



**Annual Security Report  
Austin Campus**

**2021**

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## **Clery Act Annual Security Report of 2021**

The Auguste Escoffier School of Culinary Arts (AESCA) Annual Security Report of 2021 is provided to both current and prospective students and employees as part of the Campus's commitment to the safety and well-being of the AESCA community.

### **Development, Disclosure and Implementation of Security Policies**

The Campus President is designated to ensure that AESCA security policies are actively implemented as prescribed. The Campus President prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and works on-going to ensure that administration, faculty, staff, students, and guests are aware of AESCA security policies.

### **Campus Security Authorities**

Campus Security Authorities (CSAs), as defined by the Clery Act, have an obligation to report allegations of Clery Act-defined crimes that they conclude are made in good faith. These crime allegations should be reported to a CSA or to the local police. The Clery Act definition of a campus security authority includes any personnel who has significant responsibility for student and campus activities, including but not limited to, student discipline, student activities, campus conduct proceedings, advisors to student organizations, event security, or those who monitor access to the campus. The Campus President and Executive Chef are current CSAs on the campus. The Executive Chef is responsible for the collection of their crime reports from local police and for inclusion in the Annual Security Report. If a student or employee reports a crime to a CSA, the CSA is responsible for, outside of a qualifying confidential request, providing the information to the local police. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals may be hesitant about reporting crimes to the police but may be more inclined to report incidents to other campus-affiliated individuals.

Crimes may be reported confidentially to CSAs for inclusion in the Annual Security Report.

### **Immediate Notification**

The procedure regarding immediate notification at Auguste Escoffier School of Culinary Arts is designed to get relevant information to AESCA students, employees and visitors at any affected campus location as soon as possible when an emergency incident occurs that involves a threat to health and safety. The AESCA administration will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurring on campus.

The Campus President or a designee will confirm if there is a significant emergency or dangerous situation by gathering information and conferring with authorities to determine necessary notifications. Immediate notifications are distributed in various ways depending on the nature of the situation and the information to be disclosed. The Campus has prewritten emergency messages that will be text messaged to those that have opted-in, emailed, and posted to the student portal by CSAs to deliver immediate information. Parents or other interested members of the community can also obtain information in the event of an emergency on campus via the local news media.

## **Emergency Response Procedures**

An emergency response program has been developed to ensure response to and recovery from emergencies of all types and magnitudes and the continuation of institution operations following an emergency. AESCA's first priority when an emergency occurs is employee, student and guest safety and emergency response, and their second priority is disaster recovery and business continuity. Taking into account the safety of the community, AESCA will, without delay, determine the content of the notification and initiate emergency response notification, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond, or otherwise mitigate the emergency. This plan encourages the development of high levels of resilience where required and the wise use of resources to assure that when an emergency occurs, AESCA normal functions continue and, in the case of a major emergency, its mission essential functions are restored as soon as possible followed by the restoration of all Institution functions.

The Campus publishes an Abbreviated Emergency Plan and Contact List to all employees and copies are also available in the Campus President's Office. Additionally, Emergency Procedures are located throughout all AESCA facilities. Training and Emergency Plan discussions are held at least once a year. These discussions consist of training and tests of Emergency Alert text messaging system as well as review of current procedure. The CSAs or the Campus President will initiate emergency response procedures if they have confirmed, through discussion with authorities, a report of an immediate threat to the health and safety of students or employees. If deemed appropriate, campus leadership will notify the greater campus community of campus emergencies through local media once the campus has initiated the emergency response procedures on campus and conferred with first responders and authorities. In nearly all cases of an emergency, the Campus will initiate Emergency Alert system with text information to students and employees and emails indicating the nature and any pertinent information. In any emergency situation, AESCA will continue to assess the situation and notify additional segments of the campus community if the situation warrants.

When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the CSAs along with local Police, Fire and EMS. These first responders typically work together to manage the incident. Depending on the nature of the incident, other AESCA departments and other local agencies could also be involved in responding to the incident.

## **Emergency Evacuation Procedures**

Students, employees, and guests are expected to evacuate campus buildings if they hear a fire alarm, if they are notified by first responders, or if the campus administration determines that an evacuation is necessary. All persons will be notified if evacuation or shelter-in-place procedures are needed via one or more of the following: e-mail, Emergency Alert text messaging and/or verbally by faculty or administration in person or by phone. A test drill will be completed annually with audible alarms and the evacuation procedure initiated. The CSAs on campus will serve as point and document the results.

### **“Shelter-in-Place” Procedures**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to seek shelter indoors. Thus, to “shelter-in-place” means to utilize the building that you are in as shelter from danger that is outside of the building or in other areas of the building. With a few adjustments, these locations can be made even safer and more comfortable until it is safe to go outside.

### **Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take easily accessible personal belongings (purse,

wallet, ID etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, proceed to the pre-designated evacuation point or to a safe location. If police or fire department personnel are on the scene, follow their directions.

### **How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, including e-mails, Emergency Alert text messaging system, or verbally by faculty or administration.

