



# Annual Security Report 2022

This annual report contains information for  
2022 -2023 academic year and statistical  
Information for 2019, 2020, and 2021.

**Published: September 30, 2022**



# TABLE OF CONTENTS

## Table of Contents

TO LAMAR INSTITUTE OF TECHNOLOGY COMMUNITY 1

NON-DISCRIMINATION STATEMENT ..... 1

ANNUAL SECURITY REPORT ..... 2

    PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS ..... 2

REPORTING CRIMES AND OTHER EMERGENCIES ..... 2

VOLUNTARY CONFIDENTIAL REPORTING ..... 3

REPORTING TO LUPD ..... 3

    EMERGENCY PHONES ..... 3

    ANONYMOUS REPORTING ..... 3

        REPORTING TO OTHER CAMPUS SECURITY AUTHORITIES ..... 3

    PASTORAL AND PROFESSIONAL COUNSELORS... 4

ABOUT THE DEPARTMENT LUPD ..... 4

    SAFETY, OUR NUMBER ONE PRIORITY ..... 4

    WORKING RELATIONSHIP WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES ..... 5

        CRIMES INVOLVING STUDENT ORGANIZATIONS AT NONCAMPUS LOCATIONS ..... 5

TIMELY WARNING REPORTS – CRIME ALERTS ..... 5

EMERGENCY RESPONSE AND EVACUATION PROCEDURES...6

    EMERGENCY NOTIFICATION AT LIT ..... 6

    DRILLS, EXERCISES AND TRAINING.....6

    EMERGENCY NOTIFICATION.....7

SECURITY OF AND ACCESS TO LIT FACILITIES ..... 9

    SPECIAL CONSIDERATIONS FOR RESIDENCE HALL ACCESS ..9

    SECURITY CONSIDERATIONS FOR THE MAINTENANCE OF CAMPUS FACILITIES .....9

LIT’S RESPONSE TO SEXUAL AND GENDER VIOLENCE 10

    INTRODUCTION.....10

    REPORTING AN INCIDENT .....10

        CRIMINAL CONDUCT AND TEXAS STATE DEFINITIONS 1111

    ON & OFF CAMPUS RESOURCES FOR VICTIMS .....13

        ACCOMMODATIONS AND PROTECTIVE MEASURES AVAILABLE FOR VICTIMS.....14

        VICTIM CONFIDENTIALITY .....14

        BYSTANDER INTERVENTION AND RISK REDUCTION .....14

        HOW DO I REDUCE MY RISK OF BEING A VICTIM? 14

    Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking.....15

EDUCATION PROGRAMS.....	15
Ongoing Prevention and Awareness Campaigns.....	16
CONDUCT PROCEEDINGS.....	17
Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs.....	17
Procedures the Institution Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported.....	18
LIT PROCEDURES FOR RESPONDING TO REPORTS OF SEXUAL ASSAULT.....	20
PROCEDURES VICTIMS SHOULD FOLLOW.....	20
LIT DISCIPLINARY PROCEDURES IN SEXUAL ASSAULT INCIDENTS.....	23
Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking.....	23
SEXUAL ASSAULT PREVENTION EDUCATION PROGRAMS..	25
PROHIBITION ON RETALIATION.....	25
MEGAN'S LAW.....	25
DISCLOSURE OF DISCIPLINARY PROCEEDING OUTCOME TO VICTIMS (OR NEXT OF KIN) OF SEX CRIMES OR OF VIOLENCE.....	25
CAMPUS SECURITY POLICIES, CRIME PREVENTION & SAFETY AWARENESS PROGRAMS.....	26
NAME, TYPE AND FREQUENCY OF PROGRAMS.....	26
PRIMARY PREVENTION AND AWARENESS PROGRAMS, FACULTY & STAFF.....	26
ONGOING PREVENTION AND AWARENESS CAMPAIGN, FACULTY & STAFF.....	26
WEAPONS POLICY.....	27
TEXAS CRIME VICTIM RIGHTS.....	27
STUDENT CONDUCT.....	27
THE CODE OF CONDUCT FOR STUDENTS.....	27
ADDITIONAL INFORMATION REGARDING THE STUDENT CODE OF CONDUCT.....	28
PARENTAL NOTIFICATION POLICY.....	28
DAILY CRIME LOG.....	28
POLICIES SPECIFIC TO STUDENTS.....	29
TEXAS ALCOHOL LAWS.....	29
UNDERAGE DRINKING.....	29
ILLEGAL SUBSTANCES (DRUGS).....	30
POLICIES SPECIFIC TO FACULTY AND STAFF.....	30
ANNUAL DISCLOSURE OF CRIME.....	31
CLERY ACT DEFINITIONS USED IN CLASSIFICATION OF CRIME STATISTICS.....	31
PRIMARY CRIMES.....	31
VIOLENCE AGAINST WOMEN ACT (VAWA) CRIMES.....	31

ARRESTS AND DISCIPLINARY REFERRALS.....	31
HATE CRIME (ANY OF THE ABOVE OFFENSES AND THOSE BELOW).....	32
DEFINITIONS OF GEOGRAPHIES (LOCATIONS).....	32
LAMAR INSTITUTE OF TECHNOLOGY CLERY ACT CRIME DATA.....	33







## TO LAMAR INSTITUTE OF TECHNOLOGY COMMUNITY

It is up to each one of us to help foster a secure and supportive environment at Lamar Institute of Technology (LIT) — an environment where individuals can feel safe to visit, learn, and work. Primary to this goal are the principles of responsibility and respect. These values are essential to any community, and serve as the foundation for the success and productivity of our students, faculty, and staff. Safety on campus is one of our highest concerns. A truly safe campus can only be achieved through the cooperation of everyone. This publication contains information about campus safety measures and reports statistics about crime in our LIT community. It also describes our efforts to combat alcohol and drug abuse. Please take the time to read it and help foster a more caring and safer environment.

Campus safety and security is outsourced from the Lamar University Police Department (LUPD). The LUPD team is committed to making LIT campus a safe place in which to work and study.

Rudy Gonzales  
Vice President for Finance and Operations



## NON-DISCRIMINATION STATEMENT

Title IX of the Education Amendments of 1972 (Title IX) prohibits sex (gender-based) discrimination and harassment in educational programs and activities at institutions that receive federal financial funding.

Lamar Institute of Technology is committed to providing an educational environment free from all forms of discrimination and harassment, including gender-based discrimination and harassment. Sexual harassment, which includes sexual violence, is a form of harassment. Lamar Institute of Technology provides support and resources to students, faculty, and staff to address concerns related to gender-based discrimination and harassment, including sexual misconduct.



## ANNUAL SECURITY REPORT

### PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

LIT prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by LUPD, LIT offices such as Student Affairs, and other Campus Security Authorities (CSAs), and by local law enforcement agencies surrounding the main campus.

The Annual Security Report (ASR) provides statistics for the previous three years concerning reported fires, as well as crimes that occurred on campus, in certain off-campus buildings or property owned, leased or controlled by the Institute. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law) and to all Institute Deans, Directors, and Department Heads. This report also includes important information concerning campus safety and security, such as policies regarding sexual assault, alcohol and other drugs.

Lamar Institute of Technology distributes a notice of the availability of this ASR by October 1 of each year to every member of the LIT community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Associate Director of Facilities at (409) 839-2073 or by visiting <https://www.lit.edu/pdf/5463/campus-crime-statistics.pdf>.

LIT submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

### REPORTING CRIMES AND OTHER EMERGENCIES

Lamar Institute of Technology has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate LIT officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire LIT community that you immediately report all incidents to LUPD by dialing 911 or (409) 838-7777 for non-emergency police help. This ensures an effective investigation and appropriate follow-up, including issuing a Crime Alert or other emergency notification. If campus community members never report crimes, there is little the community can do to maximize our safety. We encourage LIT community members to report crimes and emergencies accurately and promptly to LUPD and the appropriate police agencies, including when the victim of a crime elects to, or is unable to, make such a report.

We also recommend that you participate in and support crime prevention efforts. The LIT community will be much safer when all community members participate in safety and security initiatives.



## VOLUNTARY CONFIDENTIAL REPORTING

If you want to report a crime but do not want to pursue action within LIT or the criminal justice system, consider filing a voluntary, confidential report. Depending upon the circumstances of the crime you are reporting, you may be able to file a report while maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others. The confidential reports allow LIT to compile accurate records on the number and types of incidents occurring on campus. The Institute counts and discloses reports filed in this way in the ASR. In limited circumstances, the Department may not be able to assure confidentiality and will inform you in those cases.

