

Annual Security & Fire Safety Report 2022

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LeTourneau University
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Dear Reader:

LeTourneau University (LETU) is committed to providing the members of the campus community and visitors with the safest and most secure environment possible. Even the most extensive initiatives though, cannot succeed without awareness and cooperation from the community members who work and study on campus.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act 1998 requires all postsecondary institutions to disclose campus crime statistics and security information. The Act was passed into law in 1990 as the Crime Awareness and Campus Security Act. A 1998 amendment renamed the Act the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of a student who was slain in her dorm room in 1986 (the catalyst for the original legislation). The Clery Act requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. It also requires the collection, reporting, and dissemination of crime and fire data to the campus community and to the Department of Education. The Act is intended to provide current and prospective employees, students, and their families, as higher education consumers, with accurate, complete, and timely information about safety on campus so that they can make informed decisions.

This Annual Security & Fire Safety Report (ASFSR) is prepared in collaboration with a cross section of LETU departments: Human Resources, Student Services, University Police, and Facilities Services. The ASFSR is part of the University's ongoing effort to inform you of the safety programs and services available and the steps you can take to maintain your safety and the security of others. We continue to seek new ways to improve campus safety every year and are confident that with our dedicated team of professionals and continued community support, we are creating a safer LETU. We encourage you to use the information contained within this report to promote your own awareness and to continue to make the LETU community a place where education flourishes in a caring learning and working environment.

About LeTourneau University

LeTourneau University is named for its founder, R.G. LeTourneau, one of the world's greatest inventors of earthmoving equipment. A businessman and devout Christian, LeTourneau toured Longview, Texas, with his wife, Evelyn, in 1946 to consider a manufacturing site for his next earthmoving equipment factory. While flying over a sprawling complex of a vacated Army hospital consisting of over 200 frame buildings, Mrs. LeTourneau inquired about the facility. When told it was no longer in use, she suggested establishing a school to educate returning World War II veterans.

The site became LeTourneau Technical Institute, founded in 1946 with only male students. In 1961 the school became LeTourneau College, a co-educational four-year school. In 1989 LeTourneau College became LeTourneau University, a SACSCOC-accredited, nondenominational Christian university, offering four-year and two-year degree programs in engineering, technology, the liberal arts, business, aeronautical science, education, and the sciences, plus master's degree programs in business and education.

In that same year, the university began expanding into offering programs for working adults in evening and weekend classes. Calling it the LEAP program, which stood for LeTourneau Education for Adult Professionals, classes with the same students making a group, or cohort, met weekly for six to eight weeks per course. Cohorts were kept on track through to degree completion with students automatically enrolled in each next class, and as each class finished, the next course began in the same location the following week with a different professor. Many other universities have adopted this format to reach working adults.

The university has eight schools.

- School of Arts & Sciences
- School of Aviation & Aeronautical Science
- School of Business
- School of Education
- School of Engineering & Engineering Technology
- School of Nursing
- School of Psychology & Counseling
- School of Theology & Vocation

Currently, LeTourneau University is led by its seventh president, Dr. Steven D. Mason, and its board of trustees.

LeTourneau University is an unapologetically Christian university. While it has no direct denominational ties, it welcomes students of all denominations who love and seek after God. It is a place where students have found a deeper relationship with Him, grown in their spiritual walk and discovered God's purpose for their lives.

The university's students represent nearly all 50 states, 35 countries and 50 different denominational groups.

Preparing the Annual Disclosure of Crime Statistics

To comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or Clery Act, LeTourneau University prepares an annual report about crime on and near LETU campuses.

This report is prepared with information from local law enforcement and fire services agencies in whose jurisdictions LETU maintains facilities. Information for this report is also gathered from Student Life records in compliance with the Clery Act.

Campus crime, arrest, and referral statistics include those reported to UPD and designated campus officials (including but not limited to directors, deans, department heads, judicial affairs, advisors to students/student organizations, and athletic coaches), as well as local law enforcement agencies. State law requires prompt, mandatory reporting to local law enforcement by health care practitioners (such as those at Health Services) when they provide medical services to a person they know, or reasonably suspect, is suffering from wounds inflicted by a firearm or is the result of assaultive or abusive conduct. LETU's Counseling Center staff members inform their clients of procedures to report crime to UPD on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place for the victim to anonymously report an offense to UPD to capture crime statistics disclosed confidentially during counseling sessions.

Each year, all students, faculty, and staff receive an email providing the website to access the Clery Act statistics, fire statistics, and the Annual Security and Fire Safety Report. Copies of the reports may also be obtained at the UPD office located at 624 Harris Drive on the main LETU campus in Longview, Texas. All prospective employees may obtain a copy from Human Resources in the Business Administration building or by calling 903-233-4170.

Reporting a Crime

Longview Campus

LeTourneau University, 2100 S. Mobberly Ave. Longview, Texas 75602

Always call 9-1-1 from any telephone to report any emergency in progress.

All crimes and emergencies related to public safety should be reported to the LeTourneau University Police Department (UPD) immediately, including any suspicious activity or person(s) seen in the parking lots, loitering around vehicles, buildings or residence halls.

UPD has primary jurisdiction for any and all reporting of crimes and incidents related to public safety on any LETU property. Local city or county sheriff offices also will be responsive if contacted with a report of crime.

To report a crime or other incident to UPD on the Longview campus, call:

UPD Calls for Service (24/7) 903-233-4444

UPD Calls for Service (24/7) From any campus extension, just dial 4444

UPD Offices: 903-233-4440

Chief of Police 903-233-4441

UPD maintains a Memorandum of Understanding (MOU) with the Longview Police Department and the Gregg County Sheriff's Department regarding the investigation of criminal incidents on campus. These three offices routinely communicate about issues that may be of concern to LETU faculty, staff and students. The MOUs give these agencies full access to investigate criminal incidents on the main campus of the University.

LeTourneau University does not have any policy concerning the monitoring and recording, through local police agencies, of criminal activity in which students engaged at off-campus locations of students' organizations officially recognized by the institution, including student organization with off-campus housing facilities, since this University does not have any of these types of facilities.

Crimes may also be reported to Campus Security Authorities (CSAs) who are required to immediately report crimes reported to them to the LETU Police Department. If the reporting person does not wish the police to investigate the crime, then the CSA should make the report to the Chief of Police and include the pertinent facts of the incident without the victim's name for Clery purposes. The Chief of Police reviews the reported incident to determine if a timely warning to the community is necessary and maintains a record of the reported incidents for the Annual Security Report. A police report will not be initiated through this process unless the reporting person requests a police investigation.

When making their report to the Chief of Police, the CSA should include the following information:

- Type of crime
- Location of crime
- LETU affiliation of the complaint, suspect or witnesses
- A brief narrative of the events
- Disposition of crime (whether the case will be handled administratively)
- Name and contact number of complainants is preferred in case follow up questions are necessary, but not required.

Non-emergency criminal acts committed off campus should be reported directly to local law enforcement agencies including Longview Police Department (inside city limits) and Gregg County Sheriff's Office (outside the city limits).

Response to Reports

UPD personnel monitor the Calls for Service telephone number (903-233-4444) around-the-clock, seven days a week. All calls will elicit a response. Responding officers and/or guards will request report information as needed from all complainants. All reports generated by UPD are reviewed by the Chief of Police and forwarded, as appropriate, to the student disciplinary authority (i.e. Student Life), the Municipal Court or area District Attorney's office for action.

Investigations will be conducted as deemed appropriate by the officer(s) on duty according to UPD practices and policies. If assistance is required from other agencies, the investigating officer will obtain that assistance.

Sexual assaults within UPD jurisdiction will be investigated jointly by UPD and local law enforcement. Victims will be offered appropriate crisis counseling and support services. University and/or public service counselors will be made available at the request of the victim. It is important that all incidents of sexual assault be reported to UPD, even if they are reported anonymously. Counselors do not report incidents to UPD, however, a procedure is in place for the victim to anonymously report an offense to UPD to capture crime statistics disclosed confidentially during counseling sessions.

All crimes should be reported to UPD to ensure that the incidents are included in LETU's crime statistics for the purpose of assessing them for an issuance of a timely warning notice to the LETU community, as appropriate. Crimes reported only to other agencies may not be available for inclusion in the LETU crime statistics.

Crimes should be accurately and promptly reported to the UPD or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a UPD officer can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, the ASFSR can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Crime Reporting Through Confidential Sources: Pastoral and Professional Counselors

Spiritual and psychological counseling is available to LeTourneau University students. LETU counselors are not required to report to UPD any information from counseling sessions, however if counselors become aware of circumstances that indicate a reportable criminal offense has occurred, counselors have been encouraged to inform persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, if and when they deem it appropriate. Further, counselors have a responsibility to notify appropriate university personnel and/or local law enforcement of a client's intent to harm himself or another party.

Pastoral Counselors are employees of LETU who are associated with a religion, order or denomination and are recognized by that order or denomination as someone who provides confidential counseling and functions within the scope of that recognition as a pastoral counselor.

Professional Counselors are employees of LETU whose official responsibilities include psychological counseling to members of the institution's community and who function within the scope of his or her state license or certification.

Students may make appointments to seek professional or pastoral counseling by contacting LeTourneau University Center for Counseling at 903-233-3490 or the Campus Pastor at 903-233-3117.

The LETU Faculty/Staff handbook authorizes faculty and staff members to seek counseling through LETU professional and pastoral counselors. The University's health insurance coverage provides for external professional and/or pastoral counseling under terms and conditions of the current policy.

LeTourneau University Center for Counseling 903-233-4400
Campus Pastor 903-233-3117

Law Enforcement Authority of the University Police Department

The Texas Commission on Law Enforcement (TCOLE) assigns agency status to the LeTourneau University Police Department (UPD) with jurisdiction authority on all properties owned, leased, or operated by LeTourneau University, which includes its administration, police officers, and (non-police) security guards. All University police officers are fully empowered to perform all police functions sanctioned under Texas state law to include the making of a custodial arrest of any person. The police officers have the authority to enforce the laws and University policies. The UPD student guards are a contingency of student employees empowered by the University to observe the safety of the campus community, report violations of laws and rules, and provide security services for the Longview campus of the University. The student guards do not have power of arrest or authorization to enforce state laws, but they are authorized to enforce University rules and policies. Minor offenses involving University rules and regulations that are observed by University police officers and guards may also be referred to Student Life for disciplinary action.

Major offenses reported to UPD may be investigated jointly by UPD and the appropriate local law enforcement agency having jurisdiction in the area of the crime scene. Incidents of rape, murder, aggravated assault, or any abuse of a child will be investigated cooperatively by UPD and the local law enforcement having most immediate joint jurisdiction. Class C Misdemeanor offenses will be filed in the City of Longview Municipal Court. Class B Misdemeanors and higher-grade offenses will be filed with the Gregg County District Attorney's office and will be presented for consideration for trial in the appropriate courts.

As provided for in the Memorandum of Understanding (MOU) both with the City of Longview and the Gregg County Sheriff's Office, LeTourneau UPD has access to the National Crime Information Center (NCIC) records, as well as the Texas Crime Information Center (TCIC) records for investigation of violations of state and federal codes and laws. Within the guidelines of the MOU, LeTourneau UPD may also use these systems to obtain criminal history information on persons of interest in the course of investigations.

Cooperative efforts between UPD and other local law enforcement agencies can result in the sharing of information concerning violations of law which may occur outside the jurisdiction of LeTourneau UPD, but still constitute a breach of community standards. Such information may be transmitted to Student Life for disciplinary consideration as required.

The UPD maintains a strong working relationship with state and local police agencies, including Longview Police Department, Gregg County Sheriff's Office, and Texas Department of Public Safety.

Timely Warning Notices

LeTourneau University maintains an Emergency Campus Communications System (ECCS) that is capable of immediately sending out information via text, email, and voicemail formats. Such communications are separated into two primary categories: Timely Warnings and Emergency Notifications.

Timely Warnings contain important and useful information to keep the LETU community informed of reported crimes on campus that may pose a serious or continuing threat to the campus community.

Timely Warnings will be communicated to students, faculty, and staff through the Emergency Campus Communications System (ECCS). Sent at the discretion of the Chief of Police, these warnings will be issued with as little delay as feasibly possible to ensure accurate and pertinent information and instructions are transmitted following the report a crime on campus that poses a serious or continuing threat to the campus community.

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

- Murder/Non-Negligent Manslaughter
- 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 LETU community)
- 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)
- Sexual Assault (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 of information known. 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.)
- Major incidents of Arson
- Other Clery crimes as determined necessary by the Chief of Police, or his or her designee in his or her absence.

Timely Warning Notices may also be posted for other crime classifications and locations, even though that is not required by the law, at the sole discretion of LETU.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

Timely Warning Notices are typically written and distributed by the Chief of Police, or designee.

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

Emergency Notifications

LeTourneau University maintains an Emergency Campus Communications System (ECCS) that is capable of immediately sending out information via text, email, and voicemail formats. Such communications are separated into two primary categories: Timely Warnings and Emergency Notifications.

Emergency Notifications are issued in the event a situation arises that poses an immediate threat (actual or potential) to the health or safety of persons and facilities of the University. The campus will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus. Emergency Notifications generally require the LETU community to take immediate action and often will involve a temporary change in the normal day-to-day routine.

LeTourneau University 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:

- Approaching tornado
- Natural gas leak
- Armed intruder
- Bomb threat or explosion
- Hazardous material leak
- Communicable disease outbreak

The University Police Department (UPD) receives information from a variety of sources concerning the potential need for these kinds of emergency responses. Reports of emergency or dangerous situations may be confirmed by UPD through a variety of means including audible or visual information received during the reporting process, multiple notifications of an emergency, or by notification from an outside reporting agency including police, fire, EMS, etc.

Such warnings will be communicated to students, faculty, and staff through the Emergency Campus Communications System (ECCS).

Sent at the discretion of the Chief of Police, this warning will be issued with as little delay as feasibly possible to ensure accurate and pertinent information and instructions are transmitted.

The UPD and members of the LeTourneau University Crisis Instant Response Team will collaborate to determine the content of the message and will use some or all of the systems

described below to communicate the threat to the campus community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

The ECCS also provides continued follow-up information concerning an emergency that will be distributed via ECCS as well. All students are automatically enrolled in the ECCS. They may opt out by signing and submitting the appropriate form to University administration.

The following are instructions for students to opt-in or out of the ECCS:

Opt-In

1. Go to <https://my.letu.edu> and log in.
2. Click on “Contact Information Form” under “Quick Links” on the left.
3. Scroll down to the “Student Contact Information” section.
4. Key in your cell phone number in the indicated area and be sure the “Would you like LETU ECCS” is set to “Yes”.
5. At the bottom of the page, check the box affirming that your info is correct, then click “Next”.
6. Within 24 hours you will be added to the LETU ECCS.

Opt-Out

1. Go to <https://my.letu.edu> and log in.
2. Click on “Contact Information Form” under “Quick Links” on the left.
3. Scroll down to the “Student Contact Information” section.
4. Be sure the “Would you like...LETU ECCS” is set to “No”.
5. At the bottom of the page, check the box affirming that your info is correct, then click “Next”.
6. Within 24 hours you will be removed from the LETU ECCS.

