



2021 ANNUAL SECURITY REPORT

Texas Barber College (“TBC”) is a private postsecondary vocational school with its Main Campus in Houston, Texas and three branch campuses in Houston and Dallas, Texas.¹ In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”), the General Counsel for TBC determines the Clery Geography², designates Campus Security Authorities (CSAs), and collects crime statistics as the basis for this Annual Security Report (“ASR” or “Report”). These statistics include those reported to designated campus officials, including, without limitation, to managers, officers, and Campus Directors. This Report is prepared in cooperation with the local law enforcement agencies surrounding our Main Campus and branch campuses, the Education Department, and TBC management. This ASR includes information about crime reporting policies, procedures and responses, drug and alcohol abuse, policies and procedures relating to dating violence, domestic violence, sexual assault and stalking, and emergency response and evacuation procedures. The TBC ASR is kept at the TBC Corporate Office and is made available at all campuses. The information and statistics in this ASR were last updated on September 29, 2021.

CAMPUS CRIME STATISTICS

Appendix 1 to this Report provides definitions of some terms used for reporting criminal offenses in this ASR.

Appendix 2 to this Report provides the Texas state law definitions for Domestic Violence, Dating Violence, Sexual Assault, Stalking and Consent.

Appendix 3 to this Report provides crime statistics for reported crimes that occurred in TBC’s Clery Geography—“on campus” and “public property”—during the three most recent calendar years (2018, 2019, and 2020). Sometimes reports from local police do not identify specific areas for the location of the crimes listed, thereby leaving TBC unable to determine whether or not the crimes occurred “on-campus” or on “public property” within our Clery Geography.

¹ Main Campus is located at 8201 South Gessner Road, Ste. A, Houston, TX 77036; Campus 1 is located at 5148 S. Lancaster Rd., Dallas, TX 75241; Campus 2 is located at 9888 Ferguson Rd., Dallas, TX 75228; and Campus 5 is located at 4473 North Freeway, Houston, TX 77022.

² “Clery Geography” is the physical parameters within which an institution must disclose statistics for reported crimes, and for TBC, includes the two categories of “on campus” and “public property.” See Appendix 1 for definitions of “on campus” and “public property.”

The tables in Appendix 3 of this Report are specific to each campus and identify the type of and the location of each crime. On May 30, 2018, Campus 5 relocated from 610 West Cavalcade, Suite C, Houston, TX 77063 (the “Cavalcade Location”) to 4473 North Freeway, Houston, TX 77022 (the “North Freeway Location”). Thus, the crime statistics provided for Campus 5 in this ASR from January 1, 2018 through May 29, 2018 are for the Cavalcade Location and from May 30, 2018 through December 31, 2020 are for the North Freeway Location.

INFORMATION ON CAMPUS CRIMES

The crime statistics in Appendix 3 are updated and reported annually to the U.S. Department of Education through the National Center for Educational Statistics’ annual IPEDS report and made available to all students and employees upon completion of the crime statistics survey. Any voluntary or confidential reports made by victims or witnesses of the crimes listed below will be included in the crime statistics survey. Statistics for the annual report are gathered from TBC campuses and public property and classified according to the following attempted and completed crimes:

- i. Criminal homicide:
 - (A) Murder and non-negligent manslaughter
 - (B) Manslaughter by Negligence
- ii. Sexual Assault (Sex Offenses):
 - (A) Rape
 - (B) Fondling
 - (C) Incest
 - (D) Statutory rape
- iii. Robbery
- iv. Aggravated Assault
- v. Burglary*
- vi. Motor Vehicle Theft
- vii. Arson
- viii. Arrests for liquor law violations, drug abuse violations, and illegal weapons possession.
- ix. Disciplinary referrals for illegal weapons carrying, liquor law violations, drug abuse violations, and illegal weapons possession.

- x. Hate Crimes (all crimes listed in (i) through (vii) above, plus larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, and any other crime involving bodily injury in which bias against a protected group was a motivating factor). The following are the categories of bias protected by the Clery Act:
 - a. Race
 - b. Gender
 - c. Religion
 - d. National origin
 - e. Sexual Orientation
 - f. Gender identity
 - g. Ethnicity
 - h. Disability
- xi. Sexual assault, domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.
- xii. Unfounded crime reports for items (i) through (vii) that were unfounded and subsequently withheld from crime statistics provided herein.

*If a perpetrator steals from an area of open access (i.e., there is no unlawful trespass), the incident is classified as larceny, not burglary.

Clery Crime Definitions by Source:				
Summary Reporting System User Manual:		National Incident-Based Reporting System:		
Murder	Rape	Fondling	Incest	Statutory Rape
Robbery	Aggravated Assault			
Burglary	Motor Vehicle Theft	Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual:		
Arson	Drug Abuse Violations			
Liquor Law Violations	Weapons Carrying, Possessing, etc. Law Violations	All Hate Crimes		
Note: The FBI has announced that it will retire the SRS and transition to using only the NIBRS in January 2021.		Violence Against Women Act of 1994:		
		Domestic Violence		Dating Violence
		Stalking		

REPORTING CRIMES AND OTHER EMERGENCIES

Reporting Procedures

Community members, students, faculty, staff, and guests are strongly encouraged to report all criminal actions or other emergencies occurring on campus by contacting the local police department. The local law enforcement agency for the Houston campuses is the Houston Police Department (HPD) at (713) 308-1600 and for the Dallas campuses is the Dallas Police Department (DPD) at (214) 671-3001. Dial 9-1-1 for any emergency.

In addition, a student, employee or guest of TBC should report crimes (or any suspicious activity) or emergencies to TBC by calling 214-943-7255 [Dallas] or 713-953-0262 [Houston] and dialing one of the following extensions for a Campus Security Authority (CSA):

- Director of Barbering (ext. 1403 – in Houston)
- Campus Directors
 - Main Campus (ext.1433 – in Houston)
 - Campus 1 (ext. 1113 – in Dallas)
 - Campus 2 (ext. 1210 – in Dallas)
 - Campus 5 (ext. 1501 – in Houston)
- President/General Counsel (ext. 1407 – in Houston)

Making these reports to the above TBC employees and/or offices will also assist with TBC issuing timely warnings and annual statistical disclosures (both described below).

TBC does not have pastoral and professional counselors and thus does not have security procedures that allow pastoral and professional counselors to inform those they counsel of procedures for reporting crimes voluntarily and confidentially for inclusion in TBC's ASR and Web-based report to the U.S. Department of Education. TBC does not have a campus police/security department.

Anonymous Reporting

If you are a witness to, or victim of a crime and do not want to pursue action within TBC or the criminal justice system, you may still want to consider making an anonymous report. With your permission, any of the CSAs listed above can report on the details of the incident without revealing your identity. The purpose of an anonymous report is to comply with your wish to keep your identity confidential, while taking steps to ensure the future safety of yourself and others. With such information, TBC can keep accurate records of the number of incidents involving students, determine where there is a pattern of crime with regard to location, method or assailant, and alert the campus community to potential danger. TBC may initiate an investigation based on your report, however you will not be required to take part in any proceedings that may take place.

Timely Warnings

Timely warnings are issued when there is a Clery crime that has already occurred, but the crime still represents a serious and continuing threat to the campus community. If TBC receives a report of such a crime, the General Counsel, Director of Barbering, and/or a Campus Director (depending on the location of the incident) will immediately investigate the report. If the investigation confirms the validity of the report, and the situation constitutes a Clery crime that is a continuing and ongoing threat, one of the above-named employees will issue a campus-wide timely warning as soon as pertinent information is available. The warning will be circulated through postings on the bulletin board in the break rooms, near the time clock, at the front desk, and/or in each classroom. The warning might also be issued via email and/or texts to students and employees. For the purpose of preserving confidentiality, names of any victims of crimes that are threats to other students and employees will be withheld from timely warnings.

If there is a non-Clery crime or other situation that one of the above-named employees deems to be a significant emergency or dangerous situation, TBC will issue an “Emergency Notification” to students and employees at the affected campus.

	Emergency Notifications	Timely Warnings
Scope	Significant emergency or dangerous situation	Clery crimes, reported to CSAs
Triggered by?	Event that is currently occurring on or imminently threatening campus	Crimes that occurred and represent an ongoing threat
Where event occurs?	Only on campus	Anywhere on Clery Geography
How soon to issue?	Immediately upon confirmation of situation	As soon as information is available

Annual Disclosure of Crime Statistics

By October 1st of each year, the ASR must be distributed to all enrolled students and current employees. Distribution may be by direct mailing, electronic mail, or hand delivery. The ASR is also available to all enrolled and prospective students on TBC’s student electronic management system – ADM- and through any TBC Admissions Representative, and to prospective and current employees via the ADP Human Resources portal and through the TBC Corporate Office, which can be reached by calling 713-953-0262, ext. 1407. Printed copies of the ASR are available at the front reception areas of each campus.

General Counsel to TBC is responsible for gathering the crime statistics from each campus as well as from area law enforcement agencies. Data for the report is obtained from the CSAs, who are charged with providing reports about crimes or other emergencies to TBC’s Corporate Office. The CSAs are continually monitoring TBC campuses. In the event one of these individuals witnesses a crime or receives a report that is subject to disclosure in the ASR, he or she will immediately provide the

information to TBC's Corporate Office. Data regarding Clery crimes is also collected through written requests to the Dallas and Houston Police Departments.

ACCESS AND SECURITY MAINTENANCE POLICY

During business hours, TBC campuses will be open to students, employees, contractors, guests, and paying customers. During non-business hours, access to facilities is limited to those individuals who have been issued an alarm code (e.g., maintenance crews, Campus Directors). TBC does not have any campus residences.

If an area is shown to be problematic, TBC officials will evaluate the area and determine what measures should be taken to ensure greater safety. All campuses are evaluated on a regular basis to assess their security, which includes but is not limited to regular checks of indoor and outdoor lighting, landscaping, locks, alarms, and communication and video surveillance systems. Along with the Campus Directors, the General Counsel and/or Director of Barbering evaluate these items on a regular basis at all campuses. The Director of Barbering visits the Dallas campuses at least once, usually twice, a month. When he is not present at the Dallas campuses, the Director of Barbering is physically present at the Houston campuses. Campus Directors at every campus conduct a monthly maintenance check, which includes items related to campus security, and submit a safety and security audit to the Corporate Office. Repairs and replacements are made promptly upon discovery of any security deficiencies or physical hazards.