## REPORTING TO LUPD

We encourage all members of the LIT community and visitors to accurately and promptly report all criminal activity, suspicious activity and any emergencies on campus, on public property running through or immediately adjacent to the campus, or in other property that is owned by Lamar Institute of Technology to LUPD by calling (409) 880-7777 as soon as safely possible. Dialing 911 is the best way to report emergencies. This ensures the right emergency support arrives as quickly as possible. Remember to stay on the line with the emergency operator until they hang up. LUPD has a dispatch center that is available by phone at (409) 880-7777 or in person twenty-four hours a day at the Lamar University Police Department / Redbird Lane / Beaumont, TX 77710. In response to a call, LUPD will take the required action, either dispatching an officer or asking the victim to report to LUPD to file an incident report. All reported crimes will be investigated by the LIT and may become a matter of public record. All LUPD incident reports are forwarded to the Associate Dean of Student Services/Registrar for review and referral to the Title IX Coordinator for potential action, as appropriate. LUPD Investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Title IX Coordinator. If assistance is required from the Beaumont Police Department or the Beaumont Fire Department, LUPD will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including LUPD, will offer the victim a wide variety of services. You should load this information into your contacts on your phone now. Though there are many resources available, you should notify LUPD of any crime, whether or not an investigation begins or continues, to assure LIT can assess all security concerns and inform the community if there is a significant threat to the campus community.

## EMERGENCY PHONES

LIT has installed 3 emergency phones throughout LIT campus. Phones are located in public areas of buildings including parking lots, and outdoor locations. Emergency phones provide direct voice communications to the LUPD Dispatch Center.

## ANONYMOUS REPORTING

Anyone may call LUPD at (409) 880-7777 to report concerning information. Callers may remain anonymous. If you are interested in reporting a crime anonymously, you can also utilize LIT's program that can be accessed at <https://www.lit.edu/title-ix/file-report>. By policy, we do not attempt to trace the origin of the person who submits this form, unless it is necessary for public safety.

## REPORTING TO OTHER CAMPUS SECURITY AUTHORITIES

While LIT prefers that community members promptly report all crimes and other emergencies directly to LUPD at (409) 880-7777 or 911, we also recognize that some may prefer to report to other individuals or LIT offices. The Clery Act recognizes certain LIT officials and offices as "Campus Security Authorities (CSA)." The Clery Act defines these individuals as an "official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution." While LIT has identified several CSAs, we officially designate the following offices as places where campus community members should report crimes:

OFFICIAL	CAMPUS ADDRESS	PHONE NUMBER
Lamar University Police Department	Lamar University 211 Red Bird Lane	(409) 880-7777
Associate Dean of Student Services/Registrar	Eagles' Nest 136	(409) 880-8188
Title IX Coordinator	Eagles' Nest 131	(409) 951-5708
Associate Director of Facilities	Cecil Beeson 239	(409) 839-2073

## PASTORAL AND PROFESSIONAL COUNSELORS

According to the Clery Act, LIT does not consider appropriately credentialed pastoral and professional counselors serving in a counseling role as Campus Security Authorities when they are acting in the counseling role. As a matter of policy, LIT encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

### *Pastoral Counselor*

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

### *Professional Counselor*

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

The LUPD encourages pastoral and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling to voluntarily report the incident to the LUPD on a confidential basis for inclusion of the annual disclosure of crime statistics.



## ABOUT THE DEPARTMENT LUPD

LUPD protects and serves the campus community 24 hours a day, 365 days a year. The Department is responsible for a number of campus safety and security programs, including Emergency Management, Community Safety and Security Education, physical security, including security technology, behavioral threat assessment, and special event management.

The Department is comprised of officers employed through Lamar University

The LUPD officers:

- Are certified Texas Peace Officers with statewide jurisdiction to enforce local, state, and federal laws.
- Have the power to make arrests.
- The LUPD Officers have jurisdiction to operate on LIT owned or controlled property. LUPD officers are licensed peace officers for the state of Texas. They have countywide jurisdiction per the Texas Education Code Section 51.203.
- All of Lamar's commissioned officers have successfully completed law enforcement training at a state certified police academy.
- All officers are required to attend annual in-service as well as on-the-job training.
- LUPD's Mission Statement: "Primary goals are to protect faculty, staff, students, and visitors against criminal attack, to preserve peace and to protect the property of the University and college community. Additionally the Police Department manages law enforcement and security operations, and engages in long term planning to assure maximum effectiveness."

## SAFETY, OUR NUMBER ONE PRIORITY

LIT takes great pride in our campus community, offering students and employees many advantages. This community is a great place to live, learn, work and study, however, this does not mean that the campus community is immune from all of the other unfortunate circumstances that arise in other communities. With that in mind, LIT has taken progressive measures to create and maintain a reasonably safe environment on campus.

Though LIT is progressive with its policies, programs, and education, it is up to each one of us to live with a sense of awareness and use reasonable judgment when living, working or visiting on campus.

## WORKING RELATIONSHIP WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES

The LUPD maintains a strong working relationship with state and local police agencies, including City of Beaumont Police Department and Jefferson County Sheriff's Department.

LUPD participates in an Inter-municipal Mutual Aid Agreement with the City of Beaumont Police Department and Jefferson County Sheriff's Department. This agreement authorizes LUPD officers and supervisors of the participating agencies to request mutual aid for incidents based upon a reasonable belief that such aid will enhance the public's and/or officer safety and efficiency including the investigation of criminal incidents. The agreement also allows for joint training and cooperation on other matters, such as pre-planned large-scale special events. It includes inter-operative radio capability, a joint police records computer system, and investigation of serious incidents.

## CRIMES INVOLVING STUDENT ORGANIZATIONS AT NONCAMPUS LOCATIONS

LIT relies on its close working relationships with local law enforcement agencies to receive information about incidents involving LIT students and recognized student organizations, on and off campus. In coordination with local law enforcement agencies, LUPD will actively investigate certain crimes occurring on or near campus. If LUPD learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Associate Dean of Student Services/Registrar, as appropriate.

LIT requires all recognized student organizations to abide by federal, state, and local laws, and the Institute's regulations. LIT may become involved in the off-campus conduct of recognized student organizations when such conduct is determined to affect a substantial Institution interest.

## TIMELY WARNING REPORTS – CRIME ALERTS

In the event a crime is reported within the LIT Clery Geography (On Campus, Public Property and Noncampus property), that, in the judgment of the Chief of LUPD, or designee, constitutes an serious or continuing threat, a campus wide "timely warning" notice will be issued.

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 LIT 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 information known by the Chief of LUPD, or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the Chief of LUPD, 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 LIT.

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 LUPD, or designee.

Timely Warning Notices will be issued to the campus community via email blast to all Lamar Institute of Technology assigned email accounts. LUPD may also be using some or all of the following methods: will post posters by building administrators, e-mails, and media. LIT also has the ability to send text message alerts to those who register their cell phone numbers. The text messaging can be a very effective way to send important information to the campus community.

The purpose of timely warnings is to notify the campus community of the incident and to provide information that may enable community members to protect themselves from similar incidents. LIT will issue timely warning based upon the following: 1) a crime is committed; 2) the perpetrator has not been apprehended; and 3) there is a substantial risk to the physical safety of other members of the campus community because of this crime. Such crimes include, but are not limited to: 1) Clery Act crimes that are reported to any campus security authority or the LUPD; and 2) LIT determines that the incident represents an on-going or serious threat to the campus community.

Additionally, LUPD may, in some circumstances, issue a timely warning when there is a pattern of crimes against persons or property beyond those required by the Clery Act. At LIT, the Chief of LUPD will generally make the determination, in consultation with other Institute offices whether a timely warning is required. However, in emergencies, any LUPD supervisor may authorize a timely warning. For incidents involving off-campus crimes, LIT may issue a timely warning if the crime occurred in a location used and frequented by the campus population.

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





## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

### EMERGENCY NOTIFICATION AT LIT

The policy of LIT is that it is far better to activate warnings which later prove to be unfounded than not to warn. False alarms may reduce the effectiveness of subsequent well-founded warnings, but the failure to warn the LIT community of imminent danger may have far more tragic consequences.

1. A primary goal shall be to preserve life and protect the lives of all involved in a hazardous incident(s).
2. A primary goal shall be to provide prompt warning of circumstances and suggested defensive actions to persons in or around the campuses to minimize risk to innocent bystanders.
3. Other primary goals shall include apprehension of criminals, and neutralization of weaponry.

Our priorities are:

- Life safety, infrastructure integrity, and environmental protection during an emergency.
- Coordination with LIT departments to write, maintain, test, and exercise the CEMP (Comprehensive Emergency Management Plan).
- Cooperation, Integration, and Mutual Aid with local, state, and federal planning, response, and public safety agencies and their CEMPs.