The following instructions for faculty and staff to opt-in to the ECCS:

1. Go to the Information Technology Resources page on www.letu.edu (<http://www.letu.edu/opencms/opencms/administrative/infotech/index.html>).
2. Click on Emergency Text Messages (ECCS) (<http://www.letu.edu/opencms/opencms/administrative/infotech/LETUECCSFacultyStaff.html>)
3. Fill out the form and submit it
4. Within 24 hours you will be added to the LETU ECCS

Depending on the nature, severity, and anticipated duration of an emergency, the University may also post updates on internal and external webpages to communicate effectively with the University community and the larger community, including the families of students and employees.

Anyone with information that might warrant the issuance of an emergency notification should contact UPD at 903-233-4444 or call 9-1-1 and provide complete details immediately. Such reports may also be made in person at the University Police Department at 624 Harris Drive on the main LeTourneau University campus in Longview, Texas.

Confirmation of the emergency will be made as soon as reasonably possible, and notification

will be published without undue delay. Content of the ECCS message will be determined in accordance with the type, scope, and known timeline of the emergency as it exists or develops. All emergency messages generated through the ECCS will be formulated and targeted to inform all affected segments of the community to promote safety of the community.

If there is an immediate threat to the health or safety of students or employees occurring on campus, LETU 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.

LeTourneau University's Crisis Instant Response Team (CIRT) will coordinate with local media to best inform the campus community to promote a safe resolution to the emergency.

The CIRT members responsible for publishing notifications are:

Chief of Police or designee
Dean of Students or designee
Chief Information Officer or designee

Crime Log

The LETU Police Department maintains a Daily Crime Log that records by chronological date any crime reported to the Police Department or CSA that occurs on or near LETU campuses, so the community and media have access to this information. This log includes the incident's nature, date, time, general location, and the disposition. The Daily Crime Log will not include reports made to other police agencies. The LETU Police Department updates the log within one business day of a crime's report.

Note: If there is clear and convincing evidence that the release of crime report information would jeopardize an ongoing criminal investigation, endanger the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld from the Daily Crime Log until that damage is no longer likely to occur.

Emergency Response

LeTourneau University's Crisis Instant Response Team (CIRT) plan includes information concerning emergency incident management, University responses, and expected performance outcomes. The Emergency Procedures Reference Guide contains information for sheltering in place and evacuation processes at the Longview campus. The Office of Finance & Administration oversees the development and facilitation of plans to best communicate under emergency conditions for the safety of students, faculty, staff, and visitors.

In the event of a serious incident at the Longview campus, UPD officers and guards are customarily the first responders and may be assisted by Longview Police, Longview Fire/

EMS, or Gregg County Sheriff's Office personnel. All these agencies have received emergency management training and typically respond together to manage and control incidents. Federal agencies may also be involved in incident management depending on the nature of the incident. Other LETU educational centers and sites are under the jurisdiction of their local law enforcement and emergency responders.

LETU students and staff are required to notify UPD or local emergency responders in the event of any incident that involves a significant emergency or dangerous situation. For the Longview campus, UPD has the responsibility of responding to and summoning all needed resources to mitigate, investigate, and document any emergency situation on or immediately adjacent to the campus.

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. UPD 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, UPD 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 LETU 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

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and dial 911 or notify UPD (903-233-4444).

1. Remain Calm
2. Do NOT use Elevators, Use the Stairs.
3. Assist the physically impaired. If he/she unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform UPD or the responding Fire Dept. of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. 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 in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (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 University 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, UPD, Housing Staff members, other University employees, local area law enforcement, or other authorities utilizing the University’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. (University 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 UPD 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.

Annual Testing of Emergency Response and Evacuation

LeTourneau University conducts one exercise per year to test the effectiveness of various contingency plans. Additionally, the University conducts drills involving use of the Emergency Campus Communications System (ECCS) to assure that safeguards and notifications systems work effectively in the event of an actual emergency. UPD personnel receive training in incident command and response. The Chief of Police and Assistant Vice President of Facilities Services are trained under the National Incident Management System (NIMS) to effectively perform their duties as they participate as a member of the Crisis Instant Response Team (CIRT).

These exercises and drills, 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.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

Security of and Access to Facilities

During routine business hours from 8 a.m. to 5 p.m., Monday through Friday, academic and business buildings and offices will be open to the public. Offices, classrooms, and labs are routinely opened by the tenant occupants of those areas. Access to them is controlled by the deans and department heads and their designees during these times.

All residential facilities are located on the main campus of LeTourneau University in Longview, TX and are locked by electronic or manual locking systems. Access to them is limited to those persons who reside in them or are specifically authorized by LeTourneau University. Vendors, contractors, and others visiting the residential areas will be provided access through established procedures approved by the University. Residence halls are secured 24-hours per day. During extended breaks such as winter break and summer break, residence halls are only occupied with the express permission of the Student Housing Director and the Resident Director of the specific building being used. Visitation to residential buildings is expressly defined in the Student Handbook.

Hours of operation for other buildings are posted in the student handbook under Campus Facilities Information.

Students needing after-hours access to academic facilities and labs must be placed on the After-Hours Access List provided to UPD by each academic department. Verbal permission is not sufficient to obtain access. All labs and classrooms are closed at the end of normal business hours, unless the dean of that academic area has provided for extended hours through UPD.

Emergencies, maintenance or other circumstances may result in changes to posted schedules. Permanent schedules for building operation may be changed at the will of the University, depending on need or abuse of facilities.

The University maintains one residential dwelling at the Abbott Center located on the grounds of the East Texas Regional Airport in Gregg County. UPD works cooperatively with Gregg County Sheriff's Office and maintains a Memorandum of Understanding for joint jurisdiction of law enforcement at this location. This residential dwelling is not part of student housing. It is utilized for visiting lecturers and presenters or staff members on occasion.

All LETU employees, students, faculty, and vendors who operate or expect to operate a motor vehicle on University property are required to register their vehicle with UPD and obtain a parking permit which designates where they may park. The University reserves the right to require proof of ownership of any vehicle registered.

UPD police officers and student guards patrol the academic, administrative, and residential buildings on a 24/7/365 day a year schedule.

Security and Facility Maintenance

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Hedges are trimmed below window levels and tree limbs are trimmed over sidewalks to increase visibility. UPD through regular patrols of all LETU facilities reports malfunctioning lights and other unsafe physical conditions to Facilities Services for repair.

Alcohol, Illicit Drugs, and Substance Abuse Education

Use of Alcohol

Possession, sale, and/or furnishing of alcoholic beverages on the LETU campus is governed by policies set forth in the Student Handbook and the University policy index, as well as by Texas state law. LETU community standards of behavior prohibit the manufacture, use, possession, sale or transfer of alcoholic beverages. All State laws and University policies concerning possession, sale, and use of alcoholic beverages are strictly enforced on campus by the University Police Department (UPD). Local police agencies and the Texas Alcoholic Beverage Commission diligently monitor all local establishments licensed to operate businesses involving the sale and/or use of alcohol. Information received by UPD concerning LETU community members violating any laws concerning alcohol may be transmitted to Student Life or Human Resources as appropriate. Similar infractions observed by UPD may be dealt with by prosecution or by reporting to Student Life or Human Resources or by both prosecution and reporting to the University.

Use of Illegal/Illicit Drugs

LETU sites are designated as drug- and alcohol-free. Possession, sale, use, manufacture, growing, or distribution of any controlled substance, whether pharmaceutical or illicit, is illegal under both state and federal laws. UPD and local police having joint jurisdiction strictly enforce such laws. The LETU Student Handbook and the University policy index prohibit all violations of drug and alcohol laws and may lead to University disciplinary action and/or criminal prosecution.

Alcohol and Substance Abuse Information

LETU policies prevent the possession, use, or distribution of any alcohol or illicit drugs on campus by faculty, staff, or students of any age. LETU understands the value of regular communication and education about drug and alcohol resistance and abuse. The LETU Office of Student Life facilitates programming for students by disseminating informational materials; coordinating campus resources (including, but not limited to counseling services, referrals, and discipline); and maintaining the Student Handbook.

Prevention Programs

Life After LeTourneau: Please Enjoy Responsibly

An educational program targeting upperclassmen that seeks to teach how to engage with alcohol in healthy ways after graduation. This included a basic understanding of types of drinks, alcohol level, intoxication levels as well as social tips to stay sober.

Under the Influence by 3rd Millennium Classrooms

The course includes six lessons on key issues such as effects on health, drinking and driving, state specific laws, and alcohol/prescription interactions. Under the Influence is tailored for each user. Students receive a confidential drinking profile that summarizes personal drinking-related problems, compares drinking habits with social norms, challenges personal expectations, and provides a range of non-drinking strategies.

Marijuana 101 by 3rd Millennium Classrooms

The course is consistently updated with the latest and strongest drug research available. 6 lessons cover a variety of key issues such as marijuana dependence, effects of marijuana, mental health issues, synthetic marijuana, local laws and legalization issues, and legal penalties associated with use. The course is tailored for each user. Students receive a confidential personalized-feedback profile that summarizes marijuana-related use and negative consequences, compares individual use with social norms, challenges personal expectations, and provides a range of strategies to quit.

Campus Clarity

Campus Clarity is a web-based learning module taken by all students enrolled at the Longview Campus. The module includes a variety of instructional methods including videos, text, and interactive activities to educate students about the prevalence of alcohol and drug use on college campuses as well as the consequences.

Treatment Support

LeTourneau University employs professional counselor in order to make counseling services available to the campus community. The University has a working agreement with off-campus counseling facilities to assist in the treatment process. Counseling done in the above centers is on a confidential basis.

The University has three primary components of the alcohol and drug abuse program:

- **Assessment:** The student or employee will be assessed to determine extent of the problem with alcohol or other drugs, which may range from careless misuse to abuse to addiction.
- **Intervention:** By working with friends, family, faculty, and staff, the University can reach out to people in trouble and provide them access to appropriate help.
- **Short-term Counseling:** As appropriate, counseling is provided to students or employees who can benefit from a maximum of five therapy sessions.

College Disciplinary Actions

When the University regulations regarding alcohol and drugs are violated, LeTourneau University will impose, at a minimum, the following sanctions.

Students

Alcohol:

- Appropriate sanctions will be assessed in which students may be subject to Disciplinary Probation, Disciplinary Suspension and/or Dismissal. Violations may also require the notification of the student's parents.
- Additional sanctions may be imposed as appropriate, depending on circumstances.

Drugs:

- The student will be automatically referred to the Vice President for Student Affairs.
- Appropriate sanctions will be assessed in which students may be subject to Disciplinary Probation, Disciplinary Suspension and/or Dismissal. Violations also require the notification of the student's parents and appropriate law enforcement authorities.
- University sanctions are imposed in addition to any actions taken in criminal prosecution by local state or federal authorities.

Employees

Alcohol/Drugs:

- The employee will be automatically referred to the appropriate Cabinet Level Administrator.
- Appropriate sanctions will be assessed in which employees are subject to "progressive discipline" or "discharge for cause" as outlined in the Faculty-Staff Handbook.

Additional sanctions may be imposed as appropriate, depending on circumstances. University-imposed sanctions are besides any legal actions taken by local, state or federal authorities. A violation of any law regarding alcohol is also a violation of the University's Student Code of Conduct and will be treated as a separate disciplinary matter by the University.

Security Awareness and Crime Prevention Programs

One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of the LETU to inform students of good crime prevention and security awareness practices.

UPD offers programs designed to inform the LETU community about campus security procedures and practices. A common theme of all awareness and crime prevention programs is to encourage students, employees and guests to be responsible for their own safety and for the safety of others on campus. Crime Prevention Programs on personal safety and security are sponsored by UPD, Office of Student Life, and various campus organizations throughout the year. The programs include general crime prevention and security awareness programs, such as safety education sessions, programs and discussions about topics such as domestic violence, self-defense, emergency response and evacuation procedures, sexual assault prevention, theft prevention and general crime prevention. These sessions are conducted at our summer SWARM events in May, June, and July each year, New Student Orientation in August, and International Student Orientation in August. Sessions are also presented annually to Student Guards, Student Senate, and Allen Family Student Center orientation for new student workers. UPD will also make presentations upon request.

Once each semester UPD coordinates with the LeTourneau University Crisis Instant Response Team (CIRT) to conduct lockdown drills. These drills are conducted utilizing the Emergency Campus Communication System (ECCS). Employees and students are notified in advance of the upcoming drills and in their notification, they are provided safety recommendations to follow in the event of actual lockdown incident. Training videos are also provided in the notification highlighting the RUN, HIDE, FIGHT and AVOID, DENY, DEFEND practices. In the interest of safety in the wake of the global pandemic a live drill was not conducted in the spring semester of 2021.

UPD also provide security escorts to any employee or student who feels unsafe traveling on campus. The employee or student may call 903-233-4444 to receive this service. National Night Out is hosted annually each October for the LeTourneau residential community. National Night Out is an annual nationwide community-building campaign, developed to

promote police-community partnerships. The campus community joins other communities throughout Texas to focus on building safer neighborhoods and developing relationships with local law enforcement. LETU's National Night Out event is catered to the residential community to promote overall campus safety and crime prevention. This event is an opportunity for the residential community to come together and build a good foundation of safety measures to incorporate into their daily lives.

During the 2020-2021 academic year, LETU offered approximately 2 crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the year. In the interest of safety in the wake of the global pandemic there were no face to face programs conducted in the spring semester of 2021.

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 UPD to report suspicious behavior. For additional questions regarding crime prevention, contact the department directly at 903-233-4444.

As part of the department's community-oriented policing philosophy, UPD offers crime prevention presentations each semester to classrooms, campus clubs and student groups as requested. Topics of these presentations include personal safety awareness, and property protection strategies. Anyone interested in having a UPD Officer speak to his or her classroom or group should contact them at 903-233-4444.

While LeTourneau University takes many opportunities to address students on the topics covered above we do not currently have formal programs designed to inform students and employees about the prevention of crimes.

Harassment and Sexual Misconduct

LeTourneau University is a Christ-centered academic community, committed to providing and maintaining a learning and working environment that is free from sexual, racial, and other forms of harassment and misconduct. LeTourneau University believes its students, faculty members, employees, and campus guests should experience an environment free from sexual misconduct and sexual harassment.

In compliance with federal and state laws, it is the policy of LeTourneau University to prohibit unlawful harassment and sexual misconduct by any person and in any form. As a Christian institution of higher education, LeTourneau University reserves the right to take its religious tenets into consideration when making employment decisions. No student, faculty member, supervisor, employee, or other individual shall engage in sexual misconduct, threaten, or harass any other individual or insinuate harassment toward another individual through their conduct, or through any communication of any nature. LeTourneau University will investigate all complaints of harassment or sexual misconduct, formal or informal, verbal or written, and take appropriate action or discipline against any person who is found to have violated this policy.

LeTourneau University recognizes that it may be difficult to specifically define what constitutes harassment under the law. As a result, LeTourneau University will not tolerate any type of inappropriate behavior that may lead to forms of illegal harassment. Inappropriate behavior includes, but is not limited to, unwanted physical contact; foul language; sexually oriented explicit pictures, cartoons, or other materials such as graffiti that may be offensive to another employee or student. Because many of the above may be considered offensive to another individual, these activities are prohibited at LeTourneau University.

LeTourneau Program to prevent dating violence, domestic violence, sexual assault, and stalking.

Sexual Misconduct Prevention Policy

LeTourneau University provides education on sexual harassment and sexual misconduct; including sexual assault, sexual violence, domestic violence, dating violence, and stalking to all members of the University community through mandatory training, campus programs, printed educational materials, and official campus policies. In addition, mandatory training for all new students is provided at the start of the school year to educate students about sexual harassment, and sexual misconduct. All employees and students are required to participate in this training.

