



2011

Campus Security and Drug-Free  
Campus/Workplace Report

(Covers 2008-2010 Reporting Years)

Brownsville, TX

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# Campus Security and Drug-Free Campus/Workplace

(Without Student Housing)

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# **CAMPUS SECURITY**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), originally known as the Campus Security Act, requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.

Campuses are not permitted to take retaliatory action against anyone with respect to the implementation of any provision of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

## **EMERGENCY RESPONSE and EVACUATION PLAN**

Kaplan Higher Education requires its ground campuses to maintain an Emergency Response and Evacuation Plan (EREP) which includes plans and instructions to be followed by campus administration, faculty, staff, students and guests in the event of emergencies and evacuations. Each campus has a group of Campus Security Authorities (CSA's), who are responsible for reporting and ensuring the evacuation of the campus in the case of an emergency. The EREP includes:

- 1) The process by which the campus will confirm that there is a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurring on the campus.
- 2) A provision for immediate notification of the campus community upon confirmation of a significant emergency or dangerous situation
- 3) Procedures for disseminating emergency information to the larger community.
- 4) Procedures for disseminating updated emergency information, which explain how this information will be communicated to the campus and relevant members of the community on a regular basis.
- 5) Procedures for testing and publishing the plan on an annual basis.
- 6) A list of CSA's (titles) responsible for carrying out this process.

The campus will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate an emergency.

## **SECURITY & ACCESS TO FACILITIES**

- Each campus limits access to all campus facilities to authorized personnel, students, and visitors. Unauthorized persons will be considered "trespassers" and will be dealt with accordingly.
- Adequate lighting is provided at all campus locations, especially in outside areas. Certain school staff and faculty are always on campus during business hours.
- Only authorized vehicles are allowed to park in the designated parking areas.
- Persons employed as security personnel at each campus represent the campus and are instructed to enforce campus security policies.
- Security personnel is defined as campus police department, campus security department, or any individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department such as individuals who are responsible for monitoring entrance into campus property, an individual or organization specified in a campus security policy as an individual or organization to which students and employees should report criminal offenses, or an official of a campus who has significant responsibility for student and campus activities including, but not limited to student housing, student discipline, or campus judicial proceedings.. The security personnel do not have powers of arrests, unless such personnel possess valid certification as a law enforcement officer, peace officer, or are authorized to act in such a capacity by way of official authority granted by a court of state regulatory agency.
- Such persons have the authority to evict unauthorized persons from the campus premises and will notify local authorities of all actual or suspected criminal activities, including trespassing.
- The campus maintains its relationship with local police through campus in-services and collection of statistical in-services. In addition, the campus works with local law enforcements as necessary to report or investigate crimes.

## CRIME AWARENESS & PREVENTION

- All new campus employees and students are instructed on crime awareness during orientation, including the description of campus security measures and procedures for reporting any criminal activity or emergency. Students are required to follow campus security guidelines for their own personal and property safety, and are encouraged to report any suspicious activity.
- Prospective students and employees are provided with a summary of the campus measures to prevent crime on campus, with details for acquiring the complete policies and procedures package from the campus via the campus website or at the residential campus location. This information on crime awareness is readily available upon request, and will be updated and re-distributed to all existing students and staff on an annual basis.
- The campus conducts bi-annual in-service programs designed to heighten awareness of crime and its prevention. These in-service programs are conducted by local law enforcement or qualified officials twice a year.
- The campus does not maintain any off-campus student organizations.
- Students performing externship or clinical practice off-campus are expected to practice safety and security procedures as if the site were an extension of the campus.

## CRIME PREVENTION

Often people contribute to crimes of opportunity by needlessly placing themselves or their property at risk. Prevention efforts can be effective in reducing the opportunities for criminal activity. The following list is a compilation of tips devoted to crime prevention:

- Do not prop open campus or residence hall doors.
- Do not leave personal property unattended.
- Report suspicious individuals to security.
- Keep your room locked at all times.
- At night, always walk in groups of at least two.
- Stay on main walkways.
- Remove valuables from your car and lock it.
- Engrave your valuables.
- Attend college-sponsored programs led by law enforcement officials.
- Always carry your picture ID.
- Be aware of your surroundings and what is going on around you.

If you assume responsibility for your own safety first and encourage others to do the same, the opportunities for crime are drastically reduced.

## CRIME LOG

The campus maintains a Crime Log that records, by the date the crime was reported, any crime that occurred on campus, on a non-campus building or property, on public property, or within the patrol jurisdiction of the Campus Security department.

The log includes:

- Date of entry
- Incident report date
- Date/time of the crime
- Nature/type of the crime/complaint
- General location of crime
- Disposition of complaint, if known

A campus may withhold information required above if there is clear and convincing evidence that the release of the information would:

- Jeopardize an ongoing criminal investigation or the safety of an individual;
- Cause a suspect to flee or evade detection; or
- Result in the destruction of evidence

The campus must make an entry or an addition to an entry to the log within two business days of the report of the information to the campus authority, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

***The campus must make the crime log for the most recent 60-day period open to public inspection during normal business hours. The campus must make any portion of the log older than 60 days available within two business days of a request for inspection.***

## **REPORTING CRIMES**

1. Students should accurately and promptly report criminal acts to the Campus President/Executive Director at the campus, a member of the Campus Management staff, the campus police, campus security or local police departments.
2. Reporting crimes is on a voluntary, confidential basis.
3. The Campus President/Executive Director is responsible to document any criminal acts, as well as reporting crimes to the local authorities as required by law.
4. The campus is required to make timely warnings to members of the campus community regarding the occurrence of crimes, those that are reported to campus security, and those considered by the institution to represent a threat to students and employees. The campus community includes all campus buildings and grounds, all adjacent public property and externship sites.
5. Timely warnings to the campus community will be issued in a handout or flyer and also posted on any notice boards within the campus.
6. If there is an ongoing investigation of a crime that occurred in, at, or on any of the locations listed above that would be jeopardized, cause the suspect to flee, risk the safety of an individual, or result in the destruction of evidence, the campus may delay the timely warning until any adverse effect is no longer likely to occur.
7. The statistics are collected centrally for each campus on a monthly basis and reported to the Department of Education annually.
8. Should also include the institution's response after a crime is reported (ex. disciplinary hearing)

## **CRIME STATISTICS**

The federal law requires that colleges and universities disclose statistics on twelve crimes that may occur on-campus, on non-campus property, or on public property adjacent to the campus. For the purposes of the Clery Act, any building that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student facility even if the building itself is owned or controlled by a third party, as classified by the FBI Uniform Crime Report.

