for crimes subject to Clery Act reporting.

- The definitions for murder, rape, robbery, aggravated assault, burglary, motor vehicle theft, weapons: carrying, possessing, etc., law violations, drug abuse violations, and liquor law violations are from the ‘‘Summary Reporting System (SRS) User Manual’’ from the FBI’s UCR Program.
- The definitions of sex offense, fondling, incest, and statutory rape are excerpted from the ‘‘National Incident-Based Reporting System (NIBRS) User Manual’’ from the FBI’s UCR Program.
- The definitions of larceny-theft (except motor vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property are from the ‘‘Hate Crime Data Collection Guidelines and Training Manual’’ from the FBI’s UCR Program.
- The definitions of dating violence, domestic violence, and stalking are from the Violence Against Women Act amendments to the Clery Act.

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. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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.

Burglary

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

Criminal Homicide—Manslaughter by Negligence

The killing of another person through gross negligence.

Criminal Homicide—Murder and Nonnegligent Manslaughter

The willful (nonnegligent) killing of one human being by another.

Dating Violence

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

(i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(ii) For the purposes of this definition—

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(B) Dating violence does not include acts covered under the definition of domestic violence.

Destruction/Damage/Vandalism of Property

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Domestic Violence

(i) A felony or misdemeanor crime of violence committed—

(A) By a current or former spouse or intimate partner of the victim;

(B) By a person with whom the victim shares a child in common;

(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

(D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

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

Drug Abuse Violations

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation

of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Hate Crime

A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Incest

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Intimidation

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

Larceny-Theft (Except Motor Vehicle Theft)

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Liquor Law Violations

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Motor Vehicle Theft

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

Rape

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Robbery

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

Sex Offense

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

Simple Assault

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

Stalking

(i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) Fear for the person's safety or the safety of others; or

(B) Suffer substantial emotional distress.

(ii) For the purposes of this definition—

(A) 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.

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

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

Statutory Rape

Sexual intercourse with a person who is under the statutory age of consent.

Weapons: Carrying, Possessing, Etc.

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Daily Crime Log

The Campus Safety Office maintains a Daily Crime Log, which is available to the public for review, at the Campus Safety Office in the Student Center Room 104, from 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding holidays and campus closures.

CLERY ACT CRIME STATISTICS

Criminal Offenses, Violence Against Women Act Offenses

Primary Crimes	Year	On Campus	Non-campus	Public Property	Total	Residential Facilities*
Murder/Non-Negligent Manslaughter	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Fondling	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Incest	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Burglary	2023	4	0	0	4	3
	2022	2	0	0	2	1
	2021	1	0	0	1	1
Motor Vehicle Theft	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

Primary Crimes	Year	On Campus	Non-campus	Public Property	Total	Residential Facilities*
Arson	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

***Residential Facilities are a subset of On Campus.**

VAWA Offenses	Year	On Campus	Non-campus	Public Property	Total	Residential Facilities*
Domestic Violence	2023	1	0	0	1	1
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Dating Violence	2023	0	0	1	1	0
	2022	2	0	0	2	1
	2021	1	0	0	1	1
Stalking	2023	1	0	0	1	1
	2022	8	0	0	8	0
	2021	1	0	0	1	0

***Residential Facilities are a subset of On Campus.**

Unfounded Crimes

The total number of unfounded crimes include all criminal offenses, hate crimes, domestic violence, dating violence, or stalking incidents that have been unfounded as per law enforcement investigation. If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is unfounded and should not be included in institutional statistics. Only sworn or commissioned law enforcement personnel may unfound a crime.

The following numbers includes unfounded crimes reported as occurring in the following locations: on campus, student housing, non-campus building or property, and public property.

- The total number of unfounded crimes for the 2023 calendar year at this campus is: **1**
- The total number of unfounded crimes for the 2022 calendar year at this campus is: **0**
- The total number of unfounded crimes for the 2021 calendar year at this campus is: **0**

Arrests and Disciplinary Referrals

Arrests and Referrals for Disciplinary Action	Year	On Campus	Noncampus	Public Property	Total	Residential Facilities*
Liquor Law Violation Arrests	2023	1	0	0	1	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

Drug Law Violation Arrests	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Weapons Law Violation Arrests	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Liquor Law Violation Referrals for Disciplinary Action	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Drug Law Violation Referrals for Disciplinary Action	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

***Residential Facilities are a subset of On Campus.**

Hate Crimes

There were no reported hate crimes for the years 2021, 2022, or 2023.

FIRE SAFETY INFORMATION AND FIRE STATISTICS

In addition to publishing this Annual Security Report, Lamar State College Port Arthur is required to publish an Annual Fire Safety Report that contains information about fire safety policies and procedures in student residential facilities as well as statistics for any fires occurring in those facilities.

