



# 2016-2017 Annual Security Report & Annual Fire Safety Report



TEXAS TECH UNIVERSITY®





The 2016-2017 Annual Security Report begins on page 4  
The 2016-2017 Annual Fire Safety Report begins on page Y





2016-2017  
ANNUAL SECURITY REPORT



TEXAS TECH UNIVERSITY

Annual Security Report

LETTER FROM THE PRESIDENT & THE CHIEF OF POLICE..... 6

INTRODUCTION..... 7

EMERGENCY CONTACTS & ..... 9

COMMUNITY RESOURCES ..... 9

LAW ENFORCEMENT..... 10

CAMPUS FACILITIES ..... 12

(ACCESS & SECURITY) ..... 12

CRIME PREVENTION ..... 13

AWARENESS PROGRAMS ..... 13

CAMPUS RESOURCES..... 14

CAMPUS RESOURCES..... 15

Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking Awareness and Prevention..... 16

APPLICABLE REPORTING LOCATIONS ..... 17

APPLICABLE CRIMES AND OFFENSES ..... 18

ALCOHOL AND ILLICIT DRUGS..... 19

TITLE IX AND SEXUAL MISCONDUCT..... 20

SEXUAL ASSAULT, RELATIONSHIP VIOLENCE, AND HATE CRIMES..... 21

REPORTING CRIMES ..... 22

REPORTING CRIMES: MANDATORY REPORTING, CAMPUS SECURITY AUTHORITIES AND RESPONSIBLE EMPLOYEES ..... 23

REPORTING CRIMES: MANDATORY REPORTING, CAMPUS ..... 24

SECURITY AUTHORITIES AND RESPONSIBLE EMPLOYEES..... 24

NOTICE TO THE UNIVERSITY COMMUNITY ..... 25

NOTICE TO THE UNIVERSITY COMMUNITY: TIMELY WARNINGS..... 26

NOTICE TO THE UNIVERSITY COMMUNITY: ..... 27

EMERGENCY NOTIFICATION & TIMELY WARNING ..... 27

MISSING STUDENTS: THE 24 HOUR RULE ..... 28

MISSING STUDENTS: MISSING STUDENT ACTION PLAN..... 29

RESPONDING TO AN ACTIVE SHOOTER SITUATION ..... 30

AFTER A CRIME HAS BEEN COMMITTED ..... 31

AFTER A CRIME HAS BEEN COMMITTED (CONT.) ..... 32

CAMPUS VICTIM RESOURCES..... 33

REGISTERED SEX OFFENDERS ..... 34

REGISTERED SEX OFFENDERS (CONT.) ..... 35

COMPREHENSIVE POLICIES, ..... 36

PROCEDURES, AND RELEVANT STATUES..... 36

2016-2017 Texas Tech University Campus Crime Statistics..... 37

Appendix A..... 44

Appendix B ..... 46

Appendix C ..... 48

Appendix D..... 50

Appendix E..... 100

Appendix F..... 105

Appendix G..... 107

## LETTER FROM THE PRESIDENT & THE CHIEF OF POLICE

Fellow Red Raiders-

Here at Texas Tech, we are dedicated to maintaining a safe, secure community in order for students and faculty to prosper. In addition to this report, Texas Tech has taken on numerous initiatives to ensure such an environment for students and faculty. We highly encourage all students and faculty members to familiarize themselves with Texas Tech's resources for campus security, reporting crimes and other emergencies. It is imperative that all students, faculty and staff use the resources and follow Texas Tech's initiatives to ensure the safety and success of all. Moreover, we encourage all students and faculty to further review the strategies and actions in place at Texas Tech to support a safe and secure campus, as this is our greatest concern. Campus safety and security is only truly achieved with participation from the entire campus. We appreciate your attention to this crucial matter.

Sincerely,



Lawrence Schovanec  
President, Texas Tech University



Kyle Bonath  
Chief, TTUPD



## INTRODUCTION

Texas Tech University is a public, coeducational research university located in the City of Lubbock, Texas. The University, established in 1923, is the leading institution of the Texas Tech University System. Texas Tech University campus hosts the fifth largest student body in the State of Texas and is the only one in Texas, and one of a few in the world, to house a university, law school, and a medical school at the same location. It is also one of the largest land mass university campuses at 1,839 acres.

All members of our community are encouraged to act responsibly, work collaboratively, and whenever possible assist each other to promptly, accurately, and effectively report all unsafe incidents and criminal offenses to one or more campus security authorities or responsible employees.

With that goal in mind, this Annual Security Report is intended to familiarize everyone with important crime statistics, campus policies, procedures, and resources necessary to make informed decisions and seek help when an incident occurs.





JEANNE CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is a consumer protection law passed in 1990. The law requires all colleges and universities that receive federal funding to share information about certain crimes which occur on and around campus, as well as institutional efforts to improve campus safety. This information is made publicly accessible through the university's Annual Security Report (ASR).

Colleges and universities must outline specific policies and procedures within their ASR, including those related to disseminating timely warnings and emergency notifications about certain crimes, options for survivors of sexual assault, domestic violence, dating violence, and stalking, and provide information about campus crime reporting processes.

Texas Tech University's ASR is distributed electronically through the Tech Announce emails system, published online at <http://www.depts.ttu.edu/ttpd/clery.php>, and is made available in print to all currently enrolled and prospective students and campus employees. Additionally, the Parent & Family Relations department announces the publication of the ASR in a newsletter sent to the parents of students. An advertisement regarding publication information will run periodically in The Daily Toreador and will be posted in common areas in campus buildings that are frequented by faculty, staff, students, and visitors.

Copies of the ASR may be obtained in person from the Office of Student Conduct, Dean of Students, University Student Housing, or the Texas Tech Police Department during normal business hours, 8:00 A.M.-5:00 P.M., Monday through Friday.

Additionally, the ASR can be found on-line at the Texas Tech Police Department's website under the link "Campus Crime Report": <http://www.depts.ttu.edu/ttpd/clery.php>

EMERGENCY CONTACT TABLE	
Emergency Contact Numbers	
Emergency Medical Services	911 Campus Phone/Cell Phone
Emergency Room- UMC	(806) 775-8450
Covenant	(806) 725-4288
Fire	911 Campus Phone/Cell Phone
Poison Control Center	1(800) 222-1222
Police (Emergency Only)	911 Campus Phone/Cell Phone
Campus Resources	
Texas Tech Police Department (Administrative)	(806) 742-3931
Texas Tech University Dean of Students	(806) 742-2984
Texas Tech University Fire Marshal	(806) 742-0145
Texas Tech University Title-IX Administrator	(806) 834-1949
Texas Tech Student Rights and Resolution Center	(806) 742-7233
Texas Tech University Student Counseling Center	(806) 742-3674
Texas Tech University Student Health Services	(806) 742-2860
Texas Tech University Student Housing	(806) 742-2661
Texas Tech University Office of Student Conduct	(806) 742-1714
Texas Tech Crisis HelpLine	(806) 742-5555
Texas Tech Risk Intervention & Safety Education	(806) 742-2110
Community Resources	
EMS of Lubbock	(806) 741-8725
Lubbock Police Department	(806) 775-2865
Lubbock Fire Department	(806) 775-2632
Texas Department of Public Safety	(806) 472-2700
Lubbock County Sheriff's Office	(806) 775-1400
Lubbock Rape Crisis Center (Voice of Hope)	(806) 763-3232
Lubbock Suicide Prevention	(806) 765-8393 or 1(800) 784-2433
Women's Protective Services	(806) 747-6491
National Resources	
Office of Civil rights	1(800) 262-2463
Clery Center for Security on Campus	1(484) 580-8754
National Drug Hotline	1(800) 262-2463 / 1(800) COCAINE
National Drug Abuse Hotline	1(800) 241-9746
National Clearinghouse Alcohol & Drug Abuse	1(800) 655-2255 / 1(800) SAYNOTO
National Council on Alcohol & Drug Abuse	1(800) 622-2255 / 1(800) NCACALL
National Sexual Assault Hotline	1-800-656-4673
National Domestic Violence Hotline	1-800-799-7233
Love Is Respect	1-866-331-9476



## LAW ENFORCEMENT

### Texas Tech Police Department

The Texas Tech Police Department is the primary agency responsible for investigating criminal activity occurring on the Texas Tech University campus. Officers patrol the campus 24 hours each day, 365 days a year. The police department provides immediate response to all police, fire, and medical emergencies, as well as general police services such as accident investigation and crime prevention.

The Texas Tech Police Department is a model police organization. In partnership with our community, it operates in a participative, team-based environment and delivers quality community-oriented services in a proactive and efficient manner.

Texas Tech Police Officers are duly sworn and licensed Peace Officers of the State of Texas. They are commissioned by the Texas Tech University System Board of Regents pursuant to the Texas Education Code, Section 51.203. Their primary duty and jurisdiction is to serve the Texas Tech community.

### Texas Tech Chief of Police

The police department is currently led under the direction of Chief Kyle K. Bonath. Chief Bonath earned an MBA and a BBA in accounting from Texas Tech University. During his 25 years as a Special Agent in the FBI, Mr. Bonath held a wide range of operational and leadership positions. He managed all FBI investigations in the Eastern District of Oklahoma, he served as a manager at FBI headquarters in the Financial Crimes Section and in the Audit Unit of the Inspections Division. He also served as a Special Agent in Beaumont, Midland, and Lubbock, Texas. After his retirement from the FBI in February of 2015, he was employed with CenturyLink Corporate Security responsible for the oversight of critical infrastructure until accepting the Texas Tech Police Chief position in September of 2015.



### Local Law Enforcement

Texas Tech Police maintain professional working relationships with local law enforcement agencies through active interaction and memorandums of understanding to help ensure timely, coordinated, efficient, and effective response to all crimes and emergencies occurring on campus.

The law enforcement agencies Texas Tech Police work with include but are not limited to: the Lubbock Police Department, Lubbock County Sheriff's Office, the Criminal District Attorney's Office, Texas Department of Public Safety, Texas Alcoholic Beverage Commission, FBI, ATF, and the U.S. Marshals Service. Additionally, the Texas Tech Police Department maintains close working relations with University Medical Center Security, the Voice of Hope (formerly Lubbock Rape Crisis Center), the Lubbock County Youth Center, Women's Protective Services, and Children's Protective Services.

## TEXAS TECH FIRE MARSHAL'S OFFICE

The Fire Marshal's office administers a proactive Fire/Life Safety program. The program is designed to ensure all faculty, staff, students, and visitors are provided with at least the minimum required level of protection in each campus facility.

The Texas Tech Fire Marshal's office coordinates with local fire departments for emergency responses and routine inspection of alarm and sprinkler systems for campus facilities. They also assist first responders including all law enforcement, fire, and EMS personnel during emergencies by providing up-to-date information about campus facilities, assisting with the evacuations, and providing investigative assistance if a fire is determined to be caused by arson.

Most campus buildings, including residential apartments, are fully protected by fire sprinklers and smoke alarm systems. Student residents receive fire/life safety handouts at move-in and are required to participate in annual fire safety drills. The Fire Marshal's office also aids in the development of Emergency Action Plans for campus buildings and conducts educational programs to help ensure emergency preparedness for students, staff, and faculty.

The Fire Marshal's office also aids in the development of Emergency Action Plans for campus buildings and conducts educational programs to help ensure emergency preparedness for students, staff, and faculty.

### Texas Tech by the Numbers

- » 55 Commissioned Police Officers
- » 16 Guards
- » 13 Communication Operators
- » 4 Fire Marshals



Walter James CFPSCFI is the director of Texas Tech University Fire Marshal's Office. Mr. James has been employed with the Texas Tech University Fire Marshal's Office since 1999. He has been active in the fire service since 1983. Mr. James holds certifications as a *Certified Fire Protection Specialist*, *Advanced Fire Inspector*, *Advanced Fire Investigator*, *Advanced Firefighter*, *Field Examiner*, and *Level 3 Fire Service Instructor*. He is a past President of the *West Texas Fire Arson Investigators Association* and currently serves on the board of directors.



## CAMPUS FACILITIES (ACCESS & SECURITY)

### General Overview

Generally, University facilities are open to the public during the day and during some evening hours when classes are in session. During the times the University is officially closed, buildings are generally locked, and only faculty, staff, and students with prior authorization are permitted access.

The non-public areas of residence halls are secured 24-hours a day. Only students with proper keycard credentials or guests to whom a resident grants access, and escorts for the duration of their visit, are allowed in the secure areas of the building.

The campus “access control” system provides electronic access to all residence halls as well as selected campus buildings and labs. This system is monitored by the Texas Tech Police Department, and alarms are promptly dispatched to patrol officers or University Student Housing staff. The system is frequently tested and updated to ensure proper function. Select campus academic buildings and all nonapartment style residence halls are equipped with keycard access and door alarms. In addition, many offices, labs, computer rooms, and other secure areas have alarm systems.



### Residence Hall Security

University Student Housing provides several programs and services to maximize safety measures used in the residence halls. However, it is the responsibility of each member of the community and their guests to actively participate and observe safety protocols. This can be accomplished by being aware of your surroundings, reporting mischief or suspicious behavior, preventing the propping of doors, and not allowing uninvited students to follow when entering the access card doors.

Please contact University Student Housing for more information on student housing safety programs and services. (806) 742-2611.

## CRIME PREVENTION AWARENESS PROGRAMS

### Campus Resource Overview

The Texas Tech community is educated about incidents of crime and the importance of reporting those crimes, especially when those crimes are defined as violent. The prevention of crime is always a priority for the institution.

From freshmen orientation to commencement, students are afforded the opportunity to learn from an array of programs designed to create a safer campus environment.

The Texas Tech Police Department supports a proactive crime prevention effort. Both sworn and civilian employees of the Department, as well as employees of Student Affairs, Risk Intervention & Safety Education (RISE), Office of Student Conduct, University Student Housing, and the Dean of Students, work with members of the campus community in an effort to promote safety education.

Crime prevention and awareness programs usually begin with new student or new employee orientation sessions and are available throughout the student or employee's tenure with the University. Topics covered by the programs include, but are not limited to: sexual misconduct awareness and prevention, bystander intervention, active shooter awareness and response, alcohol and substance abuse awareness, the Student Code of Conduct, academic dishonesty, civility, and hate crime awareness.





## CAMPUS RESOURCES

### Counseling and Mental Health Services:

Student Counseling Center- (806) 742-3674

Student Health Services- (806) 742-2860

Employee Assistance Program- (806) 742-0328

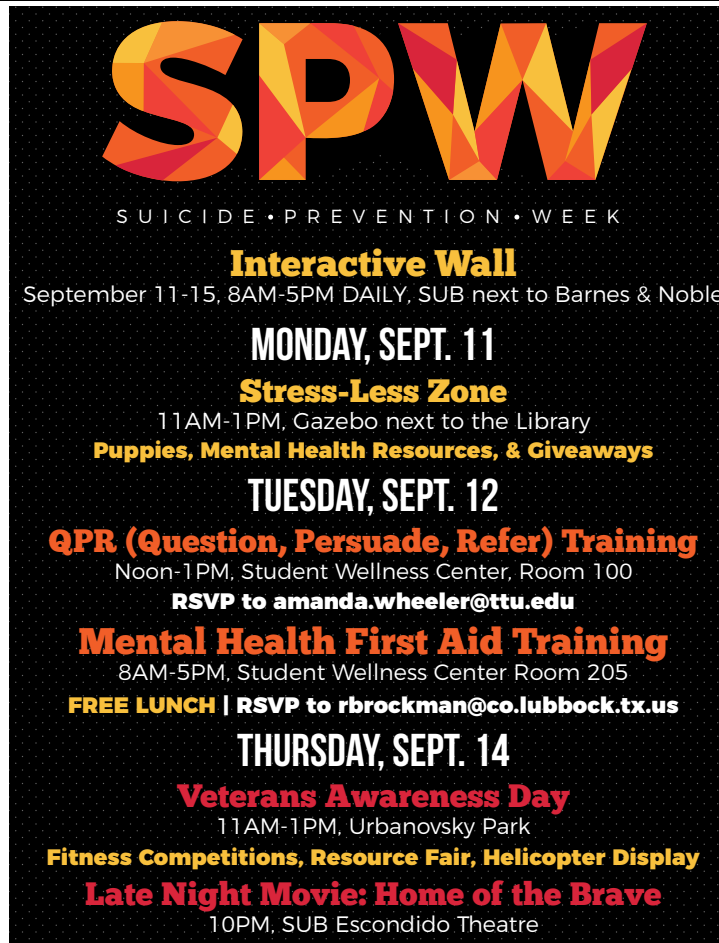
### Raider Assistance Program (RAP):

Rapisa comprehensive Alcohol, Tobacco, and Other Drugs (ATOD) prevention, intervention, and education program. A centralized assistance center, providing education, assessment, and intervention and treatment referral is available to Texas Tech University students at Student Health Services in the Student Wellness Center.

For more information about RAP call (806) 743-2844. Faculty and staff requiring assistance may contact the Employee Assistance Program at (806) 742-1327.

**Think About IT©:** Think about IT© is an online, research-based, interactive course designed to educate you about alcohol, drugs, healthy relationships, sex, and violence prevention, as well as provide you with valuable resources during your time here at Texas Tech. Think About IT© is required for all first year and transfer students.

To learn more about the program, please visit: <http://www.depts.ttu.edu/rise/thinkaboutit/TAIFAQS.php>



**SPW**  
SUICIDE • PREVENTION • WEEK

**Interactive Wall**  
September 11-15, 8AM-5PM DAILY, SUB next to Barnes & Noble

**MONDAY, SEPT. 11**  
**Stress-Less Zone**  
11AM-1PM, Gazebo next to the Library  
**Puppies, Mental Health Resources, & Giveaways**

**TUESDAY, SEPT. 12**  
**QPR (Question, Persuade, Refer) Training**  
Noon-1PM, Student Wellness Center, Room 100  
RSVP to [amanda.wheeler@ttu.edu](mailto:amanda.wheeler@ttu.edu)

**Mental Health First Aid Training**  
8AM-5PM, Student Wellness Center Room 205  
**FREE LUNCH | RSVP to [rbrockman@co.lubbock.tx.us](mailto:rbrockman@co.lubbock.tx.us)**

**THURSDAY, SEPT. 14**  
**Veterans Awareness Day**  
11AM-1PM, Urbanovsky Park  
**Fitness Competitions, Resource Fair, Helicopter Display**  
**Late Night Movie: Home of the Brave**  
10PM, SUB Escondido Theatre

**Behavioral Intervention Team (BIT):** Consisting of members of the university staff, this team is a central place for the Texas Tech University Community to report student behaviors of concern for early intervention, risk assessment, and referrals to help promote student success while paying special attention to the safety and security needs of members of the University community.

### Active Shooter Presentation



### Residence Hall Program:

University Student Housing, in conjunction with other departments on campus, offers hundreds of programs in the residence hall each year. Program topics include issues such as safety on campus, alcohol and drug abuse, healthy relationships, violence in relationships, and personal life management skills. For more information about available programs, call (806) 742-2661

### Risk Intervention & Safety Education (RISE):

RISE is a campus department focused on prevention and wellness education and programming for Texas Tech including alcohol & other drugs, bystander intervention, gender & sexuality, peer education, safety, violence prevention & response and wellness.

For more information about RISE, call (806) 742-2110 or visit: <http://www.rise.ttu.edu>

## CAMPUS RESOURCES

### Active Shooter Awareness and Response:

The Texas Tech Police Department offers classroom and online active shooter training.

For more information call (806) 742-3931

visit: [www.depts.ttu.edu/ttspd/active\\_shooter.php](http://www.depts.ttu.edu/ttspd/active_shooter.php)

### Code of Student Conduct & Disciplinary Referrals:

Violations of the Code of Student Conduct may be reported to the Office of Student Conduct  
Phone: (806) 742-1714



**RAIDERS RESPOND**  
BYSTANDER INTERVENTION

**August 23**  
12:00pm-1:30pm  
Library Room 309

**RAIDER ROYALE CARNIVAL CASINO NIGHT**

**August 24**  
8:00pm-12:00am  
United Supermarkets Arena

**August 30**  
7:00pm-8:30pm  
SUB Escondido Theatre

**BEAT THE BLAME GAME**

**LGBTQIA welcome BRUNCH**

**September 1**  
8:00am-10:00am  
Student Wellness Center, Room 205

**Sept. 7, Oct. 10, Nov. 2**  
11:00am-1:00pm  
SUB Llano Room

**FREE STI TESTING**

**SPW**  
SUICIDE • PREVENTION • WEEK

**September 11-15**  
Please visit [rise.ttu.edu](http://rise.ttu.edu) for more information

**October 23-27**  
Please visit [rise.ttu.edu](http://rise.ttu.edu) for more information

**NATIONAL COLLEGIATE ALCOHOL AWARENESS WEEK**

**TITLE IX SERIES**

**Multiple Dates**  
Please visit [rise.ttu.edu](http://rise.ttu.edu) for more information

**FALL EVENTS 2017**

**RISE**



# Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking Awareness and Prevention

Texas Tech University provides primary and ongoing prevention and awareness campaigns for students and employees promoting recognition of behaviors involved in domestic violence, sexual assault, and stalking. The following are examples of the programs, strategies, and initiatives utilized:

**Think About IT®**  
Think About IT® is an online, research-based, interactive course designed to educate you about alcohol, drugs, healthy relationships, sex, and violence prevention, as well as provide you with valuable resources during your time here at Texas Tech. Think About IT is required for all first year and transfer students.

To learn more about the program, please visit <http://www.depts.ttu.edu/rise/thinkaboutit/TAIFAQS.php>

**Bystander Intervention**  
Texas Tech University partners with Step UP!, a comprehensive bystander intervention program that trains faculty, staff and students on campus to facilitate sessions to teach strategies for effectively helping in situations that include sexual violence. It also includes risk reduction education and is proven with fraternities and sororities, athletes, as well as the general student population.

**Risk Intervention & Safety Education**  
RISE is a Texas Tech department that focuses on prevention and wellness efforts for the Texas Tech community. RISE offers prevention education and services for the areas of: alcohol & other drugs, gender & sexuality, peer education, safety, violence prevention and response, and wellness. For more information about RISE call (806) 742-2110 or visit: <http://www.rise.ttu.edu>

**Faculty & Staff Training**  
All employees complete Title IX training every two years, and additional opportunities are provided. The Title IX Series is presented by a variety of campus departments focusing on campus policies, best practices, reporting procedures, and available resources. Raiders Against Violence is an in-depth seminar focusing on handling student disclosures and being a proactive prevention partner on campus.

**Student Rights and Resolution Office**  
An office dedicated to reporting and resolution of Title IX-related incidents and other discriminatory harassment including sexual assaults, dating violence, domestic violence and stalking. To learn more about the program, visit [www.titleix.ttu.edu](http://www.titleix.ttu.edu)

**Population-Specific Programs**  
A variety of programs are used to promote awareness of sexual violence to specific populations such as the Clay R. Warren Risk Management Retreat featuring training for fraternity and sorority chapter officers on bystander intervention and risk reduction; the Sex Signals Improv. Show on consent and healthy relationships for new students living in residence halls; and other general population programs including Sexual Assault Awareness Month, V-Day, and the Student Counseling Center Rape Talk Show.

**Ongoing Campaigns**  
A Texas Tech student-led initiative, Define Your Line, launched in spring 2014 aimed at creating conversations and answering student questions related to sexual health and obtaining consent. University Student Housing designed a campaign to educate students on consent featuring 10 different messages on posters and wall displays. The campaign is used in Texas Tech residence halls and around campus.



AWARENESS  
&  
PREVENTION

# APPLICABLE REPORTING LOCATIONS

In this report crimes are reported according to their geographic location. The terminology used is consistent with the requirements of the Clery Act and are uniform across all institutions regardless of size or configuration. The geographic locations are defined as follows:

## On Campus

Any building or property owned or controlled by the university within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to its educational purposes, including residence halls, and any building or property that is within or reasonably contiguous that is owned by the university but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food court or retail vendor located on campus property).

## Public Property

Includes thoroughfares, streets, sidewalks, and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus, but not extending beyond the second sidewalk on the opposing side of the public property. For instance, a city street bordering campus property and the area extending to the sidewalk on the opposite side of the street are included. Any property beyond the opposing sidewalk is not applicable.



## On Campus Student Housing

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

## Non-Campus Building 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. (Examples of non-campus buildings or property include private fraternity and sorority houses located on Greek Circle and leased spaces located in properties owned by private entities including corporate offices and campus recruitment centers.) Texas Tech Police Department works with local police forces to ensure that criminal activity at these types of locations are accurately monitored and recorded.



## APPLICABLE CRIMES AND OFFENSES

### Criminal Offenses

1. Murder and Non-negligent Manslaughter
2. Negligent Manslaughter
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft

### Sexual Misconduct & Relationship Violence

1. Rape
2. Fondling
3. Incest
4. Statutory Rape
5. Domestic Violence
6. Dating Violence
7. Stalking

1. Larceny-Theft
2. Simple Assault
3. Intimidation
4. Destruction/Damage/Vandalism of property  
\*(Only when the commission of the offense was motivated by bias.)



### Certain Arrests and Referrals for Disciplinary Action

1. Weapon Violations:
  - Manufacture, sale or unlawful possession of deadly weapons;
  - Unlawfully carrying deadly weapons, concealed or openly;
  - Unlawful use, manufacture, etc., of silencers;
  - Furnishing deadly weapon to minors; and, attempt to commit any of the above.
2. Drug Violations:
  - Production, distribution, possession, or use of controlled substances;
  - Production, distribution, possession, or use of equipment or devices utilized in preparation or use of controlled substances;
  - Unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled substance or narcotic substance; and,
  - Illegally obtained prescription drugs.
3. Liquor Law Violations:
  - Manufacture, sale, transporting, furnishing, or possession of intoxicating liquor;
  - Maintaining unlawful drinking places;
  - Bootlegging;
  - Operating a still;
  - Furnishing liquor to a minor or intemperate person;
  - Underage possession of liquor;
  - Using a vehicle for illegal transportation of liquor;
  - Drinking on a trail or public conveyance; and,
  - Attempts to commit any of the above.

By Clery Act definition, "drunkenness" and "driving under the influence" are not applicable violations and are not included in this report. (i.e. Public Intoxication and Driving While Intoxicated)

## ALCOHOL AND ILLICIT DRUGS

Pursuant to Texas Tech Operation Policy 10.04 (Appendix A), all Texas Tech campuses have been designated "drug free." The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Campus affiliated violators are subject to university disciplinary action, criminal prosecution, fines, and incarceration.

Texas Tech students and employees with substance abuse problems (including alcohol) create a health and safety risk for themselves and for others. Such abuses can result in a wide range of serious emotional and behavioral problems. For this reason, the university makes available to students and employees a wide variety of alcohol and substance abuse programs such as Marijuana 101, eCheckup, and BASICS/RAP. These programs are designed to discourage the use of illicit substances and to educate employees and students about the merits of legal and responsible alcohol consumption.

For further information on these programs, please contact RISE by calling (806) 742-2110 or visiting room 204 in the Student Wellness Center.

### Texas Drinking Laws

It is unlawful to possess or consume alcohol when under 21-years of age. It is also unlawful to sell, furnish or provide alcohol to a person under the age of 21. In addition to state law, Texas Tech policies prohibit the possession and consumption of alcohol in all public and private areas of campus without prior university approval. This includes person 21 and older. Individuals, organizations, or groups violating alcohol or substance policies or laws may be subject to sanctions by the university or may be ticketed or arrested by the Texas Tech Police Department.

The State of Texas sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the Texas Alcoholic Beverage Commission (TABC).

The possession, sale or furnishing of alcohol on campus property is governed by university alcohol policies and by state law.

Laws regarding the possession, sale, consumption, or furnishing of alcohol are codified in the Texas Alcoholic Beverage Code.

Minors who purchase, attempt to purchase, possess, or consume alcoholic beverages, as well as minors who are intoxicated in public, misrepresent their age to obtain alcoholic beverages face the following consequences:

- Class C misdemeanor, punishable by a fine up to \$500
- Alcohol awareness class
- 8 to 40 hours community service
- 30 to 180 days loss or denial of driver's license

Adults and minors who give alcohol to a minor also face a stiff penalty. The punishment for making alcoholic beverages available or selling to a minor is a Class A misdemeanor, punishable by a fine up to \$4,000, confinement in jail for up to a year, or both. Additionally, the violator will have his or her driver's license automatically suspended for 180 days upon conviction.

A minor with previous alcohol-related convictions will have his or her driver's license suspended for one year if the minor does not attend alcohol awareness training that has been required by the judge.





## TITLE IX AND SEXUAL MISCONDUCT

Certain Clery specific crimes are also considered to be Title IX violations and will be handled by the university as mandated under both statutory requirements.

### What is Title IX?

Under the United States Code of Federal Regulations, Title IX states that, "No person in the United States shall, on behalf of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance." 20 USC § 1681. Texas Tech is committed to providing its students, faculty, and staff with an education and workplace environment free from any form of unlawful discrimination. The Texas Tech community is dedicated to fostering and supporting a culture of mutual respect and communication.

