

**Frank Phillips College**  
**Housing Handbook**  
**2022-2023**





# *Welcome*

Welcome to Frank Phillips College Residential Housing! Living on campus can greatly enhance your college experience, and it is our hope that it will be a positive experience.

Being a resident on campus of FPC means exposure to a variety of cultures, lifestyles, and behaviors that may be different from your own. However, you must practice personal discipline and integrity to be congenial with those differences.

As a student you have personal rights and obligations. This handbook will serve as a guide to our expectations from all residents. Observing these regulations will benefit everyone while ensuring your rights as you respect the rights of others.

It is our goal to provide a safe environment with pleasant surroundings that enhance your academic success. It is our hope that you will participate in student activities.

Good luck on a very successful, rewarding experience at Frank Phillips College.

**Mission:**

*Frank Phillips College is a comprehensive two-year, community-based educational organization committed to providing high-quality learning experiences and services.*

**Accreditation:**

*Frank Phillips College is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award associate degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call (404) 679-4500 for questions about the accreditation of Frank Phillips College.*

## *Important Phone Numbers*

<b>FPC MAIN NUMBER</b>	806-457-4200
<b>FIRE AND POLICE</b>	911
<b>GOINS HALL</b>	
Deana Moon – Director of Goins Hall	806-336-0796
<b>STEPHENS HALL</b>	
Brandon Rielly – Director of Stephens Hall	714-624-9774
<b>TYLER STREET</b>	
Deby Judd – Director of Tyler St	806-290-7577
<b>BCAC</b>	806-457-4218 806-457-4219
<b>Vice President for Academic Affairs</b>	806-457-4200 x 732
Dr. Shannon Carroll	

### **FORWARD**

Frank Phillips College Residential Housing Handbook is a source of valuable information regarding the student's responsibilities, obligations, and privileges while residing in student housing. This handbook can be accessed through the Frank Phillips College website at [www.fpctx.edu](http://www.fpctx.edu). Failure to read this handbook does not excuse students from the requirements and regulations described herein. Since the policies and statements contained herein are subject to continuous review and evaluation, Frank Phillips College reserves the right to make changes at any time without notice. This publication is for information only. No person shall be excluded from participation in, denied the benefit of, or be subject to discrimination under any program or activity sponsored or conducted by Frank Phillips College, on any basis prohibited by applicable law including, but not limited to, race, color, origin, religion, gender, or disability. Frank Phillips College reserves the right to refuse service to any person convicted of a felony. Individuals required to register by Texas Law or Megan's Law will not be allowed to live in Frank Phillips College Student Housing. Although we believe the individual can be rehabilitated, we also have to take into consideration the safety of the entire community.

#### **Board Policy Manual**

The Board Policy Manual, located in the President's Office, supersedes any printed policies in this handbook.

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## **Statement of Non-Discrimination**

*Frank Phillips College is an equal opportunity education institution and employer. Its students and employees are selected and/or assigned without regard to age, race, color, creed, sex, national origin, or disability, consistent with Titles VI and VII of the Civil Rights Act of 1964, and Title IX of the Higher Education Act amended in 1972, and Section 504 of the Rehabilitation Act of 1973. The compliance coordinator for Title IX is Dr. Shannon Carroll (scarroll@fpctx.edu; 806-457-4200, ext. 732) and Section 504 is Becky Green (bgreen@fpctx.edu; 806-457-4200, ext. 777).*

*Frank Phillips College no discrimina por motivos de raza, edad, religión, color, origen nacional, sexo o impedimento en sus programas, servicios o actividades según requerido por el Título VI de la Ley de Derechos Civiles de 1964, según enmienda; el Título IX de las Enmiendas de Educación de 1972; y la Sección 504 de la Ley de Rehabilitación de 1973, según enmienda. FPC también proporciona igualdad de acceso a los Boy Scouts y a otros grupos de jóvenes designados. Preguntas con respecto al cumplimiento y/o procedimientos de queja pueden ser dirigidas al oficial del Titulo IX , Dr. Shannon Carroll, 1301 West Roosevelt, Borger, Texas 79007, (806) 457-4200, ext. 732 y/o al Coordinador de la Sección 504/ADA del distrito escolar, Becky Green, 1301 West Roosevelt, Borger, Texas 79007, (806)457-4200, ext 777, [bgreen@fpctx.edu](mailto:bgreen@fpctx.edu).*

## Frank Phillips College Residential Housing

Frank Phillips College is committed to providing an environment that is conducive to learning. To help fulfill this commitment, the College operates safe, secure, and well-maintained residential housing facilities. Residence Halls are located on the western slope of the campus, west of the Classroom Learning Complex, and one block south of the main campus at 1001 Tyler St. Parking is available in front of each residence hall. Rooms are available on a first come, first-serve basis. Reservations will be held through the first class day.

### MEAL PLAN

Board is provided as part of the fees for both the fall and spring semesters and is **MANDATORY** for all student residents. Board consists of nineteen meals per week (three meals per day, Monday-Friday, two meals Saturday and Sunday) for fall and spring semester. Meals not eaten are not transferable to others. Meals are not served when campus is officially closed.

### FOOD SERVICE

The College dining hall, located in the Fine Arts Building is operated by Fresh Ideas Dining food service. The dining hall offers a variety of appetizing foods - a spacious salad bar, hot soups, deli-style sandwiches, fresh fruits and vegetables, and a great diversity of entrees.

### REQUIRED VACCINATION

Since January 2010, Texas legislation mandates that every new student or new transfer student to any Texas college or university, regardless of age, who are planning to live in campus housing will be required to have a meningitis vaccination at least 10 days prior to living in campus housing. The required meningitis vaccination must be current, within the last five years. Students will not receive a housing assignment until shot records are provided. Specific information on how to provide this documentation will be provided by the college after a student has been admitted and has applied for housing.

### HOUSING FEES (Residential Housing fees are subject to change.)

Meal Plan and Tax: \$2056.75

Residential Hall Room Fee: \$51 per semester

Mailbox Fee: \$30.00

### PAYMENT OF HOUSING FEES

The student agrees to pay housing fees and other properly billed charges (i.e., damages) at the times scheduled by the College. Room and board charges are due and payable by the semester and may be paid by one of the following methods:

1. Total semester charge paid at the time of occupancy.
2. Enrollment in the payment plan.

Contact the Frank Phillips College Business Office, 806-457-4200 x 716, or Student Central, 806-457-4200, for questions regarding payment methods.

***\*All rates as well as any additional charges for room use are subject to change by the College.***

## **ROOM AND BOARD REFUND**

- A.** Except in cases where medical reasons preclude being enrolled in college, room rent is not refunded.
- B.** Refunds for board are made only to students who willingly withdraw from the college. Refunds during the first nine weeks are prorated based on meals unused for the remainder of the semester. No refunds are made after the ninth week of the fall or spring semester.
- C.** If a student makes partial payment and moves out prior to making full payment, that student is liable for the entire portion of the semester room fee.
- D.** For the purpose of establishing charges and refunds at the beginning of a semester, occupancy is defined as assignment of a room.

## **HOUSING CONTRACTS INFORMATION**

### **TERMS**

- A.** The terms of the housing contract apply to the academic year starting with the beginning of the fall semester and ending at the termination (last day of finals) of the spring semester. (Residential Housing is closed during summer terms. Permission is given by the Director of Student Central for summer housing requests.) Contracts shall also be held in force for the remainder of the academic year, should the student occupy the assigned space after the beginning of the fall semester.
- B.** The housing contract does not provide housing when class is not in session:
  - 1. after fall semester finals until spring semester regular registration;
  - 2. after spring semester finals until first summer term regular registration;
  - 3. after second summer term finals until fall semester regular registration;
  - 4. any designated holidays according to the college calendar.