This training is provided through EVERFI, Inc. for all incoming students and new employees. The training is then conducted on an annual basis for all current employees and students.

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

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

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

Primary Prevention and Awareness Programs

Specifically, the University offered the following **primary prevention and awareness programs** for all **incoming students** in 2021:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Think About It	September 2021	Online	DoV, DaV, SA, S

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

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The University offered the following **primary prevention and awareness programs** for all **new employees** in 2021:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Bridges, building a supportive community	Within 30 days of hire	Online	DoV, DaV, SA, S

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

The University offered the following **ongoing awareness and prevention programs** for **employees** in 2021:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Bridges, building a supportive community	Feb 2021	Online	DoV, DaV, SA, S

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

Statement of Compliance with Title IX

It is the policy of LeTourneau University to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination (including sexual harassment and sexual misconduct) based on sex in the University's educational programs and activities, in employment policies and practices, and all other areas of the University. As a faith-based institution, the University is exempted from certain laws and regulations concerning discrimination. The University maintains the right, with regard to admissions, enrollment, employment, and other matters, to uphold and apply its religious beliefs related to, among other issues, marriage, sex (gender), gender identity, sexual orientation, and sexual activity.

Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides that: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” Sex discrimination is conduct based upon an individual’s sex that excludes an individual from participation, denies the individual the benefits of, treats the individual differently, or otherwise adversely affects a term or condition of an individual’s employment, education, living environment or participation in a program or activity. Sexual harassment is a form of sex discrimination. In accordance with Title IX, this policy addresses the University’s prohibition of the following forms of sex discrimination: sexual harassment, sexual assault, domestic violence, dating violence, stalking, and sexual exploitation. Allegations of sex discrimination that do not involve sexual misconduct will be handled in accordance with the University’s general nondiscrimination and harassment policy.

The University will not tolerate Sexual Misconduct in any form. The University will promptly

and equitably respond to all reports of Sexual Misconduct in order to take steps to eliminate the misconduct, prevent its recurrence, and address its effects on any individual and the community.

Inquiries or complaints about Title IX, sex discrimination, sexual harassment, or other forms of sexual misconduct may be directed to the University's Title IX Coordinator:

Title IX Coordinator
Dr. Kristy Morgan
Vice President for Student Affairs
Student Life Office, Second Floor Allen Family Student Center
Office Phone: 903-233-4410
Email: kristymorgan@letu.edu

Inquiries or complaints may also be directed to the U.S. Department of Education's Office for Civil Rights:

The Office of Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Telephone: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (800) 877-8339
Email: OCR@ed.gov
<http://www.ed.gov/ocr>

LeTourneau University is committed to encouraging and maintaining an educational, working, and living environment reflective of our Christian faith and characterized by civility and mutual respect. Sexual harassment or sexual misconduct, in any form, does not reflect the high standards and ideals of our community and will not be tolerated at LeTourneau University. As an institution of higher education, LeTourneau University has adopted this sexual misconduct policy in an effort to eliminate sexual misconduct on our campus through education, training, clear policies, and appropriate consequences for violations of these policies. The University's Title IX Coordinator has responsibility for ensuring compliance with LeTourneau's policies regarding sexual misconduct.

Students and employees are expected to comply with the University's policies on sexual misconduct whether on or off campus. Any student or employee who violates the University's policies on or off campus is subject to disciplinary sanctions.

Harassment & Sexual Misconduct

LeTourneau University is committed to encouraging and maintaining an educational, working, and living environment reflective of our Christian faith and characterized by civility and mutual respect. Sexual harassment or sexual misconduct, in any form, does not reflect the high standards and ideals of our community and will not be tolerated at LeTourneau University. As an institution of higher education, LeTourneau University has adopted this harassment and sexual

misconduct prevention and response policy in an effort to eliminate harassment and sexual misconduct on our campus through education, training, clear policies, and serious consequences for violations of these policies. The University's Title IX Coordinator has responsibility for ensuring compliance with LeTourneau's policies regarding sexual misconduct.

Students and employees are expected to comply with the University's policies on sexual harassment, sexual misconduct, sexual assault, and stalking whether on or off campus. Any student or employee who violates these University's policies on or off campus is subject to disciplinary sanctions.

Sexual Misconduct

Members of the LeTourneau University community, including students, staff, faculty, and guests have the right to be free from sexual misconduct. **Sexual misconduct means the following forms of sex discrimination and other misconduct: sexual harassment, sexual assault, domestic violence, dating violence, stalking, and sexual exploitation, as each of those terms is defined below. LeTourneau University prohibits sexual misconduct of any form.** Such conduct violates the values and principles of our community and disrupts the living, learning, and working environment for students, faculty, staff and guests.

Sexual Harassment

Sexual harassment is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972, and may violate other federal and state law, including Title VII of the Civil Rights Act of 1964, and Texas state law. Sexual harassment is unwelcome, sex-based verbal or physical conduct, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual assault or acts of sexual violence, when:

- submission to that conduct is made, either explicitly or implicitly, a term or condition of an individual's educational experience or employment, or the individual's submission or rejection of such conduct is used as the basis for an employment, academic, or other educational decision ("quid pro quo" harassment); or
- such conduct has the purpose or effect of unreasonably interfering with an individual's employment or education, or of creating an intimidating, hostile, or offensive employment or educational environment ("hostile environment" harassment).

Quid pro quo sexual harassment includes incidents in which the harasser either provides or denies an employment or educational benefit in exchange for sexual favors, or makes an adverse employment or educational decision on the basis of rejection of sexual advances.

Hostile environment sexual harassment occurs when the working, learning, or living environment is made hostile or abusive. An abusive or hostile environment is one that is reasonably and actually perceived by the complaining party as abusive such that it makes it difficult to perform job duties or to pursue one's education. Hostile environment harassment exists when there is unwelcome conduct that is sufficiently severe, persistent, or pervasive that

the conduct interferes with an employee's employment or work performance or a student's ability to participate in or benefit from educational programs or activities. The circumstances to determine whether an environment is "hostile" could include:

- The frequency of the conduct.
- The nature and severity of the conduct.
- Whether the conduct was physically threatening.
- The effect of the conduct on the victim's mental or emotional state.
- Whether the conduct was directed at more than one person.
- Whether the conduct arose in the context of other discriminatory conduct.
- Whether the conduct unreasonably interfered with the victim's educational or work performance.
- Whether the statement was merely a discourteous, rude, or insensitive statement.
- Whether the speech or conduct deserves the protections of academic freedom.

Conduct can be sexual harassment whether or not any harassment or hostile feelings were intended.

Examples of sexual harassment may include, but are not limited to, the following:

- Unwelcome pressure for a dating, romantic, or intimate relationship
- Unwelcome touching, kissing, hugging, or massaging
- Unwelcome sexual flirtations, attention, advances, and propositions
- Punishing or threatening to punish a refusal to comply with a sexual-based request
- Offering a benefit (such as a grade, promotion, or athletic participation) in exchange for sexual favors or other verbal or physical conduct of a sexual nature
- Verbal abuse of a sexual nature or obscene language
- Unnecessary references to parts of the body or verbal commentary about an individual's body or appearance
- Remarks about a person's gender or sexual orientation
- Sexual innuendoes or humor
- Obscene gestures or leering
- Sexual graffiti, pictures, or posters
- Sexually explicit profanity
- Bullying (conduct that may be physically threatening, harmful, or humiliating) that is based on sex, including cyber-bullying
- E-mail, texting ("sexting"), or electronic or cyber harassment

A hostile environment can exist by virtue of a combination of individual incidents that would not, individually, constitute sexual harassment. Even one serious incident may, however, constitute hostile environment harassment.

Both women and men are protected from sexual harassment under this policy, whether the harassment is perpetrated by a member of the same or the opposite sex. Sexual harassment may be committed by a male or a female toward either a male or a female.

Unwelcome conduct: Conduct is unwelcome when the individual did not request or invite it and

regarded the conduct as undesirable or offensive. The fact that an individual may have accepted the conduct does not mean that he or she welcomed it. On the other hand, if an individual actively participates in conduct and gives no indication that he or she objects, then the evidence generally will not support a conclusion that the conduct was unwelcome. That a person welcomes some conduct does not necessarily mean that person welcomes other conduct. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on a subsequent occasion. Whether conduct was unwelcome may be determined based on the context and circumstances of the encounter or incident, including various objective and subjective factors.

Definitions

Sexual Assault

Sexual assault is any form of sexual contact directed against another person that occurs without the explicit consent of the recipient, including sexual acts committed against a person who is incapable of giving consent (e.g., due to the individual being under the influence of drugs or alcohol, or because an intellectual or other disability prevents the individual from having the capacity to give clear, unambiguous consent). Sexual assault may occur through the use of verbal, emotional, or physical force, intimidation, or coercion. Sexual assault includes sexual activities such as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, statutory rape, attempted rape, and non-consensual sexual contact. It also includes any intentional sexual touching, however slight, with any object or body part, by a man or a woman upon a man or a woman, without explicit consent of that individual. Sexual assault can be committed by students, university employees, or third parties visiting or working on the LeTourneau University campus.

Texas statute for Sexual Assault (a) A person commits an offense if the person:

(1) intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;

(B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or

(C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or

(2) intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of a child by any means;

(B) causes the penetration of the mouth of a child by the sexual organ of the actor;

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

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

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

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

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

- (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;
 - (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
 - (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
 - (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
 - (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
 - (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
 - (8) the actor is a public servant who coerces the other person to submit or participate;
 - (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
 - (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or
 - (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.
- (c) In this section:
- (1) "Child" means a person younger than 17 years of age.
 - (2) "Spouse" means a person who is legally married to another.
 - (3) "Health care services provider" means:
 - (A) a physician licensed under Subtitle B, Title 3, Occupations Code; 1
 - (B) a chiropractor licensed under Chapter 201, Occupations Code;
 - (C) a physical therapist licensed under Chapter 453, Occupations Code;
 - (D) a physician assistant licensed under Chapter 204, Occupations Code; or
 - (E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.
 - (4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:
 - (A) licensed social worker as defined by [Section 505.002, Occupations Code](#) ;
 - (B) chemical dependency counselor as defined by [Section 504.001, Occupations Code](#) ;
 - (C) licensed professional counselor as defined by [Section 503.002, Occupations Code](#) ;
 - (D) licensed marriage and family therapist as defined by [Section 502.002, Occupations Code](#) ;
 - (E) member of the clergy;
 - (F) psychologist offering psychological services as defined by [Section 501.003, Occupations Code](#) ; or
 - (G) special officer for mental health assignment certified under [Section 1701.404, Occupations Code](#).
 - (5) "Employee of a facility" means a person who is an employee of a facility defined by [Section](#)

[250.001, Health and Safety Code](#) , or any other person who provides services for a facility for compensation, including a contract laborer.

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

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

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

(2) that:

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

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

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

(B) the victim:

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

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

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

Non-consensual sexual contact includes any form of sexual touching, however slight, with any object or body part, by a man or a woman upon a man or a woman, without the consent of that individual. It may include, but is not limited to, sexual assault or sexual violence as described above.

Domestic Violence

Domestic Violence is defined “physical harm, bodily injury, assault or the threat of physical harm” directed toward “persons who have a child in common, and persons cohabiting or formerly cohabiting.” Domestic violence may also include a pattern of abusive or violent used by one partner in a domestic relationship to gain or maintain power and control over another partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Texas statute defines domestic or family violence as 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.

Domestic violence is a felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the victim.
- A person with whom the victim shares a child in common.
- A person who is a current or former cohabitant of the victim as a spouse or intimate partner.

- A person similarly situated to a spouse of the victim under Texas's domestic or family violence law (or, if the crime occurred outside of Texas, the jurisdiction in which the crime of violence occurred).
- Any other person against an adult or youth victim who is protected from that person's acts under applicable domestic or family violence laws of Texas (or, if the crime occurred outside of Texas, the jurisdiction in which the crime of violence occurred). In addition to the relationships described above, Texas law defines domestic/family violence to include violence committed between individuals related by consanguinity or affinity, as determined under Texas Government Code Sections 573.022 and 573.024, individuals who are former spouses of each other, individuals who are the parents of the same child, without regard to marriage, a foster child and foster parent, without regard to whether those individuals reside together, and persons living together or previously living together in the same dwelling, without regard to whether they are related to each other.

While not exhaustive, the following are examples of conduct that can constitute domestic violence: (1) physical harm, bodily injury, assault, or sexual assault; or (2) a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.

Domestic violence may also be called family violence, domestic abuse, domestic assault, or spousal/intimate partner/relationship abuse or violence.

Dating Violence

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or violence, such as sexual assault, physical harm, bodily injury, or criminal assault, or the threat of such abuse or violence. Dating violence does not include acts covered under the definition of domestic violence.

Dating violence may also be called spousal/intimate partner/relationship abuse or violence.

Dating Violence occurs when one person intentionally hurts or scares someone they are dating and includes physical, emotional, and sexual violence.

- Physical abuse may include hitting, shoving, kicking, biting, or throwing objects.
- Emotional abuse may include yelling, name-calling, bullying, embarrassing, preventing interaction with friends, telling someone that they deserve the abuse, or providing gifts to "make up" for the abuse.
- Sexual abuse and violence are forcing someone to engage in a sexual activity or engaging in sexual activity when one of the persons is unable to consent due to use of alcohol or drugs.

Texas statute defines dating violence as 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.

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

(1) the length of the relationship;

(2) the nature of the relationship; and

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

(c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

Stalking

Stalking is defined as a course of conduct directed at a specific person that involves repeated (two or more occasions) visual or physical proximity, nonconsensual communication, or verbal, written, or implied threats, or a combination thereof, that would cause a reasonable person fear. Stalking behaviors may include persistent patterns of leaving or sending the victim unwanted items or presents that may range from seemingly romantic to bizarre, following or lying in wait for the victim, damaging or threatening to damage the victim's property, defaming the victim's character, or harassing the victim via the Internet by posting personal information or spreading rumors about the victim. Texas criminal law defines stalking as a course of conduct that is directed specifically at another person that causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and would cause a reasonable person to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person (1) to fear for her or his safety or the safety of others, or (2) to suffer substantial emotional distress.

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through another person, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

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

Stalking behavior includes, but is not limited to:

- repeated, unwanted, and intrusive communications by phone, mail, email, texting, and/or other electronic communications, including social media;
- repeatedly leaving or sending the victim unwanted items, presents, or flowers;
- following or lying in wait for the victim at places such as home, school, work, or recreational facilities;
- making direct or indirect threats to harm the victim, or the victim's children, relatives, friends, or pets;
- damaging or threatening to damage the victim's property;
- repeatedly posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth, that would cause a person to feel threatened or intimidated.

Sexual Exploitation

Sexual exploitation occurs when a person takes sexual advantage of another for his/her own advantage or benefit or to benefit or advantage anyone other than the one being exploited without that person's consent. Examples of sexual exploitation include, but are not limited to:

- intentional and repeated invasion of sexual privacy (e.g., walking into the other person's room or private space); prostituting another person;
- video- or audio-taping of sexual activity or body parts without consent;
- any distribution of sexually explicit photos or videos without consent, including posting sexually explicit photos or videos in public or on social media sites;
- intentional removal or attempted removal of clothing that exposes an individual's bra, underwear, breast, inner thigh, buttocks, genitals and/or groin area, or that is otherwise sexual in nature, without consent;
- engaging in voyeurism (e.g. viewing or permitting someone else to view another's sexual activity or intimate body parts, in a place where that person would have a reasonable expectation of privacy, without consent);
- exposing one's genitals or breasts or coercing another to expose their genitals or breasts in non-consensual circumstances;
- knowingly transmitting a sexually transmitted disease or sexually transmitted infection to another person;
- forcing others to view pornography.

