
ANNUAL SECURITY REPORT

2018

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INTRODUCTION

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 (the “Clery Act”), this Annual Security Report (“ASR”) of Vista College and Computer Career Center, a Division of Vista College (collectively “Vista”) contains information and crime statistics for the previous three calendar years (2015-2017) regarding crimes that occurred on campus and on public property within, or immediately adjacent and accessible to, the campus. The report also includes campus security and personal safety information such as crime prevention, fire safety, crime reporting policies, and a drug and alcohol policy.

A copy of the ASR is available to all students and can be found on Vista’s website: <http://www.vistacollege.edu/campus-safety/>. Compliance with the following policy and all items contained therein is mandatory for all students and staff of Vista. The authorization and responsibility for enforcement has been given primarily to the Senior Vice President of Compliance, in conjunction with the Corporate Director of Compliance of Vista’s parent organization, Education Futures Group LLC. The Campus Director and/or Campus Security Authorities at each location share in this responsibility as well. Campus Security Authorities at each campus are Vista employees who have been designated by Vista and deemed responsible for reporting any criminal actions reported by students, faculty, staff or visitors.

CAMPUS SECURITY

Vista is part of the local community and, as such, is open to the public. The public may enter academic and administrative buildings during daytime business hours, and often into the evening hours for night classes and activities. Access to facilities is managed and supervised in a variety of ways, according to use, size, and other factors.

A security guard may be available during business hours. The security guard has the authority to act on behalf of Vista to ask for identification and to determine whether an individual has lawful business at the campus. The security guard does not have arresting authority. Local law enforcement will be notified if a criminal incident occurs.

POLICY ON VISITORS

Visitors to a Vista campus must report to the front desk, sign the visitor sign-in sheet, and obtain a visitor’s badge. Visitors must be accompanied by an employee at all times and are not permitted to explore the campus unattended. Only students, registered visitors, and authorized personnel are allowed beyond the reception area.

No child under the age of 17 may be on a Vista campus unless they are under the constant supervision of an adult. Under no circumstances will a student be allowed to bring children to the campus while the student is attending a scheduled class or program such as orientation.

EMERGENCY POLICIES AND PROCEDURES

Guidelines - General

In an emergency, the following general guidelines should be observed by students and staff:

- Remain calm
- Call 911 in matters of life and death or if you are uncertain about the severity of a situation
- Contact the Campus Director or Campus Security Authority about all safety concerns and issues with the appropriate sense of urgency for the situation
- Complete an Incident Report Form, which can be obtained from the Campus Director, and file it with the Campus Director or Campus Security Authority

Guidelines - Medical Emergency

- Students should contact a faculty or staff member for assistance
- If life-threatening, call 911
- Faculty and staff members will attempt to obtain the name and address of the injured/ill party and an emergency contact phone number to call
- Students and staff must make an incident report with the Campus Director at their earliest convenience

Guidelines - Fire or Explosion

Each room in the school has a fire evacuation route map posted for easy view by staff and students with the address of the building posted on the map. Periodic fire and emergency evacuation drills are conducted and documentation of the drills retained in the Campus Director's office. All staff are made aware of emergency procedures during onboarding and/or in staff meetings to ensure all safety precautions have been met. Additionally, Vista provides ongoing training on emergency procedures and evacuation, workplace safety, and fire prevention.

In the event of a fire or other emergency, able students should notify Vista staff. All students and staff must evacuate immediately. Students and staff must evacuate by means of the nearest available exit and gather at a designated meeting point outside the facility. Staff must report to the Campus Director for headcount and students will be accounted for by their applicable instructor and/or program director.

. No staff are assigned to perform medical or rescue duties during emergency evacuation situations.

No one will be allowed to return to the campus facility until directed to do so by the Campus Director or Campus Security Authority. After an emergency evacuation, staff must report to the Campus Director for headcount and students will be accounted for by their applicable instructor and/or program director.

Portable fire extinguishers are provided for use in limited circumstances. Use may be appropriate when the fire is limited to the original material ignited, it is contained (such as in a waste basket) and has not spread to other materials. Evacuation should occur immediately if the flames begin to spread. The fire extinguishers at each campus are inspected annually by the local fire marshal.