### Prohibited Conduct

Texas Tech University does not tolerate discrimination or harassment of students based on or related to sex, race, national origin, religion, age, disability, protected veteran status, or other protected categories, classes, or characteristics. While sexual orientation and gender identity are not protected categories under state or federal law, it is Texas Tech University policy not to discriminate for these reasons. Actions related to admission, discipline, housing, extracurricular and academic opportunities shall not be made based on a student's protected status. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, or electronically displayed or conveyed. Individuals who violate these policies and laws are subject to disciplinary action, up to and including expulsion. Examples of the types of discrimination that are strictly prohibited by Texas Tech include but are not limited to: sexual misconduct/harassment, the failure to provide equal opportunity in athletics, discrimination in a school's science, technology, engineering, and math (STEM) courses and programs, and discrimination based on pregnancy.

### Title IX and Sexual Misconduct Reporting

#### Who can you report to?

You can report an incident of a Title IX, sexual misconduct/harassment, or discrimination violation to Texas Tech University online using this form, File a Report, or based on your status with the university, by directly contacting any of the following administrators or offices:

Office for Student Rights and Resolution  
232-E Student Union Building, Box 42005  
Lubbock, TX 79409  
(806) 742-SAFE (7233)  
www.titleix.ttu.edu

Students: Matt Gregory, Dean of Students  
Deputy Title IX Coordinator, Office of Student Rights and Resolution  
232E Student Union, Box 42031  
Lubbock TX 79409  
(806) 742-SAFE (7233)  
matt.gregory@ttu.edu

Employees: Jodie Billingsley  
Deputy Title IX Coordinator, Human Resources and Payroll Administration  
160 Doak Conference Center, 2518 15th Street Lubbock, TX 79409  
(806) 742-3851  
jodie.billingsley@ttu.edu

Athletics: Dr. Judi Henry  
Deputy Title IX Coordinator, Athletics  
Athletics Offices Room 109, Box 43021 Lubbock, TX 79409  
(806) 834-0976  
judi.henry@ttu.edu

Title IX Administrator: Kimberly Simón  
Texas Tech Office of the President  
Administration Building, Room 163, Box 42005, Lubbock, TX 79409  
(806) 834-1949  
kimberly.simon@ttu.edu

## SEXUAL ASSAULT, RELATIONSHIP VIOLENCE, AND HATE CRIMES

In addition to the above-mentioned criminal offenses, and under the Violence Against Women Reauthorization Act, the university also reports the following sexual assault, relationship violence, and hate crimes.

» Domestic Violence: includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of a victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or had 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 receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

» Dating Violence: The term "dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: length of the relationship, type of relationship, and the frequency of interaction between the persons involved in the relationship.

» Stalking: Means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or other's safety, or to suffer substantial emotional distress.

Hate crimes include all primary crimes defined in the Clery Act, as well as the following crimes if the commission of the offense was motivated by bias:

» Larceny – Theft: includes the crimes of Pocket Picking, Purse Snatching, Shoplifting, Theft from Building, Theft from Coin Operated Machine or Device, Theft from Motor Vehicle, Theft of Motor Vehicle Parts or Accessories, and All Other Larceny

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

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

» 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.

**Consent**  
TTU expects its community members to act in accordance with its policies regarding sexual misconduct. As such, any community members engaging in sexual activity must have clear, knowing, and voluntary consent from their sexual partner prior to and during each sexual activity. These policies apply to all TTU community members.

For detailed information regarding what is consent and university policies regarding consent, please see the Texas Tech Student Handbook: Gender-Based Harassment, Sexual Misconduct, Discrimination, and Title IX, Student Policies and Procedures (Appendix D)





## REPORTING CRIMES

All students, faculty, staff, and visitors are encouraged to promptly report all crimes and public safety related incidents to the Texas Tech Police Department or applicable law enforcement agency in a timely manner. Doing so ensures prompt and efficient response to incidents of crime and helps to preserve important evidence needed to ensure a successful investigation and prosecution of offenders.

To report a crime that has just occurred or is in progress:

- Dial 9-1-1 from a campus landline phone (emergencies only)
- Dial 9-1-1 from a cell phone or off-campus landline
- Press the call button on any Texas Tech Blue Light Emergency Phones (Easily identifiable and strategically placed at various points around the campus.)

Using any one of the listed methods will connect a person to an emergency dispatcher who is capable of directing Police, Fire or EMS responders to an appropriate location.

Reporting Non-emergencies:

- Texas Tech Police Department: (806) 742-3931
- Dean of Students: (806) 742-2984
- Texas Tech University Office of Student Conduct: (806) 742-1714

In addition to law enforcement, students can report crimes and misconduct to Responsible Employees, Campus Security Authorities, the Dean of Students, Texas Tech University Office of Student Conduct, student counselors, or anyone within the Texas Tech Community who is in a position to assist you.



### Reporting to the University vs. Law Enforcement

Some instances of misconduct may also constitute a violation of state, federal, or local law. It is always the student's or employee's option to report misconduct to the University, to local law enforcement, or to both. Texas Tech administrators are happy to assist in making a report to law enforcement, and will even accompany the victim if he or she wishes. Reporting to TTUPD can lead to criminal charges and prosecution.

If a student or employee wishes to report to both the Texas Tech Police Department and the Office of Student Conduct, an investigator from the University will coordinate with TTUPD detectives so that the student only has to give a statement one time. This would be scheduled at the earliest convenience of the student and TTPD/TTU investigators.

### Employee Grievances

An employee having a grievance should submit a completed Grievance form, which is available on the TTU Human Resources website at the following link: <http://www.depts.ttu.edu/hr/forms/PolProc/forms.php> to the Office of Equal Employment Opportunity within 10 business days from the date of the action giving rise to the grievance or within 10 business days of the conclusion of informal attempts to resolve the situation. For additional information from the Office of Equal Employment Opportunity please call 806.742.3627 or visit 210 Administration Building.

### False Reports

Under Section 42.06 of the Texas Penal Code, it is a state jail felony for an individual to knowingly initiate, communicate or circulate a report of a present, past, or future bombing, fire, offense, or other emergency that the individual knows is false, involves a public or private institution of higher education, and would:

Cause action by an official or volunteer agency organized to deal with emergencies; place a person in fear of imminent serious bodily injury; or prevent or interrupt the occupation of a building, room, place of assembly, place to which the public has access, or aircraft, automobile, or other mode of conveyance.

## REPORTING CRIMES: MANDATORY REPORTING, CAMPUS SECURITY AUTHORITIES AND RESPONSIBLE EMPLOYEES

### Responsible Employees vs. Campus Security Authorities

The term "Campus Security Authority" (CSA) is used by the Clery Act to indicate someone who collects crime reports and who holds a particular capacity within the university. This includes but is not limited to campus police, a person with responsibility for campus security (kiosk guards, event security, or student escorts), or an official who has significant responsibility for students and campus activities (such as student housing, student conduct, athletics, and student organizations).

"Responsible Employees" is a term used by Title IX related to the concept of notice of sex/gender discrimination or harassment. The following employees at Texas Tech University are considered responsible employees: (1) all faculty members and instructional staff, including full-time faculty, part-time faculty, adjunct professors, and graduate teaching assistants; and (2) all staff members, including student staff, whose job responsibilities include oversight, supervision, or responsibility for students.

Employees such as pastoral counselors, physicians, psychologists, nurses, wellness counselors, and those performing services under their supervision who are religious, clinical and/or mental health professionals acting in their professional role in the provision of services within the scope of his or her license or certification are not subject to mandatory reporting requirements. These employees are encouraged to provide students with information and guidance regarding university reporting options and available student resources but will not report or otherwise refer instances of sexual harassment/misconduct to university administrators without the disclosing student's express permission.



### Reports to CSA's and Responsible Employees

Under Clery, a crime is "reported" when it is brought to the attention of a campus security authority or local law enforcement personnel by a victim, witness, or other third party or even offender, regardless if the individual is involved in the crime, reporting the crime, or is associated with the institution."

If a campus security authority receives the crime information and believes it was provided in good faith, he or she should document it as a crime report. In "good faith" means there is a reasonable basis for believing that the information is not simply a rumor or hearsay. That is, there is little or no reason to doubt the validity of the information. CSA's are required to forward a CSA Incident Report Form to the Texas Tech Police Departmental allegations of Clery Act crimes that he or she concludes were made in good faith.

The CSA Incident Report Form can be found online at: [https://www.depts.ttu.edu/ttpd/Clery/CSA\\_Form\\_fillable.pdf](https://www.depts.ttu.edu/ttpd/Clery/CSA_Form_fillable.pdf)

Under Title IX, the university must take immediate action when "notice" of sexual harassment/misconduct is received. Responsible employees have a mandatory reporting obligation when they know, or reasonably should know, about an incident of alleged sexual harassment, sexual violence, or other form of sexual misconduct. When a responsible employee becomes aware of an incident, he or she is to immediately contact the Title IX Coordinator, Office for Student Rights and Resolution, or the deputy Title IX coordinators.

If you are an employee of Texas Tech University and are unsure of which category you fall under, what you must report and to whom, or have questions regarding training, please contact Jodie Billingsley, Deputy Title IX Coordinator for Faculty/Staff, Managing Director, Human Resources and Payroll Administration at (806) 742-3851 or [jodie.billingsley@ttu.edu](mailto:jodie.billingsley@ttu.edu)



### Confidentiality and Confidential Reporting

Texas Tech University is committed to ensuring confidentiality during all stages of the student conduct process. If students are unsure whether they want to involve family or friends, and are not yet certain whether they want to report to the police or the University, there are resources available, both on and off campus, that offer confidential assistance and support.

Please reference OP40.03: Anti-Discrimination, Sexual Harassment, and Title IX Policy and Grievance Procedure for Students (Appendix C) for Texas Tech's policies and procedures for faculty/staff reporting requirements

Please reference the Texas Tech University Faculty, Staff, and Student Employees Reporting Responsibilities Chart (Appendix F) for a helpful diagram on what a Responsible Employee should report and to whom.

For Texas Tech's confidentiality policies and information on who a victim can make a confidential report to, please see Texas Tech Student Handbook: Gender-Based Harassment, Sexual Misconduct, Discrimination, and Title IX, Student Policies and Procedures (Appendix D).

If a student discloses an incident to a Campus Security Authority (CSA) or responsible employee with the condition of remaining anonymous and/or confidential, the CSA or responsible employee must still forward the Clery crime statistics and/or report the existence of a Title IX incident to university officials who will maintain requests for confidentiality. However, if the circumstances indicate there is a continuing threat to either the victim or the campus community, the responsible official will contact law enforcement to ensure campus community safety.

All reports of misconduct will be maintained with the highest possible level of confidentiality. The information, once referred, will still remain private and will be shared only with those administrators who have a legitimate educational need to know, in order to best assist and support the student. Once the appropriate administrators have been notified of the incident, the university will provide resources and support, promptly investigate, and equitably resolve the allegation according to established university procedures, unless the student requests that no action be taken.

Texas Tech University does not tolerate retaliation and takes all available steps to prevent its occurrence; any retaliatory threats or actions will be addressed promptly and effectively.



### Emergency Notification Procedures

Texas Tech recognizes that certain emergency situations may occur which require "immediate emergency notifications" be made to members of our community. Texas Tech University has developed a multi-hazard Emergency Management Plan that addresses mitigation, preparedness, response, and recovery. The plan is predicated on the template provided to us by the Texas Department of Public Safety, Division of Emergency Management.

A principle tenant of the plan is the use of the National Incident Management System (NIMS), which has been formally adopted by the Texas Tech University System Board of Regents as the foundation for incident command, coordination and support activities for the Texas Tech University System and its member institutions. It is the policy of the Texas Tech University System to coordinate training on the National Incident Management System and its core components to personnel responsible for managing and/or supporting major emergency and disaster operations.

Texas Tech personnel evaluate any imminent threats they become aware of with emergency response expertise. Any individual in any one of these positions is authorized and has the duty to without delay issue the appropriate emergency notification(s):

- Texas Tech Police Chief
- Texas Tech Police Senior Command Staff
- Texas Tech Police Shift Commander
- Texas Tech University Fire Marshall
- Texas Tech University Emergency Management Coordinator
- Texas Tech University System Emergency Management Coordinator
- Designated Texas Tech University Incident Commander for a particular event
- Lubbock Fire Department Incident Commanders
- Lubbock County Emergency Medical Services Incident Commanders

In the event that a threat, notwithstanding an imminent threat, is such that time allows for consultation with others, responsible authorities should notify and consult with one or more of the following personnel:

- Texas Tech Police Chief
- Texas Tech Fire Marshall
- Texas Tech University President
- Texas Tech University Emergency Management Coordinator
- Texas Tech University Director of Marketing and Communications
- Texas Tech University System Emergency Management Coordinator

For more information regarding Texas Tech's emergency notification procedures please visit the Office of Communications & Marketing's Emergency Communications website:

<http://www.depts.ttu.edu/communications/emergency/>





## NOTICE TO THE UNIVERSITY COMMUNITY: TIMELY WARNINGS

Texas Tech University realizes that situations may arise that warrant the issuance of a timely warning for events that do not meet the elements of an emergency, such as routine criminal offenses that are likely to reoccur based upon known facts. The Texas Tech Police Department has the responsibility to provide timely warnings to the campus community about reported crimes in a manner that will aid in the prevention of similar offenses.

### The Decision to Issue a Timely Warning

A warning will be issued when the following crimes occur and applicable criteria has been met: criminal homicide, robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, stalking, or any of the above mentioned crime if the offender was motivated by bias, or any other crime or situation that poses a threat to the public health or safety of the campus community.

The Texas Tech Police Department, Chief of Police, or a designee, is responsible for making the decision to issue a timely warning and will, on a case-by-case basis, determine the content and appropriate distribution method to ensure the persons at risk are notified.

### Determining Whether a Continuing Threat Exists

Texas Tech will continue to alert the community until the threat of harm has ceased. The determination of whether a reported crime presents a continuing threat to the university will be decided on a case-by-case basis in light of all of the facts surrounding a crime, including but not limited to: the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.

### Content of the Warning

Any warning issued to the campus community will contain sufficient information about the nature of the threat to enable recipients to take action to protect themselves. While law enforcement may need to keep some facts confidential to avoid compromising an investigation, information to be issued in a timely warning includes but is not limited to:

1. A succinct statement of the incident.
2. Areas of campus the University advises students and employees to avoid, if applicable.
3. Possible connections to previous incidents, if applicable.
4. Physical description of at-large suspect, if available.
5. Composite drawing of the suspect, if available.
6. Date and time the warning was released.
7. Crime Prevention or personal safety tips
8. Other relevant and important information.

**TechAlert**  
www.emergency.ttu.edu

## NOTICE TO THE UNIVERSITY COMMUNITY: EMERGENCY NOTIFICATION & TIMELY WARNING

### Emergency Response Methods

Emergency Notification & Timely Warnings will be distributed in a manner likely to reach the entire campus community using the most expedient method(s) available beginning with distribution to the building or area most affected by the threat.

Notifications may be made using any or all of the following means:

- Verbal announcements
- TechAlert text messaging
- TechAlert email
- Tech Alert voicemail
- Tech Announce email
- Texas Tech University Outdoor Warning Siren System
- Fire Alarm Systems
- Texas Tech Police Unit Public Address Systems
- Texas Tech University Building Public Address Systems
- Texas Tech Emergency Communications Webpage
- Texas Tech University "Home" Webpage
- Telephone
- Issuance of press statements or releases to members of the media
- Social Media
- Any other means that may be an effective tool for reaching those who might be at risk



### System Testing Policies and Procedures

In accordance with Texas Education Code Section 51.217 and United States Public Law 110-315 Title IV, the Texas Tech University Emergency Management Coordinator schedules and executes at least one test of Texas Tech's emergency response and evacuation procedures annually. The tests are in the form of one of the following: a mandatory emergency drill, tabletop, functional, or full-scale exercise. The tests, at a minimum, include testing of procedures for immediate emergency notifications of threats. All tests conducted are followed up by an "after action review," the purpose of which is to determine which procedures we need to sustain and how we need to refine or improve emergency response, evacuation and emergency notification procedures.

For more information about Emergency Management Plans and relevant annexes accessible to the public, please visit: <https://www.depts.ttu.edu/communications/emergency/downloads/ttu-emergency-plan.pdf>

Get the Message



TechAlert: [www.ttu.edu/emergency/alert](http://www.ttu.edu/emergency/alert)



<https://www.facebook.com/TexasTechYou/?ref=nl>



Twitter: @TexasTech



The Higher Education Opportunity Act of 2008 set forth requirements for educational institutions in regards to reporting, investigating, and making emergency notifications for any currently enrolled student living on campus who is believed to be missing.

Although students are under no obligation to notify the university of plans to spend time away from their residence, a student who resides in on-campus housing at Texas Tech University, or lives in temporary accommodations while attending official university events, will be presumed to be missing when his or her reported absence is found to be inconsistent with established patterns of behavior and the deviation cannot be readily explained.

Additionally, any reported absence of 24 hours, or an absence of less than 24 hours wherein there exists possible evidence of foul play, will result in the same presumption. Campus officials, including law enforcement, the student's parent, guardian and/or designated confidential emergency contact person, will be notified. The intent is to leverage a coordinated effort between campus officials, law enforcement, family, friends and the broader community to ensure student safety.



### Confidential Emergency Contact

Upon moving into an on-campus housing facility, University Student Housing will provide each student an opportunity to register a confidential emergency contact who will be notified if he or she is reported missing. This confidential contact can be any person designated by the student, including friends, roommates, co-workers, siblings or a significant other.

A record containing information about the confidential contact person will be maintained by University Student Housing as a part of the student resident's file. This information will only be shared with authorized campus officials or law enforcement personnel in furtherance of a missing person investigation, and is otherwise exempt from disclosure. Students with prior knowledge of a planned absence are encouraged to register a confidential contact and keep them informed about their whereabouts. This will allow university officials and law enforcement to quickly determine their status should they be reported missing.

Whenever possible, Texas Tech University will make every effort to protect an adult student's privacy by utilizing their registered confidential contact. However, university officials reserve the right to notify a student's parents, or anyone else deemed necessary in order to ensure the student's health and safety.

Any faculty, professional staff member or student employee who receives a report of a missing student shall immediately forward the information to the Residence Life Leadership Team duty phone at 806-789-6000 and the Texas Tech Police Department at 806-742-3931. These numbers are staffed 24/7/365. For information about how to register or update a confidential contact outside of the normal registration period, please contact a Residence Life Coordinator for your building or call University Student Housing at 806-742-2661 or 806-742-4996.

The Managing Director of University Student Housing or designee, the Dean of Students, and the Director of Campus Life shall be notified immediately whenever any member of the campus community receives a report that a student is missing. The Managing Director of University Student Housing or designee will ensure the report and all other relevant information has been forwarded to the Texas Tech Police Department for coordination, investigation and follow-up.

If a determination is made that a student who is the subject of a missing person report has not been seen for 24 hours, Texas Tech University Student Housing and/or the Texas Tech Police Department will immediately:

- Notify law enforcement agencies within appropriate jurisdictions that the student has been reported missing and request assistance in locating the student.
- Notify the student's designated confidential contact person that the student has been reported missing.
- Notify a custodial parent or guardian if the student is under 18 years of age and is not emancipated.

Although not inclusive of all possible resources, Texas Tech University officials may utilize any of the following to assist in locating the student. These resources may be used in any order or combination:

- Interviews of faculty, staff, students or known friends / acquaintances of the missing student
- Campus facility surveillance video
- Physical access to the missing student's room by "lock out key"
- Physical inspection of any accessible campus property including academic buildings, recreation facilities, parks, or common areas within residence halls
- Student ID access logs, including building security access logs, dining plans, or other uses
- Campus vehicle registration and parking enforcement databases and subsequent inspection of any vehicle found on campus property that belongs to the missing student
- Campus e-mail & IT systems to determine last login or applicable activity information
- Student records, including judicial records
- News media releases & publications

University Officials reserve the right to initiate any other action that may be deemed appropriate and in the best interest of the missing student, and will work collaboratively with law enforcement officials until the student is located.

### Helpful Tips When Traveling:

- Tell a roommate, friend, or residence advisor where you are going, for how long, and how you can be reached.
- Stay connected with the Texas Tech Parent's Association. The Road Raider Safe Travel Network provides assistance to students who may experience car trouble, need directions, or need a place to rest if they become drowsy. Road Raiders Safe Travel Network has been described as AAA for Texas Tech students and relief for their parents. For more information check out: <http://www.texastechparents.org/?page=RoadRaiders>



## RESPONDING TO AN ACTIVE SHOOTER SITUATION

Campus shooting incidents are most often unpredictable. A person's immediate response will depend upon the specific situation he or she is facing. The following steps are, if safe to do so, general recommendations that may assist a person in the middle of a campus shooting incident:

A person should exit the building immediately when he or she becomes aware of the incident and move away from the immediate path of danger. The following additional steps are recommended:

- Notify additional bystanders to immediately exit the area due to a shooter in the building.
- Call 911 via campus phones, cell phones or off-campus phones and provide the following information to the dispatcher:

- » The exact location of the incident.
- » Number and description of shooters involved.
- » Number of persons involved (Victims/Hostages.)
- » Physical description of known weapons or destructive devices.
- » Injuries to anyone, if known.
- » Exact location.
- » Caller's name and call back phone number.
- » If the caller cannot talk due to an imminent threat, leave the line open so that the dispatcher can hear what is happening and the call can be recorded.

If exiting the building is not possible, consider taking the following action:

- Go to the nearest room or office
- Close and lock the door(s) and/or windows
- Turn off the lights
- Seek protective cover
- Keep quiet and act as if no one is in the room
- Do not answer the door
- Coordinate with others and be prepared to fight if confronted by the shooter prior to the arrival of law enforcement

If it is safe to do so call 911 by campus phone, cell phone, and/or payphone, and provide the aforementioned information. Wait for police personnel to assist in exiting the building.

If not immediately impacted by the incident, take the following action:

- Stay away from the building;
- Notify anyone around to stay away from the building;
- Obey all verbal directions or commands given by police personnel
- Take protective cover, and stay away from all doors and windows.

### Active Shooter Education

The Texas Tech Police Department presents classroom instruction and guidance on how to respond to and increase chances of survival during active shooter incidents. In addition to classroom instruction, the Texas Tech Police Department has developed an in house active shooter presentation video. This video may be viewed at any time by going to the following: [www.depts.ttu.edu/ttspd/active\\_shooter.php](http://www.depts.ttu.edu/ttspd/active_shooter.php)

NOTE: Police Officers from multiple agencies are likely to respond to incidents involving an active shooter. Remember that the police are there to isolate and stop the shooter first, and then will make every effort to ensure the wounded are evacuated and provided with medical treatment. In the event police are encountered while still inside of a building, or within an area being targeted by the shooter, a person may be treated as a suspect or a potential threat. The procedures a person may witness are not intended to further traumatize victims, but are instead performed to ensure no potential threats are overlooked and all potential threats are stopped. A bystander should immediately obey all verbal directions and commands given, and realize the police will make every effort to ensure bystanders' safety.

## AFTER A CRIME HAS BEEN COMMITTED

### Student Disciplinary Investigation and Procedures

The Code of Student Conduct and the Texas Tech University Gender-Based Harassment, Sexual Misconduct, Discrimination, and Title IX Student Policies and Procedures outline the prompt, fair, and impartial process used by the university. This step-by-step process from intake to resolution is conducted by trained Investigators and Student conduct Officers.

The ranges of remedies, protective measures, and sanctions are also provided in this report under the Texas Tech Student Handbook: Gender-Based Harassment, Sexual Misconduct, Discrimination, and Title IX, Student Policies and Procedures (Appendix D) and the Texas Tech Code of Student Conduct: [www.ttu.edu/studenthandbook](http://www.ttu.edu/studenthandbook)

### Investigators and Student Conduct Officers

Investigators, student conduct officers, student conduct committees, and other staff receive training annually on issues related to sexual violence, domestic violence, dating violence, and stalking that protect the victim and promote accountability. Trainings include in-person Title IX and Investigator Training from the Association of Title IX Administrators, trauma-informed interview procedures from experts with Voices of Hope/Lubbock Rape Crisis Center, and other webinars, case studies, and readings.

### Remedial Measures

The University will take immediate action to eliminate hostile environments, prevent reoccurrence, and address any effects on the complainant and community prior to the initiation of formal investigation and/or formal conduct procedures. Regardless of whether the student or employee chooses to report the crime to the campus or local police, these immediate steps will be taken to minimize the burden on the Complainant while respecting due process rights of the Respondent.

Remedies for students may include, but are not limited to counseling services, victim's advocate assistance, and modification to on-campus housing, modification to parking permissions, transportation coordination, to academic schedule. Remedies will be evaluated on a case-by-case basis.

Texas Tech will also provide written notification to students and employees about exit counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims, both within the institution and the local community.





## AFTER A CRIME HAS BEEN COMMITTED (CONT.)

### Results Disclosure and Possible Sanctions

After the case has been reviewed by Office of Student Conduct, the possible outcome for offenses can range from a reprimand to expulsion from the University. All possible sanctions can be found in the Texas Tech Student Handbook: Gender-Based Harassment, Sexual Misconduct, Discrimination, and Title IX, Student Policies and Procedures (Appendix D).

Both the complainant and respondent will be afforded the same opportunities throughout the investigation and at the conclusion of the investigation, must be informed of the outcome of the proceeding concerning the offense, consistent with the provisions of the Family Education Rights and Privacy Act of 1974.

The Complainant involved in an incident of nonconsensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking, or intimate partner/relationship violence has an absolute right to be simultaneously informed of the outcome, the rationale for that outcome, and any sanctions that may result. The Complainant will be informed in writing, without condition or limitation, and without substantial delay between notification to each party.

### Student Conduct Appeal Procedures

Depending on the alleged misconduct against a member of the university, different appeal procedures are available for students. For the detailed outline of all appeal procedures available to students please see the Texas Tech Student Handbook: Gender-Based Harassment, Sexual Misconduct, Discrimination, and Title IX, Student Policies and Procedures (Appendix D).

### Employee Disciplinary Investigation and Procedures

Once assigned grievance form is received by the Office of EEO, an investigation may be conducted by that office and the appropriate administrative officers including, in the case of grievances involving gender discrimination, notification to the Title IX coordinator and the appropriate deputy coordinator.

The investigation will be based upon a preponderance of the evidence and may consist of the review of the grievance and any supporting documentation, examination of other relevant documentation, and interviews with relevant individuals. The extent of the investigation and its procedures will be determined by and at the discretion of the Office of EEO.

### Employee Remedial Measures

During the pending investigation, the EEO office will confer with appropriate administrators so that the university may provide interim remedies intended to address the short-term effects of discrimination, harassment, and/or retaliation.

At the university's discretion, these remedies may include, but are not limited to: altering work arrangements for employees, implementing contact limitations between the parties, administrative leave as provided for in OP 70.31, referral to the employee assistance program, or referral to counseling and/or other health services.



## VICTIM RESOURCES

### ON-CAMPUS VICTIM RESOURCES

Risk Intervention & Fire Safety (RISE)	(806) 742-2110	<a href="http://www.rise.ttu.edu">http://www.rise.ttu.edu</a>
Texas Tech University Police Department	(806) 742-2865	<a href="http://www.depts.ttu.edu/ttpd">http://www.depts.ttu.edu/ttpd</a>
Student Wellness Center	(806) 743-2848	<a href="https://www.ttuhsc.edu/studenthealth">https://www.ttuhsc.edu/studenthealth</a>
Student Legal Services	(806) 742-3931	<a href="https://www.depts.ttu.edu/sls/">https://www.depts.ttu.edu/sls/</a>
Support Operations for Academic Retention (SOAR)	(806) 742-3664	<a href="http://www.depts.ttu.edu/soar/">http://www.depts.ttu.edu/soar/</a>
Office of Student Conduct	(806) 742-1714	<a href="http://www.depts.ttu.edu/studentconduct/">http://www.depts.ttu.edu/studentconduct/</a>
Student Counseling Center	(806) 742-2984	<a href="http://www.depts.ttu.edu/scc">http://www.depts.ttu.edu/scc</a>
Office for Student Rights & Resolution	(806) 742-7233	<a href="http://www.titleix.ttu.edu">www.titleix.ttu.edu</a>
University Student Housing	(806) 742-3931	<a href="http://www.depts.ttu.edu/housing/">http://www.depts.ttu.edu/housing/</a>

### OFF-CAMPUS VICTIM RESOURCES

Lubbock Police Department	(806) 775-2865	<a href="http://www.lubbockpolice.com">www.lubbockpolice.com</a>
Covenant Medical Center Emergency Room	(806) 725-0000	<a href="http://www.covenanthealth.org">http://www.covenanthealth.org</a>
University Medical Center Emergency Room	(806) 775-8200	<a href="http://www.umchealthsystems.com/">http://www.umchealthsystems.com/</a>
Women's Protective Services of Lubbock	(806) 747-6491 OR 1(800) 736-6491	<a href="http://www.wpslubbock.org/">http://www.wpslubbock.org/</a>
Voice of Hope- Lubbock Rape Crisis Center	Phone: (806) 763-3232 OR Hotline: (806) 763-7273	<a href="http://www.voiceofhopelubbock.org/">www.voiceofhopelubbock.org/</a>



## REGISTERED SEX OFFENDERS

The Texas Sex Offender Registration Program (Chapter 62 of the Code of Criminal Procedure) is a sex offender registration and public notification law designed to protect the public from sex offenders. This law requires an adult and juvenile sex offender to register with the local law enforcement authority of the city they live in or, if the offender does not reside in a city, with the local law enforcement authority of the county they reside in.