TBC strongly encourages students, faculty and staff to report any safety concerns, including but not limited to exterior lighting malfunctions, to the Corporate Office at (713) 953-0262, ext. 1407.

CAMPUS LAW ENFORCEMENT

TBC campuses advocate and support a close cooperative working relationship with federal, state and local law enforcement agencies. TBC does not have a written memorandum of understanding with these police agencies. However, TBC contacts the appropriate police authorities annually for crime reporting purposes as well as in the event of an emergency or incident on campus that requires their involvement.

All campuses are under the jurisdiction of local government law enforcement agencies. TBC does not have security personnel or campus police. Persons with knowledge of or who are witnesses to criminal activity at TBC are strongly encouraged to contact the police. The local law enforcement agency for the Houston campuses is the Houston Police Department (HPD) at (713) 308-1600 and for the Dallas campuses is the Dallas Police Department (DPD) at (214) 671-3001.

A Campus Security Authority does not have the authority to arrest individuals, but will notify local law enforcement immediately after the CSA learns a crime has either occurred "on campus" or on "public property." In addition to reporting the crime to a CSA, or if these persons are unavailable, any witness or victim of a crime should report the crime to local law enforcement agencies as soon as possible. Victims and witnesses

are encouraged to report the crime as accurately and promptly as possible by dialing 9-1-1. In the event a victim of a crime elects not to or is unable to make a report, TBC shall endeavor to make an accurate and prompt report on behalf of the victim to the appropriate law enforcement agencies.

CRIME PREVENTION PROGRAMS

Crime prevention presentations relating to personal safety, burglary and theft prevention, office safety, bystander intervention, sexual assault, domestic violence, dating violence and stalking are conducted periodically throughout the year for students and employees. Likewise, TBC provides informational handouts on these topics at every campus. Information on these same topics is provided to students at orientations and to employees upon hire.

SECURITY AWARENESS PROGRAMS

TBC encourages all students and employees to be responsible for their own security and the security of others. TBC has campus-wide educational programs, which sometimes include guest speakers from local police departments. These programs are offered at least twice a year and all TBC community members are encouraged to attend. The programs are designed to inform students and employees about campus security procedures. These security awareness programs do not include any officially recognized student organizations with off-campus locations as TBC does not have any such locations. Every September, TBC recognizes National Campus Safety Awareness Month by having a display table at each campus with information about safety awareness for students, employees and the public to take and read.

The following are risk reduction tips concerning personal safety, workplace safety and protection of property:

Personal Safety

- Walk in groups of three or more.
- Be aware of your surroundings.
- Be aware of crimes on and around campus.
- Avoid isolated or dark areas.
- Do not wear earphones while walking.
- If you cannot find a companion to walk you to your destination, ask another student or TBC employee to accompany you.
- Before exiting a building or car, look around the area for anything suspicious.
- If confronted by a situation, try to remain calm.
- If it is safe to do so, try to get a detailed description of suspects or suspicious persons and/or their vehicles.
- Avoid strangers. You do not have to stop and talk to them.
- If you are being followed, go to the nearest area of safety.
- Stay alert, and plan ahead for “What if . . .?”

Workplace Safety

- Know your co-workers. You are the best one to determine who does not belong.
- Do not prop open exterior doors.
- If you see someone you consider suspicious or out of place, immediately tell a Campus Director and/or contact the TBC Corporate Office at 713-953-0262, ext. 1407.

Protecting Your Property

- Record the serial numbers of your belongings. Engrave or permanently mark items with a unique identifying number.
- Keep your car locked. Store items out of sight or in your office.
- Coats, kits, backpacks, and separate purses should remain with you or be locked up.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

TBC has an emergency action plan (“EAP”) in place for all students and employees. This EAP includes an Emergency Response Team as well as three designated Safety Coordinators. Through the EAP, these individuals have been apprised of the procedures TBC will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

The names and titles of the Safety Coordinators, who are those persons responsible for carrying out the emergency response procedures, are the following:

- David Pittman, Chief Operating Officer
- Kathleen Colt, President/General Counsel
- Anthony Reed, Director of Barbering
- Phillip Riley, Chief Information Officer

In order to determine whether or not a significant emergency or dangerous situation exists, the Safety Coordinator will communicate with Campus Directors located at the site of incident to gain as much information as possible. Upon confirmation by a Safety Coordinator through a member of the Emergency Response Team that a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees is occurring, the Safety Coordinator will ensure that other departments having an operational role in the specific incident are immediately notified.

A Safety Coordinator will communicate with Campus Directors to determine the location of an emergency. If the emergency affects only a particular campus, then only students

and staff at the affected campus will receive a Timely Warning or Emergency Notification (depending upon the nature of the emergency). However, if an emergency could affect the operation of the institution as a whole, then the entire campus community (Houston and Dallas) will receive a Timely Warning or an Emergency Notification.

Unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency, the Safety Coordinator, or a person directed by him or her, will determine the content of the notification and immediately initiate the notification system to the affected campus community. TBC will consider the safety of the TBC community when determining the content of the notification.

This notification paging system will deliver the message to students and employees via email, texts and/or speaker phones, which are centrally located at each campus. Templates for these texts and emails are created and pre-approved for certain types of emergencies. In the event of an emergency, TBC students and staff will be directed to a safe location.

TBC will disseminate emergency information to the larger community by immediately contacting the local police department for the campus(es) at issue. In addition, there may be circumstances when the Student Services Department and/or the TBC Corporate Office will contact persons identified by students on their Emergency Contact/Reference forms or by employees on their emergency contact list.

An individual can report an emergency by dialing 9-1-1 and contacting the TBC Corporate Office at 713-953-0262, ext. 1407.

These emergency response and evacuation procedures will be tested on at least an annual basis, including tests that may be announced or unannounced, publication of TBC's emergency response and evacuation procedures in conjunction with at least one test per calendar year, and documentation for each test of a (i) description of the exercise; (ii) the date and time; (iii) whether it was announced or unannounced; and (iv) the results of the test.

For more information, copies of the *TBC Health and Safety Plan and Emergency Procedures Manual* are available at each campus, from a Student Services Representative, and the Corporate Office. Employees can access an electronic copy on the ADP Home Page under "Company Spotlight."

DRUG AND ALCOHOL ABUSE PREVENTION*

TBC is committed to providing a safe, healthy, and efficient environment for all employees and students. To help achieve this goal, TBC explicitly prohibits:

- The unlawful use, possession, manufacture of, solicitation for, sale or distribution of narcotics or other illegal drugs, alcohol, or prescription

medication without a prescription on TBC premises or while performing an assignment or engaging in TBC-related activities.

- Being impaired or under the influence of legal or illegal drugs or alcohol on or away from TBC premises, if such impairment or influence adversely affects the employee's or student's work performance, the safety of the employee, student, or of others, or puts at risk TBC's reputation.
- Possession, use, solicitation for, sale or distribution of legal or illegal drugs or alcohol away from TBC premises, if such activity or involvement adversely affects the employee's or student's work performance, the safety of the employee, students, or of others, or puts at risk TBC's reputation.
- The presence of any detectable amount of prohibited substances in the employee's or student's system while at work, while on the premises of TBC, or while on TBC business. "Prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the student or employee.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. In addition, the possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws.

The standards of conduct of TBC clearly prohibit the unlawful possession, use, sale, distribution of, manufacture of, or being under the influence of prohibited substances by students or employees on its property or as a part of any of its activities. Violations of the above-described drug and alcohol policies occur when there is reasonable suspicion or direct evidence of prohibited activity.

Reasonable suspicion of drug or alcohol use will be considered being "under the influence." If there is direct evidence or reasonable suspicion of a violation of TBC's drug and alcohol policy, the student or employee will be suspended or terminated from TBC. In addition, all evidence of illegal activities will be turned over to the appropriate law enforcement agencies upon request.

TBC will impose sanctions (consistent with local, State and Federal law) against all student and/or employee violators, including but not limited to, suspension of at least seven (7) school days or expulsion from school in the case of a student and suspension without pay or termination of employment in the case of an employee. In the event of a suspension, TBC will send a letter via email and regular mail to the suspended student's or employee's email and physical address, notifying him or her of the suspension and providing information relating to drug/alcohol rehabilitation programs. Students and employees who return to TBC after suspension will be required to participate in a counseling session with representatives from the Student Services and Education Departments in the case of a student and with a TBC manager in the case of an employee. All student and employee violators will be subject to a 60-day probationary period if they are suspended as a result of a violation of the TBC drug and alcohol policy. Actual drug

or alcohol use or possession with the intent to sell or distribute warrants automatic termination as does reasonable suspicion of drug or alcohol use or possession coupled with insubordination.

TBC reserves the right to request for cause, random, and post-accident drug tests for its employees and students. Use of some drugs is detectable for several days. Refusal to submit to a drug and/or alcohol screen is grounds for immediate termination. Law enforcement may also be invited to check our campuses at any time with any means they deem necessary (e.g., drug dogs).

All information relating to drug and/or alcohol screens is to be kept strictly confidential. The information will be kept in each student's or employee's medical file, which will be maintained separately from the student's school file or the employee's personnel file. These medical files will be kept password protected and secured, and access will be limited to certain individuals at TBC. Under no circumstances should the results of a drug and/or alcohol screen be discussed with individuals that do not have a work-related need to know.

Possession, use, sale, manufacture, or distribution as mentioned above can result in prosecution by local, state, or Federal authorities and conviction can result in fine, imprisonment, or both. The following shows Federal and State offenses and penalties. For penalties and sanctions associated with illegal trafficking and possession of a controlled substance, go to https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30.

*TBC's policies and procedures relating to drugs and alcohol also are contained in the *TBC Student Handbook and School Catalog* if you are a student or the *TBC Employee Handbook* if you are an employee.

