

# **AUSTIN GRADUATE SCHOOL OF THEOLOGY**

## **2018 ANNUAL SECURITY REPORT**

**Includes  
Statistics for the 2017 Calendar Year**

**Prepared by:**

**Dave Arthur**

**Vice President**

**Campus Safety Administrator**

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## Preparation of Annual Security Report and Disclosure of Crime Statistics

Austin Graduate School of Theology (AGST) prepares and submits this Annual Security Report (ASR) in compliance with the Department of Education’s Handbook for Campus Crime Reporting and in accordance with the Higher Education Opportunity Act of 2008 (HEOA), the amended Higher Education Act of 1965 (HEA), and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (also known as the Clery Act or the Clery Amendment). This report contains changes which were signed into law on March 7, 2013 as the Campus Sexual Violation elimination Act (“Campus SaVE”), part of the re-authorization of the Violence Against Women Act (the “VAWRA”).

AGST has provided the following policies, procedures, and statistics for the safety of the campus community. Campus crime, arrest and referral statistics included in this report are prepared by the Vice President’s office. If you have any questions or concerns regarding these policies, please contact AGST’s Vice President and Campus Security Authority (CSA), Dave Arthur, at (512) 476-2772.

## Notification to Students and Employees

The **Annual Safety Report (ASR)** is provided annually to all students and employees through email, by October 1 of each year. The ASR will be also be made available to all incoming students, prospective employees (who reach the interview stage), and new employees. The ASR will be available for review in the Vice President’s office. New employees will be provided access to the ASR during their first two weeks of employment.

## Availability of Annual Safety Report

The ASR is available to students, employees and the general public through AGST’s website: <https://austingrad.edu/policies-information/#annual-security-report> which is located under ‘Policies & Information’ under the ‘Austin Grad’ tab. Any interested party can request a paper copy of the ASR by contacting the Vice President’s office at [darthur@austingrad.edu](mailto:darthur@austingrad.edu) or (512) 476-2772.

## Location of Documents/Campus Safety Officials

All documents, whether supporting the creation of this report or in reference to incidents and follow-up actions, i.e. crime logs, complaints, notifications, actions, and data, are kept in the Vice President’s office unless otherwise noted. Primary supporting documents are kept in electronic format on a secure network and are routinely backed up.

The Vice President also serves as AGST’s Campus Safety Administrator (CSA) and Title IX Coordinator.

Dave Arthur, Vice President  
7640 Guadalupe St., Austin Texas 78752  
(512) 476-2772 ext 105; [darthur@austingrad.edu](mailto:darthur@austingrad.edu)

## Campus Location and Related Crime Statistics

The AGST campus is located at 7640 Guadalupe Street, Austin, Texas 78752. The campus consists of one facility of approximately 25,000 square feet with 95 adjacent parking spots.

AGST does not have student housing or other facilities. AGST does not have officially recognized student organizations with off-campus locations.

In order to comply with the federal requirements, some items listed in crime statistics may have occurred off campus or in close proximity to the institution. As required, AGST requested statistics for immediate areas surrounding the campus. Officials of the Austin Police Department Planning Unit responded that statistics are not kept for such limited areas.

## Campus Law Enforcement Authority

Since AGST has a relatively small campus and no campus housing, AGST relies on the Austin Police and Fire Departments for emergency needs.

AGST does not have campus police or other security personnel, nor does it have any written memorandum of understanding (MOU) or any other type of written agreement with any law enforcement agencies for the investigation of alleged criminal offenses.

Students and staff are asked to inform AGST's administrative offices of any crimes.

AGST Administrative Offices  
(Receptionist or Vice President)  
7640 Guadalupe St.  
Austin, TX 78752  
(512) 476 - 2772

*In the event of any violations of law or of incidents that threaten the safety of those on campus, please report these immediately to Austin Police Department:*

**Dial 911 for Austin Police Department**

## Campus: General Safety Features and Access

- Smoke and fire sensors are located throughout the building. These are actively monitored and reported directly to the municipal fire department.
- Fire sprinkler systems cover all inside areas and outdoor attached walkways.
- Emergency exit signs and lights are located throughout.
- In emergencies, all classrooms and public areas can be accessed through the public address system.
- Video cameras cover outside walkways and entry areas. These are for recording purposes and not actively monitored.
- A pass code system controls access to all public entry points. Students are given an access code at the beginning of each semester. The Campus main front door is open to general public during business hours but may be locked during emergencies.

