

TEXAS A&M UNIVERSITY COMMERCE



2020 Annual Security Report

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f), 34 CFR 668.46) This Annual Security Report and the Texas A&M University-Commerce Annual Fire Safety Report on Student Housing (Annual Fire Safety Report) are available at the following websites.

www.tamuc.edu/crimestats

Annual Fire Safety Report Location:

http://www.tamuc.edu/fire_report

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Preparation of the Annual Security Report and Disclosure of Crime Statistics

Enacted in 1990, The Crime Awareness and Campus Security Act was designed to assist the campus community in making decisions which affect their personal safety by requiring institutions of higher education to provide certain campus security information to current and prospective students and employees annually. The Higher Education Act of 1998 and the subsequent amendments of the implementing regulations (34 C.F.R.668.46) significantly expanded institutions' obligations under the Act. The Act was also renamed the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" (hereafter the Clery Act).

The A&M-Commerce Police Department (UPD) is responsible for preparing and distributing the Annual Security Report to comply with the Clery Act. The Annual Security Report is published every year by October 1st and contains three years of selected campus crime statistics and certain campus security policy statements for the 2018 - 2019 academic year in accordance with the Clery Act.

The 2020 Annual Security Report contains crime statistics for calendar years 2019, 2018, and 2017. UPD composes the Annual Security Report and statistical information with input from various sources such as local law enforcement agencies, Student Affairs, and other campus personnel.

Unless specifically notated, all policies in this document apply to all A&M Commerce locations.

Annual Security Report Notifications

Each year, an email notification which provides website access to this report is sent to all current students, faculty, and staff. Upon request, individuals may obtain a written paper copy of the report at UPD, located at Henderson Hall, or by calling 903-886-5868, or emailing UPD at upd@tamuc.edu. The report is found at the following website: www.tamuc.edu/crimestats

Prospective employees are notified of the availability of the Annual Security Report and Annual Fire Report through an email distributed when applying for a position. Website access to the Annual Security Report is provided by the Division of Human Resources through a link called "Safety and Security Notices" located on the right menu bar of the employment page.

Prospective students are notified of the availability of the Annual Security Report through an email distributed when applying for admission. Website access to the Annual Security Report is provided by a link titled "Clery Act Compliance" located at the bottom of the Admissions webpage.

Annual Fire Report

The Annual Fire Report is contained in a separate document and can be found at www.tamuc.edu/firereport, or a hard copy can be requested from the Department of Campus Operations and Safety located in the Ferguson building.

Campus Law Enforcement Policies

Commerce and Farm Complex Location

Police Department Overview:

UPD provides law enforcement and security services to A&M-Commerce including the academic campus and the Agricultural Science Center.

The department has 34 authorized positions that includes 23 state certified police officers, 3 security officers, 5 communications officers, and 3 administrative support personnel. The department maintains a fully staffed Criminal Investigations Division, a Records Division, Communications Division, Evidence Technician, and an Emergency Communications Center. To provide a safe campus for our students, staff, faculty, and visitors, the department has uniformed officers on patrol 24-hours a day, year round. To provide this around-the-clock coverage, our officers work in three shifts. Security officers work closely with our armed police officers by constantly patrolling university properties.

Patrol is the core of UPD. These officers are the ones to answer calls for service, respond to alarms and enforce state criminal and traffic laws. The department also has police officers responsible for specialized assignments including Criminal Investigations.

Jurisdiction and Enforcement Authority

UPD is the primary police authority for A&M-Commerce. Our police officers are certified Texas peace officers as defined in article 2.12 of the Texas Code of Criminal Procedure. Pursuant to Section 51.203 of the Texas Education Code, police officers commissioned by a state institution of higher education have authority and jurisdiction in all counties in which property is owned, leased, rented, or otherwise under the control of the institution of higher education. UPD is computer-linked to city, state and federal criminal justice agencies, which provide access to criminal records, wanted persons, stolen property, and vehicle information. All crimes reported to UPD security or sworn police officers are investigated and are referred for prosecution through the Offices of the County Attorney and District Attorney when appropriate. Criminal matters involving university students may also be referred to university administration for disciplinary action.

Arrest Authority

As peace officers, UPD's armed police officers have the same full authority to detain and arrest as municipal police officers. While our security officers do not have authority to detain or make arrests, their presence and observations at various campus locations support and assist the work of the patrol division.

Working Relationships and Agreements

UPD maintains excellent working relationships with all area law enforcement agencies including the Commerce Police Department and Hunt County Sheriff's Office. These working relationships are maintained through a written mutual aid agreement. This agreement allows for cooperation in the performance of police protection including the investigation of alleged crimes, enforcement of laws, and communication between agencies pursuant to the agreement. Working relationships are also maintained through periodic communications among agency administrators and frequent contacts between line officers and investigators cooperating on specific cases. Through these relationships, UPD may be provided information regarding student non-campus criminal activity, including that of student organizations.

UPD also maintains excellent working relationships with many state and federal agencies on an as needed basis. These agencies include, but are not limited to, the Federal Bureau of Investigation, the United States Secret Service, Alcohol Tobacco and Firearms, and the Texas Department of Public Safety. A request is distributed to local law enforcement agencies annually to solicit cooperation in informing

the institution about crimes. The request is specific to informing UPD about situations reported to the given local law enforcement agency that may warrant an emergency response or timely warning notification.

Monitoring Non-Campus Locations

When an A&M-Commerce student is involved in an offense in a non-campus location, UPD may assist with the investigation in cooperation with local, state, or federal law enforcement agencies but does not actively record or monitor criminal activity. A&M-Commerce has recognized fraternity and sorority organizations housed in Commerce, or in Hunt County. The Division of Student Affairs maintains contact with recognized fraternity and sorority organizations through the efforts of the Dean of Students, specifically the Office of Fraternity and Sorority Life. UPD does not provide routine law enforcement service to non-campus residences of recognized fraternity and sorority organizations or other non-campus facilities. Criminal activity at recognized fraternity and sorority residences is monitored and recorded by Commerce Police Department, or the Hunt County Sheriff's Office. UPD may assist in accordance with mutual assistance agreements.

Institutional sponsored travel by a student or student organization to a location outside of Hunt County may result in the location meeting the criteria for Clery non-campus property. The local law enforcement agency with jurisdiction at the location responds when police services are requested.

Professional Standards

Providing excellent service and maintaining good relationships within the community is vital to achieving UPD's overall mission of keeping the campus safe and secure. All members of the A&M-Commerce community can expect to be treated in a courteous and professional manner by members of the department. UPD will not tolerate an employee who acts unprofessionally or who does not provide an appropriate level of service. Instances where UPD employees have been especially helpful or have exceeded expectations in service can also be recognized.

The quality of UPD's service is dependent in part on feedback from the community. Please help the department improve by bringing complaints and compliments to the attention of any of the following individuals in a timely manner:

- Request the on-duty police supervisor by calling 903-886-5868. This individual is available 24-hours a day.
- Address written correspondence to: Chief of Police, UPD, PO Box 3011, Commerce, Texas 75429

Campus Law Enforcement Telephone Directory

Website: <http://www.tamuc.edu/upd>

General Inquiries: upd@tamuc.edu

Emergencies On Campus 911 or 5111	Non-emergency 903 886 5868
Chief of Police 903 886 5868	Assistant Chief of Police 903 886 5873
Special Operations / Events 903 886 5860	Public Information 903 886 5866
Criminal Investigations 903 886 5868	Patrol 903 886 5868

Mesquite Metroplex

The Mesquite location is owned by the Mesquite Independent School District. Access to the parking lot and building is generally open to the public. The building is opened at 6:00 am and closes at 11:00 pm. Security of the facility is the responsibility of MISD, however, A&M-Commerce has contracted with Texas Industrial Security (TIS) for additional security for parking lot escorts. A&M-Commerce maintains staff to help coordinate activities.

For further information, see [Offsite Location Contact Information](#) on page 74.

Jurisdiction

TIS is only authorized to patrol inside the building and the parking lot.

Arrest Authority

TIS guards are armed, but do not possess arrest authority.

Monitoring Non-Campus Locations

The Mesquite location does not have any recognized organizations to monitor.

Working Relationships and Agreements

A&M-Commerce has no written or formal agreements with the Mesquite Police Department.

Collin Higher Education Center (CHEC) and Preston Ridge

Preston Ridge is located at 9700 Wade Blvd., Frisco, TX 75035.

These facilities are the property of Collin County Community College and as such, A&M-Commerce is not responsible for many policies or procedures for this location. Below, in italicized text are excerpts from the ASR that Collin College produces. **Please be aware that these policies are subject to change. Students at the Preston Ridge and CHEC should review the Annual Security Report frequently for changes. It can be found at:**

<http://www.collin.edu/studentresources/deanofstudents/AnnualSecurityReports.html>

Collin College Police can be reached at 972-578-5555 off campus or cell phone, or 5555 from any phone on campus. See Also [Useful Police Contact Information](#) on page 73

For information on how to contact A&M-Commerce staff at CHEC or Preston Ridge see [Offsite Location Contact Information](#) on page 74

Collin College Police Department Authority and Jurisdiction

The Collin College Police Department is staffed with Texas State Licensed Law Enforcement Officers who are trained to protect life as well as Collin College and personal property. All municipal, local, state, and federal laws, as well as the [Student Code of Conduct](#), Board Policies, and Collin College procedures, including motor vehicle laws, will be enforced on Collin College campuses. Collin College Police Department officers patrol all College District campuses 24 hours a day, seven (7) days a week.