Retaliation

Retaliation is any adverse action, or threat thereof, taken against an individual for making a good faith report or complaint of a potential policy violation, supporting another person's report, responding to a complaint, or participating in good faith in the investigation of a complaint or the complaint resolution process, or opposing in good faith a practice or conduct that the person reasonable believes is in violation of this policy. Retaliatory acts may include, but are not limited to: any form of intimidation, threats, harassment, coercion, and other adverse action.

Consent

Consent means words or overt actions by a person clearly communicating a freely given present agreement to perform a particular sexual act. Words or overt actions clearly communicate consent when a reasonable person in the circumstances would believe those words or actions

indicated a willingness to participate in a mutually agreed-upon sexual activity. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and obtaining consent. It is the responsibility of the person initiating the specific sexual activity to obtain consent for that activity. In addition:

- Consent to one form of sexual activity cannot, by itself, constitute consent to other forms of sexual activity.
- Consent can be withdrawn at any time. When consent is withdrawn, the sexual activity for which consent was initially provided must stop.
- Consent is active, not passive. Silence or the absence of resistance or saying “no,” in and of themselves, cannot be interpreted as consent.
- Whether an individual actively and willingly participates in conduct may be a factor in determining whether there was consent.
- An existing sexual, romantic, or marital relationship does not, by itself, constitute consent.
- Previous relationships or previous consent do not, by themselves, constitute consent to future sexual acts. In cases of prior relationships, the manner and nature of prior communications between the parties and the context of the relationship may be factors in determining whether there was consent.
- Prior sexual activity with other individuals does not imply consent.
- Consent cannot be obtained by use of coercion as defined by this policy.
- Consent cannot be obtained when a person is known to be or should be known to be incapable of consenting due to incapacitation, as defined in this policy.
- Explicit consent to protected sexual contact does not constitute consent to unprotected sexual contact. Where a party makes a representation that protection is or will be used, the other party’s consent to the sexual contact generally will be interpreted as conditioned on that use of protection. If protection is removed during sexual contact, it is the responsibility of the person removing protection to obtain consent to the unprotected sexual contact.
- Consent can only be given if one is of legal age. In Texas, the legal age of consent is 17 years old.

Incapacitation

Incapacitation means the physical and/or mental inability to understand the fact, nature, or extent of the sexual situation. Incapacitation may result from mental or physical disability, sleep, unconsciousness, involuntary physical restraint, or from the influence of drugs or alcohol. With respect to incapacitation due to alcohol or other drug ingestion, incapacitation requires more than being under the influence of alcohol or other drugs; a person is not incapacitated just because they have been drinking or using other drugs. Incapacitation is determined based on the facts and circumstances of the particular situation, looking at whether the individual was able to understand the fact, nature, or extent of the sexual situation; whether the individual was able to communicate decisions regarding consent, nonconsent, or the withdrawal of consent; and whether such condition was known or reasonably known to the accused or a reasonable sober person in the accused’s position. Use of drugs or alcohol by the accused is not a defense against allegations of sexual misconduct.

Coercion

Coercion is conduct or intimidation that compels an individual to engage in sexual contact or sexual activity against the individual’s will by: (1) the use of physical force, (2) threats of

severely damaging consequences, or (3) pressure that would cause a reasonable person to fear severely damaging consequences. Coercion is more than an effort to persuade or attract another person to engage in sexual activity. Coercive behavior differs from seductive behavior based on the degree and type of pressure someone used to obtain consent from another.

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

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

- **Domestic Violence:**
 - i. A Felony or misdemeanor crime of violence committed—
 - A) By a current or former spouse or intimate partner of the victim;
 - B) By a person with whom the victim shares a child in common;
 - C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
 - E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
 - ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
 - 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 parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.
- **Stalking:**
 - 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 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.
 - iii. 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.

Bystander Intervention Tips and Strategies

Why Bystander Intervention Matters

Preventing sexual harassment is everybody’s responsibility. An engaged bystander is someone who lives up to that responsibility by intervening before, during, or after a situation when they see or hear behaviors that threaten, harass, or otherwise encourage sexual violence.

The behaviors that make up sexual violence exist on a spectrum. While some behaviors – such as sexist jokes, inappropriate sexual comments, innuendos, catcalling, or vulgar gestures – aren't illegal, this does not make them any less threatening or harmful to the person experiencing them. These situations also take place across a range of locations and settings – often in public spaces, workplaces, schools, communities, and online. All of us must embrace our voices to demonstrate that these behaviors will not be tolerated.

How to Be a Good Bystander

It may not be safe or effective to directly confront the harasser in every case, but there are a range of ways bystanders can be involved before, during, or after a situation when they see or hear behaviors that promote sexual violence. Always remember if you or someone else is in immediate danger, dial 9-1-1. Below are some intervention tips and strategies:

Disrupt the situation.

Every situation is different, and there is no one way to respond. When you witness a person being harassed, threatened, or followed by someone, you can try to distract the harasser or insert yourself into their interaction to help the targeted person get out of the situation. For example, if you see someone on the street being verbally harassed, you can interrupt the harasser and ask them for directions. You can also intervene by pretending to know the person being harassed and starting a conversation with them as an opportunity to come between them and the harasser.

Don't act alone.

Get support from people around you by calling on others to help. The more people who come together to interrupt a situation, the more you reinforce the idea that the behavior is not acceptable in your community. This can be as simple as saying, "Let's say something to them so they stop." If you do not feel safe, you may consider contacting the police.

Confront the harasser.

Whether or not you know the harasser, you can intervene by telling them in a respectful, direct, and honest way that their words or actions are not okay. For example, when you hear someone make comments that blame victims for being assaulted, or make light of sexual violence, you can tell them:

- You need to stop.
- That's so inappropriate.
- What you just said made me feel uncomfortable. Here's why...
- Do you realize how problematic that is?
- We need to talk about what you just said.
- Why would you say that?

Set the expectation to speak up and step in.

Talking openly and responding directly to inappropriate behaviors will have a snowball effect and encourage others to respond. It shows you recognize the comment or behavior is unacceptable and shows others it will not be tolerated. For example, if you are in a group setting and you hear someone make inappropriate comments, you can say:

- Are you hearing what I am hearing?
- I can't be the only one who thinks this is not OK.
- I don't see how XYZ is relevant or appropriate to this discussion.
- I know you're a better person than that.

Understand how your privilege positions you to speak up. Your age, race, gender, etc. may make it safer for you to speak up and be vocal about harassment – especially when you are not the target or representative of the target group.

Focus on the needs and experience of the target and ensure they receive the support they need.

- Let them know that what has happened to them isn't their fault.
- Affirm that they didn't do anything wrong.
- Express your support for the individual.
 - o I saw what they just did. Are you OK?
 - o I heard what that person said to you. I am so sorry.

(Bystander intervention tips & strategies adapted from the National Sexual Violence Resource Center)

Sexual Assault Risk Reduction Strategies

Most sexual assaults among college students involve people who know each other, and the majority involve use of alcohol or other drugs. Whether someone is sober or under the influence of alcohol or other drugs, if they are sexually assaulted they are not responsible for the assault.

LETU's Community Standards prohibit alcohol and drug use of students and sexual activity outside of marriage. The risk of sexual assault and other types of dangerous circumstances is greatly reduced when students' behavior is consistent with LETU's Community Standards. We do recognize that some students may find themselves in situations they did not anticipate, or may choose to behave in ways that are inconsistent with the Community Standards. We do not want any students to experience sexual assault and offer these recommendations to help reduce the risk.

Here are some tips to consider when you go out:

- Know where you are going and speak up if you are uncomfortable with the plans.
- Communicate with your partner: NO MEANS NO; CLEAR verbal or non-verbal CONSENT MEANS YES.
- Know that drinking and drug use can impair your judgment. You might not be able to make the same decision you would make if you were sober.
- Only drink something that you poured yourself or that comes in a pre-sealed container, and don't drink something that has been left unattended. Also, drugs (e.g., Rohypnol, GHB) can be dissolved in a drink, causing side effects such as nausea, dizziness, disorientation, &/or loss of consciousness.
- Use the buddy system and look out for each other. Don't go anywhere with someone you don't know well. If you do leave a party with a new friend, tell the friends you came with where you are going and when you are coming back. If you are worried about a friend's safety, tell them.

Reduce the Risk of Committing Sexual Assault

- Listen carefully. Take time to hear what the other person has to say. If you feel they are not being direct or are giving you a “mixed message” ask for clarification.
- Don’t fall for the cliché “if they say no, they really mean yes.” If your partner says “no” to sexual contact, believe them and stop. If they seem uncomfortable or uncertain, stop and check in. It is never acceptable to force sexual activity, or to pressure, coerce, or manipulate someone into having sex, no matter the circumstances.
- Don’t make assumptions about a person’s behavior. Don’t assume that someone wants to have sex because of the way they are dressed, they drink (or drink too much), or agree to go to your room. Don’t assume that if someone has had sex with you before they are willing to do so again. Also, don’t assume that if your partner consents to kissing or other sexual activities, they are consenting to all sexual activities. Obtain clear consent for each sexual activity.
- Be aware that having sex with someone who is mentally or physically incapable of giving consent is rape. If you have sex with someone who is incapacitated due to alcohol or drugs, passed out, or is otherwise incapable of saying no or knowing what is going on around them, you may be guilty of rape.
- Remember sexual assault is a crime punishable via campus conduct, criminal, and civil proceedings.
- Be careful in group situations; resist pressure from friends to participate in violent acts.
- Get involved if you believe that someone is at risk. If you see someone in trouble or someone pressuring another person, don’t be afraid to intervene - or get help to do so.

Reduce the Risk of Being Sexually Assaulted

- Know your sexual intentions and limits. You have the right to say “NO” to any unwanted sexual contact. If you are uncertain of what you want, ask your partner to respect your feelings.
- Communicate with your partner. Do not assume that someone will automatically know how you feel or will eventually “get the message” without you having to say anything. Just as it’s okay to say “NO” to unwanted activities, it’s okay - and important - to give clear consent to activities in which you would like to engage.
- Be aware that some people mistakenly believe drinking, dressing provocatively, or going to your or someone else’s room means you are willing to have sex. Be clear up front about your limits in such situations.
- Listen to your gut feelings. If you feel uncomfortable or think you might be at risk, leave the situation immediately and go to a safe place.
- If you feel you are being pressured or coerced into sexual activity, you have a right to state your feelings &/or leave the situation. If you are concerned about the other person becoming angry, it is okay to make up an excuse to leave or create time to get help.
- Attend large parties with friends you trust. Agree to “look out” for one another. Leave with the group, not alone. Avoid leaving with people that you don’t know very well.
- Attend a workshop on sexual assault risk reduction or take a self-defense course such as the RAD (Rape Aggression Defense) class to learn additional general safety and risk reduction strategies.

Procedures Students Should Follow When a Victim of Sexual Violence

Reporting Sexual Harassment or Sexual Misconduct

Any member of the staff or faculty, or any guest, who believes he or she has been the victim of sexual misconduct, domestic/dating violence, stalking or sexual harassment by a student, faculty member, member of the staff, or other university personnel, or who has knowledge of or has observed such behavior, should immediately report the alleged acts to an appropriate individual who, depending on the circumstances may be, the chief administrator in his/her division, the Title IX Coordinator or one of the deputy coordinators.

If any member of the LeTourneau University community believes that he or she has been subjected to sexual misconduct or harassed by the person to whom he or she would normally report the incident, then the report should be made to the Title IX Coordinator or one of the other Title IX Deputy Coordinators.

Any student or employee who believes that he or she has been the victim of sexual misconduct or harassment by another student, faculty member, member of the staff, guest, or any other University personnel, or who has knowledge of or has observed such behavior, should immediately report the alleged acts to an appropriate individual who, depending on the circumstances may be a faculty member, their Resident Director, a Student Life staff member, the Title IX Coordinator, or one of the Deputy Coordinators.

A report can also be made to any one of the other officials listed below:

Title IX Coordinator

Dr. Kristy Morgan
Vice President for Student Affairs
Student Life Office, Second Floor Allen Family Student Center
Office Phone: 903-233-4410
Email: kristymorgan@letu.edu

Deputy Coordinator

Phyllis Turner
Director of Human Resources
Office Phone: 903-233-4171
Email: phyllisturner@letu.edu

A complaint may be made by telephone, email, regular mail, or in person. A student has the right to make an anonymous complaint; however, it may be more difficult to prove the alleged misconduct that is the subject of the complaint and to take action against the respondent without the evidence and information, which the reporter may have or be able to provide. Complaints may also be made to the Department of Education, Office of Civil Rights.

Office for Civil Rights, Dallas Office

U.S. Department of Education

1999 Bryan Street, Suite 1620

Dallas, TX 75201-6810

Telephone: (214) 661-9600

Facsimile: (214) 661-9587

Email: OCR.Dallas@ed.gov

This complaint procedure applies to complaints alleging sexual harassment or misconduct by University employees, other students, or third parties.

The University will take appropriate steps to eliminate illegal sexual misconduct, prevent its recurrence, and remedy its discriminatory effects on the complainant and others as quickly as possible. In some cases, interim measures may be taken before the investigation and disciplinary process has been completed in order to eliminate or diminish the opportunity for additional harassment or to alleviate the effects of the conduct that is the subject of the complaint. Any interim sanctions will respect the rights of all participants to be treated with fundamental fairness. These may include restraining orders or other orders as directed by a court of law or by LeTourneau University.

Preserving Evidence

Avoid the destruction of evidence by bathing, changing clothes, or cleaning up in any way. Preserve evidence in a paper bag for possible future action. Also, keep copies of emails, text messages, and voice messages that your assailant may have left.

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at East Texas Medical Center – Tyler. In Texas, evidence may be collected even if you chose not to make a report to law enforcement. The Non-Reported Sexual Assault Evidence Program allows survivors of a sexual assault to obtain a medical forensic exam and have evidence collected, without cost to the victims, even if they do not wish to involve law enforcement at the time of evidence collection. This allows the evidence to be secured while giving the survivor time to consider whether they want to report the assault. A patient who has requested and obtained a non-reported sexual assault medical forensic examination has up to two years to decide to report the crime. A victim may choose a pseudonym to be used instead of the victim's name to designate the victim. A victim who elects to use a pseudonym must complete a pseudonym form with the law enforcement agency investigating the offense. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of

pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators/investigators or police.

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

Medical Resources

A special exam should be conducted as soon as possible following an assault to ensure your physical well-being and to collect evidence that may be useful in criminal proceedings. The exam can be conducted without the involvement of law enforcement personnel. Even if you have not been physically hurt, this forensic exam is strongly recommended to maintain all your legal options. After the evidence is collected, it can be stored in case you wish to press criminal charges.

The exam is free and generally performed by a Sexual Assault Nurse Examiner (SANE) at a medical facility. UPD can also assist with your medical needs by coordinating services through the Women's Center of East Texas. UPD and the Women's Center can help arrange a medical exam and will coordinate transportation to and from the facility where the exam is conducted.

Even if you do not have evidence collected at a medical facility or hospital, it is still important to get medical attention to include treatment of any physical problems and various lab test for sexually transmitted diseases and pregnancy. This non-emergency treatment can be arranged with your health care provider. If you seek treatment at a local hospital and the police are contacted, this does not mean that you have to proceed with criminal charges.