***\*Permission to occupy rooms during closed periods must be obtained through Student Central.***

- C.** The student is liable for all applicable rates, deposits, and fees for the entire length of the contract regardless of occupancy.
- D.** This contract is an agreement between FPC and the student. If the student is under 18 years of age\*, this contract is also an agreement between the College and his/her parents, guardian, or other guarantor. The parties to this contract in consideration of the mutual covenants and stipulations set out herein agree as follows:
  - 1. The College agrees to furnish room and board on a space available basis in accordance with the terms of this contract.
  - 2. The student agrees to pay to the College a room and board fee in accordance with the terms of this contract.
  - 3. If the student is under 18 years of age, the parent, guardian, or other guarantor agrees that if the student for any reason fails to make such payments, the parent, guardian, or other guarantor shall make all such payments to the College.
  - 4. Rooms not occupied by the end of the first class day can be released to other students.
  - 5. Board consists of nineteen (19) meals per week for fall and/or spring semester(s). No refund is made for missed meals or meals not eaten due to early departure after finals, and meals not eaten are not transferable to others. No board is included in summer contracts. No meals will be served on days the college is closed.
  - 6. The student's room shall not be sub-let nor used for commercial purposes.

7. Students vacating housing space before the conclusion of the contract period will forfeit their room deposit.
8. The College reserves the right to refuse housing to any student who has demonstrated an unwillingness to abide by housing standards and regulations, or who demonstrates behavior which is incompatible with the maintenance of order and propriety in college housing.
9. To the extent authorized by law, the student shall indemnify, save, and hold harmless the College, its employees, and agents, against any and all claims, damages, liability, and court awards including costs, expenses, and attorney fees incurred as a result of any act or omission by the student pursuant to the terms of this contract.
10. The student agrees to pay all court costs and reasonable attorney's fees, whether or not court proceedings are necessary, that may be incurred in enforcement of FPC rights under this agreement.

***\*Students under the age of 18 must obtain permission to live in Residential Housing from the Director of Student Central.***

### **STUDENT NONCOMPLIANCE**

In the event the student fails to comply with the terms and conditions of the Residential Housing Contract, the Residential Housing Handbook and/or conduct rules as stated in college publications, the College may take the following actions against the student:

1. Cancel this agreement without notice.
2. Serve notice to vacate the premises pursuant to applicable College policies.
3. Take action to recover the cost of damage caused by the student and/or his/her guest(s).
4. Utilize any and all remedies, including equitable and legal, judicial and/or administrative relief which is available

### **TERMINATION OF CONTRACT AFTER OCCUPANCY**

#### **A. BY THE COLLEGE:**

1. Upon reasonable notice and for good cause, the College reserves the right to terminate the housing contract. Any termination by the College will be made by the President. Good cause means any conduct which disregards College policy or disrupts the orderly administration and/or function of the College or any of its activities. Reasonable notice will normally be twenty-four (24) hours.
2. Failure by the student to abide by provisions set forth under –Payment of Housing Fees.
3. Failure by the student to maintain twelve (12) semester hours in the fall and the spring and three (3) semester hours each summer term. \*
4. Failure of the student to abide by local, state, and/or federal law.

**\*No refund of housing charges are made for removal under these conditions.**

**\*Requests to maintain less than 12 semester hours can be submitted to Student Central.**

#### **B. BY THE STUDENT:**

1. The College fails to fulfill its responsibilities as set forth in the housing contract.
2. Circumstances determined by the College to be beyond the control of the student which prohibits his/her continuation as a student, such as death or disabling illness or accident. In



each case, the contract may be terminated only after the appropriate forms and documentation have been filed.

### **ROOM ASSIGNMENT**

The College reserves the right to assign or reassign space for the benefit of the College, individual student, roommate, or suitemate(s). Students who do not have a roommate will be given the option to contract for a room as a single when space will permit or agree to accept the assignment of a roommate. Consolidation is an effort to fairly achieve maximum use of the student residence center space. If a conflict between the two residents arises, one or both may choose to select new rooms at the discretion of the Housing Director. A student who elects to use a room as a single or fails to consolidate is subject to additional charge.

*\* Single occupancy will not be considered until all occupancy requests have been satisfied.*

### **ROOM CHANGE**

All room changes must be requested through the Residential Housing Director. Any room changes without proper authorization can result in the loss of your security deposit, and you could be forced to return to your original room.

### **ROOM INSPECTION**

For compliance with health, maintenance, safety, and college housing regulations, the College reserves the right to periodically inspect a student's room. All attempts will be made to have the inspections announced in advance and scheduled when one or both residents are available, although some inspections such as visitation check, drug and/or alcohol check, and checks at the discretion of the Housing Director, may be unannounced.

### **ROOM ENTRY**

The College reserves the right of entry into residents' rooms for the purpose of inspection, verification of occupancy, safety, health maintenance, and to reclaim college property. The room may also be entered at break periods to insure that established closing procedures have been followed. College officials, upon proper identification and purpose, may enter the room without consent if either probable cause and/or an emergency situation exist. The Vice President for Academic Affairs, Director of Housing, maintenance/custodial staff, and security have master keys in order to serve these conditions.

### **COLLEGE LIABILITY**

The College shall assume no responsibility for the theft, vandalism, destruction, loss of money, valuables, or other personal property belonging to, or in the custody of the student for any cause whatsoever. It is the student's responsibility to keep their rooms locked at all times. Students are encouraged to carry their own property insurance.

## CHECK-IN/CHECK-OUT PROCEDURES

### CHECK-IN

Each resident should report directly to the Residential Housing Director. Please follow the instructions to insure a smooth and proper check-in:

- A. Go to the housing facility and report to the Residential Housing Director.
- B. Sign in to receive your room assignment and fill out housing paperwork.
- C. Go to your room with the check-in form and check the condition of the room. Be sure to note ANY damaged or missing items. If you are in doubt about whether to list something, do it. You may be charged for unreported damage. Sign and return the form to the Housing Director.
- D. All students are issued a room key and an outside door key by the Housing Director. The loss of a key should be reported immediately to the director. In order to maintain security, the lock will be changed and new keys issued. There will be a charge for the cost of this service. For security purposes, one's room should be locked at all times. The student shall not alter or duplicate any room or mailbox key. Any student in possession of a duplicate key will be charged for replacing the lock.

### CHECK-OUT

The Residential Housing Director and the student must complete the check-out form. The amount for room damages and community damages will be assessed and written on your check-out-form upon closure of Residential Housing. These damages will be taken out of the housing deposit. The student must sign the check-out form and leave it with the Housing Director. Failure to check out properly and turn in the keys can result in academic records being withheld by the College and will result in forfeiture of the room deposit. When moving out of an assigned space, properly checking out will automatically initiate the refund procedure, if applicable.

#### *When Checking Out:*

- A. Check out through the Housing Director using the proper form. Any student checking out before the end of the semester must follow the same procedure. Both the student and the Housing Director must be present during the checkout process.
- B. Be sure that all items are still in the room that were there when you moved in.
- C. Students may not leave any items in their room without prior arrangements made with the Housing Director. Any items left after the checkout process will become property of the College.
- D. Clean the room and bathroom. Any student leaving a room dirty will be charged the cost for cleaning service.
- E. Turn in any assigned keys.
- F. A \$50 fee will be assessed to any student who does not properly checkout.