The Collin College Police Department's primary jurisdiction is any property owned or controlled by Collin College. Local, county, and state law enforcement agencies have concurrent jurisdiction on Collin College property. Per the [Texas Education Code, Section 51.203 Campus Peace Officers](#), Collin College Police Department officers are empowered with county-wide jurisdiction and work under the same authority as municipal and county agencies. Therefore,

they have complete *authority to apprehend and arrest* anyone involved in illegal acts throughout Collin County. If offenses involving Collin College policies and procedures are committed by a Collin College student, the Collin College Police Department will also refer the individual to the Dean of Students Office (DOS) for appropriate disciplinary action. When major offenses (e.g., aggravated assault, motor vehicle theft, murder, robbery, sexual assault, etc.) are reported to the Collin College Police Department, assistance may be requested from local city police departments to solve these serious felony crimes. The prosecution of all felony and misdemeanor criminal offenses is conducted at Municipal, Justice of the Peace, or Collin County Courts.

Collin College Police Department personnel work closely with local, state, and federal agencies. By mutual agreement with state and federal agencies, the Collin College Police Department maintains a National Law Enforcement Telecommunications System (NLETS) network terminal. Through this system, Collin College Police Department personnel can access the National Crime Information Center (NCIC) as well as the Texas Law Enforcement Telecommunication System (TLETS). These databases are used for accessing criminal history data; nationwide police records; driver/vehicle identification; and other local, state, and federal enforcement information.

Monitoring Non-Campus Locations

A&M-Commerce does not currently recognize any offsite organizations at the Collin Higher Education Center or the Preston Ridge Campus.

A&M-Commerce has an informal arrangement between the UPD and Collin College Police to better monitor situations as they arise.

A&M-Commerce-Navarro Partnership – Corsicana

These facilities are the property of Navarro College and as such, A&M-Commerce is not responsible for many policies and procedures for this location, including *maintenance of facilities*, and security.

Below, in italicized text are excerpts from the ASR that Navarro College produces. **Please be aware that these policies and procedures are subject to change at any time. Students at Navarro College should monitor the Annual Security Report that Navarro College produces for any changes. Navarro College's ASR can be found at:** <https://www.navarrocollege.edu/attachments/campus-safety/annual-security-and-fire-safety-report-2019.pdf>

The Navarro College Department of Public Safety can be reached at: 903-875-7500. See also page 73, [Useful Police Contact Information](#).

To speak to A&M-Commerce staff at Navarro College please see page 74, [Offsite Location Contact Information](#).

Arrest Authority and Jurisdiction

*The Navarro College Department of Public Safety (NCDPS) currently employs 13 full-time and 4 part-time law enforcement officers who provide patrol and protection of three of the five college campuses, to include twenty-four-hour coverage at the Corsicana Campus. The campus police officers are licensed peace officers as defined under the laws of the State of Texas and therefore have the *authority as peace officers*. They are vested with all the powers, privileges, and immunities of Texas Peace Officers within the county, including all streets and roads, and all*

property in which the College owns, rents, leases or otherwise controls. The Department's authority is found within the Texas Code of Criminal Procedure and Chapter 51 of the Texas Education Code

Each officer is armed and possesses the same authority under the law as do municipal or county peace officers. The Department ensures that each officer complies with the training and standards set out by the Texas Commission on Law Enforcement (TCOLE). All officers receive the same basic training as municipal and county peace officers, plus additional training to meet the unique needs of a campus community environment. The Navarro College Department of Public Safety is the primary agency for reporting and investigating criminal activity occurring on the Navarro College Campuses. Officers patrol the Corsicana campus 24 hours each day, 365 days per year. The Department of Public Safety provides immediate response to all police, fire, and medical emergencies. Accidents involving automobiles and bicycles that occur on campus are also investigated by the Department. Where criminal prosecution is sought, cases are regularly forwarded to the County District Attorney's Office or the County Justice of the Peace Court for filing. Additionally, all criminal cases involving Navarro College students are also referred to the Office of Student Services for review and possible disciplinary sanctions that may be imposed for violations of the Student Code-of-Conduct.

Inter-Agency Police Services and Assistance Agreements: Due to the sophisticated resources required to properly investigate certain crimes, specifically those involving organized crime, mass violence, and terrorism, the Navarro College Department of Public Safety will arrange, under certain circumstances, for the assistance of outside law enforcement agencies, such as the Municipal Police Department, County Sheriff's Office, the Criminal District Attorney's Office, Texas Department of Public Safety, Texas Alcoholic Beverage Commission, Federal Bureau of Investigation, United States Secret Service, Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (BATF), as well as other local, State and Federal agencies. The Navarro College Department of Public Safety maintains professional working relationships with each of the listed agencies and trains with other agencies to ensure a timely, efficient and effective response to all crimes occurring on campus. The Navarro College Department of Public Safety does, at times, learn of off-campus crimes from other local agencies, either when those agencies request assistance or when they routinely pass on information that may be of mutual interest. Because the Department's primary jurisdictional response area does not extend to the premises of off-campus student residences or organizations, its role in investigating such criminal activity is generally limited to information-sharing, cooperation, and coordination with other investigating agencies upon request.

Monitoring of Non-Campus Locations:

A&M-Commerce has no student organizations at Navarro College.

A&M-Commerce has a non-formal and non-written agreement between Navarro Department of Public Safety and UPD to monitor any situations as they arise.

Universities Center at Dallas – El Centro

A&M-Commerce does not own UCD or El Centro College, and is not responsible for the maintenance of facilities or security, including many policies and procedures related to campus safety. Below, in

italicized text, are some excerpts from the Annual Security Report for El Centro. This report is produced by the Dallas County Community College Police. **It is important that students at El Centro and UCD review the ASR for El Centro Periodically in case important policies change. The ASR can be found at: <https://www.dcccd.edu/services/police/pages/asr.aspx>.**

El Centro Police can be reached at: 972-860-4290. Further information can be found on page 73, [Useful Police Contact Information](#).

To reach A&M-Commerce staff see page [Offsite Location Contact Information](#) on page 74.

Authority and Jurisdiction

Police officers of Dallas County Community College District Police Department (DCCCDPD) are duly sworn peace officers under section 51.203 of the Texas Educational Code. The officers of the department are armed and possess the same authority under the law as municipal officers. The DCCCD Police Department officers can issue city citations for all campuses on college property in addition to college citations. Whether to issue a city or college citation is left up to the discretion of the police officers. Police officers patrol the campus 24 hours a day, 365 days a year. They enforce the law, arrest violators, investigate and deter crime, investigate traffic accidents and provide a full range of services to the college community.

The DCCCD Police Department is the primary police authority for the colleges of the Dallas County Community College District. Our Police Officers are certified Texas Peace Officers as defined in article 2.12 of the Texas Code of Criminal Procedure.

Pursuant to Section 51.203 of the Texas Education Code, the primary jurisdiction of DCCCD Police Officers includes all counties in which property is owned, leased, rented, or otherwise under the control of the Dallas County Community College District. As peace officers, the Department's police officers have the same authority to detain and arrest as municipal police officers.

The DCCCD Police Department is linked by computer to city, state and federal criminal justice agencies, which provides access to criminal records, wanted persons, stolen property, and vehicle information. All crimes reported to the DCCCD Police Department are thoroughly investigated and are referred for prosecution through the District Attorney's Office when appropriate.

Criminal matters involving our students may also be referred to the appropriate administration for disciplinary action.

The DCCCD Police Department maintains excellent [working relationships](#) with all area law enforcement agencies including the Dallas Police Department, the Irving Police Department, Mesquite Police Department, Farmer's Branch Police Department, Lancaster Police Department, Garland Police Department, Dart Rail Station Police Department, Richardson Department and the Texas Department of Public Safety. These working relationships are maintained through periodic communication among agency administrators and by frequent contact between line officers and investigators cooperating on specific cases.

Monitoring of Non-Campus Locations

There are no recognized student organizations at the UCD or El Centro College.

A&M-Commerce has a non-formal and non-written agreement between DCCCD Police Department and UPD to monitor any situations as they arise.

Rellis Campus

A&M-Commerce does not control security at the Rellis Campus. The following italicized text is excerpted from the ASR for Rellis and can be found at:

<https://urc.tamu.edu/media/1492354/RELLISAnnualSecurityReport.pdf> **Students and employees are encouraged to check the ASR frequently as policies may change.** For police contact information see page 73, [Useful Police Contact Information](#).

An infrastructure agreement is in place between TAMUS and Texas A&M University to provide primary police and security service at RELLIS through the UPD. UPD provides law enforcement and security services to all components of Texas A&M University located in Brazos County, including RELLIS, and a variety of other satellite facilities throughout the Brazos County.

The UPD has 164 authorized positions that includes 81 state certified Police Officers, 54 Security Officers, 13 Communications Officers, and 16 administrative support personnel. The department maintains a fully staffed Criminal Investigations Division, a Community Services Division, a Recruiting Unit, a Training Division, Records Division, Communications Division, Evidence Technician, an Emergency Communications Center, and a Victim Advocate. Patrol is the core of UPD. These officers are the ones to answer calls for service, respond to alarms and enforce state criminal and traffic laws. The department also has police officers responsible for specialized assignments including Criminal Investigations, Crime Prevention, Bomb Detecting K9, and Bicycle Patrol.

To provide a safe campus for our students, staff, faculty and visitors, the UPD has uniformed officers on patrol 24-hours a day, year round at the main campus who are available to respond at RELLIS. To provide this around-the-clock coverage, UPD officers work in two shifts. UPD Security Officers work closely with UPD armed Patrol Officers by constantly patrolling university properties and staffing fixed posts at some facilities. Additionally, a UPD officer with a patrol car is dedicated to RELLIS and patrols the campus weekdays from 0730 to 1730 excluding major holiday breaks when students are not present. The UPD officer has office space in the Texas A&M Engineering Extension Service (TEEX) LAW Office Building, 1500 4th St., Bryan, TX 77807.

A Memorandum of Understanding (MOU) is also established between the Blinn College Police Department (BCPD) and the UPD to coordinate police service for the Academic Alliance and RELLIS. During normal business hours, BCPD provides a police officer dedicated to facilities at RELLIS that are occupied by Blinn students and employees and the RELLIS campus in general. The Blinn officer is located at the RELLIS campus in the Walter C. Schwartz Building (Blinn Academic Building), 1366 Bryan Rd., Bryan, TX 77807.