Campus specific statistics are attached as an addendum and may be obtained by students and/or employees (current and perspective) via the campus website or at the residential campus location.

## **DEFINITIONS for Crimes (as defined by the FBI Uniform Crime Report)**

**1. HOMICIDE:** The willful (non-negligent) killing of one human being by another or the killing of another person through gross negligence. In general, (1) any death caused by injuries received in a fight, argument, quarrel,

assault, or commission of a crime is considered **Murder and Nonnegligent Manslaughter** and (2) any death caused by the gross negligence of another is considered **Criminal Homicide-Manslaughter by Negligence**.

**2. SEXUAL ASSAULT:** Any sexual act directed against another person, forcibly and/or against the person's will; not forcibly or against the person's will when the victim is incapable of giving consent.

Forcible Rape – Rape by Force is defined as the carnal knowledge of a female forcibly and against her will. "Against her will" includes instances in which the victim is incapable of giving consent because of her temporary or permanent mental or physical incapacity (or because of her youth).

Forcible Rape – Attempts to Commit Forcible Rape is defined as assaults or attempts to forcibly rape.

Non-Forcible Rape – Incidents of unlawful, non-forcible sexual intercourse classified as (1) Incest is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law and (2) Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent according to state statutes.

**Note: By definition, sexual attacks on males are excluded from the rape category and must be classified as assaults or other sex offenses depending on the nature of the crime and the extent of injury.**

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

Included are offenses such as minor assault, hazing, assault and battery, and injury caused by culpable negligence. As with Aggravated Assault, there are no attempted Simple Assaults.

**Simple, Not Aggravated** includes all assaults which do not involve the use of a firearm, knife, cutting instrument, or other dangerous weapon and in which the victim did not sustain serious or aggravated injuries. Agencies must classify as simple assault such offenses as assault and battery, injury caused by culpable negligence, intimidation, coercion, and all attempts to commit these offenses. In addition, Reporting Agencies must classify the offense as simple assault if the injuries are not serious (abrasions, minor lacerations, or contusions) and require no more than usual first-aid treatment. Under certain circumstances, offenses of disorderly conduct, domestic violence, or affray must be classified as simple assault.

**4. AGGRAVATED ASSAULT:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Examples include:

- Firearm includes all assaults in which a firearm of any type is used or is threatened to be used. (Examples: revolvers, automatic pistols, shotguns, rifles, etc.).
- Knife or Cutting Instrument includes assaults wherein weapons are used as cutting or stabbing objects or their use is threatened. (Examples: knives, razors, hatchets, scissors, etc.).
- Other Dangerous Weapon includes assaults resulting from the use or threatened use of any object as a weapon in which serious injury does or could result. (Examples: Mace, pepper spray, clubs, bricks, etc.). Attacks by explosives, acid, lye, poison, scalding, burnings, etc. are also included in this category.
- Hands, Fists, Feet, Etc. – Aggravated Injury includes only the attacks using personal weapons such as hands, arms, feet, fists, and teeth that result in serious or aggravated injury. Reporting agencies must consider the seriousness of the injury as the primary factor in establishing whether the assault is aggravated or simple. They must classify the assault as aggravated if the person injury is serious, for example, there are broken bones, internal injuries, or stitches required.

Often the weapon used or the extent of the injury sustained will be the deciding factor in distinguishing aggravated from simple assault. To classify an assault, consider the following:

1. The type of weapon employed or the use of an object as a weapon
2. The seriousness of the injury
3. The intent of the assailant to cause serious injury

**5. ROBBERY:** Taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Examples include:

- Firearm includes robberies in which any firearm is used as a weapon or employed as a means of force to threaten the victim or put the victim in fear.
- Knife or Cutting Instrument includes robberies in which a knife, broken bottle, razor, ice pick, or other cutting or stabbing instrument is employed as a weapon or as a means of force to threaten the victim or put the victim in fear.
- Other Dangerous Weapon includes robberies in which a club, acid, explosive, brass knuckles, Mace, pepper spray, or other dangerous weapon is employed or its use is threatened.
- Strong-arm – Hands, Fists, Feet, Etc includes muggings and similar offenses in which only personal weapons such as hands, arms, feet, fists, and teeth are employed or their use is threatened to deprive the victim of possessions.

**6. LARCENY/THEFT:** The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession (where one does not have physical custody or possession, but is in a position to exercise control over a thing), of another person.

Larceny and theft mean the same thing in the UCR Program. Motor vehicle theft is not included and is counted separately because of the great volume of such thefts. Agencies must report local offense classifications such as grand theft, petty larceny, felony larceny, or misdemeanor larceny as larceny-theft.

Examples include:

- Pocket-picking –This includes wallets, purses, pockets, etc. If the victim is manhandled or if force beyond simple jostling is used to overcome the resistance of the victim, the offense becomes a strong-arm robbery and must be so classified.
- Purse-snatching – This includes purses, handbags, etc. If more force is used than actually necessary to snatch the purse from the owner, or if the victim resists the theft in any way, then the offense is classified as a strong-arm robbery.
- Shoplifting
- Theft from motor vehicles whether locked or unlocked (Except theft of motor vehicle parts and accessories)  
\*If a theft from a motor vehicle occurs in conjunction with a motor vehicle theft, reporting agencies must classify the incident as a motor vehicle theft.
- Theft of motor vehicle parts and accessories (attached to vehicle)
- Theft of bicycles
- Theft from buildings
- Theft from Coin-Operated Machine or Device
- All other larceny-theft not specifically classified – All thefts which do not fit the definition of the specific categories of larceny listed above. This includes theft of furniture, tools, etc.