LIT maintains a CEMP that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of particular units or positions.

LIT units are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans. Emergencies occurring on campus should be reported to the LUPD at (409) 880-7777.

A summary of LIT's emergency response procedures is located at page 68 at <https://www.lit.edu/pdf/5443/policies-and-procedures.pdf>. This website includes detailed information regarding LIT's emergency notification policy.

### DRILLS, EXERCISES AND TRAINING

Annually, LIT conducts an emergency management exercise to test emergency procedures. The scenarios for these exercises change from year-to-year, and include several departments from across the campus.

To ensure LIT's emergency management plans remain current and actionable; the Institute, in conjunction with other emergency agencies, will conduct an emergency response drills and exercises, at a minimum once yearly. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution. The Institute conducts after-action reviews of all emergency management exercises.

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.

In conjunction with at least one emergency management exercise each year, LIT will notify the community of the exercise and provide an email reminder of the information included in its publicly available information regarding emergency response procedures at <https://www.lit.edu/pdf/5443/policies-and-procedures.pdf> on page 68, that meets all of the requirements of the Higher Education Opportunity Act.

### 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. The LUPD 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, LUPD 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 LIT 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 notify LUPD (409) 880-7777 Police Emergency or dial 911.

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 LUPD 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 belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest Institution 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, LUPD, other Institution employees, Local PD, or other authorities utilizing the LIT’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. LIT 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 [CPSA] 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.

## EMERGENCY NOTIFICATION

Lamar Institute of Technology 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: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

Individuals can report emergencies occurring at Lamar Institute of Technology by calling LUPD at (409) 880-7777.

LIT is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. The Institute uses the emergency notification system activated by the communication command center. The command center initiates an emergency notification via the service available to students, staff, and anyone in the campus community who wants to subscribe. LIT uses Blackboard Connect Ed to send emergency messages within minutes of the occurrence of an incident. LIT’s Facebook page, Twitter, or at the subscriber’s choice, their e-mail account. All of the campuses have full access to Blackboard Connect Ed for posting local emergency alerts.

LIT performs a campus-wide annual test of the system. The following procedures outline the process LIT uses when issuing emergency notifications.

**• Procedures Used to Notify the Campus Community**

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

LIT has various systems in place for communicating information quickly. Notification will be made by using some or all of these methods depending on the type of emergency. These methods of communication include the mass notification system Blackboard Connect Ed, (which contains email, cell phone text, voice message alert); fire alarm (where available), LIT’s e-mail system, verbal announcements within a building, and public address systems on LUPD cars. If any these systems fail or LIT deems it appropriate, in person communication may be used to communicate an emergency.

Lamar Institute of Technology will post updates during a critical incident on its homepage. If the situation warrants, LIT will establish a telephone call-in center to communicate with the campus community during an emergency. emergency alerts.



**• Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System**

The LUPD and/or other campus first responders may become aware of a critical incident or other emergency that potentially affects the health and/or safety of the campus community. Generally, campus first responders become aware of these situations when the LUPD Dispatch Recorder receives reports or upon discovery during LUPD patrol or other assignments.

Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of the campus community, first responders will notify supervisors in the Department of LUPD and Public Safety or other authorized LIT office to issue an emergency notification.

If the Chief of LUPD, or designee, in conjunction with other Institution administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the LIT community, the LUPD and Media Relations 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 LIT Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

The Institute’s authorized representatives will without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system unless in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

**• Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification**

LIT and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification and will distribute the notification to the entire campus in the event of an emergency. LIT will also post applicable messages about the dangerous condition on Institute homepage to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety.

System to use	Primary Message Creator	Authority for approving & sending messages	Primary Message Sender
Blackboard CEM	Marketing & Communications	Executive Team	Marketing
Connect Ed	Marketing & Communications	Executive Team	Marketing
Outlook	Marketing & Communications	Executive Team	Marketing





### • Enrolling in LIT's Emergency Notification System

LIT has a notification system to reach individuals via e-mail, voice mail, and text messages. Incoming students and staff should verify their contact information with the records office or human resources. We encourage LIT students and employees to regularly update their information in Self-Service Banner: [https://ssb-prod.ec.lit.edu/PROD/twbkwbis.P\\_GenMenu?name=bmenu.P\\_MainMnu](https://ssb-prod.ec.lit.edu/PROD/twbkwbis.P_GenMenu?name=bmenu.P_MainMnu)

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

## SECURITY OF AND ACCESS TO LIT FACILITIES

LIT is a public and open campus. We do not make an effort to restrain the general public from entering the campus. However, the Institution reserves the right to bar individuals considered a threat to the well-being of the LIT community. The Institute schedules access to academic buildings so they are open on weekends only as needed. Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there. Likewise, access to most programs is limited to those enrolled in the program or otherwise authorized. LUPD provides 24-hour patrol of campus property and facilities, and designated building coordinators establish and maintain access to their respective buildings.

Many cultural events held in LIT facilities are open to the public. LIT will only issue keys to a building to those who have demonstrated a need.

## SPECIAL CONSIDERATIONS FOR RESIDENCE HALL ACCESS

There are no residence halls.

## SECURITY CONSIDERATIONS FOR THE MAINTENANCE OF CAMPUS FACILITIES

The Institute is committed to campus safety and security. At LIT, we leverage locks, landscaping and outdoor lighting designs for safety and security. Sidewalks designs and routes provide well-traveled, lighted pathways from parking areas to buildings and from building to building.

We encourage community members to promptly report any security concern, including concerns about locking mechanism, lighting, or landscaping to LUPD or to Facilities Management.

### • Determining the Contents of the Emergency Notification

The office responsible for issuing the emergency notification (usually the LUPD Dispatch Recorder officers) will, in concert with LIT and local first responders, determine the contents of the notification. LIT has developed a wide range of template messages addressing several different emergencies. The individual authorizing the alert will select the template message most appropriate to the on-going situation and modify it to address the specifics of the present incident. In those cases where there are no pre-determined template messages in the system, the individual authorizing the alert will develop the most succinct message to convey the appropriate initial information to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

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

### • Procedures for Disseminating Emergency Information to the Larger Community

LIT will notify the larger community through the local media outlets, working with the local public safety agencies' public information officers, and by providing information on social media sites, as well as the Institute's website.

# LIT'S RESPONSE TO SEXUAL AND GENDER VIOLENCE

## INTRODUCTION

LIT is committed to providing a safe learning and working environment, and in compliance with federal law has adopted procedures to prevent and respond to incidents of sexual violence including sexual assault, domestic violence, dating violence and stalking. These guidelines apply to all students, faculty, staff, contractors, and visitors. [https://lit.edu/student-success/catalog-and-handbook-\(2\)](https://lit.edu/student-success/catalog-and-handbook-(2))

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

## REPORTING AN INCIDENT

If a student, employee, or visitor has been the victim of an incident of sexual violence, they should immediately report it to the Lamar University Police Department. In the case of an emergency or ongoing threat if possible, get to a safe location and please report the incident by calling 911. Anyone may contact LUPD at (409) 880-7777 211 Redbird Lane Beaumont, TX 77710.

Students, employees or third parties may also report to Title IX Coordinator at (409) 951-5708 Eagles' Nest 131 LIT officials will assist any victim in notifying law enforcement, including local police or LUPD, if they elect to do so. Victims are also entitled not to report to law enforcement. Any student or employee, who reports an incident of sexual violence, whether the offense occurred on or off campus, shall receive a written explanation of their rights and options. This written explanation identifies existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims, both within the institution and in the community; and describes options for available assistance in; and how to request changes to academic, living, transportation, and working situations or protective measures. The institution must make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus or local law enforcement.

### 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.

- The frequency and type of interaction between the persons involved in the relationship.

- **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.

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

Family Violence (Domestic Violence included). Domestic Violence, as defined by the Texas Family Code, Section [71.004](#), states family violence means:

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

Sexual Assault. Sexual Assault, as defined by the Texas Penal Code, Section [22.011](#), states a person commits an offense if 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.

## CRIMINAL CONDUCT AND TEXAS STATE DEFINITIONS

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

Dating Violence, as defined by the Texas Family Code, Section [71.0021](#), states dating violence means an act, other than a defensive measure to protect oneself, by an actor that:

1. is committed against a victim or applicant for a protective order:
  - a. with whom the actor has or has had a dating relationship; or
  - b. because of the victim’s or applicant’s marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
2. is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.

For purposes of 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:

- The length of the relationship;
- The nature of the relationship; and



The law states a sexual assault under Section 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;
10. person's emotional dependency on the actor;
11. 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
12. 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.