Guidelines - Facility-Related Emergency

- Students will report all hazardous conditions such as gas leaks, broken pipes, power failures, mechanical failures, or chemical spills to any Vista staff member. Vista staff should then:
 - Immediately report the condition to the Campus Director or Campus Security Authority
 - If appropriate, the Campus Director or Campus Security Authority should order the location or building to be evacuated and begin the emergency notification process (“Vista Alert”)

Guidelines – Criminal Activity

- If an emergency, call 911; local police may be contacted for non-emergencies
- When safe to do so, students should contact the Campus Director or any Vista staff
- Describe the incident, give the location, and number of persons involved
- Complete an Incident Report Form, which can be obtained from the Campus Director, and file it with the Campus Director or Campus Security Authority

As detailed in the Reporting Crimes section below, while Vista strongly encourages the reporting of all crimes, it is understood that the welfare and choice of the victim of crimes comes first. If you choose to make a report, go immediately as possible to the Campus Director and complete an incident form.

Vista assumes no responsibility for personal property brought onto the campus. If someone chooses to bring personal property on campus, you are encouraged to obtain personal insurance for loss or damage of such property.

PERSONAL PROTECTION

Students and staff should always be smart and keep themselves and their possessions safe. During orientation (new student and new employee), Vista reviews its campus security procedures and practices including emergency evacuations, policy on visitors, hours of operation, campus safety, and student access to the campus. Vista strongly encourages students and staff to protect themselves and their belongings at all times while on campus. We encourage students and staff to be aware of their surroundings and of their responsibility for their own security and the security of others.

During the day, the faculty and staff will act as the security staff to safeguard entrances to the classrooms and administrative office areas. Each campus has a receptionist on duty during all hours of operation to monitor any potential breach in security. In the evening, a staff person is available to walk students and staff to their cars, if requested. Each building has a minimum of two emergency exits with security bar locks and lit exit signs.

Additionally, below are some safety tips for individuals to follow while on campus:

- Share schedule with close network (family members and/or close friends) creating a “buddy” system
- Give network telephone numbers to family, advisors, and friends
- Update cell phone to include “In Case of Emergency” (“ICE”) contact information
- Remain in areas that are well-lit and preferably with a lot of activity
- Know your neighborhood and campus; find out which sections of buildings are open late (or early) and where you can go to request help if needed
- Keep your car in good running condition. Make sure there’s enough gas to get you to your destination.
- Be aware of your surroundings and have your keys ready before getting into your vehicle. Lock the doors immediately upon entering your vehicle. Check inside and out before getting inside the vehicle and check surroundings before exiting vehicle.
- Avoid parking in poorly-lit or isolated areas. Be especially alert in parking lots.
- If you think someone is following you, drive to the nearest police or fire station or call 911
- Never leave your credit cards or other important papers in your vehicle. Never leave any objects in plain view. Remember to place valuables left in your vehicle under your seat, in your trunk, or somewhere else out of sight. Leaving valuables in plain sight invites someone to break in.
- Do not mark your key chain with your name, address, or license number. Lost keys can lead someone to your vehicle or your home

SAFETY RULES

- Navigate hallways and classrooms with appropriate speed (no running) and courtesy to others and their personal space.

- Treat the facility and equipment respectfully – do not use equipment unless trained and monitored by staff, and do not use equipment, furniture, etc., in any manner inconsistent with its purpose.
- Follow all parking lot rules such as maintaining the posted speed limit, yielding to pedestrians, etc.
- Do not engage in behaviors that could escalate to create a dangerous situation – spilling liquid on the floor, blocking exits, creating a fire/burn hazard, setting off false fire alarms, etc.

ENFORCEMENT OF SAFETY POLICY

Safety violation warnings will be issued by the Campus Director to any employee, student, or visitor on Vista premises violating the Safety Rules. Any violation of the Safety Rules may result in disciplinary action.

Vista is not restricting itself to the rules in this policy. Additional rules may be issued and posted as determined by the campus leadership.

REPORTING OF INJURIES

All students will be held accountable for reporting to Vista staff immediately after an injury occurs, even if medical treatment is not required. Notice must be made at or near the time of the injury and on the same day of the injury. A casual mention of the injury will not be sufficient. Students must inform their instructor and/or Campus Director of the following:

- How they think they hurt themselves
- What they were doing at the time
- Who they were working with at the time
- When and where it happened
- Other pertinent information that will aid in the investigation of the incident

Staff will complete the Incident Report Form to report student injuries on behalf of reporting students.

REPORTING OF CRIMES

The Clery 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.

It is the policy of Vista that all crimes, suspicious circumstances, or conditions that pose a threat to the safety and security of staff, students, or guests of Vista be reported to the Campus Director and/or Campus Security Authority immediately. Upon notification, Vista will respond and investigate the scene and, if applicable, conduct an investigation into the alleged incident, restore and maintain peace and order, and take appropriate action within the scope of their duties.