**7. BURGLARY:** The unlawful entry (breaking or entering) with intent to commit a felony or theft, breaking and entering with intent to commit a larceny, house-breaking, safecracking, and all attempts at these offenses as burglary.

The definition of a structure includes, but is not limited to, any residence, business, campus or classroom, other buildings, public buildings, etc.

An incident must meet three conditions to be classified as a Burglary:

- 1) There must be evidence of unlawful entry (trespass). Both Forcible Entry and Unlawful Entry – No Force are counted.
- 2) The Unlawful Entry must occur within a structure, which is defined as having four walls, a roof, and a door.
- 3) The Unlawful Entry into a structure must show evidence that the entry was made in order to commit a felony or theft. If the intent was not to commit a felony or theft, or if the intent cannot be determined, the proper classification is Larceny.

Examples include:

- Forcible Entry is any offense where force of any kind is used to unlawfully enter a structure for the purpose of committing a theft or felony. (Examples: Using tools, breaking windows, master keys, or picks to gain entry). Agencies must also include this category burglary by concealment inside a building followed by exiting the structure.
- Unlawful Entry – No Force is considered when the entry of a structure is achieved by use of an unlocked door or window. The element of trespass to the structure is essential in this category, which includes thefts from open garages, open warehouses, open or unlocked dwellings, and open or unlocked common basement areas in apartment houses where entry is achieved by other than the tenant who has lawful access.
- Attempted Forcible Entry includes those situations where a forcible entry burglary is attempted but not completed. Once the thief is inside a locked structure, the offense becomes a Burglary – Forcible Entry. Agencies must classify attempts to enter an unlocked structure as well as actual trespass to an unlocked structure as Burglary – Unlawful Entry – No Force. Only situations in which a thief has attempted to break into a locked structure are classified as Burglary – Attempted Forcible Entry.

**Note: If a forcible or unlawful entry of a building is made to steal a motor vehicle, the reporting agency must count the offense and the value of the vehicle under burglary, not motor vehicle theft.**

**8. VANDALISM:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

This offense covers a wide range of malicious behavior directed at property, such as cutting auto tires, drawing obscene pictures on public restroom walls, smashing windows, destroying campus records, tipping over gravestones, and defacing library books. Reporting agencies must include attempts to commit any of the above.

**9. MOTOR VEHICLE THEFT:** Motor Vehicle Theft includes the theft or attempted theft of a motor vehicle, which the UCR Program defines as a self-propelled vehicle that runs on land surface and not on rails; for example, sport utility vehicles, automobiles, trucks, buses, motorcycles, motor scooters, all-terrain vehicles, and snowmobiles are classified as motor vehicles. Joyriding should be included as Motor Vehicle Theft.

**Note: If a motor vehicle is stolen in conjunction with another offense, each offense must be classified accordingly.**

Examples include:

- Trucks and Buses include the theft of those vehicles specifically designed (but not necessarily used) to commercially transport people and cargo. Pickup trucks and cargo vans, regardless of their use, are included in this category. The UCR Program considers a self-propelled motor home to be a truck.
- Other Vehicles includes all other motor vehicles that meet the UCR definition such as snowmobiles, motorcycles, motor scooters, trail bikes, mopeds, golf carts, all-terrain vehicles, and motorized wheelchairs. Obviously, all situations cannot be covered, so the classifier's decision must be based on UCR standards and the results of law enforcement investigation.

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

Intimidation involves an offender making some type of threat to the victim without actually using or displaying a weapon. Such threats can be made in person, over the telephone, or in writing.

**11. ARSON:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property or another, etc.

Include as arson only structural fires determined through investigation to have been willfully or maliciously set. Attempts to burn are included in this offense, but fires of suspicious or unknown origins are not.

**Note: If arson is recorded, the campus is responsible for updating the Fire Safety Report to include arson or any other types of fire.**

Examples include:

- Structural includes single occupancy residential (houses, townhouses, etc.), other residential (apartments, tenements, hotels, etc), storage (barns, garages, etc.), industrial/manufacturing, other commercial (stores, restaurants, offices, etc.), community/public (churches, jails, campuses, colleges, etc.), all other structure (out buildings, monuments, buildings under construction, etc.). Structures are further divided into two subcategories: residential and nonresidential.
- Mobile includes motor vehicles (automobiles, trucks, buses, motorcycles, etc.) and other mobile property (trailers, recreational vehicles, airplanes, boats, etc.).
- Other subcategory encompasses arson of all property not classified as structural or mobile. Willful or malicious burnings of property such as crops, timber, fences, signs, and merchandise stored outside structures are included in this category.

Incidents in which persons are killed as a direct result of arson are classified as both criminal homicides and arson. Similarly, the number of persons severely injured during an arson must be reported as aggravated assaults along with the arson.

**12. HATE CRIMES:** In general, “hate” or “bias” crime is often defined as unlawful actions designed to frighten or harm an individual because of his/her race, religion, gender, disability, ethnicity, national origin, or sexual orientation. A hate crime is classified as any occurrence of criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, and any other crime involving bodily injury reported to local law enforcement agencies or a campus security authority, that manifest evidence that the victim was intentionally selected because of the perpetrator’s bias.

An important distinction is required when reporting a hate crime. The mere fact that an offender is biased against a victim’s race, religion, gender, disability, ethnicity, national origin, or sexual orientation is not sufficient to deem the offense a hate crime. Rather, it must be determined that the offender’s criminal act was motivated, in whole or in part, by the offender’s bias.

## **DISCIPLINARY REFERRALS**

The following are the FBI Uniform Crime Report’s definition of crime for which arrests and disciplinary referrals must be reported:

**LIQUOR LAW VIOLATIONS:** Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages (does not include arrests for driving while impaired or under the influence of alcohol).