### HOLIDAYS

Goins Hall, Stephens Hall, Tyler Hall, and the cafeteria are CLOSED during official college holidays,( i.e., Thanksgiving, Christmas, between semester breaks, and Spring Break, etc.). Students are responsible for arranging their own accommodations during these periods. Room rates do not include semester breaks and holidays when the campus is closed\*.

**\*Permission to occupy rooms during closed periods must be obtained through Student Central.**

### **ATHLETIC HOLIDAY HOUSING**

Many times over the holidays athletes will need to remain in Residential Housing during a closed holiday to represent Frank Phillips College. All arrangements will be made by the coaches with the Housing Director.

### **HOUSEKEEPING**

Housekeeping services are provided by the College custodial personnel who take care of public areas in residence halls. All residents are responsible for the cleanliness of their rooms and/or bathrooms. Residents are also responsible for keeping personal items picked up in common areas and/or hallways.

### **MAINTENANCE AND REPAIRS**

Student residents must report all maintenance problems and any damages to the Residential Housing Director. Maintenance services are provided by the physical plant personnel who are responsible for all the residence halls.

### **STUDENT HOUSING AMENITIES:**

#### **CABLE SERVICES**

Basic cable is provided in each public common area. For service in the rooms, students must contact the local cable office to make arrangements at their expense. **Sparklight: 806-273-4447.**

#### **MAIL SERVICES\***

Mail is delivered to the FPC Library by the U.S. Postal Service Monday thru Friday. All mail and packages are initially delivered to the Library and students may request mail from the Library staff. Otherwise the Residential Housing Director will deliver mail in a timely manner.

#### **Your Address Is:**

Your Name  
Your Residential Hall  
P O Box 5118  
Borger, TX 79008

#### **For Mail Requiring a Physical Address:**

Your Name  
Your Residential Hall  
1301 W. Roosevelt  
Borger, TX 79007

**\*Mail will not be delivered while the College is officially closed.**

### **LAUNDRY SERVICES**

A laundry room with washing machines and dryers is provided in each housing facility for resident use. The College cannot be held responsible for items left or money lost in the laundry room.

### **HOUSING REGULATIONS**

The purpose of regulations in the living facilities is to protect the safety and rights of all students. If an individual infringes upon the safety and/or rights of others by violating these regulations, that individual may be subject to disciplinary action. Infringement can include local, state, and/or federal law.

### **STUDENT RESPONSIBILITIES:**

#### **HOUSING MEETINGS**

Students will periodically be required to participate in mandatory housing meetings. In order to better benefit from living on campus, the Housing and Student Central staff use this time to inform students of

rules and/or regulations, upcoming student activities, health and/or safety information, campus updates, and other general housing information.

### **DAMAGES**

The student is individually responsible for the cost of replacement or repairs of any breakage or damage to his/her room and/or furnishings, and/or any damage for which the student is responsible. The student is jointly responsible for the cost of any extraordinary cleaning and replacement or repair of items (such as vending machines, washers and/or dryers, furniture, and phones, etc.) due to theft, breakage, or damage in the common areas within his/her assigned Residential Hall. Charges will be evenly assessed to each member of the assigned room in which the student resides in the event the responsible person remains anonymous.

### **REPAIR/ REPLACEMENT COSTS**

Damages or losses to public areas of the hall will be charged collectively and the bill divided equally among the residents of the hall if no responsible party comes forward. These damages may be paid as they are charged or subtracted from your housing deposit. A cleaning fee or \$50 may be levied at the time of checkout if your room is not properly cleaned.

### **Miscellaneous fees include but are not limited:**

<b>Item</b>	<b>Cost</b>	<b>Item</b>	<b>Cost</b>
<i>Broken Mirror</i>	<i>\$50.00</i>	<i>Floor Tiles (each)</i>	<i>\$10.00</i>
<i>Light Panels</i>	<i>\$75.00</i>	<i>Metal Drawer Channels</i>	<i>\$25.00</i>
<i>Lock Damage</i>	<i>\$100.00</i>	<i>Ceiling Vents</i>	<i>\$50.00</i>
<i>Dirty Room</i>	<i>\$50.00</i>	<i>Fire Extinguisher Refill</i>	<i>\$50.00</i>
<i>Door Refinish</i>	<i>\$50.00</i>	<i>Nail Holes (each)</i>	<i>\$1.00</i>
<i>Lost Key (Room)</i>	<i>\$25.00</i>	<i>False Fire Alarm</i>	<i>\$1000.00</i>
<i>Lost Key (Outside Door)</i>	<i>\$600.00</i>	<i>Repainted Room</i>	<i>\$100.00</i>
<i>Ceiling Tile (each)</i>	<i>\$10.00</i>	<i>Furniture/Window Replacement</i>	<i>Discretionary</i>
<i>Window Blinds</i>	<i>\$150.00</i>	<i>Chair</i>	<i>\$75.00</i>
<i>Door Replacement</i>	<i>\$400.00</i>	<i>Wall Damage</i>	<i>\$25.00</i>

### **INTERNET**

The Student is responsible for proper use of the internet services provided. Excessive use of bandwidth, unlawful downloading, and any other illegal activity will be monitored and may result in termination of this service. Students are responsible for maintaining their personal computers which includes updated virus protection. A student may lose his/her privilege to internet access if they violate this policy. Please understand that the internet service provided is for educational use only.

### **PROHIBITED E-MAIL/INTERNET USE**

Frank Phillips College's Internet and e-mail services must not be used for any of the following:

1. commercial advertising;
2. publishing material or sending messages for personal financial gain;
3. unethical or illegal solicitation;
4. sending a message with someone else's name on it;
5. sending a large number of personal messages from computers on campus

6. knowingly placing a computer virus, worm or Trojan on the network;
7. publishing or distributing unlawful information;
8. sending unsolicited bulk e-mail messages commonly known as spam;
9. gambling;

### ***PERSONAL PROFILING***

If you have a Social Network account, (i.e. Facebook, Twitter, Instagram, etc.) or any type of profile on an internet based community, please be aware of the following:

1. Do not put your room or phone number, cell phone number, class schedule, or other personal information on your profile. Also, do not allow someone to access this information from your profile. This is extremely dangerous and could open you to stalkers, identity theft, and other problems.
2. Remember that parents, students, administrators and police have access to these accounts and to these profiles. Do not write anything or post any pictures considered offensive.
3. Keep in mind that while we appreciate a person's need for self-expression, Frank Phillips College must conduct business and maintain a safe and secure environment for the well-being of all our students. If you use any online community you are responsible for the information on your profile. Providing your room number and/or phone number as well as photos and/or information that may violate any Frank Phillips College rules and regulations is prohibited.

### ***ALTERATIONS/ROOM MODIFICATION***

No changes will be made in college housing by the student without written permission from the President. This includes but is not limited to shelves, partitions, wallpaper, painting, plumbing, heating, and other structural changes, alterations to furniture, or the removal of furniture and its replacement with items owned by the student. The use of nails and marking pens on walls, furniture, mirrors, or doors is prohibited. Do not remove locking screws or screens from your windows. Please do not remove lounge and common area furniture.

### ***ITEMS AND ACTIONS PROHIBITED IN STUDENT HOUSING***

The following items and actions shall not be used or held in the student's room or common areas; and violations will result in the item(s) being confiscated and/or disciplinary actions taken. Items and actions are not limited to the below list. Other items and actions can be deemed prohibited by the Vice President for Academic Affairs, Residential Housing Director, and/or Student Central.