In addition, during evening and weekend hours, a security company patrols the RELLIS campus for an eight hour period from approximately dusk to dawn.

Jurisdiction

UPD is the primary police authority for RELLIS. UPD police officers are certified Texas peace officers as defined in article 2.12 of the Texas Code of Criminal Procedure. Pursuant to Section 51.203 of the Texas Education Code, police officers commissioned by a state institution of higher education have authority and jurisdiction in all counties in which

property is owned, leased, rented, or otherwise under the control of the institution of higher education.

Arrest Authority

As peace officers, UPD's armed police officers have the same full authority to detain and arrest as municipal police officers. While our security officers do not have authority to detain or make arrests, their presence and observations at various campus locations support and assist the work of the Patrol Division. BCPD officers at RELLIS also have authority to detain and arrest. Evening and weekend security personnel do not have arrest authority.

Enforcement Authority

UPD is computer linked to city, state and federal criminal justice agencies, which provide access to criminal records, wanted persons, stolen property, and vehicle information. All crimes occurring at RELLIS should be reported to UPD or submitted to UPD from BCPD officers or contract security. UPD investigates and refers crimes for prosecution through the Offices of the County Attorney and District Attorney when appropriate. Criminal matters involving students may also be referred to the appropriate university's administration for disciplinary action.

Working Relationships and Agreements

UPD maintains excellent working relationships with all area law enforcement agencies including the College Station Police Department, Bryan Police Department, Brazos County Sheriff's Office, BCPD, and all four Brazos County Constable Offices. These working relationships are maintained through a written mutual aid agreement and MOUs specific to RELLIS. The agreements allows for cooperation in the performance of police protection including the investigation of alleged crimes, enforcement of laws, and communication between agencies pursuant to the agreement. Working relationships are also maintained through periodic communications among agency administrators and frequent contacts between line officers and investigators cooperating on specific cases. Through these relationships, UPD may be provided information regarding student non-campus criminal activity, including student organizations with non-campus housing.

UPD also maintains excellent working relationships with many state and federal agencies on an as needed basis. These agencies include, but are not limited to, the Federal Bureau of Investigation, The United States Secret Service, Alcohol Tobacco and Firearms, and The Texas Department of Public Safety.

A request is distributed to local law enforcement agencies annually to solicit cooperation in informing the institution about crimes. The request is specific to informing UPD about situations reported to the given local law enforcement agency that may warrant an emergency response or timely warning notification.

Monitoring Non-Campus Locations

When a Texas A&M student is involved in an offense in a non-campus location, UPD may assist with the investigation in cooperation with local, state, or federal law enforcement agencies but does not actively record or monitor criminal activity. Texas A&M has recognized fraternity and sorority organizations housed in College Station, Bryan, and Brazos County. The Division of Student Affairs maintains contact with recognized fraternity and sorority organizations through the efforts of the Dean of Student Life. UPD does not provide routine law enforcement service to non-campus residences of recognized fraternity and

sorority organizations or other non-campus facilities. Criminal activity at recognized fraternity and sorority residences is monitored and recorded by College Station Police Department, Bryan Police Department, or the Brazos County Sheriff's Office. UPD may assist in accordance with mutual assistance agreements.

Institutional sponsored travel by a student or student organization to a location outside of Brazos County may result in the location meeting the criteria for Clery non-campus property. UPD does not monitor or record criminal activity for these non-campus locations. The local law enforcement agency with jurisdiction at the location responds when police services are requested.

Reporting Crimes

Incident Reporting and Response – Commerce and Farm Complex

Any on-campus emergency should be reported immediately to UPD by dialing 911 from any campus phone, a cell phone, or in person. Dialing 911 from a cell phone will go directly to Commerce Police Department, and that communications officer can transfer your call to UPD with the push of a button. If you are using a campus phone (landline) you may dial either 911 or 5111 to reach a UPD emergency operator. Also, you can use one of the many emergency telephones located throughout campus and at residence hall entrances. Campus elevators are also equipped with emergency phones. For non-emergencies, contact UPD at 5868 from a campus phone or call 903-886-5868 from any other landline or a cell phone. Upon receipt of the call, the UPD communications officer can supply information or dispatch officers as necessary.

UPD calls for service are received in the UPD communications center. The communications officer will request basic information regarding the call for service, and the caller's contact information (as an officer may need to subsequently reach the reporting party). A police officer will either be dispatched to the scene or to the office to take the call by telephone, depending on the type of call. The police officer may then issue a case number for the call and complete an incident or offense report. Copies of all incident and offense reports are kept with the UPD records division for a time period mandated by institutional and state records retention policies.

UPD will respond as quickly and safely as possible to any request for assistance, whether it is an emergency or not. Response time is based on current activity and severity of the call. Crimes in progress, alarms, traffic accidents with injuries, and medical assists have a higher priority than other types of calls. University police or security officers, whether in vehicles or on foot, can be contacted directly and will assist as needed. For non-campus offenses, we encourage prompt reporting to the proper local law enforcement agency.

Prompt Reporting of Crime to Police Urged (All Locations)

We cannot overemphasize the importance of prompt and accurate reporting of crime. If a crime is not reported promptly, evidence can be destroyed or the potential to apprehend a suspect is lost. Without accurate reports, leads could be missed and the investigation headed in the wrong direction. If you witness a crime or emergency, promptly report it to the local police and be prepared to answer questions as accurately as you can. The subsequent investigation can only be as thorough as the information received. If you are the victim of a crime, or you have seen or received information of criminal activity or other emergency, please contact the police immediately.

Response to the Reporting of Crime

It is the policy of A&M-Commerce that all its employees at all locations will assist officials in any legal manner requested by police officials to aid in investigation and response to reported crimes. Below is a list of police agencies by campus location to which crimes may be reported. See also page 73 for further information.

Agency	Phone	Campus Location
University Police Department	903-886-5868	Commerce / Farm Complex
Commerce Police Department	903-886-1139	Commerce / Farm Complex
Hunt County Sheriff's Office	903-453-6838	Commerce / Farm Complex
Mesquite Police Department	972-285-6336	Mesquite Metroplex
Dallas County Community College (El Centro)	972-860-4290	UCD / El Centro
Dallas Police Department	214-744-4444	UCD / El Centro
Navarro Dept. of Public Safety	903-875-7500	Navarro Partnership
Corsicana Police Department	903-654-4902	Navarro Partnership
Collin County Community College Police (CHEC and Preston Ridge)	972-578-5555	CHEC / Preston Ridge
McKinney Police Department	972-547-2700	CHEC
Frisco Police	972-292-6010	Preston Ridge
TAMU UPD (Rellis)	979-845-2345	RELLIS
Blinn Police (Rellis)	979-209-7600	RELLIS

Reporting Criminal Offenses to University Officials: Campus Security Authorities

A&M-Commerce considers all employees to be Campus Security Authorities. Faculty and staff are required to report criminal offenses immediately to UPD. Students are encouraged to report any criminal offenses within the campus environment directly to UPD for Commerce and the Farm Complex, and to local police for offsite locations. For non-campus offenses, we encourage accurate and prompt reporting to the proper local law enforcement agency. As an option, you may also report criminal offenses of which you are aware to any employee of the university.

Crime reports provided to campus security authorities are used by the school to fulfill its responsibility to annually disclose accurate crime statistics and to issue or facilitate the issuance of timely warnings or emergency notifications. Campus security authority crime reports should include sufficient detail such as dates and locations, and where appropriate, personally identifying information, including name and contact information, if available. For additional information on the duties and responsibilities of the individuals and offices listed above, see the CSA Powerpoint Presentation link located on the following webpage: <https://upd.tamu.edu/CSA%20Reporting/CSA%20Slides.pdf>. Students, faculty, staff, community members, and guests are encouraged to report all crimes and public safety-related incidents to UPD and the appropriate police agencies in an accurate and prompt manner when the victim of such crimes elects, or is unable to make such a report. UPD officers provide victim services contact information to victims and witnesses encountered in the field. UPD will assist individuals in notifying the proper law enforcement authorities, if the individual chooses. It is the goal of the institution to provide

assistance wherever the report is made, and to include Clery-countable crimes in our annual security report.

Pastoral and Professional Mental Health Counselors - Exempt

Although exempt from the reporting requirements of the Clery Act, pastoral and professional mental health counselors are encouraged, if and when they deem appropriate, to refer persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual statistics and crime log, especially if the incident may pose an ongoing threat to the campus community. Each year, counselors are provided a written reminder to review reporting options with student clients. Contracted counseling personnel available to employees are not provided the written reminder because they are referred using a network of local providers.

Confidential and Anonymous Reporting of Crimes

UPD encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, UPD cannot hold reports of crimes in confidence. However, victims of certain offenses are eligible for a pseudonym in which the victim's true identity will not be released. An individual who is involved in or witnesses an active or ongoing emergency should dial 911 and report the emergency immediately.

Voluntary confidential reports, for purposes of inclusion in the annual disclosure of crime statistics and crime log, can generally be made by victims, witnesses, and others to the campus security authorities listed above and all other campus security authorities. Annual crime statistics and the crime log are confidential in that personally-identifiable information is not included in the disclosure. Concerning behavior can be reported anonymously to the Office of Student Rights and Responsibility using an online reporting form. The form and more information can be found at https://commerce-tamu-advocate.symplicity.com/care_report/index.php/pid939463?

Reports submitted anonymously or with limited information may restrict the team's ability to follow up on the incident.

Missing Students

It is the policy of UPD to thoroughly investigate all reports of missing persons. In addition, this agency considers a missing child, and an adult that is mentally impaired, to be considered "at risk" until significant information to the contrary is confirmed. Following are the procedures that the institution must follow when a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours. (Please note: only the Commerce and Farm Complex has campus housing)

Whom to Report Missing Students to:

Anyone wishing to report a missing student may contact any RLL or UPD staff member.