### **How to “Shelter-in-Place”**

No matter where you are, the basic steps of “shelter-in-place” will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency “shelter-in-place” supplies and a telephone to be used in case of emergency. If you are outdoors, proceed inside the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - an interior room
  - above ground level
  - without windows or with the least number of windows
  - if there is a large group of people inside a particular building, several rooms may be necessary
3. Shut and lock all windows and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able.
6. Make a list of the people with you and ask someone to call the list in to the Campus operator at (512) 451-5743. In the event that the operator station cannot be manned, calls will be forwarded to an appropriate location and contact.
7. Turn on a radio or TV and listen for further instructions.
8. Remain calm and make yourself comfortable.

### **Lockdown**

A "Lockdown" is the temporary sheltering technique utilized to limit civilian exposure to an "Active Shooter" or similar incident. When alerted, occupants of any building within the subject area will lock all doors and windows not allowing entry or exit to anyone until the all clear have been sounded. Notice that a "Lockdown" has been issued will be broadcast over the campus Emergency Alert text messaging system, Wireless Emergency Alerts (WEA) by FCC/FEMA, and by other appropriate means.

### **How to Lockdown**

The basic steps for how to lockdown will be the same regardless of your location. Follow these steps, unless instructed otherwise by local emergency personnel:

- Try to remain calm.
- Remain indoors, e.g. your office or classroom. Once in "Lockdown" you would be allowed to move about to facilitate certain needs, e.g. bathroom, water; but you should not leave the building unless an all clear has been sounded.
- If not in your typical surroundings, proceed to a room that can be locked.
- Close, and lock all doors.

- Turn off all lights.
- Occupants should be seated below window level, toward the middle of a room away from windows and doors.
- Remain silent.
- Turn off all radios or other devices that emit sound.
- Silence cell phones.
- If gunshots are heard, lay on the floor using heavy objects, e.g. tables, filing cabinets for shelter.
- If safe to do so, turn off gas and electric appliances, e.g. heater, fan, coffee maker, gas valves, lights and locally controlled ventilation systems, e.g. air conditioner. Use phones only for emergency notification to emergency responders.
- Do not shelter in open areas such as hallways or corridors. Go to the nearest office, classroom, lecture hall or auditorium that can be locked.
- A message will be broadcast giving specific locations and directions for entering certain shelter sites.
- Do not unlock doors or attempt to leave until instructed to do so by emergency responders. The "All-clear" will be announced over the Emergency Alert text messaging system or other appropriate system when it is considered safe.

## **Annual Testing**

Once a year, AESCA will test emergency response procedures by performing evacuation drills at all campus facilities. Testing of the evacuation procedures will be announced the day of the test to administration and staff and the test will be documented by CSAs. In addition, AESCA will test the Emergency Alert text messaging system by sending a text with specific test verbiage to anyone that has opted-in to the service. The results of these tests will be reviewed and discussed by campus leadership to determine if any modifications must be made. Once all annual tests have concluded, AESCA will send a statement of evacuation policy to all students by email notification. Annual unannounced tests were conducted on August 16, 2021. The next testing will take place in October 2021.

## **Annual Crime Report**

### **Collection of Statistics**

#### **Local Police**

AESCA submits an annual request to the local law enforcement agencies requesting specified crime statistics reported to local police agencies that occurred on or immediately adjacent to the campuses and on Institution owned, controlled, or affiliated property to be reported for inclusion in the annual crime report. Documentation of the request is maintained by Regulatory Operations regarding the Campus's efforts to obtain the statistics and documentation of any noncompliance on behalf of the police. Under the regulations of the Clery Act, an institution may withhold, or subsequently remove, a reported crime from its crime statistics if, after a full investigation, a sworn or commissioned law enforcement officer makes a formal determination that the crime is false or baseless and therefore "unfounded."

#### **Local Campus**

AESCA campus procedure includes reporting all non-confidential, non-disciplinary action crimes to the local police department. Any confidential reports made to Campus Security Authorities (CSA) not reported to the police are added to the Crime Report by the Campus President.

## **Report to ED via the Web-based Data Collection**

Per request by annual letter, the United States Education Department (ED) sends a request to submit the crime statistics portion of the Annual Security Report via the Campus Safety and Security Survey web-based system. The designated Campus Safety Survey Administrator (CSSA) enters and submits the Campus's crime statistics through this survey. AESCA's updated statistics will be available to the general public at: <http://ope.ed.gov/security>. Any crimes deemed to be unfounded will be reported to the ED as required.

## Reported Crime Statistics - 2018-2020

The following statistics of Clery-reportable crimes were provided by the Austin Police Department (APD), the law enforcement agency with jurisdiction over Auguste Escoffier School of Culinary Arts (AESCA), in combination with AESCA Campus Security Authorities (CSA).