While Vista strongly encourages the reporting of all crimes, it is understood that the welfare and choice of the victim of crimes comes first. Victims or witnesses wishing to make confidential reports of criminal activity may request the person taking the report maintain their confidentiality. Reports of this nature will be honored to the extent permitted by state law, criminal investigatory requirements, and Vista procedures. These confidential reports are counted and disclosed in the crime statistics for Vista, but, as with all other crimes included in the annual crime report, no personally identifiable information is included. Vista will report on-campus crimes to the local police department and provide records of all pertinent information to assist in the investigation. All students and staff are encouraged to lend their support, both in reporting of crimes, suspicious circumstances, or fires, and by practicing preventive measures to reduce crime and promote safety. Campuses are not permitted to take retaliatory action as a result of reporting a crime or potential crime.

One of the purposes of the Clery Act is to have Vista collect and report statistics concerning occurrences involving security violations on or adjacent to each campus (including parking lots and connected buildings such as in a commercial strip center). The crime statistics must be for the most recent school year as well as the two preceding school years for which data is available. Data is collected for the following criminal offenses and reported to campus security authorities, the U.S. Department of Education, and/or local police agencies:

- murder and non-negligent manslaughter
- manslaughter by negligence
- sexual assault (including rape, fondling, incest, and statutory rape)
- robbery
- aggravated assault
- burglary
- motor vehicle theft
- arson
- hate crimes
- domestic violence
- dating violence
- stalking
- arrests
- referrals for disciplinary action for weapons law violations, drug abuse violations, or liquor law violations

Note: Vista does not recognize any off-campus student organizations and therefore does not report occurrences concerning off-campus criminal activity.

It is the responsibility of students and staff to report any type of potentially illegal activity they witness on campus to a school official or police department (dial 911). "On campus" includes any building or property owned or controlled by Vista in direct support of, or related to, its educational purposes, including any property where Vista has entered into contractual agreement for its use. The Vista official will fill out an incident report, which should include the following basic information:

- date and time of report
- date and time of incident
- name, address, date of birth and other pertinent information about the victims, complainants, suspects, etc.
- location of incident
- type of incident
- description (property, weapons, witness, vehicles, etc.)
- a narrative of what occurred
- name of the institution

Copies of police reports are filed by type of offense with copies forwarded to the Campus Director.

Crime Definitions

Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting serious bodily injury. This type of assault usually involves the use of a weapon, or is by means likely to produce great bodily harm or death.

Arson is 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, etc.

Burglary is the unlawful entry of a structure to commit a felony or a theft.

Motor vehicle theft is the taking or attempted taking of a motor vehicle.

Murder and non-negligent manslaughter is the willful (non-negligent) killing of one human being by another.

Negligent manslaughter is the killing of another person through gross negligence (the failure to take proper care in doing something).

Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sexual Violence is defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent:

Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.

Statutory rape is sexual intercourse with a person who is under the legal age of consent.

Hate crimes are committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability.

For purposes of the annual statistical disclosure, hate crimes include any Clery-reportable offense that is listed above and the following additional offenses:

Destruction/Damage/Vandalism of Property is willfully or maliciously destroying, damaging, defacing, or otherwise injuring real or personal property without the consent of the owner or the person having custody or control over it.

Intimidation is unlawfully placing 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.

Larceny-Theft is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.

Simple Assault is the 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.

Violence Against Women Act (VAWA) Offenses

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such relationship shall be determined based on the reporting party's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting

Domestic violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or to suffer substantial emotional distress.

Other Offenses

Drug abuse violations are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.; the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor law violations are the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Weapons violations are defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

CAMPUS CRIME STATISTICS REPORT

For the purpose of collecting and reporting campus crime statistics in accordance with the Clery Act, and indicated herein, all alleged on-campus crimes reported to law enforcement are included in the Campus Crime Statistics Report. In addition, any alleged crime reported to the Campus Director or Campus Security Authority will also be included in the campus crime report. The campus crime report follows UCR (uniform crime reporting) standards and definitions of crime.

NOTE: A formal police report need not be, or have been, made for crime incidents to be included in the annual report.

Vista annually provides this information to students and staff. This information is also provided to any prospective student and employee upon request. Campus Directors request data from their local police department for use in compiling the Annual Security Report.

A copy of the annual crime statistics can be found at <http://www.vistacollege.edu/campus-safety/> for each respective campus and can be found at the end of this document.