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

1. constitutes an offense under Section [42.072](#), or that the actor knows or reasonably should know the other person will regard as threatening:
  - a. bodily injury or death for the other person;
  - b. bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
  - c. that an offense will be committed against the other person's property;
2. causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
3. would cause a reasonable person to:
  - a. fear bodily injury or death for himself or herself;
  - b. fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
  - c. fear that an offense will be committed against the person's property;
  - d. feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

Consent is an informed and freely and affirmatively communicated willingness to participate in a particular sexual activity. Consent can be expressed either by words or by clear and unambiguous actions, as long as those words or actions create mutually understandable permission regarding the conditions of each instance of sexual activity. It is the responsibility of the person who wants to engage in the sexual activity to ensure that s/he has the consent of the other to engage in each instance of sexual activity. (The definition of consent for the crime of sexual assault in Texas can be found at Texas Penal Code Section 22.011.)

another;  
7. coercion, force, or threat invalidates consent; and

8. Being intoxicated or under the influence of alcohol, drugs, or any other substance is never an excuse for engaging in Sexual Misconduct.

The Institution will consider the following factors in determining whether consent was provided:

1. consent is a voluntary agreement or assent to engage in sexual activity;
2. someone who is incapacitated cannot consent;
3. consent can be withdrawn at any time;
4. past consent does not imply future consent;
5. silence or an absence of resistance does not imply consent;
6. consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with

### ON & OFF CAMPUS RESOURCES FOR VICTIMS

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, LIT 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. Both LIT and Jefferson County offer other important resources to the victims of sexual violence including medical treatment, counseling and advocacy they may wish to utilize. A victim need not make a formal report to law enforcement or the Institute to not make a formal report to law enforcement or the Institute to access these resources that include the following:

- Lamar University/Student Health and Counseling, 857 East Virginia/ Beaumont, TX 77705, (409) 880-8466 **(Students & employees only)**
- Christus Hospital, 2830 Calder Street/ Beaumont, TX 77702, (409) 892-7171 **(Public)**
- Baptist Hospital of Southeast TX, 3080 College Ste./ Beaumont, TX (409) 212-5000 Family Services of SE Texas, 3550 Fannin/ Beaumont, TX 77701, (409) 833-2668 **(Public)**
- Jefferson County Victims' Assistance Center, 215 Franklin Street/ 2nd Floor/ Beaumont, TX 77701, (409) 833-3377 **(Public)**



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

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

<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

## ACCOMMODATIONS AND PROTECTIVE MEASURES AVAILABLE FOR VICTIMS

Whether a student or employee reports to law enforcement or pursues any formal action, if they report an incident of sexual or relationship violence or stalking, LIT is committed to providing them as safe a learning or working environment as possible. Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, the Institute will provide written notification to student and employees about accommodations available to them and make any reasonably available change to a victim's academic, transportation, and or working situation. At the victim's request, and to the extent of the victim's cooperation and consent, institutional offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

Students and employees may contact Title IX Coordinator (409) 951-5708 for assistance. If a victim reports to law enforcement, the Institute will assist the victim in obtaining a protection order from a criminal court. LIT is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property. LIT is also committed to protecting victims from any further harm, and the Title IX Coordinator may issue a temporary no-contact order pending the outcome of any conduct proceeding.

### VICTIM CONFIDENTIALITY

LIT recognizes the sensitive nature of sexual violence and interpersonal violence is committed to protecting the privacy of any individual who reports any of these crimes. Different officials on campus are, however, able to offer varying levels of privacy protection to victims. Reports made to law enforcement, including if criminal prosecution is pursued, may be made public and shared with the accused. Victims may request that directory information on file with the Institution be withheld by request sent to the admissions office.

Regardless of whether a victim has opted-out of allowing the Institution to share "directory information," any personal identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the Victim including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

LIT will not release names in the issuance of "Timely Warnings" or "Emergency Notifications," nor in the "Daily Crime Log," or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act each of which are required by the Clery Act, and any accommodation or protective measure will be confidential unless it interferes with the measure's implementation.

The Institute will keep reports made to officials as confidential, and identifying information about the victim shall not be made public. LIT will not share information from reports made to medical professionals, licensed mental health counselors, and with third parties except in cases of imminent danger to the victim or a third party.

### BYSTANDER INTERVENTION AND RISK REDUCTION

**BE AN ACTIVE BYSTANDER.** Bystanders have an opportunity to play a critical role in the prevention of relationship violence. They are individuals who directly or indirectly observe violence or the conditions that perpetuate it. Bystanders have the choice to intervene, speak up, and do something about the situation. At LIT, we want a culture of community accountability where bystanders actively engage in the prevention of violence without causing further harm. Bystanders may not always know what to do, even if you want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. For example, when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

### HOW DO I REDUCE MY RISK OF BEING A VICTIM?

The following are strategies to reduce one's risk of sexual assault or harassment (taken from the Rape, Abuse, & Incest National Network, <http://rainn.org>).

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.



3. Walk with purpose. Even if you do not know where you are going, act as if you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cash money.
7. Do not allow yourself to be isolated with someone you do not trust or someone you do not know.
8. Avoid putting headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together.
10. Knowing where you are and who is around you may help you to find a way out of a bad situation. If you see something suspicious, contact law enforcement immediately. You can link to local emergency help by calling 911 in most areas of the U.S.
11. Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, just get a new one.
12. Do not accept drinks from people you do not know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it get poured, and carry it yourself. At parties, do not drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated in relation to the amount of alcohol they have had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests. You will need a urine test and possibly others.
15. If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
  - a. Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - b. Be true to yourself. Do not feel obligated to do anything you do not want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. Have a code word with your friends or family so that if you do not feel comfortable, you can call them and communicate your discomfort without the person you are

with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

- d. If you do not want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

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

The Institution 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.

## EDUCATION PROGRAMS

Lamar Institute of Technology is committed to increasing the awareness of and preventing sexual violence. LIT provides all incoming students and new employees with programming and strategies and ongoing awareness and prevention campaigns for students. We intend these to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking before it occurs. We hope to affect a culture shift through the changing of social norms and other approaches that include;

- a clear statement that the Institute prohibits such acts of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
- their definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- What behavior and actions constitute consent, in reference to sexual activity, in the State of Texas;
- the institution's definition of consent and the purposes for which that definition is used,
- a description of safe and positive options for bystander intervention, Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating

violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

- information about risk reduction, Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- And information regarding:
  - our policies and procedures for responding to these incidents.
    - procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
    - how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
    - existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
    - options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
    - procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document);

**Primary Prevention and Awareness Programs**

These programs include required training for all new employees and students on Title IX Programs. We also provide a required annual training to all employees. Throughout the year, our student organizations advertise and host multiple events to support and spread awareness. Specifically,, the Institution offered the following **primary prevention and awareness programs** for all **incoming students** in FY 2022:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
EverFi	Feb. 2022	Virtual	Sexual Assault
EverFi	March 2022	Virtual	Prevention
EverFi	June 2022	Virtual	Sexual Assault
EverFi	July 2022	Virtual	Prevention

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

The Institution offered the following **primary prevention and awareness programs** for all **new employees** in FY 2022:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
HR Orientation	at hire and as needed	LIT	Benefits-EAP

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

**Ongoing Prevention and Awareness Campaigns**

As part of this effort, LIT provides ongoing prevention and awareness campaigns throughout the year. The training is provided by Everfi <https://everfi.com/courses/colleges-universities/sexual-assault-prevention/>. These programs include:

- First year Title IX Training for new students
- Employee on-boarding Title IX Programs along with annual training
- Student Organization host varies awareness campaigns such as domestic violence awareness annually

The Institution offered the following **ongoing awareness and prevention programs** for **students** in FY 2022:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Speaker – Tim Mousseau	April 19, 2022	MPC	SA Awareness
Self Defense Class	April 27, 2022	MPC	Self Defense

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

The Institution offered the following **ongoing awareness and prevention programs** for **employees** in FY 2022:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Active Shooter	8/19/22 thru	Virtual-Vector	Active Shooter
Active Shooter	8/31/22	Virtual-Vector	Active Shooter
TSUS Ethics Training	2/23/22 thru	Eagles Nest	Ethics
TSUS Ethics Training	3/1/22	Eagles Nest	Ethics

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

## CONDUCT PROCEEDINGS

LIT strictly prohibits all acts of sexual assault, domestic violence, dating violence, and stalking. In addition to facing criminal action, students, employees and other affiliates may also face campus disciplinary action. Individuals found responsible for having committed such a violation face permanent expulsion, termination of employment, suspension, probation, and education. Title IX or the Associate Dean of Student Services/Registrar will handle incidents involving accused students, and the Office of Human Resources or the Title IX Office will handle incidents involving accused employees/affiliates.