Location -->		6020 Dillard Circle (On-Campus incl Parking Lots)								Public Property Surrounding 6020 Dillard Circle							
		2020 Overall	Basis for Hate Crime, if applicable					2019 Overall	2018 Overall	2020 Overall	Basis for Hate Crime, if applicable					2019 Overall	2018 Overall
			Race	Gender	Religion	Sexual Orientation	Ethnicity/ National Origin				Race	Gender	Religion	Sexual Orientation	Ethnicity/ National Origin		
Category	Crime	Number of Crimes								Number of Crimes							
Criminal Offenses	Murder and Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault	Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VAWA Offenses	Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crime Related	Hate Crime Related: Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Hate Crime Related: Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Hate Crime Related: Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Hate Crime Related: Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	Weapon Law Violations	0						0	0	0						0	0
	Drug Abuse Violations	0						0	0	0						0	0
	Liquor Law Violations	0						0	0	0						0	0
	Driving While Intoxicated	0						0	0	0						0	0
	Public Intoxication	0						0	0	0						0	0
Disciplinary Actions	Weapon Law Violations	0						0	0	0						0	0
	Drug Abuse Violations	0						0	0	0						0	0
	Liquor Law Violations	0						2	0	0						0	0

### Notes:

No additional crimes as defined above were reported during those calendar years to either the AESCA CSAs or the Austin Police Department.

There were also no crimes known to be found to be “unfounded” during the 2018, 2019, or 2020 calendar years.



## Clery Geographic Area & Maps

The campus defines the geographic location as follows:

**On Campus:** Property owned or leased by the Campus during the reporting year, within the same reasonably contiguous geographic area; and used in direct support of or in a manner related to the Campus's educational purposes such as academic buildings and administrative buildings and the gardens. These areas are marked in **blue** on the Clery Map below.

Areas marked in **green** on the Clery Map represent privately owned parking lots that students may use or walkways that are used when accessing campus facilities and are thus also considered "On Campus".

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and public parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus during the reporting year. These areas are marked in **red** on the Clery Map below.



## Clery Act Definitions of Reportable Crimes per the Uniform Crime Reporting Handbook

**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.

**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 of another, etc.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

**Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, violence, and/or causing the victim fear.

Sexual Assault includes the following:

**Rape:** 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 offense includes the rape of both males and females.

**Fondling:** 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:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Hate Crime:** Criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim in any of the following categories:

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- **Sexual orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay,

bisexual, or transgender person but may be perceived as such.

- **Ethnicity:** Gender Identity. A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- **National Origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

In addition to all criminal offenses previously defined, the following four crimes are required to be reported only if classified as hate crimes:

1. **Larceny-Theft:** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
2. **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.
3. **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.
4. **Destruction/Damage/Vandalism of Property:** to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Weapon Law Violations:** 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.

**Drug Abuse Violations:** 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:** 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.

**Driving While Intoxicated:** Operating a motor vehicle in a public place while intoxicated, which is to say not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body or having an alcohol concentration of 0.08 or more.

In accordance with the Violence Against Woman Act (VAWA), the campus also reports crimes of:

**Dating Violence:**

The term “dating violence” means 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 a 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. For the purposes of this definition:

- i. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- ii. Dating violence does not include acts covered under the definition of domestic violence.

***Domestic Violence:***

The term "domestic violence" means felony or misdemeanor crimes of violence committed:

- i. By a current or former spouse or intimate partner of the victim;
- ii. By a person with whom the victim shares a child in common;
- iii. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- iv. 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;
- v. 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:***

The term "stalking" means:

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - i. Fear for the person's safety or the safety of others; or
  - ii. Suffer substantial emotional distress.
2. For the purposes of this definition:
  - i. **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
  - ii. **Reasonable persons** means a reasonable person under similar circumstances and with similar identities to the victim.
  - iii. **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## Disclosure of Policy Statements

### Procedures for Reporting Crimes and Other Emergencies

Students, faculty, staff, or guests encountering violations of AESCA policy, crimes or other emergencies are encouraged to report these incidents accurately and promptly to one of the following:

Campus Security Authorities	(512) 451-5743
Marcus McMellon - Campus President at <a href="mailto:mmcmellon@escoffier.edu">mmcmellon@escoffier.edu</a>	
Robyn McArthur – Executive Chef at <a href="mailto:rmcarthur@escoffier.edu">rmcarthur@escoffier.edu</a>	
Campus President – Marcus McMellon	(512) 451-5743
Austin Police Department	911 (emergency) (512) 974-2000/311

Community members, students, faculty, staff and guests should report all crimes and public safety related incidents including when the victim of the crime is unable to make such a report to a CSA and/or local police in a timely manner. Phones are available for emergency use throughout the campus. Crimes should be reported for purposes of making timely warning notices to the community and inclusion in the annual security report. It is the responsibility of the CSA and law enforcement agencies to investigate and follow up on all reports of criminal activity on campus.

Reported violations of local, state or federal law will be investigated. Information acquired in this investigation will be used in selecting an appropriate course of action. Options for action include: 1) pursuing the alleged violation through the criminal justice system, 2) pursuing the alleged violation through the Campus Student Conduct System, 3) pursuing the alleged violation through both the criminal justice system and the Campus Student Conduct System, or 4) taking no action. Reported violations of Institution policies will be investigated and, where appropriate, adjudicated by the appropriate student conduct complaint/grievance procedures. After investigation by a sworn or commissioned law enforcement personnel, a crime may be classified as “unfounded” if it was determined to be baseless or false. “Unfounded” crimes will be reported to the Department of Education and disclosed in this ASR.