The campus will report the following in its annual statistics:

1. The number of campus violations
2. The type of sanction for violations
3. The number of arrests
4. The number of fatalities

**DRUG LAW VIOLATIONS:** Violations of state and local laws, specifically those for the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

The campus will report the following in its annual statistics:

1. The number of campus violations
2. The type of sanction for violations

3. The number of arrests
4. The number of fatalities

**WEAPONS POSSESSION:** Defined as a violation of law or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms. Cutting instruments, explosives, incendiary devices or other deadly weapons are included in this category. If a weapon is utilized during any of the categories above, a separate weapon violation will be recorded in the campus statistics.

## **SEX OFFENDERS**

The Campus Sex Crimes Prevention Act requires colleges and universities to disclose to its students the location of sex offender registries and the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The act also requires registered sex offenders to provide a notice of any campus of higher education in which the offender is employed, carries on a vocation, or is a student to state officials.

Students who are subject to an involuntary civil commitment, after completing a period of incarceration for a forcible or nonforcible sexual offense, are ineligible to receive a Federal Pell Grant.

Any member of the campus community who wishes to obtain further information regarding sexual offenders in the area may refer to <http://www.sexoffender.com> for the national registry.

## **SEX OFFENSES**

In order to prevent the occurrence of rape, acquaintance rape, and other forcible and nonforcible sex offenses, Kaplan's policy includes the following:

- In conjunction with the campus security bi-annual in-services, the campus will address awareness and prevention of rape and sex offenses. These in-service programs are conducted by local law enforcement officials twice a year. Notice of the programs is given to faculty, employees, and students by bulletins posted at the campus.
- If a sex offense occurs, the victim should immediately notify the campus authorities and local police. Any evidence that may support the offense should be meticulously preserved for police identification. To preserve evidence, you should not bathe or change clothes or do any cleaning up in any manner prior to receiving medical assistance.
- Students have the option to report rape or sex offenses to the proper law enforcement authorities including on-campus and local police. The campus staff will assist the student in reporting these offenses at the student's request.
- The campus provides and assists students with on- and off-campus counseling, mental health services, and other student services for victims of sex offenses. Information may be obtained from the Campus President/Executive Director. Local counseling services are attached as an addendum.
- Upon request by a victim of a sex offense, the campus will change that victim's academic schedule if the change is reasonably available. Also, if the victim is living in living quarters, these quarters will be changed to other lodgings on the request of the victim if the request can be reasonably filled. If the victim wishes to move from living quarters, the campus will help the victim locate alternate living quarters at their own expense, provided that alternate living quarters are reasonably available.
- The campus has adopted a Procedure for Processing Complaints of Unlawful Discrimination and Other Grievances (the "Grievance Procedure") which applies in the event of an accusation of a sex offense. Copies of the Grievance Procedure may be obtained from the Campus President/Executive Director. As provided in the Grievance Procedure, the accuser and the accused are entitled to the same opportunities to have others present during any proceedings that take place. Both the accused and the accuser will be notified of the results of the proceedings as stated in the Grievance Procedure. Decisions reached during the proceedings, other than referral to legal authorities, may be appealed using the campus Grievance Procedure. Documentation of any sex offense proceedings is required by Kaplan and must be kept on file indefinitely by the campus and the Home Office. This should include sanctions the campus may impose following a final

determination of a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or nonforcible sex offenses.

## DISCIPLINARY PROCEEDINGS

The Higher Education Opportunity Act (HEOA) requires colleges to disclose, upon written request, to the alleged victim of a crime of violence or a non-forcible sex offense, the results of any disciplinary hearing related to the offense conducted by the campus against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the campus must provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

## DRUG-FREE CAMPUS AND WORKPLACE

### ALCOHOL & DRUG POLICY

The campus is designated as "Drug-Free". The campus will provide to each student upon enrollment a separate, clear and conspicuous written notice with information on the penalties associated with drug-related offenses. The possession, sale or the furnishing of alcohol on campus is governed by the Code of Student Conduct found in the catalog. The Code of Student Conduct states that students will be held accountable for "the use of alcoholic beverages or controlled substances on College or externship property, including the purchase, consumption, possession, or sale of such items". The National Minimum Drinking Age Act of 1984 required all states to raise their minimum purchase and public possession of alcohol to age 21.

A student committing this violation shall receive a written warning concerning the misconduct and is subject to disciplinary action up to and including immediate suspension or dismissal, criminal prosecution, fine and/or imprisonment. Students dismissed for conduct violations will not be readmitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws.

In conjunction with the campus security bi-annual in-services, the campus will address the Drug & Alcohol Prevention program that was implemented to determine the following:

- 1) The number of drug and alcohol-related violations and fatalities that occur on the campus or as part of any of the campus activities must be reported to campus officials, and
- 2) The number and type of sanctions that are imposed by the campus as a result of drug and alcohol-related violations and fatalities on the campus or as part of any of the campus activities.

**Note: Additional information is available within the Employee Handbook for campus personnel.**

The campus must provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties in a separate clean, and conspicuous written notice that notifies the student of the loss of eligibility and advises the student of the ways in which to regain eligibility. If the student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with criteria established by the Secretary he may be eligible to regain eligibility of Federal funds.

## *DESCRIPTION OF HEALTH RISKS ASSOCIATED WITH ALCOHOL*

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood the driver will be involved in an accident. Low-to-moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate-to-high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause

respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics than other youngsters.