How Missing Student Contact Information is Collected

During the housing application and contract renewal processes, students living on campus are obligated to provide at least one emergency contact to the Department of Residence Life. This information is registered confidentially to the extent allowed legally and may be accessible only to Department of Residence Life staff, and other Texas A&M University-Commerce staff members with emergency response job responsibilities, in the case of emergencies involving students such as death, life threatening injuries or a missing person report. Residence hall and other students can update their

emergency contact information at any time by logging in to the housing portal in My Leo. Students are encouraged to register their emergency contact information.

On-campus students have the option to designate one or more contacts to be notified within 24 hours of the determination by campus or local law enforcement that the student is missing. This information will be kept confidential to the extent allowed legally, being accessible only to authorized campus officials and disclosed only to law enforcement personnel in furtherance of a missing person investigation. If the student designated a contact person, the institution will notify the contact person within 24 hours that the student is missing. Regardless of whether or not a student has designated an emergency contact person to be notified, if a student is less than 18 years old and not an emancipated individual, federal law requires that the institution notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any contact person designated by the student.

Procedures

Residence Life staff and other responsible institutional personnel should follow the instructions below upon receiving a report of a missing student:

1. Gather needed information from reporting person and then immediately contact UPD with all information provided regarding the missing student so that an investigation can be initiated. These requirements do not preclude the institution from determining a student is missing before a full 24 hours, or from initiating notification procedures as soon as it determines that a student is missing. In addition, the institution must comply with Suzanne's Law, a federal law requiring a person under the age of 21 to be entered into a national missing person database within two hours of the person being reported missing. Suzanne's Law provides that there shall be no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of 21.
2. If known, provide UPD with the names and contact information of any people designated as a "missing person contact" found in the "Emergency Contact" database on the Residence Life Intranet.
3. If the student has designated a contact person, UPD will notify the designated emergency contact(s) within 24 hours. If the student is under 18 years of age and is not emancipated, UPD will notify the student's custodial parent or guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UPD will inform local law enforcement that has jurisdiction in the area that the student is determined missing within 24 hours.

Students, employees, or other individuals receiving a missing student report should immediately contact the UPD at 903-886-5868 with all information available regarding the missing student so that an investigation can be initiated. UPD will notify local law enforcement within 24 hours of the determination that a student living in on-campus housing is missing, unless the local law enforcement agency was the entity that made the determination that the student was missing. Informing the local law enforcement agency within 24 hours applies whether the student has identified a contact person, is above the age of 18, or is an emancipated minor.

Timely Warning Policy

The circumstances in which a timely warning will be generated include, but are not limited to, the receipt of a report to UPD or other Campus Security Authority of a crime reportable under the Clery Act that poses a serious or continuing threat to the campus community. A timely warning is designed to alert the Texas A&M University-Commerce campus community of certain crimes which will/could aid the community in protecting themselves or aid in the prevention of similar crimes in the future, and are sent in a timely manner.

The A&M-Commerce Police Department's Chief of Police, or his/her designee, will develop timely warning notices for the Texas A&M University-Commerce community.

- a. A timely warning shall be distributed if the incident is a "Clery Act" crime, within "Clery Geography"; and
- b. Is reported either to the A&M-Commerce Police Department directly, or to the A&M-Commerce Police Department indirectly, through a campus security authority or any local police agency; and
- c. Is considered by the institution to represent a serious or continuing threat to students and employees.
- d. The A&M-Commerce Police Department's Chief of Police, or his/her designee, may provide timely warning notices for "non-Clery Act" related crimes if those crimes represent a serious or continuing threat to students and employees.

The determination will be made on a case-by-case basis after due consideration of all available facts of the crime, such as the nature of the crime and whether or not a continuing danger to the campus community exists. If UPD or other campus security authority is not notified of a crime in a manner that would allow the department to provide timely notice, a timely warning may not be issued, depending on the circumstances. All situations will be evaluated on a case-by-case basis. UPD is responsible for the writing and issuance of timely warnings. Personnel authorized to write and/or issue (send) a timely warning are: the Chief of Police, the Assistant Chief, and the Clery Act Compliance Officer. An internal review among two or more authorized personnel may occur if time allows.

Who to Report to for Timely Warning Evaluation

Anyone with information warranting a timely warning should report the circumstances immediately to UPD by phone (903-886-5868) or in person at Henderson Hall, Commerce, TX 75428.

Timely warnings are issued through the university email system, LionSafe, and PAWS to students, faculty, and staff in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. Timely warnings contain sufficient information about the nature of an identified threat to assist members of the campus community in taking appropriate action to protect themselves or their property.

Timely warnings generally include:

1. A readily understandable description of the type of crime or occurrence.
2. The general location, date and time of the offense.
3. A physical description of the suspect(s), if available, when there is sufficient detail that would reasonably help identify a specific individual suspect or group of suspects.
4. Possible connection to other incidents.
5. Date and time the alert was issued.
6. Suggested measures which members of the university community can take to help protect themselves.

It is important to note that in some cases law enforcement may need to withhold some facts if releasing the information would compromise an ongoing investigation or the identity of the victim. Victim names and other identifying information of victims are never included in timely warnings. An institution is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

[Emergency Response and Evacuation Policy](#)

The procedures disclosed in this section apply to significant emergencies or dangerous situations occurring on the campus of Texas A&M University at Commerce and Farm Complex, i.e. on-campus property. The institution does not have separate procedures for non-campus property. Offsite locations will be addressed individually below.

[Emergency Notification System](#)

PAWS is Texas A&M University-Commerce's emergency notification system that gives the university the ability to communicate health and emergency information through some or all of the following mechanisms: SMS text message, A&M Commerce email, KETR radio, computer pop-up messages, LionSafe, Twitter, and RSS. A&M Commerce will use the system to provide official notification of critical emergencies (i.e., situations that pose an imminent threat to the community). It is the policy of A&M Commerce to immediately notify the campus community, via PAWS, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, and each of its branch locations. All students, no matter which location they attend, can sign up for PAWS directly. During the signup process, click "edit my information" and check which location you attend. You may check more than one.

PAWS does not replace the timely warning requirement. They differ in that the timely warning requirement applies only to Clery reportable crimes, while the emergency notification system addresses a much wider range of threats (i.e. gas leaks, tornadoes, active shooter, etc.). If an emergency notification is issued, the university is not required to issue a timely warning based on the same circumstances.

[Commerce and Farm Complex](#)

Personnel from UPD and Campus Operations and Safety coordinate to determine whether or not a significant emergency or dangerous situation exists by evaluating information received from entities which may include, but are not limited to: law enforcement, fire department, National Weather Service, and any other applicable methods.

Evacuation Procedures

1. In the event of a building evacuation you will be notified by PAWS, public address, or the fire alarm system.
2. Walk calmly to the nearest exit.
3. Use stairways. **Do Not Use Elevators.** Assist disabled persons when possible. Rescue chairs are located near elevators and in stairwells.
4. Do not re-enter the building until the University Police Department gives the "all clear."
5. Notify emergency crews if you suspect someone is still in the building.
6. In some situations you may be instructed to "shelter in place."

Mesquite Metroplex

Mesquite staff will determine if an immediate emergency or dangerous situation exists. These staff members will then contact the UPD communications center at 903-886-5868 for issuance of a PAWS alert.

Evacuation Procedures

1. In the event of a building evacuation you will be notified by PAWS, public address, or the fire alarm system.
2. Walk calmly to the nearest exit.
3. Use stairways. **Do Not Use Elevators.** Assist disabled persons when possible. Rescue chairs are located near elevators and in stairwells.
4. Do not re-enter the building until the Mesquite Police Department gives the "all clear."
5. Notify emergency crews if you suspect someone is still in the building.
6. In some situations you may be instructed to "shelter in place."

UCD / El Centro

A&M-Commerce staff at El Centro and select UPD communications officials receive emergency messaging from El Centro. The decision to issue emergency alerts are taken directly from what El Centro officials decide to do for that campus. UPD will rebroadcast all messages and alerts that El Centro officials issue to A&M-Commerce members who have signed up for PAWS and selected the UCD location.

The following information, in italicized text, has been copied directly from the DCCCD ASR.

DCCCD Police department will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Emergency/Immediate notification is triggered by an event that is currently occurring on or imminently threatening the campus. Emergency/Immediate notification is in response to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

Emergency Notification messages will be issued to students and employees upon the confirmation of a significant emergency, dangerous situation, incident or crime impacting the DCCCD College Community and/or the surrounding area.

Each DCCCD Police Department will determine:

- *the process that each campus will use to confirm that there is such a significant emergency or dangerous situation;*
- *the appropriate segment or segments of the District/specific campus to notify;*
- *the content of the notification; and*
- *the specific notification system.*

An emergency or dangerous situation may be confirmed by the Dallas County Community College District Department and Emergency Management, outside law enforcement or emergency management organizations.

Evacuations:

- *Follow instructions from the College Emergency Response Team (CERT) members and/or first responders.*
- *If it is safe to do so, take your personal belongings and put away sensitive material. Position all items you will take with you so they are secure but quickly accessible. Remember – No personal property or location property is worth risking your safety or life.*
- *After asking, assist staff or visitors with mobility issues who may need assistance.*
- *Keep in mind that you might have to evacuate on foot in certain emergency situations (example: tanker fire blocking a road).*

Collin Higher Education Center and Preston Ridge

UPD receives campus emergency alerts directly from the Collin College Community College District, and is therefore able to immediately monitor what decisions are made by on-site officials. Messages received from CCCCD are rebroadcast to A&M-Commerce students who have signed up for PAWS and selected the Preston Ridge or CHEC locations. The following italicized text, is taken directly from the Collin College ASR.

Evacuation Procedures

The following information can also be found on the Collin College Police Department's website www.collin.edu/campuspolice/.