Firefighting services are provided 24 hours a day by the Port Arthur Fire Department. ITEX, the owner of the campus housing facility (Seahawk Landing), is responsible for the management, plan review, contractor supervision, service, inspection, and testing of the fire sprinkler systems, fire alarm systems, special hazard systems, kitchen suppression systems and fire extinguishers. ITEX conducts life safety inspections of facilities and enforces state fire safety regulations in campus housing.

Fire Log

LSCPA maintains a daily fire log, which details any fires that occurred in campus housing. The fire log is available to the public and can be viewed at Campus Safety Office, from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays and campus closures. The information in the fire log includes information about fires that occur in residential facilities, including the nature, date, time, and general location.

Fire Safety Education

Each resident in campus housing receives a move-in orientation which includes House Rules on fire safety, designed to prevent or reduce property loss and injury from fire and explosions arising from storage, handling, and use of flammable and combustible substances, materials, and devices. Each resident signs an acknowledgement statement that they have received the information. A fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing was held on 09/25/2023. This program is designed to familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire, and distribute information on the College's fire safety policies. Everyone is also provided with maps of each on-campus student housing facility that illustrate evacuation routes and fire alarm equipment locations. During this program, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them. Fire safety education and training programs are taught by ITEX and LSCPA Student Services.

Fire-Related Policies, Procedures, and Programs

Each resident in campus housing receives a move-in orientation which includes House Rules on fire safety, designed to prevent or reduce property loss and injury from fire and explosions arising from storage, handling, and use of flammable and combustible substances, materials, and devices. Each resident signs an acknowledgement statement that they have received the information.

> The House Rules states, "Room Entry and Inspection- Seahawk Landing reserves the right to enter and inspect residents' rooms and the contents thereof once the resident has been issued a 24-hour notice of entry. The reasons for such entry and inspection may include, but are not limited to, conducting health and safety inspections, insuring compliance with the Seahawk Landing housing policies or other rules, investigating suspected violations of these policies or rules, or acting in the Interests of the safety or well-being of all occupants."

LSCPA is in the process of preparing a new housing handbook that provides general information about the policies, procedures, and community standards established for campus housing. All residents are expected to be familiar with and abide by the policies, procedures, and standards established in the handbook as well as the terms and conditions of the Housing Contract. In addition to other life safety concerns, the handbook will address fire safety and include the following information:

FIRE SAFETY: GENERAL FIRE SAFETY STANDARDS IN RESIDENCE ROOMS

- Fire Hazards and Safety- The following constitutes a list of violations that could result in prosecution and/or fines:
  - Tampering or damaging fire equipment or intentionally misusing fire alarms, smoke detectors, fire sprinklers, fire extinguishers, emergency exit signs or pulling the fire alarm when the cause is unrelated to notification of a fire.
  - Intentionally or negligently causing and/or creating a fire, explosion, or release of a poisonous gas or fumes.
  - Failure to evacuate a building Immediately following the sounding of an alarm, unless otherwise instructed by the Seahawk Landing office staff, fire-safety or other emergency response personnel.
  - Possessing or storing gasoline, fireworks, and/or combustible decorations and chemicals inside your unit.
  - Open flames (Including candles and incense), deep fat fryers, electric frying pans, space heaters, halogen/kerosene lamps are prohibited.
  - Disabling, opening, damaging, or propping exits used exclusively as fire exits is prohibited (unless being used properly as an exit during an emergency situation).
- It is required to have a smoke alarm in working condition in your residence. You should check before move-in to see that it is in working order. If for any reason the smoke alarm is dismantled, you will be responsible for all replacement/labor cost due to your negligence. Violation could result in termination of your lease.
- Smoking is not permitted in any room in our community building. Smoking is prohibited throughout LSCPA campus. This includes the use of smoking devices such as vapor cigarettes and hookah pipes.
- Sprinkler Heads: Warning! Do not hang anything from the sprinkler heads that are located throughout the apartment. Breakage of sprinkler heads will cause flooding and the resident will be held responsible for any damage caused by breakage of the sprinkler head.
- Do not use the over for storage. Pots, pans, food, Tupperware, empty pizza boxes, etc. are not to be stored in the oven as this is a fire hazard.
- Do not leave pots and pans on your stove top when you are not cooking as this is a fire hazard.
- Do not block doors and windows with furniture, etc. This is a health and safety issue and a fire hazard. Violation could be grounds for termination of your housing lease.
- The breaker box in your suite is not to be covered with pictures, etc., The breaker box is to be clearly visible at all times.

Fire Safety Systems

LSCPA has one on-campus housing facility, Seahawk Landing, at 1550 Lakeshore Drive, Port Arthur, TX 77640, that is equipped with a fire alarm system monitored by Vector Security. There are fire extinguishers and sprinklers in the hallways and common areas. Each apartment also has sprinklers and a fire extinguisher. Each apartment has multiple smoke detectors that are synchronized so all detectors will sound an alarm if one goes off. Fire extinguishers and smoke detectors are checked on a quarterly basis by ITEX. There were no evacuation (fire) drills during 2023.