## *DESCRIPTION OF HEALTH RISKS ASSOCIATED WITH DRUG USE*

<b>Drugs</b>	<b>Physical Dependence</b>	<b>Psychological Dependence</b>	<b>Possible Effects</b>
<b>Narcotics</b>			
<b>Heroin</b>	High	High	<ul style="list-style-type: none"> <li>• Euphoria</li> <li>• Drowsiness</li> <li>• Respiratory Depression</li> <li>• Constricted Pupils</li> <li>• Nausea</li> </ul>
<b>Morphine</b>	High	High	
<b>Codeine</b>	Moderate	Moderate	
<b>Hydrocodone</b>	High	High	
<b>Hydromorphone</b>	High	High	
<b>Oxycodone</b>	High	High	
<b>Methadone &amp; LAAM</b>	High	High	
<b>Fentanyl &amp; Analogs</b>	High	High	
<b>Other Narcotics</b>	High-Low	High-Low	
<b>Depressants</b>			
<b>Chloral Hydrate</b>	Moderate	Moderate	<ul style="list-style-type: none"> <li>• Slurred Speech</li> <li>• Disorientation</li> <li>• Drunken Behavior Without Odor of Alcohol</li> </ul>
<b>Barbiturates</b>	High-Moderate	High-Moderate	
<b>Benzodiazepines</b>	Low	Low	
<b>Glutethimide</b>	High	Moderate	
<b>Other Depressants</b>	Moderate	Moderate	
<b>Stimulants</b>			
<b>Cocaine</b>	Possible	High	<ul style="list-style-type: none"> <li>• Increases Alertness</li> <li>• Euphoria</li> <li>• Increased Pulse Rate &amp; Blood Pressure</li> <li>• Excitation</li> <li>• Insomnia</li> <li>• Loss of Appetite</li> </ul>
<b>Amphetamine/ Methamphetamine</b>	Possible	High	
<b>Methylphenidate</b>	Possible	High	
<b>Other Stimulants</b>	Possible	High	
<b>Cannabis</b>			
<b>Marijuana</b>	Unknown	Moderate	<ul style="list-style-type: none"> <li>• Euphoria</li> </ul>
<b>Tetrahydrocannabinol</b>	Unknown	Moderate	<ul style="list-style-type: none"> <li>• Relaxed Inhibitions</li> </ul>
<b>Hashish &amp; Hashish Oil</b>	Unknown	Moderate	<ul style="list-style-type: none"> <li>• Increased Appetite</li> <li>• Disorientation</li> </ul>
<b>Hallucinogens</b>			
<b>LSD</b>	None	Unknown	
<b>Mescaline &amp; Peyote</b>	None	Unknown	

<b>Amphetamine Variants</b>	Unknown	Unknown	<ul style="list-style-type: none"> <li>• Illusions &amp; Hallucinations</li> </ul>
<b>Phencyclidine &amp; Analogs</b>	Unknown	High	<ul style="list-style-type: none"> <li>• Altered Perception of Time &amp; Distance</li> </ul>
<b>Other Hallucinogens</b>	None	Unknown	
<b>Anabolic Steroids</b>			
<b>Testosterone (Cypionate, Enanthate)</b>	Unknown	Unknown	<ul style="list-style-type: none"> <li>• Virilization</li> <li>• Acne</li> </ul>
<b>Nandrolone (Decanoate, Phenpropionate)</b>	Unknown	Unknown	<ul style="list-style-type: none"> <li>• Testicular Atrophy</li> <li>• Gynecomastia</li> <li>• Aggressive Behavior</li> </ul>
<b>Oxymetholone</b>	Unknown	Unknown	<ul style="list-style-type: none"> <li>• Edema</li> </ul>

## **ADDENDUMS**

### **FEDERAL SANCTIONS**

Campuses are required to notify current/perspective students and employees of the federal legal sanctions associated with the possession or trafficking of a controlled substance. Refer to the *Federal Sanctions* addenda for a detailed listing.

### **STATE LEGAL SANCTIONS**

Campuses are required to notify current/perspective students and employees of the state legal sanctions associated with the possession or trafficking of a controlled substance. Refer to the separate *State Sanctions* addenda for a detailed listing.

### **LOCAL COUNSELING, TREATMENT, AND REHABILITATION PROGRAMS**

Campuses are required to notify current/perspective students and employees of local counseling, treatments, and rehabilitation programs for possession and trafficking of a controlled substance. Refer to the *Local Counseling, Treatment, and Rehabilitation Programs* addendum.

### **CAMPUS CRIME STATISTICS**

The addenda labeled *Campus Crime Statistics* contain the criminal offenses and disciplinary instances as reported to the campus or the local law enforcement as occurring on campus, off campus, or on public property within close proximity of the campus. The Campus Crime Statistics include the number of offenses or instances for the last three completed calendar years.

### **EMERGENCY RESPONSE and EVACUATION PLAN**

The addenda labeled *KHEC Campus Security Authority Chart* details personnel who are responsible for carrying out the Emergency Response and Evacuation Plan.

## Federal Sanctions

### Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

- 1st Conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000
- After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years, and fined at least \$2,500 but not more than \$250,000
- After 2 or more drug convictions: At least 90 days in prison, not to exceed 3 years, and fined at least \$5,000 but not more than \$250,000
- Special sentencing provisions for possession of crack cocaine:
  1. Mandatory at least 5 years in prison, not to exceed 20 years, and fined up to \$250,000, or both if:
    - a. 1st convictions and amount of crack possessed exceeds 5 grams.
    - b. 2nd crack conviction and the amount of crack possessed exceed 3 grams.
    - c. 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.
- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year of imprisonment. (See special sentencing provisions re: crack cocaine.)
- Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.
- Denial of federal benefits such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense and up to 5 years for second and subsequent offenses.
- Ineligible to receive or purchase a firearm.
- Revocation of certain federal licenses and benefits (e.g. pilot licenses, public housing tenancy, etc.) are vested within the authorities of individual federal agencies.
- For Federal Drug Trafficking penalties, click here:  
<http://www.justice.gov/dea/agency/penalties.pdf>