- A. Firearms, ammunition, explosives (including firecrackers, fireworks, etc.), weapons, illegal knives, hunting bows, arrows, martial arts equipment, hazardous chemicals, gasoline driven vehicles of any kind i.e. motorcycles, vehicle parts, heavy repair equipment or accessories to any vehicle or engine parts.**
  - a. As of August 1, 2017, students who are licensed to carry a concealed handgun may keep the firearm in their Residential Hall rooms, but it must be in a locked cabinet at all times when it is not on the person. Violations of this law will result in local law enforcement intervention. Please see the Concealed Carry section of this handbook for more information.**

- B. Illegal drugs and/or paraphernalia. Student will be subject to immediate suspension and/or disciplinary action.**
- C. Alcoholic beverages and/or their containers. (Regardless of Age)**
- D. Electrical items other than clocks, radios, stereo equipment, televisions, or other approved appliances. (Microwave ovens must use less than ten (10) amps of power. Refrigerators must be 4.5 C.F. or less.)**
- E. Outside television or radio antennas.**
- F. Waterbeds or water filled furniture.**
- G. Motorcycles of any type.**
- H. Pictures or items deemed by the Housing Director to be obscene or pornographic.**
- I. Street signs and other public signs are considered to be stolen property and are not allowed in College Housing.**
- J. Open flame, burning or heat producing items, including candles. (Lighters are allowable.)**
- K. Animals of any type.**
- L. Destruction of Frank Phillips College property which includes but not limited to tampering with lights and thermostats.**
- M. Tampering with laundry facilities can result in the laundry room being shut down.**
- N. Parking in fire lanes and/or handicap parking.**

#### ***MISCELLANEOUS INFORMATION***

The student is responsible for cleaning his/her room, removing waste materials regularly, and maintenance sanitation and safety standards. Rooms are subject to regularly scheduled inspections.

The student is responsible for all guests and activities in his/her assigned room in accordance with this contract, college and housing policies, and federal, state, and local laws.

The student is prohibited from tampering with any college lock or installing new or additional locks or bolts. The student shall not alter or duplicate any room or mailbox keys. Any student in possession of a duplicated key will be charged for replacing the lock and may face criminal charges.

The student shall not disturb, annoy, harass, or interfere with the residence staff in the performance of their duties.

The student will not tamper with any fire equipment, i.e. pull alarms, fire extinguishers, smoke detectors, etc. Violations of the above will result in a fine and/or notification of Borger Fire Chief/security officers or local law enforcement agencies for possible criminal charges.

Solicitation is prohibited. Report of any door-to-door salesperson, flyer, or brochures must be made to the Housing Director immediately.

A student may not enter another person's room unless the person boarding in the room is in attendance. Once a student(s) has vacated a room, no other students may enter without being accompanied by the Housing Director or Residential Hall Director.

#### **STANDARDS OF CONDUCT IN STUDENT HOUSING**

Students are expected to conduct themselves in accordance with generally accepted standards of good behavior and good taste. Standards and procedures which comprise the Code of Student Conduct are considered as college policy. Enrollment in Frank Phillips College is considered by the College as implicit declaration of acceptance on the part of the student of college regulations. It is stressed that all local, state,

and federal laws are supported by the College. Being a student does not exempt a person from being a law-abiding citizen.

All student housing residents are expected to become familiar with the Code of Student Conduct found in the *Student Handbook*. In addition to the Code of Student Conduct, individuals occupying student housing are also prohibited from the following:

- A. A student that harms themselves or any other student is in violation of the Code of Student Conduct. You will be sent home.**
- B. Inappropriate behavior such as nudity, spectator sex, and any other behavior deemed as inappropriate by the Residential Housing Director, President, Vice President for Academic Affairs and/or the Director of Student Central.**
- C. Gambling of any type.**
- D. Possession and/or use of alcohol beverages or containers and/or illegal drugs is prohibited. Students caught with either substance will be subject to disciplinary action.**

The College may contact parents in accordance with the Higher Education Reauthorization Act of 1998 in regards to issues of concern with student's use of drugs and/or alcohol under the age of 21. The College has the option to contact parents regarding violation of drugs or alcohol when deemed necessary.

- E. Abusive or threatening behavior is not tolerated. Any such behavior or language directed towards a Frank Phillips College official or student will result in disciplinary action.**

#### **TOBACCO USE POLICY**

Frank Phillips College is a tobacco free environment. Possession and use are prohibited unless subject to an exception under law, an individual who is younger than 21 years of age commits an offense if the individual: possesses, purchases, consumes, or accepts a cigarette, e-cigarette, or tobacco product; or falsely represents himself or herself to be 21 years of age or older by displaying proof of age that is false, fraudulent, or not actually proof of the individual's own age in order to obtain possession of, purchase, or receive a cigarette, e-cigarette, or tobacco product. Any student, permitted by law to use tobacco or tobacco products, must use them outside all campus buildings in designated areas. Students found in violation of the tobacco use policy will be subject to disciplinary action.

#### **QUIET HOURS POLICY\***

Living in college housing requires that each student be considerate of every other student. No individual, in attempting to exercise his right, may impose on the personal rights and liberties of others living in college housing. Therefore, housing units will be quiet each evening beginning at 11:00 p.m. until 8:00 a.m. the following morning. Music, conversation, etc., must be quiet enough that anyone outside the room will not be disturbed.

***\*A 24 Hour Quiet Hours Policy will be in effect during finals week.***

***\*The Quiet Hours Policy is subject to change without notice.***

#### **STUDENT HOUSING VISITATION POLICY\***

All guests are permitted to visit students in their rooms only in accordance with the following schedule:

**Sunday – Wednesday 11:00a.m. – 11:00p.m. Thursday – Saturday 11:00am-1:00am**

The above visitation hours will be strictly governed by the Residential Housing Directors and the following rules and regulations of this policy.

- A. Anyone visiting Residential Housing must be signed in at the front desk upon arrival and must sign out upon leaving.**
- B. All guests must enter and exit through the FRONT main lobby door ONLY.**
- C. NO excessively loud music or noise.**
- D. No one will be allowed to enter Residential Housing before posted time or remain any later than the posted time.**
- E. Individuals will be responsible for any and all actions that occur in their residential hall rooms and/or common areas. Visitors are expected to share this responsibility.**
- F. Visitors must be at least 18 years of age to be in Residential Housing (Family members are the exceptions).**
- G. All visitors must have a picture I.D. on their person at all times when they are participating in Residential Housing visitation. Anyone who does not have an I.D. when asked will be removed from the premises.**
- H. If any rule within the visitation policy is broken by one resident, the visitation may be suspended for all residents of that Residential Hall or all Residential Halls.**
- I. All visitors must go directly to and from the room to be visited and remain there while visiting.**
- J. All rules and regulations will be strictly enforced.**
- K. No visitation allowed while the College is officially closed.**

*\*Visitation for one, two, or all Residential Housing is subject to suspension in consideration of violations within the Housing Handbook.*

*\*Extenuating circumstances can result in immediate suspension of visitation (i.e. bad weather, safety issues, other circumstance deemed necessary by the College.)*

### **GUEST POLICY**

No person is allowed access to the Residence Halls unless they live in that residence hall, or they are a bona fide guest of someone living in the student housing. Any resident may have an overnight same sex guest in his or her room if it is approved in advance by the housing director (maximum - two (2) nights per month). Any non-resident person spending the night in the Residence Hall must be the guest of the resident. Roommates and must be informed about the guest. All overnight guests who share a student's room MUST register with the Residential Housing Director. All unregistered guests will be asked to leave the campus. The host or hostess will be held responsible for the conduct of the guest. Guests must understand the rules and regulations. The guest must not be left unattended if the host or hostess will be gone for any length of time. Residents may not loan their key to non-residents.