- 1. In the event of a building evacuation you will be notified by CougarAlert, public address, or the fire alarm system.*
- 2. Walk calmly to the nearest exit.*
- 3. Use stairways. **Do Not Use Elevators.** Assist disabled persons when possible. Rescue chairs are located near elevators and in stairwells.*
- 4. Do not re-enter the building until the Collin College Police Department gives the "all clear."*
- 5. Notify emergency crews if you suspect someone is still in the building.*
- 6. In some situations you may be instructed to "shelter in place."*

Collin College will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation occurring on a Collin College campus that involves an immediate threat to the health or safety of students, faculty, and staff. An "immediate threat" includes an imminent or impending threat, significant emergency, or dangerous situation (e.g., approaching tornado or other extreme weather condition, armed intruder, bomb threat, chemical or hazardous waste spill, explosion, fire, gas leak, outbreak of a serious illness, etc.). In these instances, Collin College's chief public relations officer in consultation with the chief of police and College District president will, without delay, and taking into account the safety of the community, determine the content of the emergency notification and initiate the emergency

notification system, unless issuing a notification will, in the professional judgment of Collin College officials, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Navarro Partnership

UPD receives campus emergency alerts directly from Navarro College and is therefore able to immediately monitor what decisions and messages that on-site officials have made. Messages received from Navarro College are rebroadcast to A&M-Commerce students who have signed up for PAWS and selected Navarro as their location. The following italicized text is taken directly from the Navarro College's ASR.

If evacuation is necessary, the following procedures should be followed:

- 1. Be aware of all the marked exits from your area and building and refer to the emergency evacuation posters located near the elevators.*
- 2. The fire alarm will be used as the evacuation alarm. This will most likely be used in conjunction with the Outdoor Warning System's audible siren.*
- 3. To activate the building alarm system, break or remove the protective cover on the fire alarm cover and pull the handle on one of the red boxes located in the hallway.*
- 4. When the building evacuation alarm is sounded, or when you are ordered to leave by Campus Police, walk quickly to the nearest marked exit and calmly ask others to do the same.*
- 5. Assist the disabled in exiting the building, and remember that elevators are reserved for their use. If elevators are not operating, assist the disabled to the nearest stairway and notify Campus Police of the location.*
- 6. Building coordinators will assist in evacuation of all building occupants.*
- 7. Once outside, proceed to a clear area that is at least 150 feet away from the affected building. Keep walkways clear for emergency personnel.*
- 8. To the best of your ability, and without re-entering the building, assist Campus Police in their attempt to determine that everyone has evacuated safely. Departments should predetermine an assembly point to verify all occupants are safe.*
- 9. A NCDPS Emergency Command Post will be set up near the emergency site. Keep clear of the command post unless you have important information to report.*
- 10. Do not return to a building until Campus Police tell you to do so, even if the alarm has ceased. College Officials may take into account whether or not issuing a mass notification will compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Once a decision has been made to initiate the emergency notification system, the Chief of Police or a member of the Campus Safety Team will send the notification via the various medias to the appropriate targeted audience. The notification may be delivered via voice, text, email and/or on campus loudspeakers.*

The emergency notification system will be tested at least twice a year. The tests may be conducted on an announced or unannounced basis. The tests will be documented and the relating documentation will be retained by the Blackboard Administrator.

Rellis Campus

The following information below, in italicized text, is taken directly from the Rellis Campus ASR. (Please note that there are no classes being offered by A&M-Commerce at Rellis until Fall 2019.)

A long-term emergency notification system called RELLIS Alert is being developed to issue emergency notifications specifically to the RELLIS campus community through TAMUS as established through an MOU between TAMUS and Texas A&M University. As of the publication date of this report, RELLIS Alert is in progress. Until RELLIS Alert is implemented, the UPD will coordinate with the main Texas A&M University campus and Blinn College to generate and issue alternate emergency notifications on behalf of the RELLIS campus using established procedures.

The following describes the two alternate emergency notification systems. The Texas A&M University emergency notification system (Code Maroon) is being utilized to notify Texas A&M University students and employees (and Texas A&M University System member agency employees) located at RELLIS of significant emergencies or dangerous situations occurring at the RELLIS campus.

The Blinn College emergency notification system (Blinn Alert) is being utilized to notify Academic Alliance students and employees located at RELLIS of significant emergencies or dangerous situations occurring at the RELLIS campus. Authorization and access has been coordinated for efficiency and distribution of identical communications. The Code Maroon (and Blinn Alert) emergency notification system gives the campus the ability to communicate health and emergency information through one or all of the following mechanisms: SMS text message and email. Code Maroon also utilizes Twitter and RSS. Texas A&M University will use the Code Maroon (and Blinn Alert) system only to provide official notification of critical emergencies (i.e., situations that pose an imminent threat to the community).

It is the policy of Texas A&M University to immediately notify the campus community, via the Code Maroon (and Blinn Alert) emergency notification system, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the RELLIS campus. Personnel from UPD and Environmental Health and Safety coordinate to determine whether or not a significant emergency or dangerous situation exists by evaluating information received from entities which may include, but are not limited to: law enforcement (including the Blinn Police Department), fire department, National Weather Service, or other personnel from Environmental Health and Safety.

The Code Maroon (and Blinn Alert) emergency notification system does not replace the Crime Alert requirement. They differ in that the Crime Alert requirement applies only to Clery reportable crimes, while the emergency notification system addresses a much wider range of threats (i.e. gas leaks, tornadoes, active shooter, etc.). If an emergency notification is issued, the campus is not required to issue a Crime Alert based on the same circumstances. The generation of a Code Maroon (and Blinn Alert) message and activation of the notification system is the responsibility of the Office of Safety and Security. Upon notification from an authorized Office of Safety and Security employee, the UPD will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the Code Maroon (and Blinn Alert) notification system; unless issuing the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Victim names and other identifying information of victims are never included in emergency notifications. Personnel authorized to make a final determination of

a significant emergency or dangerous situation, and to issue a Code Maroon (and Blinn Alert) are: the Chief of Police, the Assistant Chief(s) of Police, UPD Patrol Supervisors, the Associate Vice President for Safety and Security, and Environmental Health and Safety Directors and Assistant Directors. UPD Dispatch may also issue/send Code Maroon (and Blinn Alert) messages when notified by one of these individuals.

Code Maroons are issued to the entire Texas A&M University campus community, including Texas A&M University students and employees at RELLIS, rather than to specific segments of the campus population. Blinn Alerts are issued to the entire Blinn College, Bryan campus community including Academic Alliance students and employees at RELLIS, rather than to specific segments of the campus population. In the event of a system problem, certain trained individuals from Texas A&M University Information Technology can be called upon to issue an alert from a remote location.

Periodic tests of the Code Maroon emergency notification system are conducted nominally three times each year, near the beginning of each semester. These tests are launched by the Communications Division of UPD. After each test, or actual alert, Texas A&M University Information Technology will analyze and report on the functionality of each communication channel within the notification system. The report is provided to the Associate Vice President for Safety and Security and the Executive Director - Deputy Chief Information Officer with communication of significant issues to their management. Any test may be cancelled by the Associate Vice President for Safety and Security. Reasons for cancelling monthly tests include the existence of real threats that could necessitate sending an emergency message, recent emergency messages that obviate the need for that month's test, etc. Registering for Emergency Notifications Students, Faculty, and Staff Access The Code Maroon emergency notification system allows students, faculty and staff who have a Texas A&M NetID and password to register to receive text message alerts. Emergency alerts are automatically sent to all Texas A&M email (Gmail and Exchange) addresses. The system also pushes the emergency notification message to KAMU-FM radio, campus cable television, the classroom notification system, Emergency Alert System radios, campus digital signage, campus pop-up messages when connected to the Texas A&M network, Twitter and RSS. To register, visit: <http://codemaroon.tamu.edu>. The Blinn Alert emergency notification system allows Academic Alliance students, faculty and staff to receive email and text message alerts. Emergency alerts are automatically sent to all Academic Alliance cell phone and email addresses registered with the TAMUS. Public Access Parents, family, and friends of Texas A&M can receive emergency alerts by subscribing to Code Maroon's RSS feed or following "TAMUCodeMaroon" on Twitter to see alerts in your Twitter feed and/or receive alerts via text message through your Twitter account. To learn how, visit the following webpage: <http://codemaroon.tamu.edu/PublicAccess.aspx>. The public cannot register for Blinn Alert. The Emergency Operations Plan will be tested and exercised at least annually utilizing a table-top or functional scenario and tests of the emergency notification system. The agencies and emergency response entities that interface with RELLIS officials during an actual emergency situation will be invited to participate in the campus exercises. Actual emergency situations or false emergency alarms will not be used to meet the requirements for testing and exercising the RELLIS Emergency Operations Plan. The tests are designed for assessment and evaluation of emergency plans and capabilities and are performed and documented. Testing reports and review documentation will include a description of the exercise, the date the test was held, the start and end time of the exercise, and whether the test was announced or unannounced. In cooperation with Texas A&M University Environmental Health and Safety, the Director of the RELLIS campus manages a Building Evacuation Program and works with facility managers to maintain and test building evacuation procedures annually for facilities on campus through emergency evacuation drills.

Emergency response and evacuation procedures are to be publicized annually in conjunction with a test through an email to the RELLIS campus community that will include Texas A&M

University students, faculty, and staff located at RELLIS. The email will communicate information about accessing the RELLIS Emergency Operations Plan and emergency contacts.

PAWS does not replace the timely warning requirement. They differ in that the timely warning requirement applies only to Clery-reportable crimes, while the emergency notification system addresses a much wider range of threats (i.e. gas leaks, tornadoes, active shooter, etc.). If an emergency notification is issued, the university is not required to issue a timely warning based on the same circumstances.

