



# Annual Security Report

2020

# Annual Security Report

In compliance with guidelines set forth by the federal law identified as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act,” Lubbock Christian University (LCU) has compiled the Annual Security Report. The report contains policies and practices related to campus security, victim assistance, safety alerts, resources and education.

This report is published annually by the University and made available to all current and prospective students, staff, and faculty. Clery statistics are compiled by the Clery Compliance Coordinator in cooperation with the Lubbock Police Department and other applicable law enforcement agencies. Additional crime information is collected from a wide range of University personnel who have been identified as Campus Security Authorities (CSAs) under the Clery Act. The Clery Compliance Coordinator reviews and update the information contained in this report annually.

Copies of this report may be obtained in person from the Lubbock Christian University Public Safety Office or online at [lcu.edu](http://lcu.edu) under the Public Safety tab.

Lubbock Christian University  
Public Safety  
2102 Colton Ave.  
Student Life 206  
Lubbock, TX 79407  
806.928.6803 (24 hr Patrol Number)  
806.720.7521 (Administration)

## Definitions of Terms

### Campus Security Authorities

Campus Security Authorities are individuals on campus who are required to report any allegations of crimes that they receive to the Clery Compliance Coordinator or LCU Public Safety for inclusion in the Annual Statistical Disclosure (Crime Report).

The Clery Act defines four categories of Campus Security Authorities as stated below:

- A campus police department or campus security depart department of an institution. If your institution has a campus police or security department, all individuals who work for that department are campus security authorities. A security department can be as small as one person.
- Any individual individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property). Include individuals such as those who provide security at a campus parking kiosk, monitor access into a campus facility, act as event security, such as for sporting events or large, registered parties, or escort students around campus after dark (including other students).
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

### Clery Geography

Clery Geography is the geographic area for which an institution is responsible for disclosing crime statistics. The following definitions describe the areas that cumulatively account for an institution’s Clery Geography.

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

### **Personally Identifying Information**

Personally identifying information is defined in Section 40002(a) of the Violence Against Women Act of 1994 as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including:

- a first and last name;
- a home or other physical address;
- contact information (including a postal, e-mail, or Internet protocol address, or telephone or facsimile number);
- a social security number, driver's license number, passport number or student identification number; and
- any other information including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

### **Criminal Offenses**

The following definitions of criminal offenses detail the elements of each crime, crimes in the annual statistical disclosure found in this report are categorized according to the below definitions. The majority of the definitions are from the FBI's Uniform Crime Reporting Handbook. Sex offense definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

- **Aggravated Assault:** The unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned— including joyriding.)
- **Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. **Manslaughter by Negligence:** The killing of another person through gross negligence.

- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or putting the victim in fear.
- **Rape:** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** is the touching of the private body parts of another person for the purpose of sexual gratification, with-out the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** sexual intercourse with a person who is under the statutory age of consent

## **Hate Crimes**

A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act the following bias categories are used: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, Disability.

Any criminal offense which also meets the definition of a hate crime will be included in the statistical disclosure in both the criminal offense category and in the hate crime category (i.e. an on-campus aggravated assault motivated by religious bias will be counted in the on-campus aggravated assault category and in the on-campus aggravated assault motivated by religious bias category).

Additional Hate Crime categories: In addition to the criminal offenses listed under the "Criminal Offenses" section, the following crimes are included if it is determined that the crime was motivated by bias.

- **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: constructive possession is defined by Black's Law Dictionary, sixth ed. as "where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.")
- **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 actual physical attack.
- **Destruction/Damage/Vandalism of Property (Except "Arson"):** 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.

## **VAWA Offenses**

- **Dating Violence:** violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- **Domestic Violence:** a felony or misdemeanor crime of violence committed—
- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;

- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred
- Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to— Fear for the person’s safety or the safety of others; or Suffer substantial emotional distress.

For the purposes of this definition—

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
- Unfounded Crimes: Are reported crimes which are thoroughly investigated by sworn or commissioned law enforcement personnel; and found through investigation to be false or baseless, meaning that the crime did not occur and was never attempted.

### Arrests and Referrals for Discipline for Weapons, Drug, and Liquor Law Violations

- Weapons Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.
- Drug Law Violations: The Violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and equipment or devices utilized in their preparation and or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

- Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

### Reporting

Lubbock Christian University encourages ACCURATE, EFFECTIVE, AND PROMPT reporting of criminal offenses, campus safety, and security concerns. The reporting of criminal offenses is critical to maintaining a safe community that is conducive to learning and growing as an individual. If a person, or someone they know becomes a victim of a crime while living, working, attending, or visiting LCU, that person is encouraged to promptly file a report with one or more campus officials designated as Campus Security Authorities or any local law enforcement agency including the Lubbock Christian University Department of Public Safety.

Lubbock Christian University encourages reporting to the following groups.

Emergency	
<b>IN CASE OF EMERGENCY</b> Call <b>911</b>	
Non-Emergencies	
Lubbock Christian University Public Safety	806.928.6803
Lubbock Police Department	806.775.2865
Lubbock Christian University Dean of Students	806.720.7501

Lubbock Christian University encourages ACCURATE, EFFECTIVE, AND PROMPT reporting of criminal offenses, campus safety, and security concerns. The reporting of criminal offenses is critical to maintaining a safe community that is conducive to learning and growing as an individual. If a person, or someone they know becomes a victim of a crime while living, working, attending, or visiting LCU, that person is encouraged to promptly file a report with one or more campus officials designated as Campus Security Authorities or any local law enforcement agency including the Lubbock Christian University Department of Public Safety.

## **Confidential Reporting**

LCUPD encourages the prompt reporting of crime to the police. Because police reports are public records by state law, LCUPD cannot hold reports of crime in confidence.

Confidential reporting is available and encouraged for victims of crime who do not wish to pursue their matters criminally or administratively to LCU employees as designated Campus Security Authorities. LCU will protect the confidentiality of victims to the extent permissible by law. Reports filed confidentially are counted and disclosed in the annual crime statistics for the University.

Identities of victims of sexual assault, domestic violence, dating violence, and stalking will be protected to the fullest extent permissible by law. It is important to remember that the university's ability to respond may be limited by lack of consent or disclosure of information by the victim/complainant.

## **Campus Security Authorities**

### **Administrators**

- Vice Presidents
- Deans/Associate Deans
- Department Heads

### **Student Life**

- Dean of Students
- Associate Dean of Students
- Medical Clinic Director
- Director of Recreational Life
- Student Involvement Coordinator

### **Athletics**

- Director of Athletics
- Assistant Athletic Directors
- All Coaches (including part-time employees & graduate assistants)
- All Trainers (including part-time trainers & student/graduate trainers)

### **Residence Life**

- Director of Residential Life
- Residence Hall Directors
- Residential Advisors
- Desk Sitters

### **Law Enforcement**

- LCU Public Safety
- LCU Police
- Contracted Officers from Local Law Enforcement

## MISC

- **Faculty/Staff Advisor to Student Groups**
- **Title IX Coordinators**
- **Mentors**
- **Camp Staff**
- **Director of Study Abroad**

\*LCU Counseling Center and Medical Clinic Staff: In a clinical role, professionals are not considered to be campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. Information disclosed in the clinical setting will be considered confidential. However, professional counselors may encourage clients to report to local and/or campus authorities.