### **COUNSELING**

Confidential and professional counseling assistance is available for all Frank Phillips College students through the Office of Educational Services. Please understand that the members of the Housing staff are not licensed counselors. However, a member of the Housing staff may refer a student to see a counselor. Students will immediately be referred to a counselor if a student shows signs of alcoholism, an eating disorder, suicidal behavior, cutting and/or harming themselves, or any other disturbing behavior as identified by the staff and housing director.



## **EMERGENCY/DISASTER POLICIES AND PROCEDURES**

### ***FIRE EVACUATION PROCEDURES***

If the fire alarm sounds, students are to evacuate the building IMMEDIATELY, following the instructions listed below.

- A.** If your door is hot to touch, do not open it.
  - 1. Roll up a wet towel and place it at the base of the door to prevent smoke penetration.
  - 2. Close windows, turn on lights, and close room doors but do not lock.
- B.** If your door is cool to the touch, open it slowly.
  - 1. If you encounter heat and/or pressure in the hallway, leave your room, carefully, closing the door behind you, and proceed to the nearest exit. (If possible, alert other students on your way to the exit).
  - 2. If the hallway is clear, close your door behind you and proceed to the nearest exit. (If possible, alert other students on your way to the exit).
- C.** If you encounter smoke, take short breaths through your nose and stay close to the floor (crawl if possible.)
- D.** Once outside the building, move far away from the building and wait until recalled by an authorized College official. When appropriate, students will be asked to report to the Plainsmen Gym in order to account for all and make way for fire equipment.

A false fire alarm and/or the abuse of fire equipment (including smoke detectors) is an offense of the Texas Penal Code and may be considered a misdemeanor or felony. The College may elect to deal with these violations and/or refer them to appropriate law authorities. College action can include disciplinary action or expulsion from Frank Phillips College. Safety equipment is here for your protection.

### ***TORNADO/SEVERE STORM PROCEDURES***

- A.** The warning signal is a CONTINUOUS sounding alarm. This indicates that a tornado has been sighted in the area and there is immediate danger!
- B.** When you have ADVANCED warning go to a bathroom located on the inside of your building. Take your pillow.
- C.** In an emergency where insufficient warning is given do the following:
  - 1. Stay AWAY from windows and open areas.
  - 2. Go to an INTERIOR hallway or bathroom.
  - 3. Remain CALM and wait for the all-clear signal from a College official.
- D.** If outside, lay down in a depression or ditch.

### **STUDENT HOUSING STAFF**

The Housing Directors are employees of FPC and are responsible for the operation of student housing. The housing staff goals are to foster an academic environment favorable to successful scholastic experiences, to aid the resident in transition from the family environment to that of the broader social and educational community, to promote mature, realistic evaluation of daily living, to promote proper habits for good mental and physical health, to promote participation in democratic group environment, and to work toward the development of a sense of community among all residents.

## **CAMPUS SECURITY**

Students are required to cooperate with campus security by showing student identification when requested or in any other way since these officers are acting for the well-being of the College community. Students are urged to report any suspicious incidents or individuals on campus-to-campus security. To contact campus security, a student may call the main switchboard at 457-4200 Ext. 780 and ask for campus security or in emergencies, when time is of the essence, a student should call the Borger Police Department by dialing 911.

## **STUDENT HOUSING SAFETY**

- A. Keep your door locked. Keep your keys on your person. Do not loan them out.**
- B. Ask who is at the door before you open it.**
- C. Lock the door when you leave, even if your roommate is in. This way you are sure that you have your key and that your roommate is safe.**
- D. If someone harasses you on the campus or you think someone is following you, contact the Residential Housing Director, campus security, and/or police immediately.**
- E. If you see someone wandering in the area that does not look like they belong or is not accompanied by a resident, call the Residential Housing Director and report it immediately. Do not let the situation pass.**
- F. In case of emergency, call the Residential Housing Director, campus security, and/or police immediately.**

## **SEXUAL HARASSMENT POLICY**

It is the policy of Frank Phillips College to provide an environment free from implicit and explicit sexual behavior used to control, influence, or adversely affect the well-being of any member of the College community. Harassment on the basis of sex is a violation of Title IX of the Education Amendments Act of 1972 and Title VII of the Civil Rights Act of 1964. Sexual harassment of any individual is inappropriate and unacceptable and is grounds for disciplinary action.

***\*Please see the Student Handbook for the college's definition of sexual harassment and the complaint procedure.***

## **GETTING ALONG WITH YOUR ROOMMATE**

Honesty, consideration, mutual respect, discussion, compromise, and understanding are important in learning to live with your roommate. If you experience initial difficulties in adjusting to a new roommate or to student housing life, remember, you are not alone. It would be surprising if you felt at home right away. The following steps work towards establishing an amicable relationship with your roommate.

- A. Communicate - discuss pet peeves, personal habits, sleeping and rising schedules, musical tastes, needs, wants, and expectations.**
- B. Set ground rules - How are you going to divide the room? Who is going to water the plants? Who gets first dibs on bathroom/shower on what days? When and Who is going to clean the bathroom? Who can borrow what, when, and for how long? What will studying time be? What about overnight guests? Make arrangements and keep your word!**

- C. **Talk to your roommate - An initial discussion on how to arrange the room, how to decorate, and with what. What items somebody has which might be useful (refrigerator, lamps, etc.). What plants and other accessories to buy, etc.**

***\*If none of the above work, it is your responsibility to notify the Residential Housing Director to make another living arrangement.***

### **SUZANNE'S LAW/MISSING RESIDENTS**

If Frank Phillips College becomes aware of a missing resident, it is our policy to react seriously to this event. The National Child Search Assistance Act allows police to report missing persons under 21 to the National Crime Information Center. The student designated emergency contact person will be notified. Frank Phillips College is an affirmative action/equal opportunity educational institution and employer. Its students and employees are selected and/or assigned without regard to their race, age, color, gender, religion, national origin, or disability consistent with Titles IV, VI, and VII of the Civil Rights Act of 1964, and Titles IV and IX of the Higher Education Act as amended in 1972 and 1976, and with Executive Order 11246 as amended by Executive Order 11375, Section 504, Rehabilitation Act of 1973 (PL-93-112) and Americans with Disabilities Act of 1990.

### **PARENT NOTIFICATION PROCEDURE**

As of fall, 2010, Frank Phillips College may notify parents when students younger than 21 are caught on campus violating the College's policy regarding drug or alcohol consumption or possession.

This procedure is in accordance with the Family Education Right and Privacy Act (FERP) Subpart D – Disclosure provisions – Disclosure to parent of student under 21 if the institution determines that the student has committed a violation of its drug or alcohol rules or policies.

### **BACKGROUND CHECKS**

All resident students are required to complete a background information form. Documentation is required to obtain the criminal history record information. Applications with a pending charge and/or a conviction(s) may be declined housing privileges. Any decisions regarding housing privileges will be determined by the Director of Student Central. The College reserves the right to run a new background check on current housing students. Any information obtained can result in loss of housing privileges.

***\*Students who are allowed housing privileges with a pending charge and/or conviction(s) will be placed on probationary status during their time in residential housing.***

### **SERVICE ANIMAL**

Under the Americans with Disabilities Act (ADA), a Service Animal is defined as...