Options to Notify Authorities

- Notify proper law enforcement authorities, including on-campus and local police.
- Be assisted by campus authorities in notifying law enforcement,
- Decline to notify such authorities.

Involvement of Law Enforcement and Campus Authorities

Although the university 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. Furthermore, victims have the right to decline to notify law enforcement. However, the University Director of Human Resources, Vice

President for Student Affairs, and Dean of Students will assist any victim with notifying law enforcement if the victim so desires. LeTourneau University Police Department may also be reached directly by calling 903-233-4444, in person at 624 Harris Dr. on the main campus of LeTourneau University. Additional information about the LeTourneau University Police department may be found online at: <https://www.letu.edu/Student-Life/campus-safety>.

Rights of the Complainant and Respondent

The University strives to provide a prompt, fair and impartial process for investigating and resolving complaints related to sexual assault or other sex-related misconduct. Throughout this process, both the complainant and respondent have the following rights, many of which are described in greater detail in this policy:

- To be treated with respect and dignity.
- To receive assistance from the University in reporting the incident to law enforcement at any stage of the process.
- To receive information about the process the University will employ for conducting the investigation, hearing, determination, and appeal.
- To receive information about support available from University or community resources.
- To privacy to the extent possible consistent with applicable law and University policy.
- To have an advisor present throughout the process.
- To choose whether or not to participate in the investigation process.
- To a prompt and thorough investigation of the allegations.
- To have a reasonable time to provide information, including any oral or written statement, to the investigator.
- To raise any question regarding a possible conflict of interest on the part of any person involved in the investigation or determination.
- To appeal the decision and any sanctions made by the investigators.
- To simultaneous notification, in writing, of the result, including the outcome of any appeal. (*Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution*).

Adjudication of Violations

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

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The University 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 to the accuser and the accused throughout the investigation and disciplinary process. During meetings and hearings, the accuser and the accused and advisor may talk quietly with each other. Advisors do not have the right to question or cross-examine witnesses, present arguments, answer questions posed to a student, or otherwise take an active role in the disciplinary proceedings. Advisors cannot disclose to other persons any confidential student information, which is disclosed to the advisor in the course of the proceedings. The University will remove or dismiss advisors who become disruptive or who do not abide by the restrictions on their participation.
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.

Procedures LeTourneau University Will Follow in the Event of Alleged Sexual Violence

Investigating Sexual Misconduct or Sexual Harassment

The University will thoroughly investigate and review the facts and circumstances of each allegation of harassment or sexual misconduct involving a student, faculty member, staff member or campus guest. The University may impose a sanction against the accused individual that is appropriate for the act committed. In accordance with Title IX of the education amendments of 1972, LeTourneau University will make every effort to conduct investigations that are prompt and equitable and intended to eliminate sexual misconduct on our campus.

The University will protect the confidentiality of victims. Publicly available recordkeeping, such as mandatory Clery reporting, will be accomplished without the inclusion of identifying

information, to the extent permitted by law.

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

**Incident Being
Reported
Sexual Assault**

Procedure Institution Will Follow

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

Stalking

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

Dating Violence

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

Domestic Violence

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

Confidentiality and Reporting

The University strongly supports a Complainant's interest in confidentiality in cases involving sexual violence. However, there are situations in which the University must override a request for confidentiality in order to meet its obligations under federal law to provide an educational environment that is safe and free from sexual harassment or sexual violence. To the extent possible, information regarding alleged incidents of sexual violence will be shared only with individuals who are responsible for handling the University's response.

Honoring a request that the Complainant's name not be revealed to the accused person or that the University not investigate or seek action against the accused person may limit the University's ability to respond fully to the incident and pursue appropriate disciplinary action.

If a Complainant requests that his or her name not be disclosed to the accused person or that the University not investigate or seek action against the accused person, the University will

need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment. If the University determines that it can respect a Complainant's request not to disclose his or her identity to the accused person, it will take all reasonable steps to respond to the complaint consistent with the request.

The University will consider a range of factors when weighing a request for confidentiality that could interfere with a meaningful investigation or potential discipline of the accused person. If the factors indicate an increased risk of the accused person committing additional acts of sexual violence or other violence, the University may be unable to honor the request for confidentiality. A Complainant may later withdraw a request for confidentiality, in which case a full investigation will be conducted to the extent possible. The Title IX Coordinator is responsible for evaluating requests for confidentiality.

The University recognizes the sensitive nature of sexual and gender-based harassment, sexual assault, sexual exploitation, stalking, intimate partner violence, and retaliation issues and is committed to protecting the privacy of any individual who reports these incidents. Different officials on campus are, however, able to offer varying levels of privacy to victims. Reports made to law enforcement, (including cases where criminal prosecution is pursued), may be made public through Public Information Act requests and shared with the accused, although personally identifiable information may be redacted.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log. Pursuant to the Clery Act, the University includes statistics about certain offenses in this report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. The Clery Act also requires the University to issue Timely Warnings to the University community about certain crimes that have been reported and may continue to pose a serious or continuing threat to campus safety. Consistent with the Clery Act, the University withholds the names and other personally identifying information of complainants when issuing Timely Warnings to the University community.

By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Making a Confidential Report

Individuals may be assured of confidentiality by reporting a sexual assault only to a therapist, counselor, doctor, attorney, or another person who is legally obligated to maintain patient or client confidentiality. If you choose this option, please consider asking your doctor, therapist, or counselor to make a confidential report of the assault without including facts that would reveal your identity. While the University will probably not be able to take any disciplinary action against the person who assaulted you, university officials will have a better picture of crime on the campus and may be able to warn the campus community about methods or patterns of attacks. The following are campus or community resources that can provide counseling,

advocacy, and support and may be able to accommodate confidential reports of sexual assault.

LeTourneau University Center for Counseling
LeTourneau University Health Services
LeTourneau University Chaplain

All other LeTourneau University staff and faculty members are required by University policy to report observations or actual knowledge of incidents of sexual harassment or sexual misconduct. In addition, reports made to other employees may have to be disclosed in criminal or civil court proceedings. Whether or not a student or employee requests confidentiality, LeTourneau University is committed to maintaining confidentiality throughout the entire investigatory process to the extent that is practical and appropriate. When a formal report is made, persons have the right and can expect to have incidents of sexual misconduct or harassment impartially investigated and properly resolved through administrative procedures. Confidentiality implies that only people who need to know will be informed, and that information will be shared only as necessary with investigators, witnesses, and the accused individual.

Amnesty for Victims.

LeTourneau University encourages the reporting of sexual misconduct and Student Life policy violations. Sometimes, victims are hesitant to report to college officials because they fear that they themselves may be charged with policy violations, such as underage drinking, at the time of the incident. It is in the best interest of this community that as many victims as possible choose to report to college officials. To encourage reporting, the university pursues a policy of offering victims of sexual harassment and sexual misconduct limited amnesty from being charged with policy violations related to the particular incident. While violations to policy cannot be completely overlooked, the university will provide educational options rather than discipline, in such cases.

Investigation Procedure and Follow Up

The Title IX Coordinator or a Deputy Coordinator will designate one or more Title IX investigators who will conduct an adequate, reliable, and impartial investigation of all complaints of sexual harassment or sexual misconduct, and all complaints will be resolved promptly and fairly. After a thorough investigation, the Investigators will deliver a report and recommendation to the Title IX Coordinator or Deputy Coordinator. The Title IX Coordinator or Deputy Coordinator will normally render a finding to the complainant and respondent within 60 days after the complaint was received. An investigation may occasionally take longer because of unusual circumstances or the availability of necessary parties critical to the investigation process.

Investigation of complaints will be as confidential as possible to acquire the information needed and will respect the rights of both the complainant and the respondent. Both parties will have the opportunity to present witnesses and other evidence to the Title IX investigators. The complaint will be decided using a preponderance of evidence standard. A preponderance of evidence means deciding whether the respondent is more likely than not to have committed the behavior for which they have been accused.

In the course of the investigation, the University may seek to use voluntary informal discussions or mediation for resolving some types of sexual harassment complaints. However, the complainant has the right to end the informal process at any time, in which case the investigation will continue to its conclusion. In cases involving allegations of sexual assault, mediation is not appropriate and will not be used. Any agreed resolution of a complaint should fully and effectively address safety, fairness, and other appropriate concerns of the complainant, the respondent, and the University as a whole.

Advisors

Both the Complainant and the Respondent will have the same opportunities to have others present during any part of the proceedings, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The role of the advisor is limited to providing support, guidance, or advice to the Complainant or Respondent throughout investigation and disciplinary process.

During meetings and hearings, the Complainant or Respondent and Advisor may talk quietly with each other. Advisors do not have the right to question or cross-examine witnesses, present arguments, answer questions posed to a student, or otherwise take an active role in the disciplinary proceedings. Advisors cannot disclose to other persons any confidential student information, which is disclosed to the advisor in the course of the proceedings. The University will remove or dismiss advisors who become disruptive or who do not abide by the restrictions on their participation.

Notice of Outcome

Both parties will be promptly notified in writing of the outcome of the complaint process. With respect to complaints of sexual harassment or sexual violence, the University will disclose to the complainant information about any sanctions imposed on the respondent. In order to comply with the Clery Act, both parties will also be informed of all sanction information if the offense involved is a sex offense.

Individuals who are accused of sexual misconduct will be subject to disciplinary action in accordance with LeTourneau University's Christian Life and Community Standards (see the LeTourneau University Student Handbook or Faculty/Staff Handbook). At the discretion of the Title IX Coordinator or Deputy Coordinator overseeing the case, an individual accused of sexual misconduct or harassment may be immediately suspended or restricted from campus pending final disposition of any disciplinary proceedings. Individuals found to have committed harassment or sexual misconduct will be subject to disciplinary sanctions, up to and including suspension or expulsion from the University for students or termination of employment for employees.

Whether or not criminal charges are filed, the university¹ or a person may file a complaint under the following policies, depending upon the status of the accused (student or employee):

Students accused of domestic violence, dating violence, sexual assault and stalking

The following information is contained in the Student Handbook. The full policy may be found at: https://www.letu.edu/_Student-Life/Concerns/TitleIX.html

1. How to File a Disciplinary Complaint Under this Policy

Any student, who believes he or she has been the victim of sexual misconduct or sexual harassment by another student, faculty member, member of the staff, or other university personnel, or who has knowledge of or has observed such behavior, should immediately report the alleged acts to an appropriate individual who, depending on the circumstances, may be, the chief administrator in his/her division, the Title IX Coordinator or one of the deputy coordinators.

If any member of the LeTourneau University community believes that he or she has been subjected to sexual misconduct or harassed by the person to whom he or she would normally report the incident, then the report should be made to the Title IX Coordinator or one of the other Title IX Deputy Coordinators.

Any student who believes that he or she has been the victim of sexual misconduct or harassment by another student, faculty member, member of the staff, guest, or any other University personnel, or who has knowledge of or has observed such behavior, should immediately report the alleged acts to an appropriate individual who, depending on the circumstances, may be a faculty member, their Resident Director, a Student Life staff member, the Title IX Coordinator, or one of the Deputy Coordinators.

A report can also be made to any one of the other officials listed below:

Title IX Coordinator

Dr. Kristy Morgan
Vice President of Student Affairs
Student Life Office, Second Floor Allen Family Student Center
Office Phone: 903-233-4410
Email: kristymorgan@letu.edu

Deputy Coordinator

Phyllis Turner
Director of Human Resources

¹ Title IX states that if an institution knows or reasonably should know of sexual harassment, to include sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the institution's sexual misconduct policy was violated, then the "University" may assume the role of the complainant.

Office Phone: 903-233-4171
Email: phyllysturner@letu.edu

A complaint may be made by telephone, email, regular mail, or in person. A student has the right to make an anonymous complaint; however, it may be more difficult to prove the alleged misconduct that is the subject of the complaint and to take action against the respondent without the evidence and information, which the reporter may have or be able to provide. Complaints may also be made to the Department of Education, Office of Civil Rights.

Office for Civil Rights, Dallas Office

U.S. Department of Education
1999 Bryan Street, Suite 1620
Dallas, TX 75201-6810
Telephone: (214) 661-9600
Facsimile: (214) 661-9587
[Email: OCR.Dallas@ed.gov](mailto:OCR.Dallas@ed.gov)

Reports can be made online at:

https://cm.maxient.com/reportingform.php?LeTourneauUniv&layout_id=3

2. *How the University Determines Whether This Policy will be Used*

The University Title IX Coordinator will review the complaint and determine whether it falls under the Sexual Misconduct policy. Other policies that may be used to respond to such a complaint may be the University Community Standards found in the Student Handbook.

3. *Steps in the Disciplinary Process and anticipated timeline*

1. Report is received.
2. Coordinator will meet with complainant to gather more information about the report, inform the complainant of his/her rights, determine what protective measures may need to be taken, and determine whether the complainant would like the university to proceed with an investigation. (within one week of report)
3. Investigators will be assigned and notification will be made to the complainant and respondent of the investigation. (within two business days of step 2)
4. Investigators will hold interviews with complainant, respondent, witnesses (if appropriate), and collect any relevant information. (within 30 days of step 3)
5. Investigators will prepare a report and submit to Title IX Coordinator. (within one week of step 4)
6. Title IX Coordinator will review report and make a determination of responsibility and sanctions along with the Investigators. Notification of findings will be made to complainant and respondent. (within one week of step 5)
7. Complainant and respondent have the opportunity to request reconsideration (within three days of written notice of decision).
8. A three member appeals board made up of Title IX Coordinators and Investigators that were not involved in the investigation of the case under consideration will consider the request and issue a final written decision within twenty (20) days after receiving the written request.

9. Both parties will be promptly notified in writing of the outcome of the request for reconsideration, which shall be final. The respondent will be notified of any changes to the sanctions, and the complainant will be given any notice of sanctions or changes in sanctions to which he or she is entitled, as described above.

4. Decision-Making Process

Information considered will include hearing testimony, photos, sworn statements, witness statements, physical evidence, phone records or other documentation provided by involved parties. The Title IX Coordinator will determine findings with the assistance of Investigators.

5. Standard of Evidence

Preponderance of the Evidence is the standard used to determine whether a violation of the policy has occurred.

6. Possible Sanctions

LeTourneau University reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct in order to protect student rights and personal safety. Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the University reserves the right to impose differing sanctions, depending on the severity of the offense. The University will consider the concerns and rights of both the complainant and the respondent of sexual misconduct. In appropriate circumstances, a warning may be issued to the campus community, though any such notification would not jeopardize the confidentiality of the victim. Sanctions for students are as follow:

- Written admonition – a letter may be sent to the student, and copied to his/her discipline record
- Parental notification – parents may be notified of disciplinary outcomes
- Educational/accountability sanctions – a student may be required to attend an educational class, mandatory drug or alcohol assessments, or other educational sanctions at the student's expense
- Fines – established and published fines may be imposed by Residence Life, the Dean of Students or University Police Department
- Restitution – a student may be required to pay restitution for damages or loss of property
- Loss of privilege – a student may lose a privilege afforded to them as a LeTourneau University student
- Removal/Suspension from Campus Housing – a student may be required to leave campus housing for a determined amount of time; conditions may be placed on his/her return
- Interim Suspension - In cases where a student is thought to pose a threat to the safety or well-being of the campus community, any individual, or normal operations of the college, the University may impose an interim suspension
- Disciplinary Probation – a student may be placed on probation for a limited amount of time, during which he or she may be held to immediate suspension or expulsion upon an additional violation

- Disciplinary Suspension – a student may be separated from the University for a determined period of time, with certain conditions to be met for re-entry
- Disciplinary Dismissal – a student may be separated from the college permanently

Disciplinary sanctions will be part of a student’s confidential disciplinary record in Student Life. They will not appear on a student’s academic record. Any disciplinary outcome resulting in suspension or expulsion may be reported to the student’s professors, other college officials, and the registrar.