CSA Crime Reporting Forms will be used to capture information reported to CSAs. A CSA, along with the Campus President, will investigate a report and when it is deemed appropriate, report the crime to the local police. Appropriate actions or sanctions will be applied.

### Confidential Crime Reporting

AESCA encourages anyone who is the victim or witness to any crime to promptly report the incident. Because all police reports are public records under state law, AESCA cannot guarantee that it will hold reports of crime in confidence.

Confidential reporting may be available to witnesses or victims of some crimes who do not want to pursue action within the Campus system or the criminal justice system. A person who wishes to make a confidential report that will be included in the annual disclosure of crime statistics should indicate that they do not wish the reported crime to be relayed to local police. The purpose of a confidential report is to comply with the witness’s or victim’s wish to keep the matter confidential, while taking steps to ensure their or other’s future safety. With such information, the Campus can keep an accurate record of the number of incidents involving students, employees and visitors; determine whether there is a pattern of

crime with regard to a particular location, method, or assailant; and when necessary, alert the campus community to potential danger. It is the policy of the Campus to encourage the reporting of crimes even if the victim does not wish to file a complaint. However, with crimes that involve sexual assault, including sexual violence, confidentiality cannot be guaranteed. If a crime is reported to a CSA and the victim chooses not to report it to the police, then the employee, student or visitor may complete a CSA Crime Reporting Form and exclude the victim's name, indicating confidentiality has been requested.

### **Making Timely Warnings**

The Campus President and Executive Chef will work to provide Timely Warning Notices for the Campus Community to notify members of the community about crimes that occur within Clery Geographical Boundaries, where it is determined that the incident may pose a serious or continuing threat to members of the Campus Community. Timely Warning Notices are usually distributed for a Clery crime that warrants continuing vigilance from the Campus Community and may include non-Clery crimes (such as kidnapping) if the situation warrants as determined by CSA and administrative leadership.

Timely Warning Notices for the Campus Community will be approved by the Campus President and other administrative leaders and notifications will be made via some or all of the following: e-mails, emergency alert text messaging system, press releases, warning posters, campus meetings, and announcements as soon as possible after information is available.

Anyone with information warranting a timely warning should report the circumstances to a CSA or the Campus President. All notifications issued will provide general information about the incident as well as crime prevention information that may aid in the prevention of similar occurrences. All Timely Warning notices will be issued in a manner that withholds the names of victims as confidential.

### **Preparing the Annual Disclosure of Crime Statistics**

The Annual Security Report is compiled by the Campus President. Crime and arrest statistics for the report are provided by the Austin Police Department for an area that encompasses the Clery Geographical Boundaries. Student conduct violations which must be reported under the Clery Act are compiled from Incident Reports, recorded on CSA Crime Report Forms, and stored in the Daily Crime Log.

### **Security and Access to Campus Facilities**

AESCA facility hours vary depending on location. The Administrative offices at 6020-B Dillard Circle are typically open from 9:00 a.m. to 6:00 p.m. Monday through Friday. This facility is open to staff, current and future students and their guests. Campus and program tours may be scheduled through the Office of Admissions. Visitor parking is allowed in any of the parking lots surrounding the building. Academic facilities close and are locked either at posted closing times or after the last class scheduled in the facility, whichever is later. AESCA does not have on-campus or off-campus residence halls.

Some facility hours vary at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules. Facilities on campus are regularly reviewed for proper physical facility function as it relates to campus safety including replacement or repair as needed.

## **Relationship with Local Law Enforcement**

AESCA does not have a campus-based police department or security center. The CSAs on campus are trained in basic security and safety functions including investigating reports of crimes, conducting follow-ups as necessary, and referring matters (as appropriate) to other departments; however, they are not law enforcement and have no arresting authority.

CSAs will report offenses to the local police department unless confidentiality is requested. Although AESCA does not have a formal written memorandum of understanding with the Austin Police Department regarding its campuses/centers for the purpose of investigation of alleged criminal offenses, joint efforts are coordinated as needed with these local agencies and the Austin Police Department to investigate crimes as deemed necessary. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted in the appropriate local, state, or federal court. AESCA maintains a working relationship with local law enforcement agencies.

## **Reporting Crimes to Law Enforcement**

AESCA is committed to providing a safe and secure environment for our students, faculty, staff, and guests. With the support of all members of the Campus Community, there is a continuing effort to keep the campus safe and secure. Because a truly safe campus can only be achieved through the cooperation of all students, faculty, staff, and guests; everyone is encouraged to accurately and promptly report all crimes to either a CSA or the appropriate police agencies as soon as they have knowledge of such an event. Any crime reported to a CSA will be, unless otherwise specified, reported to the Austin Police.

## **Information on Campus Security Programs and Procedures**

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. The Campus is prepared to distribute timely warning notices to the campus when a crime poses a serious ongoing threat to the community to keep them aware of security related issues.

Information regarding AESCA safety and security programs and procedures is included in each new student orientation during or prior to the first week of classes. New employees are given this information during their orientation after hire. The same information is made available upon request to all prospective students during the application process and to every job applicant.