***"...any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability..."***  
**28 C.F.R. § 35.104 and 28 C.F.R. § 36.104**

Animals other than dogs are not considered Service Animals (although in some instances, miniature horses may be used), nor are animals that provide emotional support, comfort or companionship. To

qualify as a Service Animal, the dog must be trained to do work or perform tasks which are directly related to the individual's disability. Examples of work or tasks include but are not limited to:

- A. Guiding individuals who are blind or low vision**
- B. Alerting people who are deaf or hard of hearing**
- C. Stabilizing/calming a person with anxiety or Posttraumatic Stress Disorder during a panic attack or flashback**
- D. Assisting an individual in a wheelchair**

Service Animals **must** be permitted to accompany a person with a disability anywhere on or off campus (e.g. classes, meetings, events, internships, field work, etc.). In compliance with the ADA, Service Animals are welcome in **all** buildings on campus. It is strongly recommended that any student with a disability who utilizes a Service Animal on campus consider registering as a student with a disability in Student Disability Services. However, it is **not** required.

When it is **not** obvious what service or task an animal provides, only limited inquiries are allowed (two questions):

- 1. Is the animal required because of a disability?**
- 2. What work or task has the animal been trained to perform?**

A person with a disability **cannot** be asked to remove their service animal from the premises unless:

- A. The service animal is not housebroken.**
- B. The service animal is out of control and the handler does not take effective action to control it.**

The owners of disruptive or aggressive Service Animals may be asked to remove them from college facilities. If the improper behavior happens repeatedly, the owner may be told not to bring the Service Animal into any facility until they take significant steps to mitigate the behavior. Cleanliness of the Service Animal is mandatory. Daily grooming and occasional baths should keep service dog odor to a minimum. Flea control is essential and adequate preventative measures should be taken. If a flea problem develops, it should be dealt with immediately and in an effective manner.

When there is a legitimate reason to ask that a service animal be removed, other accommodations will be offered to provide the individual with the disability equal access to services and/or programs without the animal's presence.

### **EMOTIONAL SUPPORT ANIMAL**

Emotional Support Animals (ESAs) are animals that work, provide assistance or perform tasks for the benefit of a person with a disability, or provide emotional support that alleviates one or more identified symptom(s) or effects of a person's disability. While ESAs are often used as part of a medical treatment plan as therapy animals, they are not considered Service Animals under the Americans with Disabilities Act. However, they are viewed as a "reasonable accommodation" under the Fair Housing Act (FHA) in those housing communities that have a "no pets" rule. In other words, just as a wheelchair provides a person with a physical limitation the equal opportunity to use and enjoy a dwelling, an ESA provides a person with a mental or physical health condition the same opportunity to live independently and would be seen as a reasonable accommodation for a person with such a disability. An ESA is not a pet.

To qualify for an ESA in FPC housing, a student must meet the federal definition of having a disability. Individuals with disabilities who are requesting an ESA in FPC housing must provide appropriate documentation to Student Disability Services that meets the following guidelines:

- A. Documentation must be from a physician, psychiatrist, social worker, or other mental health professional.**
- B. Documentation must articulate the need for the ESA based upon the student's medical and/or mental health condition.**
- C. Documentation must indicate how the ESA alleviates one or more of the identified symptoms or effects of an existing disability.**

***\* Providing the aforementioned documentation for an ESA in FPC housing does not automatically qualify students for any other type of accommodations at FPC in the academic setting. Students must follow the registration procedures and documentation guidelines in order to qualify for academic accommodations or other types of services provided by Student Disability Services.***

### ***What is the difference between a Service Animal and an Emotional Support Animal?***

Service animals are defined as dogs (or miniature horses) that are individually trained to do work or perform tasks for people with disabilities. The work or task a service dog does must be directly related to the person's disability. Service dogs (or miniature horses) may accompany persons with disabilities into places that the public normally goes.

An ESA generally provides assistance and/or emotional support to persons with disabilities who have a disability-related need for such support. While dogs are the most common type of ESA, other animals can also be ESAs. The animal need not be specifically trained to perform tasks for a person who suffers from a mental health or medical disability. Unlike a service animal, an ESA is not granted access to all places of public accommodation. As noted above, under the FHA, an ESA is viewed as a "reasonable accommodation" in a housing unit.

## **STANDARDS FOR APPROVED SERVICE OR EMOTIONAL SUPPORT ANIMALS**

**All approved service or assistance animals must comply with applicable laws regarding animals, their treatment and care, and must also meet the following standards:**

### ***DOGS (SERVICE AND ASSISTANCE ANIMALS)***

- 1. All required immunizations must be up-to-date, and a copy of the immunizations must be on file with the Director of Student Central.**
- 2. Dogs must be spayed or neutered. A copy of the veterinarian's report must be on file with the Director of Student Central.**
- 3. A Certificate of Health signed by a veterinarian certifying the dog is healthy and free from any signs of infectious or contagious diseases, parasites, etc. must be on file with the Director of Student Central.**
- 4. Collars and tags must be always worn.**

5. **The dog must be always kept on a leash when outside the student's residential room (this includes common areas in Residential Housing and outside). Dogs must never be allowed to run freely.**
6. **The dog is only allowed in the Residential Hall assigned to the student. The dog is not permitted entrance to any other campus facilities.**
  - a. **Violations can be subject students to disciplinary action.**
7. **Dogs must possess friendly and sociable characteristics. A specific dog can be restricted from the premises by the Director of Student Central or their designee based on any confirmed threatening or territorial behavior.**
8. **Dog obedience and training programs are highly recommended.**

#### ***ANY OTHER ANIMAL***

To be considered on a case-by-case basis by the Director of Student Central or designee. Animals defined as "Dangerous Wild Animals" in the Texas Health and Safety Code 822.101 (big cats, apes, bears, hybrids of these animals), primates, and high rabies risk animals (bats, fox raccoon, coyote) venomous animals, domestic animals with unknown health history are not allowed.

#### ***STANDARDS OF BEHAVIOR BY ANIMAL AND ANIMAL OWNER***

1. **Animals require daily food and attention, as well as a daily assessment of their general health, behavior and overall welfare.**
2. **Animals cannot be left unattended overnight at any time. If their owner must be away, they must either take the animal with them, or make arrangements for them to be care for elsewhere, which does not include other residence hall spaces.**
3. **Animal waste must be taken care of, and any animal handler or owner must comply with Sec. 4.01.002- Animals defecating on public and private property. Animal feces, defined as cat litter box contents and any solid animal waste, must be disposed of properly. It is the owner's responsibility to remove feces from university grounds, dispose of it in a plastic bag, and then place that bag in the garbage dumpsters outside. Cleanup must occur immediately. Animal feces may not be disposed of in any trash receptacle or through the sewer system inside any building on the FPC campus. Waste must be taken to any residence hall or apartment dumpster for disposal.**
4. **Animal-accidents within the residence hall room or apartment must be promptly cleaned up using appropriate cleaning products.**
5. **Regular and routine cleaning of floors, kennels, cages, and litter boxes must occur. The odor of an animal emanating from the residence hall room or apartment is not acceptable. (see Cleaning Section below)**
6. **Any flea infestation must be attended to promptly by the FPC contracted professional extermination company at owner's expense. Owners are expected to promptly notify the Housing Director or Director of Student Central and arrange for extermination when a flea problem is noted. Animal owners may take some precautionary measures such as: flea medications prescribed by veterinarians, flea and tick collars, taking your animal to the veterinarian for flea and tick baths. However, FPC staff may not use chemical agents and**

**insecticides to exterminate fleas and ticks. Because not all of the precautions listed above can prevent flea and tick infestations, the owner is responsible for extermination costs after vacating the residence hall room or apartment.**