PENALTIES UNDER FEDERAL LAW

<u>OFFENSE</u>	<u>MINIMUM PUNISHMENT</u>	<u>MAXIMUM PUNISHMENT</u>
Manufacture, distribution, or dispensing of drugs (including marijuana).	A term of imprisonment for up to three years and a fine of \$250,000 or both.	A term of life imprisonment without release (no eligibility for parole) and a fine not to exceed \$8,000,000 for an individual (or \$20,000,000 if other than an individual).
Possession of drugs (including marijuana).	Imprisonment for up to one year and a fine of not less than \$1,000 or both.	Imprisonment for not more than 20 years nor less than five years and a fine of not less than \$5,000 plus costs of investigation & prosecution.
Distribution of drugs to a person under 21 years of age.	Double the federal penalty for distribution of drugs.	Triple the federal penalty for distribution of drugs.

The federal penalties quoted in these charts are based on language contained in the applicable federal statutes creating criminal offenses regarding controlled substances and are subject to change at any time by Congress and the President. There are additional factors in the federal sentencing guidelines, including various enhancement provisions for prior offenses. Title 21 U.S.C. Section 860 provides that the federal statutory penalties double (and in some cases triple) when a controlled substance is distributed (or even possessed with intent to distribute) within 1000 feet of a school or a public university.

FEDERAL TRAFFICKING PENALTIES

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	

PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture	individual.	100 gm or more pure or 1 kg or more mixture	individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid) Flunitrazepam (Schedule IV)	Any amount 1 gram	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
Flunitrazepam (Schedule IV)	Other than 1 gram or more	Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

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FEDERAL TRAFFICKING PENALTIES—MARIJUANA

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75million if other than an individual.

Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other an individual.

<u>PENALTIES UNDER TEXAS LAW</u>		
<u>Offense</u>	<u>MINIMUM PUNISHMENT</u>	<u>MAXIMUM PUNISHMENT</u>
Manufacture or delivery of Controlled substances (drugs)	Confinement in jail for a term of not more than two years or less than 180 days, and a fine not to exceed \$10,000	Imprisonment for life or for a term of not more than 99 years nor less than fifteen years, and a fine not to exceed \$250,000
Possession of controlled substances (drugs)	Confinement in jail for a term of not more than two years or less than 180 days, and a fine not to exceed \$10,000	Imprisonment for life or for a term of not more than 99 years nor less than fifteen years, and a fine not to exceed \$250,000
Delivery of marijuana	Confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000 or both	Imprisonment for life or for a term of not more than 99 nor less than ten years and a fine not to exceed \$100,000
Possession of marijuana	Confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000 or both	Confinement in TDC for life or for a term of not more than 99 years nor less than five years, and a fine not to exceed \$50,000
Driving while intoxicated (includes intoxication from alcohol, drugs, or both)	Confinement in jail for a term of not more than 180 days nor less than 72 hours, and a fine of not more than \$2,000	Imprisonment for a term of not more than ten years nor less than two years, and a fine not to exceed \$10,000
Public intoxication	A fine not to exceed \$500	Varies with age and number of offenses
Purchase of alcohol by a minor (less than 21 years of age)	A fine not to exceed \$500	Varies with age and number of offenses
Consumption or possession of alcohol by a minor (less than 21 years of age)	A fine not to exceed \$500	Varies with age and number of offenses
Purchase for or furnishing of alcohol to a minor	A fine not to exceed \$4000 or confinement in jail for a term not to exceed one year or both	A fine not to exceed \$4000 or confinement in jail for a term not to exceed one year or both
<i>Penalties shown above are based on language contained in applicable Texas statutes and are subject to change at any time by the Legislature and the Governor.</i>		

DRUG AND ALCOHOL ABUSE EDUCATION PROGRAM

TBC maintains a drug and alcohol abuse education program, which includes distribution of informational pamphlets at all campuses and outside educators who visit the campuses at least twice a year and educate our students and employees about the dangers associated with drug and alcohol abuse. Students and employees view an alcohol and drug prevention video at orientation as well as when a student or employee returns from suspension due to violation of TBC's Drug and Alcohol Prevention Policy.

TBC does not provide counseling, treatment, or rehabilitation services for persons suffering from drug and/or alcohol abuse. However, the following phone numbers are being provided to assist any member of the TBC community who may have a drug or alcohol problem.

- Al-Anon.....1-888-425-2666
- American Council on Alcoholism.....1-800-527-5344
- National Institute on Drug Abuse Hotline.....1-800-662-4357
- The Council on Alcohol and Drugs (Houston).....855-942-4100
www.councilonrecovery.org
- The Council on Alcohol and Drug Abuse (Dallas)...214-522-8600
www.dallascouncil.org
- Homeward Bound, Inc. (Dallas).....214-941-3500
- Texas Suicide & Crisis Hotline
Houston.....713-970-7000
Dallas.....214-828-1000

These various agencies can provide guidance and assistance in identifying a counseling, treatment, or rehabilitation program that meets an individual's needs.

While TBC does not condone the abuse of alcohol, abuse of prescription drugs, and/or use of illegal drugs, TBC does recognize that addiction to drugs and/or alcohol can be treated. If an employee or student recognizes a personal addiction or abuse problem and seeks assistance from management in advance of detection, TBC will assist the employee or student in seeking treatment. Student Services Representatives at 713-953-0262, ext. 1436 [Houston] and ext. 1106 [Dallas] are available to TBC students to provide them with referrals for education and other support services for alcohol and drug issues. Likewise, TBC employees can contact the Corporate Office for TBC at 713-953-0262, ext. 1407 for assistance with referrals. In addition, TBC employees can utilize the services of the ADP Employee Assistance Program. The confidential nature of the employee's or student's counseling and rehabilitation for drug and/or alcohol abuse will be preserved.

All Title IV-eligible institutions must review their drug and alcohol prevention program once every two years to determine its effectiveness and to ensure that its sanctions are being enforced. As a part of this biennial review, the school must determine the following:

- The number of drug and alcohol-related violations and fatalities that occur on a school's campus or as a part of any of the school's activities and that are reported to campus officials; and
- The number and type of sanctions that are imposed by the school as a result of drug and alcohol-related violations and fatalities on the school's campus or as part of any of the school's activities.

TBC makes available upon request the results of its biennial review as well as the data and methods supporting its conclusions. This information can be obtained through the Student Services Department or the Corporate Office.

HEALTH RISKS ASSOCIATED WITH DRUG AND ALCOHOL ABUSE

Outlined below is a listing of drugs of abuse and their health risks taken from the U.S. Drug Enforcement Administration website. A more complete and detailed accounting may be found at their website at <http://www.dea.gov/druginfo/factsheets.shtml>. With any drug, prolonged use can lead to health issues as well as long-term dependency.

Alcohol

Low doses significantly impair the judgment and coordination needed to operate vehicles. Small amounts can also lower inhibitions. Moderate to high doses cause marked impairments in higher mental functions, loss of memory, and the ability to learn and remember information. High doses cause respiratory depression and death. Long-term consumption, particularly when combined with poor nutrition, can also lead to dependence and permanent damage to vital organs such as the brain and liver. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation.

Cannabis

(Marijuana, Hashish, Hashish Oil, Tetrahydrocannabinol)
Physical effects of cannabis include increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time, reduce ability to perform tasks requiring concentration and coordination, and impair driving ability. Motivation and cognition may be altered, making the acquisition of new information difficult. Drugs such as marijuana, hashish, and THC can also produce paranoia and psychosis. Long-term use may result in possible lung damage, reduced sperm count and sperm motility, and may affect ovulation cycles. Cannabis can also be psychologically addictive.

Inhalants

(Nitrous Oxide, Amyl Nitrite, Butyl Nitrite, Chlorohydrocarbons, Hydrocarbons)
Immediate effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite cause rapid pulse, headaches, and involuntary passing of urine and feces. Long-term use may result in hepatitis or brain damage. Deeply inhaling vapors, or using large amounts over a short time, may result in disorientation, violent behavior, unconsciousness, or death. High concentrations of inhalants can cause

suffocation by displacing oxygen in lungs. Long-term use can cause weight loss, fatigue, electrolyte imbalance, muscle fatigue, and permanent damage to the nervous system.

Cocaine (Crack)

Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature. Occasional use can cause nasal irritation; chronic use can ulcerate the mucous membrane of the nose. Crack or freebase rock is extremely addictive. Physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures. The use of cocaine can cause death by cardiac arrest or respiratory failure.

Stimulants

(Amphetamines, Methamphetamines, Crank, Ice)
Stimulants cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. Users may experience sweating, headache, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause rapid or irregular heartbeat, tremors, loss of coordination, and physical collapse. Amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure. In addition to physical effects, feelings of restlessness, anxiety, and moodiness can result. Use of large amounts over a long period of time can cause amphetamine psychosis that includes hallucinations, delusions, and paranoia. The use of amphetamines can cause physical and psychological dependence.

Depressants

(Barbituates, Methaqualone, Tranquilizers)

Small amounts can produce calmness and relaxed muscles, but somewhat larger doses can cause slurred speech, staggering gait, and altered perception. Large doses can cause respiratory depression, coma, and death. Combination of depressants and alcohol can multiply effects of the drugs, thereby multiplying risks. Babies born to mothers who abuse depressants during pregnancy may be physically dependent on the drugs and show withdrawal symptoms shortly after birth. Birth defects and behavioral problems may also result. The use of depressants can cause both physical and psychological dependence.

Hallucinogens

(PCP, LSD, Mescaline, Peyote, Psilocybin)

Phencyclidine (PCP) interrupts the functions of the neocortex, the section of the brain that controls intellect and instinct. PCP blocks pain receptors, and users can have violent PCP episodes resulting in self-inflicted injuries. Lysergic acid diethylamide (LSD), mescaline, and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness, and tremors.

Narcotics

(Heroin, Methadone, Codeine, Morphine, Meperidine, Opium)

Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea, and vomiting. Users may experience constricted pupils, watery eyes and itching. Overdoses may produce respiratory depression, clammy skin, convulsions, coma and death. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who experience severe withdrawal symptoms. Use of narcotics can cause physical and psychological dependence.

Designer Drugs

(Analogues of Fenatyl, Analogues of Meperidine, MDMA, Ecstasy, Analogues of PCP)

Many "designer drugs" are related to amphetamines and depressants and have mild stimulant and depressant properties. Use can produce severe neurochemical damage to the brain. Narcotic analogues can cause symptoms such as those seen in Parkinson's disease: uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage. Analogues of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating, and faintness. Psychological effects include anxiety, depression, and paranoia. Analogues of PCP cause illusions, hallucinations, and impaired perception.

