

## POLICIES AND PROCEDURES

Subject: Campus Crime and Security Reference: E-XXVIII

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WHEREAS, Congress has enacted the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act; and;

WHEREAS, the McLennan Community College (MCC) intends to comply with the requirements of that Act;

### GENERAL POLICY

NOW THEREFORE, MCC will prepare, publish and distribute policy statements that comply with the letter and spirit of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Policy statements will be issued covering the following areas:

- I. Procedures and facilities for students and employees to report criminal acts and other emergencies on campus and MCC's response to those reports;
- II. Security and access to campus facilities and grounds and security considerations in maintaining campus facilities;
- III. Enforcement authority of campus security and the encouragement to students and employees to report crimes to Campus Police and appropriate police agencies;
- IV. Informing students and employees about campus security procedures and practices to encourage students and employees to be responsible for their own security and the security of others;
- V. Programs to inform students and employees about the prevention of crimes; and
- VI. Possession, use, and sale of alcoholic beverages and illegal drugs, and drug abuse education programs.
- VII. Gathering crime statistics concerning crime on the campus.

FURTHER, MCC will prepare, publish and distribute statistical responses that identify the occurrence of campus crimes and the number of campus arrests for crimes specified in the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

These policy statements and statistical reports will be published in publications or mailings that are available to students and employees, as well as prospective students and the higher education community, upon request.

**I. POLICY ON PROCEDURES AND FACILITIES FOR STUDENTS AND EMPLOYEES TO REPORT CRIMINAL ACTIONS OR OTHER EMERGENCIES ON CAMPUS AND MCC'S RESPONSE TO THOSE REPORTS**

A. Campus Police will be primarily responsible for carrying out the mandates of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

Campus Police will develop rules and regulations to implement these policies and to carry out its duties and responsibilities.

B. Campus Police will develop procedures and methods to respond to reports of crime and other emergencies on campus.

1. Campus Police will investigate the occurrence of on-campus murder, sexual assault, aggravated assault, burglary, motor vehicle theft, robbery, liquor law violations, drug abuse violations, weapons violations, and other emergencies occurring on the campus considered to be a threat to the safety of students and employees.

2. The reports of these occurrences will be reviewed to determine if the information gathered can assist MCC in its security program.

3. Timely reports will be made to students and employees after such occurrences. Notice of occurrences will be published to inform students and employees of criminal occurrences on the campus.

C. In the event a perpetrator of a violent crime is subject to discipline by the college, the victim of the crime will, at the discretion of the Vice President, Student Success, be permitted to obtain the results of that disciplinary proceeding.

D. Definitions of students and employees.

1. "Student" is defined as any person enrolled in one or more courses of study for academic credit or for non-credit.

2. "Employee" is defined as a part-time or full-time person with scheduled hours of employment under the direction and control of the institution and its agents.

## **II. POLICY ON SECURITY AND ACCESS TO CAMPUS FACILITIES AND GROUNDS AND SECURITY CONSIDERATIONS USED IN MAINTAINING CAMPUS FACILITIES**

MCC seeks to provide an atmosphere of openness for the encouragement of collegiate activity on campus facilities and grounds. However, the policy of promoting openness must be balanced by controls on access to campus facilities and grounds designed to promote security in campus facilities. In accordance with this, MCC adopts the following policy:

- A. Campus Police will enforce college rules and regulations on access and security of campus facilities.
- B. Campus Police will inspect the lighting, grounds, and the college's physical plant (doors, locks, etc.) to determine what improvements if any need to be made for security on the campus.
- C. Campus Police will examine or cause to have examined all campus facilities and grounds to determine if any security concerns exist.
- D. Definitions
  1. "Campus" is defined as any building or property owned or controlled by the college and used by the college in direct support of or related to its educational purposes, or any building or property owned or controlled by student organizations recognized by the college.
  2. Campus will also include any building or property utilized by the college such as satellite facilities.
  3. "Campus Police" is defined as security guards (non-certified officers) and certified police officers.