Registration involves the offender providing the local law enforcement authority information that includes, but is not limited to, the offender's name and address, a color photograph, and the offense the offender was convicted of or adjudicated for.

Registered sex offenders are required to periodically report to the local law enforcement authority and verify the accuracy of the registration information and to promptly report certain changes in the information as those changes occur. A sex offender who fails to comply with any registration requirement is subject to felony prosecution.

In October 2000, the Federal Campus Sex Crimes Prevention Act 20 U.S.C. § 1092(f)(1)(I) amended Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994.

The Campus Sex Crimes Prevention Act required sex offenders who are required to register under state law to also provide notice of their enrollment or employment at any institution of higher learning in the state where he/she resides starting in October 2002.

Institutions of higher learning are required to issue a statement in their annual Clery Report detailing where members of their campus community can obtain information concerning registered sex offenders. [20 U.S.C. § 1092(f)(1)(I)]

Campus affiliated registered sex offender information is available for inspection by members of the community (by appointment) at the Texas Tech Police Department during normal business hours. Please call (806) 742-3931 for more information.



The Texas Tech Police Department may release sex offender information relating to campus affiliated sex offenders to anyone who:

- » Is over 18-years of age and a member of the campus community
- » Is not themselves a registered sex offender
- » Is willing to certify to the understanding that the release of registered sex offender information is for the purpose of allowing members of the campus community to protect themselves and their children from sex offenders
- » Is willing to certify an understanding that it is illegal to use the sex offender registration information to harass, discriminate, or commit a crime against any person who has been identified as a sex offender
- » Is willing to sign a "Registered Sex Offender View Form"

Registered sex offender information available for public viewing includes:

- » Name and known aliases
- » Age, gender, race
- » Physical description (including scars, marks, tattoos)
- » Photograph(s) (if available)
- » Crimes that were the basis for the registration requirement
- » Date of last registration

### Public Access to Sex Offender Data

Upon registration of an offender, the Texas Tech Police Department forwards a notice, along with identifying information to campus officials. Additionally, the Texas Tech Police Department maintains links to local, county, state and federal agency websites that provide public access to sex offender data. Relevant websites where registered offender data may be found are:

<http://www.depts.ttu.edu/ttpd/>  
<https://secure.ci.lubbock.tx.us/RSO/Disclaimer.aspx>  
<http://apps.co.lubbock.tx.us/predator/main.aspx>  
[https://records.txdps.state.tx.us/DPS\\_WEB/SorNew/index.aspx](https://records.txdps.state.tx.us/DPS_WEB/SorNew/index.aspx)  
<http://www.nsopr.gov>

Sex offender information should not be used to harass or commit any crime against a sex offender. Public safety is best served when registered sex offenders are not concealing their location to avoid harassment.

### Campus Sex Offender Disclosure

The Texas Tech Police Department may proactively release details about an offender to the campus community if the offender has been designated high risk and is believed to present an imminent threat to our community or if there has been a reported offense wherein the offender is believed to be an involved party.

### Sex Offender Registration Requirements

Registration with the university is required for a reoffender who:

1. Resides on property owned by Texas Tech or Texas Tech Health Sciences Center, or is enrolled as a student, or
2. Is a full/part time employee with or without compensation, including a volunteer, or carries on a vocation, attends school, or is a visitor to any campus property shall register within seven days with the Texas Tech Police Department.

## REGISTERED SEX OFFENDERS (CONT.)

A campus affiliated sex offender shall also notify the Texas Tech Police Department within seven working days of ceasing to be enrolled or employed, ceasing to carry on a vocation at Texas Tech, or change of address. Notice of all registered offenders is forwarded via the police department to the respective institution's President, Provost, Dean of Students, Managing Director of University Student Housing and relevant Academic Dean, and Human Resources Department and/or program director.

Campus affiliated registration of sex offenders will be conducted at the Texas Tech Police Department by Criminal Investigation Division personnel. Person required to register shall do so in person Monday through Friday (excluding holidays) between 8:00 A.M. and 5:00 P.M. Registrations will be handled by appointment only. Please call (806) 742-3931

Registered Sex Offenders are prohibited from living in on-campus student housing facilities at Texas Tech University. The Lubbock Apartment Association maintains a list of local apartments and housing complexes that registered offenders may contact to seek student housing.





## COMPREHENSIVE POLICIES, PROCEDURES, AND RELEVANT STATUTES

Texas Tech University has developed comprehensive operational policies and procedures for when gender-based harassment, sexual misconduct, discrimination, and Title IX violations occur. These policies and procedures include but are not limited to detailed information on what happens before, during, and after an alleged misconduct violation, definitions of criminal activity, safe and positive options for bystander intervention, consent, risk reduction methods, and the resolution process. Any questions on these operating policies may be directed to one of the above mentioned Title IX Coordinators or designated employees.

### Students:

Appendix D: Texas Tech Student Handbook: Gender-Based Harassment, Sexual Misconduct, Discrimination, and Title IX, Student Policies and Procedures:

» [http://www.depts.ttu.edu/sexualviolence/Gender-BasedHarassment\\_Sexual-Misconduct\\_Discrimination\\_and\\_TitleIX\\_Policies-Procedures.pdf](http://www.depts.ttu.edu/sexualviolence/Gender-BasedHarassment_Sexual-Misconduct_Discrimination_and_TitleIX_Policies-Procedures.pdf).

Appendix C: OP 40.03, Anti-Discrimination, Sexual Harassment, and Title IX Policy and Grievance Procedure for Students

» <http://www.depts.ttu.edu/opmanual/OP40.03.pdf>

For policies and procedures regarding incidents of discrimination or harassment by student organizations, see Part I, Section D in the Texas Tech Student Handbook:

» <http://www.depts.ttu.edu/dos/handbook/conduct.php#procedures>



### Employees:

Appendix B: OP 40.02, Anti-Discrimination, Sexual Harassment, and Title IX Policy and Grievance Procedure for Violation of Employment or Other Laws for Employees: Policies and procedures regarding incidents of discrimination or harassment by faculty or staff against other faculty or staff and Faculty or staff against students see:

<https://www.depts.ttu.edu/opmanual/OP40.02.pdf>

Appendix E: Faculty, Staff & Student Employees: Title IX and Gender-Based Harassment, Discrimination, and Sexual Misconduct Resources and Reporting Informational Manual

Appendix F: Texas Tech University Faculty, Staff, and Student Employees Reporting Responsibilities Chart

### Relevant Statutes

Based upon the Clery Act's specific definitions, a list of Texas Criminal Statutes can be found in the Clery Crimes: Texas Penal Code (Appendix G).

This report complies with the following provisions as codified:

- » United States Code Title 20, Chapter 28, Section 1092(f) as amended in 1992, 1998, 2000, 2008, & 2013. Current through Pub. L. 113-126.
- » United States Code of Federal Regulations, Title 34, Chapter VI, Part 668, Section 668.46
- » Violence Against Women Reauthorization Act of 2013, P.L. 113-4.

## 2016-2017 Texas Tech University Campus Crime Statistics

The tables appearing on the following page(s) contain statistics constructed using data from documents acquired, maintained and reviewed by the Texas Tech Police Department, Center for Campus Life, Office of Student Conduct, President's Office, General Counsel, designated Campus Security Authorities (CSAs), Responsible Employees, and cooperating external law enforcement agencies.

Data is separately represented for the current reporting year as well as the three most recent reporting years for comparison.

Following a self-initiated internal review and after seeking clarification from the U.S. Department of Education, we have updated the Clery crime statistics in the annual security report (ASR) for years 2016 and 2017. The original report and the corrected report are found in this ASR that has been republished on October 29, 2019. Additionally, separate reports of Clery crime statistics for the site in Sevilla, Spain have been added.



Weapons	12	12	0	0	0	0	0	0	0	0	3	3	0	0	0	0	0
	164	137	27	0	0	58	56	2	0	0	44	38	0	0	6	0	0
	361	304	57	0	0	426	419	6	0	1	228	219	9	0	0	0	0

## REFERRALS

[illegible]

## ARRESTS

Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense (Rape)	4	3	0	1	0	8	6	2	0	0	5	0	0	0	1	0	0
Sex Offense (Forcible Fondling)	5	4	1	0	0	1	1	0	0	0	0	0	0	0	0	0	0
Sex Offense (Incest)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense (Statutory)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	2	0	0	2	0	2	1	1	0	0	2	0	0	0	0	0	0
Aggravated Assault	6	2	1	2	1	2	0	0	2	0	8	1	1	6	0	0	0
Burglary	13	9	4	0	0	10	8	2	0	0	16	7	5	0	4	1	1
Motor Vehicle Theft	4	0	2	0	2	3	0	0	2	1	8	0	7	0	1	2	0
Arson	1	1	0	0	0	0	0	0	0	0	4	4	0	0	0	0	0

## CLERY CRIMES

[illegible]

TEXAS TECH UNIVERSITY - LUBBOCK CAMPUS

# 2016 ANNUAL SECURITY REPORT - LUBBOCK

Original Publication 10/1/17

**Corrected Publication 10/29/19**

## 2016 ANNUAL SECURITY REPORT - LUBBOCK

TEXAS TECH UNIVERSITY - LUBBOCK CAMPUS

Corrected / Republished	2014					2015					2016					Unfounded Crimes			
	Total	On Campus Property		Other Property		Total	On Campus Property		Other Property		Total	On Campus Property		Other Property		2014	2015	2016	
		Residence Halls	Campus Other	Public Property	Non Campus		Residence Halls	Campus Other	Public Property	Non Campus		Residence Halls	Campus Other	Public Property	Non Campus				
CLERGY CRIMES	Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Sex Offense (Rape)	4	3	0	1	0	3	6	2	0	0	13	12	0	0	1	0	0	
	Sex Offense (Fornika / Sodomy)	5	4	1	0	0	1	1	0	0	0	2	2	0	0	0	0	0	
	Sex Offense (Flaun)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Sex Offense (Stimulant)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Robbery	2	0	0	2	0	2	1	1	0	0	2	2	0	0	0	0	0	
	Aggravated Assault	6	2	1	2	1	2	0	0	2	0	8	1	1	6	0	0	0	
	Burglary	13	9	4	0	0	10	8	2	0	0	10	7	5	0	4	1	1	1
	Motor Vehicle Theft	4	0	2	0	2	3	0	0	2	1	6	0	7	0	1	2	0	1
Arson	1	1	0	0	0	0	0	0	0	0	4	4	0	0	0	0	0	0	

## ARRESTS

[illegible]

## REFERENCES

[illegible]



	VAWA OFFENSES											
	9	7	2	0	0	0	0	0	0	0	0	0
	6	3	2	1	0	0	11	4	4	3	0	0
	6	3	3	0	0	0	11	5	6	0	0	0
	HATE CRIMES											
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense (Rape)	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense (Forcible Fondling)	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense (Incest)	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense (Statutory)	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny - Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	3	2(Ra)	0	1(Ra)	0	0	0	0	0	0	3	2(Ra) 1(Ra)
Vandalism	2	2(Ra)	0	0	0	2(Ra)	0	2(Ra)	0	0	0	0

2016 ANNUAL SECURITY REPORT - LUBBOCK  
TEXAS TECH UNIVERSITY - LUBBOCK CAMPUS

Original Publication 10/1/17

**Corrected Publication 10/29/19**

2016 ANNUAL SECURITY REPORT - LUBBOCK																			
TEXAS TECH UNIVERSITY - LUBBOCK CAMPUS																			
Corrected / Republished	2014						2015				2016				Unfounded Crimes				
	Total	On Campus Property		Other Property		Total	On Campus Property		Other Property		Total	On Campus Property		Other Property		2014	2015	2016	
		Residence Halls	Campus Other	Public Property	Non Campus		Residence Halls	Campus Other	Public Property	Non Campus		Residence Halls	Campus Other	Public Property	Non Campus				
<b>VAWA OFFENSES</b>																			
Domestic Violence	0	7	2	0	0	0	0	0	0	0	2	0	1	1	0	0	0	0	0
Dating Violence	6	3	2	1	0	11	4	4	3	0	12	7	5	0	0	0	0	0	0
Stalking	6	3	3	0	0	11	5	6	0	0	16	10	6	0	0	0	1	0	0

[illegible]



TEXAS TECH UNIVERSITY - SEVILLA SPAIN CAMPUS															
2016 ANNUAL SECURITY REPORT															
TEXAS TECH UNIVERSITY - SEVILLA SPAIN CAMPUS															
CLERY CRIMES	2014				2015				2016				Unfounded Crimes		
	Total	On-Campus Property	Other Property	Non Campus	Total	On-Campus Property	Other Property	Non Campus	Total	On-Campus Property	Other Property	Non Campus	2014	2015	2016
	Residence Halls	Campus Other	Public Property		Residence Halls	Campus Other	Public Property		Residence Halls	Campus Other	Public Property				
Murder / Non-Negligent Manslaughter	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Negligent Manslaughter	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Sex Offense (Rape)	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Sex Offense (Forcible Fondling)	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Sex Offense (Incest)	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Sex Offense (Statutory)	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Robbery	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Aggravated Assault	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Burglary	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Motor Vehicle Theft	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Arson	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
ARRESTS															
Weapons	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Drugs	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Alcohol	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
REFERRALS															
Weapons	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Drugs	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Alcohol	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0

New Publication 10/29/19

New Publication 10/29/19

TEXAS TECH UNIVERSITY - SEVILLA SPAIN CAMPUS															
2016 ANNUAL SECURITY REPORT															
TEXAS TECH UNIVERSITY - SEVILLA SPAIN CAMPUS															
HATE CRIMES	2014				2015				2016				Unfounded Crimes		
	Total	On-Campus Property	Other Property	Non Campus	Total	On-Campus Property	Other Property	Non Campus	Total	On-Campus Property	Other Property	Non Campus	2014	2015	2016
	Residence Halls	Campus Other	Public Property		Residence Halls	Campus Other	Public Property		Residence Halls	Campus Other	Public Property				
Murder / Non-Negligent Manslaughter	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Negligent Manslaughter	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Sex Offense (Rape)	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Sex Offense (Forcible Fondling)	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Sex Offense (Incest)	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Sex Offense (Statutory)	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Robbery	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Aggravated Assault	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Burglary	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Motor Vehicle Theft	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Arson	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Larceny - Theft	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Simple Assault	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Intimidation	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Vandalism	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
SEX OFFENSES															
Domestic Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Dating Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0
Stalking	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0	0	0





Operating Policy and Procedure

**OP 10.04: Drug-Free Schools and Communities Act**

**DATE:** December 16, 2014

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to ensure understanding and standardized procedures in compliance with the provisions of the Drug-Free Schools and Communities Act, as amended.

**REVIEW:** This OP will be reviewed in November of even-numbered years by the director of Student Health Services, the managing director of Human Resources, the senior vice provost, and the vice provost for undergraduate education and student affairs with substantive revisions presented to the president.

**POLICY/PROCEDURE**

**1. Authority**

- a. The Texas Tech University (TTU) policy on drug and alcohol abuse prohibits the unlawful possession, use, or distribution of alcohol and illegal drugs by employees and students on TTU property or as a part of any officially sponsored TTU activities.
- b. The Drug-Free Schools and Communities Act, as amended, Public Law 101-226, requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must adopt and implement a program designed to prevent the unlawful possession, use, or distribution of alcohol and illegal drugs by faculty, staff, and students. In addition to meeting the requirements of the federal law, TTU also intends that this policy be part of a positive effort in alleviating alcohol abuse and other drug-related problems among members of the campus community. Thus, the emphasis in program implementation will be on prevention, education, counseling, intervention, assessment, and referral.
- c. This policy is in addition to, and not in lieu of, any other TTU policy. TTU reserves the right to take disciplinary action against faculty and staff or students for violations under this or other applicable policies of the university.

**2. Implementation**

It is the policy of TTU to create an environment for employees and students that is free from illicit drugs and the abuse of alcohol. Accordingly, the university will provide programs designed to prevent the illegal possession, use, or distribution of alcohol and illegal drugs, as required by PL 101-226, for all faculty, staff, and students at the university.

# Appendix A: Operating Policy 10.04: Drug Free Schools and Communities Act





Operating Policy and Procedure

**OP 40.02: Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws**

**DATE:** May 26, 2016

**PURPOSE:** The university is an Equal Employment Opportunity (EEO) employer and ensures compliance with federal and state employment laws and regulations. In the event an individual believes his/her rights under these or other laws have been violated, this policy sets forth the procedures to address these concerns in a fair, equitable, and prompt manner.

**REVIEW:** This Operating Policy/Procedure (OP) will be reviewed in August of odd-numbered years by the Managing Director of the Office of Equal Employment Opportunity (EEO), the Dean of students, and the Assistant Vice President for Human Resources with recommended revisions forwarded to the Associate Vice President for Administration and Chief of Staff to the President.

**POLICY/PROCEDURE**

The university is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from any form of unlawful discrimination. The university is dedicated to fostering and supporting a culture of mutual respect and communication.

This policy applies to all university students and employees, visitors, applicants for admission to or employment with the university, as well as university affiliates and others conducting business on campus.

The university does not tolerate discrimination or harassment based on or related to sex, race, national origin, religion, age, disability, protected veteran status, genetic information, or other protected categories, classes, or characteristics. While sexual orientation and gender identity are not explicitly protected categories under state or federal law, it is the university's policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on these bases.

Discriminatory behavior is prohibited by this policy, as well as by federal laws such as Title VII, which prohibits discrimination in employment, Title IX, which prohibits discrimination on the basis of sex in education programs or activities, the Equal Pay Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Title II of the Genetic Information Non-Discrimination Act, and state laws such as Chapter 21 of the Texas Labor Code. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or electronically displayed or conveyed.

The university expects all members of the University Community to comply with the law.

Appendix B: Operating Policy 40.02: Anti-Discrimination, Sexdual Harassment, and Title IX Policy and Grievance Procedure For Employees





Operating Policy and Procedure

**OP 40.03: Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure**

**DATE:** May 26, 2016

**PURPOSE:** This policy provides information regarding the university’s prevention and education efforts related to sex discrimination, sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, public indecency, Sexual Misconduct, interpersonal violence, and stalking. The policy provides students and employees with their rights and options and also explains how the university will proceed once it is made aware of allegations of prohibited conduct in keeping with the university’s values and in order to meet the legal obligations of Title VII, Title IX, the Violence Against Women Act (VAWA), the Campus Sexual Violence Elimination Act (SaVE), Texas Education Code, Section 51.9363, and other applicable law.

**REVIEW:** This Operating Policy/Procedure (OP) will be reviewed in August of odd-numbered years by the Managing Director of the Office of Equal Employment Opportunity (EEO), the Title IX coordinator, the Dean of students and, if different than the Title IX coordinator, the Assistant Vice President for Human Resources with recommended revisions forwarded to the Associate Vice President for Administration and Chief of Staff to the President. Any substantive changes to this policy must be approved by the Board of Regents.

**POLICY/PROCEDURE**

The university is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. In accordance with Title VII, Title IX, the Violence against Women Act (VAWA), the Campus Sexual Violence Elimination Act (SaVE), and other federal and state law, the university prohibits discrimination based on sex and other types of Sexual Misconduct. Sexual Misconduct is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, interpersonal violence, sexual violence, and any other misconduct based on sex. Any acts that fall within the scope of this policy hereinafter are referred to as Sexual Misconduct.

While sexual orientation and gender identity are not explicitly protected categories under state or federal law, it is the university’s policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on this basis. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or electronically displayed or conveyed.

Appendix C: Operating Policy 40.03: Anti-Discrimination, Sexdual Harassment, and Title IX Policy and Grievance Procedure For Students

Appendix D: Texas Tech Student Handbook:  
Gender-Based Harassment, Sexual Misconduct,  
Discrimination and Title IX Student Policies and  
Procedures






## **TEXAS TECH UNIVERSITY**

### Gender-Based Harassment, Sexual Misconduct, Discrimination, and Title IX

*Student Information Packet*

For more information, visit [www.sexualviolence.ttu.edu](http://www.sexualviolence.ttu.edu) and [www.ttu.edu/studenthandbook](http://www.ttu.edu/studenthandbook).

 <b>TEXAS TECH</b> UNIVERSITY	<b>GENDER-BASED HARASSMENT AND SEXUAL MISCONDUCT</b>
<b><u>Table of Contents</u></b>	
<b>GENERAL STATEMENT OF POLICY .....</b>	<b>4</b>
<b>TITLE IX COORDINATOR.....</b>	<b>5</b>
<b>DISCRIMINATORY HARASSMENT .....</b>	<b>6</b>
<b>SEXUAL MISCONDUCT VIOLATIONS.....</b>	<b>6</b>
SEXUAL HARASSMENT .....	7
SEXUAL EXPLOITATION .....	8
PUBLIC INDECENCY .....	8
NON-CONSENSUAL SEXUAL CONTACT .....	8
NON-CONSENSUAL SEXUAL INTERCOURSE.....	8
<b>CONSENT .....</b>	<b>9</b>
REVOCATION OF CONSENT.....	10
CONSENT CANNOT BE COMPELLED .....	11
INCAPACITATION.....	12
DRUGGING .....	13
SAFETY TIPS TO AVOID BEING DRUGGED .....	14
KEY POINTS REGARDING CONSENT.....	14
<b>RISK REDUCTION .....</b>	<b>14</b>
REDUCING RISK AT SOCIAL OUTINGS.....	14
REDUCING RISK WHILE ENGAGING IN CONSENSUAL SEXUAL ACTIVITY.....	15
TIPS FOR REDUCING RISK OF COMMITTING SEXUAL MISCONDUCT .....	15
HOW CAN I SUPPORT SOMEONE WHO WAS SEXUALLY ASSAULTED? .....	16
BYSTANDER INVENTION .....	17
<b>WHEN SEXUAL MISCONDUCT OCCURS.....</b>	<b>18</b>
GET TO A SAFE PLACE .....	18
PRESERVING EVIDENCE & KEEPING YOUR OPTIONS OPEN .....	18
IF YOU ARE NOT READY TO SEEK MEDICAL ATTENTION.....	19
TELL SOMEONE .....	20
<b>INTIMATE PARTNER / RELATIONSHIP VIOLENCE.....</b>	<b>20</b>
WHAT IS INTIMATE PARTNER / RELATIONSHIP VIOLENCE? .....	20
WHAT QUALIFIES AS AN INTIMATE RELATIONSHIP?.....	20
WHY WOULD ANYONE STAY IN AN ABUSIVE RELATIONSHIP?.....	24
HOW TO HELP SOMEONE GET OUT OF AN ABUSIVE RELATIONSHIP .....	24
RESOURCES FOR VICTIMS OF RELATIONSHIP VIOLENCE.....	24
<b>STALKING.....</b>	<b>25</b>
WHAT IS STALKING? .....	25
WHAT IS A STALKER?.....	25
THE EFFECTS OF STALKING .....	25
2	

WHAT TO DO IF YOU ARE BEING STALKED .....	25
<b>EXAMPLES OF MISCONDUCT .....</b>	<b>27</b>
<b>REPORTING AN INCIDENT .....</b>	<b>30</b>
REPORTING TO THE TEXAS TECH POLICE DEPARTMENT .....	30
REPORTING TO TEXAS TECH UNIVERSITY .....	30
HOW TO REPORT AN INCIDENT.....	31
CONFIDENTIALITY IN REPORTING .....	32
CONFIDENTIALITY IN STUDENT CONDUCT PROCESS .....	33
STATISTICAL REPORTING OBLIGATIONS .....	33
FEDERAL TIMELY WARNING OBLIGATIONS .....	34
COMMON CONCERNS ABOUT REPORTING .....	34
<b>THE STUDENT CONDUCT PROCESS .....</b>	<b>36</b>
REMEDIES AND RESOURCES.....	36
THE FORMAL CONDUCT PROCESS .....	38
RIGHTS AND RESPONSIBILITIES .....	39
STUDENTS' RIGHT TO BE ACCOMPANIED BY AN ADVISOR .....	40
HEARINGS.....	43
NOTICE OF OUTCOMES & FERPA .....	44
SANCTIONS.....	45
CONDUCT APPEAL PROCEDURES .....	47
APPROXIMATE TIMEFRAMES FOR TITLE IX COMPLAINT PROCESS.....	48
<b>UNIVERSITY'S RIGHT TO REVISION .....</b>	<b>49</b>
3	



**General Statement of Policy**

Texas Tech is committed to providing its students, faculty, and staff with an educational environment free from all forms of sex or gender-based harassment, unlawful discrimination, and sexual misconduct; prohibited conduct includes acts of sexual violence, sexual harassment, domestic or dating violence, and stalking. The Texas Tech community is dedicated to fostering and supporting a culture of mutual respect and communication.

Texas Tech University does not tolerate discrimination or harassment of students based on or related to sex, race, national origin, religion, age, disability, protected veteran status, or other protected categories, classes, or characteristics. While sexual orientation and gender identity are not protected categories under state or federal law, it is Texas Tech University policy not to discriminate on this basis. Actions related to admission, discipline, housing, extracurricular and academic opportunities shall not be made based on a student’s protected status. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, or electronically displayed or conveyed. Individuals who violate these policies and laws are subject to disciplinary action, up to and including expulsion.

All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. Texas Tech University believes in zero tolerance for sex/gender-based harassment, discrimination, or other misconduct. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator’s attention, protective and other remedial measures will be implemented to reasonably ensure that such conduct ends, is not repeated, and the effects on the victim and community are remedied, including serious sanctions when a responding party is found to have violated this policy.

Texas Tech University uses the *preponderance of the evidence* (also known as “more likely than not”) as a standard for proof of whether a violation occurred. In student conduct proceedings, legal terms like “guilt,” “innocence,” and “burdens of proof” are not applicable, as students are either found “responsible” or “not responsible” for a violation of the Code of Student Conduct and it is neither party’s burden to prove their case. The University never assumes a responding party is in violation of University policy, but rather, trained investigators conduct a thorough, neutral, and impartial investigation into the incident, after which a decision-maker (either a Hearing Officer or a University Discipline Committee) considers the totality of all available evidence and information from all relevant sources before rendering a decision regarding responsibility.

**Title IX Coordinator**

Texas Tech University’s Title IX Coordinator ensures compliance in all aspects of the University’s sexual misconduct, sexual harassment, and sex/gender discrimination policies and procedures. The Title IX Coordinator oversees the investigation and resolution of all reports of Title IX policy violations and reports directly to the University President, Dr. M. Duane Nellis. The Dean of Students, Deputy Title IX Coordinators, Title IX Investigators, and RISE Office support the Title IX Coordinator in compliance efforts.

Any questions or complaints concerning the policies addressed below should be directed to the Title IX Coordinator:

**Ronald Phillips**  
Title IX Coordinator, Office of the President  
Administration Building, Room 170, MS 2005  
806.742.2121  
ronald.phillips@ttu.edu

In the event that an incident involves alleged misconduct by the Title IX Coordinator, reports should be made directly to the TTU Office of Equal Employment Opportunity.

**Office of Equal Employment Opportunity**  
210 Administration Building, Box 41073  
Lubbock, TX 79409-1073  
**Phone:** 806.742.3627  
**Fax:** 806.742.2592

Information regarding how to file a report of sexual misconduct, harassment, or discrimination with the University can be found in the *Reporting an Incident* section below, but individuals also always have the right to file a formal grievance with government authorities:

**Office for Civil Rights (OCR)**  
Region 6  
Vaniacy Nwigwe [Acting]  
Office for Civil Rights  
U.S. Department of Health and Human Services  
1301 Young Street, Suite 1169  
Dallas, TX 75202  
Voice Phone (800) 368-1019  
FAX (214) 767-0432  
TDD (800) 537-7697

**U.S. Department of Justice Civil Rights Division**  
950 Pennsylvania Avenue, N.W.  
Educational Opportunities Section, PHB  
Washington, D.C. 20530  
By e-mail to [education@usdoj.gov](mailto:education@usdoj.gov)  
By telephone at (202) 514-4092 or 1-877-292-3804 (toll-free)  
By facsimile at (202) 514-8337

**Discriminatory Harassment**

Verbal or physical conduct based on a student’s sex, race, national origin, religion, age, disability, sexual orientation, or other protected categories, classes, or characteristics that is:

- Sufficiently severe, persistent, or pervasive that it adversely affects the victim’s education, or;
- Creates an intimidating, hostile, abusive or offensive educational environment, which interferes with the student’s ability to realize the intended benefits of the University’s resources and opportunities.