Anabolic Steroids

Steroid users subject themselves to more than 70 side effects, ranging in severity from acne to liver cancer, including psychological as well as physical reactions. The liver and cardio-vascular and reproductive systems are most seriously affected by use. In males, use can cause withered testicles, sterility, and impotence. In females, irreversible masculine traits can develop along with breast reduction and sterility. Psychological effects in both sexes include very aggressive behavior, known as "roid rage," and depression. While some side effects appear quickly, others, such as heart attacks and strokes, may not show up for years.

SEXUAL HARASSMENT³ POLICY AND PROCEDURES

Introduction

Texas Barber College (TBC) is committed to equal opportunity and to maintaining a safe and healthy environment for all members of the TBC community (including students, faculty, staff), guests, and visitors. TBC prohibits and seeks to eliminate all forms of Sexual Harassment, including domestic violence, dating violence, sexual assault, and stalking⁴ as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act") and are included in this Policy's definition of Sexual Harassment. Information about and resources relating to these four crimes can be found in TBC's *Information Handbook on Domestic Violence, Dating Violence, Sexual Assault, & Stalking*, which is made available at every campus and by the TBC Corporate Office or a Student Services Representative upon request.

Under federal law, TBC has a duty to take steps to prevent and redress Sexual Harassment. Such conduct is contrary to TBC's values and is not tolerated. TBC's policies and procedures are intended to ensure that all members of the TBC community who are affected by an incident or complaint of Sexual Harassment receive appropriate

³ The term "Sexual Harassment" as used in this document includes but is not limited to the crimes of domestic violence, dating violence, sexual assault, and stalking, each of which is defined in [Appendix 1](#) to this Report. The full definition of "Sexual Harassment" is set forth in Section II.A. of *Sexual Harassment-Title IX-Policies & Procedures* below as well as in [Appendix 1](#).

⁴ The Violence Against Women Act (VAWA), signed into law by President Barack H. Obama in 2013, amended and strengthened the Clery Act and provided additional rights to victims of domestic violence, dating violence, sexual assault, and stalking.

support and equitable treatment, and that allegations of Sexual Harassment are handled in a prompt, fair, and impartial manner.

TBC prohibits Sexual Harassment, which is a form of prohibited sex discrimination, and includes any acts of sexual violence. Title IX of the Education Amendments of 1972 (“Title IX”) is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded education programs and activities. This protection against sex discrimination also applies to employment in and admission to TBC programs. The following person has been designated to handle inquiries regarding the non-discrimination:

Anthony Reed, 8201 S. Gessner Road, Ste. A, Houston, Texas 77036; (713) 953-0262, ext. 1403; email: titleixreports@txbarber.edu

Questions regarding Title IX may also be referred to the Office for Civil Rights – U.S. Department of Education (OCR), Dallas office at (214) 661-9600. The web address for OCR is <http://www2.ed.gov/about/offices/list/ocr/index.html>.

Information concerning Title IX can also be accessed via the U.S. Department of Education’s official Title IX website at https://sites.ed.gov/titleix/?utm_content&utm_medium=email&utm_name&utm_source=govdelivery&utm_term

Programs for Dating Violence, Domestic Violence, Sexual Assault, and Stalking

TBC prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for purposes of the *Clery Act* (see [Appendix 1](#): Glossary). Definitions of these same crimes from the Texas Penal Code are included in the section entitled “[Appendix 2](#): Texas State Law Definitions.” TBC seeks to promote the awareness of dating violence, domestic violence, sexual assault, and stalking through educational programs and campaigns. TBC will take appropriate action in an effort to eliminate Sexual Harassment from occurring, prevent its recurrence, and address its effects by conducting educational programs, including ongoing prevention and awareness campaigns, designed to promote awareness, reduce risk, and prevent Sexual Harassment.

TBC has primary prevention and awareness programs for all incoming students and new employees that provides them with a general information page about dating violence, domestic violence, sexual assault, and stalking, including distribution of its policies and procedures regarding Sexual Harassment as well as informational pamphlets about preventing sexual assault and a video about consent. This information defines the crimes of dating violence, domestic violence, sexual assault, and stalking, states that TBC prohibits such crimes, defines “consent” in reference to sexual activity, in the applicable jurisdiction, describes safe and positive options for bystander intervention, and provides information on risk reduction.

TBC also hosts ongoing prevention and awareness campaigns for current students and employees during the year. These programs and campaigns include the provision of information and periodic speakers, addressing (i) TBC's prohibition against the crimes of dating violence, domestic violence, sexual assault, and stalking and the definitions of these terms in the applicable jurisdiction; (ii) the definition of "consent" in reference to sexual activity in the applicable jurisdiction; (iii) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm; (iv) risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and (v) TBC policies and procedures victims should follow upon the occurrence of domestic violence, dating violence, sexual assault, or stalking as well as possible sanctions and protective measures TBC may impose.

Procedures for Victims of Dating Violence, Domestic Violence, Sexual Assault, Stalking or other Sexual Harassment

Reporting

Options for the Involvement of Law Enforcement

Victims have the option to (i) notify local police or campus authorities; (ii) be assisted by campus authorities in notifying local police if the victim so chooses; or (iii) decline to notify local police and/or campus authorities. If the victim chooses to contact campus authorities, he or she should contact the Title IX Coordinator at 713-953-0262, ext. 1403 or via email at titleixreports@txbarber.edu, a Campus Director, a supervisor, a corporate officer, a Student Services Representative, all of whom can be contacted in person or via the Executive Administrative Assistant at the Corporate Office by calling 713-953-0262, ext. 1407.

Preserving Evidence

If you are a victim of domestic violence, dating violence, sexual assault, or stalking, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. TBC strongly advocates that a victim report the incident in a timely manner to the police department by calling 9-1-1 or the numbers for local police departments (there are sex crimes units for Houston and Dallas) listed below. It is critically important to preserve evidence as it may be necessary to prove a criminal sex offense, such as domestic violence, dating violence, or sexual assault, in an on-campus disciplinary proceeding⁵ or in obtaining a protective order in court. Time is a critical factor for evidence collection and preservation.

Filing a police report will:

- (i) Ensure that a victim of sexual assault receives the necessary medical treatment and tests;

⁵ Disciplinary proceedings at TBC include fact-finding investigations and formal or informal meetings.

- (ii) Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, use the toilet or change clothing prior to a medical/legal exam); and
- (iii) Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

If a victim does not wish to file a police report, he or she should still try to preserve evidence of the crime by getting a forensic examination, which can be performed at the following hospitals:

Houston

Memorial Hermann Hospital
6411 Fannin Street
Houston, TX 77030
(713) 704-4000

Dallas

Texas Health Presbyterian Hospital
8200 Walnut Hill Lane
Dallas, TX 75231
(214) 345-6789

Sometimes victims and/or witnesses are hesitant to make an internal report to TBC because they fear that they themselves may be charged with policy violations. To encourage reporting, TBC follows a policy of offering victims and witnesses of domestic violence, dating violence, sexual assault, or stalking amnesty from being charged with alcohol or drug-related TBC policy violations if they had been using drugs or alcohol at or near the time of the incident.

TBC provides written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community. (See below.)

Regardless of whether or not a victim chooses to report the crime to local law enforcement or campus authorities, if a student who is a victim of a domestic violence, dating violence, sexual assault, stalking, or any other kind of Sexual Harassment requests it, TBC personnel will provide the student with information about the options for, available assistance in, and how to request changes to transportation or academic or, in the case of a TBC employee, working situations, or protective measures. Such options are subject to what is reasonably available at the time. A student seeking such assistance should contact a Student Services Representative at ext. 1436 [Houston] or ext. 1106 [Dallas] or the Title IX Coordinator at ext. 1403. As TBC does not provide on-campus housing, it cannot offer living accommodations in assisting a victim.

Written Explanation of a Victim's Rights and Options

A student or employee who reports to TBC that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or

off campus, shall be provided with a written explanation of his or her rights and options, including without limitation, possible sanctions or protective measures that TBC may impose and procedures for reporting and preserving evidence of the offense.

Protective and Restraining Orders

TBC will honor any order of protection, no-contact order, or similar lawful order issued by any criminal, civil or tribal court. A protective or restraining order can be obtained by filling out an application for such an order and filing it in court in the county where you live. In the event a TBC student or employee has an order of protection, no-contact order, restraining order, or similar lawful order issued by a criminal, civil, or tribal court against another individual, that student or employee should provide a copy of the order to the Corporate Office or Title IX Coordinator for TBC as soon as possible. In addition, the student or employee will be asked to provide a photograph of the person against whom the order has been issued for identification purposes. If the student or employee requests that TBC redact the student's or employee's personal information (e.g., name, address, etc.) prior to distributing the order to others, TBC will honor his or her request. Upon receipt of such an order, TBC management will promptly share the contents of the order and any and all identifying information about the person against whom the order has been issued with the TBC employees located at that student's campus or employee's worksite. Those TBC employees will be advised to immediately contact local police and their supervisor in the event the person against whom the order has been issued is seen in the vicinity of the student's campus or employee's worksite.

For more information on obtaining a protective or restraining order, call 1-800-374-4673 or go to www.texaslawhelp.org/protectiveorderkit.

Confidentiality

The privacy of the parties is a priority at TBC, and TBC will protect the anonymity of the victim and other necessary parties involved in a report or a complaint by refusing to disclose their identifying information to anyone outside TBC to the maximum extent permitted by law. Although requests for confidentiality will be maintained to the extent possible, sometimes, limited information must be disclosed in order to fully and fairly investigate a formal complaint. Certain TBC employees, such as the Title IX Coordinator, managers, supervisors, and other designated employees have an obligation to respond to reports of stalking, domestic violence, dating violence, sexual assault, or other Sexual Misconduct even if the individual making the report requests that no action be taken. Serious threats of harm to the general TBC community may be reported to the local police after considering the appropriate factors.

In regard to publicly available recordkeeping, including *Clery Act* reporting and disclosures, TBC will prevent publication of personally identifiable information about the victim either through redaction or nondisclosure.