UPD is Responsible for Issuing Emergency Alerts

The generation of a PAWS alert message and activation of the notification system is the responsibility of the University Police Department. In the event of confirmation by police officials that a significant emergency on campus is occurring, University Police Department staff will, without delay, initiate a PAWS alert using pre-determined scripts. This alert will go to all A&M-Commerce students and employees who have signed up for PAWS. After the initial PAWS alert has been sent, all further communications to the public will come through the university's public information officer or his/her designee. All available resources will be used to inform the larger community, including, among others, web page postings, KETR radio broadcasts, and email notifications.

Exception: If, in the judgment of law enforcement officials, it is determined the immediate notification would hinder efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the notification will be withheld until it is deemed safe to initiate the notification.

UPD conducts monthly pre-scheduled testing of the emergency notification system. These monthly tests are launched by the communications division of UPD.

Registering for Emergency Notifications

Students, faculty, and staff register for the PAWS notification system. Students, faculty, and staff who have TAMUC Single Sign-On (SSO) and password can register to receive text message alerts. Emergency alerts are automatically sent to all A&M-Commerce email addresses. The system also pushes the emergency notification message to LionSafe, Twitter, and RSS. To register, visit: MyLeo, select Apps, and select Alert System Settings.

Disseminating Information to the Larger Community

In the event that a crisis occurs on University property, the Division of Marketing and Communications will be notified as soon as possible. As chief spokesperson(s) for the university, Marketing & Communications staff will ultimately be responsible for providing strategic direction and implementing protocols as outlined in the emergency communications plan. Marketing & Communications will work with the University Police Public Information Officer and/or Emergency Management to prepare and disseminate internal and external messages, distribute news releases, respond to media inquiries, update the main university website with pertinent information, and share timely information as appropriate via digital channels such as Twitter. In addition, Marketing & Communications will be responsible for planning, scheduling, and providing logistical support for news conferences as well as coordinating communication efforts with relevant entities and organizations. In case of an emergency,

the Texas A&M University-Commerce's main website will be updated with current information pertaining to the incident (www.tamuc.edu). Individuals receiving the emergency notification will also be advised with updated information, as needed, using the same method(s) as the original notification.

Emergency Preparedness

A&M-Commerce is a partner with Hunt County and with the City of Commerce in the Hunt County Inter-jurisdictional Emergency Management Plan. The Office of Campus Operations and Safety has primary responsibility for emergency preparedness at A&M-Commerce. Duties and responsibilities range from working with departments to write and exercise building evacuation plans, to developing and maintaining emergency plans as deemed necessary to augment and implement the Hunt County Plan.

The primary university plan is the broad-based A&M-Commerce Emergency Operations Plan available at <http://www.tamuc.edu/facultyStaffServices/riskManagementSafety/emergencyManagement.aspx>. The A&M-Commerce Emergency Operations Plan describes the general framework for emergency response at A&M-Commerce. Information about emergency procedures at A&M-Commerce may also be accessed online via the Emergency Preparedness link:

<http://www.tamuc.edu/facultyStaffServices/riskManagementSafety/emergencyManagement.aspx>.

A&M-Commerce tests various aspects of our emergency operations plan on at least an annual basis through table-top exercises, full-scale exercises, continuity exercises, and tests of the emergency notification system. These tests are designed for assessment and evaluation of emergency plans and capabilities and are performed and documented with after action reviews in accordance with FEMA's Homeland Security Exercise and Evaluation Program requirements. Testing reports and review documentation include a description of the exercise, the date the test was held, and the start and end time of the exercise. All table-top, full-scale, and continuity exercises are announced. In addition, Campus Operations and Safety manages a robust Building Evacuation Program which works with facility managers to maintain and test building evacuation procedures annually for facilities on campus through emergency evacuation drills.

A&M-Commerce publicizes its emergency procedures annually and in conjunction with a test through a campus-wide email, directing students, faculty, and staff to visit the Emergency Preparedness site (referenced above). The emergency procedures include information about testing and related documentation. The Office of Campus Operations and Safety also works with various departments on campus to include UPD, and the Student Health Center to share emergency procedures and preparedness information through a variety of outreach programs and presentations throughout the year including Campus Safety Awareness Series and National Night Out.

The Daily Crime Log

Each business day, the UPD (Clery Compliance Administrator or other trained personnel) publishes a Daily Crime Log that is available to the media, the public, and various campus offices free of charge. This summary identifies the nature of the crime, location, date the crime was reported to the UPD, and disposition. You may view the Daily Crime Log via the UPD webpage at:

<http://www.tamuc.edu/campuslife/campusServices/universityPoliceDepartment/activityLog/default.aspx>. A printed copy of this report may be viewed at the UPD office, or obtained by calling 903-886-5868.

The hard copy is printed on a daily basis on working business days.

Security of and Access to Campus Facilities

General Provisions – Commerce and Farm Complex

As a public university, A&M-Commerce is generally open to the public during business hours with a few exceptions as described below.

The Dean, Director, or Department Head is responsible for determining after-hours access to facilities under their control. UPD staff, upon request, will prepare a security survey of the facility to determine security coverage and appropriate access control.

It is unlawful for any person to trespass on the grounds of any state institution of higher education of this state or to damage or deface any of the buildings, statues, monuments, memorials, trees, shrubs, grasses, or flowers on the grounds of any state institutions of higher education. (Texas Education Code Section 51.204)

The governing board of a state institution of higher education or its authorized representatives may refuse to allow persons having no legitimate business to enter on property under the board's control, and may remove any person from the property on his or her refusal to leave peaceably on request. Identification may be required of any person on the property. (Texas Education Code Section 51.209)

Residence Halls

Access to residence halls is restricted to residents, their approved guests, and other authorized members of the university community. Exterior doors to most on-campus residence halls are equipped with electronic card access that is connected to a centralized software system with 24-hour recording. Residents gain entry by swiping their card in the card access readers. Residents are cautioned against permitting strangers to enter the residence halls, and are urged to require individuals seeking entry to use their own access cards. Interior residence hall doors are key-locked with deadbolts and have "peepholes." Residence areas are patrolled regularly by university police and security officers.

Parking Areas

Some campus parking areas are under video surveillance and may or may not be monitored. Various parking lots are also equipped with emergency phones and are readily visible and identifiable by the bright blue lights located on top of the phone cabinets.

Academic and Administrative Buildings

The main campus of Texas A&M University-Commerce is located within the City of Commerce, and the public areas are therefore readily accessible. In general, the academic and administrative buildings are open to the public, at a minimum, during normal business hours. Individual facilities may have specific hours of operation, which can vary depending upon factors such as the time of the year and operational requirements. Access to some buildings, or portions of buildings, may be limited to authorized personnel at various times. Card swipe systems, locks and other means may be employed to limit access. Information about access to a specific facility can be obtained from the dean of the appropriate college for that facility. University police and security officers generally are not assigned to specific academic or administrative buildings. However, they do patrol such areas on a regular basis.

Maintenance of Campus Facilities

Contracted facilities personnel are responsible for maintaining the buildings, grounds, and custodial services for the Texas A&M University-Commerce campus. The group addresses maintenance, renovation, and repair projects for facilities, custodial and landscaping. Faculty and staff are encouraged to report maintenance problems to SSC at 903-886-5761. The Department of Residence Life monitors the residential facility custodial and maintenance functions. The custodians are responsible for normal cleaning duties within the residence halls. The maintenance staff is responsible for making repairs in the residence halls. Additionally, facilities such as telephones, recreational areas around the halls, building renovations, furniture purchases, card access security system, and fire alarm/detection systems are all coordinated from the Residence Life's office. For more information about any of these services, please call 903-886-5797 or email residencelife@tamuc.edu. Students are encouraged to report residence hall or apartment maintenance problems <https://www.maintenanceconnection.com> or to their resident advisor. For after-hours emergency repairs, contact the UPD 24-hour communications center at 903-886-5868.

Security lighting tours of campus are jointly conducted each semester by contracted maintenance staff, students, UPD, Residence Life, and various A&M-Commerce departmental representatives. Issues concerning lighting as well as landscaping affecting the disbursement of light are addressed. Residence hall staff conducts daily "on-duty rounds," and reports any known maintenance items for life/safety and security. Residence hall and apartment staff will submit work orders and/or telephone the UPD communications center in cases of needed urgent after-hours responses.

Police and security personnel closely monitor any security-related maintenance problems after hours, and report their findings to the appropriate university official. If necessary, they will stand by until the problem is corrected.

University police and security officers survey campus lighting nightly, monitor those areas having defective fixtures, and report the deficiencies to the appropriate personnel for corrective action. The operations of the emergency telephones are checked on a scheduled periodic basis.

Mesquite Metroplex

General Provisions – Mesquite Metroplex Location

The Mesquite Metroplex is located at 2600 Motley Drive in Mesquite, TX. The building is owned and controlled by Mesquite ISD with a portion being leased by A&M-Commerce. The building is open Monday-Friday 6am – 11pm.

As a public facility, generally, the building is open to the public during regular business hours. There is a large parking lot available onsite with no parking permit required. Those wishing a security escort may ask the on-duty security officer for an escort.

Maintenance of the facility is performed by MISD, and security of the building is the responsibility of MISD, however frequent checks are performed by the MISD maintenance department for overgrown bushes, missing lighting and faulty door hardware with an eye towards security and safety.

UCD / El Centro

A&M-Commerce does not own or maintain the campus of El Centro. Below, in italicized text, you will find some information from the DCCCD Annual Security Report concerning Maintenance and Security of the campus.

Security Gates

West and BJP campus entrances are protected by security gates which open at 6:00 AM and close at 10:00 PM. The gates lock and prohibit vehicle traffic from 10:00 PM to 6:00 AM. The West campus gate is located on Dennison St. near N. Hampton Rd. BJP is protected by 6 security gates. One gate is located on N. Corinth St. at Syria Ct. One gate located on Browder St. near Parker St. One gate opens on to Parker St. at the intersection of Parker and Browder. There are 3 security gates on Gould St. between N. Corinth and Parker streets.