\*\*LCU does not currently employ pastoral counselors who qualify for a campus security authority exemption.

## Law Enforcement Authority & Jurisdiction

The mission of the Lubbock Christian University Public Safety is to provide a secure and safe environment that allows students, faculty, staff, and visitors to realize their full potential while supporting the university's mission. The department is charged with protecting students, faculty, staff, and visitors from harm and reasonable fear of harm while maintaining an equitable level of order, control and safety in the various campus buildings and on campus grounds. The department enforces and utilizes university rules and regulations to achieve its mission.

LCU Public Safety employs a blend of non-sworn Public Safety Officers with no arrest powers and sworn Texas Peace Officers through the LCU Police Department (LCUPD) with arrest powers and jurisdiction to enforce local, state, & federal laws.

### Authority

LCUPD Police Officers are fully certified and licensed through the Texas Commission on Law Enforcement (TCOLE) as Texas Peace Officers. Additionally, LCUPD officers are commissioned under the authority of the Texas Education Code, section 51.212 and are fully recognized as Texas Peace Officers under Article 2.12 of the Texas Code of Criminal Procedure.

All Texas Peace Officers, including LCU Police Officers, are authorized to arrest individuals for certain types of offenses, even when outside their primary jurisdiction.

### Jurisdiction

The Texas Education Code grants LCU Police all powers, privileges, and immunities on property owned and controlled by LCU (the general LCU campus). Additionally, the Texas Education Code grants powers, privileges, and immunities to LCU Police while performing duties assigned by LCU as long as the duties are performed within a county in which LCU owns land.

- LCU Primary Jurisdiction is restricted to the general LCU Campus located at 5601 19<sup>th</sup> Street and includes adjacent streets including Frankford Avenue, Chicago Avenue, Dover Avenue, 22<sup>nd</sup> Street, 26<sup>th</sup> Street, & 34<sup>th</sup> Street.
- LCU Secondary Jurisdiction includes all of Lubbock County and any other county in which LCU owns property.

LCU Public Safety Officers, both sworn and non-sworn provide routine services only on campus unless approved by the LCU Chief of Police or when executing their assigned duties in any Texas County in which LCU owns land.

### Relationship with other Law Enforcement Agencies

LCU Public Safety routinely contracts with local agencies such as the Lubbock Police Department, Lubbock County Sheriff's Office, the Lubbock Independent School District Police Department, and other local agencies for law enforcement support.

The Public Safety department employs 24hr patrol service to provide general services and security for campus. LCU operates under a “no tolerance” level of enforcement relating to weapons, violence, alcohol, or drugs on campus. LCU & LCU Public Safety enjoy a close relationship with area law enforcement agencies for training, support, and consultation. LCU Public Safety has agreements written and unwritten, with other local agencies to provide dispatch, investigation, and patrol support.

Finally, LCUPD Officers and LCU Public Safety Officers are designated university officials. This empowers these officers to enforce university regulations and policies relating to conduct issues, parking policy, criminal trespass, and other university policy matters. From there, policy violations may be referred to other campus departments such as Student Affairs, Human Resources, or Academic Deans.

## **Non-Campus**

Currently, the only non-campus location controlled and utilized by Lubbock Christian University and its students is in Avila, Spain. This semester-long program, held every Fall, will bring LCU students and professors to the beautiful city of Avila, in the heart of the Spanish countryside.

*Currently, LCU does not have off campus student organizations or provide law enforcement service to off campus residences.*

## **Response to Reported Crime or Emergencies**

Crimes reported to the Lubbock Christian University Police Department and non-police CSAs will be considered for the need to issue a Timely Warning Notification, documented on the Lubbock Christian University Police Department’s Daily Crime Log, and all applicable crimes will be included in the annual statistical disclosure. These public disclosures will not include any personally identifying information of any reporting parties, witnesses or victims.

LCUPD will investigate all criminal allegations reported to the police. These investigations may be done in conjunction other law enforcement agencies involved in the matter.

Students accused of criminal misconduct may additionally be subject to the University student conduct process; this process neither substitutes nor interferes with the outside legal processes. The major objective of the disciplinary system at Lubbock Christian University is to maintain standards of conduct and order commensurate with the educational goals of the institution.

## **Daily Crime Log**

The Daily Crime Log is available for public viewing in the LCU Public Safety Office located in room 206 of the Student Life Building.

The daily crime log includes crime information for crimes which have been reported to directly to LCUPD, to LCUPD by non-police Campus Security Authorities, the Lubbock Police and other applicable law enforcement agencies which occurred within the Lubbock Christian University Campus Clery geography.

The Daily Crime Log includes; case number, nature of the offense, the reported time and date the offense occurred, the date the incident was reported to LCUPD, a general description of the location in which the incident occurred, as well as the disposition of the case, if known. Crimes initially reported to non-police CSAs are classified according to Clery crime definitions, while crimes reported directly to the police are classified according to the Texas Penal Code.

Entries in the Daily Crime Log do not include personally identifying information of the victim, witnesses or reporting party.

## **Timely Warnings**

If Lubbock Christian University officials determine that a serious incident may pose an on-going threat to members of the university community, a Timely Warning Notice will be issued to all students, employees, and the campus community by the Chief of Police or his designee. The intent of the Timely Warning is to prevent additional crimes and allow students and employees to take protective and precautionary measures.



In order to issue Timely Warnings or other timely emergency information, Lubbock Christian University may utilize an emergency notification system titled "LCUAlert". LCUAlert, utilizes the technology of Everbridge that when activated, communicates the presence of an emergency situation to students, faculty, and staff via phone, email, and SMS text messaging.

Upon confirmation of an emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on campus, a decision will be made whether or not the LCUAlert system will be activated. If timely warning has been deemed necessary Lubbock Christian University will, without delay and taking into account the safety of the University, determine the content of the notification. The notification will only be pre-empted if it is determined by responsible authorities that the notification may compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Timely Warning Notifications may include the following details (if available):

- Date and time of the incident
- Location
- Type of crime
- Description of the incident
- Physical description of suspect, including a photograph (when available)
- Apparent connection to previous incidents, if applicable
- Pertinent crime prevention tips

Personally Identifying Information of victims and reporting parties will not be disclosed in a timely warning. Except in instances where the information is relevant to the crime– for example, in crimes which are motivated by Bias the victim's inclusion in a protected class may be released if this information is not determined to be explicitly personally identifiable.