TBC will maintain as confidential any supportive measures provided to the victim and other necessary parties, such as accommodations or protective measures, to the extent that maintaining such confidentiality would not impair the ability of TBC to provide the supportive measures.

TBC Resources for Victims

A student or employee who reports domestic violence, dating violence, sexual assault, or stalking or any other type of Sexual Misconduct, regardless of whether the alleged incident occurred on or off campus, the victim will be provided with the following by TBC:

- A copy of the *TBC Sexual Misconduct Policy* and the *TBC Sexual Harassment-Title IX-Policies & Procedures*, written information including their rights, reporting options, support resources, sanctions or protective measures that TBC may impose and procedures for reporting and preserving evidence of the offense.
- Financial aid-related services and information, such as options for addressing concerns about loan repayment terms and conditions.

Students can access financial aid information and services by contacting a TBC Financial Aid Representative at (713) 953-0262 [Houston] or (214) 943-7255 [Dallas], exts. 1413, 1411, or 1701.

- Information about how to apply for a leave of absence.

Students can access student services information and services by contacting a TBC Student Services Representative at (713) 953-0262 [Houston] or (214) 943-7255 [Dallas], extensions 1426, 1436, or 1106.

- Written information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available in the community – see *Outside Resources* below.

Outside Resources

TBC does not provide on-campus counseling, victim advocacy, health, mental health, legal assistance, visa and immigration assistance, or other student services for victims of stalking, domestic violence, dating violence, or sexual assault or other types of Sexual Misconduct. However, counseling and support services outside the TBC system can be obtained by calling the following phone numbers:

Mental Health

- Crisis Text LineText **HOME** to 741741
- North Texas Behavioral Health Authority.....866-260-8000
- MHMRA Helpline.....713-970-7000
- The Harris Center for Mental Health and IDD.....866-970-4770

Victim Advocacy & Counseling Δ

- Houston Area Women's Center.....713-528-7273
- Dallas Area Rape Crisis Center.....972-641-7273 or 214-590-0430
- Dallas Suicide & Crisis Center.....214-828-1000
- National Domestic Violence Hotline...800-799-SAFE (7233)
- The Bridge Over Troubled Waters.....713-473-2801

Legal Assistance

- Legal Aid of NorthWest Texas.....214-748-1234
- Lone Star Legal Aid.....800-733-8394

Immigration & Visa Assistance

- Immigrants' Rights Hotline.....833-468-4664
- Human Rights First.....713-955-1360

In addition, reports of sexual assault can be made to local police Departments for each campus, which can be contacted at the following phone numbers:

- Houston Police Department – Sex Crimes Unit713-308-1180
- Dallas Police Department – Sexual Assault Unit..... 214-671-3584

Δ - See also the *Information Handbook on Domestic Violence, Dating Violence, Sexual Assault, and Stalking*, which contains a lengthy list of local, state and federal resources for Dallas and Houston, at https://txbarber.edu/information_handbook_on_domestic-violence_dating_violence_sexual_assault/. You may also request a hard copy of this handbook from a Campus Director, Student Services Representative, the Title IX Coordinator, or the Corporate Office at (713) 953-0262, ext. 1407.

Bystander Intervention

All members of the TBC community play a critical role in preventing sexual violence by establishing healthy and positive relationships that are based on respect, safety, and equality. Everyone can play an active role in stopping sexual violence before it occurs by becoming engaged bystanders. An engaged bystander is someone who intervenes before, during, or after a situation when they see or hear behaviors that promote sexual violence. Safe and positive options for **bystander intervention** include, without limitation, the following:

- When you witness sexual violence, get support from people around you; you do not have to act alone.
- Contact your local community-based sexual assault center to see if they offer resources or training on bystander intervention.
- Practice with family and friends about what you would say and how you would say it.
- When intervening, be respectful, direct, and honest.
- If you see or hear something and you do not feel safe, contact such authorities as the police, Child Protective Services, or Adult Protective Services.

Reducing risk of abusive behavior requires recognizing warning signs. It's impossible to know with certainty what goes on behind closed doors, but there are some telltale signs and symptoms of emotional abuse and domestic violence. If you witness any warning signs of abuse in a friend, family member, or co-worker, take them very seriously.

General warning signs of domestic abuse

People who are being abused may:

- Seem afraid or anxious to please their partner
- Go along with everything their partner says and does
- Check in often with their partner to report where they are and what they're doing
- Receive frequent, harassing phone calls from their partner
- Talk about their partner's temper, jealousy, or possessiveness

Warning signs of physical violence

People who are being physically abused may:

- Have frequent injuries, with the excuse of "accidents"
- Frequently miss work, school, or social occasions, without explanation
- Dress in clothing designed to hide bruises or scars (e.g., wearing long sleeves in the summer or sunglasses indoors)

Warning signs of isolation

People who are being isolated by their abuser may:

- Be restricted from seeing family and friends
- Rarely go out in public without their partner
- Have limited access to money, credit cards, or the car

The psychological warning signs of abuse

People who are being abused may:

- Have very low self-esteem, even if they used to be confident
- Show major personality changes (e.g., an outgoing person becomes withdrawn)
- Be depressed, anxious, or suicidal

Risk Reduction Strategies

Acts of Sexual Harassment not only devastate their victims, but also the campus communities where they occur. For these reasons, TBC shall engage in risk reduction strategies emphasizing the collective responsibility of the campus community to reduce the risk of Sexual Harassment. As a part of that effort, orientation for every new student and employee shall include information about Sexual Harassment and how to prevent it. The information will provide resources, including guidance about bystander intervention and this Sexual Harassment policy. Common sense, situational awareness and trusting your instincts will reduce your risk of being subjected to Sexual Harassment.

Risk reduction strategies include, but are not limited to, the following:

- If you consume alcohol, do so in moderation;
- Do not leave your beverage unattended or accept a drink from an open container;
- When you are with someone, communicate clearly to ensure he or she knows your limits from the beginning (both verbal and nonverbal (body language) communication can be used to ensure the message is understood);
- If you go on a date with someone you do not know very well, tell a close friend what your plans are;
- You have the right to say "No" even if you first say "Yes" and then change your mind, have had sex with this partner before, have been kissing or "making out" or are wearing what is perceived to be "provocative" clothing;
- Always have extra money to get home and have a plan for someone you can call if you need help;
- If you feel uncomfortable, scared or pressured, act quickly to end the situation by saying "Stop it" and leave or call for help;
- When you go to a party, go with a group of friends, arrive together, watch out for each other and leave together;
- Be aware of your surroundings at all times;
- Do not allow yourself to be isolated with a person you do not know or trust;
- Travel with a friend or in a group;
- Walk only in lighted areas after dark;
- Keep the doors to homes and cars locked;
- Know where a phone is located.

SEX OFFENDER REGISTRY

Convicted sex offenders are required to register with local law enforcement in the jurisdiction where they live. That information is also provided to the Texas Department of Public Safety, which maintains a public database of names, crimes and addresses. Information concerning Sex Offender Registration information and registered sex offenders is found at the Texas Department of Public Safety web site for Sex Offender Registration at: <https://publicsite.dps.texas.gov/SexOffenderRegistry>

Sexual Harassment - Title IX – Policies & Procedures

**As Required by the U.S. Department of Education Title IX Amendments
(34 C.F.R. § 106.30, 106.44, 106.45, effective August 14, 2020 – “Title IX Amendments”)**

I. Introduction

As required by the U.S. Department of Education (USDOE), effective August 14, 2020, this *Sexual Harassment – Title IX – Policies & Procedures* document (the “Title IX Policy”) addresses certain allegations of Sexual Misconduct subject to the Title IX Amendments as set forth in Section II, below. This Title IX Policy contains citations to the applicable sections of the Title IX Amendments (34 C.F.R. Part 106) throughout. For the complete *TBC Sexual Misconduct Policy*, which addresses Sexual Misconduct beyond the scope of this Title IX Policy, please access the following link:

<https://txbarber.edu/wp-content/uploads/2021/09/Sexual-Misconduct-Policy-2021.pdf>.

The following Title IX Policy proceeds in five additional sections:

- **Section II** defines the scope of this Title IX Policy.
- **Section III** contains the USDOE’s statements regarding equitable treatment under the Title IX Amendments. Equitable treatment includes the provision of Supportive Measures and waiting until the Grievance Process ends to make conclusions as to whether a person violated the Title IX Policy.
- **Section IV** describes TBC’s Responses to Sexual Harassment
- **Section V** sets for the Grievance Process for Formal Complaints of Sexual Harassment. This section provides information on filing a Formal Complaint of Sexual Harassment, the investigation process, the role of the Title IX Coordinator, Title IX’s live hearing option, the appeals process, and related topics.
- **Section VI** explains that TBC will not retaliate against any person for that person’s involvement in activities related to Title IX complaints.

This Title IX Policy, as dictated by the USDOE, along with the comprehensive *TBC Sexual Misconduct Policy*, are intended to define, address, and remedy Sexual Misconduct for members of the TBC community (defined for purposes of this Process to include faculty, staff, students, and those who use TBC facilities as well as those who are

seeking to participate in TBC’s educational and employment programs, such as applicants for admission or employment). TBC prohibits Sexual Misconduct by members of the TBC community. The prohibition applies regardless of the gender of the individuals involved and includes sexual relationships involving a status differential and those between peers, colleagues, and co-workers.

This Title IX Policy applies to all members of the TBC community and its terms supersede any contrary TBC policies pertaining to the investigation or adjudication of Sexual Harassment as defined in this Title IX Policy. Questions about this Title IX Policy and its applicability to any alleged conduct may be directed to TBC’s Title IX Coordinator, who oversees compliance with applicable non-discrimination policies, including this Title IX Policy:

Anthony Reed
Director of Barbering
8201 S. Gessner Road, Ste. A
Houston, Texas 77036
(713) 953-0262, ext. 1403
Email address: titleixreports@txbarber.edu.

II. Scope of Process

This Title IX Policy, as required by the Title IX Amendments (§ 106.44(a)), applies to conduct that meets both:

- A definitional requirement: conduct on the basis of sex that constitutes “Sexual Harassment” and
- A jurisdictional requirement: conduct that relates to a TBC “education program or activity” against a person in the United States on or after August 14, 2020.