## Crime and Community Responsibility

The security of members of the AGST community is of vital concern to the Administration and Faculty. AGST:

- Is committed to providing quality service and protection to the campus community while working within the framework of its authority and resources.
- Will continue to develop and implement security measures, but solicits the personal support of faculty, staff, students and visitors.
- Encourages students, faculty and staff to actively accept responsibility for doing their part to maintain a safe environment, to use due care for their safety, and to comply with all local, state and federal laws and the school's policies for the protection of others.

Community members are encouraged to contact the Vice President's office or anyone with the AGST administration to report crimes as soon as they are observed or detected.

## Non-Discriminatory Policy

Austin Grad does not discriminate in the administration of its educational or admissions policies, in the award of financial aid through scholarships, grants, work-study or loan programs, or in any other school program. In accordance with federal law, and in the conviction that all people are created in the image of God, Austin Grad admits men and women of all racial, national and ethnic backgrounds to the rights, privileges, programs and activities accorded and available to all students.

Title IX Coordinator: 7640 Guadalupe St, Austin, TX 78752, (512) 476-2772 x 105, [titleix@austingrad.edu](mailto:titleix@austingrad.edu)

## Timely Warnings: AGST Emergency Response Procedures

(Emergency communications are referred to as 'Timely Warnings' in federal requirements)

In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the campus community, a 'timely warning' will be issued.

Timely Warning definitions, requirements, and procedures are as follows:

### A. Definitions:

Clery Act Crimes—Criminal Homicide, including: a) Murder and Non-Negligent Manslaughter; and b) Negligent Manslaughter; Rape, Forcible Fondling, Statutory Rape and Incest.; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; Arson; Domestic Violence; Dating Violence; Stalking and Hate Crimes.

Campus Security Authorities—AGST designates the Vice President's office as primary Campus Security Authority (CSA). In addition, the Dean of Students has significant responsibility for student and campus activities and is also considered a campus authority.

**B. Requirements:**

In order to keep the campus community informed about safety and security issues on an ongoing basis, an institution must alert the campus community of certain crimes in a manner that is timely and will aid in the prevention of similar crimes. Efforts will be made to avoid unnecessarily identifying the victim in such cases.

These crimes must include all Clery Act crimes that are reported to campus security authorities and local police agencies; and are considered by the institution to represent a serious or continuing threat to students and employees.

In addition to making timely warnings, an institution is required to have a timely warning policy. All Title IV institutions are subject to the timely warning regulations. There are no exceptions.

Timely warnings can be issued for threats to property, as well as for threats to persons. It is irrelevant whether the victims or perpetrators are members of the campus community.

Timely warnings must be issued in a manner that gets the word out quickly communitywide. The responsibility for the warning rests solely with the institution.

The institution's policy on timely warnings should specify who or which office is responsible for issuing the warnings.

The issuing of a timely warning must be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts.

An institution is not required to provide a timely warning for crimes reported to a pastoral or professional counselor.

FERPA does not preclude an institution's compliance with the timely warning provision of the campus security regulations.

**C. Summary and Procedures:**

The campus crime "Timely Warning" is provided to heighten awareness and to provide students, faculty and staff timely notification of Clery Act crimes that are considered to represent a serious or ongoing threat to the campus community. The warning will provide pertinent information related to the crime and available suspect information.

Anyone with information that might warrant a timely warning should report the circumstances to the Vice President's office or any staff member at AGST's Administrative Offices where the information can then be relayed to the President or Vice President.

In the event of a potential emergency, AGST's President and Vice President are responsible to determine when a Timely Warnings is warranted using the following protocols:

- Confirm that there is a significant emergency or dangerous situation:
  - The President and Vice President will meet to determine, in cooperation with local authorities, if needed, whether to confirm the existence of an emergency or dangerous situation.
- Determine the appropriate segment or segments of the campus community to receive a notification or Timely Warning:
  - AGST has determined it will notify the entire campus community unless the emergency is contained and specifically only impacts a small area.

- Exceptions may be made if in the professional judgment of responsible authorities, a public notice might compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.
- Determine the content of the notification:
  - AGST will determine how much information is appropriate to disseminate at different points in time, depending on what segments of the community are effected.
- Initiate a notification process:
  - An emergency notification/Timely Warning may be distributed through one or more of the following methods: e-mail, text message, fire alarms, public address system, phone tree, local media, or posting on the school's website ([www.austingrad.edu](http://www.austingrad.edu)).

AGST's Timely Warning procedures are published in the 2018-19 Student Handbook which is distributed to all new students and available to all on the school's website [www.austingrad.edu](http://www.austingrad.edu)). The procedures are also distributed annually to all students and staff through this ASR.