All conduct proceedings, whether reported to have occurred on or off campus, shall provide a prompt, fair, and impartial investigation and resolution. 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. Officials who have received annual training on the nature of the types of cases they are handling, on how to conduct an investigation, and conduct a hearing in a manner that protects the safety of victims and promotes accountability will lead these proceedings. The Institute's process requires determination of responsibility shall be made by the Title IX Coordinator using the preponderance of the evidence standard (which means that it is more likely than not that the alleged misconduct occurred).

The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present.

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;

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;

In all proceedings, including any related meetings, both the accused and accuser are entitled to the same opportunities to have others present including the right to be accompanied by an advisor of their choice.

LIT will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding.

LIT may establish rules on the participation by the advisor. Both the accused and accuser shall simultaneously be informed in writing of the outcome made by the Title IX Coordinator, of procedures for appealing the results of the outcome, of any change to the results that occurs prior to the time that they become final, and when such results become final. Disclosure of the outcome shall be made to both parties unconditionally, and each shall be free to share or not share the details with any third parties.

For additional information about Associate Dean of Student Services/Registrar proceedings please consult the Student Handbook available at [https://lit.edu/student-success/catalog-and-handbook-\(2\)](https://lit.edu/student-success/catalog-and-handbook-(2)). For additional information about employee conduct proceedings please consult the Policy and Procedure Manual available at <https://www.lit.edu/pdf/5443/lamar-institute-of-technology-policies-and-procedures-manual>.

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

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at Beaumont Baptist Hospital or St Elizabeth Beaumont.

The following information provides steps to follow should a sexual assault occur:

- Get to a safe place as soon as possible!
- Try to preserve all physical evidence – The victim of rape should not bathe, shower, brush teeth, douche, use the toilet, or 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 Institution adjudicators/investigators or police.
- Contact a close friend or relative, if available, who can provide support and accompany the victim to the medical exam and/or LUPD department. Advocates from the Women's Resource Center can be available to the victim to provide support.



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 LUPD or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the Institution at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

- Get medical attention as soon as possible – An exam may reveal the presence of physical injury of which the victim is unaware. Following a sexual assault, antibiotics are typically given at the time of the exam to help prevent the victim from acquiring certain sexually transmitted diseases. Emergency contraceptive pills are offered to all victims at the time of the exam (if the victim presents within 120 hours) to help prevent pregnancy from occurring as a result of the rape. If the victim reports memory loss, loss of consciousness or other circumstances suspicious for a drug-facilitated assault, a urine test may be done if the victim presents within 96 hours. However, some of the commonly used “date rape” drugs are only detectable in the urine for 6-8 hours after ingestion.

- Contact the LUPD – Sexual assault is a crime; it is vital to report it. It is important to remember report a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. Final decision to prosecute is determined by the District Attorney.

- Consider talking to a counselor – Seeing a counselor may be important in helping the victim understand their feelings and begin the process of recovery.

### **Procedures the Institution Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported**

The Institution has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available.

LIT will make such accommodations or protective measures, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the LUPD or local law enforcement. Students and employees should contact the LIT Title IX Coordinator at (409) 951-5708.



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

Incident Being Reported	Procedure Institution Will Follow
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>4. Institution will provide complainant with referrals to on and off campus mental health providers</li> <li>5. Institution will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> <li>8. Institution will provide written instructions on how to apply for Protective Order</li> <li>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</li> <li>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</li> <li>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</li> </ol>
<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>

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

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, (Jamarcus Corks, Eagles' Nest 131, [jcorks@lit.edu](mailto:jcorks@lit.edu), 409-951-5708) by calling, writing or coming into the office to report in person and LUPD (if the victim so desires.)<sup>1</sup> Reports of all domestic violence, dating violence, sexual assault and stalking made to LUPD will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

### PROCEDURES VICTIMS SHOULD FOLLOW

If an incident of sexual assault, domestic violence, dating violence or stalking occurs it is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a court issued protection order. The victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam. Any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries following an incident of domestic or dating violence should be documented including through the preservation of photographic evidence. Victims of stalking should save any evidence including any communication, such as written notes, voice mail or other electronic communications and not altered in any way.

In addition to the campus services listed below, there are also several community service organizations that can provide counseling, mental health, and other related services to sexual assault victims. The Office of Women Students can assist with connecting victims to these services. Please note that not all services are available at all campus locations

▣ Family Services Association, Beaumont Texas  
(409) 833- 2668

▣ Franklin House Women, Children, and Family  
(409) 896- 5911

▣ Jefferson County Victims' Assistant Center  
(409) 833-3377

▣ Rape & Suicide Crisis Center of SE Texas  
1 (800) 793-2273

- If a victim of a sexual assault or relationship violence incident requests a change in her or his living arrangements or academic schedule, the Associate Dean of Student Services/ Registrar, Human Resources, and other offices at LIT, will assist the individual with making these changes, as long as they are reasonably available.



### LIT PROCEDURES FOR RESPONDING TO REPORTS OF SEXUAL ASSAULT

If you or someone you know is the victim of a sexual assault, the victim has several rights, including:

- Although the institution strongly encourages all members of its community to report violations of this policy to law enforcement (including LUPD 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.
- Victims have a right to report the incident to LUPD or local authorities. LIT will assist victims in notifying either LIT or local LUPD if the victim so -desires. Filing a LUPD report does not mean the victim must pursue criminal charges. The victim maintains his or her rights throughout the process.
- LU Police Department may also be reached directly by calling 409-880-8307, in person at 211 Red Bird Lane Beaumont, TX 77710. Additional information about the Lamar University Police department may be found online at: <https://www.lamar.edu/police>.

<sup>1</sup> EDITORIAL NOTE – NOT FOR PUBLICATION IN ASR: The Title IX Coordinator is regarded as a “Responsible Employee” under Title IX and also a “Campus Security Authority” under the Clery Act. Statistical information less the victims identifying information

will be provided to the individual or office responsible for compiling the annual crime statistics even if the victim chooses not to alert campus public safety personally.



**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, LIT 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**

Lamar Institute of Technology complies with Texas law in recognizing orders of protection. Any person who obtains an order of protection from Texas should provide a copy to Lamar University Police Department (LUPD) and the Office of the Title IX Coordinator. A complainant may then meet with LUPD 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, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) LIT cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

Type Of Order	Rights of Victims	Institution’s Responsibilities
No contact orders	Prevents ongoing communication between the accuser and the accused	<p>No contact should be made by telephone, text, email, social media, internet, in person, or through a third party (other than an attorney or police) or LIT, through the Student Conduct Office, will take immediate action.</p> <p>Any violations should be reported to the Office of Title IX coordinator at (409) 951-5708 or via email at <a href="mailto:jcorks@lit.edu">jcorks@lit.edu</a>.</p> <p>In the case of an emergency, please dial 9-1-1.</p>

The victim is required to apply directly for these services.

Type of Order:	Who Can File For One:	Court:	Based On:
<b>Domestic Violence Civil Protection Order – up to 5 years, can be renewed**</b>	Family or household members including : <ul style="list-style-type: none"> <li>• Spouses, former spouses</li> <li>• Parent, child, foster parent</li> <li>• People who have kids together</li> <li>• Intimate partners who lived together in the last 5 years</li> <li>• Same sex couples are eligible</li> </ul>	Domestic Relations Court – where victim lives, where abuser lives or has a business, or where incident(s) occurred	Causing or trying to cause injury or placing someone in fear of imminent serious harm (Courts use different requirements for how recent the incident must be)
<b>Stalking Protection Order - up to 5 years, can be renewed**</b>	Any person who is a victim of stalking. No relationship with stalker is required.	Common Pleas Court - where victim lives (if family or household member, can be filed as DV Protection Order, see above)	Pattern of conduct (2 or more events), closely related in time, that cause distress or make a victim believe the stalker will cause harm
<b>Sexually Oriented Offense Protection Order - up to 5 years, can be renewed**</b>	Any person who was a victim of a sexually oriented offense (see ORC 2950.01). No relationship with offender is required. Case does not have to be criminally prosecuted.	Common Pleas Court – where victim lives	Sexual assault or unwanted sexual contact (see ORC 2950.01)

The Institute may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the Institute receives a report that such an institutional no contact order has been violated, the Institute 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.

## LIT DISCIPLINARY PROCEDURES IN SEXUAL ASSAULT INCIDENTS

If you have been sexually assaulted you have options for addressing such conduct. You may wish first to discuss the problem privately with a counselor or an adviser in Student Health and Counseling or another confidential counselor. LIT officials, as well as members of LUPD are always available to assist a victim with getting the support she/he requests.