- 7. Animals must not be allowed to disrupt others (e.g., barking continuously, growling, yowling, howling, etc.). Animals which constitute a threat or nuisance to staff, residents or property, as determined by the Director of Student Central or designee, must be removed within seven (7) days of notification. If the Director of Student Central or their designee determine an animal poses an immediate threat, animal control may be summoned to remove the animal. If the behavior of an animal can be addressed by the owner and the owner can change the behavior of an animal so the pet does not have to be removed, then a written action plan must be submitted by the owner. The action plan must outline the action to take place to alleviate the problems and must give a deadline as to length of time the plan will take to complete. Any action plan must meet the approval of the Director of Student Central or their designee. The day after the deadline for removal from the apartment, USH staff will do a residence hall room or apartment inspection to check damages and infestation. Any animal owner found not adhering to the removal directive will be subject to disciplinary action, which could include contract cancellation.**
- 8. An animal must not be involved in an incident where a person experiences either the threat of or an actual injury because of the animal's behavior. The animal owner will take all reasonable precautions to protect staff and residents, as well as the property of the College and of the residents.**
- 9. The owner will notify the Director of Student Central via the Housing Director if the animal has escaped its confines and is unable to be located within eight (8) hours.**
- 10. All liability for the actions of the animal (bites, scratches, etc.) is the responsibility of the owner. Violations concerning any of the aforementioned may result in the resident having to find alternative housing off-campus for the animal and as warranted, may also result in a resident being in breach of their housing contract.**

#### **CLEANING AND DAMAGES**

When the resident moves out of his/her residence hall room, or no longer owns the animal the residence hall room will be assessed to determine if damage to property can be attributed to the animal. The College maintains the right to conduct residence hall room inspections for the purpose of assessing damage caused by the animal or otherwise determine the resident's compliance with this procedure.

The animal owner has an obligation to make sure that the residence hall room is as clean as the original standard. Damages and extraordinary cleaning caused by the animal are the responsibility of the resident. Replacement or repair of damaged items will be the financial responsibility of the owner and assessed by the Housing Director or their designee.

## Fines Associated with Service/Emotional Support Animals

<b>Authorized Animals</b>		
<i>Not cleaning up outside/inside</i>	<i>Not On A Leash</i>	<i>In Another Building (Including other Dorms)</i>
<b>Offense</b>	<b>Community Service</b>	<b>Fine</b>
<b>1<sup>st</sup></b>	-	<b>\$100.00</b>
<b>2<sup>nd</sup></b>	-	<b>\$200.00</b>
<b>3<sup>rd</sup></b>	<b>Removal Residential Housing</b>	
<b>Unauthorized Animal</b>		
<b>Offense</b>	<b>Community Service</b>	<b>Fine</b>
<b>1<sup>st</sup></b>	-	<b>\$500.00 &amp; Removal of Animal</b>
<b>2<sup>nd</sup></b>	<b>Removal from Residential Housing</b>	

### **CAMPUS CARRY**

#### ***What is Campus Carry?***

Texas Senate Bill 11 (84R Texas Legislature), also known as the “Campus Carry” law, allows concealed handgun license holders to carry concealed handguns on the campus of Texas Higher Education institutions. The effective date for Texas community colleges is August 1, 2017.

To review S.B. 11, click on this link:

<http://www.capitol.state.tx.us/tlodocs/84R/billtext/pdf/SB00011F.pdf#navpanes=0>

To learn about Texas Department of Public Safety handgun procedures, click on this link:

<https://www.dps.texas.gov/rsd/chl/>

In accordance with state law, the licensed carry of concealed handguns will be allowed at all Frank Phillips College locations/facilities beginning on August 1, 2017. A license holder may carry a concealed handgun on the campus of Frank Phillips College or in a college vehicle, unless prohibited by state or federal law. A license holder is responsible for complying with the applicable state law prohibitions.

The college president established this policy after consulting with Frank Phillips College students, staff and faculty about the nature of the student population, specific safety considerations, and the uniqueness of the campus environment. The policy was reviewed and approved by the Frank Phillips College Board of Regents as required by law. This policy can be changed and amended as deemed necessary by the college president. All changes and amendments will have Board of Regent approval and proper notice will be provided.

By law, the open carrying of handguns is prohibited on all campus premises. Licensed peace officers are authorized by law to carry firearms at all time.



Employees who are license holders are permitted to store a handgun in their office space so long as the gun is secured in a locked drawer or compartment. All licensed holders must secure their handgun when it is not on or about their person.

Any resident of campus housing who is a license holder and wants to store a handgun in his/her room must securely store it in a safe approved by the Director of Student Central.

*\*Approved by the Frank Phillips College Board of Regents on March 20, 2017.*

## **SEXUAL ASSAULT AND SEX CRIMES PREVENTION**

### **CAMPUS SEX CRIMES PREVENTION ACT**

*In compliance with the "Campus Sex Crimes Prevention Act" (section 1601 of Public Law 106-386) and the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, all persons required to register as part of the State of Texas's Sex Offender Registration Program are required to provide notice of their presence on campus. This information is available at the local police department or at <http://www.txdps.state.tx.us>.*

### **POLICY STATEMENT**

Frank Phillips College is committed to a positive and productive learning environment in which students, employees, and visitors are free from any form of sexual misconduct. Sexual assault, dating violence, domestic violence, stalking, and any unwelcome physical conduct is prohibited.

Frank Phillips College's policies regarding inappropriate conduct extend to all members of the community including students, employees, community members, children, vendors, and all other parties visiting any of the college campuses. The policies apply regardless of gender, sexual orientation, gender identity, age, or ethnicity. FPC seeks to eliminate sexual violence and sex crimes through providing adequate resources for all stakeholders. These resources include information on prevention and actions in the event of an incident, support for the victim, a comprehensive investigation, and a fair disciplinary action.

### **DEFINITIONS**

**Assault:** Intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative (Texas Penal Code Sec. 22.01)

**Sexual Assault:** An offense if committed by a person that intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; or causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor. (Texas Penal Code Sec. 22.011)

#### **Without Consent:**

The actor compels the other person to submit by the use of violence;  
the actor compels the other person to submit by threatening to use violence against the victim or against any other person;  
the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;

the actor knows that as a result of mental disease the other person is at the time of the sexual assault incapable of appraising the nature of the act;  
the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;  
the actor has intentionally impaired the other person's power to appraise the victim's conduct by administering any substance without the victim's knowledge. (Texas Penal Code Sec. 22.011)

### ***PROHIBITED CONDUCT***

FPC prohibits sexual assaults including rape, fondling, dating and/or domestic violence, and stalking. Such behavior interferes with the productive learning and working environment valued by FPC and endangers the welfare of students, employees, and community members. Attempting to engage in sexual assault, encouraging sexual assault, or sexually assaulting a person on the Frank Phillips College property is a violation of college standards of conduct.

### ***RETALIATION***

All persons are free from retaliation for reporting sexual assault or unwanted sexual aggression against themselves or others.