## Emergency '411'; Shelter-In-Place and Other Safety Tips

Emergencies can occur with little to no warning. Therefore, we want to impress upon everyone the importance of being vigilant and remaining aware of your environment at all times, especially after dark.

- **Be Prepared:** Crime happens when there is an opportunity.
  - Do not leave valuables unattended.
  - Lock your car doors.
  - Have your keys in hand when walking to your car
- **Be Alert:** Distractions increase risk.
  - Take notice of your surroundings.
  - Park close to the doors that you will be entering and exiting.
  - Anytime you notice suspicious activity around the campus or feel threatened in any way, immediately report the activity/threat to AGST staff, faculty, or, if necessary, call 911.
- **Be Safe:** Distance and numbers reduce risk.
  - Exit to the parking lot as a group or at least in pairs.
  - Ask instructors or other staff to see you out to your vehicle.



**5 AND SURVIVE** Safety Tips

<i>For Fire</i>	<i>For Inclement Weather</i>	<i>For Violent Threat/Active Shooter*</i>
<p><b>Emergency Evacuation:</b></p> <ol style="list-style-type: none"> <li><b>1. Listen</b> Fire alarm or public announcement will be made.</li> <li><b>1. Follow</b> Flashing fire alarm exit signs to the nearest exterior door.</li> <li><b>2. Stairs</b> Do not use the elevator! Use outside or inside stairs to exit.</li> <li><b>3. Exit</b> Calmly and quickly exit. Help those who need assistance.</li> <li><b>4. Assemble</b> In front or back parking lot.</li> </ol>	<p><b>Shelter in Place:</b></p> <ol style="list-style-type: none"> <li><b>1. Get Low</b> Go to the lowest level of the building.</li> <li><b>2. Avoid Windows</b> Stay away from windows and glass.</li> <li><b>3. Go to Interior</b> Go to interior rooms and hallways.</li> <li><b>4. Protect Yourself</b> Use arms to protect head and neck.</li> <li><b>5. Keep in the Know</b> Be aware of weather conditions and monitor emergency communications.</li> </ol>	<p><b>Lockdown Procedure:</b></p> <ol style="list-style-type: none"> <li><b>1. GET Out</b> Evacuate the facility, if possible/safe.</li> <li><b>2. CALL Out</b> Call 911.</li> <li><b>3. KEEP Out</b> Do not lock exterior doors. Close, lock, and barricade interior doors, if possible.</li> <li><b>4. HIDE Out</b> Shelter in the nearest secured location. Turn off lights and devices indicating that the room is occupied. BE QUIET, and do not respond to anyone at the door.</li> <li><b>5. TAKE Out</b> As a last resort, use anything to distract, disarm, or disable the suspect.</li> </ol>

\*View a more detailed explanation of AGST’s Active Shooter Protocol click [Active Shooter](#)

\* Department of Homeland Security’s active shooter link: [https://www.dhs.gov/xlibrary/assets/active\\_shooter\\_booklet.pdf](https://www.dhs.gov/xlibrary/assets/active_shooter_booklet.pdf)

\*View videos outlining the *Run, Hide, Fight* protocols here: <https://www.youtube.com/watch?v=p4IJA5Zpzz4> and here: <https://www.youtube.com/watch?v=DFQ-oxhdFjE>

**Firearms on Campus**

AGST’s campus facility is a weapon free area except to the extent allowed under applicable federal and state law.

Please note the following statement regarding Texas’ Campus Carry Law.

Austin Graduate School of Theology (Austin Grad) desires to have a safe and secure campus for students, faculty, staff, and guests. The 84<sup>th</sup> Texas legislature passed what is popularly known as campus carry. Governor Abbott signed it into law on June 13, 2015. The law requires public universities to allow concealed handgun license holders to carry their concealed weapons on public university campuses, subject to certain exceptions. However, private colleges and universities were given the right to opt out of that requirement. The statute also requires all schools to conduct a period of consultation with faculty, staff, and students. Students, faculty, staff, and the board of trustees at Austin Grad were consulted regarding their thoughts and preferences on this matter. Campus carry has been a controversial topic. Although strong opinions on both sides of the issue were voiced during the consultation process, the administration appreciates the moderation with which those opinions were offered. After its

board of trustees meeting on April 15, 2016, Austin Grad completed its period of considering whether campus carry should be permitted on its campus.