7. Range of Protective Measures Available to a Victim Alleging Misconduct

Protective measures may include no-contact orders, changes in class schedule or living arrangements to avoid contact, hearings scheduled in separate locations or separate waiting rooms provided, safety escorts, and prohibitions against retaliation.

Employees accused of domestic violence, dating violence, sexual assault and stalking

The following information is contained in policies 3.5.1 Harassment & Sexual Misconduct Policy and 3.5.2 Working Conditions – Anti Harassment and Nondiscrimination as found in the Policy Handbook.

1. How to File a Disciplinary Complaint Under this Policy

Any employee who believes that he or she has been the subject of or has witnessed any form of harassment, sexual misconduct, or related retaliation should promptly report such behavior to a University official, Chief Administrator, the Title IX Coordinator or any Deputy Coordinator, the Department of Education or Office of Civil Rights. Confidential reports may be made to the University Center for counseling, University Health Services or the Campus Pastor. A complaint may be made by phone, email, regular mail or in person.

2. How the University Determines Whether This Policy will be Used

Any member of the staff or faculty who believes he or she has been the victim of sexual misconduct or sexual harassment by a student, faculty member, member of the staff, or other university personnel, or who has knowledge of or has observed such behavior should report to their immediate supervisor or the Human Resources Director or Title IX Coordinator

Upon receipt of a complaint the Title IX Coordinator or a Deputy Coordinator will designate one or more Title IX investigators who will conduct an adequate, reliable, and impartial investigation of all complaints, and all complaints will be resolved promptly and fairly. After a thorough investigation, the Investigators will deliver a report and recommendation to the Title IX Coordinator or Deputy Coordinator. The Title IX Coordinator or Deputy Coordinator will normally render a finding to the complainant.

3. Steps in the Disciplinary Process

1.) Upon receipt of a complaint of sexual harassment or sexual misconduct, the Title IX

Coordinator or a Deputy Coordinator will designate one or more Title IX investigators who will conduct an adequate, reliable, and impartial investigation of all complaints of sexual harassment or sexual misconduct, and all complaints will be resolved promptly and fairly. After a thorough investigation, the Investigators will deliver a report and recommendation to the Title IX Coordinator or Deputy Coordinator. The Title IX Coordinator or Deputy Coordinator will normally render a finding to the complainant and respondent within 60 days after the complaint was received. An investigation may occasionally take longer because of unusual circumstances or the availability of necessary parties critical to the investigation process.

2.) Both parties will have the opportunity to present witnesses and other evidence to the Title IX investigators.

3.) In the course of the investigation, the University may seek to use voluntary informal discussions or mediation for resolving some types of sexual harassment complaints.

4.) The complainant has the right to end the informal process at any time, in which case the investigation will continue to its conclusion.

5.) Both the Complainant and the Respondent will have the same opportunities to have others present during any part of the proceedings

6.) Both parties will be promptly notified in writing of the outcome of the complaint process. With respect to complaints of sexual harassment or sexual violence, the University will disclose to the complainant information about any sanctions imposed on the respondent. In order to comply with the Clery Act, both parties will also be informed of all sanction information if the offense involved is a sex offense.

7.) At the discretion of the Title IX Coordinator or Deputy Coordinator overseeing the case, an individual accused of sexual misconduct or harassment may be immediately suspended or restricted from campus pending final disposition of any disciplinary proceedings. Individuals found to have committed harassment or sexual misconduct will be subject to disciplinary sanctions, up to and including termination of employment for employees.

8.) Either party may make a request for reconsideration of the initial decision by providing a written request for reconsideration to the Title IX Coordinator within three (3) days after written notice of the decision has been given. Both the complainant and the respondent will be given notice of the request and an opportunity to respond. A request for reconsideration may be made exclusively on one of the following grounds:

1. There is new and significant evidence that has not yet been considered.
2. The published investigation process was not followed.
3. The sanctions imposed are not appropriate to the investigation finding.

9.) Interim sanctions, including sanctions previously imposed and any additional appropriate sanctions, may be imposed or continued during the time the request is under consideration. The University shall respect and protect the rights of both parties until the request for reconsideration is resolved.

10.) Both parties will be promptly notified in writing of the outcome of the request for reconsideration, which shall be final. The respondent will be notified of any changes to the sanctions, and the complainant will be given any notice of sanctions or changes in sanctions to which he or she is entitled, as described above.

4. Anticipated Timelines

Processes 1 through 6 will be within 60 days of the initial complaint.

Item 7 may happen within the first 24 hours after the initial complaint.

If reconsideration is requested (item 8) it must be within 3 days of the written notice of decision.

For item 9, interim sanctions will be determined at time reconsideration is requested.

Item 10 - within 24 hours of the determination of the reconsideration.

5. Decision-Making Process

Investigation of complaints will be as confidential as possible to acquire the information needed and will respect the rights of both the complainant and the respondent. Both parties will have the opportunity to present witnesses and other evidence to the Title IX investigators. The complaint will be decided using a preponderance of evidence standard. A preponderance of evidence means deciding whether the respondent is more likely than not to have committed the behavior for which they have been accused.

In the course of the investigation, the University may seek to use voluntary informal discussions or mediation for resolving some types of sexual harassment complaints. However, the complainant has the right to end the informal process at any time, in which case the investigation will continue to its conclusion. In cases involving allegations of sexual assault, mediation is not appropriate and will not be used. Any agreed resolution of a complaint should fully and effectively address safety, fairness, and other appropriate concerns of the complainant, the respondent, and the University as a whole.

If the respondent is found responsible for sexual misconduct, the University will initiate a sanctioning process designed to eliminate the misconduct, prevent its recurrence and remedy its effects.

6. Standard of Evidence

Investigation of complaints will be as confidential as possible to acquire the information needed and will respect the rights of both the complainant and the respondent. Both parties will have the opportunity to present witnesses and other evidence to the Title IX investigators. The complaint will be decided using a preponderance of evidence standard. A preponderance of evidence means deciding whether the respondent is more likely than not to have committed the behavior for which they have been accused.

7. Possible Sanctions

LeTourneau University reserves the right to take whatever measures it deems necessary in

response to an allegation of sexual misconduct in order to protect student and employee rights and personal safety. Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the University reserves the right to impose differing sanctions, depending on the severity of the offense. The University will consider the concerns and rights of both the complainant and the respondent of sexual misconduct. In appropriate circumstances, a warning may be issued to the campus community, though any such notification would not jeopardize the confidentiality of the victim.

Sanctions for employees are as follows:

- Warning – verbal or written
- Performance improvement/management process
- Required counseling
- Required training or education
- Probation
- Loss of pay increase
- Loss of oversight or supervisory responsibility
- Demotion
- Suspension with pay
- Suspension without pay
- Termination

8. Range of Protective Measures Available to a Victim Alleging Misconduct

To the extent possible, information regarding alleged incidents of sexual violence will be shared only with individuals who are responsible for handling the University's response.

The University strongly supports a Complainant's interest in confidentiality in cases involving sexual violence. To the extent possible, information regarding alleged incidents of sexual violence will be shared only with individuals who are responsible for handling the University's response.

Individuals may be assured of confidentiality by reporting a sexual assault only to a therapist, doctor, attorney, or other person who is legally obligated to maintain patient or client confidentiality.

Whether or not an employee requests confidentiality, LeTourneau University is committed to maintaining confidentiality throughout the entire investigatory process to the extent that is practical and appropriate.

To encourage reporting, the university pursues a policy of offering victims of sexual harassment and sexual misconduct limited amnesty from being charged with policy violations related to the particular incident.

Investigation of complaints will be as confidential as possible to acquire the information needed. The complainant has the right to end the informal process at any time, in which case the

investigation will continue to its conclusion. In cases involving allegations of sexual assault, mediation is not appropriate and will not be used.

Both the Complainant and the Respondent will have the same opportunities to have others present during any part of the proceedings, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice

With respect to complaints of sexual harassment or sexual violence, the University will disclose to the complainant information about any sanctions imposed on the respondent. An individual accused of sexual misconduct or harassment may be immediately suspended or restricted from campus pending final disposition of any disciplinary proceedings.

LeTourneau University reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct in order to protect student and employee rights and personal safety.

LeTourneau University will take appropriate steps to ensure that a person who in good faith reports, complains about, or participates in a sexual misconduct investigation will not be subjected to retaliation by the Respondent or by others with knowledge of the underlying report.

Request for Reconsideration

Either party may make a request for reconsideration of the initial decision by providing a written request for reconsideration to the Title IX Coordinator within three (3) days after written notice of the decision has been given. Both the complainant and the respondent will be given notice of the request and an opportunity to respond. A request for reconsideration may be made exclusively on one of the following grounds:

There is new and significant evidence that has not yet been considered.
The published investigation process was not followed.
The sanctions imposed are not appropriate to the investigation finding.

A three-member appeals board made up of Title IX Coordinators and Investigators that were not involved in the investigation of the case under consideration will consider the request and issue a final written decision within twenty (20) days after receiving the written request. A decision may occasionally take slightly longer because of unusual circumstances or the absence of necessary parties during school breaks.

Interim sanctions, including sanctions previously imposed and any additional appropriate sanctions may be imposed or continued during the time the request is under consideration. The University shall respect and protect the rights of both parties until the request for reconsideration is resolved.

Both parties will be promptly notified in writing of the outcome of the request for reconsideration, which shall be final. The respondent will be notified of any changes to the sanctions, and the complainant will be given any notice of sanctions or changes in sanctions to

which he or she is entitled, as described above.

Right to File a Criminal Complaint

Many forms of sexual misconduct are also prohibited by Texas and federal law and could result in civil liability or criminal prosecution. The university encourages individuals to contact the University Police Department at 903-233-4444 or Longview Police Department at 903-237-1199 (in an emergency call 911) for more information about how to report a crime and the criminal process. If a student would like assistance in contacting local authorities, the Office of Student Life can assist him/her in doing so. A criminal investigation does not relieve the University of its obligation to respond under Title IX, and both a criminal and University investigations may proceed simultaneously.

Protection from Retaliation

LeTourneau University will take appropriate steps to ensure that a person who in good faith reports, complains about, or participates in a sexual misconduct investigation will not be subjected to retaliation by the Respondent or by others with knowledge of the underlying report. Anyone who believes they are experiencing retaliation is encouraged to report the retaliation using the same procedure for reporting possible sexual misconduct under this policy. A retaliation complaint will be reviewed as a separate offense under this policy. A person can be found responsible for retaliation even if not found to be responsible for the underlying reported sexual misconduct.

False Reports

A complainant, whose allegations are found to be false and brought with willful intent, will be subject to disciplinary action under the Community Values and Expectations code found in the LeTourneau University Student Handbook or Faculty/Staff Handbook, which may include, but is not limited to, written warning, demotion, transfer, suspension, dismissal, termination, or expulsion.

Suggested Guidance following Sexual Violence

A guiding principle in the reporting of domestic violence, dating violence, sexual assault, and stalking is to avoid possible re-victimizing the complainant by forcing the individual into any plan of action. It is recommended that a person who has experienced any of these crimes consider each of the following:

- Get to a safe place.
- Avoid the destruction of evidence by bathing, changing clothes, or cleaning up in any way. Preserve evidence in a paper bag for possible future action. Also, keep copies of emails, text messages, and voice messages that your assailant may have left.

- Pursue medical treatment. Post-assault medical care can be performed at a local emergency room. Many hospitals have a specialized examiner who can complete an exam for victims of sexual violence. Such an exam can help the victim receive an appropriate medical assessment and treatment and can preserve evidence for possible future action.
- Pursue counseling services with appropriate agencies (e.g., Woman's Center East Texas, LeTourneau University Center for Counseling, or private providers). Calling someone that is known and trusted, such as a friend or counselor, and discussing with this person the assault can help to evaluate the trauma to sort out next steps.
- File a report immediately by one of the following means:
 - Make a police report. You can initiate a campus and/or criminal complaint. You may obtain assistance from campus authorities in this notification or call the LETU Police directly at 903-233-4444.
 - Make an administrative report to a campus security authority (CSA), Title IX Coordinator, Office of Student Life, Human Resources, or other responsible employee under Title IX. Such a complaint may be used for actions which include, but are not limited to, on-campus administrative proceedings.
 - Make an anonymous report. An anonymous report to the police notifies them that an act of sexual violence has occurred but gives no names or identification.

If a complainant does not choose to file a police report, he or she may still file a Title IX Complaint.

As always, it is the complainant's choice. While complainants are urged to come forward and file a criminal and/or administrative reports, they are within their rights to decline to notify campus police and campus authorities.

Reporting to Police Department or Law Enforcement

UPD Police offer information and guidance to victims when they file a police report. If you choose to report the incident, a UPD Police Officer will take a statement from you regarding what happened. The officer will ask you to describe the assailant(s) and may ask questions about the scene of the crime, any witnesses, and what happened before and after the incident. You may have a support person with you during the interview. The UPD forwards reports of sexual violence to the appropriate Title IX Coordinator for internal administrative investigation. NOTE: Reporting an incident to police is a separate step from choosing to prosecute. When you file a report, you are NOT obligated to continue with legal proceedings or participate in the LETU internal process. If the assault occurred off-campus, report the incident to the local law enforcement agency and UPD will assist individuals who are unsure of how and where to report the crime. The reasons for reporting to UPD are: 1) to take action which may prevent further

victimization, including issuing a Timely Warning to warn the campus community of an impending threat to their safety; 2) to apprehend the assailant; 3) to seek justice for the wrong that has been done to you; and 4) to have the incident recorded for purposes of reporting statistics about incidents that occurred on campus. If it is any individual's desire to report the assault to a local law enforcement agency other than UPD, whether the incident occurred on-campus or off-campus, UPD will assist individuals on how and where to report the crime.

Assistance for Victims: Rights & Options

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

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

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

LeTourneau University complies with Texas law in recognizing orders of protection, any person who obtains an order of protection from Texas or any reciprocal state should provide a copy to the University Policy and the Office of the Title IX Coordinator. A complainant may then meet with UPD to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc. The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services in conjunction with the filing of the police report. Orders of protection may be obtained through the county Prosecutor's Office. The University may issue a criminal trespass order if deemed appropriate or at the request of the victim or accused.

Types of Protective Orders

Type	Who can File	Length	Requirements
Magistrate's Order for Emergency Protection	victim of family violence, sexual assault or stalking	31-61 days; with deadly weapon 61-91 days	Offender must be arrested
Temporary Ex Parte	minor or adult victim of family/dating violence, sexual assault or stalking	until the hearing for final protective order usually 20 days	finding of clear and present danger of family violence, sexual assault or stalking
Family Violence Protective Order	a minor or adult victim of family /dating violence	two or more years	finding that family/dating violence has occurred and is likely to occur in the future
Sexual Assault Protective Order	A minor or adult victim of sexual assault	Any duration or two years if not specified.	Reasonable grounds to believe the applicant is a victim of sexual assault.
Stalking Protective Order Code of Criminal Procedure Ch. 7A	An adult or minor victim of stalking, or prosecutor acting on behalf of victim.	Any duration or two years if not specified.	Reasonable grounds to believe applicant is a victim of stalking.