Beaumont

<http://www.vistacollege.edu/files/crimeStat/Beaumont-CrimeStats.pdf>

College Station

<http://www.vistacollege.edu/files/crimeStat/CollegeStation-CrimeStats.pdf>

El Paso

<http://www.vistacollege.edu/files/crimeStat/EIPaso-CrimeStats.pdf>

Fort Smith

<http://www.vistacollege.edu/files/crimeStat/Fort-Smith-CrimeStats.pdf>

Killeen

<http://www.vistacollege.edu/files/crimeStat/Killeen-CrimeStats.pdf>

Las Cruces

<http://www.vistacollege.edu/files/crimeStat/LasCruces-CrimeStats.pdf>

Longview

<http://www.vistacollege.edu/files/crimeStat/Longview-CrimeStats.pdf>

Lubbock

<http://www.vistacollege.edu/files/crimeStat/Lubbock-CrimeStats.pdf>

VICTIM NOTIFICATION

In accordance with the Higher Education Opportunity Act, upon written request, Vista will disclose to the alleged victim of any crime of violence or non-forcible sex offense, the report with the results for any disciplinary proceeding conducted by Vista against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of the victim shall be treated as the alleged victim for the purposes of this paragraph. Victims of sex offenses, as described in further detail below, are to be notified of this information without the need to make a written request.

TIMELY WARNINGS

In compliance with the Clery Act, colleges are required to make timely warnings to the campus community of incidents reported to the police department or the Campus Director as having occurred on campus and that pose a threat to the students, staff, or visitors. Attempts are made to obtain information from off-campus locations when possible.

In the event an on-campus criminal event arises, that, in the judgment of the Campus Director, Campus Security Authority, or designee, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. The warning will be issued by the Campus Director and/or Campus Security Authority via telephone, email or text message to students and staff. Posters pertaining to the criminal event may also be displayed throughout the campus for further notification. Anyone with information that may possibly warrant a “timely warning” should report the circumstances to the Campus Director or Campus Security Authority immediately.

The content of the timely warning includes all information that would promote safety and that would aid in the prevention of similar crimes. The warning should include what crime occurred, where the crime happened, when it happened, and suspect information, if possible. The Clery Act mandates for crimes considered a threat to students and staff, that victims' names be withheld.

Timely warnings will be issued in response to certain serious crimes. Examples of these crimes are, but are not limited to: robbery, burglary, arson, sex offenses and murder. Any threat to the health or safety of students or staff will be followed by immediate notification. We will use our best judgment in confirming an emergency or dangerous situation, in determining the necessary content of the notification, and without delay, initiating the notification system. Notification will be initiated only if it is determined that notification will not compromise the safety of, or the ability to assist, a victim or respond to an emergency. Timely warnings of these crimes will be distributed to the entire campus. A crisis situation or state of emergency can be declared by the Campus Director, or his or her designee. When declared, campus access will be limited to faculty and staff, registered students, pre-authorized contractors, and emergency personnel, including law enforcement and fire department officials.

Annual testing of emergency and evacuation procedures will be conducted to ensure that all necessary parties are notified as intended and in a timely manner. These annual tests will be documented by describing the exercise, time, date and whether the test was announced or unannounced. The effectiveness of this alert system depends to a large extent on the validity and accuracy of the emergency contact information on file. The institution encourages students, faculty and staff to ensure their contact information is continuously up to date.

OTHER EMERGENCY NOTIFICATIONS

Emergency notification may also be given for non-Clery Act crimes if the crime poses a threat to persons or property. Whether or not to issue an emergency notification timely warning must be decided on a case-by-case basis. Considerations include the nature of the crime that was reported, the assessment of possible continuing danger to the campus community and the possible risk of compromising law enforcement efforts. Whenever possible the Campus Director and the Campus Security Authority will meet to determine whether or not a timely warning should be issued. If this is not possible, the discretion is left to the Campus Director or designee. If the need arises, the Campus Director or Campus Security Authority may issue the order to “*Lock Down*”, “*Evacuate*”, or “*Shelter in Place*”.

Emergency notifications may also be issued in circumstances that present an immediate threat to the health or safety of students or staff on the campus. Notifications can come from various sources within and external to the campus such as campus personnel, commercial radio or television, NOAA/National Weather Service radio, building smoke detection or sprinkler system, emergency siren, web/Internet, private citizens, or the local police or fire department. Special security bulletins will be distributed if a need arises to advise students and staff of community crime patterns and suspect information.

COMMUNITY NOTIFICATION

Certain emergencies or situations could require that the larger community be notified as well. This notification will be distributed by various means to the area of the community that could be affected. The same care and procedures will be followed as those stated above for the campus community. In accordance to the Clery Act, the community will be notified upon confirmation of an immediate threat. An immediate threat includes, but is not limited to, an approaching fire or other natural disaster, outbreak of a serious illness, gas leak, terrorist incident, armed intruder, bomb threat, civil unrest or rioting, explosion; and nearby chemical or hazardous waste spill.