After reviewing all of the comments and relevant concerns, the administration concluded that Austin Grad should opt out of campus carry. This decision is consistent with its current practice of prohibiting individuals from carrying any type of weapon on campus—a policy that has served the school well in the past and should do so in the future. This policy does not prohibit individuals from storing their properly licensed handguns in locked vehicles in the Austin Grad parking lot. Having a safe and secure campus environment is important to Austin Grad. All of us have a stake in this. Therefore, students, faculty, staff, and guests are encouraged to practice due diligence. I appreciate the effort of everyone to live within and fulfill Austin Grad’s mission “to promote knowledge, understanding, and practice of the Christian faith by equipping Christians and churches for service in the Kingdom of God.

Grace,

Stan Reid, President

### **Maintenance Issues and Safety**

AGST regularly monitors facilities for items needing maintenance. In particular, areas are reviewed that might impact safety, such as defective lighting, inoperative doors or locks, broken sidewalks, steps and handrails.

To help ensure a quality and safe environment, students and staff are asked to report maintenance, cleanliness and/or safety issues to: Dave Arthur, Vice President (512) 476-2772; [darthur@austingrad.edu](mailto:darthur@austingrad.edu). If unavailable and immediate attention is required – contact Carolyn Greene, the Receptionist; [CGreene@AustinGrad.edu](mailto:CGreene@AustinGrad.edu)

### **Missing Student Policy**

Since AGST does not have campus housing, employees and students should report a person believed to be missing to the Austin Police Department at 911. AGST will help to facilitate in communications to all parties involved as needed and deemed appropriate.

Students and staff are advised that emergency contact information will be used as their ‘missing student’ contact information and disclosed as needed to officials and law enforcement personnel engaged in a missing person investigation.

### **General Student Complaints – Grievance Procedure**

AGST is committed to providing general complaints with appropriate attention and due process in all student matters. Fairness and reasonable consideration of student needs is a benchmark of all administrative, faculty and financial interaction with students. Any student with a grievance regarding academic, student, or financial matters, or any issue related to their life and work at Austin Grad, is encouraged to pursue the following course of action:

1. Attempt to resolve the issue at the primary level first, i.e., speak directly with the person involved or with the administrative officer or faculty member who is responsible for

implementing the policy (ies) causing the grievance. If for any reason a student prefers not to resolve the issue in this manner, they may submit their grievance in writing following the procedure outlined in item 2.

2. If the student does not find satisfactory resolution of the situation through direct conversation as described in item 1, then (s) he may submit a written complaint to the Vice President in the case of grievances involving financial or administrative matters, to the Faculty Chair in the case of academic grievances, or to the Dean of Students in the case of student and all other grievances. Within thirty (30) days, the relevant officer will investigate the matter and respond to the student in writing.
3. A student who remains dissatisfied may appeal the decision of the Vice President, Faculty Chair, or Dean of Students to the President within fourteen (14) days. The President will review the matter and respond to the student within thirty (30) days. The decision of the President is final in all matters of student grievance.

In the event that a student believes he/she has been unfairly treated, or have issues with AGST that cannot be resolved by the methods outlined above, he/she has the right to contact our accrediting agencies and/or various state and other governmental agencies (for details see AGST Catalogue - <https://austingrad.edu/wp-content/uploads/2019/03/Catalogue-Updated-2018-2019.pdf>)

### **Procedure for Reporting Criminal Offenses**

Students, faculty, staff, and guests are expected to report all crimes to the AGST administration or Austin Police Department in a timely manner. Any suspicious activity or person seen in parking lots or loitering around vehicles, inside or around the campus building should also be reported.

To report a crime or an emergency, call 911 or AGST administration offices at (512) 476-2772. To report a non-emergency security related matter, call AGST administration offices at (512) 476-2772.

Sex crimes may also be reported to the Title IX Coordinator Dave Arthur at (512) 476-2772, ext. 105.

All public safety incident reports involving students may be referred to the Vice President's office for review and potential disciplinary action. The Vice President or President will review incidents to determine if a timely warning notice is appropriate. Reports will be investigated when deemed appropriate.

AGST will request assistance from the Austin Police Department when deemed necessary. It will also provide Timely Warning notices to the community, when appropriate, and ensure inclusion in the annual crime statistics report.

### **Prompt and Accurate Reporting**

AGST encourages victims and witnesses of crimes to report crimes to the Vice President's office even if the victims do not want to pursue action within AGST or the local or state criminal justice system.