<b>Alcohol Laws</b>			
<b>Selling to a minor</b>	<b>Charge</b>	<b>Incarceration</b>	<b>Fine</b>
Purchasing or providing alcohol to a minor	class A misdemeanor	1 year	\$4,000
Selling alcohol to a minor*	class A misdemeanor	1 year	\$4,000
*The person who sells to a minor does not commit an offense if the minor falsely represents himself to be 21 years old or older with an apparently valid proof of identification.			
<b>Sale to an intoxicated person</b>			
Sale of alcohol to an intoxicated person	misdemeanor	1 year	\$100-\$500
<b>Offenses committed by minors</b>			
Purchasing alcohol	class C misdemeanor	none	\$500
Attempt to purchase alcohol	class C misdemeanor	none	\$500
Consumption of alcohol – first and second violation	class C misdemeanor	none	\$500
Consumption of alcohol – third or subsequent violation*	class C misdemeanor	none	\$500
*A minor who commits this offense and who has been previously convicted twice or more of offenses under this section is not eligible for deferred disposition.			
Possession of alcohol by a minor	class C misdemeanor	none	\$500
Fake identification	class C misdemeanor	none	\$500
** If the minor has previously been convicted at least twice of an offense in this section, the offense is punishable by a fine of \$250-\$2,000 and/or incarceration of a maximum of 180 days.			
*** A minor placed on deferred disposition will perform community service for: <ul style="list-style-type: none"> <li>• 8-12 hours if not previously convicted of an offense</li> <li>• 20-40 hours if previously convicted of one offense</li> <li>• A minor with two or more previous convictions is not eligible for deferred disposition.</li> </ul>			
**** The minor's driver's license/permit will also be suspended for: <ul style="list-style-type: none"> <li>• 30 days if no previous conviction</li> <li>• 60 days if convicted once</li> <li>• 180 days if convicted twice or more</li> </ul>			
<b>Alcohol Related Offenses</b>			
Public intoxication	class C misdemeanor	none	\$500
Open container in a vehicle	class C misdemeanor	none	\$500
<b>Driving under the influence</b>			
Driving while intoxicated*	class B misdemeanor	72 hours-180 days; minimum of 6 days if open container in vehicle	\$2,000
Driving while intoxicated with a passenger younger than 15 years	state jail felony	180 days – 2 years	\$10,000
*If an individual has already committed this offense once, this second violation will be a class A misdemeanor with a minimum term of confinement of 30 days.			
*This offense will be a felony of the third degree if the person has previously been convicted: <ul style="list-style-type: none"> <li>• One time of an offense of intoxication manslaughter or</li> <li>• Two times of any other offense relating to the operation of a motor vehicle while intoxicated</li> </ul>			

## Controlled Substance Laws

Possession	Charge	Incarceration	Fine
Penalty Group 1 – less than 1 gram	state jail felony*	180 days - 2 years	\$10,000
Penalty Group 1 – 1-4 grams	felony of the third degree	2 - 10 years	\$10,000
Penalty Group 1 – 4-200 grams	felony of the second degree	2 - 20 years	\$10,000
Penalty Group 1 – 200-400 grams	felony of first degree	5 - 99 years	\$10,000
Penalty Group 1 – more than 400 grams	felony	Life; 10-99 years	\$100,000
Penalty Group 1A – less than 20 units	state jail felony*	180 days - 2 years	\$10,000
Penalty Group 1A – 20-80 units	felony of the third degree	2 - 10 years	\$10,000
Penalty Group 1A – 80-4,000 units	felony of the second degree	2 - 20 years	\$10,000
Penalty Group 1A – 4,000-8,000 units or more	felony of the first degree	5 - 99 years	\$10,000
Penalty Group 1A – more than 8,000 units	felony	Life; 15-99 years	\$250,000
Penalty Group 2 – less than 1 gram	state jail felony*	180 days - 2 years	\$10,000
Penalty Group 2 – 1-4 grams	felony of the third degree	2 - 10 years	\$10,000
Penalty Group 2 – 4-400 grams	felony of the second degree	2 - 20 years	\$10,000
Penalty Group 2 – more than 400 grams	felony	Life; 5-99 years	\$50,000
Penalty Group 3 – less than 28 grams	class A misdemeanor	1 year	\$4,000
Penalty Group 3– 28-200 grams	felony of the third degree	2 - 10 years	\$10,000
Penalty Group 3– 200-400 grams	felony of the second degree	2 - 20 years	\$10,000
Penalty Group 3– more than 400 grams	felony	Life; 5-99 years	\$50,000
Penalty Group 4 – less than 28 grams	class B misdemeanor	180 days	\$2,000
Penalty Group 4– 28-200 grams	felony of the third degree	2 - 10 years	\$10,000
Penalty Group 4– 200-400 grams	felony of the second degree	2 - 20 years	\$10,000
Penalty Group 4– more than 400 grams	felony	Life; 5-99 years	\$50,000
A substance not listed in a penalty group	class B misdemeanor	180 days	\$2,000
Marijuana - 2 oz or less*	class B misdemeanor	180 days	\$2,000
Marijuana - 2 to 4 oz*	class A misdemeanor	1 year	\$4,000
Marijuana - 4 oz to 5 lb*	state jail felony*	180 days - 2 years	\$10,000
Marijuana - 5 to 50 lbs	felony of the third degree	2 - 10 years	\$10,000
Marijuana - 50 to 2,000 lbs	felony of the second degree	2 - 20 years	\$10,000
Marijuana - More than 2,000 lbs	felony	5 - 99 years; life	\$50,000