Building Access

External building doors are controlled by an electronic locking system. The electronic access system is programmed to unlock exterior doors at 6:00 AM and then lock them at 9:00 PM. The system allows Police services to lock all exterior doors in the event of an emergency. "Push to Talk" emergency phones are available in class rooms and near elevators. These emergency phones connect the caller directly to District Police Services. El Centro has a mandatory ID policy requiring all persons entering the campus to display a student/staff ID at all times while on premises. Visitors can sign in with Security officers located near entrances and receive a visitor pass to be displayed while on premises. El Centro College is patrolled 24 hours per day, 7 days per week by both uniformed District Police and Security officers. District Police at El Centro maintain random patrol patterns via foot, automobile, Segway and bicycle units. Access to El Centro College is limited to authorized personnel only between the hours of 9:00 PM and 6:00 AM.

Grounds

El Centro College is primarily an urban college located in the Down Town Dallas Central Business and West End Districts. As such El Centro College does not possess any outdoor sporting facilities and does not encompass any public use areas. District Police may be contacted 24 hours per day, 7 days per week by calling Central Dispatch at 972-860-4290 or by dialing 9-1-1 from any campus phone. El Centro College coordinates with facilities for maintenance from a security perspective including a work order system to address lighting and other concerns.

Collin County Community College District (CHEC and Preston Wood)

A&M-Commerce does not control or maintain the facilities of CCCC. Below, in italicized text are excerpts from their ASR:

Security Considerations for the Maintenance of Collin College Facilities

Collin College is committed to safety and security at all its facilities and grounds. Collin College designs security and safety into systems for locks, landscaping, and outdoor lighting. Sidewalk designs and illumination of sidewalks and building entrances provide well-traveled, lighted routes from parking areas to buildings and from building to building.

Security surveys are conducted on areas that are revealed as problematic to examine various security issues (e.g., landscaping, locks, alarms, lighting, etc.). Administrators from each campus Vice President/Provost's Office, Plant Operations, and other concerned areas review the results of these surveys and recommend appropriate measures to resolve the issues, as necessary.

Additionally, the Collin College Board of Trustees (Board) approved a multi-year comprehensive Safety Plan for the College District in November 2017. The purpose of the Safety Plan is to:

- 1. ensure that everyone working and learning at any facility operated by Collin College is able to do so with an expectation not only of excellence but of personal safety, and*
- 2. safeguard the investment of Collin County's taxpayers by ensuring that Collin College's facilities are secure.*

Collin College is already working to accomplish the goals of the Safety Plan, and will continue to roll out various campus safety improvements over the next several years. Key components of the Safety Plan include, but are not limited to:

- 1. establishing a standard access control system to retrofit existing facilities and serve as the model for new facilities,*
- 2. improving emergency communication systems,*
- 3. enhancing and expanding video surveillance systems,*
- 4. integrating new systems with existing systems,*
- 5. upgrading crime prevention initiatives,*
- 6. improving traffic management and controls,*
- 7. enhancing classroom signage for better locational awareness in case of an emergency,*
- 8. constructing a new headquarters for the Collin College Police Department, and*
- 9. reorganizing and expanding safety and security staff to appropriately meet Collin College's needs resulting from growth of both the College District's physical footprint and student enrollment.*

Facility and landscape maintenance occurs in a manner that minimizes hazardous conditions. Plant Operations staff at each campus regularly evaluate both interior and exterior lighting and perform necessary changes or repairs as needed. Maintenance concerns observed by Collin College Police Department officers during routine campus patrols are reported to Plant Operations staff. All Collin College community members are encouraged to promptly report any safety and security concerns, including, but not limited to, concerns regarding locking mechanisms, lighting, or landscaping, to the Collin College Police Department and/or Plant Operations.

Navarro College

A&M-Commerce is not responsible for the security access and maintenance of the Navarro College facilities. Below, in italicized text, are selected excerpts from the ASR of Navarro College concerning their policies on maintenance and security.

Campus Facilities Access and Security

Most College facilities are open to the public during the day and some during evening hours when classes are in session. However, building access and security is an important aspect of providing security to all students, faculty, staff, and visitors. Navarro College has a number of building access and security policies in place. During the times the College is officially closed,

buildings are generally locked and only faculty, staff and some students accompanying a staff member are permitted access. Select facilities are monitored by video surveillance. Lighting improvements are constantly being evaluated. Improvements have included routine maintenance and replacement of defective lights in buildings, parking lots, and in areas with heavy landscaping, trees and pathways frequently traveled by members of the campus community. The Physical Plant has the responsibility to maintain campus buildings and grounds (with some work perform by contractors, such as lawn maintenance) with a concern for safety and security. Physical Plant staff will respond to reports of potential safety and security hazards, such as broken windows, locks, and lighting problems. NCDPS also reports security concerns observed by officers while conducting routine patrols. Theft and property damage is one of the most common problems in the residential areas; therefore, precautions should be exercised at all times. Residents are encouraged to be watchful and cautious of their surroundings and the presence of unknown persons.

BUILDING ACCESS

A. Regular Building Hours

Regular building use hours will be Monday through Friday from 7:30 a.m. to 10:00 p.m. and on Saturday from 8:00 a.m. to 5:00 p.m. except holidays. This does not include all buildings at all locations.

B. Student Use

- 1. No student will be permitted the use of the buildings any time after hours of operation unless accompanied by a faculty or staff member.*
- 2. All students using the buildings must be instructed or observed by the responsible faculty or staff member.*

C. Residence Life Visitation/Guest Policy

The reason for the visitation guideline is to ensure, at a certain time, members of a suite or room could have privacy from people who are not contracted and assigned members of that community. All residents are responsible for ensuring that their guests follow the rules and policies as described in the Residence Life Handbook and can be subject to disciplinary action for their guest's actions. A resident of the designated room must always be present when there is a guest in the room. All guests must be at least 17 years of age. No children are allowed in the Residence Life area. All guests are expected to leave the premises in a timely fashion in order to ensure that the privacy of the remaining community members is respected. Visitors found in the opposite-sex area before or after visitation hours will be issued a citation.

Visitation hours for all guests (same sex and on-campus residents) are as follows:

Therefore, ALL guests are expected to vacate the premises in a timely fashion in order to ensure the privacy of the remaining community members is respected. Visitors found in the opposite sex area after hours may be issued a citation. Visitation hours for all guests (including same sex and on campus residents) are as follows:

10 a.m. to 11p.m. -- Sunday through Thursday

10 a.m. to 1 a.m. -- Friday and Saturday

Any person found unattended in a room during visitation hours will be asked to leave, and the host will be assessed an unattended guest violation. An unregistered guest is defined as any individual who is found to be residing in the residence hall and not assigned to that room. Any unregistered guest will be asked to leave, criminally trespassed, and the resident will receive disciplinary sanctions.

Non-student visitors after hours could be subject to a criminal trespass. There is no visitation during closed times of the College (Thanksgiving, Christmas, Spring Break, Closed summer). This includes visitation of the opposite sex, as well as a same-sex visitor from outside the Residence

Life Program. Any resident found not residing in his/her assigned room, with a guest present, will be subject to disciplinary actions. The host of the guest will be held responsible and disciplinary sanctions administered.

Resident Lock and Key Policy

Keys:

All keys are considered College property and must be returned to the Residence Life Department. Duplication of keys is strictly prohibited. Students who reside in a residence hall with card access capability will receive an access card for their rooms. Under no circumstances should a resident lend his/ her key(s) or access card. Students should keep his/her room key and/or access card in their possession at all times. A student found giving his/her access card or key to another person to use to enter their room or building will be subject to an improper key usage charge of \$75 and will receive a three-point violation, as well as be subject to expulsion from the Residence Life Program at the discretion of the Director of Residence Life. A charge of \$50 will be assessed for any lost key and \$10 for a lost access card. A \$25.00 charge will be assessed for a lost mailbox key. Any student returning keys after the checkout process will be charged \$25 for a housing key and \$12.50 for a mailbox key.

Lockout Policy:

Residents living in College housing are required to have their Navarro College ID and Residence Hall keys on them at all times. If a student is locked out, he/she can call the Emergency Cell Phone (903-654-2778) and request to have his/her door unlocked. The student must show his/her Navarro College ID before he/she will be allowed entry into the room. The first unlock is free. Each additional unlock will result in a \$10 fee. Doors will not be unlocked if you are not a resident of that room or if you leave personal items in another resident's room.

Exterior Doors

Exterior doors or doors with a deadbolt to the residence halls should be locked at all times to promote safety and limit access by non-residents. These doors should not be left unlocked or propped open at any time. Unlocked doors could lead to fines for all residents of an unlocked room. These fines will be assessed at \$25 to each resident. Front doors and bedroom doors are to remain closed and locked, except for the purpose of entering or exiting a room. Regular police patrols routinely check buildings after normal building hours to ensure that all campus buildings are secure.

Rellis Campus

A&M Commerce is not responsible for the security of the Rellis Campus. Below, in italicized text is a section of the ASR for Rellis that covers Security and Access to facilities.

Security of and Access to Campus Facilities

General Provisions

The Dean, Director, or Department Head is responsible for determining access to facilities under their control. The UPD's Community Services Division, upon request, will prepare a security survey of the facility to determine security coverage and appropriate access control. It is unlawful for any person to trespass on the grounds of any state institution of higher education of this state or to damage or deface any of the buildings, statues, monuments,

memorials, trees, shrubs, grasses, or flowers on the grounds of any state institutions of higher education. (Texas Education Code Section 51.204)

The governing board of a state institution of higher education or its authorized representatives may refuse to allow persons having no legitimate business to enter on property under the board's control, and may remove any person from the property on his or her refusal to leave peaceably on request. Identification may be required of any person on the property. (Texas Education Code Section 51.209)

Residence Halls

RELLIS has no residence halls. For Texas A&M University students located at REllIS and residing on the Texas A&M University main campus, access to residence halls on the main campus is restricted to residents, their approved guests, and other authorized members of the university community. Exterior doors to on-campus residence halls and the White Creek Apartments are equipped with electronic card access that is connected to a centralized software system with 24 hour recording. Residents gain entry by swiping their card in the card access readers. Residents are cautioned against permitting strangers to enter the residence halls, and are urged to require individuals seeking entry to use their own access cards. Interior residence hall doors and the Gardens and White Creek Apartment (collectively known as University Apartments) doors are key-locked with deadbolts and have "peepholes." Residence areas are patrolled regularly by University Police and Security Officers.