Examples of inappropriate behavior that may constitute unlawful harassment include, but are not limited to:

- Slurs and jokes about a protected class of persons or about a particular person based on protected status, such as sex or race;
- Display of explicit or offensive calendars, posters, pictures, drawings, screen savers, e-mails, or cartoons in any format that reflects disparagingly upon a class of persons or a particular person;
- Derogatory remarks about a person’s national origin, race, or other ethnic characteristics;
- Disparaging or disrespectful comments if such comments are made because of a person’s protected status;
- Loud or angry outbursts or obscenities in the workplace directed toward another employee, student, customer, contractor, or visitor;
- Disparate treatment without a legitimate business reason; or
- Other threats, discrimination, hazing, bullying, stalking or violence based on a protected category, class, or characteristic.

**Sexual Misconduct Violations**

Texas Tech University does not tolerate any form of sexual misconduct or harassment. TTU’s gender-based harassment and sexual misconduct policies are contained within the Code of Student Conduct, found in **Part I, Section B.2.c** of the 2015-2016 TTU Student Handbook (found [here](#)). Sexual misconduct offenses include, but are not limited to:

1. Sexual Harassment
2. Sexual Exploitation
3. Public Indecency
4. Non-Consensual Sexual Contact (includes attempted)
5. Non-Consensual Sexual Intercourse (includes attempted)

**SEXUAL HARASSMENT**

Unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with the student’s educational experience or creates a hostile educational environment.

- Sexual harassment can manifest in most any medium, including verbal comments, physical actions and activities, or conduct disseminated online or via social media.
- Harassing conduct will be disciplined if it unreasonably interferes with, denies, or limits someone’s ability to participate in or benefit from the University’s educational, social, and/or residential program. (See Section G in the TTU Student Handbook: Freedom of Expression)

Some examples of possible Sexual Harassment include:

- A professor insists that a student have sex with him/her in exchange for a good grade. This is harassment regardless of whether the student accedes to the request.
- A student repeatedly sends sexually oriented jokes around on an email list s/he created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live.
- Explicit sexual pictures are displayed in a professor’s office or on the exterior of a residence hall door
- Two supervisors frequently ‘rate’ several employees’ bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in her class in discussions about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. She probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend, turning him into a social pariah on campus.
- Male students take to calling a particular brunette student “Monica” because of her resemblance to Monica Lewinsky. Soon, everyone adopts this nickname for her, and she is the target of relentless remarks about cigars, the president, “sexual relations” and Weight Watchers.

**Quid Pro Quo Sexual Harassment**

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a person having power or authority over another constitutes sexual harassment, when submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual’s educational (or student employment) progress, development, or performance.
- This includes when submission to such conduct would be a condition for access to receiving the benefits of any educational program.
- Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances.



SEXUAL EXPLOITATION

Taking non-consensual or abusive sexual advantage of another for the benefit of oneself or a third party. Prohibited behavior includes, but is not limited to:

- Purposeful distribution or dissemination of sexual or intimate images or recordings of another person without that person’s full knowledge or consent;
- Sexual voyeurism;
- Inducing another to expose one’s genitals or private areas;
- Prostituting another student;
- Knowingly exposing someone to or transmitting an STI, STD or HIV to another person;

PUBLIC INDECENCY

Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency. Including, but not limited to publicly exposing one’s genitals or private area(s), public urination, defecation, and/or public sex acts.

NON-CONSENSUAL SEXUAL CONTACT

Intentional sexual touching, however slight and with any object or part of one’s body, of another’s private areas without consent (*see **Consent*** below).

Sexual Contact includes:

- Intentional contact with the breasts, buttock, groin, or genitals;
- Touching another with any of these body parts;
- Making another touch you or themselves with or on any of these body parts; or
- Any other intentional bodily contact in a sexual manner.

NON-CONSENSUAL SEXUAL INTERCOURSE

Sexual penetration or intercourse, however slight and with any object, without consent (*see **Consent*** on page 9). Penetration can be oral, anal, or vaginal.

Intercourse includes:

- Vaginal or anal penetration by a penis, object, tongue or finger, no matter how slight the penetration.
- Oral sex (mouth to genital contact) is considered a form of sexual intercourse. Accordingly, no matter how slight the contact, non-consensual mouth to genital contact is a violation.

*Consent*

TTU expects its community members to act in accordance with its policies regarding sexual misconduct. As such, any community members engaging in sexual activity must have clear, knowing, and voluntary consent from their sexual partner prior to and during each sexual activity. These policies apply to all TTU community members.

Consent is defined as mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly convey permission for a specific activity.

The following factors must all be fulfilled in order to have valid consent:

- Consent has been expressed by each partner through clear words or actions.
- Consent is actively expressed by each partner. Consent is not passive or implied.
- Each partner is informed about each sexual activity and knowingly consents to participate in each sexual activity.
- Consent is given voluntarily and freely by each partner for each sexual activity.
- Each partner has capacity to consent to engage in sexual activities.

Consent may be expressed by words or by actions, though it is highly recommended that consent be expressed and obtained verbally. Non-verbal consent expressed through actions may lead to confusion and potential for misunderstandings, which may lead to a violation of TTU’s sexual misconduct policies.

Silence cannot be assumed to express consent and saying “NO” is not the only way a partner may communicate lack of consent. A partner may use non-verbal cues to indicate their lack of consent for any sexual activity. It is the responsibility of the initiator of any sexual activity to obtain their partner’s consent for every sexual activity.

Some examples of non-verbal communication that demonstrate lack of consent include:

- Resistance: pushing hands away, pulling away from partner
- Body going limp or freezing up
- Crying
- Wincing

Before engaging in any type of sexual activity, it is the initiator’s responsibility to **obtain** their partner’s consent, either verbally or non-verbally. Both partners must communicate **mutually understood** consent for **every** sexual activity to be engaged in.

The following are some examples of how to ask for consent and/or communicate to your partner what sexual activities you would either like to do or do not want to engage in:

- “Does this feel good?”
- “Can I ...?”
- “Do you like it when I ...?”
- “Before this goes any further, I think we should talk about what you want.”
- “Let me know if you change your mind.”
- “We can slow down if you want.”
- “I really like it when you ...”

REVOCATION OF CONSENT

One partner can revoke his or her consent **at any time**, so long as it's **clearly communicated** to the other partner. Revocation of consent may be communicated verbally and/or non-verbally. Once a partner has revoked his or her consent, the sexual activity must stop. If one partner continues the sexual activity after the other partner has revoked his or her consent, a sexual assault has occurred.

The following are examples of *verbal* communication that may constitute revocation of consent:

- “Can we slow down a little?”
- “I’m not ready.”
- “I’m not sure if I want to ...”
- “This doesn’t feel right.”
- “Let’s just go back to the party.”

The following are examples of *non-verbal* communication that may constitute revocation of consent:

- Reluctance to take clothes off or putting clothes back on
- Pushing partner away or pulling away from partner
- Turning away from partner’s kiss or turning body away from partner
- Suddenly freezing or going limp after previously being an active participant
- Suddenly going silent after previously talking or moaning

It is important to know that non-verbal withdrawal of consent may be difficult to discern if one does not know their sexual partner very well. In instances when near-strangers engage in sexual activity, it is highly advisable for each participant to use clear verbal communication. According to Charlie Glickman, Ph.D., “... non-verbal consent can only be relied on when you already know your partner and how they respond. Until you have that foundation, due diligence suggests making verbal communication your standard. It’s unfortunately easy to do something that you genuinely believe your partner is enjoying and then find out later that they didn’t.”

If you sense a sudden change in your partner’s behavior or tone, check in and **ASK** how he or she is doing and whether he or she is enjoying the experience or wants to stop. If you are asked to stop or slow down, or if your partner does not respond to your question, do not assume consent.

A prior existing sexual relationship between consenting adults does not imply future consent to engage in sexual activities. At any time in a relationship, one partner may revoke his or her consent to sexual activities with the other partner. This is true even in marriage or other long-term sexual relationships. Consent for one sexual activity does not equal consent for other sexual activities.

CONSENT CANNOT BE COMPELLED

Compelled sexual activity is by definition non-consensual. Compelling someone into engaging in sexual activities by the use of physical force, threats, intimidation, or coercion *invalidates* consent, even if it’s eventually given, and thus constitutes a violation of the TTU sexual misconduct policies.

**Threats**

- A threat exists when a *reasonable person*, if put in the position of the complaining party, would have been compelled to give permission to sexual contact when they would not have otherwise.
- The following are examples of a threat that might compel a reasonable person to engage in otherwise unwanted sexual activity:
  - “Have sex with me or I’ll hit you.”
  - “If you do not have sex with me, I will tell everyone that you’re gay.”
  - “If you refuse to let me pleasure you, I will fail you.”

**Intimidation**

- An *implied* threat.
- Like an actual threat, intimidation will invalidate any consent if a *reasonable person*, if put in the position of the complaining party, would have been compelled to give permission to sexual contact when they would not have otherwise.
- This can occur when someone uses his/her physical presence to menace you, without contact, such as using any of the following to indicate an imminent threat to another’s safety or well being: displaying weapons, abusing pets, destroying property, or using looks, actions, gestures, and a tone of voice to indicate a threat of violence.
- This can also occur when someone uses another’s knowledge of his/her past violent tendencies, coupled with his/her menacing behavior, to imply a threat.

**Coercion**

- An *unreasonable* pressure for sexual activity.
- Behavior becomes coercive when someone consistently pressures another into unwanted sexual behavior, when it’s been made clear that it is *unwanted*.
- Differs from seduction in a key way:
  - “Trying to persuade someone to have sex”  
vs.
  - “Trying to persuade someone to have sex who doesn’t want to be persuaded”
- A person is not required to resist the sexual advances or pressure to engage in sexual activity, though resistance is a clear indicator of non-consent.

**Physical Force**

- The use of physical acts of violence to compel a person to engage in sexual activity.
- Hitting, kicking, retraining, or otherwise exerting physical control over you.
- Note that an act of physical violence is a violation of policy in and of itself. Thus, committing a physical act of violence while in the commission of a sexual assault will result in two separate policy violations – one for assault and the other for sexual misconduct.



INCAPACITATION

Incapacitation occurs when an individual lacks the ability to make informed, rational decisions due to an impairment, which may be temporary or permanent. This impairment may be due to age, mental disability, cognitive disorder, sleep, unconsciousness, involuntary physical restraint, or alcohol and/or drug use (both voluntary or involuntary).

A person CANNOT consent to sexual activity when he or she is incapacitated. Engaging in sexual activity with someone you know or reasonably should know is incapacitated is a violation of the sexual misconduct policy. The question of what the responding party should have known is objectively based on what a reasonable person in the place of the responding party, sober and exercising good judgment, would have known about the condition of the reporting party.

There are three types of incapacitation:

1. **Age:** A minor cannot consent to engage in sexual activity. In Texas, the legal age of consent is 17.
2. **Mental Disability:** A person with a mental disorder or other cognitive issue which prohibits him or her from making an informed decision lacks capacity to consent to engage in sexual activity.
3. **Physical Incapacitation:** A person who is asleep, unconscious (blacked-out), and/or intoxicated to the point of no longer understanding or controlling his or her actions cannot consent to engage in sexual activity.

A person is physically incapacitated due to intoxication when they have impaired decision-making ability and lack the capacity to appreciate the nature and/or consequences of an activity. The initiator of sexual activity is responsible for assessing whether their partner lacks the ability to consent due to incapacitation. If the initiator has any doubts about their partner's level of intoxication or possible incapacitation, it is in the best interest of the initiator to not engage in sexual activity until such time as their partner is sober and able to communicate clear consent.

The fact that the initiator may also be intoxicated at the time of initiating sexual activity does not diminish their responsibility to obtain their partners clear, knowing, and voluntary consent. The initiator's level of intoxication is *never* an excuse for failing to obtain their partner's consent.

Some indicators of impairment include, but are not limited to:

- Slurred speech
- Bloodshot eyes
- Smell of alcohol on breath
- Appears shaky and/or unbalanced
- Vomiting
- Unusual or questionable behavior
- Unconsciousness (in and of itself conveys incapacity)

Incapacitation is sometimes difficult to evaluate because people reach this level of impairment at different points, which depend on several factors:

- Body weight, height, size, BMI
- Alcohol/drugs tolerance and amount of alcohol/drugs consumed
- Food intake prior to consumption

“Blacking out” is a term often used to describe the state of a person who is unconscious. Unconsciousness is defined as a state of being without normal sensory awareness. It is important to understand that there are two types of unconsciousness, both of which equate to physical incapacitation.

- a. May maintain mental awareness of the situation, but lose the physical ability to react.
- b. May maintain physical ability and control, but lose all conscious awareness or memory.

*\* Both constitute incapacity and thus consent is not possible. \**

DRUGGING

- An incapacitated person cannot consent to sexual activity.
- Certain drugs may be added to beverages or combined with food in order to rapidly incapacitate an unsuspecting person. While alcohol is commonly used in drug-facilitated sexual assaults, it is not uncommon for sodas, water, and other beverages to be dosed with incapacitating drugs.<sup>1</sup> Such drugs may inhibit a person's ability to resist sexual advances or remember an assault.
- There are several types of drugs which may be used to rapidly incapacitate a person, including over-the-counter drugs, prescription drugs, and street drugs.
- These drugs are often odorless, tasteless, and invisible once dissolved in a beverage or combined in food.
- If you feel that you may have been drugged, it is extremely important to get tested *as soon as possible*. Go to the nearest hospital or other healthcare facility and get a blood or urine test to find out what is in your system.
- Many drugs will leave your body within hours of consumption. It is best to get tested within 12-24 hours is possible. Time is critical to identifying drugs in your system and preserving evidence of a drug-facilitated sexual assault.
- Symptoms of drugging may vary depending on the type of drug, the combination of the drug with alcohol, and the quantity of the drug consumed. Some common symptoms of drugging include:
  - Feeling drunk when you have not knowingly consumed alcohol or have knowingly consumed very little alcohol
  - Sudden loss of inhibitions
  - Dizziness
  - Nausea
  - Loss of balance
  - Difficulty walking, talking, or breathing
  - Hallucinations
  - Waking up with little or no memory
  - Waking up feeling disoriented and confused

<sup>1</sup> The information in this section can be found at <http://womenshealth.gov/publications/our-publications/fact-sheet/date-rape-drugs.html>.

SAFETY TIPS TO AVOID BEING DRUGGED

It is important to understand that drugging another individual is a crime and engaging in sexual activity with an incapacitated individual is a crime of sexual assault. The victim of such a drugging is **never** at fault. However, below are some tips to lessen one’s risk of being drugged and perhaps thwart a drugging attempt of a would be perpetrator:

- Never accept a drink from a stranger.
- When possible, open and pour your own drink.
- Avoid punch bowls, jugs, and pitchers of beverages.
- Do not leave your drink unattended.
- If you think your drink may have been tampered with, don’t drink it.
- Educate yourself and your friends about symptoms of a drugging.
- Use the “buddy system” and ask your friends to keep an eye on you and your drinks.

Some tips to help others avoid being drugged:

- Keep an eye on your friend’s drink.
- Be aware of your friend’s behavior and, if your friend begins exhibiting symptoms of being drugged, seek immediate medical attention.
- If you see someone slip a substance of any kind into anyone’s drink, inform that person immediately.
- Familiarize yourself with bystander intervention strategies at [www.rise.ttu.edu](http://www.rise.ttu.edu).

KEY POINTS REGARDING CONSENT

- It is the responsibility of the *initiator* of sexual activity to obtain consent prior to acting.
- Silence is not consent – consent must be “actively given.”
- A person is not required to actively *resist* their aggressor.
- A person is not required to say “No” as a means of expressing non-consent.
- A person’s *intentional* use of alcohol/drugs neither negates nor diminishes the initiator’s responsibility to acquire consent before engaging in sexual activity.
- Consent can be withdrawn at any time, and if communicated clearly that consent has been withdrawn, all sexual activity must cease.
- Consent has an expiration date. Consent on Thursday does not mean consent on Friday.

**Risk Reduction**

Sexual violence is never the survivor’s fault. These tips are not meant in any way to suggest that the survivor of an assault carries any blame for the act. TTU offers these risk reduction tips with the intention to provide every individual with steps they can take to help protect themselves against the acts of a would-be perpetrator.

REDUCING RISK AT SOCIAL OUTINGS

- Use the “buddy-system.” Go out with a group of friends or use an app like Circle of 6 (<http://www.circleof6app.com>) to check in with your friends throughout the evening and make sure someone knows where you are.
- Trust your instincts. If you get a “bad vibe” from someone, make an excuse and walk away. Go to a safe and comfortable place and tell a friend about who you are nervous about and why. It is easier for your friend’s to watch your back when they know who you are trying to avoid.

- Don’t drink anything from a stranger and avoid communal drinks like punch bowls at parties. Those are too easy to spike with liquor and other substances.
- Always watch your drinks. If you have to leave a drink unattended, don’t continue to drink it when you return. It is often tempting to have a friend watch your drink until you return, but they might get distracted. Get a new drink.
- If you begin to feel sleepy, dizzy, or otherwise “funny” after drinking a beverage, call 911 and/or a friend immediately and tell them where you are. Many people are allergic or have other adverse reactions to drugs. Seeking immediate medical attention may save your life.

REDUCING RISK WHILE ENGAGING IN CONSENSUAL SEXUAL ACTIVITY

- Know your limits and expectations and clearly communicate those to your partner before you engage in any sexual activities.
- Ask your partner questions about their limits and expectations and obtain their clearly communicated consent before you engage in any sexual activities.
- If, at any time during an encounter, you become uncomfortable with any/all sexual activity, clearly communicate to your partner your revocation of consent immediately. They might not pick up on your non-verbal communication when you are uncomfortable. Using verbal statements will make your revocation of consent clear and unequivocal.
- If, at any time during an encounter, your partner clearly communicates to you that they have revoked consent for any/all sexual activity, you must stop immediately.
- While it is always your right to create and share intimate photos or videos of yourself to share with your partner, it is a good idea to clearly communicate to them how and when, if ever, those images may be used and/or shared with others. It is a TTU policy violation to record or distribute sexually explicit images/videos of another without that person’s permission.

TIPS FOR REDUCING RISK OF COMMITTING SEXUAL MISCONDUCT

As the initiator of sexual activity, it is your responsibility to obtain your partner’s clear, knowing, and voluntary consent for any and all sexual activities in which you engage. The following tips help ensure you treat your partner with dignity and respect their boundaries. These may also help you avoid committing or being accused of committing a violation of TTU’s sexual misconduct policies:

- Clearly communicate your intentions with your partner before engaging in each sexual activity.
- Give your partner time to clearly communicate their consent/non-consent for each sexual activity.
- If you start getting mixed messages from your partner or you are confused about whether you have their consent, stop immediately. Ambiguity is a clear indicator of lack of consent. Miscommunication and lack of communication are the two commonly reported precursors to allegations of sexual misconduct. When in doubt, ASK!
- Silence is not consent. If your partner is silent, passive, or unresponsive, it is strongly encouraged that you ask them for clear, explicit consent to proceed in any sexual activity.
- Respect your partner’s boundaries. If your partner refuses to consent or revokes consent for a specific sexual activity, do not try to convince them to engage in that activity. Unreasonable and persistent pressure to compel your partner to engage in sexual activity is coercion and a policy violation.
- Don’t assume anything. Ask! Your partner may be a virgin. Perhaps they are OK with trying one sexual activity but not another. Maybe they have been alright with one sexual act one day, and then they decided they never want to do it again. Your partner may decide to try abstinence from all sexual activity after having engaged in all kinds of sex with you on prior occasions. Prior sexual activity does not imply future consent.



- If your partner shares intimate photos or videos with you or allows you to create intimate photos or videos of them, do not share those images or videos with anyone else. It does not matter who made the photo or video. Unauthorized recording or distribution of nudity or sexual activity is exploitation and a violation of TTU policy.
- Before initiating any type of sexual activity, it is your responsibility to ascertain whether your partner has the capacity to consent. When in doubt, wait until your partner is sober, fully conscious, and able to express clear, knowing, and voluntary consent. In general, engaging in sexual activity while under the influence of alcohol or drugs is considered risky behavior because alcohol and drugs impair one's decision-making abilities. If you have any doubt about the intoxication level of your partner or you have any indication they may be incapacitated, cease all sexual activity. An incapacitated person cannot consent to sexual activity. If it is later determined that you engaged in sexual activity with a person who was incapacitated at the time, you could be held accountable for TTU policy violations and/or federal and state law violations.
- Near-stranger sexual "hook-ups" carry with them a unique challenge because the people involved do not know each other well enough to understand each other's non-verbal communication. In these cases, verbal interaction should be your standard of communication to ensure clear consent is expressly obtained.
- Additionally, in casual sex scenarios, each partner may not know the other's sexual history. One partner may have experienced a sexual assault in the past. Be aware that prior sexual trauma may suddenly trigger anxiety and/or panic during a sexual encounter with a new person. If your partner gave clear consent for sexual activity, but suddenly revokes that consent, starts crying, or otherwise demonstrates a sudden shift in communication while engaging in sexual activity, stop immediately.

#### HOW CAN I SUPPORT SOMEONE WHO WAS SEXUALLY ASSAULTED?

It is sometimes difficult to know what to say or do when a friend or loved one confides in you that they have been sexually assaulted. The assault will undoubtedly bring feelings of anger, frustration, confusion, and stress to the victim and to those who offer support. A victim of sexual assault will need a great deal of support and comfort from their friends and family. Just as the act of reaching out for that support can be very difficult, it may also seem difficult to give the right support to the victim.

It is important to understand that there is no perfect response and you don't have to have all the right answers. The following are a few helpful ways to show support:

- Be there with the victim and listen with patience. It may take time for them to tell you what happened.
- Express to the victim that they don't have to go through this alone.
- Let them know that the assault was not their fault.
- Communicate your support without judgment. Avoid asking questions about what the victim was wearing or drinking or why they were in the place the assault occurred.
- Assure them that you will keep what they tell you confidential.
- Offer to assist them in getting more help when they are ready. Know the local resources available and offer to stay by their side while they get more help.
- Remember that they may want to be hugged or may not want to be touched at all. Respect their wishes and give them space if needed.
- It is often important for victims to feel they can take back control of their lives. Allow them to make the decisions about what they want to do. Don't force them to report if they aren't ready.
- Educate yourself about the warning signs for depression and suicide. Respectfully monitor the victim and watch for those warning signs. If you sense that they are considering self-harm, talk to them and offer more help, support, and love. Visit the Texas Tech Student Counseling Center at [www.depts.ttu.edu/scc/](http://www.depts.ttu.edu/scc/).

#### BYSTANDER INTERVENTION

##### ***What is Bystander Intervention?***

A Bystander is anyone who observes an emergency or other situation where someone is in need of help. 'Bystander Intervention' is simply when a Bystander makes the decision to get involved- to intervene in the situation. Unfortunately, research often suggests that the more people that are around during an emergency situation, the *less* likely a bystander is to intervene. Why is that? It's based on something called "diffusion of responsibility"- meaning, when they are several people around, each person believes that someone else will get involved. Since the assumption is that another person will act, individuals tend to hold back and wait on others to act.

Some other reasons that bystanders choose not to intervene include feeling unprepared to handle the crisis ("I'm sure someone knows more than me"), a situation being too ambiguous/misjudging the situation ("What going on here? Is this even really a problem?"), or the bystander may believe that the person in question is responsible for their situation, so they are getting what they deserve. A good rule to follow when it comes to Bystander Intervention is to err on the side of caution- be the first to act. "I wish I had..." is a terrible feeling to walk away with.

##### ***How can I get involved?***

While there are specific training programs for Bystander Intervention, it is not necessary to complete a formal program before getting involved. Anyone can get involved. YOU can get involved.

##### ***When to intervene:***

- When you feel uncomfortable about what's going on. Trust your gut.
- When you hear someone joking about sexual assault
- When you hear degrading language
- When someone is pressuring another person to drink
- When it seems like someone is trying to have sex without their partner's consent
- When someone is getting ready to have sex with an intoxicated person
- When someone has been drinking too much, and you are concerned about their safety. Don't "guess" if they have alcohol poisoning. Get them some help. Call 911 or have a sober driver take them to the emergency room. TTU has an amnesty policy that you can review here, Part I, Section C, 2.

##### ***Find a method that fits your style***

- The Divider (Defensive Split): step in and separate the two people. Tell them why you're getting involved. Let them know you are trying to keep them safe! Find a way to help them get home.
- The Interrupter (Pick & Roll): Distract them to get them to focus on something else. You may say things like "It's too hot in here! Let's get some fresh air!" or "I don't want to go to the bathroom by myself. Come with me!" or even "My friend text me about a better party going on somewhere else. Let's check it out." Find a statement that works for you and your personality. It may be easier to come up with one ahead of time, instead of trying to think on the spot.
- The Evaluator (Option): Evaluate the situation and people involved to figure out your best course of action. It may be that you directly intervene or you get some of their friends to come and help. If it doesn't seem to be working, step back and try a different approach.
- The Recruiter (Full Court Press): Get friends of both of the people to come help you, and step in as a big group.

- The Disrupter (Fumble): Distract one of the people, and have a buddy distract the other person. Commit a party foul, like spilling your drink, if needed.

**Tips for intervening**

- Approach everyone as a friend.
- Don't be antagonistic (confrontational, looking for a fight, etc.)
- Avoid using violence.
- Be honest and direct when possible.
- Recruit others to help you when needed.
- Keep yourself safe.
- If you are in over your head, if things get too serious, or if a situation needs more assistance than you can provide, don't hesitate to contact the police.

**Training Programs**

- [Request](#) a Step UP workshop for your class, student organization, or Sorority/Fraternity. Not involved in a group? Contact [RISE@ttu.edu](mailto:RISE@ttu.edu) for information about upcoming training opportunities.

**Want to see what this looks like in action?**

- Here's a [video](#) showing how you could intervene with someone based on the relationship you have with them. *Hint:* you can intervene in an adapted way to help anyone!
- Here's a [video](#) showing what campus can look like when Red Raiders look out for one another. Safety is everyone's responsibility!

\* Virgina Tech (n.d.). Bystander Intervention Playbook. Adapted from William and Mary Sexual Assault Services (2008).

**When Sexual Misconduct Occurs**

It is the unfortunate truth that, regardless of efforts to reduce risk, sexual misconduct can and does occur, both on and off campus. When an incident of sexual misconduct occurs, it's important for victims to take immediate steps to secure their own safety and preserve evidence where possible, in the event they decide to report criminally or with the University.

**GET TO A SAFE PLACE**

- The most important thing for a survivor of sexual assault is to get to a safe place immediately after the assault. Whether that safe place is your home, a friend or family member's home, or a public building, get to a place where you feel safe.
- Once that feeling of safety has been achieved, **if you need immediate medical attention**, you should call 9-1-1 or go to the nearest emergency room.

**PRESERVING EVIDENCE & KEEPING YOUR OPTIONS OPEN**

- If you have been sexually assaulted within the past 96 hours, it is strongly encouraged that you seek medical attention at an emergency room for a Sexual Assault Nurse Exam (SANE). The comprehensive exam will be provided at no cost to you. This forensic medical exam will include a physical examination, photo documentation of injuries, collection of clothing, and collection of DNA evidence, which may be preserved and used to aid in a criminal prosecution if so desired.

18

- “DNA evidence is an integral part of a law enforcement investigation that can build a strong case to show that a sexual assault occurred and to show that the defendant is the source of biological material left behind.”<sup>2</sup>
- You do not need to decide at this time whether you want to pursue legal action but if you save the evidence, it offers you more options in the future when you are better able to decide.
- In an effort to preserve as much evidence as possible, you should refrain from doing anything that may wash away or destroy DNA. Therefore, until a SANE has been completed at a healthcare facility, please follow these instructions:
  - Do not shower, bathe, or douche (for women). Doing so will wash away vital DNA and other physical evidence.
  - Do not use the restroom. If you must urinate, collect a sample of your urine in a clean container and seal that container with a lid or plastic wrap. Urine testing may provide evidence of drugging if tested soon after an assault.
  - Do not change any of your clothing. Bring a change of clothes with you to the healthcare facility. A SANE nurse will collect and preserve all of the clothing you were wearing during the assault.
  - Do not touch any bodily fluids on any of your clothing, sheets, or other objects.
  - Do not comb or brush your hair.
  - If the assault involved oral penetration, do not brush your teeth or rinse your mouth. Do not eat, drink, or smoke anything until a SANE nurse has collected physical evidence.
  - Do not clean your injuries.
  - Do not clean the crime scene.
  - Do not move anything the perpetrator may have touched.
- Even if you are unsure whether you want to report the incident to the police and/or seek criminal prosecution, it is strongly suggested that you get a SANE done. The forensic collection and preservation of evidence will allow you more options at a later date. DNA evidence is no longer available after 96 hours, and could be of significant importance if you decide you would like to report sometime in the future. In Texas, the Non-reported Sexual Assault Evidence Program allows such evidence to be secured and preserved for up to two years, giving you time to consider whether you want to report the crime and/or seek criminal prosecution.
- These Lubbock healthcare facilities provide SANE services 24 hours a day, 7 days a week:

<b>University Medical Center</b> 602 Indiana Ave, Lubbock, TX 79415 (806) 775-8200	<b>Covenant Medical Center</b> 3615 19th Street, Lubbock, TX 79410 (806) 725-0000
--	---

**IF YOU ARE NOT READY TO SEEK MEDICAL ATTENTION**

- Once you are in a safe location, it is strongly recommended that you take steps to preserve evidence of the assault. This will give you more options if you later decide to pursue reporting the crime. Physical DNA evidence could be vital to identifying the perpetrator if unknown or proving the identity of a known perpetrator.
- While it is highly recommended that you seek medical care and receive professional forensic medical examination, you may **take steps to preserve physical evidence** on your own:
  - If you have sterile plastic gloves available, wear those gloves while collecting evidence to reduce contamination.
  - Do not touch any bodily fluids on any of your clothing, sheets, or other objects. Collect items of clothing containing bodily fluids and place those items in paper bags. Roll the

<sup>2</sup> This information is available on the RAINN website at <https://rainn.org/get-information/aftermath-of-sexual-assault/preserving-and-collecting-forensic-evidence>

19



tops of those bags down to seal them. **Do not store evidence in plastic bags because that may destroy evidence.**

- If the assault occurred on a bed, place all sheets and linens in paper bags and seal those bags.
- Photograph any cuts, bruises, and other injuries to your body. Make sure the photos are well lit and clearly show the injuries. Use a ruler if available to provide a scale reference of the size of your injuries.
- Do not delete digital evidence from your phone or computer. Do not delete text messages, photographs, emails, instant messages, or any other digital evidence. This data may later provide vital information for a criminal investigation. If you are not comfortable having this data on your phone or computer, preserve it all on a thumb drive and store it some place safe.