When the victim of a crime elects to, or is unable (physically/mentally) to make such a report, either witnesses or AGST community members can make a report on behalf of the victim. All

reports made to local law enforcement and AGST are counted and disclosed in the annual crime statistics for the institution and will be evaluated by the Vice President or his designee to determine if an immediate notification, timely warning, or public safety announcement should be made.

**Voluntary/Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within AGST or the criminal justice system, you may still want to make a confidential report. With your permission, the Vice President or a designee of AGST can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to keep your identity confidential while allowing others to take precautions to insure their safety. With such information, AGST can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

**Information for Crime Victims About Disciplinary Hearings**

AGST, upon written request, discloses to the alleged victim of any crime of violence, or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the school against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased because of the crime or offense, the information shall be provided, upon request, to the next of kin of the alleged victim.

For any questions or to submit a written request, please contact the Vice President’s office at (512) 476-2772; darthur@austingrad.edu.

**AGST Annual Crime Statistics for 2017**

Austin Graduate School of Theology provides the following information pursuant to the disclosure requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

<b>Criminal and/or Hate* Offense:</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Murder/Non-negligent manslaughter	0	0	0	0
Negligent manslaughter	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated assault	0	0	0	0
Burglary	0	0	0	0
Motor vehicle theft	0	0	0	0
Arson	0	0	0	0
Simple Assault, Larceny-theft, Intimidation, Destruction/damage/vandalism of property	0	0	0	0

<b>Arrests:</b>				
Weapons: carrying, possessing, etc	0	0	0	0
Drug abuse violations	0	0	0	0
Liquor law violations	0	0	0	0
<b>Disciplinary Actions/Judicial Referrals:</b>				
Weapons: carrying, possessing, etc.	0	0	0	0
Drug abuse violations	0	0	0	0
Liquor law violations	0	0	0	0
<b>Violence Against Women Act Offenses:</b>				
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Stalking	0	0	0	0

\* Hate crime offenses: None reported in current or previous three years. If reported in future, these will be detailed by area of bias, i.e. race, religion, sexual orientation, gender, disability, or ethnicity/national origin.

### Hate Crime Reporting

A Hate Crime is a criminal offense committed against a person or property, which is motivated, in whole or in part, by the offender’s bias. Under Cleary, reportable bias categories include race, gender, religion, sexual orientation, ethnicity, national origin, disability, and gender identity. AGST Vice President, as CSA and Title IV Coordinator, will investigate to the full extent that the law that allow and turn the findings over to the proper authorities.

There were no reported Hate Crimes for the years 2014, 2015, 2016, or 2017. NOTES: Public Property Offenses are generally those reported by Austin Police Department to have happened adjacent to the AGST Campus, as defined by Cleary Guidelines. Reported crimes may involve individuals not associated with the institution.

### Alcohol & Drug Abuse

AGST’s policy statement regarding alcohol and drug abuse is as follows:

- The possession, use, or distribution of any controlled substance on or off campus, or the contribution to its use by others will not be tolerated. Austin Grad respects all laws of the United States and the State of Texas concerning the regulation of alcoholic beverages and the manufacture, possession, use, or distribution of any controlled substance by any and all students and employees. All students should be aware of the serious health risks associated with the use of alcohol and illegal drugs.
- A student voluntarily disclosing an alcohol or drug-related problem will not be automatically dismissed or terminated, but will be considered on an individual basis in a confidential, just manner. A student with an alcohol or drug-related problem may be permitted to remain in school on the condition of participating in an approved counseling and rehabilitation program.
- Please refer to the AGST Student Handbook regarding the administration of student discipline regarding drug and alcohol abuse.

Students or employees who wish to seek help for a substance abuse problem are directed to resources such as:

- Community programs such as Celebrate Recovery. A list of area churches providing this or other programs can be obtained from the Vice President's office upon request.
- Online programs such as The Addiction Recovery Guide, which provides a wide range of resources for dealing with substance abuse. This program provides educational information regarding medication, psychological, and holistic treatments, as well as, listing contact information for twelve step groups by city and state.

## Sex Offender Registry

The **Campus Sex Crimes Prevention Act (CSCPA)** of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed at, institutions of higher education. The **CSCPA** is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires state law enforcement agencies to provide AGST with a list of registered sex offenders who have indicated that they are enrolled, employed, or carrying on a vocation at AGST.

AGST is required to inform the campus community that a registration list of sex offenders will be maintained and available in the Vice President's office. In addition, a list of all registered sex offenders in Texas is available from the Texas Department of Public Safety at <https://records.txdps.state.tx.us/SexOffender>.<sup>48</sup> The **CSCPA** further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders. This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000.