THE FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA) AND THE TIMELY WARNING

Vista, in appropriate circumstances, may include personally identifiable information in a timely warning. Although personally identifiable information is generally protected from disclosure under FERPA, such information may be released in an emergency situation.

SEX OFFENDERS

Vista recognizes the danger sex offenders pose to student safety. Therefore, to protect students while they travel to and from school, attend school, or participate in school-related activities, the Campus Director and/or Campus Security Authority advises the campus community where law enforcement agency information provided by a state, concerning registered sex offenders may be obtained.

Arkansas

Information may be requested from the Arkansas Crime Information Center regarding convicted sex crime offenders. The website is located at <http://acic.org/citizens/Pages/sexOffenderInfo.aspx>. This is the official Internet source of public record information for sex offender registrations in the state of Arkansas. The Sex Offender Registration Act of 1997 can be found in Arkansas Code Annotated §12-12-901 -- 12-12-920.

New Mexico

Information may be requested from the Department of Public Safety regarding convicted sex crime offenders. The website is located at www.nmsexoffender.dps.state.nm.us. This is the official Internet source for public record information on sex offender registrations in the state of New Mexico.

Texas

Information may be requested from the Department of Public Safety regarding convicted sex crime offenders. The website is located at <https://records.txdps.state.tx.us/DpsWebsite/index.aspx>. This is the official Internet source for public record information on sex offender registrations in the state of Texas.

The Campus Sex Crimes Prevention Act also requires sex offenders who are required to register to provide notice of each institution of higher education in the state at which the offender is employed, enrolled, or carries on a vocation. Vista recognizes that it is the responsibility of local law enforcement officials to notify the community of potential public danger. Therefore, Vista does not disseminate sex offender registry information to students. Vista will work closely with local law enforcement officials to determine when and under what circumstances local law enforcement officials will notify the community about the presence of a registered sex offender.

Sex offender registry information may be used for: (1) the administration of criminal justice, (2) the screening of current or prospective staff or volunteers; or (3) the protection of the public in general and children in particular. Unauthorized use of sex offender registry information with the intent to harass or intimidate another is a Class 1 misdemeanor and may subject the person using such information to criminal prosecution. Any staff using sex offender registry information in an unauthorized manner will be subject to discipline up to and including termination.

SEXUAL VIOLENCE, STALKING, DOMESTIC VIOLENCE, DATING VIOLENCE, AND SEXUAL HARASSMENT

Sexual violence, stalking, domestic violence, dating violence, and sexual harassment are inconsistent with the mission and values of Vista. Such offenses are prohibited and will not be tolerated in any manner, in any setting related to Vista, or by any individual(s) associated with Vista in any way. Vista is fully committed to maintaining a respectful, healthy, and safe environment for all members of the campus community.

Definitions

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

Domestic violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Consent:

Arkansas: There is a lack of consent if a person engages in a sexual act with another person by forcible compulsion or with a person who is incapable of consent because he or she is physically helpless, mentally defective or mentally incapacitated. Arkansas Code §§ 5-14-103; 5-14-125.

New Mexico: New Mexico does not provide a definition of consent.

Texas: Consent is defined in the Texas Penal Code, Section 1.07(11) as assent in fact, whether express or apparent.

Sexual harassment is any unwanted conduct of a sexual nature, which includes, but is not limited to, unwelcome sexual advances; the use or threatened use of sexual favors as a basis for academic or employment decisions; conduct that creates a hostile, intimidating or offensive academic or working environment; conduct that has the effect of unreasonably interfering with an individual's academic or work performance; and other verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive to limit a person's ability to participate in or benefit from an educational program or activity.

Sexual violence is defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent:

Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.

Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory rape is sexual intercourse with a person who is under the statutory age of consent.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or to suffer substantial emotional distress.

Procedures

Being a victim of any of the crimes addressed in this document is traumatic and all victims will respond differently. However, all victims have the same options and rights afforded to them. Below is an explanation of various procedures associated with these options.

Initial Procedural Information for Victims

- Any person who has been a victim of a sexual offense is encouraged to seek prompt medical attention regardless of whether or not the decision has been made to report the crime to the police.
- Medical attention will help ensure that any injuries and/or diseases are identified and treated
- Medical attention allows for evidence collection at the individual's request, which is extremely important should the individual decide at any point, immediately or later, to pursue criminal prosecution, civil action, or a protective order.
- In order to preserve evidence, victims should avoid the following
 - Bathing
 - Urinating
 - Drinking any liquids
 - Smoking, eating, or brushing teeth if oral contact occurred
 - Changing clothes. However, if clothes are changed, place the clothes you were wearing at the time of the assault in a **paper** bag

If a criminal report is filed, and evidence is collected, there is a rape examination protocol that includes the collection of swabs from various parts of the body, the combing of pubic hair; and preservation of clothing as well as samples of blood, hair, and saliva.