TELL SOMEONE

If you have family or friends that you trust, it is highly encouraged that you tell someone what happened. However, if you simply want someone to listen but are unsure whether you want to involve your family and friends, and are hesitant to report to the police or the University, there are several resources available to you.

These resources offer *completely confidential* assistance and support, and are free for TTU students. Both of the resources below are not subject to mandatory reporting requirements and the conversations you have with counselors will not leave the room.

**Student Counseling Center**  
TTU Student Wellness Center, Rm 201  
Phone: 806-742-3674  
[www.depts.ttu.edu/scc/](http://www.depts.ttu.edu/scc/)

**Voice of Hope (Rape Crisis Center)**  
Hotline: (806) 763-RAPE (7273)  
Phone: (806) 763-3232  
[www.voiceofhopelubbock.org](http://www.voiceofhopelubbock.org)

**Intimate Partner / Relationship Violence**

TTU's Code of Student Conduct, specifically **Part I, Section B.2.b.4** (found [here](#)), prohibits any intentional or reckless behavior that harms, threatens, or endangers the physical or emotional health or safety of self or others. This includes a specific provision regarding intimate partner / relationship violence, defined as:

*Violence or abuse, verbal or physical, by a person in an intimate relationship with another.*

**WHAT IS INTIMATE PARTNER / RELATIONSHIP VIOLENCE?**

Intimate Partner / Relationship Violence is the broader term that encompasses both dating violence and domestic violence. Dating violence typically refers to any type of verbal, emotional, physical, or sexual abuse that occurs between two people identified as being in a dating relationship; domestic violence is the same abuse occurring between two cohabitating people, irrespective of a dating dynamic; and more broadly, intimate partner / relationship violence is any abuse occurring between two people who are intimately involved. This type of violence is often the result of an abuser's desire to control his or her partner's thoughts and actions; it's about power, not passion. The abuser often uses a variety of abusive methods to gain that control, including emotional, verbal, physical, and sexual abuse.

**WHAT QUALIFIES AS AN INTIMATE RELATIONSHIP?**

Relationship violence can occur within a dating relationship, in a marriage, or between roommates. These types of relationships are indicated by a number of factors including a pattern of close, personal

connections, shared living space, and frequent interactions between the two parties. Sexual intimacy is not required to qualify as an intimate relationship. Texas Tech recognizes these various types of relationships regardless of the abuser's or victim's gender, gender identity, or sexual orientation.

**Types of Abuse**

EMOTIONAL ABUSE

Emotional abuse is pattern of behavior that over time has the effect of diminishing the victim's sense of identity, dignity, and self-worth. The abuser commits acts of neglect, humiliation, intimidation, isolation, confinement, and verbal assault in order to gain control of the victim's thoughts or actions. Victims who suffer from emotional abuse often exhibit signs such as very low self-esteem, depression, anxiety, and suicidal thoughts.

Some examples of emotional abuse include:

- Verbal Abuse: name-calling, badgering, mocking, humiliating, shaming, or criticizing
- Intimidation: displaying weapons, abusing pets, destroying property, or using looks, actions, gestures, and a tone of voice to indicate a threat of violence
- Isolation: controlling a victim's movements and communication with others, using jealousy and the victim's desire to be loved to manipulate the victim into submission
- Neglect: ignoring, abandoning, refusing intimacy, withholding affection as punishment
- Financial Control: forcing a partner to live on an allowance, removing access to joint bank accounts.

VERBAL ABUSE

Verbal abuse is the extreme use of language in the form of insults or humiliation by an abuser to undermine a victim's dignity, self-esteem, or security. Victims of verbal abuse tend to constantly second-guess their own abilities and often feel useless and powerless. The tragedy is that a victim with low self-esteem and self-worth will often seek love and approval from his or her abuser. This gives the abuser power and control over the victim and ensures that the cycle of abuse will continue.

Relationship violence frequently begins with verbal abuse in the form of name-calling, mocking, embarrassing, criticizing, and/or shaming. The abuser may say, "I love you," but the rest of the message could be a disguised criticism or threat. For example, an abuse may say, "I love you, but if you don't do this for me, I'll find someone who will." Sometimes the language is loving, but the tone used by the abuser implies that the message is a lie and the abuser is really making a threat. Verbal abuse is one of the most difficult abuses to identify because it leaves no physical wounds. However, the victim often feels the emotional pain of verbal abuse for a very long time.

Too often, a victim will ignore verbal abuse at the beginning of a relationship in an attempt to "keep the peace." Some people fail to recognize they are in an abusive relationship because they tend to minimize the emotional effects of their partner's verbal assaults. At first the verbal abuse may only happen when the victim is alone with the abuser. Over time, as the abuser becomes more comfortable with using abusive language and the verbal assaults may begin to occur in front of family, friends, and strangers. The abuser may try to manipulate the victim into giving up freedom or resources in return for love. The verbal abuse may begin to take the form of threats to the victim's safety. Tragically, verbal abuse can quickly progress to physical abuse. Abusers tend to become more aggressive over time in their efforts to control their partners. When attempts to control emotions and self-esteem are not enough, abusers turn to physical force. Learning to recognize the early indicators of relationship violence could save victim's life.

Some examples of verbal abuse include:

- “It’s cute that you want to be a doctor, but do you really think you’re smart enough? That’s a lot of hard work. Maybe you should do something less challenging. Leave medicine to the intelligent people.”
- “I love you, but your weight is embarrassing. I can’t be with a fat girl. Get to the gym or I will have to find someone else.”
- “I can’t believe you got a C on that paper. You are such a loser. How could you screw up such an easy assignment? You’re can’t do anything right.”
- “You can’t go out dressed like that. You look like a slut. Go cover yourself before someone sees you.”
- “Who have you been talking to? You’re with me. Stop acting like a whore!”
- “Let me do the talking. You always sound like an idiot. I’d hate for you to humiliate yourself again.”
- “Get over here NOW!! Quit acting like you’re scared of me or I’ll give you something to be afraid of!”

PHYSICAL ABUSE

Physical abuse is perhaps the most obvious type of relationship abuse because it often (though not always) leaves physical evidence of the abuse. The victim may have bruises, cuts, broken bones, and/or other physical trauma that can be seen by others. However, many abusers become quite skilled at abusing their victim in a place or manner that can easily be covered and hidden. Large sunglasses can cover black eyes and bruises may be covered by hair and by clothing.

A few examples of physical abuse include:

- Preventing their partner from leaving
- Throwing objects
- Pushing, shoving, hair-pulling
- Scratching, hitting, kicking
- Threatening, or using weapons

SEXUAL ABUSE

It is a common misconception that sexual abuse cannot occur within an intimate relationship. This myth originated from the idea that two people in an intimate relationship have given each other sweeping permission for sexual contact at any time simply by agreeing to be in the relationship. *This is false.* The requirement that an initiator be given clear, knowing, and voluntary consent prior to sexual activity does not change, regardless of relationship status. A sexual partner has the right to refuse sexual contact with his or her partner at any time and for any reason. If one partner in an intimate relationship forces or coerces unwanted sexual contact with the other partner at any time, that sexual contact is not consensual and constitutes sexual assault.

Some examples of sexual abuse include:

- “Come on. You let me do that to you last night. Why can’t I do it again now?”
- “If you loved me, you’d sleep with me.”
- “If you won’t have sex with me, I’ll find someone who will.”
- “You might as well sleep with me, because I’m going to tell everyone you did anyway. Or maybe I’ll just tell everyone you’re a tease and a prude and no one else will want you.”
- Forced sex or any sex involving a partner who just lays there and doesn’t say anything.

**The Cycle of Abuse**

Because abuse occurs over time, the victim often does not realize he or she is in an abusive relationship. This type of abuse generally occurs in a cycle.



1. Tension Builds:

First, tension builds up in the relationship. At this stage, abusers appear short tempered, are easily agitated, and are quick to point out the faults of others, especially their victim’s. In this stage, victims often report feeling like they are “walking around on egg shells” trying not to upset their abusers. These victims feel self-conscious about what they say or do and are frequently anxious about making mistakes. Inevitably, the victim will do or say something that will anger the abuser.

2. Act of Violence:

Next, the abuser lashes out in an act of verbal, emotional, or physical violence. The release of energy reduces the tension. Abusers will often feel and/or tell the victim that he or she “had it coming” to them.

3. Reconciliation:

Also called the “honeymoon” stage. The victim’s self-esteem and self-worth is often diminished by the act of violence, feeling pain, fear, or humiliation. The victim may even try to win back the love and affection of the abuser by words or actions. The abuser may feel guilty, often out of fear that the victim might leave or report the incident. The abuser might make excuses for his or her behavior (with or without taking responsibility), deny the abuse, or say it wasn’t as bad as the victim claims it was. The abuser may try to apologize for his or her behavior and vow to never be abusive again.

4. All is Calm:

Finally, there will be a period of “normalcy” wherein the abuser seems charming and tries to make the victim happy. This can involve the abuser buying the victim presents, agreeing to see a counselor, and in instances of intimate partner relationships, the couple may engage in passionate make-up sex. It is important to note that, eventually, tension tends to build again in the relationship and the cycle will repeat. Generally, each time the cycle begins again, the abuser becomes more aggressive, controlling, and violent.

\* Source: Lenore E. Walker’s 1979 social cycle theory.



WHY WOULD ANYONE STAY IN AN ABUSIVE RELATIONSHIP?

Some victims report still loving their abusers and recall the “good times” more often than the abusive acts. Some victims believe they can change their abusers by showing patience and love no matter what acts of violence their abusers commit. Additionally, victims may feel shame and embarrassment for getting into such a relationship. Some victims feel pressured by family members or their community to stay in an abusive relationship for the sake of their children or even for religious reasons. Far more commonly, victims stay in abusive relationships out of fear; fear of being alone or fear that their abuser will harm or kill them if they try to leave.

HOW TO HELP SOMEONE GET OUT OF AN ABUSIVE RELATIONSHIP

It is sometimes difficult to know what to say or do for a friend or loved one in an abusive relationship. Here are a few tips to help you support a victim of relationship abuse:

- Listen with patience and give the victim time to tell their story in their own words.
- Ask them how you can help and respect their ideas. Only they can decide when and how they will end the relationship. If you try to do it for them, you may make the situation worse.
- Avoid expressing judgment towards the victim, even if it has taken them a long time to seek help. Instead express your concern for their safety and wellbeing and offer to give them support and encouragement while they get the resources they need to end the relationship.
- Understand that an “escape plan” may be vital to the victim’s successful exodus from the relationship. They may need time and assistance to gather the resources and make sure they are ready and able to financially and emotionally survive the ending of the relationship.
- Be aware of your own emotional and physical safety. You have to be strong and healthy if you want to help them get strong and healthy. If you are not in a healthy state of mind, please seek others to help you support the victim.

RESOURCES FOR VICTIMS OF RELATIONSHIP VIOLENCE

Texas Tech University and the Lubbock community have several resources available to help victims of relationship find safety from their abusers. The victim of the abuse will determine what University resources will be sought. In addition to the University resources listed in the Resources section below, the following are local and national helplines.

**Women’s Protective Services of Lubbock, Inc.**  
(806) 747-6491  
<http://www.wpslubbock.org>

**The National Domestic Violence Hotline**  
1-800-787-SAFE (7233)  
<http://www.thehotline.org/help/>

**Stalking**

TTU’s Code of Student Conduct, specifically **Part I, Section B.2.b.6** (found [here](#)), prohibits any intentional or reckless behavior that harms, threatens, or endangers the physical or emotional health or safety of self or others. This includes a specific provision regarding stalking, defined as:

*Behavior, which includes but is not limited to, knowingly and repeatedly engaging in conduct that the individual knows or reasonably should know the other person will regard as unwelcome and would cause a reasonable person to be fearful or suffer substantial emotional distress.*

WHAT IS STALKING?

Generally, stalking is a pattern of repeated behavior involving non-consensual observation of and/or non-consensual communication towards a specific person. This type of behavior must be so persistent that it would cause a reasonable person to be fearful and/or to suffer substantial emotional distress.

Some examples of stalking behavior include:

- Following the victim or the victim’s family and/or friends;
- Waiting for victim outside of their homes, classes, or work places;
- Approaching friends, family members, classmates, and/or coworkers about the victim;
- Leaving messages and/or gifts on the victim’s voicemail, doorstep, car windshield, etc.;
- Watching, photographing, and/or recording the victim without the victims knowledge and/or consent;
- Harassing the victim via the internet and/or social media;
- Spreading rumors about the victim.
- Arranging for a third party to deliver gifts and/or messages to the victim;
- Making explicit and/or veiled verbal and/or written threats toward the victim or their family and/or friends;
- Harming or threatening to harm the victim’s pet;
- Damaging and/or threatening to damage the victim’s property;

Stalking among college students often occurs when a romantic relationship ends and one party fails to accept the end of the relationship or when one party fails in the romantic pursuit of another.

WHAT IS A STALKER?

A stalker is a person who knowingly and repeatedly engages in stalking behavior towards a specific person. A stalker may be someone the victim knows or could be a complete stranger. Some stalkers will deny to themselves and others that they are engaging in stalking activities. A stalker may have a romantic interest in their victim, be curious about their victim’s life, have a strong desire to be friends with their victim, or may have a desire to harm their victim. Regardless of the stalkers intentions, it is harassing, intimidating and can be terrifying for the victim.

THE EFFECTS OF STALKING

Stalking can have devastating and long-lasting effects on the victim. Some victims of stalking have reported feelings of frustration, fear, anxiety, helplessness, powerlessness, lack of trust, insomnia, weight loss or gain, depression, and suicidal thoughts.

WHAT TO DO IF YOU ARE BEING STALKED

The first thing you should do when you believe someone is stalking you is to tell your stalker that you want them to leave you alone. Be firm and clear. Do not explain your request or get drawn into a conversation about it. Do not argue with them. Tell them you do not want to communicate with them at all and then walk away.

Once you have told your stalker to leave you alone, there are steps you can take to protect yourself. The following is a list of suggestions for getting help and gathering evidence of the stalking behavior.<sup>3</sup>

- Trust your instincts. Do not dismiss any threat to your health and/or safety.
- Tell your friends, family, professors, and manager at work about the situation. This may help you provide witnesses for an investigation.
- If you know your stalker, write down all of the identifying information you know about them and share it with your friends and family. This will help your friends and family stay vigilant so they can tell you if your stalker is following them as well.
- Take and save pictures of any gifts received by your stalker and/or destruction of your property.
- Record all phone calls from your stalker.
- Keep all messages and gifts from you stalker. Do not throw away or delete any electronic messages, pictures, videos, or voicemail messages. These may help prove a timeline of events and the severity of the stalking behavior.
- Keep a log of the time, date, and place of each and every incident of the stalking behavior including, but not limited to:
  - Each time the stalker drives past your house
  - Each gift your stalker leaves for you
  - Each time you receive any form of communication or gift
  - Each time your stalker destroys your property
  - Any time a friend or family member reports that the stalker was seen watching you. Ask them to write a short statement of the time, date, and a brief description of the occurrence (include witness name and contact information).
- Don't give out your private information in a crowded place unless you can do so quietly. Shred any documents containing your phone number, address, social security number, or birthdate. Be aware of the personal information you post on social media including pet names, nicknames, and your parent's full names. These can be used steal your identity, hack your passwords, and/or gain your friend's and family member's trust.
- Keep your number unlisted. Screen your calls using voicemail and Caller ID and do not answer calls from strangers.
- Lock your doors and windows to your home and car at all times, even when you are home or driving. Change the locks on your home and invest in a security system for your home and vehicle. Ask the police to make a security check of your home. They can identify entry points and suggest improvements for your safety.
- Stay alert and be aware of your surroundings. Stay in populated, well-lit areas. Keep an eye out for vehicles following you. If you think you are being followed, drive to a police station, a fire station, a hospital, or a crowded area such as a mall or restaurant and honk your car horn to attract attention.
- Develop a safety plan to follow in case of emergencies. Have a safe consolidation point for your friends and/or family to meet at if you have an emergency. Plan a few different routes to get to that place in case one of the routes is blocked by your stalker.
- Contact TTUPD or Lubbock PD and report each incident of the stalking behavior so there is an official report documenting each occurrence. Provide the police with copies of all communications from your stalker.
- Request a protective from your stalker. Note that this is generally available when the victim and the stalker are related, were married, lived together, or share a child.

<sup>3</sup> <https://www.texasattorneygeneral.gov/cvs/information-on-stalking>

### Examples of Misconduct

The following are examples<sup>4</sup> of behavior that would constitute violations of the TTU sexual misconduct policy, provided for illustrative, education, and preventative purposes.

1. Amanda and Bill meet at a party. They spend the evening dancing and getting to know each other. Bill convinces Amanda to come up to his room. From 11:00pm until 3:00am, Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. He keeps at her, and begins to question her religious convictions, and accuses her of being "a prude." Finally, it seems to Bill that her resolve is weakening, and he convinces her to give him a "hand job" (hand to genital contact). Amanda would never had done it but for Bill's incessant advances. He feels that he successfully seduced her, and that she wanted to do it all along, but was playing shy and hard to get. Why else would she have come up to his room alone after the party? If she really didn't want it, she could have left.

**Bill is responsible for violating the University Non-Consensual Sexual Contact policy. It is likely that campus decision-makers would find that the degree and duration of the pressure Bill applied to Amanda are unreasonable. Bill coerced Amanda into performing unwanted sexual touching upon him. Where sexual activity is coerced, it is forced. Consent is not valid when forced. Sex without consent is sexual misconduct.**

2. Jiang is a junior at the University. Beth is a sophomore. Jiang comes to Beth's residence hall room with some mutual friends to watch a movie. Jiang and Beth, who have never met before, are attracted to each other. After the movie, everyone leaves, and Jiang and Beth are alone. They hit it off, and are soon becoming more intimate. They start to make out. Jiang verbally expresses his desire to have sex with Beth. Beth, who was abused by a baby-sitter when she was five, and has not had any sexual relations since, is shocked at how quickly things are progressing. As Jiang takes her by the wrist over to the bed, lays her down, undresses her, and begins to have intercourse with her, Beth has a severe flashback to her childhood trauma. She wants to tell Jiang to stop, but cannot. Beth is stiff and unresponsive during the intercourse. Is this a policy violation?

**Jiang would be held responsible in this scenario for Non Consensual Sexual Intercourse. It is the duty of the sexual initiator, Jiang, to make sure that he has mutually understandable consent to engage in sex. Though consent need not be verbal, it is the clearest form of consent. Here, Jiang had no verbal or non-verbal mutually understandable indication from Beth that she consented to sexual intercourse. Of course, wherever possible, it is important to be as clear as possible as to whether or not sexual contact is desired, and to be aware that for psychological reasons, or because of alcohol or drug use, one's partner may not be in a position to provide as clear an indication as the policy requires. As the policy makes clear, consent must be actively, not passively, given.**

<sup>4</sup> Some examples provided by ©2015 ATIXA. [www.atixa.org](http://www.atixa.org). Model Policy.



3. Kevin and John are at a party. Kevin is not sure how much John has been drinking, but he is pretty sure it's a lot. After the party, he walks John to his room, and John comes on to Kevin, initiating sexual activity. Kevin asks him if he is really up to this, and John says yes. Clothes go flying, and they end up in John's bed. Suddenly, John runs for the bathroom. When he returns, his face is pale, and Kevin thinks he may have thrown up. John gets back into bed, and they begin to have sexual intercourse. Kevin is having a good time, though he can't help but notice that John seems pretty groggy and passive, and he thinks John may have even passed out briefly during the sex, but he does not let that stop him. When Kevin runs into John the next day, he thanks him for the wild night. John remembers nothing, and decides to make a report to the Dean.

**This is a violation of the Non-Consensual Sexual Intercourse Policy. Kevin should have known that John was incapable of making a rational, reasonable decision about sex. Even if John seemed to consent, Kevin was well aware that John had consumed a large amount of alcohol, and Kevin thought John was physically ill, and that he passed out during sex. Kevin should be held accountable for taking advantage of John in his condition. This is not the level of respectful conduct the University expects.**

4. James is a sports medicine major working on a program design project with 15 other students. Mark is a fellow sports medicine major in the group. Throughout the semester, Mark has frequently talked about his sex life in class, made sexually explicit jokes, and asked questions about the sex lives of other classmates, including James. James and the other group members have clearly expressed their discomfort with Mark's attempts to discuss his and their sex lives, yet Mark continues. James has left the class early on two occasions in an attempt to avoid Mark's unwelcomed sexually explicit jokes. Yesterday, Mark said he wanted to show James a chart Mark had created for their project. Instead, Mark tricked James into looking at a graphic image of two adults engaged in a sex act. James reported Mark's behavior to their professor.

**Mark is responsible for violating the University Sexual Harassment policy. It is likely that TTU would find that the nature of Mark's unwelcome verbal, written, and physical conduct was sufficiently severe, persistent, and pervasive that it unreasonably interfered with James' educational experience and/or created a hostile educational environment.**

5. Dee and Tyler met at the Carol of Lights event on campus two years ago during their freshman year and they have been a couple ever since. Two months ago, Tyler had a birthday and Dee wanted to give him a special gift. Dee trusted Tyler so she messaged him several sexy photos of herself wearing in a bikini and also a few photos of herself nude in provocative positions. Dee told Tyler to enjoy the pictures and that they were for his eyes only. Tyler kissed Dee and told her the photos were safe with him. Last week, Dee and Tyler broke up after they fought about a rumor that Dee went on a date with another guy. In a fit of anger, Tyler posted one of the nude photos of Dee to his Instagram account, which was viewable by anyone with an Instagram account. *(Continued)*

By the next day, Tyler felt guilty and removed the photo from his account. Before removing it, he saw that the photo had received more than 50 "likes" from his followers and from strangers. Yesterday, Dee was shown a screenshot of the photo by an on-campus friend who saw it on Instagram before Tyler removed it. Dee feels humiliated and angry that her fellow students have seen it.

**Tyler is responsible for violating the University Sexual Exploitation policy. It is likely that that TTU would find that Tyler took non-consensual sexual advantage of Dee when he disseminated the intimate photo on his Instagram account without Dee's full knowledge and consent.**

6. Carlos and Stacy met in an engineering class. Stacy has a huge crush on Carlos and she has told all of her friends about it. Stacy follows all of Carlos's Facebook, Instagram, and Snapchat accounts and she "likes" every post he makes. She also moved into his apartment complex to be closer to him, she leaves breakfast on his front porch every morning before school, and she leaves love notes on his car windshield in the school parking lot almost daily. Carlos has repeatedly told Stacy that he is not interested in her and has asked Stacy to leave him alone. Stacy told Carlos that she won't stop trying to win his affections and she vows to make him love her. Stacy also told Carlos that if she can't have him, no one else could either. He moved and changed his class schedule, but continues to show up everywhere he goes on campus. Carlos reported feeling freaked out and anxious because of Stacy's behavior.

**Stacy is responsible for violating the University Stalking policy. It is likely that that TTU would find that Stacy knowingly and repeatedly engaged in conduct she knew or reasonably should have known was unwelcome and would reasonably cause Carlos to be fearful or suffer substantial emotional stress.**

7. Beth and Grace have been a couple for 3 years and have been cohabitating for the past year in a residence hall. This morning Grace reported that Beth destroyed Grace's laptop during an argument last night. Grace said the laptop contained photos from her amateur photography business. Grace said that Beth has been a wonderful girlfriend, but told the investigator that Beth has destroyed some of her other belongings in the past, including a painting that Grace painted for Beth as a gift. Grace repeatedly emphasized that she could have been a better partner to Beth and probably deserved some of Beth's actions. Grace showed the investigator several text messages, which detailed Beth telling Grace that she was fat, stupid, and worthless. In one message Beth threatened to hit Grace and kill Grace's beloved guinea pig, Fluffy, if Grace doesn't stop spending all of her time of photography and pay more attention to Beth. Grace reluctantly admitted that she gets scared when Beth loses her temper. Grace said she is afraid that Beth might hit her some day or follow through with the threat to hurt Fluffy.

**Beth is responsible for violating the University Intimate Partner / Relationship Violence policy. The evidence shows that Beth has verbally and emotionally abused Grace and has threatened physical violence towards Grace. Relationship violence doesn't have to include physical assault, and exists regardless of sex/gender. Note that if Beth physically assaults Grace in the future, she will violate this policy in addition to the universities conduct violation for assault.**

Reporting an Incident

REPORTING TO THE TEXAS TECH POLICE DEPARTMENT

- Some instances of student misconduct may also constitute a violation of state, federal, or local law. It is **always** the student’s option to report misconduct to the University, to local law enforcement, or to both. Texas Tech administrators are happy to assist students in making a report to law enforcement, and will even accompany the student if he or she wishes. Reporting to TTUPD can lead to criminal charges and prosecution.

**Texas Tech Police Department**  
413 Flint Avenue, Lubbock, Texas 79409  
(806) 742-3931

**Lubbock Police Department**  
916 Texas Ave, Lubbock, TX 79401  
(806) 775-2865

- If a student wishes to report to both the Texas Tech and TTUPD, an investigator from the University will coordinate with TTUPD detectives so that the student only has to give a statement one time. This would be scheduled at the earliest convenience of the student and TTPD/TTU investigators.
- If you feel more comfortable speaking with a female officer, TTU PD will assign a female detective when available.
- TTUPD will also explain your Crime Victim Compensation rights and are happy to assist you in filling out the necessary documentation.

REPORTING TO TEXAS TECH UNIVERSITY

*NOTE: When an alleged violation of the Code of Student Conduct is reported, the University uses the term “Complainant” to refer to the party reporting an incident or alleged misconduct regarding the actions of another. The University uses the term “Respondent” to refer to the party responding to the reported complaint regarding their behavior or actions. The University uses the term “victim” when referring to the individual who was the subject of the policy violation if that individual was not the person bringing the allegation to the attention of the University. The University recognizes that some individuals prefer to self identify as victims while others prefer to self identify as survivors. The term “victim” is used here in an effort to ensure continuity throughout this policy.*

We strongly encourage students, faculty, and staff who have experienced gender-based harassment or sexual misconduct to report incidents to University administrators. We understand the sensitive and private nature of these types of incidents and it is *never* our goal to exacerbate or otherwise complicate a complainant’s situation. Accordingly, we work with complainants to identify remedies, resources, and options for resolution. Texas Tech is here to help remedy any situation that is reported, and if so desired by the complainant, to take disciplinary action against perpetrators in accordance with the TTU Code of Student Conduct.

HOW TO REPORT AN INCIDENT

- You can report an incident of sexual misconduct or harassment to Texas Tech University online using this form, [File a Report](#), or by contacting directly any of the following administrators:

Michael Henry, J.D.  
Lead Title IX Investigator  
michael.henry@ttu.edu / (806)-742-7233

Shawn Adams, J.D.  
Title IX Investigator  
shawn.adams@ttu.edu / (806)-742-7233

- It is highly encouraged that you speak with one of the above administrators, even if you are unsure whether you want to file a formal report. Administrators will not contact the respondent or otherwise escalate the situation without first consulting with the complainant (more on this below), and will provide information on available remedies, resources, and options for resolution.