## **Information on Crime Prevention**

AESCA publishes crime prevention tips on the campus portal available to students and employees. Students and employees are reminded to follow such preventative procedures as:

1. Report all crimes and/or suspicious activities to a CSA or the Austin Police Department
2. Protect personal property such as computers, cell phones, iPods, calculators, etc. by marking them to be identifiable.
3. Lock offices and car doors.
4. Walk in well-lighted areas at night.
5. Do not walk alone at night.
6. Do not leave books, jewelry, purses, wallets, backpacks or other valuables unattended for any length of time.

## **Student Off-Campus Criminal Activity**

AESCA operates no on-campus or off-campus housing, and there are no off-campus student organization facilities associated with the Campus. In general, when an AESCA student is involved in an off-campus

offense, local law enforcement agencies have primary jurisdiction. Local law enforcement agencies may have a need to communicate with AESCA administration surrounding any serious incidents occurring in the immediate neighborhood and business areas surrounding all of AESCA's facilities.

## **Alcohol and Other Drugs (AOD) Education Programs**

AESCA strictly prohibits the illegal use, possession, manufacture, dispensing, or distribution of alcohol, drugs or controlled substances in the workplace, on its premises, or as a part of any school-sponsored activities. Furthermore, the campus recognizes that violations of applicable local, state and federal laws may subject a student or employee to a variety of legal sanctions including but not limited to fines, incarceration, imprisonment and/or community service requirements. Convictions become a part of an individual's criminal record and may prohibit certain career and professional opportunities. This policy is mandated by and complies with the provisions of the Drug-Free Schools and Communities Act Amendments of 1989. AESCA annual educational programs on drug and alcohol abuse include making available to all students and personnel information on procedures for reporting criminal actions, policies concerning campus security, criminal and drug enforcement policies and educational programs, crime prevention programs, and statistics concerning criminal activities on campus/center. All trainings and educational programs are available for faculty, staff, and students.

Information regarding AESCA's drug or alcohol abuse policies and procedures is provided to current students annually via email notification with links to the current posted policy. New students are provided a printed copy of the policies during their first week of classes and are told where they can download a copy from the online student portal. The same information is provided annually to existing employees via email and to new employees during their orientation. Receipt and understanding of the policy must be acknowledged.

Resources for drug treatment and rehabilitation services or programs include:

<p><b>Alcoholics Anonymous - <a href="http://www.aa.org">www.aa.org</a></b> Austin Area: <a href="http://austinaa.org/">http://austinaa.org/</a> Hotline: 512-444-0071 Spanish Hotline: 512-619-2458</p> <p><b>Alateen</b> (for children of the user) 1030 S. Lamar Blvd. Ste. G 512-441-8591 <a href="http://www.al-anon.alateen.org">www.al-anon.alateen.org</a></p> <p><b>Al-Anon</b> (for family members and friends) 1030 S. Lamar Blvd. Ste. G 512-441-8591 <a href="http://www.al-anon.alateen.org">www.al-anon.alateen.org</a></p> <p><b>Adult Children of Alcoholics (ACOAs)</b> 512-595-7831 <a href="http://www.adultchildren.org">www.adultchildren.org</a></p> <p><b>Narcotics Anonymous</b> 603 West 13<sup>th</sup> Street 512-480-0004 <a href="http://www.na.org">www.na.org</a></p>	<p><b>Drug Treatment Centers</b> Austin Recovery 8402 Cross Park Drive 512-697-8600 <a href="http://www.austinrecovery.org">www.austinrecovery.org</a></p> <p><b>Oak Springs Treatment Center</b> 5015 S. IH-35, Suite 200 D 512-804-3526 <a href="http://www.integralcare.org">www.integralcare.org</a></p> <p><b>La Hacienda's Solutions</b> 2100 Kramer Lane, Suite 300 512-835-1994 <a href="http://www.lahacienda.com/outpatient">www.lahacienda.com/outpatient</a></p> <p><b>American Cancer Society</b> 11000 N Mopac Expressway, Suite 100 512-919-1800 <a href="http://www.cancer.org">www.cancer.org</a></p> <p><b>Lung Association</b> 5926 Balcones Drive, Suite 100 512-467-6753</p>
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<p><b>National Institution on Drug Abuse</b> 1 -800-662-HELP Information and Referral line (M-F, 8:30 a.m.-4:30 p.m.)</p> <p><b>The Center for Substance Abuse Treatment and Referral Hotline</b></p> <p>Information and referral line that directs callers to treatment centers in the local community. (1-800-662-HELP)</p> <p><b>The Drug Free Workplace Helpline</b></p> <p>A line that provides information only to private entities about workplace programs and drug testing. Proprietary schools may use this line. (1-800-967-5752)</p> <p><b>Nar-Anon (for family members and friends)</b> 603 West 13<sup>th</sup> Street 512-480-004 <a href="http://www.nar-anon.org">www.nar-anon.org</a></p>	<p><a href="http://www.lung.org">www.lung.org</a></p> <p><b>County or State Addiction or Mental Health Agency</b> Travis County Integral Care 1717 W. 10<sup>th</sup> St. 512-472-3143 <a href="http://www.integralcare.org">www.integralcare.org</a></p> <p>Travis County Integral Care 5225 N. Lamar Blvd. 512-483-5800 <a href="http://www.integralcare.org">www.integralcare.org</a></p> <p>Crisis Telephone 512-472-4357 <a href="http://www.dshs.state.tx.us/mentalhealth.shtm">www.dshs.state.tx.us/mentalhealth.shtm</a></p> <p><b>County/Victim/Mental Health Hotline</b> Austin Police Department Victim Services 512-974-5000 <a href="http://www.austintexas.gov/departments/victim-services">www.austintexas.gov/departments/victim-services</a></p>
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## Sexual Assault Prevention and Reporting Procedures