The Lubbock Christian University Police Department works closely with the Lubbock Police Department, Lubbock County Sheriff's Office and other local law enforcement agency. By utilizing a shared dispatch system, the Lubbock Christian University Police Department is routinely made aware of crimes which have been reported to the Lubbock Police Department which may warrant the issuance of a timely warning notice. The Lubbock Christian University Police Department has requested that the Lubbock Department inform the University of any crimes reported to them that may warrant a Timely Warning Notification.

## **Emergency Notification/Evacuation**

LCU is committed to the provision of a safe and secure environment for its employees and students. To this extent, LCU maintains an Emergency Operations Plan which outlines LCU's approach to emergency operations. It provides general guidance for emergency management, activities, and a general overview of our methods of mitigation, preparedness, response, and recovery. The plan describes our emergency response, organization, and assigns responsibilities for various emergency tasks.

### **Emergency Notification Determination**

Any emergency or situation that has potential of becoming an emergency will be immediately reported to the Emergency Operations Planning Team (EOPT) through the Chief/Director Public Safety or his designee. If the EOPT determines that an emergency is eminent, the Emergency Management Plan will be activated without delay. This plan outlines our approach to emergency operations; and provides general guidance for emergency management activities as well as an overview of our methods of mitigation, preparedness, response, and recovery. The plan also describes our emergency response organization and assigns responsibilities for various emergency tasks. The Emergency Management Plan can only be activated by the following members of the EOPT:

1. President
2. Provost & Chief Academic Officer
3. Executive Vice President
4. VP for Student Affairs

In an emergency the President or his/her designee will act as the incident commander. The Incident Commander (IC) shall make all decisions involving campus evacuation, closure, restrictions, postponements and resumptions, and special circumstance personnel policies. The Incident Commander, under the advisement of command staff, will disseminate emergency information to the larger community.

### **Emergency Notification (LCUAlert)**

In the event of an emergency (including weather and safety alerts), LCU will utilize a number of communication tools and strategies to communicate with the campus community. Depending upon the nature of the announcement, any or all of the following methods may be used:

- SMS, Text-messaging, voice call, and email alert system - email sign up is automatic, but students are encouraged to update their information on LCU SelfServe as it changes
- Campus wide phone/intercom messages
- Chaplink Security Alert Information Updates

LCUAlert will be used for emergency communication only. Students may update their LCUAlert contact information at any time, on LCU SelfServe. For more information, see the LCU Public Safety Website.

### **Evacuation**

The LCU Public Safety & Residence Life coordinates an evacuation drill each semester for Katie Rogers, Johnson Hall, the Mabee Living Center, and Rec Center Housing. With this, the emergency response and evacuation procedures are tested at least twice each school year. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. LCU Public Safety works with Residential Life to conduct these drills and may or may not tell residents in advance, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, the Public Safety & Residence Life staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The Emergency Notification System (LCUAlert) will be tested at least two times annually in accordance with Lubbock Christian University Policy and Procedure 7.2.10

## **Emergency Instructions**

### **Active Shooter Event**

Call 911 as soon as it is safe to do so.

Remember the 3D technique:

- DISTANCE - yourself or evacuate if there is a safe path.
- DENY - shooter's access.
- DEFEND - yourself using any means necessary.

### **Lockdown**

- Soft Lockdown
  - Secure exit doors and remain inside
  - Have staff monitor doors
  - Increase awareness and conduct business as usual
- Hard Lockdown
  - Lock doors if possible; if not, barricade with tables and chairs
  - Close curtains and blinds
  - Stay away from windows and doors
  - Stay low and quiet

- Silence all devices
- Do not open until all is clear

### **Bomb Threat**

If a bomb threat is called in to your area:

- Remain Calm
- Listen to the caller's exact words and instructions
- Check the caller ID for the number of the caller
- Keep the caller on the line and discreetly ask someone else to call 911 with the information
- Remember any unusual or identifying characteristics of the caller

### **Fire**

In case of a fire, be prepared by knowing the location of exits and extinguishers.

- Minor Fire
  - If the fire is controllable, direct the extinguisher toward the base of the flame and sweep side to side.
  - If there is ANY doubt, pull the fire alarm and call 911.
  - Evacuate the building.
- Major Fire
  - Pull the fire alarm.
  - Evacuate the building.
  - Call 911 as soon as it is safe.

### **Psychological Crisis**

A psychological crisis occurs when an individual is threatening harm to himself/herself or to others or is out of touch with reality.

- Call LCU Public Safety at 806.928.6803 stating you have an emergency.
- Try to keep the person calm and within your vision until assistance arrives.
- Maintain your own personal safety if you feel the situation is dangerous.
- If there are obvious medical complications, call 911, and then LCU Public Safety.

### **Severe Weather**

In the event of a Tornado or Severe Weather emergency, LCU Public Safety will issue an alert through LCUAlert. If on campus you will be directed to take cover.

- Tornado Watch
  - Be mindful of the weather.
  - Be aware of options.
  - Be ready to move.
- Tornado Warning
  - Go to the ground floor.
  - Go to an interior area (like an office or bathroom free of windows).
  - Go now! Don't wait!

As situations and emergencies often arise in an unpredictable manner, LCU recommends you use caution and judgment regarding your personal safety.

### **Public Health**

Public health situations may arise for which federal, state, or local health authorities determine institutional action may be warranted. In such cases, the university will evaluate and implement applicable guidance provided by health authorities when feasible and consistent with the mission and values of LCU. For up to date policies regarding public health and safety, go to <https://lcu.edu/resources/health-and-safety/medical-clinic/coronavirus/fall-2020-face2face-initiative/>.

# Community Standards

## Alcohol

1. Lubbock Christian University is an alcohol-free campus. The consumption or possession of alcoholic beverages or beverage containers is strictly prohibited when:
  - a. On Lubbock Christian University property or,
  - b. In attendance of a Lubbock Christian University sponsored event or,
  - c. In attendance of a function or event that is associated with Lubbock Christian University
2. A student in the company of others, who are consuming alcoholic beverages or are in the possession of alcoholic containers or paraphernalia, will be assumed a participant in alcohol consumption.
3. Students who post pictures of themselves or other students on mixed media or social networking sites that imply student violation of the Lubbock Christian University alcohol and/or drug policy, may be subject to immediate sanctioning.
4. Drunkenness, on or off campus, is not consistent with the mission of Lubbock Christian University and will not be tolerated in any form or fashion. Drunkenness is defined as any offensive, disruptive, destructive, hazardous, vulgar, or uncontrolled behavior during or following the consumption of alcoholic beverages. Documented proof of drunkenness is not required by the University to impose sanction for violations of the Alcohol Policy. The University will base decisions on a preponderance of the evidence (more likely than not) that drunkenness occurred. The University strongly recommends that Lubbock Christian University students remove themselves from any hint of alcohol related violations so as to avoid the appearance of impropriety.
5. Students consuming alcohol under the age of 21 are in violation of the alcohol policy. Misrepresentation of one's age for the purpose of purchasing or consuming alcohol is strictly prohibited. This includes the manufacture, sale, distribution, possession, or attempt to obtain a fake ID.
6. Operation of a motor vehicle while under the influence of alcohol or a controlled substance is of such a disdainful nature that any verified offenses, whether legally prosecuted or not, may result in immediate suspension, dismissal, or expulsion.
7. Hosting or attending an event or private party (or otherwise allowing such an occasion to occur) at a student's residence, whether an apartment, house, or other facility, or at another location, public or private, at which
  - a. LCU students under the age of twenty-one are in violation of Alcohol Policy
  - b. Any LCU student is in violation of the university drug policy may result in immediate suspension, dismissal, or expulsion.