### ***REPORTING SEXUAL MISCONDUCT AND ASSAULT***

Any person who has experienced an incident of sexual assault, dating or domestic violence, or stalking should consider reporting the incident to law enforcement and seeking medical assistance. Seeking law enforcement and medical assistance as soon as possible may help preserve any important evidence to be used in a legal investigation. FPC encourages any victim of sexual assault, dating or domestic violence, or stalking to report the incident to college officials. **Employees of Frank Phillips College are required to report sexual misconduct according to the Discrimination/Harassment Policy unless the employee has legal authority of confidentiality.**

Victims of sexual assault should consider the following medical treatments:

- A. Get Medical Care as soon as possible after the assault.**
- B. Do not shower, douche, or change clothes prior to a medical exam in order to preserve valuable evidence and prohibit contamination of the evidence, which can potentially nullify it as legal evidence at a later time.**
- C. If you have changed clothing, place the clothing worn at the time of assault in a plastic bag and take it to the hospital with you.**
- D. A specially trained sexual assault nurse examiner (SANE) or other approved medical personnel will usually perform an examination in which the information and documentation of evidence will be collected to be used in a possible prosecution case.**
- E. Testing and treatment for possible sexually transmitted diseases may be conducted.**

Victims may notify any local law enforcement authorities and receive assistance from FPC personnel in reporting the incident to an officer of the law. A victim may also file a complaint with the Title IX Officer or campus contacts who will notify the Title IX Officer:

**Title IX Officer**

Dr. Shannon Carroll  
Classroom Learning Complex  
**Frank Phillips College Borger Campus, Borger**  
(806) 457-4200, extension 732  
[scarroll@fpctx.edu](mailto:scarroll@fpctx.edu)

Ilene Walton  
**Frank Phillips College Rahll Campus and Coon Memorial, Dalhart**  
(806) 244-7669  
[iwalton@fpctx.edu](mailto:iwalton@fpctx.edu)

***CONTACT INFORMATION FOR AGENCIES ASSISTING VICTIMS OF SEX CRIMES***

A victim may seek immediate assistance at any time by dialing 911 or the police department at the following numbers:

**Frank Phillips College Borger Campus, Borger**

**Borger Police Department**

430 Deahl St  
PO Box 5250  
Borger, TX 79007  
(806) 273-0930

**Hutchinson County Sheriff's Department**

1400 Veta  
Borger, TX 79007  
(806) 274-6343

**Golden Plains Hospital**

100 Medical Drive  
Borger, TX 79007  
(806) 467-5700

**Frank Phillips College Rahl Campus and Coon Memorial, Dalhart**

**Dalhart Police Department**  
202 Rock Island  
Dalhart, TX 79022  
(806) 244-5546

**Dallam County Sheriff's Department**  
501 Denver Avenue  
Dalhart, TX 79022  
(806) 244-5388

**Hartley County Sheriff's Department**  
900 Railroad Ave  
Channing, Texas 79018  
(806) 235-3142

**Coon Memorial Hospital**  
1411 Denver Avenue  
Dalhart, TX 79022  
(806) 244-4571

**Frank Phillips College Allen Campus, Perryton**

**Perryton Police Department:**  
21 SE 2nd Ave  
Perryton, TX 79070  
(806) 435-4002

**Ochiltree County Sheriff's Department**  
21 SE 6th Ave  
Perryton, TX 79070  
(806) 435-8000

**Ochiltree General Hospital**  
3101 Garrett Dr.  
Perryton, Texas 79070  
(806) 435-3606

**Regional Hospital**

**Northwest Texas Healthcare System Hospital**  
1501 S Coulter  
Amarillo, Texas 79106  
(806) 354-1000

***CONFIDENTIALITY***

While it is possible that a victim of sexual assault or harassment might wish to remain anonymous, anonymity may not be guaranteed when the investigation would be impeded by keeping the complainant anonymous. In order to investigate a complaint or a discrimination notification, it may be necessary to divulge information that might clearly indicate the victim. FPC personnel assisting the victim in the complaint process will strive to retain confidentiality but will notify the victim if retaining such confidentiality proves to be impossible in moving forward with the investigation.

As in all other instances, Frank Phillips College strives to respect and protect the privacy of students, employees, and community members. However, if a situation of sexual misconduct requires notification of law enforcement or any kind of disciplinary action, the privacy and identity of the accused and the victim.

## **WHAT IS THE CLERY ACT?**

The Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act is the landmark federal law, originally known as the Campus Security Act that requires colleges and universities throughout the United States to disclose information about crime on and around their respective campus.

Because the law is directly tied to participation in federal student financial aid programs, it applies to most institutions of higher education, both public and private. The act is enforced by the U.S. Department of Education.

By October 1 of each year, institutions must publish and distribute their Annual Campus Security Report to current and prospective students and employees. Institutions are also allowed to provide notice of the report, a URL if available, and how to obtain a paper copy if desired. This report is required to provide crime statistics for the prior three years, policy statements regarding various safety and security measures, campus crime prevention program descriptions, and procedures to be followed in the investigation and prosecution of alleged sex offenses.

The "Clery Act" is named in memory of 19 year-old Lehigh University freshman Jeanne Ann Clery, who was raped and murdered on April 5, 1986 while asleep in her residence hall room.

Jeanne's parents, Connie and Howard discovered that students hadn't been told about 38 violent crimes on the Lehigh campus in the three years before Jeanne's murder. They joined with other campus crime victims and persuaded Congress to enact this law, which was originally known as the "Crime Awareness and Campus Security Act of 1990."

The law was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights. It was amended again in 1998 to expand the reporting requirements. The 1998 amendments also formally named the law in memory of Jeanne Clery.

The law was most recently amended in 2000 to require schools, beginning in 2003, to notify the campus community of where the public "Megan's Law" information regarding registered sex offenders on campus could be obtained.

**HOUSING COST AND FINE SHEET (Subject to change)**

**BEHAVIORAL INCIDENT**

<i>Inappropriate Behavior</i>	<i>Animal in Residential Housing</i>	<i>Propping Doors</i>
<i>Quiet Hours</i>	<i>Visitation</i>	<i>Disrespectful/Lack of Respect</i>
<i>Arguing</i>	<i>Disruptive/Excessive Noise</i>	<i>Throwing Objects/Bouncing Balls</i>
<b>Offense</b>	<b>Community Service</b>	<b>Fine</b>
1st	5 Hours	\$50.00
2nd	10 Hours	\$100.00
3rd	<b>Removal from Residential Housing</b>	

**QUIET HOURS = 11 p.m. to 8 a.m. (7 DAYS A WEEK)**

**VISITATION HOURS = 11 a.m. to 11 p.m. Sunday-Wednesday**

**11 a.m. to 1 a.m. Thursday-Saturday**

**ILLEGAL ITEMS/INCIDENT**

<i>Alcoholic Containers and/or Beverages</i>	<i>Open Flame Sources</i>	<i>Smoking</i>
<i>Weapons</i>	<i>Explosives</i>	<i>Hunting Bows/Arrows</i>
<i>Firearms and or Ammunition</i>	<i>Illegal Drugs</i>	<i>Drug Paraphernalia</i>
<b>Offense</b>	<b>Community Service</b>	<b>Fine</b>
1st	10 Hours	\$200.00
2nd	<b>Removal from Residential Housing</b>	

**Violation: Lockout, Not Locking Door, Parking, Visitation Book**

<b>Offense</b>	<b>Community Service</b>	<b>Fine</b>
<i>Each Occurrence</i>	-	\$10.00

**Authorized Animals**

<i>Not cleaning up outside/inside</i>	<i>Not On A Leash</i>	<i>In Another Building (Including other Dorms)</i>
<b>Offense</b>	<b>Community Service</b>	<b>Fine</b>
1 <sup>st</sup>	-	\$100.00
2 <sup>nd</sup>	-	\$200.00
3 <sup>rd</sup>	<b>Removal Residential Housing</b>	

**Unauthorized Animal**

<b>Offense</b>	<b>Community Service</b>	<b>Fine</b>
1st	-	\$500.00 & Removal of Animal
2 <sup>nd</sup>	<b>Removal from Residential Housing</b>	

*All fines, punishments, decisions, and removal from housing are subject to the discretion of Frank Phillips College. These standard guidelines are set forth by Frank Phillips College with the understanding they are not restricted to the details listed below.*