Remedies and Resources

- Texas Tech University’s primary concern is always to ensure that students are taken care of. Accordingly, administrators will assist in any way they can, offering various remedies and resources, *even if* a complainant does not wish to pursue formal student conduct processes.
- Remedies and resources will be provided on a case-by-case basis and will correspond with the needs of each individual student and each specific situation – regardless of whether the student decides to make a formal report. Those remedies and resources include, but are not limited to:
  - Implementing a No Contact Order between parties;
  - A change or modification to residence hall or living options;
  - Altering academic schedules or class modifications;
  - Referral to counseling and health services;
  - Altering student employment arrangements or work schedule modifications;
  - Assistance with extracurriculars, organization(s), activities;
  - On-campus parking considerations;
  - Providing transportation options;
  - Education to the community;
  - Police escort across campus.
- Any person can report alleged harassment or discrimination, including faculty, students, staff, administration, guests, visitors, etc.
- Texas Tech University’s jurisdiction for addressing sexual misconduct is **not** limited to on-campus incidents. If the University receives notice of an incident of sexual misconduct or harassment, and the alleged misconduct impacts the educational environment of a member of the Texas Tech community, the University is required by federal law to look into the situation, regardless of where the incident occurred.



CONFIDENTIALITY IN REPORTING

Texas Tech University is committed to ensuring confidentiality during all stages of the student conduct process. If students are unsure whether they want to involve family or friends, and are not yet certain whether they want to report to the police or the University, there are resources available, both on and off campus, that offer confidential assistance and support.

There are three distinct categories of individuals who can receive reports of harassment and discrimination, all three with different obligations regarding confidentiality.

- 1. All university employees (faculty, staff, administrators, student employees) are required by federal law, as *Responsible Employees*, to immediately report actual or suspected harassment, sexual violence, or discrimination to the Title IX Coordinator and/or Deputy Coordinators. This information, once referred, will still remain private and will be shared *only* with those administrators who have a legitimate educational need to know. Nevertheless, reporting parties may want to consider whether they share personally identifiable details with non-confidential employees, as the employee must refer all known details to appropriate Title IX administrators.
- 2. The staff members in the Risk, Intervention, Safety, and Education (RISE) Office are a specifically designated group of administrators who, unlike those employees classified as Responsible Employees, are **not** required to refer personally identifiable information to the Title IX Coordinator and/or Deputy Coordinators. The RISE Office staff is, however, required to report information about an incident, but can do so in a “Jane/John Doe” format.

**RISE Office**  
Suite 204, Student Wellness Center  
[www.rise.ttu.edu](http://www.rise.ttu.edu) / (806) 742-3931

- 3. If a student wishes to talk with someone about an incident, but wants their report to remain *strictly confidential* and does not wish any personally identifiable information disclosed, the student may utilize one of the following resources:

<b>Student Counseling Center</b> Student Wellness Center, Room 201 (806)-742-3674 <a href="http://www.depts.ttu.edu/scc/">http://www.depts.ttu.edu/scc/</a> <i>Provides short-term counseling and consultation to students experiencing emotional and psychological difficulties</i>	<b>Voice of Hope</b> (Rape Crisis Center) <i>Hotline:</i> (806) 763-RAPE (7273) <i>Phone:</i> (806) 763-3232 <a href="http://www.voiceofhopelubbock.org">www.voiceofhopelubbock.org</a> <i>Crisis intervention, support, and follow-up for survivors and family members</i>
<b>Psychology Clinic</b> TTU Psychology building, Room 111A (806) 742-3799 <a href="mailto:psychology.clinic@ttu.edu">psychology.clinic@ttu.edu</a> <i>Provides psychotherapy and assessment services to the university</i>	<b>Student Wellness Center</b> 1003 Flint Ave (806) 743-2122 <a href="http://www.ttuhsc.edu/studenthealth">www.ttuhsc.edu/studenthealth</a> <i>Provides follow-up medical care for students</i>
<b>Marriage and Family Therapy Clinic</b> TTU Human Sciences building, Rm 165 (806) 742-3060 <a href="http://www.depts.ttu.edu/hs/mft/clinical_services.php">www.depts.ttu.edu/hs/mft/clinical_services.php</a> <i>Provides therapeutic services to individuals, couples, and families</i>	<b>TTU Employee Assistance Program</b> 3601 4th Street, Lubbock, TX (806) 743-1327 <a href="http://www.ttuhsc.edu/centers/swiad/eap/">www.ttuhsc.edu/centers/swiad/eap/</a> <i>Provides short-term counseling and assistance to employees, couples, and families</i>

Counselors and employees in the above departments are not required to report information to any other individual or entity, except in extreme cases of immediate threat or danger, or abuse of a minor. Counselors in the Student Counseling Center are available to assist students free of charge and can be seen on an emergency basis during normal business hours.

CONFIDENTIALITY IN STUDENT CONDUCT PROCESS

The University is committed to facilitating an environment that supports students reporting incidents of misconduct, and will always attempt to resolve a situation in accordance with a student’s wishes. In most cases, the University will not initiate student conduct proceedings or take administrative action without consulting with the reporting student.

All reports of misconduct will be maintained with the highest possible level of confidentiality. Information provided by the student will only be shared with essential staff members and only as is necessary for the effective investigation and adjudication of the case. When a Complainant wishes to pursue allegations of misconduct via the student conduct process, the Respondent has the right to know the identity of the reporting party and the opportunity to review all information and evidence that will be considered at a hearing. Where reports of misconduct involve other students or witnesses, some information may need to be shared with those involved parties in order to gather evidence and complete a thorough investigation.

If a victim does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the victim may make such a request to the Title IX Coordinator, Deputy Coordinators, or designee, who will evaluate that request in light of the University’s duty to ensure the safety of the campus and comply with federal law. In cases where the victim requests confidentiality and the circumstances allow the University to honor that request, the University will offer interim supports and remedies to the victim and the community, but will not otherwise pursue formal action. In cases where Respondent behavior indicates pattern, predation, threat, weapons, and/or violence, the University will likely be unable to honor a request for confidentiality. A reporting party has the right and can expect to have reports taken seriously by the University when formally reported, and to have those incidents investigated and properly resolved through the procedures outlined in this policy.

STATISTICAL REPORTING OBLIGATIONS

Under the Clery Act, certain campus officials – those deemed Campus Security Authorities – have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes. Statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the Annual Security Report. Personally identifiable information is **not** included in the report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include: student/conduct affairs, campus law enforcement, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories), and the Clery crime category.

FEDERAL TIMELY WARNING OBLIGATIONS

Victims of sexual misconduct should also be aware that university administrators must issue immediate “timely warnings” for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The university will ensure that a victim’s name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

COMMON CONCERNS ABOUT REPORTING

**What if I, or my friend, were doing something wrong (i.e., underage drinking) when the more serious incident occurred? Will I, or my friend, get in trouble if one of us reports?**

Texas Tech is committed to facilitating an environment that supports students reporting incidents of sexual misconduct. As such, the University will attempt to provide educational options rather than formal conduct proceedings for what would comparatively be considered more minor violations. This is what is known as an *Amnesty Provision*. You can read more about TTU’s Amnesty Provision in Part I, Section A.12 of the TTU Student Handbook (found [here](#)).

**Will the use of drugs or alcohol affect the outcome of a sexual misconduct conduct resolution?**

The use of alcohol and/or drugs by either party will neither diminish the Respondent’s responsibility nor excuse a violation of TTU policy. On the other hand, alcohol and/or drug use is likely to affect the one or both parties’ memory, and may thus affect the resolution of the reported misconduct. A Complainant must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence, and/or witnesses to demonstrate that policy was violated.

**Will either party’s prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?**

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the present matter.

**What if I would like to make a report, but I want to remain anonymous?**

Texas Tech understands the sensitive nature of incidents involving sexual misconduct. Further, the University is mindful of complainants’ desire, in many cases, to report an incident without disclosing their name or other identifying information. Here’s what you should know about these types of situations:

Texas Tech will always do its absolute best to protect a student’s anonymity, if that is the student’s wish. Doing so, however, will typically make it difficult to thoroughly and effectively investigate the occurrence. The University will work with the reporting student to explain the various options for resolution and determine which approach best fits the student’s wants and needs. The only time Texas Tech may be forced to disclose a complainant’s name during an investigation is when the alleged misconduct presents a continuing threat to the campus community. This is required by federal law. That said, Texas Tech will always do the utmost to work with students who report incidents of sexual misconduct, protecting anonymity and confidentiality wherever possible.

**If I report an incident, will my parents be notified?**

No, not unless you tell them. Whether you are the reporting party or the responding party, the University’s primary relationship is to the student and not to the parent. It is, however, strongly encouraged that students inform their parents of incidents that may impact their health, academics, or disciplinary standing with the University. If a student wishes the University to notify parents of an incident, the University will do so at the student’s request provided the student has signed a FERPA waiver. The University may, however, be required to notify parents regarding incidents of abuse or physical injury where the student is a minor.

**Will the Respondent know my identity?**

If a Complainant reports an incident to the University and wants to pursue disciplinary action via a formal investigation and hearing per the Code of Student Conduct, then yes. The Respondent has the right to know the identity of the reporting party. However, the University has various options for limiting Complainant and Respondent interaction throughout the investigation and hearing process, such as Skype/video conferencing into the hearing from a different location, a room divider in the hearing room, and the use of the Investigator as a medium for posing questions to the other party.

**Do I have to name the responding party?**

Yes, if you want formal disciplinary action to be taken against the Respondent. You can report the incident without the identity of the Respondent, but doing so may limit the institution’s ability to respond comprehensively.

**What do I do if I am accused of sexual misconduct?**

DO NOT contact the reporting party. You may immediately want to contact someone who can act as your advisor (see *Student’s Right to be Accompanied by an Advisor* section below). You may also contact the Dean of Students Office of the Office of Student Conduct, where administrators can explain the University’s policies and procedures for addressing sexual misconduct reports. You are also highly encouraged to talk to a confidential counselor at the Student Counseling Center or seek other community assistance.

**Do I need an attorney?**

Victims of criminal sexual assault do not need to retain a private attorney to pursue criminal prosecution because representation will be handled by the District Attorney’s office. Victims may want to retain an attorney if they are considering filing a civil action against the responding party. The Respondent may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution. Both the Complainant and Respondent may also use an attorney as their advisor during the University student conduct process, but the assistance of an attorney is not necessary. Attorneys are subject to the same restrictions as other advisors in the process (see *Student’s Right to be Accompanied by an Advisor* section below).

The University provides legal assistance via Student Legal Services. However, most incidents of student misconduct will create a conflict of interest and prevent SLS from providing representation. A referral list may be provided upon request.



**The Student Conduct Process**

Upon notice of an alleged violation of the *Code of Student Conduct*, The Dean of Students or The Managing Director of the Office of Student Conduct will appoint a Student Conduct Officer/ Investigator to review allegations of misconduct. The Student Conduct Officer/Investigator will inquire, gather and review information about the reported student misconduct, and will evaluate the accuracy, credibility, and sufficiency of the information.

Incidents will be forwarded for investigation when there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or Complainant statement. If it is determined that the information reported does not warrant an allegation, a policy warning letter may be issued to clarify the policy that was in question.

When an initial report of misconduct by a third party does not identify the victim or the victim is not available, the Student Conduct Officer/Investigator will investigate the reported incident to fullest extent of the information available.

When a Complainant is identified, but is reluctant to participate in the investigative process and/or the student conduct process entirely, the University will make every attempt to follow the wishes of the Complainant while weighing the interests of the campus community and the possibility of a continuing threat. If the Complainant does not want to participate in the investigative process but has no aversion to the University pursuing conduct action with respect to the named Respondent, the University will proceed with the student conduct process to the extent of the information available. If the Complainant does not want the University to pursue the report in any respect, the University will investigate further only if there is reason to believe that a significant continuing threat to the campus community exists.

**REMEDIES AND RESOURCES**

The University will take immediate action to eliminate hostile environments, prevent reoccurrence, and address any effects on the Complainant and community prior to the initiation of formal investigation and/or formal conduct procedures. These immediate steps will be taken to minimize the burden on the Complainant while respecting due process rights of the Respondent. Remedies for students may include, but are not limited to counseling services, victim’s advocate assistance, and modifications to on-campus housing, modifications to parking permissions, and modifications to academic schedule. Remedies will be evaluated on a case-by-case basis.

**Resources**

Texas Tech University has a variety of resources to assist students involved in conduct processes or experiencing concerns related to other student conduct. Resources include, but are not limited to assistance in reporting criminal behavior to the Texas Tech Police Department or Lubbock Police Department, counseling services, medical assistance, academic support referrals, and other support services. The RISE Office is also available to help students understand the student conduct process and identify resources. For more information, please visit the *Resources* section at [www.sexualviolence.ttu.edu](http://www.sexualviolence.ttu.edu).

**Interim Actions**

Under the *Code of Student Conduct*, the Dean of Students or designee may impose restrictions and/or separate a student from the community pending the scheduling of a campus Hearing on alleged

violation(s) of the *Code of Student Conduct* when a student represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve University property and/or to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include separation from the institution or restrictions on participation in the community for no more than ten (10) business days pending the scheduling of a campus Hearing on alleged violation(s) of the *Code of Student Conduct*. A student who receives an interim suspension may request a meeting with the Dean of Students or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, the University may still proceed with the scheduling of a campus Hearing. During an interim suspension, a student may be denied access to University Student Housing and/or the University campus/facilities/events. As determined appropriate by the Dean of Students or designee, this restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Dean of Students (or designee) and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student. Students are informed of interim actions by the official notice procedures outlined in Part I, section A.3 of the *Code of Student Conduct*. Interim action is not a sanction. It is taken in an effort to protect the safety and well-being of the Complainant, Respondent, and/or other members of the University Community. Interim action is preliminary in nature; it is in effect only until the conduct process has been completed. However, violations of interim administrative action may result in additional allegations of the *Code of Student Conduct*.

*Types of Interim Actions*

1. No Contact Order

When initial inquiry indicates persistent and potentially escalating conflict between two members of the University community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. The Office of Student Conduct or Dean of Students Office will issue a No Contact Order via the student’s official Texas Tech email. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Office of Student Conduct. This notice may also come with other information related to changes in class schedule or other restrictions to facilitate the no contact order. Failure to comply with the no contact order is considered retaliation and will result in disciplinary action, including possible suspension or expulsion. Violations of no contact orders may also result in immediate temporary suspension during the completion of the conduct process. The term of a No Contact Order is indefinite, unless otherwise stated in the Order.

2. Immediate Temporary Suspension – Students

A student may be temporarily suspended pending completion of conduct procedures if, in the judgment of the Dean of Students, or on recommendation of a Student Conduct Officer/Investigator, the physical or emotional well-being of a student or other students or members of the University community could be endangered or if the presence of the student could significantly disrupt the normal operations of the University. The Dean of Students or designee will notify the Managing Director of the Office of Student Conduct to initiate appropriate conduct procedures to address the disruptive behavior within five (5) University working days from the date of temporary suspension.

Upon Immediate Temporary Suspension, the student may no longer attend classes, use University services and/or resources, and is not allowed to be on campus until the conduct proceedings have been concluded. Any instances whereby the student should need to return to campus must be

coordinated through the Office of Student Conduct and the Texas Tech Police Department. Conduct, on or off campus that typically results in immediate temporary suspension:

- A significant and articulable threat to the health or safety of a student or other member(s) of the University community;
- Sexual assault, other forms of sexual misconduct, stalking, and relationship violence that are creating a hostile environment for the victim and the remedy for the harassment requires temporary separation;
- Criminal felony charges related to weapons, drugs, aggravated assault, and/or terroristic threats;
- Severe disruption in the academic community related to erratic behavior, threats, property damage, and/or verbal aggression with another student, where the offending student is uncooperative with staff requests;
- Violation of a No Contact Order;
- Retaliatory harm, discrimination, or harassment.

3. Other Interim Actions

In the event that the physical or emotional well-being of a student, other students, or members of the University community could be endangered, or if the presence of the student could significantly disrupt the normal operations of the University, other interim actions may be taken to protect the educational environment. These actions include, but are not limited to, temporary removal from University Student Housing, temporary changes in a student’s academic schedule, and temporary restrictions from University activities, services and/or buildings.

4. Non-Student Interim Actions

Any guest to the University who is alleged to have violated the *Code of Student Conduct* and/or is deemed to pose a threat to the physical and/or emotional well-being of a student or other members of the University community and/or the presence of an individual could significantly disrupt the normal operations of the University, the Office of Student Conduct, in conjunction with the Texas Tech Police Department, will issue a Criminal Trespass to that individual(s).

THE FORMAL CONDUCT PROCESS

**Notice of Involvement**

A student will be given notice of his or her involvement in an alleged violation of the *Code of Student Conduct* by receipt of a “Notice of Involvement/Need to Talk” Letter or email. When preliminary information indicates that certain, identifiable student(s) are associated with the reported incident, those student(s) will be asked to meet with a Student Conduct Officer/Investigator. In addition to the possible sanctions, and in the event that a student fails to respond to written notification, an administrative hold may be placed on the student’s record to prevent further registration and transcript receipt. The administrative hold will remain until such time as the Student Conduct Officer/Investigator receives an appropriate response. Failure to comply with or respond to a notice issued as part of conduct procedure and/or failure to appear will not prevent a Student Conduct Officer/Investigator from proceeding with the conduct process. Likewise, failure of a student to respond to notification to appear may result in additional alleged violations and result in a charge of Failure to Comply.

RIGHTS AND RESPONSIBILITIES

Prior to any investigation or student conduct proceeding, Texas Tech wants students to know and understand their rights and responsibilities during the University conduct process. These rights and responsibilities apply to all involved parties, whether Complainant (victim), Respondent (accused), or witness. If you have questions as you review this document, please don’t hesitate to ask.

**A Student Has The Right To The Following:**

- The right to a prompt, fair, and equitable investigation and appropriate resolution of all credible reports of sexual misconduct, harassment, or discrimination.
- The right to be notified of and have access to campus resources, such as counseling, mental health, victim advocacy, health, legal assistance, student financial aid, visa and immigration assistance, or other student services, both on campus and in the community.
- The right to available and appropriate campus resources, remedies, and support.
- The right to a campus No Contact Order when someone has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the student’s welfare.
- The right to be fully informed of the policies and procedures of the student conduct process and, if accused of a policy violation, the right to timely written notice of all alleged violations expounded by an investigation report (See [www.ttu.edu/studenthandbook](http://www.ttu.edu/studenthandbook)).
- The right to know all possible sanctions that could be imposed if a violation is found to have occurred.
- The right to bring an advisor of the party’s choosing to any student conduct meeting or hearing.
- The opportunity to provide information and evidence in support of their case.
- The right to refrain from making any statement relevant to the investigation.
- Know that any information provided by the student may be used in a conduct proceeding.
- Know that if a student intentionally makes any false or misleading statements during the student conduct process, that student could be subject to further disciplinary action.
- The right to be informed of the names of all witnesses who give testimony, except in cases where a witness’ identity will not be revealed to the responding party for compelling safety reasons.
- The opportunity to challenge documentary evidence and add additional evidence prior to the hearing.
- The right to ask the investigators to question the complainant and/or relevant witnesses.
- The right to cross-examine the opposing party during the prehearing and the hearing. However, all such cross-examinations will be done indirectly through the Investigator. The parties will not be permitted to directly antagonize each other during the hearing process.
- The right to be present for all testimony given and evidence presented during the hearing.
- The right to a decision based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, and without prejudice.
- The right to make or provide an impact statement in person or in writing to the hearing body following a determination of responsibility, but prior to sanctioning.
- The right to receive a written statement of the hearing findings, reason for the decision, and any sanctions to be delivered promptly following the completion of the hearing.
- Know that a record of the investigation report (including all statements and evidence) and the full hearing will be kept on file with the University.
- The right to be informed in advance, when possible, of any public release of information regarding the report.



- Be aware that information gathered may also be disclosed in compliance with a lawfully issued subpoena, a judicial order, or under a specific exception to the Family Education Rights and Privacy Act (FERPA).

**It is the Student’s Responsibility to:**

- Be responsive to all correspondence from the University.
- Provide information relevant to the incident or situation.
- Be honest and provide true and accurate information during the investigation.
- Review the Code of Student Conduct in order to fully understand all aspects of the student conduct process.

STUDENTS’ RIGHT TO BE ACCOMPANIED BY AN ADVISOR

The Complainant and Respondent are entitled to an advisor of their choosing to assist, support, and accompany them throughout the student conduct process. The advisor may be a friend, mentor, family member, attorney, or any other supporter a party chooses to advise them who is both eligible and available. Witnesses or other parties directly involved in a case may not serve as advisors. Complainants and Respondents may elect to change advisors during the process, and are not locked into using the same advisor throughout.

All parties have the right to be accompanied by their advisor in all meetings and interviews, including intake, interviews, hearings and appeals. Advisors should help their advisees prepare for each meeting, and are expected to advise ethically, with integrity, and in good faith. The University cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not, or cannot afford an attorney, the University is not obligated to provide one.

All advisors are subject to the same rules regarding participation, whether they are attorneys or not. Advisors may not present on behalf of their advisee in a meeting, interview, or hearing, and should request or wait for a break in the proceeding if they wish to interact with University administrators. Advisors may confer quietly with their advisees as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks or step out of meetings to allow for private conversation. Advisors are permitted to meet in advance of any interview or hearing with the administrative officials conducting that interview or meeting. This pre-meeting will allow advisors to clarify any questions they may have, and allows the University an opportunity to clarify the role the advisor is expected to take.

Advisors are expected to refrain from interference with the University investigation and resolution. Any advisor who steps out of their role in any meeting will be warned once and only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave the meeting.

Involved parties are not explicitly restricted from discussing and sharing information related to an incident with others who may support them or assist them in preparing and presenting. Accordingly, advisors are expected to maintain the privacy of the records shared with them during the course of the student conduct process. These records may not be shared with 3<sup>rd</sup> parties, disclosed publicly, or used for purposes not explicitly authorized by the University. The University may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the University’s privacy expectations.

Lastly, the University expects an advisor to adjust their schedule to allow them to attend University meetings when scheduled. The University does not typically change scheduled meetings to accommodate an advisor’s inability to attend. The University will, however, make provisions to allow an advisor who cannot attend in person the opportunity to attend a meeting by telephone, video, and/or virtual meeting when available.

**Investigation**

The Dean of Students or a designee will appoint a Student Conduct Officer/Investigator who will conduct a thorough, reliable, and impartial investigation of the reported allegation. Reported allegations of misconduct under the *Code* have varying degrees of complexity and severity. Therefore, the investigation procedures described below may vary.

When initial inquiry indicates a concurrent police investigation is occurring, the Student Conduct Officer/Investigator will, where possible, collaborate with the Texas Tech Police Department during the investigation. Elements of this collaborative investigation may include the Student Conduct Officer/Investigator coordinating with responding officers at the scene of the incident, joint interviews with police detectives, and evidence sharing. The Student Conduct Officer/Investigator will never take physical custody of any physical or electronic evidence, but will work closely with the Texas Tech Police Department to inspect, analyze, and incorporate physical or electronic evidence into the Investigative report.

During the investigative process, Complainants and Respondents are responsible for providing all information or evidence that they believe should be considered.

Once the investigative process is complete, the Student Conduct Officer/Investigator will compile the relevant information and evidence into an Investigation Report, which will include the allegations of the *Code of Student Conduct* and may include a timeline of the event(s), statements from interviews, physical and electronic evidence, a breakdown of the discrepancies in the various interviews, and credibility considerations. The Student Conduct Officer/Investigator will document any physical or electronic evidence in a manner that is conducive and un-obstructive to concurrent or forthcoming police investigations. A student will have access to review the completed Investigation Report and/or investigative materials relevant to the investigation after the Investigative process has concluded. In order to protect confidentiality however, students are not given copies of Investigation Reports and/or investigative materials.

Allegations of potential violations of the *Code of Student Conduct*, if appropriate, are assigned at the conclusion of the Investigative Process at which point the Student Conduct Officer/Investigator explains the options for resolution to the involved parties. Should students not participate in the Investigative Process, the conduct process may continue without their participation, including the assignment of allegations.

**Informal Resolution**

If after the Initial Inquiry/Investigation, the responding student accepts responsibility for the allegations of the *Code of Student Conduct* outlined in an Investigation Report, the student may, depending on the type and severity allegation, choose to resolve the issue informally. Should the student wish to participate in the Informal Resolution Process, the Student Conduct Officer/Investigator conducting the initial inquiry/investigation will inform the student of the appropriate sanctions for the misconduct. To participate in the Informal Resolution process, a student must accept both the finding and the sanctions. If accepted, the process ends, the finding is final, and there is no appeal.

In cases involving another student (a Complainant) and/or a violation of Part I, section B.2 (Actions against Members of the University Community and Others) of the *Code of Student Conduct*, both the Complainant and the Respondent must agree to both the finding and the sanctions as recommended by the Student Conduct Officer/Investigator. The case will only be reopened if new material, previously unavailable is presented. Mediation will not be used to resolve cases involving Title IX-based allegations. The Informal Resolution, while not considered mediation, will also not be utilized to resolve cases of nonconsensual sexual intercourse.

Written notification of the outcomes and sanctions, if applicable, of the Informal Resolution will be provided to the Complainant, Respondent, and appropriate University Administrators within five (5) University working days of the effectuation of the Informal Resolution.

**Pre-Hearing Process**

In cases involving an Administrative or University Discipline Committee Hearing, the Pre-Hearing Process will be followed. Once the investigative process is complete, the Complainant and Respondent will be given notice of a Pre-Hearing Meeting scheduled outside of the student’s academic schedule. Should students not participate in the Pre-Hearing, the conduct process may continue without their participation, including the assignment of allegations and the completion of an Administrative or University Discipline Committee Hearing. During this meeting, students will be given the opportunity to review the Investigation Report, relevant evidence, and other documents to be used in the Administrative or University Discipline Committee Hearing. Other documents reviewed may include notification of Respondent’s allegations, Committee composition, and Hearing script. Following the Pre-Hearing, student(s) will be notified, via the notification procedures, outlined in Part I, section A.3 of a date, time, and location of the Hearing.

If a student discovers new, previously unavailable information during the time after the Pre-Hearing but before the Administrative or University Discipline Committee Hearing, the student should inform the Student Conduct Officer/Investigator immediately. If the new information is pertinent to the consideration of the case, the Student Conduct Officer/Investigator will determine whether the new information should be included in the Investigation Report or presented verbally during the Administrative or University Discipline Committee Hearing. If there is new evidence introduced, other involved parties would also be given the opportunity to provide a response to any new evidence that will be presented in the Administrative or University Discipline Committee Hearing.

The student conduct process is designed to be non-adversarial. Students will be permitted to question the statements and evidence presented by the other involved parties, but may not do so directly. After reviewing the investigation report, during the Pre-Hearing, Complainants and Respondents will have the opportunity to question the statements and evidence presented by the other involved parties, via the Student Conduct Officer/Investigator, who will pose the questions and supplement the Investigation Report. (*Note: Questions that are deemed objectionable, inappropriate, and/or irrelevant by the Student Conduct Officer/Investigator may be rejected.*)

In cases requiring a University Discipline Committee, the Student Conduct Officer/Investigator will share the pool of faculty, staff, trained for University Discipline Committees. Students will be given the opportunity to request to strike any member of the University Discipline Committee whose impartiality may be in question. In order to strike a member of the University Discipline Committee, the student must provide the Student Conduct Officer/Investigator with a reasonable and substantiated rationale for the request. Once the composition of the University Discipline Committee is set, the Student Conduct Officer/Investigator will schedule the University Discipline Committee Hearing.

HEARINGS

Upon completion of the initial inquiry/investigation, after the allegation(s) have been assigned, and proper notice has been given to the student, the University may proceed to conduct either an Administrative or a University Discipline Committee Hearing and issue a finding and accompanying sanctions, if applicable. The Administrative or University Discipline Committee Hearing may be held and a decision made, regardless of whether the student responds, fails to respond, attends the Hearing, or fails to attend the Hearing. Should the student fail to attend the Administrative or University Discipline Committee Hearing, the Student Conduct Officer/Investigator or the University Discipline Committee may consider the information contained in the Investigation Report and render a decision.

Hearings are closed to the public. The Complainant and the Respondent have the right to be present at the Hearing; however, they do not have the right to be present during deliberations. Arrangements can be made so that complaining and responding students do not have to physically be in the Hearing room at the same time. To request changes in the scheduled Hearing time, students should contact the Office of Student Conduct prior to the scheduled Hearing.

**Administrative Hearing**

An Administrative Hearing is the process of adjudicating allegations of violations of the *Code of Student Conduct* by an Administrative Hearing Officer. The Administrative Hearing Officer in an Administrative Hearing may be the Student Conduct Officer/Investigator that completed the Investigation Report, or Administrative Hearing Officer assigned by the Managing Director of the Office of Student Conduct, or designee. The Administrative Hearing Officer makes the decision of responsibility and assigns sanctions, as appropriate. Written notification of the outcomes of the Administrative Hearing will be provided to the student within five (5) University working days of the conclusion of the Administrative Hearing. Decisions made through the Administrative Hearing may be appealed by students by utilizing the Disciplinary Appeal Procedures outlined in Part II, section C.5.

**University Discipline Committee Hearing**

A University Discipline Committee Hearing panel consists of five (5) University Discipline Committee Members including faculty, staff and students. Availability may determine a different composition for the Hearing panel. In cases involving Part II, section B.1 (Academic Misconduct), the Committee is comprised only of students and faculty. In cases including discrimination, sexual misconduct, or other sensitive issues, the Committee will only include faculty and staff.