## Drugs

1. Possession, use or distribution of any potentially harmful or illegal substance (including, but not limited to, any substance that is not legally obtainable or any substance that is legally obtainable but has been illegally acquired or is being sold or distributed unlawfully) or drug-related paraphernalia, on or off campus, is strictly prohibited. For the purposes of this policy presence will be considered possession. Note: Smoke, residue, odor, or other paraphernalia constitutes presence.
2. The attempt to obtain, use, possess, distribute, or sell, any potentially harmful or illegal substance (including, but not limited to, any substance that is not legally obtainable or any substance that is legally obtainable but has been illegally acquired or is being sold or distributed unlawfully) or drug related paraphernalia, on or off campus, is strictly prohibited.
3. Offenses involving on-campus possession, use, or distribution of illegal or controlled substances may be referred to the Lubbock Police Department, in addition to any university sanctions that may apply.
4. Anyone suspected of or reported to have been involved in the use of illegal drugs or controlled substances may be required to submit to drug testing. Refusal to submit to immediate drug testing, attempts to evade testing, or actions calculated or intended to skew, alter, or falsify the results of a drug test administered under this policy will result in disciplinary action. All costs of a positive test are the responsibility of the student. Students testing positive for any illegal drug or controlled substance, or in violation of testing requirements within this policy, or found in violation of T3-01 may be subject to immediate dismissal.

A student who voluntarily discloses information about an off-campus alcohol or drug use violation may potentially be eligible to remain a student at Lubbock Christian University. In any such case, the Dean of Students will view all academic records and judicial files, and conduct a thorough investigation to determine if the student is performing and achieving academic, social, and character-driven goals in concert with the mission of the university. In such cases that the Dean of Students deems appropriate, minimum rehabilitative sanctions will include counseling, extended probationary sanctions, and community service which may be imposed on an offending student in lieu of automatic dismissal. The student is responsible for all costs due to counseling, drug testing, and any other rehabilitation services they may be required. A second offense will result in automatic dismissal without the right of appeal.

Alcohol abuse among college students, both traditional and non-traditional, is one of the most pressing issues facing institutions of higher education across the country. The above policies regarding alcohol use are not intended to place judgment, add moral weight, or otherwise condemn those who legally consume alcohol. Instead, Lubbock Christian University's goal is to provide a framework which affords all students the best possible opportunities for success in their pursuit of higher education. Lubbock Christian University strongly believes in community accountability and has limited resources such as medical services, free student counseling, advice, and help in matters of life, including the potentially serious matters listed above. In some cases, student needs may exceed Lubbock Christian University's capacity to aid or help, and in such cases, the campus community may refer the student to off-campus help that will better assist the student.

## **Alcohol and Drug Awareness**

The LCU Counseling Center offers individual counseling, education and intervention to students struggling with drug and alcohol addiction and/or any other type of addiction. Our trained staff are committed to providing quality services to help individuals break free from the strong holds of addiction. Clients may be referred to community services as deemed appropriate.

B.A.S.I.C.S. Program (Brief Alcohol Screening and Intervention for College Students)

The Counseling Center offers the B.A.S.I.C.S.'s program which is an alcohol skills training program (ASTP) and curriculum that aims to reduce harmful consumption and associated problems with students who drink. The ASTP approach utilizes:

- Cognitive-behavioral self-management strategies
- Motivational enhancement techniques
- Harm reduction principles

Sessions are confidential and take approximately three sessions to complete the program. Please contact the counseling office for more information: 806-720-7478

## **Policies and Procedures Concerning Sexual Violence, Sexual Harassment and Stalking**

### **I. Introductory Statement**

LCU affirms that all members of our community are created in the image of God and therefore should be treated with dignity and respect. The university does not unlawfully discriminate on the basis of any status or condition protected by applicable federal or state law, including race, color, religion, sex, age, national origin, or disability. LCU respects the inherent worth of each member of the community and does not tolerate any form of harassment. The university follows the profound truth that is found in the Golden Rule, "In everything do to others as you would have them do to you" (Matthew 7:12). Because of the university's commitment to honoring the dignity and respect of every individual, unlawful discrimination and harassment (and any related retaliation) is prohibited and will result in disciplinary action, up to and including dismissal or separation from the University. LCU affirms its commitment to protecting the right of each person to raise concerns about alleged discrimination free of fear of retaliation.

Therefore, because the university stands against harassing and violent behaviors, the university will take prompt, decisive action to: investigate allegations of violence, harassment, and stalking; initiate the disciplinary process if appropriate; issue appropriate sanctions against any student found responsible for acts of violence whether the behavior occurred on campus or off campus; take steps designed to prevent recurrence; and protect against retaliation.

Students are encouraged to report any incidents related to this policy and pursue the matter through the state's civil and/or criminal systems as well as through the university. A student who in good faith reports being the victim of, or a witness to an incident of sexual harassment, sexual assault, dating violence, or stalking may not be subject to disciplinary action for violation(s) of the Code of Community Standards occurring at or near the time of the incident.

Pursuant to Title IX, LCU does not discriminate on the basis of sex in its educational programs and activities. Reports of sexual misconduct may be made to the Title IX Coordinator, Kecia Jackson at 806.720.7503, [Kecia.jackson@lcu.edu](mailto:Kecia.jackson@lcu.edu), or any of the other campus resources listed in paragraph III of this policy.

*Note: This sexual misconduct policy shall not be used to bring frivolous or malicious complaints against students, faculty and employees. If a complaint has been made in bad faith, as demonstrated by clear and convincing evidence, disciplinary action may be taken against the person bringing the complaint.*

## II. Definitions

- A. **Sexual Misconduct:** A broad, non-legal term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature. This term includes, but is not limited to, sexual assault, sexual exploitation, sexual intimidation, sexual harassment, domestic violence, dating violence, and stalking. Sexual misconduct can be committed by men or women, strangers or acquaintances, and can occur between or among people of the same or opposite sex. Using this term serves to differentiate campus processes, which are administrative and educational, from the criminal justice system, in which people are charged with crimes that carry criminal penalty.
- B. **Sexual Harassment as defined by 34 C.F.R.106.30, subd. (a),** means conduct on the basis of sex that satisfies one or more of the following:
1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
  2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
  3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).
- C. **Sexual Violence:** Physical sexual acts perpetuated against a person's will or where a person is incapable of giving consent. The term includes, but is not limited to, rape, sexual assault, sexual battery, sexual coercion, sexual abuse, indecency with a child, and/or aggravated assault.
- D. **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program.
1. **Rape:** the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  2. **Fondling:** The touching of the private body part of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age of his/her temporary or permanent mental incapacity.
  3. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  4. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

Sexual Assault in Texas is jurisdictionally defined in Section 22.011 of the Texas Penal Code.