## AGST Sexual Assault/Harassment Policy

AGST is committed to providing an institutional environment where all persons may pursue their studies, careers, duties, and activities in an atmosphere free of threat of unwelcome and unwanted sexual actions.

In support of the Crime Awareness and Campus Security Act of 1990 and under Title IX of the Education Amendments of 1972, AGST has adopted the following policy statement with regard to sexual harassment:

AGST policy strictly prohibits sexual harassment, sexual assault, stalking, domestic violence, dating violence, and discrimination within the University community. This policy applies equally to all members of AGST community: students, faculty, administrators, staff, contract employees and visitors.

Sexual assault is a single term covering a range of coercive behaviors that violate both State legal statutes and the AGST Student Handbook's Commitment to Personal Discipline. The common element of these behaviors is use of coercion, force, or threat of force to obtain sexual contact against a person who, by virtue of mental incapacity or physical helplessness, is unable to give or withhold consent. The type of coercion may range from unwanted sexual touching to

intercourse. This includes, but is not limited to, incapacity or helplessness caused by alcohol or other drugs. Intoxication of the assailant shall not diminish the assailant's responsibility for the sexual assault.

Sexual harassment includes behaviors such as, but not limited to, the following: (1) physical contact of a sexual nature including touching, patting, hugging, or brushing against a person's body; (2) explicit or implicit propositions or offers to engage in sexual activity; (3) comments of a sexual nature including sexually explicit statements, questions, jokes or anecdotes, remarks of a sexual nature about a person's clothing or body, remarks about sexual activity, speculation about sexual experience; (4) exposure to sexually oriented graffiti, pictures, posters, or materials; (5) physical interference with or restriction to an individual's movements.

AGST will respond promptly, fairly, and decisively to all reports of sexual assault/harassment. AGST is compliant with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act) as amended in 1998, which requires all post-secondary institutions to publish and distribute certain information regarding campus crimes, including reports of campus sexual assault, sexual assault policies and security programming to all current students, employees and to any applicant who so requests.

### Definitions of Sexual Assault and Interpersonal Violence Crimes

Below is a list of frequently used terms and their commonly used definitions related to sexual assault and interpersonal violence crimes. For definitions specific to Texas Law, please see Texas Statutes at the following website:

[http://www.womenslaw.org/statutes\\_detail.php?statute\\_id=5713 - statute-top](http://www.womenslaw.org/statutes_detail.php?statute_id=5713 - statute-top)

- **Domestic violence:** includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.
- **Dating violence:** means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
- **Stalking:** means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.
- **Sexual assault:** is any unwanted, non-consensual sexual contact against any individual by another. It often includes acts involving manipulation, physical force or coercion.
- **Consent:** is free and active agreement, given equally by both parties, to engage in a specific activity. Giving in is not the same as giving consent. Consensual sexual activity involves the presence of the word "yes" without influence or incapacitation of alcohol or other drugs, pressure, force, threat, or intimidation.

### Victim Rights, Reporting, and Resources

Students and employees who report being victims of domestic violence, dating violence, sexual assault, and stalking have the right to:

- Be treated with fairness, dignity, and respect
- Be heard and participate in the criminal justice process
- Timely disposition of the case
- Notice about the status of the case
- Be assisted by campus authorities if reporting a crime to law enforcement
- Change academic, living, transportation, or working situations to avoid a hostile environment
- Obtain or enforce protective orders, no contact orders, restraining orders, or similar orders issued by criminal or civil court
- Have a clear description of their institution’s disciplinary process and know the range of possible sanctions
- Receive contact information about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available both on-campus and in the community
- Written notification of the outcome of the disciplinary hearing
- Written notification of AGST’s appeal procedures
- Written notification of any change to the results before the results are final
- Written notification when the results become final

If you are uncertain about your options and rights, contact one of the follow support persons: AGST Vice President, CSA and Title IX Coordinator, or Dean of Students at 512-476-2772.

### **Crisis Counseling Assistance**

AGST staff and faculty will encourage victims and abuse survivors to access community support services from those specially trained to assist survivors of sexual assault, domestic violence, dating violence or stalking.

In Central Texas, SAFEPLACE is a non-profit organization providing crisis and follow-up support.