## **III. POLICY ON ENFORCEMENT AUTHORITY OF THE CAMPUS POLICE AND THE ENCOURAGEMENT TO STUDENTS AND EMPLOYEES TO REPORT CRIMES TO CAMPUS POLICE AND APPROPRIATE SECURITY AGENCIES.**

- A. Members of the Campus Police are conservators of the peace. They work with local, state, and federal law enforcement agencies, and they seek to protect life and property, to prevent anti-social conduct, and to preserve a secure campus environment.

1. Campus Police officers possess all powers possessed by police officers in cities and sheriffs in counties, including the power to make arrests on view or warrants of violations of state statutes, city and county ordinances of McLennan County when such is required for the protection of MCC properties and interests, its students and personnel, and when specifically requested by appropriate state or local law enforcement officials.
  2. Campus Police, including campus police officers and security guards, is located at the Student Success Center at McLennan Community College, telephone number 299-8911. The emergency number is "0" or extension 8911. Police officers and security guards are on duty 24 hours a day, 7 days a week.
  3. The local police department telephone numbers are 750-7500 or 911.
  4. MCC Campus Police will assist students in notifying off-campus security or law enforcement agencies, if the student requests the assistance of these personnel.
- B. Campus Police will develop, together with the Vice President, Finance & Administration and Vice President, Student Success procedures and methods to encourage students and employees to report criminal actions and other emergencies occurring on campus.
- C. Campus Police will report all crimes occurring on campus to appropriate police agencies; pursue cooperative relationships with municipal, county, state, and federal law enforcement agencies; and when requested, will aid in any investigations or apprehensions on the campus.
- D. Students and employees will be encouraged to report crime on campus to Campus Police and to appropriate police agencies.
1. Campus Police will periodically distribute appropriate written material to explain the importance of crime reporting and how it is to be done.
  2. Campus Police will make prevention presentations to students and employee groups.

**IV. POLICY ON INFORMING STUDENTS AND EMPLOYEES ABOUT CAMPUS POLICE PROCEDURES AND PRACTICES TO ENCOURAGE STUDENTS AND EMPLOYEES TO BE RESPONSIBLE FOR THEIR OWN SECURITY AND THE SECURITY OF OTHERS**

- A. Campus Police will inform students and employees about campus security measures to encourage all persons to be concerned about a secure campus environment and to be aware of security concerns on the campus.
1. Campus Police will develop programs and distribute appropriate materials about campus security procedures to students and employees. Security presentations will be conducted periodically.
  2. Campus Police will develop appropriate publications about security topics, programs, procedures, and personnel.
- B. Students and employees will be educated as to their personal responsibility for security and for the security of others.
1. Education will be through appropriate programs and booklets.
  2. The campus community will also be informed about security matters via campus media.

**V. POLICY ON PROGRAMS TO INFORM STUDENTS AND EMPLOYEES ABOUT THE PREVENTION OF CRIMES**

Campus Police will develop programs to inform students and employees about the prevention of crimes.

- A. Campus Police will work with the Vice President, Finance & Administration and Vice President, Student Success and appropriate employee organizations in the development of these programs.
- B. Campus Police will also work with local law enforcement officials in securing appropriate written material, presenting programs, and developing regulations to implement this responsibility.

**VI. POLICY ON POSSESSION, USE, AND SALE OF ALCOHOLIC BEVERAGES AND ILLEGAL DRUGS, AND DRUG ABUSE EDUCATION PROGRAMS**

MCC recognizes the dangers posed by the abuse of alcoholic beverages and illegal drugs and intends to abide by and strictly enforce all state and federal laws governing possession, use, and sale of alcoholic beverages and illegal drugs, including but not limited to, the Drug Free Workplace Act of 1989 and the Drug Free Schools and Community Act of 1989. MCC adopts the following:

- A. McLennan Community College is a drug-free campus as described by the Federal Drug-Free Schools and Communities Act Amendment of 1989. It is a violation of the General Conduct Policy to possess, attempt to possess, use, transmit or distribute (sell) drugs or alcohol on the campus or at any building, facility, grounds or other property owned, leased or controlled by the institution. Policy details are described in the *Highlander Guide*.
- B. Campus Police, in concert with Student Success, will develop appropriate materials to be distributed to all students and employees explaining state and federal laws on the use, possession, and sale of alcohol and illegal drugs on and off campus at college activities and will present educational programs on alcohol and drug abuse.
- C. Students who violate state or federal law or the college's alcohol and drug policy on campus or at college activities off-campus are subject to prosecution by local, state, federal officials and are subject to discipline where appropriate.
- D. All employees directly engaged in performance of work pursuant to the provisions of a federal grant or federal contract in excess of \$25,000 and students who are Pell Grant recipients must notify the college within five days of any criminal drug statute conviction for a violation occurring on or off college premises while conducting college business or activities. The College will within ten days after receiving such notice inform the federal agency providing the grant of such conviction. Within 30 days following the notification of the conviction, appropriate disciplinary action will be taken against such employee or students. Employees or students may be required, at their own expense, to participate satisfactorily in a substance abuse assistance or rehabilitation program.

**VII. POLICY ON GATHERING CRIME STATISTICS CONCERNING CRIME ON THE CAMPUS**

- A. Campus Police will be responsible for the gathering of statistics concerning the occurrence of crime on campus which has been reported to Campus Police authorities or local police agencies.
- B. Definitions
  - 1. "Reported" is defined as an official designation by a security officer, public safety official, or persons possessing authority to determine if a crime has occurred.

2. An "arrest" has occurred when a law enforcement officer has detained an individual with the intention of seeking charges against the person for a specific offense(s) and a record is made of the detention.
- C. Statistics will be compiled in accordance with the definitions used in the uniform crime reporting system of the Department of Justice, Federal Bureau of Investigation and the modification in such definitions made by the Hate Crimes Statistics Act.
- D. The following crimes and occurrences will be collected and reported:
1. Murder: intentionally or knowingly causing the death of an individual.
  2. Forcible Sex Offenses: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.
    - a. Forcible Rape - The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
    - b. Forcible Sodomy - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
    - c. Sexual Assault with an Object - The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
    - d. Forcible Fondling - The touching of the private body parts of another person for the

purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

3. Non-Forcible Sex Offenses: Unlawful, nonforcible sexual intercourse.
  - a. Incest - Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - b. Statutory Rape - Nonforcible sexual intercourse with a person who is under the statutory age of consent.
4. Aggravated assault: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or serious bodily harm.
5. Burglary: the unlawful entry of a structure to commit a felony or theft.
6. Motor vehicle theft: the theft or attempted theft of a motor vehicle.
7. 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 by violence and/or by putting the victim in fear.

E. Statistics concerning the number of arrests for the following crimes will also be reported:

1. Liquor law violations: violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages (with the exception of "driving under the influence").
2. Drug abuse violations: violations of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment of devices utilized in their preparation or use.
3. Weapons violations: violations 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.

- F. Statistics were gathered by Campus Police for the period beginning January 1, 1989, through December 31, 1991, and have been published. Hereafter, statistics will be annually gathered and published for the current and two preceding years by Campus Police in a document entitled "Report On Crime On The Campus."
1. The report contains summary descriptions of all policies on crime awareness and campus security and statistics concerning the crimes reported to the campus police authorities and local police agencies.
  2. The report is disseminated to students, employees, and other interested persons.
  3. The report is published in the *Highlander Guide*. The annual report will be available at the Campus Police Office for distribution to persons who inquire about that report in person, by mail, or by telephone. The annual report will be submitted upon request to the United States Secretary of Education.
  4. The first annual report was prepared September 1, 1992. It was distributed to new students and new employees by publishing same in the *Highlander Guide* and dissemination by Human Resources Office at time of hire.