A. Definitional Requirement

Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of TBC conditioning the provision of an aid, benefit, or service of TBC 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 TBC’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\(a\)\(30\)](#).

B. Jurisdictional Requirement

An “education program or activity” includes buildings or other locations that are part of TBC’s operations and off-campus settings if TBC exercises substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by TBC. The Title IX Amendments exclude any “education program or activity” that does not occur in the United States. (§ 106.44(a).) Sexual Misconduct that does not satisfy the USDOE’s jurisdictional requirement, such as off-campus behavior alleged to have an on-campus effect, may be addressed under alternative procedures, as provided in the *TBC Sexual Misconduct Policy*, instead of this Title IX Policy.

C. Other Definitions

Actual Knowledge means notice of Sexual Harassment or allegations of Sexual Harassment to TBC’s Title IX Coordinator or any official of TBC who has authority to institute corrective measures on behalf of TBC⁶. Notice can be through an oral report of Sexual Harassment by a Complainant or anyone else, a written report, through personal observation, through a newspaper article, through an anonymous report, or through various other means. However, imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute Actual Knowledge. This standard is not met when the only official of TBC with Actual Knowledge is the Respondent. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of TBC.

Complainant means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that TBC investigate the allegation of Sexual Harassment. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of TBC with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information provided for the Title IX Coordinator, and by any additional method designated by TBC. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by TBC) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint. Where the Title IX Coordinator

⁶ Officials with authority to institute corrective measures on behalf of TBC are the Chief Financial Officer/Chief Operating Officer, the President/General Counsel, and the Director of Barbering.

signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party, and must comply with the requirements of this part,

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Sexual Misconduct is a broader term that covers other sex-based conduct beyond the USDOE's Title IX "Sexual Harassment" definition. Sexual Misconduct that does not satisfy the USDOE's definition of "Sexual Harassment" may be addressed under alternative procedures, as provided in the *TBC Sexual Misconduct Policy*, instead of this Title IX Policy.

Supportive Measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to TBC's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or TBC's educational environment, or deter Sexual Harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or campus locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. TBC must maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

III. USDOE Statements of Equitable Treatment

A. As required by USDOE's Title IX Amendments, TBC's Title IX Policy treats Complainants and Respondents equitably by: (1) offering Supportive Measures (as defined above) to a Complainant, and (2) following a complaint process that complies with the procedural requirements of the Title IX Amendments before the imposition of any disciplinary sanctions against a Respondent. (§ 106.44(a); § 106.45(b)(1)(i).) Supportive Measures also may be offered as needed to Respondents and other members of the TBC community who may be affected by Sexual Harassment.

B. TBC will keep any Supportive Measures provided to a Complainant or Respondent private, to the extent possible. Supportive Measures that affect other members of the TBC community (e.g., mutual No-Contact Directives, where the other party must be informed of the order and its implications) may be disclosed to facilitate implementation. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

C. An individual's status as a Respondent will not be considered a negative factor during any part of an informal complaint process or the Grievance Process. Respondents are entitled to, and will receive the benefit of, a presumption that they are not responsible for the alleged conduct unless and until the process concludes and a determination regarding responsibility is issued. Similarly, a person's status as a Complainant, Respondent, or witness will not determine whether that person is deemed credible. (§ 106.45(b)(1)(ii-iv).)

D. TBC's Grievance Process provides remedies to a Complainant only if the Formal Complaint results in a determination that the Respondent is responsible for Sexual Harassment. Remedies are designed to restore or preserve equal access to TBC's education program or activity and may include the same individualized services as TBC provided to the Complainant as Supportive Measures, additional services, or different services. Remedies may be disciplinary and punitive and may burden a Respondent. (§ 106.45(b)(1)(i).)

E. Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process (collectively, Title IX Administrators) will not have a conflict of interest or bias in favor of or against Complainants or Respondents generally or an individual Complainant or Respondent. TBC will provide necessary and appropriate training to each Title IX Administrator to accurately identify situations that require a response under Title IX. Training materials will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of Sexual Harassment. (§ 106.45(b)(1)(iii).)

IV. TBC's Responses to Sexual Harassment

General Response to Sexual Harassment

With or without a Formal Complaint, if TBC has Actual Knowledge of Sexual Harassment in its education program or activity against a person in the United States, TBC will respond promptly in a manner that is not deliberately indifferent. TBC is deliberately indifferent only if its response to Sexual Harassment is clearly unreasonable in light of the known circumstances. For the purposes of this Policy, "education program or activity" includes locations, events, or circumstances over which TBC exercised substantial control over both the Respondent and the context in which the Sexual Harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution.

TBC's response will treat Complainants and Respondents equitably by offering Supportive Measures to a Complainant, and by following a process that complies with the policies and procedures set forth in the Grievance Process before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures against a Respondent.

The Title IX Coordinator will promptly contact the Complainant to discuss the availability of Supportive Measures, consider the Complainant's wishes with respect to Supportive Measures, inform the Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint.

Response to a Formal Complaint

In response to a Formal Complaint as defined in Section II above, TBC must follow the Grievance Process set forth in Section V below.

Emergency Removal

Nothing in this Title IX Policy precludes TBC from removing a Respondent from TBC's education program or activity on an emergency basis, provided that TBC undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

Administrative Leave

Nothing in this Title IX Policy precludes TBC from placing a non-student employee Respondent on administrative leave during the pendency of a Grievance Process.

V. Grievance Process for Formal Complaints of Sexual Harassment

Formal Complaint

If an individual wishes to pursue an incident of Sexual Harassment beyond simply reporting it, they may file a Formal Complaint, which can be done through a TBC *Formal Complaint Questionnaire* or other documented means, and submitted to the Title IX Coordinator via hand delivery, by mail, email, or fax. TBC does not limit the timeframe for filing a Formal Complaint, which can be submitted at any time following an incident, although TBC's ability to take any action may be limited because of the passage of time.

If TBC receives an allegation of Sexual Misconduct that falls within the Formal Complaint Process' scope (it meets both the Title IX Amendments' definition of "sexual harassment" and their jurisdictional requirements (see Section II above)), but no Formal Complaint is filed, then the Title IX Amendments prevent TBC from administering this formal Grievance Process (including any informal or early resolution) that permits the imposition of any disciplinary sanctions or other actions against a Respondent. Supportive Measures, however, may still be given. (§ 106.44(a); § 106.45(b)(1)(i); see also § 106.8(c).) Accordingly, TBC strongly

encourages Complainants to file a Formal Complaint, so that the required Grievance Process can be followed.

Grievance Process – Basis Requirements

The Grievance Process **treats Complainants and Respondents equitably** by providing remedies to a Complainant where a determination of responsibility for Sexual Harassment has been made against the Respondent, and by this specific process before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures against a Respondent. The Grievance Process includes TBC's procedures and permissible bases for the Complainant and Respondent to appeal, and it describes the range of Supportive Measures available to Complainants and Respondents.

Remedies must be designed to restore or preserve **equal access to TBC's education program or activity** and may include Supportive Measures; however remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. TBC may convert a report of Sexual Harassment into a Formal Complaint if TBC determines that it must take additional steps to protect the TBC community.

The TBC Grievance Process will include an **objective evaluation of all relevant evidence** - including both inculpatory and exculpatory evidence - and credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

The Title IX Coordinator, investigator, decision-maker, or any person designated by TBC to facilitate an **informal resolution process**, will not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. In addition, these individuals will have received training on the definition of Sexual Harassment, the scope of TBC's education program or activity, how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

In the event of a **live hearing**, TBC decisionmakers will have received training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators will have received training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, shall not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of Sexual Harassment.

The TBC Grievance Process will include a **presumption that the Respondent is not responsible** for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Grievance Process.

The conclusion of the Grievance Process will occur within a **reasonably prompt time frame**, and temporary delays of the Grievance Process or the limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance, or accommodation of disabilities.

Following any determination of responsibility, TBC may implement the following **disciplinary sanctions and remedies**: (i) written disciplinary warning; (ii) disciplinary probation; (iii) suspension of rights and privileges; (iv) suspension from school if a student or paid or unpaid suspension if a TBC employee; (v) expulsion from School, or termination of employment in the case of a TBC employee; (vi) prohibition of any interaction between the victim and the accused and/or a requirement that they maintain a specified distance apart (e.g., a “No Contact” directive); (vii) refusal to service a client at a TBC campus; or (viii) termination of services with a third party vendor.

The **standard of evidence** to be used to determine responsibility is the **clear and convincing** evidence standard, which will be applied uniformly to all categories of Complainants and Respondents.

TBC will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a **legally recognized privilege**, unless the person holding such privilege has waived the privilege.

Notice of Allegations

Upon receipt of a Formal Complaint, TBC will provide the following written notice to the parties who are known:

- TBC's written Grievance Process, including any informal resolution process;
- the allegations of Sexual Harassment, which includes sufficient details known at the time and with sufficient time to prepare a response before any initial interview (e.g., identities of the parties involved in the incident, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known);
- a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the Grievance Process;
- inform the parties that, pursuant to applicable regulations, they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence;
- inform the parties of provisions in its policies on harassment that knowingly making false claim of harassment during the Grievance Process will be subject to corrective action, up to and including, termination of employment or enrollment.

If, in the course of an investigation, TBC decides to investigate allegations about the Complainant or Respondent that are not included in the above-described notice, TBC will provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a Formal Complaint

TBC will investigate all allegations in a Formal Complaint. However, if the conduct alleged in the Formal Complaint would not constitute Sexual Harassment even if proved, did not occur in TBC's education program or activity, or did not occur against a person in the United States, then TBC will dismiss the Formal Complaint with regard to that conduct for purposes of Sexual Harassment under Title IX or 34 CFR §106.45. Such a dismissal does not preclude action under another provision of TBC's policies and procedures.

In addition, TBC may dismiss a Formal Complaint or any allegations therein if at any time during the investigation or hearing:

- a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- the Respondent is no longer enrolled or employed by TBC; or
- specific circumstances prevent TBC from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Upon a dismissal required or permitted pursuant to the above, TBC will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties.

Consolidation of Formal Complaints

If there are Formal Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances, TBC may consolidate the complaints as to allegations of Sexual Harassment.