During the University Discipline Committee Hearing, a designated Committee Chairperson will facilitate the Hearing process. Hearing proceedings, excluding the deliberations of the University Discipline Committee, will be recorded by the University.

The Managing Director of the Office of Student Conduct, or designee will appoint a Committee Resource Person to serve as a non-voting participant in the University Discipline Committee Hearing. The Committee Resource Person will be a trained University staff member who may:

- Prepare the University Discipline Committee Hearing materials;
- Record the University Discipline Committee proceedings;
- Escort participants into the Hearing room, grant breaks for participants, and distribute evidentiary materials;
- Ensure proper decorum throughout the University Discipline Committee Hearing;
- Ensure the procedural soundness of the University Discipline Committee Hearing;
- Provide student conduct history of the Respondent during the sanctioning phase, if necessary;



- Transcribe the findings of the University Discipline Committee Hearing;
- Compile the post-Hearing documentation,
- Deliver notification to student parties.

The Student Conduct Officer/Investigator presents the Investigation Report, evidence, witnesses, allegation(s), and questions for deliberation. The Complainant and Respondent have the right to add or

make additional comments about the facts of the case. The University Discipline Committee may question the Student Conduct Officer/Investigator, Complainant, Respondent and any witnesses. The Complainant and Respondent do not have the right to question each other or witnesses directly, but may pose questions through the Student Conduct Officer/Investigator. Should new evidence be presented without prior discussion with the Student Conduct Officer/Investigator, the Hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the Hearing. In the event the chair of the Hearing removes a student due to misconduct (Complainant, Respondent, or witnesses), the alleged misconduct will be forwarded to the Office of Student Conduct.

Following the Hearing, the University Discipline Committee will deliberate and will render a decision in regard to the alleged misconduct as well as decide any sanctions, if applicable. Should the University Discipline Committee have any questions for the Student Conduct Officer/Investigator, the Complainant, and/or the Respondent, the University Discipline Committee Hearing will reconvene so that all parties have the opportunity to respond and be present for other parties' responses.

Outcomes of the University Discipline Committee will be provided to the student(s) in writing within five (5) University working days of the conclusion of the University Discipline Committee Hearing. Decisions made through the University Discipline Committee Hearing may be appealed by students utilizing the Disciplinary Appeal Procedures outlined in Part II, section C.5.

#### NOTICE OF OUTCOMES & FERPA

FERPA protects the privacy of student education records, including personally identifiable information derived from student conduct records. Generally, schools must have written permission from a student in order to release any information from a student's education record. FERPA allows schools to disclose student records, without consent, in situations including, but not limited to school officials with legitimate educational interest, other schools to which a student is transferring, to comply with a judicial order or lawfully issued subpoena, to parents when there is a health or safety emergency involving the student, to parents when the student has committed a disciplinary violation with respect to use or possession of alcohol or a controlled substance and the student is under 21 years of age at the time of the disclosure, to the victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense concerning the final results of a disciplinary hearing. Additional information on Student Records is available in The Student Handbook, Part II, Section O.

Once the student conduct process has been completed, the outcome of a formal conduct hearing is part of the education record of the Respondent and is protected from release under a federal law (FERPA). However, Texas Tech observes the legal exceptions as follows:

- The Complainant involved in an incident of non-consensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking, or intimate partner / relationship violence has an absolute right to be simultaneously informed of the outcome, the rationale for that outcome, and any sanctions that may result. The Complainant will be informed in writing, without condition or limitation, and without substantial delay between notifications to each party.

- The University may release publicly the name, nature of the violation, and the sanction imposed for any student who is found to have violated any of the following University policies: a "crime of violence," including arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property, intimate partner / relationship violence, stalking, and kidnapping/abduction. In doing so, the University will not release any information that could lead to the identification of the reporting party.

#### SANCTIONS

A Student Conduct Officer/Investigator, Administrative Hearing Officer, or a University Discipline Committee may impose sanctions as a result of an Informal Resolution, Administrative Hearing, or University Discipline Committee Hearing, when a student is found responsible. The potential sanctions are listed in the *Code of Student Conduct* grid at <http://www.depts.ttu.edu/studentconduct>. The grid is provided only as a guideline for administering sanctions by the Student Conduct Officer/Investigator, Administrative Hearing Officer, or the University Discipline Committee. The Student Conduct Officer/Investigator, Administrative Hearing Officer and/or the University Discipline Committee may deviate from the grid.

Implementation of the disciplinary sanction(s) will not begin and are not deemed final until either the time for a disciplinary appeal has expired or until the disciplinary appeal process is exhausted. Sanctions agreed upon through the Informal Resolution process are final upon effectuation of the Informal Resolution. When sanctions are final, appropriate University Administrators may be notified of the student's sanctions. Upon the judgment of the Managing Director of the Office of Student Conduct, some cases resulting in sanctioning of suspension and expulsion may begin prior to the completion of the disciplinary appeal process.

All records related to the disciplinary process will remain on file in the Office of Student Conduct or University Student Housing for a minimum of seven (7) years from the date the case is completed through an Informal Resolution, Administrative Hearing, or University Discipline Committee Hearing and/or Disciplinary Appeal Procedures in Part I, section C.5. All records related to the disciplinary process resulting in suspension and/or expulsion will remain on file indefinitely. If a student is found responsible for violating the *Code of Student Conduct*, sanctions may be imposed and can include, but are not limited to the following:

#### **Disciplinary Reprimand**

The disciplinary reprimand is an official written notification using the notice procedures outlined in Part I, section A.3 to the student that the action in question was misconduct.

#### **Disciplinary Probation**

Disciplinary Probation is a period of time during which a student's conduct will be observed and reviewed. The student must demonstrate the ability to comply with University policies, rules, and/or standards and any other requirement stipulated for the probationary period. Further instances of misconduct under the *Code of Student Conduct* during this period may result in additional sanctions.

#### **Deferred Disciplinary Suspension**

Deferred Disciplinary Suspension is a period of time where a Disciplinary Suspension may be deferred for a period of observation and review, but in no case will the Deferred Disciplinary Suspension be less than the remainder of the semester. Further instances of misconduct under the *Code of Student Conduct* during this period may result in additional sanctions.

**Time-Limited Disciplinary Suspension**

Time-Limited Disciplinary Suspension is a specific period of time in which a student is not allowed to participate in class or University related activities. The status of Disciplinary Suspension will be shown on the student’s academic record, including the transcript. Time-limited disciplinary suspension is noted on the student’s transcript by the phrase “Disciplinary Suspension” and will include the period of time

in which the student is/was suspended from the University. The notation of disciplinary suspension will remain on the transcript indefinitely. Notification of disciplinary suspension of a student will indicate the date on which it begins and the earliest date the application for student readmission will be considered. The Student Conduct Officer/Investigator may deny a student’s readmission, if the student’s misconduct during the suspension would have warranted additional disciplinary action. If the student has failed to satisfy any sanction that was imposed prior to application for readmission, the Student Conduct Officer/Investigator may deny readmission to a student. On denial of a student’s readmission, the Managing Director of the Office of Student Conduct will set a date when another application for readmission may again be made. An administrative hold will be placed on the student record to prevent registration during the Disciplinary Suspension.

**Disciplinary Expulsion**

Disciplinary Expulsion occurs when the student is permanently withdrawn and separated from the University. The status of Disciplinary Expulsion will be shown permanently on the student’s academic record, including the transcript. Disciplinary Expulsion is noted on the student’s transcript by the phrase “Disciplinary Expulsion” and the date in which the student’s expulsion was effective. An administrative hold will be placed on the student record to prevent future registration.

**Conditions**

A condition is an educational or personal element that is assigned by Student Conduct Officer/Investigator, Administrative Hearing Officer, or University Discipline Committee. Costs associated with conditions may be the responsibility of the student and will be billed to the student’s account. Some examples of conditions include, but are not limited to:

- Personal and/or academic counseling intake session;
- Discretionary educational conditions and/or programs of educational service to the University and/or community;
- Required participation in a Sexual Misconduct Rehabilitative Educational Program;
- Residence hall relocation and/or contract review/cancellation of residence hall contract and/or use of dining facilities;
- Restitution or compensation for loss, damage or injury, which may take the form of appropriate service and/or monetary or material replacement;
- Monetary assessment owed to the University;
- Completion of an alcohol or drug education program;
- Referral to the BASICS Program for assessment.

**Restrictions**

A restriction is an additional component of a disciplinary sanction. A restriction is usually an educational component that is to occur in conjunction with the sanctions and will usually be time specific. Some examples of restrictions include, but are not limited to:

- Revocation of parking privileges;
- Denial of eligibility for holding office in registered student organizations;

- Denial of participation in extracurricular activities;
- Prohibited access to University facilities and/or prohibited direct or indirect contact with members of the University community;
- Loss of privileges on a temporary or permanent basis.

CONDUCT APPEAL PROCEDURES

A student may appeal the finding or the sanction(s) imposed in an Administrative Hearing or University Discipline Committee Hearing by submitting a written petition to the designated appeal officer within five (5) University working days of the delivery of the written decision. An appeal may not be filed on behalf of the student by a third party.

The Dean of Students, or designee, will select an appeal officer in each case. The designated appeal officer will be a trained University staff or faculty member who did not serve as the Student Conduct Officer/Investigator or the Administrative Hearing Officer in the original Conduct Process and will render a neutral, impartial, and unbiased decision.

The petition must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The only proper grounds for appeal, and the only issues that may be considered on appeal are as follows:

- A procedural [or substantive error] occurred that significantly impacted the outcome of the Hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
- The discovery of new evidence, unavailable during the original Hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; or
- The sanctions imposed substantially varies from the range of sanctions normally imposed for similar infractions.

In cases involving alleged misconduct involving Part I, section B.2 (Actions against Members of the University Community and Others), either the Complainant or Respondent may appeal the decision of the Office of Student Conduct. In such cases, the Office of Student Conduct will provide the request for appeal to the other party and provide opportunity for response.

The designated appeal officer will first review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final.

If the designated appeal officer determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, the appeal identifies a procedural/substantive error or new evidence that was unavailable at the original Hearing, the appeal officer will then determine whether the error or new evidence would have substantially impacted the decision of the Administrative Hearing Officer or University Discipline Committee. If the designated appeal officer determines that the error or new evidence would have substantially impacted the decision, they may:

- Modify the finding and/or increase, decrease, or otherwise modify the sanctions;
- Remand the case to the original Hearing Body; or
- Remand the case to a new Hearing Body.

The Office of Student Conduct shall make all reasonable efforts to notify the student(s) of the status of the appeal throughout the appellate process and shall make all reasonable efforts to notify the student(s) the result of their appeal using the written notification procedures outlined in Part I, section A.3 within ten (10) University working days. If necessary, the Designated Appeal Officer will notify the student



should they need additional time to determine the outcome of the appeal. The decision of the designated appeal officer is final and cannot be appealed.

If the designated appeal officer remands the decision to a new Hearing Body, the decision of that Hearing Body is final and may not be appealed.

APPROXIMATE TIMEFRAMES FOR TITLE IX COMPLAINT PROCESS

The University’s goal is to resolve all allegations of sexual misconduct and harassment within sixty (60) days from the time an incident is reported. This 60-day timeframe refers to the full investigation and adjudication process, but does not include the appeals process. The sixty-day approximation may be extended as necessary on a case-by-case basis, such as during breaks in the school year or when there is a concurrent criminal investigation.

**Complaint Filed**

- Report submitted to the University.
- Title IX Investigator is informed of the reported incident.

**Initial Intake (Approximately 3 days)**

- Report reviewed by the Dean of Students and/or the Title IX Investigator.
- The Dean of Students and/or the Title IX Investigator will determine if reasonable cause exists to warrant an investigation. The determination will be made based on whether the behavior giving rise to the complaint could possibly violate the Code of Student Conduct, not whether the behavior actually occurred.
- If necessary, interim actions will be taken to protect the student and to prevent further policy violations.
- Resources will be made available to assist the student after an incident has occurred.

**Investigation Preparation (Approximately 5 days)**

- The Title IX Investigator will send a “Notice of Involvement/Need to Talk” notification to involved parties.
- The Title IX Investigator may identify potential witnesses and evidence for report development.
- The Dean of Students and the Title IX Investigator may discuss strategies for the investigation.

**Investigation and Report Development (Approximately 35 days)**

- The Title IX Investigator will interview the Complainant and Respondent. In cases where a Complainant wishes to file a report with both the University and TTUPD, these interviews may be done in conjunction with law enforcement at the request of the student.
- The Title IX Investigator conducts witness interviews, copies of evidence, and drafts a written report of all statements and evidence.
- The Title IX Investigator identifies specific provision(s) of the Code of Student Conduct is alleged to have been violated based on the evidence collected.

**Pre-Hearing Process (Approximately 7 days)**

- The Title IX Investigator will conduct separate Pre-Hearing Meetings with the Complainant and Respondent.
- The Complainant and Respondent have the opportunity to review the completed Investigation Report and identify any missing information.
- The Complainant and Respondent are given the opportunity to submit questions to each other through the Investigator.
- The Complainant and Respondent are given a script of the upcoming hearing.

**University Hearing Committee (Approximately 10 days)**

- Either an Administrative Hearing or a University Discipline Committee will be scheduled outside of both students’ academic schedule.
- The hearing body will issue findings based on the information in the Investigation Report and gathered during the hearing. The hearing body will assign applicable sanctions if a violation of the Code of Student Conduct is found to have occurred.

**Appeal Process (Approximately 5 days)**

- The Complainant and Respondent may appeal the findings and/or sanctions of the hearing body within five University business days in accordance with TTU appeal procedures.
- The Appeals Officer’s final decision will be made within approximately five University business days.

**New Hearing, if applicable (Approximately 14 days)**

- In rare instances, an Appeals Officer may remand a case back to either the original hearing body or to a new hearing body for review.

**University’s Right to Revision**

TTU students are responsible for knowing the information, policies and procedures outlined in this document.

The University reserves the right to make changes to this document as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online at [www.ttu.edu/studenthandbook](http://www.ttu.edu/studenthandbook) for the updated versions of all policies and procedures. If government regulations change in a way that impacts this document, this document will be construed to comply with government regulations in their most recent form. Reports of misconduct made after the fact may raise issues of policy and procedure application, if policies and procedures have changed. Unless the parties accept current policies, all reports are governed by the policies that were in place at the time the alleged misconduct occurred. Procedures applicable are those that are in place at the time of resolution.



TEXAS TECH UNIVERSITY

Appendix E: Faculty, Staff & Student Employees:  
Title IX and Gender-Based Harassment,  
Discrimination and Sexual Misconduct Resources  
and Reporting Information Manual

**Faculty, Staff & Student Employees**

**Title IX and Gender-Based  
Harassment, Discrimination, and  
Sexual Misconduct Resources  
and Reporting**

[titleix.hr.ttu.edu](http://titleix.hr.ttu.edu)



Texas Tech is committed to providing its students, faculty, and staff with an educational and workplace environment free from any form of unlawful discrimination. The Texas Tech community is dedicated to fostering and supporting a culture of mutual respect and communication.

Texas Tech University does not tolerate discrimination or harassment of faculty, staff, students, or applicants based on or related to sex, race, national origin, religion, age, disability, protected veteran status, genetic information, or other protected categories, classes, or characteristics in education programs and activities or employment decisions. While sexual orientation and gender identity are not protected categories under state or federal law, it is Texas Tech University policy not to discriminate on this basis. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, or electronically displayed or conveyed.

Texas Tech expects all employees to comply with the law in connection with their employment and employment decisions. Employees who violate these policies and laws are subject to disciplinary action, up to and including termination.

**TITLE IX OVERVIEW**

Title IX of the Educational Amendments of 1972 provides:  
"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving federal financial assistance."

**CLERY ACT, VAWA, CAMPUS SAVE ACT OVERVIEW**

The Clery Act promotes campus safety by ensuring students, employees, parents, and the broader community are well informed about important public safety and crime prevention matters. The Violence Against Women Reauthorization Act (VAWA) amended the Clery Act under its Campus Sexual Violence Elimination Act (SaVE Act) provision by expanding reporting requirements to include offenses involving domestic violence, dating violence, and stalking.

**RESOURCES**

**OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY**  
Charlotte Bingham  
Assistant Vice Chancellor for Administration, Managing Director for EEO  
Texas Tech University  
Administration Building, Rm 210  
806-742-3627  
[charlotte.bingham@ttu.edu](mailto:charlotte.bingham@ttu.edu)

**TITLE IX ADMINISTRATOR**  
Kimberly Simon, PhD  
Title IX Administrator  
Texas Tech University  
Administration Building, Rm 163  
806-834-1949  
[kimberly.simon@ttu.edu](mailto:kimberly.simon@ttu.edu)

**DEPUTY COORDINATOR FOR ATHLETICS**  
Dr. Judi Henry  
Executive Senior Associate Athletics Director, Senior Woman Administrator  
Athletic Office  
806-834-0976  
[judi.henry@ttu.edu](mailto:judi.henry@ttu.edu)

**DEPUTY COORDINATOR FOR EMPLOYEES**  
Jodie Billingsley  
Assistant Vice President for Human Resources  
Texas Tech University Doak Conference Center, Rm 160  
806-742-3851  
[jodie.billingsley@ttu.edu](mailto:jodie.billingsley@ttu.edu)

**DEPUTY COORDINATOR FOR STUDENTS**  
Dr. Matthew Gregory  
Dean of Students  
Texas Tech University  
Student Union Building, Suite 201 AA  
806-742-2984  
[matt.gregory@ttu.edu](mailto:matt.gregory@ttu.edu)

**TEXAS TECH POLICE DEPARTMENT**  
On-campus crimes  
Emergencies: Dial 9-1-1  
Non-emergencies: 806-742-3931

**LUBBOCK POLICE DEPARTMENT**  
Off-campus crimes  
Emergencies: Dial 9-1-1  
Non-emergencies: 775-2865

**COVENANT MEDICAL EMERGENCY ROOM**  
3615 19th Street  
Lubbock, Texas 79410

**UNIVERSITY MEDICAL CENTER EMERGENCY ROOM**  
602 Indiana Avenue  
Lubbock, Texas 79415

**TEXAS TECH UNIVERSITY EMPLOYEE ASSISTANCE PROGRAM (EAP)**  
Dr. Alan Korinek, Director  
Texas Tech University Health Sciences Center  
3601 4th Street  
Lubbock, Texas 79430  
806-743-1327

**VOICE OF HOPE LUBBOCK RAPE CRISIS CENTER**  
Hotline: 806-763-7273  
Non-hotline: 806-763-3232

**TITLE IX AND GENDER-BASED HARASSMENT, DISCRIMINATION, AND SEXUAL MISCONDUCT INCLUDES:**

**SEX/GENDER-BASED HARASSMENT**  
Gender-based harassment may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that is sufficiently severe, persistent, or pervasive, even if those acts do not involve conduct of a sexual nature.

**DISCRIMINATORY HARASSMENT**  
Discriminatory harassment is verbal or physical conduct that shows hostility toward an employee based on or related to sex, race, national origin, religion, age, disability, sexual orientation, genetic information, or other protected categories, classes, or characteristics that is sufficiently severe, persistent, or pervasive so as to limit an individual's ability to participate in or benefit from education.

**SEXUAL MISCONDUCT**  
Sexual misconduct is any non-consensual behavior of a sexual nature that is committed by force, intimidation, or is otherwise unwelcome that is sufficiently severe, persistent, or pervasive so as to limit an individual's ability to participate in or benefit from education programs and activities or employment at Texas Tech University. Sexual misconduct offenses include, but are not limited to sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and sexual exploitation.

**SEXUAL HARASSMENT**  
Sexual harassment is a form of discriminatory harassment and is defined as unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive so as to limit an individual's ability to participate in or benefit from education programs and activities or employment at Texas Tech University.

**SEXUAL VIOLENCE**  
Sexual violence is a form of sexual harassment. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to age or use of drugs or alcohol or an intellectual or other disability that prevents the student from having the capacity to give consent). Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

**SEXUAL ASSAULT**  
Sexual Assault is a form of sexual violence and is an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person's gender or sex.

**DOMESTIC VIOLENCE**  
Domestic Violence includes asserted violent misdemeanor or felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

**DATING VIOLENCE**  
Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

**STALKING**  
Stalking means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

**CONSENT**  
Consent means mutually understandable words or actions, actively communicated both knowingly and voluntarily, so they clearly convey permission for sexual activity. Consent may be either clear words or actions, must be active and not passive or implied, must be informed and knowingly, and must be given voluntarily and freely. Consent can be withdrawn or revoked at any time.

**WEBSITES**

Title IX resources for Faculty, Staff and Student Employees  
[www.titleix.hr.ttu.edu](http://www.titleix.hr.ttu.edu)

Title IX Coordinator website  
<http://www.ttu.edu/administration/president/universitycounsel/titleix.php>

Title IX resources for Students  
[www.depts.ttu.edu/sexualviolence/index.php](http://www.depts.ttu.edu/sexualviolence/index.php)



#### MANDATORY REPORTING AND RESPONSIBLE EMPLOYEE

The university must take immediate action when notice of sexual misconduct is received.

#### NOTICE

The university has notice if a Responsible Employee knew or, in the exercise of reasonable care, should have known about the misconduct.

#### RESPONSIBLE EMPLOYEE

A Responsible Employee includes any faculty, staff, or student employee who has the authority to take action to redress the harassment, has the duty to report sexual harassment or other misconduct to appropriate university officials, or whom a student could reasonably believe has this authority or responsibility.

All university faculty, staff, or student employees who are either the subject of, witness to, or receive a report of gender-based harassment, discrimination, or sexual misconduct, including sexual harassment, sexual violence, domestic violence, dating violence, and stalking are considered Responsible Employees and have the obligation to report such information.

This does not mean the individual's name or other personally identifying information must be shared as sometimes the individual will request that the Responsible Employee not tell anyone of the report. Rather, by contacting either the EEO Office, Title IX Coordinator, or a Deputy Coordinator listed in the Resources section of this brochure, a Responsible Employee may both satisfy the reporting and notice requirements as well as obtain information about remedies, resources, and university processes that he or she can then pass along to the individual as a follow-up. In this way, Responsible Employees can provide reluctant individuals with valuable information while still protecting the individual's confidence, trust, and anonymity. Alternatively, when individuals do wish to report, Responsible Employees are instrumental in referring them to the administrators who can most effectively assist them.

#### CONFIDENTIAL REPORTING

Texas Tech University will protect the confidentiality of the identities of and the statements made by parties and witnesses involved in a report or complaint to the extent permitted by law and to the extent that continued protection does not interfere with the university's ability to investigate allegations of misconduct and to take corrective action. The willful and unnecessary disclosure of confidential information by anyone, including the employee filing the grievance, regarding a complaint of discrimination or violation of law to any person outside of the investigation process may result in appropriate disciplinary measures against the offending party.

#### RETALIATION

Retaliation against an employee who reports discrimination or other violations of the law or who participates in an investigation under this policy is strictly forbidden. Any manager, supervisor, other employee who is found to have taken any adverse employment action against an employee because of the employee's good faith report of discrimination or other violation of the law or participation in an investigation under this policy is subject to severe penalties, including immediate termination. This may apply even if it is determined that the underlying grievance is not a violation of TTU policy or law.

#### GRIEVANCE PROCEDURES

Grievance procedures are applicable to all employees, whether faculty or staff. Please refer to OP 40.02 Anti-Discrimination, Sexual Harassment, and Title IX Policy and Grievance Procedure for Violations of Employment and Other Laws for Employees.

#### PURPOSE AND DISCLAIMER

*The purpose of this brochure is to provide you with a general understanding of The Clery Act and Title IX federal laws. This brochure is not intended to be all encompassing, but rather to give you knowledge about where to find additional information and who to call for assistance if you are a victim of or witness to discriminatory behavior or harassment. In the event of a conflict between this brochure and federal or state law, the law will prevail.*



Box 41093, Lubbock, TX 79409-1093 | Phone: 806.742.3851 | Fax: 806.742.1371 | [hr.ttu.edu](http://hr.ttu.edu)

## Appendix F: Texas Tech University Faculty, Staff, and Student Employees Reporting Responsibilities Chart



TEXAS TECH UNIVERSITY  
FACULTY, STAFF, AND STUDENT EMPLOYEES REPORTING RESPONSIBILITIES

GROUP 1	GROUP 2	GROUP 3
<b>Mandated Reporters: Full Reporting</b>	<b>“Jane Doe/John Doe” Anonymous Reporting</b>	<b>“Confidential” Reporting</b>
Must report all known information regarding an incident to the Title IX Administrator, Deputy Coordinator, or the Office of Equal Employment Opportunity without delay	Report all information known about an incident except any personally identifying information about those involved	Report only non-identifiable, aggregate information regarding incidents disclosed to them
<b>All faculty, staff, and student employees except those in Groups 2 and 3</b>	<b>Specifically designated employees</b>	<b>Only professional counselors, medical providers, and clergy</b>
<b>Title IX Administrator</b> Kimberly Simón, PhD Title IX Administrator Texas Tech University Administration Building, Room 163 (806) 834-1949 <a href="mailto:kimberly.simon@ttu.edu">kimberly.simon@ttu.edu</a>	<b>Risk Intervention &amp; Safety Education (RISE)</b> <a href="mailto:RISE@ttu.edu">RISE@ttu.edu</a> (806) 742-2110  <i>Prevention and wellness efforts for the Red Raider Community</i>	<b>Voice of Hope Lubbock Rape Crisis</b> Center Hotline: (806) 763-7273 Phone: (806) 763-3232 <a href="http://www.voiceofhopelubbock.org">www.voiceofhopelubbock.org</a> <i>Crisis intervention, support, and follow-up for survivors and family members</i>
<b>Deputy Coordinator for Students</b> Dr. Matthew Gregory Dean of Students Texas Tech University Student Union Building, Suite 201 AA (806) 742-2984 <a href="mailto:matt.gregory@ttu.edu">matt.gregory@ttu.edu</a>		<b>Texas Tech Employee Assistance Program</b> 3601 4th Street, Lubbock, Texas 79430 (806) 743-1327 <a href="http://www.ttuhsc.edu/centers/swiad/eap/">www.ttuhsc.edu/centers/swiad/eap/</a> <i>Provides short-term counseling and assistance to employees, couples, and families</i>
<b>Deputy Coordinator for Employees</b> Jodie Billingsley Assistant Vice President for Human Resources and Payroll Services Texas Tech University Doak Conference Center, Room 160 (806) 742-3851 <a href="mailto:jodie.billingsley@ttu.edu">jodie.billingsley@ttu.edu</a>		<b>Student Counseling Center</b> Student Wellness Center, Room 201 1003 Flint Ave (806) 742-3674 <a href="http://www.depts.ttu.edu/scc/">www.depts.ttu.edu/scc/</a> <i>Provides short-term counseling and consultation to students who are experiencing emotional and psychological difficulties</i>
<b>Deputy Coordinator for Athletics</b> Dr. Judi Henry Executive Senior Associate Athletics Director & Senior Woman Administrator Athletic Office (806) 834-0976 <a href="mailto:judi.henry@ttu.edu">judi.henry@ttu.edu</a>		<b>Student Wellness Center</b> 1003 Flint Ave (806) 743-2122 <a href="http://www.ttuhsc.edu/studenthealth/">http://www.ttuhsc.edu/studenthealth/</a> <i>Provides follow-up medical care for students</i>
<b>Office of Equal Employment Opportunity</b> Charlotte Bingham Assistant Vice Chancellor for Admin & Managing Director EEO Texas Tech University Administration Building, Room 210 (806) 742-3627 <a href="mailto:charlotte.bingham@ttu.edu">charlotte.bingham@ttu.edu</a>		<b>Marriage and Family Therapy Clinic</b> Texas Tech University Human Sciences building, Room 165 15th Street and Akron (806) 742-3060 <a href="http://www.depts.ttu.edu/hs/mft/clinical_services.php">www.depts.ttu.edu/hs/mft/clinical_services.php</a> <i>Provides therapeutic services to individuals, couples, and families</i>
		<b>Psychology Clinic</b> Texas Tech University Psychology building, Room 111A 19th Street and Boston (806) 742-3799 <a href="mailto:psychology.clinic@ttu.edu">psychology.clinic@ttu.edu</a> <i>Provides psychotherapy and assessment services to the university</i>

Appendix G: Clery Crimes: Texas Penal Code

APPLICABLE TEXAS CRIMINAL STATUTES

Based upon the *Clery Act specific* definitions, the following criminal offenses are applicable:

- Texas Penal Code 12.47 – Offense Committed because of Bias or Prejudice
- Texas Penal Code 19.02 – Murder
- Texas Penal Code 19.03 – Capital Murder
- Texas Penal Code 19.04 – Manslaughter
- Texas Penal Code 21.11 – Indecency with a Child
- Texas Penal Code 22.01 – Assault
- Texas Penal Code 22.011 – Sexual Assault
- Texas Penal Code 22.021 – Aggravated Sexual Assault
- Texas Penal Code 25.02 – Prohibited Sexual Conduct
- Texas Penal Code 28.02 – Arson
- Texas Penal Code 29.02 – Robbery
- Texas Penal Code 29.03 – Aggravated Robbery
- Texas Penal Code 30.02 – Burglary
- Texas Penal Code 31.03 – Theft (Motor Vehicle Theft Only)
- Texas Penal Code 31.07 – Unauthorized Use of a Vehicle
- Texas Penal Code – 49.031 – Possession of Alcohol in a Motor Vehicle
- Texas Alcoholic Beverage Code 106.04 – Consumption of Alcohol by a Minor
- Texas Alcoholic Beverage Code 106.05 – Minor in Possession of Alcohol
- Texas Alcoholic Beverage Code 106.06 – Making Alcohol Available to a Minor
- Texas Health and Safety Code 481.1121 – Manufacture or Delivery of a Controlled Substance PG 1A
- Texas Health and Safety Code 481.113 – Manufacture or Delivery of a Controlled Substance PG 1
- Texas Health and Safety Code 481.113 – Manufacture or Delivery of a Controlled Substance PG 2
- Texas Health and Safety Code 481.114 – Manufacture or Delivery of a Controlled Substance PG 3-4
- Texas Health and Safety Code 481.115 Possession of a Controlled Substance PG 1
- Texas Health and Safety Code 481.116 – Possession of a Controlled Substance PG 2
- Texas Health and Safety Code 481.117 – Possession of a Controlled Substance PG 3
- Texas Health and Safety Code 481.120 – Delivery of Marijuana
- Texas Health and Safety Code 481.121 – Possession of Marijuana
- Texas Health and Safety Code 481.129 – Possess or Obtains a Controlled Substance by Fraud
- Texas Health and Safety Code 483.041 – Possession of a Dangerous Drug
- Texas Health and Safety Code 483.042 – Delivery of a Dangerous Drug
- Texas Penal Code 46.02 – Unlawfully Carrying a Weapon
- Texas Penal Code 46.03 – Places Weapons Prohibited
- Texas Penal Code 46.05 – Prohibited Weapons

Additionally, any violation that meets *Clery Act specific* categories but does not otherwise apply to the aforementioned penal offenses or those categorized by Uniform Crime Reporting (UCR) guidelines are also included.