Reporting Procedures

All victims of sex offenses, domestic or dating violence, and stalking have several options for initiating a report or complaint. The options are listed below and the individual may choose to implement one of these options or any combination of these options, including all. Individuals representing any one of the on-campus options below will be able to provide victims with information about and assistance contacting the other options.

Reporting to Police

Directly to local law enforcement in the jurisdiction where the crime took place.

- List of law enforcement across Texas: <http://www.usacops.com/tx/>
- List of law enforcement across Arkansas: <http://www.usacops.com/ar/>
- List of law enforcement across New Mexico: <http://www.usacops.com/nm/>

Reporting to Campus Entities/Departments

- InTouch Hotline: 877-241-0084 (confidential and anonymous)
- Vista College Corporate Office, 972-733-3431
- Campus Director
- Campus Security Administrator

All Vista staff, especially Campus Directors and those designated as Campus Security Authorities, but excluding those with confidentiality privilege, are obligated and expected to report any of the crimes addressed in this report of which they become aware, to the SVP of Compliance or the EVP of Human Resources.

Reporting does not require the filing of criminal charges by the victim. A report allows Vista to provide support to the victim and assess the level of risk to the safety of the campus. Once a report is made, Vista may have an obligation to investigate and/or take action.

Disciplinary Action and Sanctions

If accusing a Vista student, victims are encouraged to file a complaint with their Campus Director or the SVP of Compliance of Education Futures Group, LLC as outlined in the Vista catalog. If the accused is a Vista employee, victims are encouraged to file a complaint with the EVP of Human Resources for Education Futures Group, LLC as outlined in the Vista catalog. Individuals are not required to file a police report or pursue criminal charges in order to pursue a complaint with Vista.

Disciplinary hearings are designed to provide a prompt, fair, and impartial investigation and resolution. Disciplinary hearings will be conducted by Vista officials who receive annual training on the issues related to sexual violence, dating violence, domestic violence, and stalking and on how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.

During any disciplinary proceedings the accuser and accused are entitled to the same opportunity to have others present, including the opportunity to be accompanied to any related meetings or proceedings by any advisor of their choice. Additionally, both the accuser and the accused will simultaneously be informed in writing of the outcome of the disciplinary proceeding, the procedures for the accused and the victim to appeal the results, any change in the results that occurs prior to the time results become final, and when the results become final.

Sanctions for students found responsible for committing the violation charged include restricted access to campus activities, suspension, or expulsion. The final level of sanctions imposed will be consistent with the severity of the violation and the accused's past violations of the code of conduct. Similarly, sanctions for staff found responsible for violating Vista's policy include, but are not limited to, letter of reprimand, suspension, or termination.

Victims' Rights & Vista College Responsibilities

Once it has come to the attention of Vista that an allegation of sexual assault, domestic or dating violence, or stalking has occurred, detailed efforts are made to support the health, safety, and well-being of both the victim and the Vista community as a whole. In addition to the information provided in this report, students or staff who report that they have been a victim of any of the aforementioned crimes will be provided with a written explanation of all of their rights and options as well as resources. All of the rights and responsibilities described below are implemented regardless of whether the victim chooses to file criminal charges with law enforcement or pursue a formal complaint through the Student Grievances Procedures or Employee Policy.

Protective Measures

Vista will use good faith efforts to protect the alleged victim from any hostile environment on campus and any subsequent harassment or retaliation. Efforts that may occur prior to the outcome of the investigation include:

- Reporting any subsequent harassment or retaliation to the Campus Director
- Providing an escort to ensure the alleged victim can move safely between classes and activities
- Ensuring that the alleged victim and the alleged perpetrator do not attend the same classes
- Providing referral to counseling services or providers
- Providing academic support services, such as tutoring
- Arranging for the victim to re-take a course or withdraw from a class without penalty (i.e. financial, academic, etc.)

This assistance is available regardless of whether the victim reports the crime to law enforcement. Vista prohibits any kind of retaliation against anybody involved in a sexual assault, domestic or dating violence, or stalking case. This non-retaliation policy is explained and provided during the initial contact with all involved in the case. Vista is obligated to protect the entire campus community. Therefore, in some cases, protective measures include issuing public safety alerts based on information provided by the victim and/or any witnesses.

Confidentiality

Vista will preserve the confidentiality of a victim to the extent allowed by law, including when undertaking the above referenced protective measures. All records and files maintained by staff members involved in the process will only be shared with other professionals who are considered “need to know.” That is, only staff members who require information related to the case in order to perform their duty related to the case will be provided with such information.