LIT's manages the student conduct process to afford a complainant (the person who is bringing a charge) and a respondent (the person who is answering a charge) a fair, prompt, and appropriate resolution process. The process helps persons who need support as they address these incidents.

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

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

LIT follows the Sexual Misconduct Policy and Procedures (SMP).

Title IX Coordinator handles any incident of Sexual Misconduct and reviews the steps to follow based on

- o Filing a Formal Complaint of a Title IX Sexual Harassment incident if applicable, or
- o Filing a report of a Non Title IX Sexual Misconduct incident if applicable

The Associate Dean of Student Services/Registrar manages the resolution proceeding in which a student is the alleged perpetrator. Anyone can find the full text of the protocol for how LIT responds to sexual assault complaints through the campus conduct process at [https://www.lit.edu/student-success/catalog-and-handbook-\(2\)](https://www.lit.edu/student-success/catalog-and-handbook-(2)).

#### 1. How to File a Disciplinary Complaint Under this Policy

According to the SMP Section 4, there are a few ways that a complaint can be filed.

- o Victim Reporting options:
- o Title IX Coordinator
- o Responsible Employee
- o Official with Authority
- o Police Department
- o Campus Police or Security
- o Electronically through LIT Website
- o Anonymously
- o Preservation of Evidence
- o Employee Mandatory Reporting

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

SMP Section 5 - Classifying Sexual Misconduct Matters, Possible Dismissals, and Transfers

5.1. Title IX Coordinator's Role in Classifying Sexual Misconduct. The Title IX Coordinator shall review all allegations of Sexual Misconduct to determine if the allegation will be classified as Title IX Sexual Harassment or Non-Title IX Sexual Misconduct at any point during the grievance process.

5.2. Title IX Sexual Harassment. Allegations of Sexual Misconduct shall be classified as Title IX Sexual Harassment provided:

5.2.1. the Sexual Misconduct meets the definition of Title IX Sexual Harassment;

5.2.2. the Sexual Misconduct occurred against a person participating in or attempting to participate in a Component's Education Program or Activity; and,

5.2.3. the Sexual Misconduct occurred against a person located within the United States.

5.3. Non-Title IX Sexual Misconduct. Sexual Misconduct that does not meet all the requirements in Section 5.2 does not constitute Title IX Sexual Harassment and shall be classified as Non-Title IX Sexual Misconduct.

5.4. Mandatory Dismissal of Formal Complaint. If a Formal Complaint has been submitted by a Complainant and the Sexual Misconduct described in the Formal Complaint does not meet all the requirements in Section 5.2, the Title IX Coordinator shall dismiss the Formal Complaint for purposes of the Title IX Sexual Harassment process.

5.4.1. If a Formal Complaint is dismissed for failing to meet the requirements in Section 5.2, a Component may address such Non-Title IX Sexual Misconduct through the Non-Title IX Sexual Misconduct provisions of this Policy.

5.4.2. If the allegation does not meet the definition of Sexual Misconduct, the Component may address the misconduct through the applicable code of conduct process.

### 3. Steps in the Disciplinary Process

Under the SMP Section 7.20 We find a list of Decisions and Sanctions. Also, under sections 8.5, Title IX Coordinator Finding and Recommended Sanction, Section 8.6 Sanction Decisions, Section 8.7 Administrator Responsible for Imposing Sanctions, and Section 8.8 Dispute of Findings and/ or Sanctions we find the steps to follow for Disciplinary Process.

### 4. Anticipated Timelines

System offices and Components maintain an environment that promotes prompt reporting of all forms of Sexual Misconduct and the timely and fair resolution of Sexual Misconduct Complaints or Reports;

### 5. Decision-Making Process

Each individual area under the Sexual Misconduct Policy & Procedures has a process for decision-making.

Under 7. Title IX Sexual Harassment Grievance Process 7.11.1 The decision maker determines the relevancy of all questions asked during a hearing, may ask questions of a witness or party during the hearing, and ultimately issues the written decision of responsibility and sanction after hearing. The Title IX Coordinator or the Investigator may not serve as Decision Maker. Under 7.20 the Decision Maker issues a written determination sent out at the same time to all parties along with information about how to appeal the determination.



Under 8. Non-Title IX Grievance Process 8.6 provides the details for decision making.

## **6. Standard of Evidence**

7.8 Investigative Report- Investigator will complete a written Investigative report that includes summaries of interviews conducted along with all documents and information gathered with relevant evidence.

8.5 Findings from investigations are submitted to the Title IX Coordinator who will compile a report with recommendations for sanctions when there is a finding or violation.

## **7. Possible Sanctions**

. Sanctions. Sanctions for a Finding of a Policy violation will depend upon the nature and gravity of the misconduct and/or any record of prior discipline for Sexual Misconduct. Sanctions include, but are not limited to, the following:

### **4.12.1. Students**

- 4.12.1.1. no-contact orders;
- 4.12.1.2. probation (including disciplinary and academic probation);
- 4.12.1.3. expulsion from campus housing;
- 4.12.1.4. restricted access to activities or facilities; mandated counseling (this may include, but not be limited to education programs and batterer intervention);
- 4.12.1.5. disqualification from student employment positions;
- 4.12.1.6. revocation of admission and/or degree;
- 4.12.1.7. withholding of official transcript or degree;
- 4.12.1.8. bar against readmission;
- 4.12.1.9. monetary restitution;
- 4.12.1.10. withdrawing from a course with a grade of W, F, or WF; or,
- 4.12.1.11. relevant training.

### **4.12.2. Employees**

- 4.12.2.1. withholding a promotion or pay increase;
- 4.12.2.2. reassigning employment, including, but not limited to demotion in rank;
- 4.12.2.3. terminating employment;
- 4.12.2.4. barring future employment from System or Component;
- 4.12.2.5. temporary suspension without pay;
- 4.12.2.6. compensation adjustments;
- 4.12.2.7. no-contact orders;
- 4.12.2.8. relevant training; or,
- 4.12.2.9. recommendation to revoke tenure

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

### **4.8.1. Generally**

When an incident of Sexual Misconduct is reported, the Component will consider Supportive Measures while the incident is investigated and adjudicated. The determination of appropriate Supportive Measures in a given situation must be based on the facts and circumstances of that situation. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures, and the duration of such measures. Supportive Measures may include, but are not limited to:

4.8.1.1. Counseling provided by a counselor who does not provide counseling to any other person involved in the incident, including

a person who reports an incident of Sexual Misconduct, as long as the Component employs a sufficient number of counselors;

- 4.8.1.2. extensions of deadlines or other course related adjustments;
- 4.8.1.3. without any academic penalty, modifications of work or class schedules or assignments, including the option of dropping a course in which both Parties are enrolled;
- 4.8.1.4. campus escort or transportation services;
- 4.8.1.5. mutual restrictions on contact between the Parties;
- 4.8.1.6. changes in work or housing locations;
- 4.8.1.7. leaves of absence;
- 4.8.1.8. restrictions from specific activities or facilities; and,
- 4.8.1.9. increased security and monitoring of certain areas of the campus.

The Affirmative Action Office is responsible for managing proceedings for those cases in which an employee is the respondent.

In determining whether the alleged conduct constitutes sexual harassment or assault, the Institute will consider the full context in which the alleged incident occurred. In every case, both the accuser and the accused are entitled to the same opportunities to have others present during any disciplinary proceeding. LIT will inform both the accuser and the accused of the outcome of any proceeding for the initial finding, any change to the result, and when the result is finalized.

During any sexual assault complaint proceeding, LIT has a range of sanctions available. Those sanctions may range from probation to expulsion from LIT, depending upon the nature and circumstances of the specific incident.

4.12. Sanctions. Sanctions for a Finding of a Policy violation will depend upon the nature and gravity of the misconduct and/or any record of prior discipline for Sexual Misconduct. Sanctions include, but are not limited to, the following: 4.12.1. Students 4.12.1.1. No-contact orders; 4.12.1.2. Probation (including disciplinary and academic probation); 4.12.1.4. Restricted access to activities or facilities; mandated counseling (this may include, but not be limited to education programs and batterer intervention); 4.12.1.5. Disqualification from student employment positions; 4.12.1.6. Revocation of admission and/or degree; 4.12.1.7. Withholding of official transcript or degree; 4.12.1.8. Bar against readmission; 4.12.1.9. Monetary restitution; 4.12.1.10. Withdrawing from a course with a grade of W, F, or WF; or, 4.12.1.11. Relevant training. 4.12.2. Employees 4.12.2.1. Withholding a promotion or pay increase; 4.12.2.2. Reassigning employment, including, but not limited to demotion in rank; 4.12.2.3. Terminating employment; 4.12.2.4. Barring future employment from System or Component; 4.12.2.5. Temporary suspension without pay; 4.12.2.6. Compensation adjustments; 4.12.2.7. No-contact orders; 4.12.2.8. Relevant training; or, 4.12.2.9. Recommendation to revoke tenure.