Some examples of offenses that meet *Clery Act specific* definitions for one or more categories but are not counted unless certain qualifying conditions are met are:

- Texas Penal Code 22.01 – Assault (Forcible Fondling / Sex Offense & Hate Crimes)
- Texas Penal Code 22.07 – Terroristic Threats (Hate Crimes)
- Texas Penal Code 28.03 – Criminal Mischief (Hate Crimes)
- Texas Penal Code 28.08 – Graffiti (Hate Crimes)
- Texas Penal Code 31.02 – Theft (Hate Crimes)
- Texas Penal Code 33.07 – Online Harassment (Hate Crimes)
- Texas Penal Code 39.03 – Harassment (Hate Crimes)
- Texas Penal Code 42.072 – Stalking (Hate Crime)

This report complies with the following provisions as codified:

- United States Code Title 20, Chapter 28 Section 1092(f) as amended in 1992, 1998, 2000, 2008, & 2013. Current through Pub. L. [113-126](#).
- United States Code of Federal Regulations, Title 34, Chapter VI, Part 668, Section 668.46
- Violence Against Women Reauthorization Act of 2013, P.L. 113-4





# 2016-2017 Annual Fire Safety Report



## TEXAS TECH UNIVERSITY Fire Marshal's Office

ADDRESS	413 Flint Avenue Lubbock, TX 79409
TELEPHONE NUMBER	(806) 742-0146
EMERGENCY NUMBER	Dial 9-911 from campus phone Dial 911 from cellular phone
FAX	(806) 742-0139
EMAIL	walter.james@ttu.edu
FIRE MARSHAL	Walter James

Published annually by the Texas  
Tech University Fire Marshal.

TABLE OF CONTENTS

Annual Fire Report

"NOTICE OF THE ANNUAL FIRE SAFETY REPORT" .....  
4  
"NOTICE OF THE ANNUAL CLERY" .....  
5  
CAMPUS SECURITY REPORT .....  
5  
LETTER FROM THE FIRE MARSHAL .....  
6  
INTRODUCTION .....  
7  
FIRE AND LIFE SAFETY PROGRAM.....  
7  
STUDENT HOUSING LIFESAFETY SYSTEMS .....  
10  
FIRE STATISTICS .....  
11

"NOTICE OF THE ANNUAL FIRE SAFETY REPORT"

In accordance with the guidelines established by Texas Tech University, the Texas Tech University Fire Marshal, and pursuant to the federal law 34 CFR 668.49(b), all currently enrolled students, campus employees and all prospective students and prospective employees of Texas Tech University are entitled to request and receive a copy of the Annual Campus Fire Safety Report.

The report contains statistics about the number of fires in on-campus housing, the cause of each fire, the number of injuries and deaths, and the value of property damaged. The report also includes a description of fire systems, the number of fire drills, evacuation procedures, education and training programs, future plans for fire safety improvements, and the institutions policies on appliances, smoking, open flames, and other potential hazards.

All students enrolled at Texas Tech University will receive notification through electronic mail and student portals featuring the exact website address for the current Fire Safety Report. Faculty and staff will also be notified electronically through the techAnnounce email system. Parents will receive notification through a newsletter published by Parent & Family Relations. An advertisement containing information about how to access the report will run in The Daily Toreador for one week. Additional notices will be posted in common areas in campus buildings that are frequented by faculty, staff, students and visitors.

Copies of this report may be obtained in person from the Texas Tech Fire Marshal, the Texas Tech Police Department or on-line at the Police Department’s website under the link “Annual Fire Report” located at: [www.depts.ttu.edu/ttpd/fire.php](http://www.depts.ttu.edu/ttpd/fire.php) You may also request that a copy be sent to you via E-mail or U.S. Postal mail by contacting the Texas Tech Fire Marshal at (806) 742-0145 or the Texas Tech Police Department at (806) 742-3931 during normal business hours, 8 a.m. -5 p.m., Monday thru Friday. Copies may also be requested from University Student Housing at (806) 742-2661 or by e-mailing [housing@ttu.edu](mailto:housing@ttu.edu).

Faculty, staff and students at the Texas Tech University Center at Junction may also request or obtain a copy by visiting the Director of Operations office in the administrative offices on campus.





## "NOTICE OF THE ANNUAL CLERY CAMPUS SECURITY REPORT

In accordance with the guidelines established by Texas Tech University, the Texas Tech University Health Sciences Center, the Texas Tech Police Department, and pursuant to the federal law identified as the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act", all currently enrolled students, campus employees and all prospective students and prospective employees are entitled to request and receive a copy of the Annual Campus Security Policy and Campus Crime Statistics Report.

The report contains statistics about certain specified crimes and related incidents that have been reported to the Texas Tech Police Department and other Campus Security Authorities over the past three years. All incidents contained within the report have either occurred on-campus, in off-campus buildings, or on or near property owned or controlled by Texas Tech University or the Texas Tech University Health Sciences Center.

The report also contains policies and practices pertaining to campus security, crime reporting, alcohol and drugs, victims' assistance programs, student discipline policies, campus security resources, community safety alerts, crime prevention, access to campus facilities and properties, missing student notification policies and personal safety tips.

The Texas Tech Police Department encourages the reporting of all criminal offenses and campus safety and security concerns, and provides information in this report about how and to whom to report crimes.

All students enrolled at Texas Tech University and the Texas Tech University Health Sciences Center will receive notification through electronic mail and online student portals featuring the exact website address for the current Campus Crime Report. Faculty and staff will also be notified electronically through the techAnnounce email system. Parents of students will receive notification through a newsletter published by Parent & Family Relations. An advertisement depicting post card information will run in The Daily Toreador for one week. Additional notices will be posted in common areas in campus buildings that are frequented by faculty, staff, students and visitors.

Copies of this report may be obtained in person from the Texas Tech Police Department or on-line at the Police Department's website under the link "Campus Crime Report" located at: [www.depts.ttu.edu/tttd/clery.php](http://www.depts.ttu.edu/tttd/clery.php) You may also request that a copy be sent to you via E-mail or U.S. Postal mail by contacting the Texas Tech Police Department during normal business hours, 8 a.m. -5 p.m., Monday thru Friday at (806) 742-3931. Copies may also be requested from the Office of Student Judicial Programs at Texas Tech University, or from the Texas Tech University Health Sciences Center Office of Student Services.

Faculty, staff and students at the Texas Tech University Center at Junction may also request or obtain a copy by visiting the Director of Operations office in the administrative offices on campus.

## LETTER FROM THE FIRE MARSHAL

Students, Faculty and Staff,

The Texas Tech University Fire Marshal's Office is committed to creating and maintaining a safe environment for everyone on campus. In addition to this report, the Fire Marshal's Office encourages all students, faculty and staff to use the resources available to them in order to create and maintain a safer campus. The Fire Marshal's office has developed a Fire and Life Safety Program that empowers employees and students to follow the correct procedures to ensure the safety of co-workers, other students and visitors, which all students, faculty and staff are encouraged to familiarize themselves with. This program supports Texas Tech's ultimate goal of cultivating a safe and secure learning, living and working atmosphere. Creating and maintaining such an atmosphere requires the cooperation of all students, faculty and staff. The Fire Marshal's office appreciates your attention to this matter. Feel free to contact our office with any questions or concerns. We also offer training in fire safety topics and fire extinguisher training. Contact us at (806) 742-0145 or (806) 742-0146.

Sincerely,  
Walter James - Director  
Texas Tech University Fire Marshal's Office



Walter James CFPSCFI is the director of Texas Tech University Fire Marshal's Office. Mr. James has been employed with the Texas Tech University Fire Marshal's Office since 1999. He has been active in the fire service since 1983. Mr. James holds certifications as a *Certified Fire Protection Specialist, Advanced Fire Inspector, Advanced Fire Investigator, Advanced Firefighter, Field Examiner, and Level 3 Fire Service Instructor*. He is a past President of the *West Texas Fire Arson Investigators Association* and currently serves on the board of directors.

Introduction

The Campus Fire Safety Right-to-Know Act became federal law with the passage of the Higher Education Opportunity Act of 2008.

The new law requires colleges and universities that maintain on campus housing facilities to compile an annual fire safety report that gives students, parents and the public current information about fires in on-campus housing. Colleges are also required to maintain a fire log that captures specific information about fires that occur in on-campus housing. The log is required to include the date, time, and cause of each fire as well as the number of injuries requiring treatment, the number of deaths and the value of property damage associated with each fire.

This report includes statistics about all applicable fires occurring in 2009. It also includes maps and locations of each student housing facility controlled by Texas Tech University, a description of fire safety systems by building, and information about annual fire drills, housing policies and safety tips.

Fire and Life Safety Program

The health and safety of all university employees, students and visitors to our campus is of paramount importance to everyone working and learning at the university. This concern for safety mirrors the character and strength of Texas Tech’s commitment to its academic mission.

Staff, faculty, students and visitors play an important role in assuring campus safety; they must do what they can to protect themselves and others within the university community and respond appropriately to all emergencies. Employees must avail themselves of information pertaining to the safe conduct of their work, regardless of setting. Students must also participate in fire and life safety programs and respect the safety of others.

The Texas Tech University Fire and Life Safety Program, which is made available to all faculty, staff, students and visitors, contains policies and procedures that, when implemented and maintained, will satisfy the code and legal obligations of the university, help satisfy insurance

requirements, prevent loss of life, reduce injury and reduce property damage due to fire and fire related emergencies.

The program is based on state and local regulations, National Fire Protection Association guidelines and Life Safety Code requirements. The program provides roadmaps for fire safety surveys of buildings, fire extinguisher maintenance, and fire safety related training. This training is scheduled for all resident hall occupants each semester and is available to any campus department upon request.

To obtain a complete copy of the Texas Tech University Fire and Life Safety Program, please visit:  
<http://www.depts.ttu.edu/ttpd/fire.php>

University Student Housing Fire Safety Policies

- Possession of the following items are violations of Fire Safety Policy:
- Portable Air Conditioners
  - Waterbeds
  - Dishwashers
  - Washing Machines / Dryers
  - Sun Lamps
  - Halogen Lamps
  - Tanning Beds
  - Open Faced Electrical or Heating Appliances
    - Includes hot plates, broilers, space heaters, immersion heaters, toasters, toaster ovens, and George Forman grills
  - Fireworks
  - Lighter Fluid / Flammable Fuel
  - Charcoal
  - Any source of open flame
  - Candles and Incense
    - Candles, candle warmers, and/or incense, lit or unlit, are not allowed in student rooms and/or public areas in any of the residence halls. Modification of prohibited items for display, such as cutting the wick off of a candle does not make it “legal” or otherwise exempt the item.



Permitted Holiday Decorations

- Christmas Trees
  - Only artificial Christmas trees labeled as fire-retardant will be allowed within the residence halls. Only use low watt, safety rated lights to decorate your tree. Do not place trees or other decorations where they may block exits.
- Christmas Lights
  - Christmas lights cannot be hung in the hallways, but may be displayed in individual rooms. Only use lights certified by recognized testing laboratories and follow the manufacturer’s instructions. Discard any lights with worn, frayed or broken cords. Connect no more than three strands of push-in bulbs that are rated for indoor use.
- Wrapping / Decorating Doors
  - When wrapping doors with paper or decorations, the door must not be covered more than 50%.



Smoking

Texas Tech University is a smoke-free campus and smoking of any kind is not allowed inside any building on campus. This includes all residence halls, public areas, lobbies, hallways, lounges, game rooms, bathrooms, showers, computer rooms, kitchenettes and dining halls. Students may smoke outside as long as they are at least 20 feet from any part of the building and utilize receptacles for disposal.



Fire Safety Equipment Abuse

Besides being an annoyance, a false fire alarm can endanger lives. Tampering with a fire alarm system or fire extinguishers, misuse or tampering with sprinkler systems and other fire safety equipment is a violation of Texas law and the

Texas Tech University Student Code of Conduct. Anyone unnecessarily setting off or tampering with a fire alarm system, sprinkler system or fire extinguisher will be subject to judicial action, financial responsibility and/or referral to the civil authorities for prosecution under Texas law (or all three). Revocation of housing contracts, removal from the residence halls and loss of housing fees will also be considered.

Failure to Evacuate

Failure to evacuate the building during a fire alarm can cause harm to the individual as well as fire safety personnel if a rescue is needed. Failure to evacuate during a fire alarm will result in judicial action, possible monetary fines, and could result in arrest for violation of applicable laws.



Fire Alarm Instructions

Residents should immediately do the following when the fire alarm sounds:

- Put on coat and shoes when possible
- Close and lock your door and take your room key
- Take a large, damp bath towel with you if possible. If smoke is present, cover your mouth and nose.
- Evacuate the building using the most expedient method (Note: Do not use elevators)
- Proceed immediately and in an orderly manner to designated exits
- Avoid moving toward open flame or heavy smoke if possible
- In case of inclement weather, proceed to the lobby of the nearest building or residence hall
- Account for your friends and roommates
- Follow instructions from all emergency personnel, including fireman and police
- Do not re-enter the building until the “all clear” is sounded

Fire Drills

For the protection and safety of residents, fire drills are held every semester. Please read the fire safety information posted in residence hall corridors and become familiar with evacuation routes. Cooperation is expected at all times. All individuals must evacuate immediately when an alarm sounds. Failure to comply will result in judicial proceedings and possibly monetary assessment or revocation of housing privileges.

Did you know....

Between 2004-2008 U.S. fire departments responded to an estimated annual average of 3,800 structure fires in dormitories, fraternities, sororities, and barracks that resulted in 7 civilian deaths, 54 civilian fire injuries, and \$29.4 million in direct property damage, annually. These fires were most common during the evening hours between 5 p.m. and 11 p.m., and on weekends. The leading causes of these fires were smoking, cooking accidents, improper trash disposal, and malfunctioning heating and electrical equipment.

(Source: U.S. Fire Administration Nation Fire Incident Reporting System)

The following table contains details about all life safety systems currently installed in University Student Housing.

2013, 2014 & 2015	Fire Alarm System	Audible Alert	Strobe Alert	Heat Detection Devices	Smoke Detection Devices	Pull Station	Smoke Control & Reduction Mechanism	Fire Doors	Sprinkler System	Standpipe	Fire Extinguishers	Fire Drills Conducted Annually
TTU LUBBOCK CAMPUS												
Bledsoe Hall	N	X	N	X	X	X	X	X	X	X	X	6
Carpenter / Wells Apartments	X	X	X	X	X	X	X	X	X	X	X	6
Clairwood Hall	N	X	N	X	X	X	X	X	X	X	X	6
Clement Hall	X	X	X	X	X	X	X	X	X	X	X	6
Coleman Hall	N	X	N	X	X	X	X	X	X	X	X	6
Gates Hall	X	X	X	X	X	X	X	X	X	X	X	6
Gordon Hall	N	X	N	X	X	X	X	X	X	X	X	6
Horn Hall	X	X	X	X	X	X	X	X	X	X	X	6
Hulen Hall	N	X	N	X	X	X	X	X	X	X	X	6
Kearney Hall	X	X	X	X	X	X	X	X	X	X	X	6
Murdough Hall	N	X	N	X	X	X	X	X	X	X	X	6
Murray Hall	X	X	X	X	X	X	X	X	X	X	X	6
Speed Hall	N	X	N	X	X	X	X	X	X	X	X	6
Sargeant Hall	X	X	X	X	X	X	X	X	X	X	X	6
Talldington Hall	N	X	N	X	X	X	X	X	X	X	X	6
Wall Hall	X	X	X	X	X	X	X	X	X	X	X	6
West Village (Added 2014)	N	X	N	X	X	X	X	X	X	X	X	6
Weymouth Hall	X	X	X	X	X	X	X	X	X	X	X	6
TTU JUNCTION CAMPUS												
Junction Cabin # 1					X						X	2
Junction Cabin # 2					X						X	2
Junction Cabin # 3					X						X	2
Junction Cabin # 4					X						X	2
Junction Cabin # 5					X						X	2
Junction Cabin # 6					X						X	2
Junction Cabin # 7					X						X	2
Junction Cabin # 8					X						X	2
Junction Cabin # 9					X						X	2
Junction Cabin # 10					X						X	2
Junction Cabin # 11	X	X	X		X	X					X	2
Junction Hummingbird House					X						X	2
Junction Juniper House					X						X	2
Junction Mockingbird House					X						X	2
Junction Packard Hall	X	X	X		X	X			X		X	2
Junction Pecos House					X						X	2
Junction Tech House					X						X	2



FIRE STATISTICS

The following table contains statistics and details about all known fires that occurred in on-campus housing during 2015.

2015					
TTU LUBBOCK CAMPUS					
	Total Fires	Injuries	Deaths	Value of Loss	
Blodgett Hall	0	0	0	0.00	
Carpenter / Wells Apartments	0	0	0	0.00	
Chiswood Hall	0	0	0	0.00	
Clement Hall	0	0	0	0.00	
Coleman Hall	0	0	0	0.00	
Gates Hall	0	0	0	0.00	
Gordon Hall	0	0	0	0.00	
Horn Hall	0	0	0	0.00	
Hulen Hall	0	0	0	0.00	
Knappe Hall	0	0	0	0.00	
Murdough Hall	1	0	0	200.00	
Murray Hall	0	0	0	0.00	
Sneed Hall	0	0	0	0.00	
Stangel Hall	1*	0	0	200.00*	
Talington Hall	0	0	0	0.00	
Wall Hall	0	0	0	0.00	
West Village	0	0	0	0.00	
Weymouth Hall	0	0	0	0.00	
TTU JUNCTION CAMPUS					
Junction Cabin # 1	0	0	0	0	
Junction Cabin # 2	0	0	0	0	
Junction Cabin # 3	0	0	0	0	
Junction Cabin # 4	0	0	0	0	
Junction Cabin # 5	0	0	0	0	
Junction Cabin # 6	0	0	0	0	
Junction Cabin # 7	0	0	0	0	
Junction Cabin # 8	0	0	0	0	
Junction Cabin # 9	0	0	0	0	
Junction Cabin # 10	0	0	0	0	
Junction Cabin # 19	0	0	0	0	
Junction Hummingbird House	0	0	0	0	
Junction Juniper House	0	0	0	0	
Junction Mockingbird House	0	0	0	0	
Junction Packard Hall	0	0	0	0	
Junction Pecan House	0	0	0	0	
Junction Tech House	0	0	0	0	

2015 FIRE LOG DETAILS

TTU Case # 15-0654 Stangel/Murdough February 11, 2015 11:29 PM  
Texas Tech Police were dispatched to the Stangel/Murdough dining hall to investigate a fire alarm. Officers discovered a hamburger boiler machine had caught fire. A staff member put out the fire with an extinguisher. Property damaged was estimated at \$200.00. There were no injuries associated with this event. The TTU Fire Marshal was contacted.  
\* Statistic recorded for both dormitories as the dining hall connects the facilities.  
Classification: Accidental



FIRE STATISTICS

The following table contains statistics and details about all known fires that occurred in on-campus housing during 2014.

2014					
TTU LUBBOCK CAMPUS					
	Total Fires	Injuries	Deaths	Value of Loss	
Blodgett Hall	0	0	0	0.00	
Carpenter / Wells Apartments	0	0	0	0.00	
Chiswood Hall	0	0	0	0.00	
Clement Hall	0	0	0	0.00	
Coleman Hall	0	0	0	0.00	
Gates Hall	0	0	0	0.00	
Gordon Hall	0	0	0	0.00	
Horn Hall	0	0	0	0.00	
Hulen Hall	0	0	0	0.00	
Knappe Hall	0	0	0	0.00	
Murdough Hall	0	0	0	0.00	
Murray Hall	0	0	0	0.00	
Sneed Hall	0	0	0	0.00	
Stangel Hall	0	0	0	0.00	
Talington Hall	0	0	0	0.00	
Wall Hall	1	0	0	70.00	
West Village	0	0	0	0.00	
Weymouth Hall	0	0	0	0.00	
TTU JUNCTION CAMPUS					
Junction Cabin # 1	0	0	0	0	
Junction Cabin # 2	0	0	0	0	
Junction Cabin # 3	0	0	0	0	
Junction Cabin # 4	0	0	0	0	
Junction Cabin # 5	0	0	0	0	
Junction Cabin # 6	0	0	0	0	
Junction Cabin # 7	0	0	0	0	
Junction Cabin # 8	0	0	0	0	
Junction Cabin # 9	0	0	0	0	
Junction Cabin # 10	0	0	0	0	
Junction Cabin # 19	0	0	0	0	
Junction Hummingbird House	0	0	0	0	
Junction Juniper House	0	0	0	0	
Junction Mockingbird House	0	0	0	0	
Junction Packard Hall	0	0	0	0	
Junction Pecan House	0	0	0	0	
Junction Tech House	0	0	0	0	

2014 FIRE LOG DETAILS

TTU Case # 14-2144 Wall Hall December 07, 2014 9:03 PM  
Texas Tech Police were dispatched to a report received from a Community Advisor regarding the smell of smoke in the basement at Wall Hall. It was discovered that a pair of blue jeans had been set on fire at the exterior of the south basement fire exit. The fire was extinguished by responding personnel. An unknown person had also left a stolen fire extinguisher on the ground near the location where the fire had been set. Property damage was estimated at approximately \$70.00. There were no injuries associated with this event.  
The TTU Fire Marshal was contacted. Classification: Arson





FIRE STATISTICS

The following table contains statistics and details about all known fires that occurred in on-campus housing during 2013.

2013 FIRE LOG DETAILS				
2013	TTU LUBBOCK CAMPUS			
	Bledsoe Hall	0	0	0.00
	Carpenter / Wells Apartments	0	0	0.00
	Chitwood Hall	0	0	0.00
	Clement Hall	0	0	0.00
	Coleman Hall	0	0	0.00
	Gates Hall	0	0	0.00
	Gordon Hall	0	0	0.00
	Horn Hall	0	0	0.00
	Hulen Hall	1	0	1,200.00
	Knapp Hall	0	0	0.00
	Murdough Hall	0	0	0.00
	Murray Hall	0	0	0.00
	Sneed Hall	0	0	0.00
	Stangel Hall	0	0	0.00
	Talkington Hall	0	0	0.00
	Wall Hall	0	0	0.00
	Weymouth Hall	1	0	500.00
	TTU JUNCTION CAMPUS			
	Junction Cabin # 1	0	0	0
	Junction Cabin # 2	0	0	0
	Junction Cabin # 3	0	0	0
	Junction Cabin # 4	0	0	0
	Junction Cabin # 5	0	0	0
	Junction Cabin # 6	0	0	0
	Junction Cabin # 7	0	0	0
	Junction Cabin # 8	0	0	0
	Junction Cabin # 9	0	0	0
	Junction Cabin # 10	0	0	0
	Junction Cabin # 19	0	0	0
	Junction Hummingbird House	0	0	0
	Junction Juniper House	0	0	0
	Junction Mockingbird House	0	0	0
	Junction Packard Hall	0	0	0
	Junction Pecan House	0	0	0
	Junction Tech House	0	0	0


2013 FIRE LOG DETAILS

TTU Case # 13-0129 Weymouth Hall January 30, 2013 10:22 PM

Audible and visual fire alarms were activated by a smoke detector on the 7th floor of Weymouth Hall. Emergency responders discovered multiple items including ceiling tiles, plastic room number signs, wooden doors, and carpet had been partially burned. Areas where the damage occurred included the elevator lobby, and stairwells 703, 708, 714, 717, 720. Property damage was estimated at \$500.00 by the TTU Fire Marshal. There were no injuries associated with this event. **Classification: Arson**

TTU Case # 14-0249 Hulen Hall February 14, 2013 9:21 AM

Audible and visual fire alarms were activated by a smoke detector on the 6th floor of Hulen Hall. Emergency responders discovered a hair care kit from had been left powered on and unattended on a bed inside of Room # 605. The occupant of the room was awakened by the room's smoke detector and the fire had been extinguished by sprinkler systems prior to arrival of first responders. Property damage was estimated at \$1200.00 by the TTU Fire Marshal. There were no injuries associated with this event. **Classification: Accidental**



APPENDIX A - STUDENT HOUSING LOCATIONS

TTU LUBBOCK CAMPUS	ADDRESS	CITY / STATE / ZIP
Bledsoe Hall	1002 University Avenue	Lubbock, TX 79406
Carpenter / Wells Apartments	3008 Main Street	Lubbock, TX 79406
Chitwood Hall	3115 18th Street	Lubbock, TX 79406
Clement Hall	3009 18th Street	Lubbock, TX 79406
Coleman Hall	1802 Flint Avenue	Lubbock, TX 79406
Gates Hall	2811 18th Street	Lubbock, TX 79406
Gordon Hall	1001 Akron Avenue	Lubbock, TX 79406
Horn Hall	2519 15th Street	Lubbock, TX 79406
Hulen Hall	3003 18th Street	Lubbock, TX 79406
Knapp Hall	1603 Akron Avenue	Lubbock, TX 79406
Murdough Hall	3217 Main Street	Lubbock, TX 79406
Murray Hall	909 Flint Avenue	Lubbock, TX 79406
Sneed Hall	2508 Broadway Avenue	Lubbock, TX 79406
Stangel Hall	3211 Main Street	Lubbock, TX 79406
Talkington Hall	1803 Boston Avenue	Lubbock, TX 79406
Wall Hall	2803 18th Street	Lubbock, TX 79406
West Village (Added 2014)	1700 Texas Tech Parkway	Lubbock, TX 79406
Weymouth Hall	3113 18th Street	Lubbock, TX 79406
TTU JUNCTION CAMPUS	ADDRESS	CITY / STATE / ZIP
Junction Cabin # 1	257 Red Raider Lane	Junction, TX 76849
Junction Cabin # 2	257 Red Raider Lane	Junction, TX 76849
Junction Cabin # 3	254 Red Raider Lane	Junction, TX 76849
Junction Cabin # 4	254 Red Raider Lane	Junction, TX 76849
Junction Cabin # 5	254 Red Raider Lane	Junction, TX 76849
Junction Cabin # 6	254 Red Raider Lane	Junction, TX 76849
Junction Cabin # 7	254 Red Raider Lane	Junction, TX 76849
Junction Cabin # 8	254 Red Raider Lane	Junction, TX 76849
Junction Cabin # 9	254 Red Raider Lane	Junction, TX 76849
Junction Cabin # 10	254 Red Raider Lane	Junction, TX 76849
Junction Cabin # 11	254 Red Raider Lane	Junction, TX 76849
Junction Hummingbird House	254 Red Raider Lane	Junction, TX 76849
Junction Juniper House	254 Red Raider Lane	Junction, TX 76849
Junction Mockingbird House	254 Red Raider Lane	Junction, TX 76849
Junction Packard Hall	254 Red Raider Lane	Junction, TX 76849
Junction Pecan House	254 Red Raider Lane	Junction, TX 76849
Junction Tech House	254 Red Raider Lane	Junction, TX 76849



## 124 | 2016-2017 Texas Tech University Clery Report

[illegible]



APPENDIX C - UNIVERSITY STUDENT HOUSING MAP - TTU JUNCTION