Services Available for Victims/Survivors

All services listed below are available to victims regardless of whether or not he/she chooses to report the incident to law enforcement.

- To locate law enforcement across Arkansas: <http://www.usacops.com/ar/>
- To locate law enforcement across New Mexico: <http://www.usacops.com/nm/>
To locate law enforcement across Texas: <http://www.usacops.com/tx/>
- To locate rape crisis centers in Arkansas, contact Arkansas Coalition Against Sexual Assault, <http://acasa.us/>, (800) 977-5776 To locate rape crisis centers in Southern New Mexico, contact La Pinon Sexual Assault Recovery Service of Southern New Mexico at <http://www.lapinon.org>, (888) 595-7273
- To locate rape crisis centers across Texas, contact Texas Association Against Sexual Assault, <http://taasa.org/> or call (844) 303-7233
- RAINN's (Rape, Abuse and Incest National Network) hotline at (800) 656-HOPE (4673.) To locate domestic violence agencies Arkansas, New Mexico or Texas, call (800) 799-7233

Bystander Intervention

A bystander is a person who observes a conflict or unacceptable behavior. The observed behavior may be serious or minor, one-time or repeated, but the bystander knows that the behavior is harmful or likely to make a situation worse. A bystander may have the opportunity to intervene by discouraging, preventing, or interrupting unacceptable behavior. If you find an individual in a situation that concerns you, consider taking the following actions to intervene safely and effectively:

- Create a distraction to interrupt the flow of events
- Involve others to help you
- Make an excuse to remove a friend from the situation
- Point out the unwanted behavior in a safe and respectful manner
- Call for help, if needed

Before taking any of these actions, determine the potential risk(s):

- Are there risks to myself and/or others?
- Is there a low-risk option?
- How could I reduce risks?

Risk Reduction Tips

With recognition that a sexual assault victim is never to blame, there are actions that individuals can take that may reduce their risk of being assaulted. Individuals should stay prepared, alert, and assertive at all time. Additionally:

- Always be aware of your surroundings
- Remain in areas that are well-lit and preferably areas with a lot of activity
- Stay with others rather than being alone
- Keep your cell phone with you at all times
- If drinking alcohol, practice responsible drinking,
- Don't accept drinks from someone you don't know, and do not leave a drink unattended
- Trust your instincts

Vista requires **all** staff to complete annual training on the issues of sexual assault, domestic violence, dating violence, and sexual harassment.

WEAPONS POLICY

Carrying weapons, whether concealed or open, is prohibited on Vista campuses. All Vista campus locations have signs prohibiting weapons posted in accordance with requirements of the state where the campus is located.

POLICY ON DRUGS AND ALCOHOL

All campuses are designated as drug-free. Upon enrollment, the campus will provide to each student the Vista Policy on Drugs and Alcohol containing information on the penalties associated with drug related offenses. The possession, sale, furnishing, or use of alcohol or controlled substances on campus is prohibited. Students will be held accountable for any use of alcoholic beverages or controlled substances on Vista or externship property, including the purchase, consumption, possession, furnishing, 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. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws.

In compliance with the Drug Free Schools and Communities Act of 1989, Public Law 101-226, Vista publishes and disseminates the following information regarding the use of illicit drugs and the abuse of alcohol: 1) Vista Disciplinary Action, 2) Applicable Local, State, and Federal Laws, 3) Health Risks Associated with the Use of Drugs and Abuse of Alcohol, and 4) Drug/Alcohol Counseling and Rehabilitation Programs.

Vista Disciplinary Action

A student that violates the Vista prohibition on controlled substances or alcohol is subject to disciplinary action up to and including immediate suspension or dismissal, criminal prosecution, fine and/or imprisonment. Students dismissed for misconduct will be advised by the Campus Director. Readmission is subject to the Campus Director's approval.

Applicable Local, State, and Federal Laws

Local, state and federal laws provide for a variety of legal sanctions for the unlawful possession and distribution of illicit drugs and alcohol. These sanctions include, but are not limited to, incarceration and monetary fines. Federal and state laws provide severe penalties for distributing or dispensing, or possessing with the intent to distribute or dispense, a controlled substance, and less severe penalties for possession of a controlled substance. If drugs are involved, the city will most likely

defer to the state or federal authorities because their penalties are more severe. If alcohol is involved, it may lead to a conviction under both local and state law and punishment according to both laws.

Courts do not excuse individuals convicted of these offenses from a prison sentence to go to college or work. A conviction for such an offense is a serious blemish on an individual's permanent record which could prevent employment in many careers.