### ***Institution-Initiated Protective Measures***

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a Institutional order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved.<sup>2</sup> Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Lamar Institute of Technology.

### **SEXUAL ASSAULT PREVENTION EDUCATION PROGRAMS**

The Title IX Office and Office for Student Success is primarily responsible for sexual assault education and awareness:

- Initial Training: LIT offers students and employees training. This includes primary prevention, risk reduction, and bystander intervention.
- On-going Sexual Assault Prevention Training: This is to raise awareness throughout the year.
- Training of all Title IX Coordinators, Advisors, Investigators, and Hearing Members.



### **PROHIBITION ON RETALIATION**

Lamar Institute of Technology does not condone retaliation either directly or indirectly by any member of our campus community and will deal swiftly with such violations of policy and federal laws that prohibit it.

### **MEGAN'S LAW**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where anyone may obtain law enforcement agency information provided by a State concerning registered sex offenders. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student. In Texas, convicted sex offenders must register with the Texas Department of Public Safety (TxDPS). You can find this information at <https://publicsite.dps.texas.gov/SexOffenderRegistry>.

### **DISCLOSURE OF DISCIPLINARY PROCEEDING OUTCOME TO VICTIMS (OR NEXT OF KIN) OF SEX CRIMES OR OF VIOLENCE**

LIT will provide the victim of a crime of violence, or a non-forcible sex offense, a statement of the results of any disciplinary proceeding conducted by LIT against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.



<sup>2</sup> Applicable law requires that, when taking such steps to separate the complainant and the accused, the University must minimize the burden on the complainant and thus

should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.



## CAMPUS SECURITY POLICIES, CRIME PREVENTION & SAFETY AWARENESS PROGRAMS

In addition to the many programs offered by LUPD and other LIT offices, the Institute has established a number of policies and procedures related to ensuring a reasonably safe campus community. This report summarizes many of these policies.

In an effort to promote safety awareness, LIT safety and security officials, as well as LUPD members maintain a strong working relationship with the community. This relationship includes offering a variety of safety and security programs and services and crime prevention programming. If you or your organization would like to request a specific program, please contact the LUPD Below are some of the programs and services available:

### NAME, TYPE AND FREQUENCY OF PROGRAMS

During the 2021-2022 academic year, LIT offered Active Shooter and TSUS Ethics training 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 prior academic year.

### PRIMARY PREVENTION AND AWARENESS PROGRAMS, FACULTY & STAFF

#### NEW-HIRE ORIENTATION

New Hire orientations are held at the same time of hire, and employees are given an overview of LIT's benefits which include the Employee Assistance Program. The EAP offers assistance on a range of issues including mental or substance abuse disorders, health and social issues. The Employee Handbook and Policies and Procedures are located online.

Information Prohibited in the Policy and Procedures are:

- Sexual Assault
- Domestic Violence
- Dating Violence
- Stalking

#### ONGOING PREVENTION AND AWARENESS CAMPAIGN, FACULTY & STAFF

Human Resources

Diversity, Equal Employment, and Discrimination;

- Online
- Required every two years, Teaching and Learning Center

Active Shooter Drill

- Annual

All crime prevention and security awareness programs encourage students and employees are encouraged 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 LUPD to report suspicious behavior. For additional questions regarding crime prevention, contact the department directly at (409) 880-8307.

As part of the department's community-oriented policing philosophy, LUPD offers crime prevention presentations each semester to classrooms, campus clubs and student groups as requested. Topics of these presentations include personal safety awareness, Rape Aggression Defense (R.A.D.) and property protection strategies.

Effective crime prevention is often a matter of common sense and being aware of one's surroundings. The following tips and information are available:

Organization and College sponsored programs on such topics as acquaintance rape, crime prevention, and alcohol and drug education. These programs are available by calling LUPD at 880-8305.





## WEAPONS POLICY

Any person who is a concealed handgun license holder is permitted to carry a concealed handgun anywhere on the Lamar Institute of Technology campus, including buildings, unless prohibited by state or federal law, or this policy.

1. Except as stated below, Lamar Institute of Technology permits its faculty, staff, students and visitors holding a valid concealed handgun license to carry concealed handguns on campus.
2. Lamar Institute of Technology students, faculty and staff who attend classes, clinics, internships, co-ops, seminars and other Institute programs/events at off-campus agencies or sites shall be subject to the laws, rules, regulations and policies addressing concealed handgun carry for those agencies or sites.
3. Lamar Institute of Technology students, faculty and staff who utilize services and programs at Lamar University shall be subject to the university's concealed handgun carry policy.
4. Designated No Handgun Areas
  1. Lamar Institute of Technology has designated No Handgun Areas as those locations that are already prohibited by law per Texas Penal Code, Section 46.03. This includes areas being utilized by Early College High Schools on the Institute's premises.
  2. A notice for 'No Handgun Areas' shall be displayed on campus. The notice must state:

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

3. The notice may be provided to individuals on a card, document or sign. If notice is provided through signage, the sign must:
  - Include the language italicized above in both English and Spanish,
  - Use contrasting colors, block letters at least 1 inch in height and,
  - Be displayed in a conspicuous manner clearly visible to the public.

## TEXAS CRIME VICTIM RIGHTS

Under the criminal justice system in Texas, a victim of domestic violence, dating violence, sexual assault or stalking has comprehensive state rights – Texas Crime Victims' Rights – Article 56.02 of the Code of Criminal Procedure described in detail at

<https://statutes.capitol.texas.gov/Docs/CR/htm/CR.56A.htm>

## STUDENT CONDUCT

### THE CODE OF CONDUCT FOR STUDENTS

The Student Code of Conduct applies to every student enrolled at Lamar Institute of Technology. The Code is adopted according to authority granted by the Board of Regents of The Texas State University System. The Code of Student Conduct is outlined in the Student Handbook. Each student is expected to be fully acquainted with these policies [https://www.lit.edu/student-success/catalog-and-handbook-\(2\)](https://www.lit.edu/student-success/catalog-and-handbook-(2)).

The Associate Dean of Student Services/Registrar is responsible for administering the Code of Conduct for Students, which articulates the behavioral standards and the equitable procedures employed by LIT to respond to allegations of student misconduct.

The Code of Conduct for Students is administered at all LIT campuses on campus property and may also address off campus student misconduct when a student's behavior affects a Substantial LIT Interest.

Students found responsible for violations may be subject to sanctions ranging from Disciplinary Warning, Disciplinary Probation, up to Suspension or Expulsion from LIT.

In most cases, the Associate Dean of Student Services/Registrar will also assign developmental and educational interventions designed to promote greater awareness and improve decision-making for students and to further future misconduct.

In instances where there is reasonable cause to believe a student is an immediate threat to the safety of himself/herself or other persons or property or is an immediate threat to disrupt essential campus operations, the Associate Dean of Student Services/Registrar may assign an Interim Suspension, and/or other actions, designed to protect the health and safety of the community and members therein. The Associate Dean of Student Services/Registrar is also responsible for conducting pre-admission, pre-enrollment, and re-enrollment reviews for prospective students with known behavioral problems.

Any individual or entity may submit reports alleging student misconduct to the Associate Dean of Student Services/Registrar or designee at the campus where the incident occurred.



The Associate Dean of Student Services/Registrar also provides outreach programming designed to inform and educate students and to promote LIT principles. Please visit the Student Conduct homepage at <https://www.lit.edu/information/policies-and-procedures>.

#### ADDITIONAL INFORMATION REGARDING THE STUDENT CODE OF CONDUCT

LIT is obligated to provide all students with LIT regulations, policies, and procedures governing student conduct. LIT publishes policies and procedures, including the Code of Conduct for Students and the Off-Campus Misconduct Policy on the Student Conduct website [https://www.lit.edu/student-success/catalog-and-handbook-\(2\)](https://www.lit.edu/student-success/catalog-and-handbook-(2)).

If you have additional questions, special needs, or wish to request a hard copy of this information, please contact the Associate Dean of Student Services/Registrar at LIT.

This publication, as well as LIT regulations and policies and procedures governing student conduct, is available on the <https://www.lit.edu/pdf/5443/lamar-institute-of-technology-policies-and-procedures-manual>.