- E. **Sexual Exploitation:** Occurs when an individual takes non-consensual or abusive sexual advantage of another to benefit anyone other than the one being exploited. Examples of exploitation include, but are not limited to: engaging in voyeurism; forwarding of pornographic or other sexually inappropriate material by email, text, or other channels to non-consenting students/groups; and any activity that goes beyond the boundaries of consent, such as recording of sexual activity, allowing others to watch activity or situations of sexual nature without the other person's consent, or engaging in sexual activity while knowingly infected with an STI or HIV without informing the other person of the infection.
- F. **Coercion:** The use of expressed or implied threat or intimidation which place an individual in reasonable fear of immediate harm or physical injury.
- G. **Consent:** An informed, voluntary, and mutually understandable agreement that indicates a clear willingness to engage in each instance of sexual activity. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. A current or previous dating relationship or sexual relationship by itself is not sufficient to constitute consent. Consent may not implied by silence or mere passivity can be withdrawn at any time. Consent is not valid if acquired through means of physical force, threat of physical force, intimidation, coercion, intoxication, incapacitation, or any other fact that would eliminate an individual's ability to exercise his or her own free will to choose whether or not to participate in a sexual activity.

Consent in Texas is defined in Section 1.07 and outlined in Section 22.011 of the Texas Penal Code.

- H. Incapacitation: The inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. A person is mentally incapacitated when that person lacks the ability to make informed decisions about whether or not to engage in sexual activity. A person may be incapacitated as a result of the consumption of alcohol and/or other drugs, or due to a temporary or permanent physical or mental health condition. When alcohol or other drug use is involved, incapacitation is a state beyond intoxication, impairment, or being under the influence. Alcohol and other drugs impact each individual differently and determining whether an individual is incapacitated requires an individualized determination. Although every individual may manifest the impacts of alcohol or other drugs differently, typical signs include slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, or incontinence.**
- I. Domestic Violence: A felony or misdemeanor crime of violence committed by**
- 1. A current or former spouse or intimate partner of the victim**
  - 2. A person with whom the victim shares a child in common**
  - 3. A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner**
  - 4. Any other person against a victim who is protected from that person's acts under the domestic or family violence laws of the State of Texas**

**Domestic violence in Texas is termed "Family Violence."**

- J. Dating Violence: Violence committed by a person**
- 1. Who is or has been in a social relationship of a romantic or intimate nature with the victim**
  - 2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:**
    - a. The length of the relationship**
    - b. The type of relationship**
    - c. The frequency of interaction between the persons involved in the relationship**
- K. Stalking: Engaging in a course of conduct, constituted by two or more acts directed at a specific person that would cause a reasonable person to**
- 1. Fear for his or her safety or the safety of others**
  - 2. Suffer substantial emotional stress**
  - 3. Feel harassed, alarmed, abused, or tormented**
- L. Hostile Environment: When sex-based harassment or violence is directed toward an individual and/or has the purpose or effect of**
- 1. Creating an intimidating, hostile, or offensive academic environment**
  - 2. Unreasonably interferes with another's work or academic performance**

**To determine whether a hostile environment exists for an individual or individuals, the University will consider a variety of factors related to the severity, persistence, or pervasiveness of the sex-based harassment, including:**

- 1. The type, frequency, and duration of the conduct**
- 2. The identity and relationships of the persons involved**
- 3. The number of individuals involved**
- 4. The locations of the conduct and the context in which it occurred**
- 5. The degree to which the conduct affected an individual's education or employment**

**The more severe the sex-based harassment, the less need there is to show a repetitive series of incidents to create a hostile environment. A single instance of violence may be sufficient to create a hostile environment.**

**M. Retaliation:** Retaliation against persons who report or provide information about sexual misconduct is strictly prohibited. Any acts of reprisal, including internal interference, coercion, or restraint by a student, a university employee, or one acting on behalf of the university, violates this policy and will result in appropriate disciplinary action.

### **III. Reporting Harassment/ Violence/Stalking**

The university encourages the reporting of all incidents involving sexual misconduct, dating violence, domestic violence, and stalking. If the university knows or reasonably should know about an incident of harassment or sexual violence that creates a hostile environment, the university will take immediate action to eliminate the harassment, prevent its recurrence, and address its effects. To be proactive, the university publishes a notice of nondiscrimination and has adopted and published grievance procedures. In cases involving potential criminal conduct, the Title IX Coordinator or designee will determine, consistent with state and local law, whether appropriate law enforcement or other authorities should be notified. Reports may be made in person or confidentially online through the LCU Title IX webpage and at the bottom of the LCU homepage.

#### **Reporting Definitions**

**Actual knowledge:** Notice of sexual harassment or allegations of sexual harassment to a recipient's Title IX Coordinator or any official of the recipient who has authority to institute corrective measures on behalf of the recipient. This standard is not met when the only official of the recipient with actual knowledge is the respondent.

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Responsible Employees:** Refers to all employees unless otherwise designated by the university.

**Responsible Employees will receive the report and notify appropriate campus officials:**

1. Appropriate reporting campus officials
2. Title IX Coordinator
3. Dean of Students
4. Residential Life Staff
5. Athletic Senior Women Administrator

When an individual tells a Responsible Employee about an incident of sexual misconduct, that individual has the right to expect the university to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably, and assist in reporting to law enforcement if the complainant so chooses.

Even if no action is requested by the complainant or they are unsure about what they want to do, such reporting to the Title IX Coordinator is necessary for various reasons, including to ensure that persons possibly subjected to such conduct receive appropriate services and information; that LCU can track incidents and identify patterns; and that, where appropriate, LCU can take steps to protect the university community. Reported allegations will be reviewed by the Title IX Coordinator, who will assess the report and consult with the complainant. Responsible employees who knew about but did not report allegations of sexual misconduct will be subject to disciplinary action.

**Confidential Employee:** In their professional capacity, LCU Counseling Center and Medical Clinic staff are considered confidential reporting resources and are not required to report according to university policy. Information disclosed in the clinical setting will be considered confidential.

However, Confidential Employees may encourage clients to report to local and/or campus authorities. This policy does not infer Counseling and/or Medical Personnel are exempt from any mandatory reporting requirements placed on them by federal or state law.