<b>Possession with Intent to Deliver</b>			
Penalty Group 1 – less than 1 gram	state jail felony*	180 days - 2 years	\$10,000
Penalty Group 1 – 1-4 grams	felony of the second degree	2 - 20 years	\$10,000
Penalty Group 1 – 4-200 grams	felony of the first degree	5 - 99 years	\$10,000
Penalty Group 1 – 200-400 grams	felony	Life; 10-99 years	\$100,000
Penalty Group 1 – more than 400 grams	felony	Life; 15-99 years	\$250,000
Penalty Group 1A – less than 20 units	state jail felony*	180 days - 2 years	\$10,000
Penalty Group 1A – 20-80 units	felony of the second degree	2 - 20 years	\$10,000
Penalty Group 1A – 80-4,000 units	felony of the first degree	5 - 99 years	\$10,000
Penalty Group 1A – 4,000 units or more	felony	Life; 15-99 years	\$250,000
Penalty Group 2 – less than 1 gram	state jail felony*	180 days - 2 years	\$10,000
Penalty Group 2 – 1-4 grams	felony of the second degree	2 - 20 years	\$10,000
Penalty Group 2 – 4-400 grams	felony of the first degree	5 - 99 years	\$10,000
Penalty Group 2 – more than 400 grams	felony	Life; 10-99 years	\$100,000
Penalty Group 3 or 4 – less than 28 gram	state jail felony*	180 days - 2 years	\$10,000
Penalty Group 3 or 4 – 28-200 grams	felony of the second degree	2 - 20 years	\$10,000
Penalty Group 3 or 4 – 200-400 grams	felony of the first degree	5 - 99 years	\$10,000
Penalty Group 3 or 4 – more than 400 grams	felony	Life; 10-99 years	\$100,000
Substance not listed in a penalty group	class A misdemeanor	1 year	\$4,000
Delivery to a minor	felony of the second degree	2 - 20 years	\$10,000
<b>Delivery of Marijuana</b>			
Gift of 1/4 oz or less	class B misdemeanor	180 days	\$2,000
Sale of 1/4 oz or less	class A misdemeanor	1 year	\$4,000
1/4 oz to 5 lbs	state jail felony*	180 days - 2 years	\$10,000
5 to 50 lbs	felony of the second degree	2 - 20 years	\$10,000
50 to 2,000 lbs	felony of the first degree	5 - 99 years	\$10,000
2,000 lbs or more	felony	Life; 10 - 99 years	\$100,000
To a minor	felony of the second degree	2 - 20 years	\$10,000
<b>Miscellaneous</b> (paraphernalia, license suspensions, drug tax stamps, etc...)			
Paraphernalia possession with intent to use	class C misdemeanor	none	\$500
Paraphernalia possession with intent to deliver	class A misdemeanor	1 year; 90 days-1 year if previously convicted of paraphernalia possession	\$4,000

Paraphernalia distribution to a minor (at least 3 years younger)	state jail felony*	180 days - 2 years	\$10,000
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**Details**[Top ▲](#)**Controlled Substance Penalty Groups**

- [Penalty Group 1](#): opiates, opium derivatives, cocaine, flunitrazepam, methamphetamine
- [Penalty Group 1A](#): LSD
- [Penalty Group 2](#): hallucinogenic substances, substances having a potential for abuse associated with a depressant or stimulant effect
- [Penalty Group 3](#): substances having a potential for abuse associated with a depressant or stimulant effect, smaller amounts of some narcotic drugs, peyote, anabolic steroid
- [Penalty Group 4](#): smaller amounts of narcotic drugs

\*An individual adjudged guilty of a state jail felony shall be punished for a third degree felony if it is shown that the offense included a deadly weapon or the individual has previous been convicted of any felony.

**Kaplan College – Brownsville Campus**  
**LOCAL COUNSELING, TREATMENT,**  
**AND REHABILITATION PROGRAMS**

People in the Brownsville area who have drug or alcohol problems can contact the following agencies for help:

***Palmer Drug Abuse Program***

1275 Cottonwood Drive  
Brownsville, TX  
956-544-3333

***Rio Grande Valley Council on Alcohol & Drug Abuse***

5 Boca Chica  
Suite 11  
Brownsville, TX  
956-928-1551

***Life Vision***

827 E. Vinson  
Harlingen, TX  
956-428-0745

***Treatment Associates Rio Grande Valley***

700 Paredes Avenue  
Brownsville, TX  
956-550-0651

***Deer Oak Mental Health Associates***

869 Ridgewood  
Brownsville, TX  
956-546-9525

***Tropical Texas Center***

Adult Mental Health Services  
5 Boca Chica Blvd., Ste. 6  
Brownsville, TX  
956-546-2230

***Valley Baptist Behavioral Health Services***

2101 Pease St  
Harlingen, TX  
956-389-6750

055 Brownsville

Campus Crime Statistics – without student housing

Crimes reported on Campus

CATEGORY	2008*	2009	2010
<b>Criminal Homicide:</b>			
Murder and Non- Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses:</b>			
Forcible	0	0	0
Non-forcible	0	0	0
<b>Assault:</b>			
Simple Assault	0	1	2
Aggravated Assault	0	0	0
<b>Robbery:</b>	0	0	0
<b>Larceny-Theft:</b>	0	2	4
<b>Burglary:</b>	0	0	0
<b>Vandalism:</b>	0	2	0
<b>Motor Vehicle Theft:</b>	0	1	0
<b>Intimidation:</b>	0	0	1
<b>Arson:</b>	0	0	0
<b>Arrests For:</b>			
Liquor Law Violation			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
# of arrests	0	0	0
# of fatalities	0	0	0
Drug-Related Violations			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
# of arrests	0	0	0
# of fatalities	0	0	0
Weapons Possession	0	0	0
<b>Disciplinary Referrals:</b>			
Liquor Law Violation			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
Drug-Related Violations			
# of campus violations	0	0	1
Type of sanctions for violations	0	0	Referral
Weapons Possession	0	0	0

<b>Hate Crimes</b>			
Should a hate crime be reported, it will be identified by the bias category.			
CATEGORY	2008*	2009	2010
<b>Criminal Homicide:</b>			
Murder and Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses:</b>			
Forcible	0	0	0
Non-forcible	0	0	0
<b>Assault:</b>			
Simple Assault	0	0	0
Aggravated Assault	0	0	0
<b>Robbery:</b>	0	0	0
<b>Larceny-Theft:</b>	0	0	0
<b>Burglary:</b>	0	0	0
<b>Vandalism:</b>	0	0	0
<b>Motor Vehicle Theft:</b>	0	0	0
<b>Intimidation:</b>	0	0	0
<b>Arson:</b>	0	0	0

<b>Bias Categories</b>	
Race	Gender
Religion	Disability
Ethnicity/National Origin	Sexual Orientation

\* Data collection from 8/14/08-12/31/08 per the Higher Education Opportunity Act (HEOA)

055 BROWNSVILLE

Campus Crime Statistics – without student housing

Off-campus / Public property (reported to local authorities)