Investigation of a Formal Complaint

When investigating a Formal Complaint and throughout the Grievance Process, TBC will do the following:

- ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on TBC and not on the parties provided that TBC cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or

assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless TBC obtains that party's voluntary, written consent to do so for a Grievance Process pursuant to this Title IX Policy;

- provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- provide the parties with the same opportunities to have others present during any grievance meeting or proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the Complainant or Respondent in any meeting or grievance proceeding; however, TBC may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which TBC does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, TBC will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) days to submit a written response, which the investigator will consider prior to completion of the investigative report. TBC will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and
- create an investigative report that fairly summarizes relevant evidence and, ten (10) days prior to a hearing (if a hearing is required under this section or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

Hearings

TBC's Grievance Process includes the opportunity for a live hearing. At the live hearing, the decision-maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding the discretion of TBC to establish restrictions regarding the extent to which the advisor may participate in the proceedings as stated above, or to otherwise restrict the extent to which advisors may participate in the proceedings.

At the request of either party, TBC must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions. Only relevant cross-examination and other questions may be asked of a party or witness.

Before a Complainant, Respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. If a party does not have an advisor present at the live hearing, TBC will provide without fee or charge to that party, an advisor of TBC's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party. 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.

If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Live hearings pursuant to this section may be conducted with all parties physically present in the same geographic location or, at TBC's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. TBC will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

Proceedings for Sexual Harassment complaints will be conducted by trained officials and will include a prompt, fair and impartial process.

Determination Regarding Responsibility

The decision-maker(s), who will not be the same person(s) as the Title IX Coordinator or the investigator(s), will issue a written determination regarding responsibility (the “Determination”). To reach this Determination, TBC will apply the clear and convincing evidence standard.

The Determination will include the following:

- identification of the allegations potentially constituting Sexual Harassment;
- a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- findings of fact supporting the Determination;
- conclusions regarding the application of TBC’s policies and procedures and/or code of conduct to the facts;
- statement of, and rationale for, the result as to each allegation, including a Determination regarding responsibility, any disciplinary sanctions TBC imposes on the Respondent, and whether remedies designed to restore or preserve equal access to TBC’s education program or activity will be provided by TBC to the Complainant; and
- TBC's procedures and permissible bases for the Complainant and Respondent to appeal.

TBC will provide the Determination to the parties simultaneously. The Determination becomes final either on the date that TBC provides the parties with the written determination of the result of an appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals

Both parties have the opportunity to appeal a determination regarding responsibility, and TBC's dismissal of a Formal Complaint or any allegations therein, on the following bases:

- a procedural irregularity that affected the outcome of the matter;
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

- the Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

TBC may offer an appeal equally to both parties on additional bases.

In the event of any appeal, TBC will:

- notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- ensure that the decisionmaker(s) for the appeal is not the same person as the decisionmaker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- ensure that the decisionmaker(s) for the appeal complies with the standards set forth in Section 3. E. above;
- give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- issue a written decision describing the result of the appeal and the rationale for the result; and
- provide the written decision simultaneously to both parties.

An appeal must be in writing signed by the party initiating the appeal and delivered to the Title IX Coordinator within thirty (30) calendar days from the date the parties received the Determination. If submitted via email, the appeal request must be sent to the following email address: titleixreports@txbarber.com with the word **APPEAL** in the subject heading. The Title IX Coordinator will issue a written finding to the Complainant and Respondent of the outcome of the appeal as soon as practicable, but no later than forty-five (45) calendar days from receipt of the appeal, subject to good cause exception.

Informal Resolution

TBC will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Formal Complaints of Sexual Harassment. Similarly, TBC will not require the parties to participate in an informal resolution process pursuant to this Title IX Policy and may not offer an informal resolution process unless a Formal Complaint is filed.

However, at any time prior to reaching a Determination, TBC may facilitate an informal resolution process – a process intended to allow the Complainant and the Respondent to provide information about the alleged incident(s) of Sexual Harassment, and to reach a mutually agreeable resolution that does not involve a full investigation and adjudication, provided that TBC does the following:

- provides to the parties a written notice disclosing:

- The allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Grievance Process with respect to the Formal Complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- obtains the parties' voluntary, written consent to the informal resolution process; and
- does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Recordkeeping

TBC will maintain for a period of seven (7) years records of the following:

- each Sexual Harassment investigation including any Determination and any audio or audiovisual recording or transcript required by law or regulation, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to TBC's education program or activity;
- any appeal and the result therefrom;
- any informal resolution and the result therefrom; and
- all materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process. These training materials are publicly available on TBC's website.

For each response required under § 106.44, TBC will create, and maintain for a period of seven (7) years, records of any actions, including any Supportive Measures, taken in response to a report or Formal Complaint. In each instance, TBC will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to TBC's education program or activity. If TBC does not provide a Complainant with Supportive Measures, then TBC will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit TBC in the future from providing additional explanations or detailing additional measures taken.

V. Retaliation (§ 106.71.)

A. 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, its regulation, or this Title IX Policy, 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. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this Title IX Policy, constitutes retaliation.

B. TBC will “keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint, any [C]omplainant, any individual who has been reported to be the perpetrator of sex discrimination, any [R]espondent, and any witness, except as may be permitted” by Title IX, FERPA, or as otherwise required by law, or to carry out TBC’s Title IX Policy or other resolution procedures under this Title IX Policy.

C. The exercise of rights protected under the First Amendment does not constitute retaliation. The First Amendment does not restrict the activities of private universities including TBC; however, the USDOE is subject to the First Amendment and may not administer the Title IX Amendments in a manner that violates the First Amendment.

D. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of the Grievance Process or any proceeding relating to Sexual Harassment does not constitute retaliation. A Determination alone, however, is not sufficient to conclude that any party made a materially false statement in bad faith.

E. Complaints alleging retaliation may be filed with the Title IX Coordinator and will follow grievance procedures under the *TBC Sexual Misconduct Policy*. In the event an individual alleges that the Title IX Coordinator retaliated against them, the individual may file a complaint with the President, who will follow the grievance procedures either under the *TBC Sexual Misconduct Policy*. The Title IX Coordinator (nor staff under the Title IX Coordinator’s supervision) will not oversee the investigation or adjudication of a complaint alleging that the Title IX Coordinator engaged in retaliation. If the President is also the Title IX Coordinator, an individual alleging the Title IX Coordinator retaliated against them may file a complaint with the Director of Student Services.

APPENDIX 1

GLOSSARY*

“Awareness programs” means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

“Bystander intervention” means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding the institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

“Complainant” is an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment, as defined in this Policy.

“Consent” means a voluntary and positive agreement between the participants to engage in sexual activity. Consent to sexual activity may be communicated in a variety of ways, but one should presume that consent has not been given in the absence of a clear, positive agreement between the participants. While verbal consent is not an absolute requirement for consensual sexual activity, verbal communication prior to engaging in sexual activity helps to clarify consent and avoid any misunderstandings.

Consent must be clear and unambiguous for each participant at every stage of a sexual encounter. A prior relationship does not indicate consent to future activity. A person who is asleep or mentally or physically incapacitated, either through the effect of drugs, alcohol, or for any other reason, is not capable of giving valid consent. The use of alcohol or drugs may seriously interfere with the participants’ judgment about whether consent has been sought and given.

“Dating violence” means “violence committed by a person --- (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) 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; and (c.) the frequency of interaction between the persons involved in the relationship.”

“Domestic violence” means “a felony or misdemeanor crime of violence committed by-- (i) a current or former spouse or intimate partner of the victim; (ii) a person with whom the victim shares a child in common; (iii) a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (iv) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under the Violence Against Women Reauthorization Act of 2013]; or (v) 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.”

“On campus” means “(i) any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and (ii) any

building or property that is within or reasonably contiguous to the area identified in paragraph (i) 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).”

“Ongoing prevention and awareness campaigns” means programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution and including information about bystander intervention, risk reduction, and jurisdictional definitions of “consent,” “dating violence,” “domestic violence,” “stalking,” and “sexual assault.”

“Primary prevention programs” means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

“Proceeding” means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings. *Proceeding* does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

“Public property” means “all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.” The regulatory definition of “public property” in 34 C.F.R. 668.46(a) includes “all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.” Note: in order for this definition to apply, the property in question must satisfy all three conditions: (i) public (e.g., publicly-owned); (ii) within or adjacent to campus; and (iii) accessible from campus. This definition excludes any private property, and may in some cases exclude areas such as property divided by a fence or wall, or property with clearly posted signs indicating that it is not part of the campus or that trespassing is prohibited. Private property where students have established regular usage – whether legal, illegal, open, or inconspicuous – that is not otherwise campus or noncampus property, is not public property for Clery reporting purposes. The Department applies no specific measurable distance definition into adjacent public property. When the campus is adjacent to a public park, that does not otherwise meet the definition of a public property, some institutions have employed the practice of clearly designating campus boundaries through posted signage, such as warnings that individuals are entering a “non-campus area” or through “no trespassing” signs, where applicable.

“Rape” means 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.

“Respondent” is an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

“Result” means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and sanctions.

“Risk reduction” means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

“Stalking” means “engaging in a course of conduct directed at a specific person that would cause a reasonable person to -- (i) fear for his or her safety or the safety of others; or (ii) suffer substantial emotional distress.”

“Sexual Assault” means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation (see definitions of “forcible” and “non-forcible” sex offenses below).

“Sexual Harassment” is defined in the Title IX Amendments (§ 106.30) to be conduct on the basis of sex that satisfies one or more of the following:

1. A TBC faculty or staff member/employee conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct (“quid pro quo”);
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 TBC’s education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking (all of which are defined in this Glossary).

Sex Offenses-Forcible

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. Rape- 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.

B. Forcible Sodomy- Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the persons 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.

Sex Offenses-Nonforcible

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.

*The definitions in this Glossary apply only to the above listed words and terms as they are used in or in relation to the “Domestic Violence, Dating Violence, Sexual Assault and Stalking Policy” as stated herein. These definitions do not replace applicable local jurisdiction definitions.

APPENDIX 2

TEXAS STATE LAW DEFINITIONS

Texas State Law Definitions – Domestic Violence, Dating Violence, Sexual Assault, Stalking and Consent*

Sec. 22.011. SEXUAL ASSAULT. (a) A person commits an offense if the person:

- (1) intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
 - (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor.