**Note:** Faculty, staff and other employees who are otherwise involved in pastoral or ministry work, are licensed mental health workers, or are licensed medical workers, but who are not working in that capacity for LCU, are not Confidential Employees.



If LCU officials determine that a serious incident may pose an on-going threat to members of the university community, a Timely Warning Notice will be issued to all students and employees. The intent of the Timely Warning is to prevent additional crimes and allow students and employees to take protective and precautionary measures.

LCU faculty and staff members are able to help students report issues of harassment, violence or stalking, however students may report directly to any of the following areas for immediate access to resources:

#### **Title IX Coordinator**

**Kecia Jackson**  
**Student Life Building SUB 212 (C)**  
**806.720.7503**

#### **Student Life**

**Dean of Students**  
**Student Life Building SUB 212 (B)**  
**806.720.7501**

#### **Residential Life**

**Director of Residential Life**  
**Student Life Building SUB 212 (A)**  
**806.720.7507**

**Johnson Hall Residence Director**  
**Johnson Hall Office JH 108**  
**806.720.8695**

**Katie Rogers/Courtyard Hall Residence Director**  
**Katie Rogers Office KR 151**  
**806.720.8879**

**Mabee Hall Residence Director**  
**Mabee Hall Office MH 118**

#### **Public Safety**

**Public Safety Office**  
**Student Life Building SUB 206**  
**806.796.8800**

**Public Safety Patrol**  
**Student Life Building SUB 206**  
**806.928.6803**

#### **Athletics**

**Athletics Senior Administrator**  
**Rip Griffin Center RGC 108**  
**806.720.7278**

### **IV. Procedures**

#### **A. Initial Response**

- **Safety:** The first priority of a victim of sexual assault or domestic violence is to get to a place of safety.

- **Call 911 for medical or safety emergency.**
- **Medical Assistance: Seeking medical attention is highly encouraged as soon as possible. Local emergency rooms have procedures to provide medical assistance, establish ongoing support, and preserve evidence.**
  - **Covenant Medical Center**  
3615 19th Street  
806.725.0000
  - **University Medical Center**  
602 Indiana Avenue  
806.775.8200
- **Reporting: Lubbock Christian University strongly advocates that a victim of sexual assault, domestic violence, dating violence, or stalking report the incident to one of the following law enforcement agencies.**
  - **Lubbock Police Department**  
806.775.2865
  - **Lubbock County Sheriff's Department**  
806.767.1441
  - **Lubbock Christian University Public Safety**  
806.928.6803

Although Lubbock Christian University encourages timely law enforcement reporting, it is the victim's choice to make such a report or to decline involvement with law enforcement. LCU will assist Complainants in reporting to local law enforcement if desired.

The Complainant may choose for the investigation to be pursued through the criminal justice system and the LCU Title IX process or only the latter. The Title IX Coordinator will guide the Complainant through the reporting process.

LCU encourages contact with the LCU Medical Clinic or LCU Counseling Center for confidential resources and support. At the very minimum, reports may be made anonymously online through the LCU Title IX webpage or through the bottom of the LCU homepage.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining orders of protection related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with LPD or other law enforcement agency to preserve evidence in the event that the victim changes his or her mind at a later date.

A Complainant may choose to report at any time, as long as the Complainant or the Respondent remain enrolled or employed by the university.

Certain forms of sexual misconduct, domestic violence (family violence), dating violence, and stalking may be a violation of the statutes of the State of Texas. Complainants, therefore, may have certain legal rights with regard to criminal and civil action.

## **B. Evidence Preservation**

Evidence of a sexual assault, dating violence, domestic violence, or stalking should be preserved as soon as possible, even if you are unsure about reporting to the University or filing criminal charges. Preservation of evidence is essential for both law enforcement and campus disciplinary investigations.

Write down, or have a friend write down everything you can remember about the incident, including a physical description of the assailant. You should attempt to do this even if you are unsure about reporting the incident in the future.

### **1. Forensic Evidence**

If you choose to report the assault and pursue legal options, a prompt forensic examination can be crucial.

**Steps to preserve Forensic Evidence**

- **Avoid drinking, bathing, showering, brushing your teeth, using mouthwash, or combing your hair.**
- **Do not change clothes. If you have already changed your clothes, place your clothing and other items (sheets, blankets) in a brown paper bag (a plastic bag may destroy evidence)**

- Go to a hospital emergency department listed above, which has the capability to provide a Sexual Assault Forensic Exam (SAFE or "rape kit") and medical care for victims of sexual assault, dating violence, and family violence. A Sexual Assault Nurse Examiner (SANE), a healthcare provider trained to provide comprehensive care for a victim, can collect forensic evidence.
  - A SAFE (rape kit) can only be completed within 5 days of the assault. You have the right to refuse the entire exam or any part of it at any time
  - You may also decide to complete a forensic exam anonymously.
  - If you suspect that you are the victim of a drug-facilitated sexual assault, ask the hospital or clinic where you receive medical care to take a urine sample. Drugs, such as Rohypnol and GHB, are more likely to be detected in urine than in blood. Rohypnol stays in the body for several hours and can be detected in the urine up to 72 hours after taking it. GHB leaves the body in 12 hours
  - Consider bringing someone to the hospital with you for support.
  - The hospital automatically calls an advocate to be available any time someone comes in for a SAFE. You can decide whether or not you want to speak with the advocate. The advocate is a confidential resource who is not affiliated with LCU. They can provide you with confidential support and talk with you about your options.
2. **Physical Evidence**  
Physical evidence should be preserved even if you choose not to go to the hospital for a forensic exam. Save all of the clothing you were wearing at the time of the assault. Put each item in a separate paper bag (do not use plastic bags). Save all bedding (blankets, sheets) and put each in a separate paper bag. Take photographs of any visible physical injuries (bruising, scratches) for use as evidence. If you report to law enforcement, they may want to take their own photos as evidence.
3. **Electronic Evidence**  
Evidence such as texts, emails, social media posts, chats, pictures, videos or other forms of electronic communication can be helpful in a university or criminal investigation. Download, save to a .pdf, take screen shots, or use other methods to preserve electronic evidence.
4. **Follow-up Procedures**
- **Medical Assistance:** It may be necessary for subsequent medical services through LCU Medical Clinic, an emergency room, and/or private physician.
  - **Counseling Services:** The LCU Counseling Center is equipped to assist with on-going counseling needs. Contact information for off-campus counseling resources will be provided.

## C. Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, reasonably available, and without fee or charge to both parties before or after a formal complaint has been filed or where no formal complaint has been filed. Supportive measures are intended to preserve equal access, safety of the educational environment, and deter sexual harassment without burdening either party.