### Description of relevant educational programs

Dating violence, domestic violence, stalking, and sexual assault, including rape, fondling, incest, and statutory rape, is specifically prohibited on the AESCA campus or in connection with any of the programs and activities it sponsors. Students committing sex offenses, whether on or off campus, are subject to campus disciplinary action as well as criminal action. Primary prevention and awareness programs for the campus include making available information and resources to students and employees on the campus portal related to identifying sexual assault, domestic violence, dating violence, and stalking as prohibited conduct, defining what behavior constitutes sexual assault, domestic violence, dating violence, and stalking, and defining what behavior and actions constitute consent to sexual activity pursuant to AESCA policies and state criminal law.

AESCA wants students and employees to be aware of preventive actions such as the following:

#### Protecting yourself

- Define what you want and clearly communicate it. Don't be pressured into situations or behavior you are not comfortable with.
- You have the right and power to say "No" and the right and power to defend yourself against someone who won't listen to you. If you say "No", say it firmly and directly.
- Trust your gut. If you feel something is wrong, it likely is. Remove yourself from the situation and get to a safe space as quickly as you can.
- Be careful with alcohol and drugs. Some people think that a drunk or stoned companion has automatically consented to sex. Attend parties with friends you can trust. Leave with a group, rather than alone or with someone you don't know very well.
- Look for danger signals in a dating relationship (see [Red Flag Campaign Handout](#)). Unhealthy

- behaviors can lead to aggression and violence.
- Talk to your friends honestly and openly about sexual assault.

### Protecting your partner and friends

- Consent is voluntary and mutual and can be withdrawn any time.
- Past consent does not mean current or future consent.
- There is no consent when there is force, intimidation or coercion.
- One cannot consent if under the influence of alcohol and/or drugs.
- Understand that if someone does not or cannot consent to sex, it's rape.
- Keep an eye on a friend or partner who has had too much to drink.
- Respect your partner's feelings and needs. Don't pressure anyone to go beyond the limits they have set.
- If you are unsure of what your partner wants, ask for clarification.
- Be careful with alcohol and drugs. They can interfere with your ability to clearly assess situations and to communicate effectively. If you have sex with a person under these conditions, the situation could be understood as rape.
- Be careful in group situations- resist pressure from friends to participate in or be subjected to violent or criminal acts.
- Don't make assumptions about another person's behavior. Don't automatically assume someone wants to have sex just because they drink heavily, act flirtatiously, dress provocatively, or agree to go back to your room.

### Bystander Intervention

- **Be Aware.** Observe the interactions around you and be perceptive to body language or conversations that are signals of unwanted attention or someone who is intoxicated and unable to clearly assess the situation. Be aware if someone is deliberately trying to intoxicate, isolate, or corner someone else.
- **Avoid the Bystander Effect.** Studies have shown that a bystander is less likely to help when there are multiple bystanders in a situation. Decide to assume responsibility to help when you see something.
- **Attempt to Help.** Use bystander intervention techniques to assist. Enlist the friends of an intoxicated person to get them home safely. Get someone to help you if you see something – enlist a friend, bartender, or host to help step in. Get in the way by creating a distraction, drawing attention to the situation, or separating them.
- **Change Social and Community Norms.** Speak up against racist, sexist, or gender-biased jokes or comments. Confront friends who make excuses for abusive behavior.

### Tips for Intervening

In a situation potentially involving sexual assault, relationship violence, or stalking:

- Approach everyone in a friendly way – don't be antagonistic
- Avoid being aggressive or violent
- Be honest and direct whenever possible
- Recruit help if necessary
- Keep yourself safe
- If things get out of hand or become too serious, contact the police
- Never blame the victim.

(sources: <https://www.health.ny.gov/publications/2040.pdf> and <http://itsonus.org/#tools> )

### Risk Reduction:

Here are some ways to help reduce the risk of becoming a victim in social situations:

- Remember that you are responsible for your own safety.
- Drink responsibly.
- Trust your instincts – If it feels unsafe, go with your gut and take action.
- Use the buddy system – Arrive together, check-in with each other periodically, and leave together.

- Consider using apps like “Circle of 6” (<http://www.circleof6app.com/>) to stay connected with friends when you are out.
- Don't leave your drink unattended.
- Be wary of fruity drinks and those containing a number of different alcohols poured into large containers
- Be wary of drinks that seem to taste “off” or “funny”.
- Never accept drinks you didn't see poured.