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

Victim Assistance Services

If a LETU community member becomes the victim of a crime, the Title IX Coordinator or UPD Police can offer assistance including on-campus victim advocacy and referrals for direct services (emergency medical, academic, housing, legal, immigration and visa, transportation, working situations, or protective measures, etc.) These departments can provide assistance to survivors of a crime by assisting them in obtaining the services they need to work through and better understand their options. These departments work together with area agencies to assist the victim with receiving effective, comprehensive services and compassionate responses.

On and Off Campus Services for Victims

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

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

Missing Person

In accordance with the Higher Education Opportunity Act, LETU 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 UPD no later than 24 hours after the time the student is determined to be missing by the designated University officials authorized to make that determination (specifically, the UPD) or the local law enforcement agency in which the student went missing. Students at LETU can register a missing person contact during their housing application process. All contact information will be kept confidentially. The missing student contact information provided will be accessible only to authorized campus officials and Law Enforcement personnel and may not be disclosed outside of a missing student investigation.

Any member of the University community who suspects a student residing on the Longview campus is missing should immediately notify the University Police Department (UPD) at 903-233-4444. UPD will then generate a missing person report and immediately initiate an investigation. Within 24 hours of determining that the person is missing, UPD will notify the missing person's general emergency contact. If the missing person is younger than 18 years and is not emancipated, the student's missing person contact and their parent(s) or legal guardian(s) will be contacted immediately following the filing of the missing person report.

After investigating a missing person report and, if it is determined that the student is missing without reasonable cause, UPD will enter information on the missing person into the National Crime Information Center (NCIC) database. A person need not be missing for 24 hours before being entered into NCIC. The decision for entering the data into that system will be made in light of the investigation and information resulting from it. For all missing students, UPD 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.

In cases of a missing person over the age of 65, once it has been determined that the person is missing without cause, the person will be entered into the NCIC system.

Should the UPD investigate and determine that a residential student is missing, contact will then be made to the missing person contact, if contact information has been provided, within twenty-four (24) hours of the determination that the student is missing by the UPD. If the student is under the age of 18 and is not an emancipated individual, UPD will notify the student's parent or guardian and any other designated contact person within 24 hours. Regardless of whether the

student has identified a contact person, is above the age of 18, or is an emancipated minor, UPD will inform the appropriate local law enforcement with jurisdiction that the student is missing within 24 hours.

Sex Offender Registry

The Wetterling Act of 1994 requires each state to create a specific program to register sex offenders. The Campus Sex Crimes Prevention Act of 2000 amended the Wetterling Act to require sex offenders already required to register in a state to provide notice to each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers or is a student.

In compliance with the Campus Sex Crimes Prevention Act of 2000, LeTourneau University provides a link to the Texas Department of Public Safety Sex Offender Registry on its UPD webpage at: <https://www.letu.edu/Student-Life/campus-safety/Crisis-Resources/AddressingSexOffenders.html>.

The Texas Department of Public Safety Crime Records Service: Public Sex Offender Registry is located at: <https://records.txdps.state.tx.us/SexOffender/>

The State of Texas requires all convicted sex offenders to register with the State's Sex Offender Registry, under penalty of law. Any convicted sex offenders entering the State of Texas from another state where they have been convicted as a sex offender must complete all requirements of registration as a sex offender with the State of Texas to seek employment or student status with LeTourneau University. This registry is available to the general public and is an official record owned, operated, and maintained by the State of Texas. Information contained in the registry is intended for the safety of the community and for the screening of prospective employees and students. Use of such information for the purpose of intimidating or harassing another is prohibited by law and punishable under the Texas State Penal Code.

Notification to Victims of Crimes of Violence

The University will, upon written request, disclose to the alleged victim of a crime of violence, 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 the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Crime Statistics

The following information provides context for the crime statistics reported as part of compliance with the Clery Act. LeTourneau University submits the annual crime statistics published in this report to the Department of Education (DOE) annually. The statistical information gathered by the DOE is available to the public through the DOE website. In addition, a daily crime log is available for review by request from LeTourneau University Police Department.

Crime statistics in this report cover the period January 1, 2019 through December 31, 2021. The procedures for preparing the annual disclosure of crime statistics include a written request for statistical information from the law enforcement agencies with local jurisdiction around LETU campuses. The Vice President of Student Affairs and Title IX Coordinator also contribute statistics towards this report. These entities report cases where the victim may have chosen not to report the incident to UPD or other area law enforcement.

Applicable Crimes

Per Clery Law, certain crimes reported to Campus Security Authorities (CSA) occurring on campus, on non-campus property, and on public property during the most recently completed calendar year and during the two preceding calendar years must be included in the Annual Security Report. The crimes that must be included in the Clery statistical summary are:

- Murder
- Negligent Manslaughter
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Hate Crimes
- Domestic Violence
- Dating Violence
- Stalking
- Arrests or referrals for campus disciplinary action for
Liquor Law Violations
Drug-related Violations
Weapons Possession

All crimes reported under Clery are presented by geographical reporting locations.

Applicable Reporting Locations

For purposes of reporting Clery statistics, the law requires the reporting institutions separate the categories and criminal offenses by geographical reporting locations.

Those locations are:

- On Campus
- Non-campus Building or Property
- Public Property
- Dormitories or Other Residential Facilities for Students on Campus

Definitions

The following definitions provides guidance towards understanding this report and the statistics listed.

General Definitions

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.

Disciplinary Action Referrals: Includes cases where individuals were referred to a campus conduct officer for liquor law, drug law, and illegal weapons violations. The numbers include incidents that are reported via UPD incident reports and reports provided by Campus Security Authorities. These numbers reflect only cases where criminal charges were not filed.

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: The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.

Sexual Assault: Sexual assault is an offense that meets the definition of rape, fondling, incest, or statutory rape as stated in the Federal Bureau of Investigation's Uniform Crime Reporting Program.

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.

Unfounded Crime: A crime is considered unfounded only if sworn or commissioned law enforcement officer makes a formal determination that the report is false or based on evidence from a complete and thorough investigation that establishes the crime reported was not, in fact, completed or attempted in any manner.

Definition of Clery Crime Categories

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.

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.

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. 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.

Domestic Violence: A felony or misdemeanor crime of violence committed by: (1) a person with whom the victim shares a child in common; (2) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (3) 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; (4) 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: Violations 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: 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: Criminal offense that manifests evident that the victim was intentionally selected because of the perpetrator's bias against the victim. The following eight categories apply: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, Disability. Hate Crimes include any of the following offenses that are motivated by bias: Murder and Nonnegligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft, Simple Assault, Intimidation, and Destruction / Damage / Vandalism of Property.

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

Liquor Law Violations: 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.

Manslaughter by Negligence: Killing of another person through gross negligence.

Motor Vehicle Theft: Theft or attempted theft of a motor vehicle, including all incidents where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joy riding. A motor vehicle is defined as any self-propelled vehicle that runs on land surface and not on rails.

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

Rape: Sexual assault involving 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. This offense includes the rape of both males and females, regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent. If the consented is given, it must not have been done through force or threatened force and can only be given by someone over statutory age of consent. Statutory Rape is included in this category.

Robbery: 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.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) Fear for the person's safety or the safety of others; or (2) Suffer substantial emotional distress. For the purpose of this definition: (1) "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; (2) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim, or (3) 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.: 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.

Definition of Clery Geography Categories

On-campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes; and any building or property, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes. Letourneau University on-campus facilities are listed below.

Non-Campus Building or Property: Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes,

is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus or immediately adjacent to and accessible from the campus. The LETU crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.

LETU On-Campus Property

Longview Campus
Paul & Betty Abbott Aviation Center (East Texas Regional Airport)

Definition of Reporting Methods

Offenses captured under the section “Clery Reportable Crime Statistics” have been reported to the Letourneau University Police Department (UPD), area law enforcement agencies, or to nonpolice entities (e.g., Campus Security Authorities).

Reported to UPD: Crime statistics from all incidents that were reported to UPD are as captured in UPD records management system.

Reported to Area Law Enforcement Agencies: Crime statistics from incidents that were reported to area law enforcement agencies but not reported to UPD. These incidents could have occurred on-campus property, non-campus property, or public property.

Reported to Non-Police: Crime statistics from incidents reported to officials at the institution who are defined as Campus Security Authorities.

Hate Crimes

2019: No Hate Crimes Reported
2020: No Hate Crimes Reported
2021: No Hate Crimes Reported

Unfounded Crimes

2019: No Unfounded Crimes
2020: No Unfounded Crimes
2021: No Unfounded Crimes

Main Campus - Criminal Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Murder/Non-negligent Manslaughter	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Negligent Manslaughter	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Rape	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Fondling	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Incest	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Statutory Rape	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Robbery	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Burglary	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

Main Campus - Criminal Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Motor Vehicle Theft	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arson	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Caveat:					

Main Campus - VAWA Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Domestic Violence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Dating Violence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	1
Stalking	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

Main Campus - Arrests and Disciplinary Referrals

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Arrests: Weapons: Carrying, Possessing, Etc.	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arrests: Drug Abuse Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2019	6	6	0	0
	2020	2	2	0	0
	2021	7	7	0	0
Arrests: Liquor Law Violations	2019	1	0	0	1
	2020	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2019	1	1	0	0
	2020	0	0	0	0
	2021	0	0	0	0

Plano Educational Center - Criminal Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Murder/Non-negligent Manslaughter	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Negligent Manslaughter	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Rape	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Fondling	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Incest	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Statutory Rape	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Robbery	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Burglary	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

Plano Educational Center - Criminal Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Motor Vehicle Theft	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arson	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Caveat:					

Plano Educational Center - VAWA Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Domestic Violence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Dating Violence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Stalking	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

Caveat:

Plano Educational Center - VAWA Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Arrests: Weapons: Carrying, Possessing, Etc.	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arrests: Drug Abuse Violations	2019	0	0	0	1
	2020	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arrests: Liquor Law Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Caveat:					

2022 Annual Fire Safety Report
On Student Housing
LeTourneau University

The purpose of this Fire Report is to comply with the Higher Education Opportunity Act (34 CFR 668.49) that requires institutions that maintain on-campus student housing facilities to document fire safety information and statistical data for the three most recent calendar years and to share these reports with current and prospective students, their parents and university staff.

This report is published as part of the Annual Campus Security and Fire Safety Report.

LeTourneau University has on-campus student housing facilities and maintains a written fire log that records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. The log includes the nature, date, time, and general location of each fire.

The Annual Fire Safety Report, Fire Statistics and Fire Safety Log are kept at the LeTourneau University Police Department and maintained by the Chief of Police.

The public can review the log during normal business hours by contacting the University Police Department at 903-233-4444.

The information contained within this report only pertains to the main campus of LeTourneau University located in Longview, Texas. The main campus is the only campus which has on-campus student housing.

Definitions:

On-Campus Student Housing – A student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within a reasonable contiguous area that makes up the campus.

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

Fire Drill – A supervised practice of a mandatory evacuation of a building for a fire.

Fire Safety System – Any mechanism or system related to the detection of a fire.

For the purposes of including a fire in the statistics in the annual fire safety report; students and employees should report that a fire occurred to the following people:

Chief of Police – LeTourneau University Police Department
Director of Housing and Operations – Student Life Department
Director of Facilities Services – Facilities Services Department

Fire Safety

It is the recommendation of the University that soon after you check into your assigned room, you take a few minutes to familiarize yourself with the building. Find the two unlocked exits nearest your room. Exit routes for each floor are displayed on the back of the door in each room. Also, note the location of the nearest wall-mounted alarm and fire extinguisher.

If you see a fire...

If the fire is contained (e.g. in a small trash can) or in a limited space, extinguish if possible. If you put out a fire, no matter how small, immediately call Campus Security at (903) 233-4444 and advise the security officer on duty.

If the fire cannot be quickly contained, or if there is any doubt, do the following:

Pull the fire alarm

Get out of the building, and yell for everyone else to vacate the building as well

Find the nearest phone from which you can safely call Campus Security at (903) 233- 4444 or 911 and:

Identify yourself clearly,

Report that there is a fire at _____,

Give the full location of the fire (2100 S. Mobberly Ave, Tyler Hall West, 2nd floor, room_ _____).

Identify the type and extent of the fire and any known injuries, and e. Stay on the line until the emergency operator asks you to hang up.

If you hear an alarm...

Awaken anyone sleeping and get out of the building as quickly as possible; any delay may endanger the life of a friend.

Feel your door at eye level or above.

If it feels HOT, do not open it! Seal the cracks with a wet towel or rug, and exit through or signal from the window.

If it feels COOL, then make your way to the nearest exit, closing all doors behind you.

In smoke, stay near the floor. Get away from the building and make your presence known to your resident assistant.

Post Incident Fire Reporting

In accordance with federal law, LETU is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Fires already extinguished should be reported using non-emergency telephone numbers. Any evidence of fire damage must be reported to UPD. When callers report a fire, they must provide as much information as possible about the time, date, location and cause of the fire, especially if UPD is not already aware.

For emergencies or to report a fire in progress from ANY site, dial 9-1-1.

LETU Residence Life Fire Safety Procedures and Trainings

Training provided by Professional Staff to Student Leaders

Most common causes of campus fires

- Student Apathy- Many are unaware that fire is a risk
- Students often ignore fire alarms
- Students are unaware of evacuation procedures
- Vandalized or improperly maintained smoke alarms
- Misuse of cooking appliances
- Overloaded electrical circuits and extension cords

When are we most susceptible?

- 56% of the fires occur on Saturday or Sunday
- Special events and holidays
- Between hours of 5:00 p.m. – 11:00 pm. The stakes are high!
- No university policy, inspection procedure, or fire protection system can completely protect against all fire exposures, or fully guard against the neglectful actions of others.

You are the first line of defense! If you see a fire...

- If the fire is contained (e.g. in a small trash can) or in a limited space:
 - extinguish if possible
- If you put out a fire, no matter how small, immediately call university Police at (903) **233-4444**

If the fire cannot be contained, or if there is any doubt, do the following:

- Pull the fire alarm
- Get out of the building and yell for everyone else to evacuate
- Find the nearest/safest phone, call university Police (903) **233-4444** and **911**

If you hear an alarm...