These supportive measures may include, but are not limited to the following:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between parties
- Changes in work or housing locations
- Leaves of absence
- Increased security and monitoring of certain areas of the campus

## V. Grievance Process

### A. Formal Complaint

A complainant may file a formal complaint with the Title IX Coordinator in person, by mail or by electronic mail. The document must be signed by the complainant and serves as a request that the university investigate the allegation of sexual harassment. The Title IX Coordinator may sign the formal complaint if it is determined that failure to investigate the claim may be negligent or compromise community safety. The Title IX Coordinator may not serve as the complainant.

**A formal complaint may be dismissed if the alleged conduct would not constitute sexual harassment. per the 34 C.F.R.106.30, subd. (a). The complaint may be investigated under other policies of the code of conduct.**

#### **B. Emergency Removal/Administrative Leave**

**The university reserves the right to remove a respondent from an educational program or activity after an individualized safety and risk assessment. The assessment must determine that an immediate threat exists to the physical health or safety of any student or individual. The respondent will be notified of the removal and given an opportunity to immediately challenge the removal.**

#### **C. Notice of allegations**

**A notice of allegation will be provided to all parties that are known once a formal complaint has been filed. The notice of allegations will include the following: the grievance process, details of the alleged sexual harassment, a statement that the respondent is presumed not responsible for the alleged conduct and that a determination is made at the conclusion of the grievance process, the ability to use an advisor of their choice, and prohibits knowingly making false claims or submitting false information during the grievance process.**

#### **D. Advisors**

**The complainant and respondent are permitted to select an advisor to be present during intake, interviews, meetings, and/or proceedings. An advisor can be any person that agrees to serve in that role other than Title IX staff members. If one party selects an attorney as an advisor, the party must notify the Title IX Coordinator three business days prior to any meeting or interview they will attend. The advisor's role is to provide support and advice. They are not permitted to speak on behalf of the parties or disrupt, delay or interfere with any meeting. Advisors may be asked to meet with the Title IX Coordinator or administrator to discuss the role and responsibilities prior to their participation.**

#### **E. Formal Resolution**

**A formal resolution includes an investigation, report review, live hearing, and outcome.**

**\*The live hearing component applies exclusively to complaints that fall under Title IX.**

##### **1. Investigation Process**

**The Title IX Coordinator will designate a trained and objective investigator, decision maker, and appeals officer. If either the complainant or respondent believes a conflict of interest exists, they are encouraged to contact the Title IX Coordinator, in writing, within three (3) business days. The burden of proof and the burden of gathering evidence to reach a determination regarding responsibility falls on the university. Therefore, the investigator will conduct a prompt, reliable, and impartial investigation that may include interviews and collection of relevant evidence. During the investigation, both parties will have an equal opportunity to present witnesses and other relevant evidence. The investigator will notify any party of the date, time, location, and purpose of the interview with sufficient time for the party to prepare. Note: The formal resolution process will proceed in the event the responding party withdraws from the university.**

- Preliminary Report: Upon the completion of the investigation, the investigator will write a preliminary report of all the facts for the Title IX Coordinator to review. If any additional information needs to be obtained, the investigator may conduct additional interviews.**
- Response: The preliminary report and any evidence will then be accessible to both the complainant and respondent and their advisors. Each party will have ten (10) business days to provide a written response. If additional information is given by either party, the other party will receive the new information and have an opportunity to respond. The investigator will provide an adequate and reasonable time frame in order for all information to be collected while maintaining a prompt and equitable process.**
- Investigative report: At the conclusion of the response period, the investigator will add any relevant information to the final investigative report that will be submitted to the Title IX Coordinator. The report will fairly summarize all relevant evidence and will be sent to each party and the party's advisor ten (10) days prior to the live hearing. Both parties are required to sign a non-disclosure agreement upon the receipt of the investigative report.**

## 2. Live hearing

**Decision Maker-** The decision maker will oversee the live hearing and allow each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. The decision maker will determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Parties are required to attend the live hearing in person or by utilizing approved technology platforms. Both parties and witnesses must submit to cross examination. Any information/evidence collected from a party or witness that does not submit to cross examination will be excluded and will not be used in the final determination. If parties do not have an advisor, the university will provide one.

All live hearings will be recorded and made available to the parties for inspection and review.

## 3. Outcome

At the conclusion of the hearing, the decision maker will determine whether the reported violation is more likely than not to have occurred. This standard of evidence may also be referred to as preponderance of the evidence.

If the complaint does not fall under Title IX, The Title IX Coordinator will designate a trained decision maker who will receive the final investigative report. After reviewing the report, a determination will be made as to whether the reported violation is more likely than not to have occurred.

An outcome letter will be provided to both the respondent and complainant at the same time which outlines the investigation findings and appeal process. The determination regarding responsibility becomes final on the date the outcome letter is sent to both parties if an appeal is filed. If an appeal is not filed, the determination is final three business days after the written determination has been sent to both parties.

## 4. Appeal

Either the Complainant or the Respondent may appeal the decision made by the decision maker by notifying the Title IX Coordinator in writing within three (3) business days of the date of the decision. The only grounds for appeal are as follows:

The other party will be notified if an appeal is filed.???

All appeals will be reviewed by a trained appeals officer and shall be based solely on the records provided from the investigation and live hearing unless new evidence is grounds for the appeal. Both parties will receive a written decision, simultaneously, describing the result of the appeal and the rationale for the result. The decision of the appeals officer is final.

- Significant procedural irregularity that adversely impacted the outcome of the investigation
- The consideration of significant new evidence that was not available during the investigation. A summary of the new evidence must be included in the appeal.

## 5. Sanctions

If it is determined that the reported violation occurred, and the appeals process has been exhausted, appropriate sanction(s) will be issued in accordance with the LCU Student Handbook. Sanction(s) may include the entire range available under LCU policy. Sanction appeals will be heard by the Conduct Review Board as outlined in the Student Conduct Appeal Process. Sanctions that result in ineligibility to re-enroll will result in a transcript notation. Transcript notations may be removed based on request, timing, and good cause.

## 6. Retaliation

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Such conduct will be addressed under the student code of conduct.

#### **F. Voluntary Informal Resolution**

Voluntary Informal Resolution is an internal grievance process that may be available to resolve a report after a formal complaint has been filed/received. Voluntary Informal Resolution is available to both students and employees. However, it is not appropriate in all cases. Voluntary Informal Resolution is a voluntary, remedies-based resolution process that requires participation by both parties. It does not involve an investigation and may not involve taking disciplinary action against a respondent. Voluntary Informal Resolution is intended to eliminate the conduct at issue, prevent its recurrence, and remedy its effects. It is not necessary to pursue Voluntary Informal Resolution before pursuing an investigation and formal resolution. Request to use Voluntary Informal Resolution following receipt of a report and as part of or following the initial inquiry, the Title IX Coordinator will determine how to proceed. The decision of how to proceed will be made as part of or following the initial inquiry when LCU has sufficient information about the nature and scope of the reported misconduct. If the Title IX Coordinator determines Voluntary Informal Resolution is appropriate, the parties will be notified of the nature of the complaint, reminded that retaliatory behavior will not be tolerated, and advised of any confidentiality issues. Both the complainant and respondent will be given a copy of the policy, the applicable procedures, an explanation of the Voluntary Informal Resolution process, and asked about their preferred process for resolution. If either a complainant or respondent indicates a preference for Voluntary Informal Resolution to resolve a report, the Title IX Coordinator will determine if both parties voluntarily agree to participate to resolve the report using this internal grievance process.