Here are some ways to avoid dangerous situations:

- Trust your instincts – If it feels unsafe/uncomfortable, it probably isn't the best place to be.
- Be aware of your surroundings.
- Avoid isolated areas.
- Travel light and take only what you really need.
- Carry your cell phone accessibly but do not become preoccupied with texting or using your device until you are in a secure place.

The Texas statutes surrounding rape are genderless, which means that both men and women can be rape victims and perpetrators. Sexual assault, commonly known as rape, occurs when a defendant -- intentionally and knowingly -- commits any of a number of prohibited sexual activities listed under Texas' sexual assault law (Penal Code, Title 5, Chapter 22, Sections 22.011 and 22.021) without the victim's consent. In addition, the institution views an act as one of sexual assault whenever the perpetrator uses physical force, threat, coercion, or intimidation to overpower the victim. There is no additional local jurisdiction definition for domestic violence outside of the general coverage under sexual assault laws. Texas defines an act of stalking as one when someone knowingly engages in behavior that someone else would find threatening, and that would cause a reasonable person to be afraid (Tx. Penal Code § 42.072 (a)). Dating violence is defined in Texas Family Code (Section 71.0021) as an act committed against another with whom the actor has or has had a dating relationship; or because of the victim's or applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.

In accordance with Texas Statutes (Tx. Penal Code § 1.07 (11)), consent is defined as “assent in fact, whether express or apparent”. The age of consent of 17 and the minimum age of 14 are used to distinguish between a sexual assault and an aggravated sexual assault.

### **Procedures to Follow if Sexually Assaulted**

Although it may be difficult, it is always best to report a sexual assault (attempted rape or rape, which includes acquaintance rape) to local law enforcement as quickly as possible. Crimes that occur on- campus can be reported to a CSA, who will record the incident for reporting, before assisting the student in notifying law enforcement, if assistance is requested by the student. All incidents are encouraged to be reported to the Austin Police Department for jurisdiction purposes.

If a crime is reported to the CSA and the victim chooses not to report it to the police, then the employee, student or employee is required to complete an *Incident Report Form* which will allow for exclusion of the victim's name. Any information received will be used for crime reporting notifications, campus crime statistics reporting, and campus education programs. In accordance with the Title IX Educational Amendments of 1972, AESCA does not discriminate on the basis of sex in its education programs. The Campus does prohibit retaliation. Cases of suspected sex discrimination or sexual harassment that includes any unwelcome conduct of a sexual nature such as requests for sexual favors and other verbal, nonverbal, or physical conduct of a sexual nature may be reported to the Campus Title IX Coordinator, Alexis Robinson – Director of Academic and Outcome Compliance, at [arobinson@staff.escoffier.edu](mailto:arobinson@staff.escoffier.edu). A Title IX complaint may be filed simultaneously with a criminal complaint.

***In an emergency, an individual should go straight to the hospital.***

A victim of any sexual assault is encouraged to go to a hospital emergency room to receive appropriate medical care and/or evidence collection. These important steps should be taken after a sexual assault:

1. **Do not** shower, bathe, change clothes, urinate (if possible), brush your teeth or rinse your mouth, change bedding, or disturb the area where the assault occurred (if the assault occurred in your place of residence). **Remember**, it is important to preserve the evidence.
2. **Tell someone.** Call a friend, counselor, or anyone who can provide you with emotional support.
3. **Seek medical attention.** Go to a doctor or hospital as quickly as possible for evidence to be gathered and to be checked for injury.
4. **Write down** detailed information about the assault – where, when, who, etc. If the assailant is a stranger, try to remember their height, hair color, scars, and clothing.

Individuals may also report a sexual assault to any of the local hospitals or obtain assistance from the following community resources that include, but are not limited to:

**Texas Association Against Sexual Assault (TAASA)** – <http://www.taasa.org>

6200 La Calma Dr., Suite 110

Austin, TX 78752

512-474-7190

**National Sexual Assault Online Hotline** – 800-656-4673

<https://hotline.rainn.org/online/terms-of-service.jsp>

**Rape Abuse & Incest National Network (RAINN)**

National Hotline: 1-800-656-HOPE (4673)

**Sexual Assault Legal Services & Assistance (SALSA)** – <http://www.hopelaws.org>

1-888-343-4414

**SafePlace/The SAFE Alliance** – <http://www.safeaustin.org>

P.O. Box 19454, Austin, TX 78760

512-267-7233 (SAFE)

**Family Crisis Center** – <http://www.family-crisis-center.org>

Bastrop, TX

512-321-7760 or 888-311-7755 (toll-free)

## **Student's Option to Notify Law Enforcement**

Sexual assault victims are entitled to certain rights which shall be recognized and provided by all campus student services personnel. Among these are:

- The right to notify proper law enforcement authorities and the option to be assisted by the CSAs in notifying such authorities.
- The right to have an incident of sexual assault investigated and adjudicated by the campus conduct system; and the right to full and prompt cooperation and assistance in the campus disciplinary process.
- The right to decline the notification of such authorities.