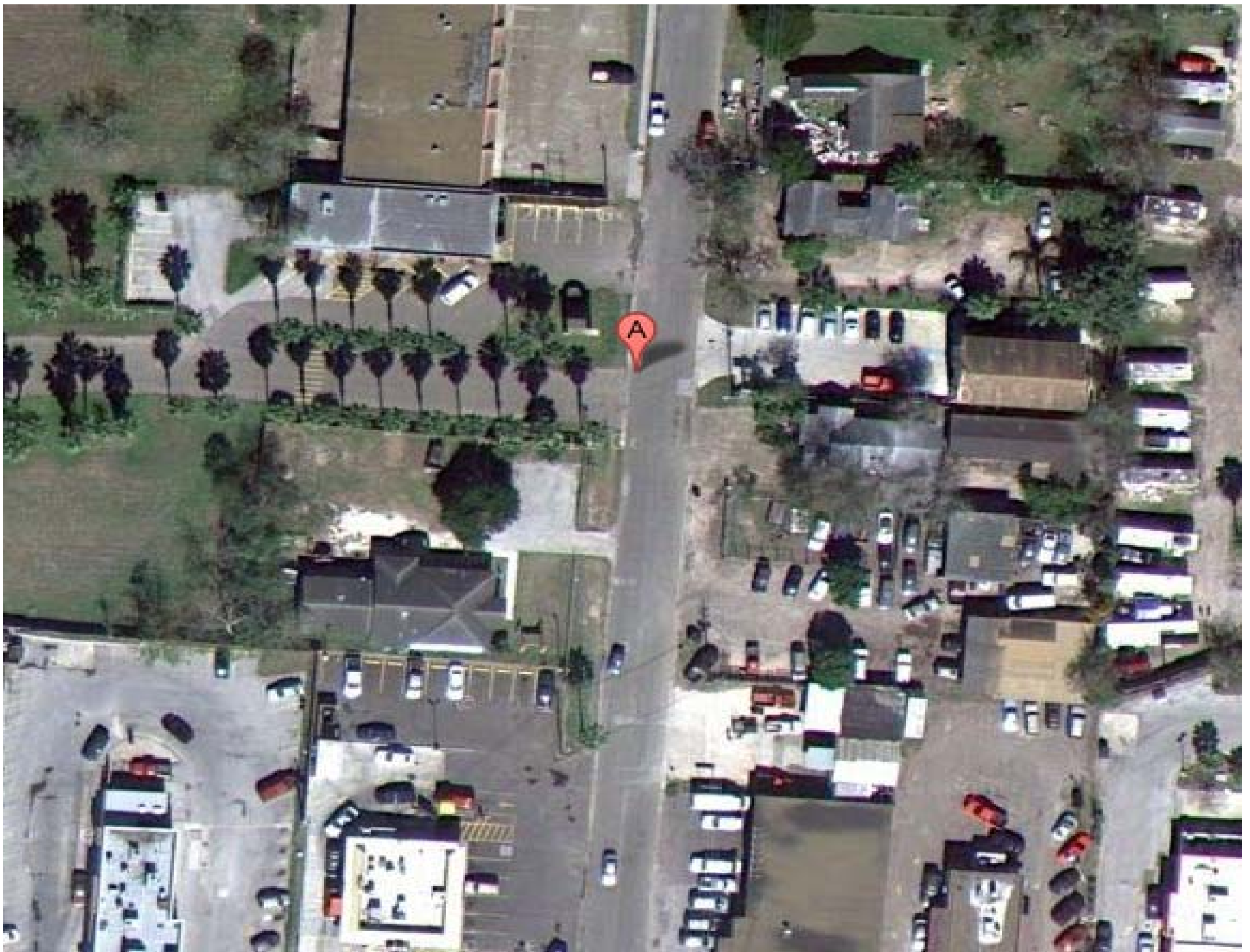
CATEGORY	2008*	2009	2010
<b>Criminal Homicide:</b>			
Murder and Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses:</b>			
Forcible	0	0	0
Non-forcible	0	0	0
<b>Assault:</b>			
Simple Assault	0	0	0
Aggravated Assault	0	0	0
<b>Robbery:</b>	0	0	0
<b>Larceny-Theft:</b>	0	0	0
<b>Burglary:</b>	0	0	0
<b>Vandalism:</b>	0	0	0
<b>Motor Vehicle Theft:</b>	0	0	0
<b>Intimidation:</b>	0	0	0
<b>Arson:</b>	0	0	0
<b>Arrests For:</b>			
Liquor Law Violation			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
# of arrests	0	0	0
# of fatalities	0	0	0
Drug-Related Violations			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
# of arrests	0	0	0
# of fatalities	0	0	0
Weapons Possession	0	0	0
<b>Disciplinary Referrals:</b>			
Liquor Law Violation			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
Drug-Related Violations			
# of campus violations	0	0	0
Type of sanctions for violations	0	0	0
Weapons Possession	0	0	0

<b>Hate Crimes</b>			
Should a hate crime be reported, it will be identified by the bias category.			
CATEGORY	2008*	2009	2010
<b>Criminal Homicide:</b>			
Murder and Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses:</b>			
Forcible	0	0	0
Non-forcible	0	0	0
<b>Assault:</b>			
Simple Assault	0	0	0
Aggravated Assault	0	0	0
<b>Robbery:</b>	0	0	0
<b>Larceny-Theft:</b>	0	0	0
<b>Burglary:</b>	0	0	0
<b>Vandalism:</b>	0	0	0
<b>Motor Vehicle Theft:</b>	0	0	0
<b>Intimidation:</b>	0	0	0
<b>Arson:</b>	0	0	0

<b>Bias Categories</b>	
Race	Gender
Religion	Disability
Ethnicity/National Origin	Sexual Orientation

**Caveat:** Statistics from local authorities are not included as the statistics included the entire city not specific to public property adjacent to school as required by federal regulations.

\* Data collection from 8/14/08-12/31/08 per the Higher Education Opportunity Act (HEOA)



# Campus Security Authority Chart

Kaplan College – Brownsville Campus

Main Phone: 956-547-8200

## Individuals to contact in case of an emergency:

1. Campus President
2. Director of Operations
3. Director of Education
4. Director of Financial Aid
5. Director of Admissions