Sec. 22.011. A sexual assault under Subsection (a) (1) is without the **CONSENT** of the other person if:

- (1) the actor compels the other person to submit or participate by the use of physical force or violence;
- (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;
- (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
- (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
- (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
- (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
- (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
- (8) the actor is a public servant who coerces the other person to submit or participate;
- (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
- (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or
- (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

Sec. 71.004. FAMILY VIOLENCE. "Family violence" means:

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

Sec. 42.072. STALKING. (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:

(A) bodily injury or death for the other person;

(B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or

(C) that an offense will be committed against the other person's property;

(2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and

(3) would cause a reasonable person to:

(A) fear bodily injury or death for himself or herself;

(B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;

(C) fear that an offense will be committed against the person's property; or

(D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

Sec. 71.0021. DATING VIOLENCE. (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:

(1) is committed against a victim:

(A) with whom the actor has or has had a dating relationship; or

(B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

(2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.

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

(1) the length of the relationship;

(2) the nature of the relationship; and

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

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

APPENDIX 3

CRIME STATISTICS



CRIME STATISTICS REPORT

Main Campus - 8201 S Gessner, Houston, TX 77036

Offense	Year	Property Location	
		On-Campus	Public
Murder/Non-negligent Manslaughter	2018	0	0
	2019	0	0
	2020	0	0
Negligent Manslaughter	2018	0	0
	2019	0	0
	2020	0	0
Sex Offenses: (i) Rape; (ii) Fondling; (iii) Incest; & (iv) Statutory Rape	2018	0	0
	2019	0	0
	2020	0	0
Robbery	2018	0	0
	2019	0	0
	2020	0	0
Aggravated Assault	2018	0	0
	2019	0	0
	2020	0	0
Burglary	2018	0	0
	2019	0	0
	2020	0	0
Motor Vehicle Theft	2018	0	0
	2019	0	0
	2020	1	0
Arson	2018	0	0
	2019	0	0
	2020	0	0
Weapons: Carrying, Possessing, Etc.: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Weapons: Carrying, Possessing, Etc.: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	0	0
Drug Abuse Violations: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Drug Abuse Violations: Disciplinary Referrals	2018	7	0
	2019	6	0
	2020	4	0
Liquor Law Violations: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Liquor Law Violations: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	1	0
(i) Sexual Assault	2018	0	0
	2019	0	0
	2020	0	0
(ii) Domestic Violence	2018	0	0
	2019	0	0
	2020	0	0
(iii) Dating Violence	2018	0	0
	2019	0	0
	2020	0	0
(iv) Stalking	2018	0	0
	2019	0	0
	2020	0	0
Unfounded Crime reports and withheld from crime statistics	2018	0	0
	2019	0	0
	2020	0	0



CRIME STATISTICS REPORT

CAMPUS 1 - 5148 S. Lancaster Rd., Dallas, TX 75241

Offense	Year	Property Location	
		On-Campus	Public
Murder/Non-negligent Manslaughter	2018	0	0
	2019	0	0
	2020	0	0
Negligent Manslaughter	2018	0	0
	2019	0	0
	2020	0	0
Sex Offenses: (i) Rape; (ii) Fondling; (iii) Incest; & (iv) Statutory Rape	2018	0	0
	2019	0	0
	2020	0	0
Robbery	2018	0	0
	2019	0	0
	2020	0	0
Aggravated Assault	2018	0	0
	2019	0	0
	2020	0	0
Burglary	2018	0	0
	2019	0	0
	2020	0	0
Motor Vehicle Theft	2018	2	0
	2019	0	0
	2020	0	0
Arson	2018	0	0
	2019	0	0
	2020	0	0
Weapons: Carrying, Possessing, Etc.: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Weapons: Carrying, Possessing, Etc.: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	0	0
Drug Abuse Violations: Arrests	2018	1	0
	2019	0	0
	2020	0	0
Drug Abuse Violations: Disciplinary Referrals	2018	0	0
	2019	1	0
	2020	2	0
Liquor Law Violations: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Liquor Law Violations: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	0	0
(i) Sexual Assault	2018	0	0
	2019	0	0
	2020	0	0
(ii) Domestic Violence	2018	0	0
	2019	0	0
	2020	0	0
(iii) Dating Violence	2018	0	0
	2019	0	0
	2020	0	0
(iv) Stalking	2018	0	0
	2019	0	0
	2020	0	0
Unfounded Crime reports and withheld from crime statistics	2018	0	0
	2019	0	0
	2020	0	0

Hate Crimes - Public

CAMPUS 1 - 5148 S. Lancaster Rd., Dallas, TX 75241

[illegible]



CRIME STATISTICS REPORT

CAMPUS 2 - 9888 Ferguson Rd., Dallas, TX 75228

Offense	Year	Property Location	
		On-Campus	Public
Murder/Non-negligent Manslaughter	2018	0	0
	2019	0	0
	2020	0	0
Negligent Manslaughter	2018	0	0
	2019	0	0
	2020	0	0
Sex Offenses: (i) Rape; (ii) Fondling; (iii) Incest; & (iv) Statutory Rape	2018	0	0
	2019	0	0
	2020	0	0
Robbery	2018	0	0
	2019	1	0
	2020	0	0
Aggravated Assault	2018	0	0
	2019	0	0
	2020	0	0
Burglary	2018	0	0
	2019	0	0
	2020	0	0
Motor Vehicle Theft	2018	0	0
	2019	0	0
	2020	0	0
Arson	2018	0	0
	2019	0	0
	2020	0	0
Weapons: Carrying, Possessing, Etc.: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Weapons: Carrying, Possessing, Etc.: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	0	0
Drug Abuse Violations: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Drug Abuse Violations: Disciplinary Referrals	2018	0	0
	2019	1	0
	2020	3	0
Liquor Law Violations: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Liquor Law Violations: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	0	0
(i) Sexual Assault	2018	0	0
	2019	0	0
	2020	0	0
(ii) Domestic Violence	2018	0	0
	2019	0	0
	2020	0	0
(iii) Dating Violence	2018	0	0
	2019	0	0
	2020	0	0
(iv) Stalking	2018	0	0
	2019	0	0
	2020	0	0
Unfounded Crime reports and withheld from crime statistics	2018	0	0
	2019	0	0
	2020	0	0



CRIME STATISTICS REPORT

Campus 5 - 4473 North Freeway, Houston TX 77022 (for 2018, statistics limited to 05/30/2018-12/31/2018)*

Offense	Year	Property Location	
		On-Campus	Public
Murder/Non-negligent Manslaughter	2018	0	0
	2019	0	0
	2020	0	0
Negligent Manslaughter	2018	0	0
	2019	0	0
	2020	0	0
Sex Offenses: (i) Rape; (ii) Fondling; (iii) Incest; & (iv) Statutory Rape	2018	0	0
	2019	0	0
	2020	0	0
Robbery	2018	0	0
	2019	0	0
	2020	0	0
Aggravated Assault	2018	1	0
	2019	0	0
	2020	0	0
Burglary	2018	0	0
	2019	0	0
	2020	0	0
Motor Vehicle Theft	2018	0	0
	2019	0	0
	2020	0	0
Arson	2018	0	0
	2019	0	0
	2020	0	0
Weapons: Carrying, Possessing, Etc.: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Weapons: Carrying, Possessing, Etc.: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	0	0
Drug Abuse Violations: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Drug Abuse Violations: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	0	0
Liquor Law Violations: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Liquor Law Violations: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	0	0
(i) Sexual Assault	2018	0	0
	2019	0	0
	2020	0	0
(ii) Domestic Violence	2018	0	0
	2019	0	0
	2020	0	0
(iii) Dating Violence	2018	0	0
	2019	0	0
	2020	0	0
(iv) Stalking	2018	0	0
	2019	0	0
	2020	0	0
Unfounded Crime reports and withheld from crime statistics	2018	0	0
	2019	0	0
	2020	0	0

Campus 5 has been located at 4473 North Freeway since May 30, 2018. Therefore, this report provides crime statistics for the North Freeway location from 05/30/2018 - 12/31/2020.



CRIME STATISTICS REPORT

Campus 5 - 610 W. Cavalcade St., Houston TX 77022 (statistics limited to 01/01/2018-05/29/2018)*

Offense	Year	Property Location	
		On-Campus	Public
Murder/Non-negligent Manslaughter	2018	0	0
	2019	0	0
	2020	0	0
Negligent Manslaughter	2018	0	0
	2019	0	0
	2020	0	0
Sex Offenses: (i) Rape; (ii) Fondling; (iii) Incest; & (iv) Statutory Rape	2018	0	0
	2019	0	0
	2020	0	0
Robbery	2018	1	0
	2019	0	0
	2020	0	0
Aggravated Assault	2018	0	2
	2019	0	0
	2020	0	0
Burglary	2018	0	0
	2019	0	0
	2020	0	0
Motor Vehicle Theft	2018	1	0
	2019	0	0
	2020	0	0
Arson	2018	0	0
	2019	0	0
	2020	0	0
Weapons: Carrying, Possessing, Etc.: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Weapons: Carrying, Possessing, Etc.: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	0	0
Drug Abuse Violations: Arrests	2018	1	0
	2019	0	0
	2020	0	0
Drug Abuse Violations: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	0	0
Liquor Law Violations: Arrests	2018	0	0
	2019	0	0
	2020	0	0
Liquor Law Violations: Disciplinary Referrals	2018	0	0
	2019	0	0
	2020	0	0
(i) Sexual Assault	2018	0	0
	2019	0	0
	2020	0	0
(ii) Domestic Violence	2018	0	0
	2019	0	0
	2020	0	0
(iii) Dating Violence	2018	0	0
	2019	0	0
	2020	0	0
(iv) Stalking	2018	0	0
	2019	0	0
	2020	0	0
Unfounded Crime reports and withheld from crime statistics	2018	0	0
	2019	0	0
	2020	0	0

*Campus 5 relocated on May 30, 2018. Therefore, this report provides crime statistics only from 01/01/2018 - 05/29/2018. See Crime Statistics Report for **Campus 5 - 4473 North Freeway, Houston, TX 77022** for crime statistics from 05/30/2018 through 12/31/2020.