## **On-and-Off Campus Sex Offender Victim Services**

Guidance and assistance for reporting the assault may be received from the Title-IX Coordinator. Individuals who have been sexually assaulted are eligible to receive medical forensic exams at no cost. The Non-Reported Sexual Assault Evidence Program was created in HB 2626 by the 81st Legislature and went into effect June 21, 2009. The program allows survivors of a sexual assault to obtain a medical forensic exam and have evidence collected within 96 hours of the assault, without cost to the victims, even if they do not wish to involve law enforcement at the time of evidence collection. This allows the evidence to be secured while giving the survivor time to consider whether they want to report the assault. A patient who has requested and obtained a non-reported sexual assault medical forensic examination has up to two years to decide to report the crime. Information related to the program can be found in Article 56.065 Code of Criminal Procedure.

State law requires the law enforcement agency requesting the exam to pay all expenses related to the gathering of forensic evidence from the victim. The victim's cooperation in pressing charges is not a factor; if the law enforcement agency requests that the exam be conducted, the law enforcement agency is responsible for paying the costs.

AESCA does not have pastoral or professional counselors. Counselors for mental health or victims of sex offenses can be found in the yellow pages of the telephone book or in directory searches under the heading "Counseling," "Counseling Centers," or "Counselors."

## **Victim Assistance with Academic or Other Changes**

The Campus is obligated to take protective measures to minimize the burden on a victim of an alleged sex offense. If a student has been the victim of a sexual assault, AESCA will change the victim's academic schedule after the alleged sex offense if those changes are requested by the victim and they are reasonably available. The Executive Chef or Registrar can provide information about this option and assist with the process. AESCA does not provide on or off campus housing, transportation and does not assist with living arrangements. If an incident is related to work arranged by or affiliated with the campus, AESCA will assist with changes to work schedule or position if requested by the victim and if reasonably available.

## **Orders of Protection / No-Contact Orders / Restraining Orders**

If a victim informs AESCA they have an order of protection, no-contact orders, restraining orders or similar lawful orders issued for a criminal, civil or tribal court in effect, the college will uphold the conditions of the order to the best of its ability.

## **Reasonable Accommodation**

The school administration can assist victims of sexual assault in seeking resources counseling, health, mental health, victim advocacy, legal assistance, visa/immigration assistance, student financial aid and/or other related services. AESCA will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation and working situations. To request any assistance, victims should contact the Campus President. AESCA will, as possible, maintain confidentiality any accommodations or protective measures provided to the extent that maintaining confidentiality will not impair the AESCA's ability to provide them. If the disclosure of the victim's personal information is necessary to provide the accommodation, the College will notify the victim prior to disclosure. Regardless of whether the victim chooses to report the crime to campus security or local law enforcement, reasonably available assistance will be provided upon request. Organizations that provide assistance in changing living conditions and transportation or provide assistance with work situations or legal services can be found on page 20 of this document for Victims of Dating Violence, Domestic Violence, Sexual Assault, Stalking.

Measures taken for victims concerning academic options may include, but not limited to:

- Rescheduling of academic assignments and/or exams;
- Providing academic support services including tutoring;
- Changing class schedules;
- Withdraw from a course without penalty; and/or
- Providing options for alternative course completion.

## **Disciplinary Action and Possible Sanctions for Sex Offenses**

The Campus will conduct an impartial and prompt investigation when any complaint is received or sexual offense reported by students or on behalf of a student. The accuser and the accused are entitled to the same opportunities to be heard. Under Title IX, the Campus uses a preponderance of evidence standard during any disciplinary proceedings where the greater likelihood of truth is initially assumed. Both accuser and accused may have the same opportunities to have others present as representatives and witnesses if a formal hearing is held and both parties are kept apprised of timelines and informed of the outcome in accordance with federal laws.

Criminal punishment if convicted by state or federal legal proceedings carry, in nearly all cases heavy fines and a minimum of 2 years in prison that will increase based on severity of offense.

## **Possible AESCA Sanctions Following a Disciplinary Proceeding**

Possible sanctions imposed for disciplinary purposes against the perpetrators of sexual assault in the event of a finding of 'in violation' include a warning, restriction of activities, disciplinary probation, or dismissal. The perpetrator could also be subjected to criminal prosecution in the state courts. Retaliation against a complainant for reporting an offense is prohibited by law.

AESCA will, upon written request, disclose to the alleged victim and perpetrator of a violent crime or a sexual assault, the report on the results of any disciplinary proceeding conducted by the Campus 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 such victim shall be treated as the alleged victim for purposes of this paragraph.

## **Information About Registered Sex Offenders**

The federal Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The federal law requires institutions of higher education to issue a statement advising the campus community where information concerning registered sex offenders may be obtained.

Persons convicted of certain sex offenses are required by law to register with the State of Texas. A current listing of all registered sex offenders in Texas is available at:

[https://www.dps.texas.gov/administration/crime\\_records/pages/sexoffender.htm](https://www.dps.texas.gov/administration/crime_records/pages/sexoffender.htm)

## **Missing Persons**

AESCA does not maintain school-operated student housing facilities and is not required to publish a missing student notification policy. Students are encouraged to contact the local authorities if they have information about a missing person.