#### PARENTAL NOTIFICATION POLICY

LIT reserves the right to report student discipline information to the parents or legal guardians of students for liquor or drug law violations whether the students are of majority age.

Federal legislation authorizes LIT to disclose disciplinary records concerning violations of the Institute's rules and regulations governing the use or possession of alcohol or controlled substances that involve students who are under the age of 21 regardless of whether the student is a dependent.

LIT may also report non-alcohol or drug related incidents to parents or legal guardians of dependent students under circumstances described in the Student Guide to General Lamar Institute of Technology Policy and Rules. See the following website for LIT Code of Conduct and additional information concerning Parental Notification [https://www.lit.edu/student-success/catalog-and-handbook-\(2\)](https://www.lit.edu/student-success/catalog-and-handbook-(2)).

#### DAILY CRIME LOG

In addition to this annual report concerning campus security and crime statistics, the Lamar University Police Department also publishes a Daily Crime Log. Names or other personally identifiable information regarding victims or complainants are not published in the Daily Crime Log or in the annual crime statistics which are disclosed in compliance with the Clery Act. The crime log is accessible online at <https://crimeinformation.lupd.org/> or in person at the LUPD front lobby during normal business hours from 8am to 5pm Monday through Friday, excluding holidays.







## LIT POLICIES GOVERNING ALCOHOL AND OTHER DRUGS

### LIT ALCOHOL AND DRUG POLICY

The alcohol and drug policy is policy 2.6 at the following link: <https://www.lit.edu/pdf/5443/lamar-institute-of-technology-policies-and-procedures-manual>.

LIT prohibits the unlawful possession, use, manufacture or distribution of alcohol or controlled substances by students, faculty, staff, and guests in buildings, facilities, grounds or property controlled by LIT or used as part of LIT activities. In addition, the smoking of any material is prohibited in all facilities of LIT at all locations. The Lamar University Police Department is responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws.

### Drug Free Schools and Communities Act

In compliance with the Drug Free Schools and Communities Act, Lamar Institute of Technology publishes information regarding the Institute's prevention programs related to drug and alcohol abuse prevention which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and LIT policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for LIT students and employees. A complete description of these topics, as provided in the Institute's annual notification to students and employees, is available online at: <https://www.lit.edu/about/lit-policy-and-procedure-manual-2020-11-23>.

## POLICIES SPECIFIC TO STUDENTS

Any student who violates this policy is subject to disciplinary action including sanctions as outlined in the Student Code of Conduct in addition to any penalties resulting from violating local, state, and or federal law. Disciplinary sanctions may include Disciplinary Warning, Disciplinary Probation, up to Suspension or Expulsion from LIT. In most cases, the Associate Dean of Student Services/Registrar will also assign developmental and educational interventions designed to promote greater awareness and improved decision-making for students and to further deter future misconduct.

### TEXAS ALCOHOL LAWS

This information is available in policy 2.6 at <https://www.lit.edu/pdf/5443/lamar-institute-of-technology-policies-and-procedures-manual>.

### UNDERAGE DRINKING

It is illegal for anyone under 21 years of age to attempt to purchase, purchase, consume, possess, or knowingly and intentionally transport any liquor, malt or brewed beverage. It is also illegal to lie about age to obtain alcohol and to carry a false identification card.

PENALTY	1ST OFFENSE	2ND OFFENSE	SUBSEQUENT OFFENSE
Fine	0-\$500	0-\$500	\$250-\$2000
Jail	-	-	up to 180 days
Community Serv. License suspension	8-12 hours 30 days	20-40 hours 60 days	- 180 days

LIT has a zero-tolerance policy for students consuming beverage alcohol under the age of twenty-one. Not only is this against the State law, it also violates the student code of conduct.

## ILLEGAL SUBSTANCES (DRUGS)

It is a violation of state law and LIT policy to illegally possess, use, distribute, manufacture, sell or be under the influence of other drugs. Students who violate this policy will be referred to the Associate Dean of Student Services/Registrar or LUPD.



## POLICIES SPECIFIC TO FACULTY AND STAFF

As a condition of LIT employment, every employee shall abide by the terms of this policy. Any employee who violates this policy is subject to Institute sanctions, including dismissal, as well as criminal sanctions provided by federal, state or local law. An employee may be required to participate in a drug abuse or drug rehabilitation program. An employee must notify his or her supervisor of any criminal drug conviction for a violation occurring in the LIT workplace no later than five (5) days after such conviction. Please consult Sec. 12 Policy 4, A Drug-Free Awareness Program <https://www.lit.edu/pdf/5460/lamar-institute-of-technology-safety-manual>



## ANNUAL DISCLOSURE OF CRIME

The Clery Act requires colleges and universities across the United States to disclose information about crime on and around their campuses. LUPD maintains a close relationship with all local law enforcement departments where LIT owns or control property attempting to ensure the Institute's awareness of crimes reported directly to these departments that involve LIT.

LUPD collects the crime statistics disclosed in the charts through a number of methods. LUPD dispatchers and officers enter all reports of crime incidents made directly to the department through an electronic records management system. LUPD administrators review reports to ensure appropriate classification. In addition to the crimes reported directly LUPD, the statistics that follow also include crimes that are reported to various CSAs, as defined in this report. The statistics for liquor laws, drug laws and weapons offenses represent the number of people arrested and/or referred to campus conduct authorities for respective violations, not the number of offenses documented.

## CLERY ACT DEFINITIONS USED IN CLASSIFICATION OF CRIME STATISTICS

### PRIMARY CRIMES

- Criminal Homicide
  - Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.
  - Manslaughter by Negligence: The killing of another person through gross negligence.
- Sexual Assault or Sex Offenses
  - Rape: The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
  - Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.
- Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use

of a weapon or by means likely to produce death or great bodily harm.

- Burglary: The unlawful entry of a structure to commit a felony or a theft.
- Motor Vehicle Theft: Theft or attempted theft of a motor vehicle.
- Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### VIOLENCE AGAINST WOMEN ACT (VAWA) CRIMES

- Domestic Violence: A felony or misdemeanor crime of violence committed —
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - 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; 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.
- 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.
- Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

### ARRESTS AND DISCIPLINARY REFERRALS

- Weapons: Carrying, possessing, etc. is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
- Drug Abuse Violations: The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrest for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
- Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.



## HATE CRIME (ANY OF THE ABOVE OFFENSES AND THOSE BELOW)

A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

- Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness and is counted only in relation to a reported hate crime.
- 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 and is counted only in relation to a reported hate crime.
- 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.
- Categories of bias are:
  - Race,
  - Gender,
  - Gender Identity,
  - Religion,
  - Sexual Orientation,
  - Ethnicity,

- National Origin, and
- Disability.

## DEFINITIONS OF GEOGRAPHIES (LOCATIONS)

- On-Campus Buildings or Property;
  - Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and
  - Any building or property that is within or reasonably contiguous to the area identified in the above paragraph, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or other retail vendor).
- Non-Campus Buildings or Property:
  - Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
  - Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

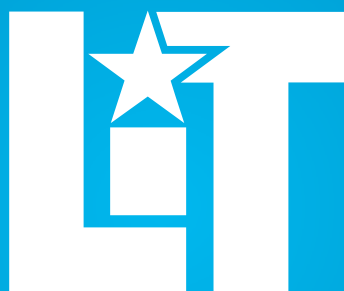
LIT crime statistics do not include crimes that occur in privately owned homes or businesses. To see a LIT campus map, please visit: <https://www.lit.edu/information/map>,

LAMAR INSTITUTE OF TECHNOLOGY  
CLERY ACT CRIME DATA

LAMAR INSTITUTE OF TECHNOLOGY REPORTED CRIMES					
Primary Crimes	Year	On Campus	Noncampus Building or Property	Public Property	Unfounded
<b>CRIMINAL HOMICIDE</b>					
Murder and Nonnegligent Manslaughter	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Manslaughter by Negligence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>SEX OFFENSES</b>					
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
<b>ROBBERY</b>					
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
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

VAWA OFFENSES							
Dating Violence	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Domestic Violence	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Stalking	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
ARRESTS & DISCIPLINARY REFERRALS		Arrest			Referred for Disciplinary Action		
		On Campus	Noncampus Building or Property	Public Property	On Campus	Noncampus Building or Property	Public Property
Liquor Law Violations	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Drug Law Violations	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Weapons Law Violations	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Notes							
2019 - LIT had no reported hate crimes. 2020 - LIT had no reported hate crimes. 2021- LIT had no reported hate crimes.							
2019 –LIT had no unfounded crimes. 2020– LIT had no unfounded crimes. 2021– LIT had no unfounded crimes.							





LAMAR INSTITUTE  
OF TECHNOLOGY