A complainant or respondent may request that the Voluntary Informal Resolution process be attempted to resolve a report at any time. For example, a complainant who previously requested to go through the internal grievance process of investigation and formal resolution can request to end that process and attempt Voluntary Informal Resolution. The Title IX Coordinator will consider the request if the other party is in agreement. Either party participating in Voluntary Informal Resolution can end the process at any time and request a shift to the investigation and formal resolution process. If the Voluntary Informal Resolution process is unsuccessful or fails to address the reported conduct, at the discretion of the Title IX Coordinator, a complainant may be able to subsequently pursue a resolution through investigation and formal resolution.

### **VI. Prevention and Awareness Programs**

As a community, we share the responsibility to prevent sexual misconduct through education, bystander intervention, and mutual respect for one another. As part of our commitment to the prevention of sexual misconduct, Lubbock Christian University offers education and awareness programs. Incoming students and employees will have access to prevention and awareness education, including training on recognizing and reporting sexual misconduct. All students, faculty, and staff have access to ongoing training and related programs.

Students will be provided with information regarding sexual misconduct prevention and reporting during new student orientation, the university's "UNI 1170" class, and other LCU Student Life programming through the Student Life Office, Residential Life, the LCU Counseling Center, and LCU Public Safety.

The Title IX Council exists to serve the campus with a diverse group of faculty and staff that receive additional Title IX training. The council provides an opportunity for various departments on campus to communicate and be proactive in educating faculty, staff, and students in how to provide and maintain a safe campus.

*Note: Title IX reports will be reviewed by the President and Board of Trustees in an effort to maintain a safe campus free from discrimination, violence, harassment, and stalking.*

### **Crime Prevention & Security Awareness**

The following units offer annual programming to inform the campus community about campus security procedures and practices, to encourage the campus community to be responsible for their own security and the security of others, and to inform students and employees about methods of crime prevention

Students will be provided with information regarding sexual misconduct prevention and reporting during new student orientation, the university's "UNI 1170" class, and other LCU Student Affairs programming through the Involvement Office, Residential Life, the LCU Counseling Center, and LCU Public Safety

During "GO" orientation and transfer orientation, students are informed of services offered by LCU Public Safety. Periodically during the academic year, LCU Public Safety in cooperation with other organizations, agencies, and departments will provide crime and safety awareness programs. A common theme through the "think!" campaign is to encourage all students and staff to be aware for their own security and safety and that of the LCU community.

Topics include:

- Alcohol/Drug Awareness
- Dating Violence
- Sexual Violence
- Active Shooter Response

Crime prevention programs are sponsored by the Public Safety Department and other various organizations throughout the year. LCU Public Safety and the Office of Student Affairs team together for facilitation of different programs for students and staff.

## **Security of & Access to Campus Facilities**

Generally, most university buildings and facilities are open to the public for the duration of the business day. Additionally, academic buildings and student common areas like the Student Union Building, Library, and Rhodes-Perrin Recreation Center are open later hours. During non-business hours, weekends, and holidays, buildings are locked with access only granted on an approved, as needed basis.

During the school year and occupation, Johnson Hall, Mabee Hall & Katie Rogers Hall have lobby areas monitored by desk sitters and are open to the public between 6am & 11pm. After 11pm, access is only granted to residents or other approved personnel through a door security/ access system. The Rec Center Housing doors are locked between 1am and 6am, but generally have open access to the public. Finally, the East Apartments, West Apartments, & Courtyard are individual residences with access granted by the individual residents.

LCU Public Safety & LCU Facilities work together to maintain campus buildings, grounds, and parking lots with a focus on safety and security. Unsafe situations and environments are reported by Public Safety Officer conducting routine patrol. LCU Facilities personnel will respond to potential safety and security hazards with urgency reflective of the condition at hand. These actions are a top priority.

All university community members are encouraged to report deficiencies or suspicious activity to LCU Public Safety or LCU Facilities immediately.

## **Missing Student Notification**

University missing person procedures apply to students who reside on campus and are deemed missing or absent from Lubbock Christian University for a period of 24 hours without a known reason. Upon notification, Residence Hall Directors will report any student missing to the Chief of Police and Dean of Students. Within 24 hours of notification, campus officials will

- A. Notify the person, designated by the student, to be contacted if a student is determined missing;
- B. Notify a parent if student is under 18 years old; and
- C. Notify appropriate law enforcement officials (in cases where student is over 17 and has not identified a person to be contacted)

Emergency contact information is collected during registrations and may be updated in the office of the registrar.

Procedures may be implemented in less than 24hours if warranted.

## **Sex Offender Registration**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

In Texas, pursuant to Code of Criminal Procedure Article 62.153, workers or students at institutions of higher education are required to register.

(a) Not later than the later of the seventh day after the date on which the person begins to work or attend school or the first date the applicable authority by policy allows the person to register, a person required to register under Article 62.152 or any other provision of this chapter who is employed, carries on a vocation, or is a student at a public or private institution of higher education in this state shall report that fact to:

(1)The authority for campus security for that institution

(b) A person described by Subsection (a) shall provide the authority for campus security of the local law enforcement authority with all information the person is required to provide under Article 62.051(c)

(c) A person described by Subsection (a) shall notify the authority for campus security no later than the seventh day after the date of termination of the person's status as a worker or student at the institution.

(d) The authority for campus security shall promptly forward to the administrative office of the institution any information received from the person under this article and any information received from the department under Article 62.005.

The authority for campus security at Lubbock Christian University is:

Mike Smith, Chief of Police  
LCU Police Department  
SUB 201  
5601 19th  
Lubbock, TX 79407

To arrange an appointment for registration or if you have questions, contact [publicsafety@lcu.edu](mailto:publicsafety@lcu.edu)

The State of Texas Sex Offender Registry List may be found at:

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



**This document is compiled by the Lubbock Christian University Department of Public Safety in coordination with the Dean of Students Office and the Lubbock Police Department.**

**Statistics, Data, & Policy Statements are collected from local law enforcement agencies, the Dean of Students Office, and other campus resources.**

**This data is reviewed, shared, and submitted in accordance with the Jeanne Clery Act.**

**Copies of this report may be obtained in person from:  
the Lubbock Christian University Public Safety Office or  
online at [lcu.edu](http://lcu.edu) under the Public Safety tab.**

**Questions may be directed to  
Mike Smith, Chief of Police/Director of Public Safety  
806.720.7521**