Fire Evacuation

Procedures Students and Employees Should Follow in Case of a Fire

In the event of a fire, the College expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the Campus Safety Office. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. In the event fire alarms sound, College policy is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

When the fire alarm sounds, everyone must exit the building immediately. Follow the instructions below.

Primary Escape Route: Emergency exit doors at the end of each hallway.

Secondary Escape Route: Inner common use stairwells.

Prior to Evacuating the Residence Hall Room:

1. If your door is hot to the touch, do not open it! Roll up a wet towel and place it at the base of the door to prevent smoke from coming into your room. Use a secondary means to exit the room (window, if you're not too high up, or another door).
2. If your door is cool to the touch, open it slowly. If the hallway is clear and/or you encounter heat and/or pressure in the hallway, leave your room carefully, closing the door behind you, and proceed to the nearest exit/stairwell to the designated area so that housing staff can count you and know you are safe. If possible, alert other students on your way to the exit.
3. Always use stairs, NOT ELEVATORS, to evacuate the building.
4. If you encounter smoke, take short breaths through your nose and stay close to the floor. Crawl if possible.
5. Do not attempt to remove personal items.
6. If your clothing catches fire, stop, drop, and roll.
7. Once outside the building, move far away from the building, and wait until recalled by an authorized LSCPA or ITEX official.
8. Disabled persons who require assistance in evacuating should alert the Property Manager and Resident Assistant in advance.
9. Always remember: **do not attempt to fight a fire yourself**.

Smoking

LSCPA is a tobacco-free campus. Smoking, e-cigarettes and tobacco use are not allowed inside or outside of any residence hall or apartment as per LSCPA's Tobacco-Free Workplace Policy (11.4, *Policy and Procedure Manual*). Smoking is prohibited throughout LSCPA campus. This includes the use of smoking devices such as vapor cigarettes and hookah pipes.

Portable Electrical Appliances

The following are prohibited items: non-surge protected extension cords, portable cooking appliances in non-kitchen areas, deep fat fryers, electric frying pans, space heaters, and halogen/kerosene lamps.

Open Flames in a Student Housing Facility

Sources of open flames, such as candles and incense, are prohibited.

Explosives/Flammable Fluids

Lighter fluids, charcoal, or other types of flammable liquids and materials are also not permitted to be stored in any Campus housing area or apartment; students may purchase small amounts for onetime usage.

Safety Education and Training Programs for Residence Halls

ITEX provides annual fire safety training to Property Manager and resident assistants (RAs). RAs provide fire safety training to students living in campus housing during semester floor meetings and drills. RAs conduct safety checks of every resident room. RAs test smoke detectors, ensure the safe use of extension cords, and look for potential fire hazards such as candles, incense, or appliances with exposed heating elements, or other items not approved by House Rules. Items that pose a safety hazard will be confiscated. Students are required to acknowledge receipt and understanding of fire safety rules.

Campus Fire Reporting

In case of fire, call 911. Fires are reported through 911 or through Campus Safety dispatch. In accordance with the Clery Act, LSCPA is required to annually disclose statistical data on all fires that occur in campus housing. LSCPA also is required to keep a log of those fires, which can be found in Campus Safety Office 60-Day Crime and Fire Log. Listed below are the **non-emergency** numbers to call to report fires that have already been extinguished in campus housing. If you are unsure whether Campus Safety has been notified of a fire, you find evidence of a fire, or if you hear about a fire in campus housing, please contact one of the following:

- ITEX Property Manager: (409) 852-0006
- Campus Safety: (409) 984-6255
- Director of Safety: (409) 460-3020

When calling, please provide as much information as possible about the location, date, time, and cause of the fire, as well as any property damage that occurred and any injuries that may have resulted from the fire. All fires that occur must be reported as soon as possible, including minor fires not requiring emergency response.

Plans for Future Improvement

On an annual basis, ITEX's Property Manager, LSCPA's Dean of Student Services and LSCPA's Director of Safety will evaluate the campus housing fire safety systems and recommend changes as required. There are no plans for future improvement at this time.

FIRE STATISTICS

2021 Seahawk Landing Fire Statistics

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Seahawk Landing 1550 Lakeshore Dr	1	1	Cooking	0	0	$0-99

2022 Seahawk Landing Fire Statistics

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Seahawk Landing 1550 Lakeshore Dr	0	0	N/A	N/A	N/A	N/A

2023 Seahawk Landing Fire Statistics

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Seahawk Landing 1550 Lakeshore Dr	0	0	N/A	N/A	N/A	N/A

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