#### **SAFEPLACE**

1515 Grove Blvd, Austin, TX 78741

(512) 267-7233

[www.safeaustin.org/safeplace](http://www.safeaustin.org/safeplace)

**24/7 hotline is (512) 267-7233 (SAFE)**

### **Complaint Procedure for Sexual Assault and Violence**

Any member of the AGST community (faculty, staff or student) needing to report domestic violence, dating violence, stalking, and/or sexual assault may safely and confidently report incidents to the following AGST staff: Dave Arthur, Vice President, CSA and Title IX Coordinator; Jeff Peterson, Dean of Students; or Lindi Parshall, Registrar, at 512-476-2772.



AGST has personnel trained annually in sexual assault and violence investigation and victim's rights will lead the investigation of allegations of domestic violence, dating violence, stalking, and/or sexual assault. Individuals issuing a complaint of domestic violence, dating violence, stalking, and/or sexual assault will be notified by the Vice President's office on how to file a report with AGST and assisted in reporting to other appropriate law enforcement agencies. The individual issuing the complaint will be allowed to decide if he/she wants to file a report with AGST or local law enforcement agency. An investigation of "AGST Student Handbook Commitment to Personal Discipline" violations may continue even if the victim decides not to move forward with a report to AGST and or local law enforcement agency. AGST's Title IX Coordinator is the staff person responsible for coordinating this policy and for making sure all complaints are handled correctly.

### **A. Victim Protection**

Upon initial report, AGST personnel will make every effort to take immediate action to protect a potential victim. AGST staff will seek to support victims through any/all of the following:

- Informing victims of option to obtain protective orders, no contact orders, restraining orders, or similar orders issued by criminal or civil court
- Temporarily removing alleged perpetrators from campus
- Relocating or changing a victim's class and/or work schedule
- Providing a clear description of AGST's disciplinary process
- Providing contact information about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available in the community. The alleged perpetrator will also be provided with the availability of these services.

### **B. Preserving Evidence**

In addition, when relevant, victims will be informed of the importance of preserving evidence of the alleged offense.

- It is important to preserve any physical evidence as it may deteriorate quickly.
- Victims can take a number of steps to preserve evidence. Some of these include:
  - Seeking a medical exam as soon as possible.
  - Avoiding using restroom, showering, bathing, or brushing teeth.
  - Not discarding or washing clothing worn at the time of the assault.
  - If clothes are removed, store these and other evidence in paper bags. Plastic bags may cause evidence to deteriorate more rapidly since moisture can't escape.
  - Not cleaning up the crime scene or moving items the perpetrator might have touched.
  - Writing down all details of the incident and alleged perpetrator.

### **C. Investigation**

AGST personnel will conduct a prompt, fair, confidential, and impartial investigation and resolution to the allegation of domestic violence, dating violence, stalking, and/or sexual assault. The victim and the alleged perpetrator may have an advisor of their choice at all hearings regarding the complaint. The advisor of choice may only speak privately to the person whom he or she accompanies (i.e., either the victim or perpetrator), and may not ask questions, assert objections or otherwise speak or address the investigators or tribunal during meetings or hearings. AGST personnel will utilize a preponderance of evidence standard through the investigation proceedings to determine the validity of the complaint of domestic violence, dating violence, stalking, and/or sexual assault.

## D. Confidentiality

All efforts will be made by AGST personnel to protect victim confidentiality including but not limited to: holding meetings with the victim in secure and private locations, redacting the victim's name from any publicly available records, including required timely warning notifications, and only involving AGST personnel essential to the investigation process.

## E. Meetings

All meetings related to domestic violence, dating violence, stalking, and/or sexual assault complaints are closed to the public except for one allowed advisor for the victim and alleged perpetrator.

## F. Written Notification

The victim and the alleged perpetrator will receive simultaneous written notification of the outcome of the disciplinary hearing, the appeals process, any change to the results before the results are final, and when the results become final.

## G. Formal Appeal of Complaint Findings

If the victim or alleged perpetrator is not satisfied with the findings, he/she should follow the AGST Grievance Procedures outlined later in this report and also outlined in the AGST Catalogue. No staff or faculty member handling the original complaint will serve in determining any appeal.

## H. Retaliation

AGST prohibits its officers, employees, and/or agents from retaliating against a person for bringing a complaint in good faith. Retaliation for bringing a complaint will not be tolerated by AGST. Students should report retaliation immediately to the Dean of Students and/or Vice President.

## Possible Sanctions for Students Committing Domestic Violence, Dating Violence, Stalking and/or Sexual Assault

In addition to normal disciplinary measures outlined in the AGST Student Handbook, any student who is found to have violated the AGST Sexual Assault Policy may be subject to one or more of the following sanctions.