Students and staff are encouraged to review information regarding these local, state, and federal laws that is available in Student Services or with the Campus Director

Health Risks Associated with the Use of Drugs and Abuse of Alcohol

The use of illegal drugs and the abuse of alcohol can dull sensation and impair muscular coordination, memory, and judgment. Taken in larger quantities over a long period of time, alcohol can damage the liver and heart and cause permanent brain damage. Alcohol can even cause death. The health risks associated with the use of illegal drugs range from increased heart rate, lung problems, and liver damage to coma and death. The following information is provided by the Center for Disease Control. Consult your personal physician about the health risks associated with alcohol and drug abuse.

Alcohol - short-term effects include behavioral changes, impairment of judgment and coordination, greater likelihood of aggressive acts, respiratory depression, irreversible physical and mental abnormalities in newborns (Fetal Alcohol Syndrome) and death. Long-term effects of alcohol abuse include damage to the liver, heart and brain, ulcers, gastritis, malnutrition, delirium tremens and cancer. Alcohol combined with other barbiturates/depressants can prove to be a deadly mixture.

Amphetamines/Stimulants - seriously affect the liver, cardiovascular, and reproductive systems. Can cause sterility in males and females, as well as impotency in males.

Barbiturates/Depressants - ("downers", Quaaludes, valium, etc.) slows down the central nervous system which can cause decreased heart and breathing rates, lower blood pressure, Slowed reactions, confusion, distortion of reality, convulsions, respiratory depression, coma and death. Depressants combined with alcohol can be lethal.

Cocaine/Crack - Stimulates the central nervous system and is extremely addictive, both psychologically and physically. Effects include dilated pupils, increased heart rate, elevated blood pressure, insomnia, loss of appetite, hallucinations, paranoia, seizures, and death due to cardiac arrest or respiratory failure.

Hallucinogens - (PCP, "angel dust", LSD, etc.) interrupt the functions of the part of the brain which controls the intellect and instincts. May result in self-inflicted injuries, impaired coordination, dulled senses, incoherent speech, depression, anxiety, violent behavior, paranoia, hallucinations, increased heart rate and blood pressure, convulsions, coma, and heart and lung failure.

Cannabis - (marijuana, hashish, "weed", etc.) impairs short term memory, comprehension, concentration, coordination, and motivation, may also cause paranoia and psychosis. Marijuana smoke contains more cancer-causing agents than tobacco smoke. The way in which marijuana is smoked - deeply inhaled and held in the lungs for a long period - enhances the risk of getting cancer. Combined with alcohol, marijuana can produce a dangerous multiplied effect.

Narcotics - ("smack", "horse", Demerol, Percodan, etc.) initially produce feelings of euphoria often followed by drowsiness, nausea, and vomiting. An overdose may result in convulsions, coma and death. Tolerance develops rapidly and dependence is likely. Using contaminated syringes to inject such drugs may result in HIV, Hepatitis, or AIDS.

Tobacco/Nicotine - according to the Center for Disease Control (CDC) each year, an estimated 443,000 people die prematurely from smoking or exposure to secondhand smoke, and another 8.6 million live with a serious illness caused by smoking. Despite these risks, approximately 46.6 million U.S. adults smoke cigarettes. Smokeless tobacco, vaping, e-cigarettes, cigars, and pipes may also have deadly consequences, including lung, larynx, esophageal, and oral cancers

Drug/Alcohol Counseling and Rehabilitation Programs

There are programs in the community or nearby that may be able to provide drug and/or alcohol counseling and rehabilitation. A list of such programs, their locations, and phone numbers is maintained with the Campus Director or Student Services Coordinator and in the Vista Policy on Drugs and Alcohol. Seeking help from, being referred to or from these services is confidential, and will not, alone, result in disciplinary action. Individual privacy will, of course, be maintained in any counseling/rehabilitation process. In addition, the following toll-free hotline numbers may be of use to someone needing help or advice.

<p>National Institution on Drug Abuse Information and Referral Line I-800-633-HELP M-F, 8:30 am to 4:30 pm</p>	<p>Reach-Out Hotline I-800-554-KIDS M-F, 8:00 am to 5:00 pm</p>
<p>Just Say No Foundation I-800-258-2766</p>	<p>National Council on Alcoholism I-800-622-2255 7 days a week, 24 hours a day</p>
<p>National Drug Abuse Hotline I-800-241-9746</p>	<p>Cocaine Helpline I-800-COCAINE</p>
<p>Drug Treatment I-800-877-7675</p>	<p>Drug Hotline I-800-362-2644</p>
<p>The National Federation of Parents for Drug-Free Youth (alcohol, drug crisis intervention, mental health and referral) I-800-522-9054</p>	