- Awaken anyone sleeping and get out of the building as quickly as possible; any delay may endanger the life of a friend
- Feel your door at eye level or above
 - If it is HOT, do not open it! Seal the crack with a wet towel or rug, and exit through or signal from the window
 - If it feels COOL, then make your way to the nearest exit, closing all the doors behind you
- In smoke, stay near the floor. Get away from the building and make your presence known to your RD

When the fire alarm goes off

- RAs grab the clipboard by their door with floor roster
- Get everyone off the floor using the closest exits/stairs
- Close doors
- Direct residents to assembly area -see your RD for exact location
- RAs do a head count of residents and stay with them - main purpose is to ensure no one has been left behind and to keep people away from building and emergency personnel/equipment

LeTOURNEAU UNIVERSITY - FIRE SAFETY SYSTEMS IN RESIDENTIAL FACILITIES

LETU Residential Facilities	Fire Alarm & Monitoring	Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Evacuation (Fire) Drills
Allen C. Tyler Hall	Yes	No	Yes	Yes	Yes	2
Evelyn LeTourneau Hall	Yes	Yes	Yes	Yes	Yes	2
Mabee Hall	Yes	No	Yes	Yes	Yes	2
Pennsylvania Hall	Yes	No	Yes	Yes	Yes	2
Thelma Gilbert Hall	Yes	Yes	Yes	Yes	Yes	2
John & Florence Thomas Hall	Yes	Yes	Yes	Yes	Yes	2
Kenneth Durham House	Yes	Yes	Yes	Yes	Yes	2
Joel Carpenter House	Yes	Yes	Yes	Yes	Yes	2
Calvin Howe House	Yes	Yes	Yes	Yes	Yes	2
Kenneth McKinley House	Yes	Yes	Yes	Yes	Yes	2
Margaret Davis Hall	Yes	Yes	Yes	Yes	Yes	2
Apartment #1 A - D	No	No	Yes	Yes	No	0
Apartment #2 A - D	No	No	Yes	Yes	No	0
Apartment #3 A - D	No	No	Yes	Yes	No	0
Apartment #4 A - D	No	No	Yes	Yes	No	0
Apartment #5 A - D	No	No	Yes	Yes	No	0
Apartment #6 A - D	No	No	Yes	Yes	No	0
Apartment #7 A - D	No	No	Yes	Yes	No	0
Apartment #8 A - D	No	No	Yes	Yes	No	0
Apartment #9 A - D	No	No	Yes	Yes	No	0
Apartment #10 A - D	No	No	Yes	Yes	No	0
Apartment #11 A - D	No	No	Yes	Yes	No	0
Apartment #12 A - D	No	No	Yes	Yes	No	0
Apartment #13 A - D	No	No	Yes	Yes	No	0
Apartment #14 A - D	No	No	Yes	Yes	No	0
Apartment #15 A - D	No	No	Yes	Yes	No	0
Apartment #16 A - D	No	No	Yes	Yes	No	0
Apartment #17 A - D	No	No	Yes	Yes	No	0
Kappa Zeta Chi House	Yes	Yes	Yes	Yes	Yes	2
Lambda Alpha Epsilon House	Yes	Yes	Yes	Yes	Yes	2
Alpha Omega House	Yes	Yes	Yes	Yes	Yes	2
South Hall	Yes	Yes	Yes	Yes	Yes	2

University Policies and Rules

Electrical Policy

1. The only approved extenders of electrical outlets are UL-certified surge protectors. Surge protectors may not be connected to themselves—there may be only one surge protector used per outlet.
2. No extension cords of any kind may be used inside the residence hall rooms. For questions regarding temporary use in the residence hall, please contact your Resident Director.
3. All electrical components must be used according to the manufacturer's specifications. Residents may not alter the electrical wiring in the residence hall in any way, nor may a purchased or home-made product's wiring be altered for use in the rooms. (This does not include low-voltage wires like speaker wires.)
4. Stringed lights - including rope lights in the incandescent or LED variations (i.e. Christmas lights) - may only be in place and used from November 1 through the end of the Fall semester. Any other time, such lights may be used as lighting for a specific event and must be removed and stored away immediately following the event. When used, they must be installed according to the manufacturer's specifications. No more than three strands may be connected, and no nails or staples or other metal objects may be used to secure them.
5. LED light strips may be used throughout the year but must be unplugged when the room is unoccupied, or residents are asleep. When used, such lights must be installed according to the manufacturer's specifications. No more than three strands may be connected, and no nails or staples or other metal objects may be used to secure them.
6. Lamps with halogen bulbs are not allowed in the residence halls.
7. Care should be taken not to have electrical wiring on or near combustible items (for example, do not run electrical wires under carpet; do not stack papers near an outlet; etc.)
8. Soldering irons may be used, but with extreme caution. Soldering must not take place near or under any fire detection units, near any combustible materials, and care must be used to avoid damage to room furnishings. Students will be held responsible for any damage or fire alarms.

Appliances Policy

Students are permitted to use microwave ovens, small refrigerators (4.6 cubic feet or smaller with 1.5 amps or less), coffee makers, popcorn poppers, hot pots, slow cooker, and blenders in their rooms. These items must be plugged directly into the wall outlet and, combined, cannot exceed 15 amps. Window air conditioning units, hot plates, and deep fryers are not permitted in any campus building. Other appliances such as George Foreman grills, electric

skillets, counter top ovens, and any other high-temperature appliances with or without exposed heating elements are not allowed in rooms due to electrical wiring, smoke damage, and fire hazards but may be used in areas designated by the Resident Director. Questions regarding the use of appliances not specifically mentioned in this section should be directed to the Resident Director.

Irons used in the residence halls must have an automatic-off feature. Ironing must not be done on a bed or on the floor without proper protection from the heat. Extension cords are not permitted; however, outlet center/power strip surge-protectors that are UL-rated are allowed. If a student's use of any power cord is considered a fire hazard, the Residence Life staff will instruct the student accordingly.

Tobacco Policy

LeTourneau University does not permit smoking anywhere on campus. The use or possession of tobacco products is a matter that the University takes seriously. It has been widely recognized as a source of serious health and social problems. Its prohibition reflects LeTourneau University's tradition in keeping with the teaching of Scripture that we are to view our bodies as the temple of the Holy Spirit and thus treat them accordingly. Abstinence from tobacco will foster discipline and self-control, and the University will be drawn closer together as a community if all its members avoid its use.

University sanctions:

- Appropriate sanctions will be assessed in which students may be subject to community service, educational sanctions, or Disciplinary Probation.
- Additional sanctions may be imposed as appropriate, depending on circumstances.

Open Flames

Open flames or incense are not allowed in the residence halls and are allowed in other areas only as approved by the Director of Residence Life. Open flames or heating coils of any kind without administrative approval will result in a fine of up to \$100, and/or other disciplinary action.

Fire Alarms

All students are expected to leave the building immediately when a fire alarm sounds, regardless of the cause of the alarm. Students not evacuating for an alarm are subject to disciplinary action. It is important that individuals take precaution to avoid accidentally setting off a fire alarm on campus. It is critical to avoid false alarms, especially in the residence halls. The primary concern is that several false alarms can desensitize students from the importance of leaving the building in potentially life-threatening situations.

Below are descriptions of the differing fines and their amounts:

- **Negligent** actions that result in the activation of the fire alarm (e.g., burnt food

in a microwave) will result a minimum \$50 fine.

- **Flagrant** actions that result in the activation of the fire alarm (e.g., burning a candle) will result a minimum \$100 fine.
- **Tampering** with any components of the fire system (see “Fire Protection”) incurs a minimum \$200 fine and further disciplinary action. Please pay special attention not to use an aerosol product directly under a smoke detector, and never leave a microwave or toaster unattended.

Fire Drills and Safety

All occupied residence halls on campus that have fire alarm systems have at least two fire drills administered at the beginning of each of the fall and spring semesters, to allow occupants to become familiar with and practice their evacuation skills. Our Village apartments open directly to the outside from each living unit and are equipped with smoke detectors and fire extinguishers. These units do not have fire alarms systems and fire drills are not conducted or required. Fire safety training is given in preparation of these drills through training by the Resident Life professional staff of Student leaders who team up to train the students. Facility Services assists Resident Directors and Resident Assistants in performing the drills with students. Identification and prevention of fire hazards as well as actual evacuation routes and meeting areas are discussed and posted in the hallways of each residence hall. Hands on fire extinguisher training is conducted by the Longview fire marshal office for all Resident directors and assistants each fall.

Fire Hazards

The following items are considered fire hazards and are not allowed in the residence halls: motorcycles, motorcycle parts, automobile parts, go-kart parts, tires, engines, gas tanks or containers that contain gasoline, space heaters, halogen lamps without protective grill covers, and any other flammable materials/liquids. Prohibited items found in the residence halls may be confiscated, and a fine may be assessed. Storage of flammable liquids in the residence halls will result in a minimum fine of \$100 and/or other disciplinary action. Excessive accumulation of newspaper, shredded paper, clutter, trash, or other items in rooms, hallways, or stairwells is also considered a violation of fire code and therefore is prohibited. By order of the Longview Fire Marshal, hallways and stairwells must always be clear of lumber, lofts, boxes, furniture and other obstructions, at all times.

Fire Protection

All residence hall rooms and hallways are equipped with smoke detectors that will be checked regularly by Residence Life and/or Facilities Services staff. Tampering with or disabling a smoke detector by removing the battery, disconnecting power, or covering in any way will result in a fine of up to \$200, and/or other disciplinary action. Emergency flood lights and overhead emergency night lights are located in the hallways of all residence halls. Tampering with emergency lights by disengaging the light bulbs will result in a fine of up to \$200, and/or other disciplinary action.

Bonfires/Campfires

All requests for a bonfire or campfire on-campus must be approved in advance by Student Life and University Police. The City of Longview prohibits most forms of these type of fires, and dry conditions often cause Gregg County to establish a burn ban in the region.

Use of a portable fire pit is acceptable, provided appropriate approval has been received through Student Life and University Police in advance. Once approved, the following are general safety guidelines:

- Set up your fire bowl and maintain at least two buckets of water nearby for extinguishing the fire in an emergency or once finished.
- Your fire must be made with clean firewood. Scrap lumber, old furniture pieces, etc. are not allowed.
- It may not be started with accelerants such as gasoline, Coleman fuel or other combustible fuels. (A starter log or other commercially available fire-starter may be used.)
- The flames may not exceed three feet above the rim of the bowl, and the wood may not extend beyond the rim of the bowl.
- The fire may not be placed within 30 feet of any structure or under the branches of any tree.
- You are personally responsible for the COMPLETE extinguishing of the fire and embers BEFORE you leave the bowl.
- You are personally responsible for the clean-up and removal of all evidence of the fire and the gathering within 12 hours after the event.
- The fire must be strictly supervised at all times.
- Contact RD for appropriate storage of fire pits/bowls.

Explosives/Fireworks

Improvised explosive devices will not be tolerated anywhere on University property. Furthermore, any person using University resources to create explosive, hyper-expansive incendiary, or noxious fume/smoke devices is subject to immediate and severe disciplinary action, whether or not it is activated.

Discipline in Emergency Situations

Formal discipline and/or criminal prosecution will occur for students who:

- Tamper with fire alarm/smoke detector equipment,
- Intentionally activate fire alarms or create a situation causing an alarm to sound,
- Give false report of the existence of an emergency creating a response by University or local emergency service providing agencies, or
- Do not respond to University staff directing them during an emergency.

LeTOURNEAU UNIVERSITY - STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES

Residential Facilities	Year	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
Allen C. Tyler Hall	2019	0	N/A	N/A	N/A	N/A
605/607	2020	0	N/A	N/A	N/A	N/A
Stegall Drive	2021	0	N/A	N/A	N/A	N/A
Evelyn LeTourneau Hall	2019	0	N/A	N/A	N/A	N/A
611	2020	0	N/A	N/A	N/A	N/A
Stegall Drive	2021	0	N/A	N/A	N/A	N/A
Mabee Hall	2019	0	N/A	N/A	N/A	N/A
613	2020	0	N/A	N/A	N/A	N/A
Stegall Drive	2021	0	N/A	N/A	N/A	N/A
Pennsylvania Hall	2019	0	N/A	N/A	N/A	N/A
615	2020	0	N/A	N/A	N/A	N/A
Stegall Drive	2021	0	N/A	N/A	N/A	N/A
Thelma Gilbert Hall	2019	0	N/A	N/A	N/A	N/A
614	2020	0	N/A	N/A	N/A	N/A
Stegall Drive	2021	0	N/A	N/A	N/A	N/A
John & Florence Thomas Hall	2019	0	N/A	N/A	N/A	N/A
618	2020	0	N/A	N/A	N/A	N/A
Stegall Drive	2021	0	N/A	N/A	N/A	N/A
Kenneth Durham House	2019	0	N/A	N/A	N/A	N/A
621	2020	0	N/A	N/A	N/A	N/A
Stegall Drive	2021	0	N/A	N/A	N/A	N/A
Joel Carpenter House	2019	0	N/A	N/A	N/A	N/A
619	2020	0	N/A	N/A	N/A	N/A
Stegall Drive	2021	0	N/A	N/A	N/A	N/A
Calvin Howe House	2019	0	N/A	N/A	N/A	N/A
623	2020	0	N/A	N/A	N/A	N/A
Stegall Drive	2021	0	N/A	N/A	N/A	N/A
Kenneth McKinley House	2019	1	Cooking	0	0	\$500
625	2020	0	N/A	N/A	N/A	N/A
Stegall Drive	2021	0	N/A	N/A	N/A	N/A

Residential Facilities	Year	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
Margaret Davis Hall	2019	0	N/A	N/A	N/A	N/A
622	2020	0	N/A	N/A	N/A	N/A
Stegall Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #1 A - D	2019	0	N/A	N/A	N/A	N/A
2110-2124	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #2 A - D	2019	0	N/A	N/A	N/A	N/A
2110-2124	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #3 A - D	2019	0	N/A	N/A	N/A	N/A
2110-2124	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #4 A - D	2019	0	N/A	N/A	N/A	N/A
2110-2124	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #5 A - D	2019	0	N/A	N/A	N/A	N/A
2110-2124	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #6 A - D	2019	0	N/A	N/A	N/A	N/A
2110-2124	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #7 A - D	2019	0	N/A	N/A	N/A	N/A
2110-2124	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #8 A - D	2019	0	N/A	N/A	N/A	N/A
2110-2124	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #9 A - D	2019	0	N/A	N/A	N/A	N/A
2110-2124	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #10 A - D	2019	0	N/A	N/A	N/A	N/A
2108	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A

Residential Facilities	Year	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
Apartment #11 A - D	2019	0	N/A	N/A	N/A	N/A
2108	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #12 A - D	2019	0	N/A	N/A	N/A	N/A
2108	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #13 A - D	2019	0	N/A	N/A	N/A	N/A
2108	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #14 A - D	2019	0	N/A	N/A	N/A	N/A
2108	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #15 A - D	2019	0	N/A	N/A	N/A	N/A
2108	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #16 A - D	2019	0	N/A	N/A	N/A	N/A
2108	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Apartment #17 A - D	2019	0	N/A	N/A	N/A	N/A
2108	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Kappa Zeta Chi House	2019	0	N/A	N/A	N/A	N/A
628	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Lambda Alpha Epsilon House	2019	0	N/A	N/A	N/A	N/A
630	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
Alpha Omega House	2019	0	N/A	N/A	N/A	N/A
626	2020	0	N/A	N/A	N/A	N/A
Harris Drive	2021	0	N/A	N/A	N/A	N/A
South Hall	2019	0	N/A	N/A	N/A	N/A
627	2020	0	N/A	N/A	N/A	N/A
Glasko Drive	2021	0	N/A	N/A	N/A	N/A

Plans for Future Improvements in Fire Safety

LeTourneau University continually evaluates the need for improvements in all aspects of fire safety. The need to retrofit existing buildings with new fire/life safety equipment is continually under review to meet current codes, such as low frequency sounders. These low frequency sounders have been installed in some facilities with plans to install additional units in other facilities in the future. Three of the older residential facilities are under review for consideration of fire sprinkler systems dependent on expected continued use of the facilities.

LeTourneau University's annual security report is required by federal law and contains policy statements and crime statistics for the institution. The policy statements address LeTourneau's policies, procedures and programs concerning safety and security (i.e. policies for responding to emergency situations and sexual offenses). Three years of statistics are included for certain types of crimes that have been reported on campus, in or on off-campus buildings or property, owned or controlled by the school and on public property within or immediately adjacent to the campus. This report is available online at: <http://www.letu.edu/upd/reports/>. Paper copies of this report may be requested from Student Life or UPD.