- **Disciplinary Probation:** The student or employee will be given an official notification from the Vice President's office explaining the serious nature of the violation and outlining the terms of the disciplinary probation status. This condition serves to notify the student that he/she is not in good standing with the school for a stated period of time. Additional sanctions may be placed on the student during the time of probation. Any subsequent violation of AGST regulations during the probationary period will be evaluated within the context of the student's probationary status.
- **Mandatory Counseling, Discipleship, and/or Education/Treatment Programs:** AGST personnel may require a person who has committed domestic violence, dating violence, stalking, and/or sexual assault to participate in mandatory counseling sessions through a designated off-campus treatment facility. Participation in on-campus or off-campus education and treatment programs may also be required.

- **Restrictions from Extracurricular Activities:** A person who is found to have committed domestic violence, dating violence, stalking, and/or sexual assault may be restricted from participating in and attending any AGST sponsored event, program, activity, service assignment, and/or ministry occurring on-campus or off- campus.
- **Parental Notification:** When appropriate and in accordance with the Family Educational Rights and Privacy Act, AGST personnel may notify a student’s parents as a sanction in the disciplinary proceedings regarding a violation of the Sexual Assault and Violence Policy.
- **Move to Online Classes:** A student who is found to have committed domestic violence, dating violence, stalking, and/or sexual assault may be required to move to online classes to complete a semester or be restricted to taking only online classes for a specific period of time. The student may also have their campus access restricted or prohibited.
- **Termination of Student Employment or Training Assignment:** A student who is found to have committed domestic violence, dating violence, stalking, and/or sexual assault may be terminated from AGST student employment, or may be separated from their internship, student teaching assignment, or field-based training assignment.
- **Removal or Reduction of Institutional Scholarship:** A student who is found to have committed domestic violence, dating violence, stalking, and/or sexual assault may have their institutional scholarship reduced or removed for a specified term or semester or for the duration of their AGST enrollment.
- **Suspension:** An official notice will be sent from the Dean of Student’s terminating the student’s status from AGST for a specified or indefinite period of time during which the student may or may not be permitted on campus. During the time of suspension, the student may be prohibited access to the AGST campus.
- **Expulsion:** An official notice will be sent from the Dean of Student’s office permanently terminating an individual’s student status from AGST, including a possible restriction that the student will not be permitted on campus.

### Education and Prevention Training for Sexual Assault and Interpersonal Violence

Annually, AGST provides students and staff with educational and prevention resources related to domestic violence, dating violence, stalking, and/or sexual assault. This training serves to provide prevention strategies and protective measures to prevent and reduce sexual assault and other acts of violence on the AGST campus and among the campus community. Prevention programs are also provided for new, incoming students and new employees of AGST.

Currently, RAINN (Rape, Abuse & Incest National Network) is the primary resource provided to meet these objectives. RAINN is a national organization with extensive online training modules related to education about sexual assault, safety and prevention strategies, and recovery after a sexual assault.

RAINN can be found at [www.rainn.org](http://www.rainn.org) and operates a National Sexual Assault Hotline at (800) 656-HOPE.

Each year, AGST's Title IV Coordinator provides notice in writing to all students, faculty and staff with the appropriate definitions of domestic violence, dating violence, stalking, and sexual assault. This notice also includes AGST's official statement prohibiting these offenses and the safe and confidential ways to report possible offenses.

Each fall, students and employees are given information about crimes on campus. They are also provided with information regarding crime prevention through such means as the "Austin Grad Crime Prevention" flyer, newsletter, and email alerts, as needed. The "Austin Grad Crime Prevention" flyer provides a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

## Preventing Sexual Assault Through Empowering Campus Bystanders

One of the approaches to preventing interpersonal violence is to teach and encourage bystanders to intervene with peers and support potential or actual victims. A "bystander" is a friend, classmate, teammate, coworker, teacher, family member, or stranger who is aware of or observes situations and interactions that could lead to sexual harassment, intimidation, coercion, or assault. The purpose of bystander intervention education is to increase awareness and understanding of the problem, increase feelings of responsibility to solve this problem, increase commitment to act, and to empower people to act both individually and collectively. By fostering a sense of caring and community, campus cultures can be transformed and become safer. Everyone in the campus community has a role to play, including professors, administrators, students, and staff. Student behavior is greatly determined by prevailing cultural and social norms governing sexual attitudes and behaviors in society.

## Bystander Intervention Key Components

- Role modeling is crucial
- Entire campus community has a stake
- Support bystander intervention on campus
- Teach skills to intervene
- Obtain commitment to intervene
- Teach how to interrupt a possible sexual assault
- Reduce defensiveness to the message