Parking Areas

REllIS has two main parking areas and no parking garages. Parking areas on the REllIS campus are under video surveillance and may or may not be monitored. Parking areas are equipped with emergency phones and are readily visible and identifiable by the bright blue lights located on top of the phone cabinets. Instructions adjacent to the keypads direct customers to contact UPD at 979-845-2345 for non-emergency assistance and to dial 911 for emergency assistance.

Academic and Administrative Buildings

The REllIS campus includes many public areas that are readily accessible. In general, the academic and administrative buildings at these locations are open to the public, at a minimum, during normal business hours. Individual facilities may have specific hours of operation, which can vary depending upon factors such as the time of the year and operational requirements. Access to some buildings, or portions of buildings, may be limited to authorized personnel at various times. Card swipe systems, locks and other means may be employed to limit access. Information about access to a specific facility can be obtained from the proctor for that facility. University Police Officers generally are not assigned to specific academic or administrative buildings with the exception of one UPD and one BCPD officer assigned to and present at the REllIS campus during normal business hours. Contract security patrols REllIS on a regular basis during evening and weekend hours.

Maintenance of Campus Facilities

Contracted facilities personnel are responsible for maintaining the buildings, grounds, and custodial services for the Texas A&M University campus and at REllIS. The group addresses maintenance, renovation, and repair projects for facilities, custodial and landscaping. Texas A&M's Utilities & Energy Services Department provides electricity, heating and cooling, running

water, and waste disposal. Faculty and staff are encouraged to report maintenance problems to their respected building proctor or to maintenance personnel by submitting through AggieWorks, an online request system (<https://aggieworks.tamu.edu/>). After-hours or emergency repairs, should be directed to maintenance personnel through the 24 hour Communications Center at 979-845-4311.

Police personnel at RELLIS closely monitor any security-related maintenance problems, and report their findings to the appropriate University official. If necessary, they will stand-by until the problem is corrected. Contract security survey campus lighting nightly and monitor those areas having defective fixtures and report the deficiencies to the appropriate personnel for corrective action. Police personnel check the operations of the emergency telephones on a scheduled periodic basis.

Alcoholic Beverages, Illegal Drugs, and Weapons

In accordance with the Drug-Free Schools and Communities Act, A&M-Commerce reviews its programs, services, and policies to prevent unlawful possession, use, or distribution of alcohol and illicit drugs. The results of the biennial review are published at:

<https://www.tamuc.edu/CampusLife/CampusServices/universityPoliceDepartment/AODBrochure.pdf>.

Alcohol Policy

As an institution interested in the intellectual, physical and psychological well-being of the campus community, A&M-Commerce deems it important to curtail the abusive or illegal use of alcoholic beverages. All members of the university community and guests are required to comply with federal and state laws regarding the possession, use, and service (including sales) of alcoholic beverages (System Policy 34.02, Drug and Alcohol Abuse and System Policy 34.03, Alcoholic Beverages). Except as permitted or expressly authorized by state law, alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under 21 years of age, including within A&M-Commerce on-campus housing facilities.

Additionally, in accordance with A&M-Commerce Student Guidebook, page 37, alcohol possession and use of alcoholic beverages are prohibited on A&M-Commerce premises and university sponsored events unless expressly authorized by University Rule [34.03.99.R0.01 Alcoholic Beverages on University Property](#), or [34.03.99.R0.02 Alcoholic Beverages at University-Sanctioned Tailgate Events](#).

Education Programs

Texas A&M University-Commerce is committed to a campus-wide plan to educate students and employees about alcohol and drug issues, discourage the irresponsible use of alcoholic beverages, and prohibit the unlawful use, possession or distribution of controlled substances. The University will act to ensure compliance with all local, state, and federal laws, System policies and University rules and procedures dealing with controlled substances, illicit drugs, and the use of alcohol. The Student Guidebook and Code of Conduct provides information on alcohol and drug rules and university sanctions. To review the Student Code of Conduct online, go to http://www.tamuc.edu/student_guidebook/Student_Guidebook.pdf.

The Work/Life Solutions Program (866-301-9623) by Guidance Resources manages the alcohol & drug abuse and rehabilitation program for employees. The Work/Life Solutions program also provides licensed counseling and referral services.

Illegal Drugs Policy

Federal law prohibits the unlawful possession, use, sale, or distribution of drugs. Texas state law prohibits the possession, use, sale, manufacture, or delivery of a controlled substance without legal authorization. A controlled substance includes any drug, substance or immediate precursor covered under the Texas Controlled Substances Act, including but not limited to opiates, barbiturates, amphetamines, marijuana, and hallucinogens. The possession of drug paraphernalia is also prohibited under Texas state law. Drug paraphernalia includes all equipment, products and material of any kind that are used to facilitate, or intended or designed to facilitate, violations of the Texas Controlled Substances Act. According to System Policy 34.02, Drugs and Alcohol Abuse, all students and employees are expected to abide by federal and state laws pertaining to controlled substances and illicit drugs. Alleged violations of these laws may result in criminal charges and may also be adjudicated through university conduct procedures. The Student Guidebook, page 46, Policy 34.02, drug and alcohol abuse and rehabilitation has more information.

Texas A&M University-Commerce is committed to a campus-wide plan to educate students and employees about alcohol and drug issues, discourage the irresponsible use of alcoholic beverages, and prohibit the unlawful use, possession or distribution of controlled substances. The University will act to ensure compliance with all local, state, and federal laws, System policies and University rules and procedures dealing with controlled substances, illicit drugs, and the use of alcohol. The Student Guidebook and Code of Conduct provides information on alcohol and drug rules and university sanctions. To review the Student Code of Conduct online, go to http://www.tamuc.edu/student_guidebook/Student_Guidebook.pdf.

The Work/Life Solutions Program (866-301-9623) by Guidance Resources manages the alcohol & drug abuse and rehabilitation program for employees. The Work/Life Solutions Program also provides licensed counseling and referral services.

Weapons Policy

In accordance with Texas Penal Code Ch. 46.03, it is a felony to intentionally, knowingly, or recklessly possess a firearm, location restricted knife, or prohibited weapon on the physical premises of a school or educational institution, to include any buildings or passenger transportation vehicles under the direct control of the educational institution. The following exception applies. A license to carry holder under Chapter 411, Texas Government Code, may carry a concealed handgun on or about the license holder's person while the license holder is on the campus of A&M-Commerce (all land and buildings owned or leased by A&M-Commerce) or in a university vehicle, unless prohibited by state law, federal law, or University Rule 34.06.02.R1, Carrying Concealed Handguns on Campus. Prohibited areas include but are not limited to campus daycares, counseling centers, health care facilities, collegiate and interscholastic sporting events, certain high hazard and high risk research areas/laboratories, specific premises where formal disciplinary hearings are conducted, and locations with official Texas Penal Code 30.06 signage. For more information please visit www.tamuc.edu/hoc/. Any resident of campus housing who is a handgun license holder may have their handgun on or about their person. The resident may only store their handgun in his/her assigned room, and must provide their own safe, intended and manufactured for handgun storage. The resident may not provide access to their safe to any other individual. Failure to comply with this rule may result in removal from campus housing and participation in the University conduct process. If a resident observes a handgun within a residential community, they should

immediately contact the University Police Department at 903-886-5868. The open carry of handguns is prohibited everywhere on campus including all land and buildings owned or leased by A&M-Commerce.

Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Conduct Prohibited

In accordance with federal law and System Regulation 08.01.01 Civil Rights Compliance, A&M-Commerce prohibits discrimination and harassment on the basis of sex including sexual assault, dating violence, domestic violence, stalking, (as those terms are defined for the purposes of the Clery Act) and/or related retaliation. The following are statements of policy that address sexual assault, dating violence, domestic violence, and stalking as prohibited conduct. The policies apply whether the prohibited conduct occurs on or off campus and when it is reported to a university official.

Procedures for Reporting Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation

Individuals who have experienced or witnessed sexual assault, dating violence, domestic violence, or stalking have the option of notifying on-campus and local law enforcement authorities, whether or not the incident happened on or off campus. Below is a list of local law enforcement agencies. Reports should be filed with the agency where the incident occurred.

Agency	Phone
University Police Department	903-886-5868
Commerce Police Department	903-886-1139
Hunt County Sheriff's Office	903-453-6838
Mesquite Police Department	972-285-6336
Dallas County Community College (El Centro)	972-860-4290
Dallas Police Department	214-744-4444
Navarro Dept. of Public Safety	903-875-7500
Corsicana Police Department	903-654-4902
Collin County Community College Police (CHEC and Preston Ridge)	972-578-5555
McKinney Police Department	972-547-2700
Frisco Police	972-292-6010
TAMU UPD (Rellis)	979-845-2345
Blinn Police (Rellis)	979-209-7600

UPD is available to receive and investigate reports of sexual assault, dating violence, domestic violence, and stalking; assist in securing medical attention; participate in evidence preservation and collection; conduct criminal investigations of crimes; and inform the individual of legal and administrative options both on and off campus. Criminal investigations may occur independent from a conduct proceeding and are handled in accordance with the Texas Penal Code, the Texas Code of Criminal Procedure, and information from the Hunt County and District Attorney Offices. Law enforcement will help individuals understand the process of obtaining protective orders, restraining orders, or similar lawful orders issued by the courts.

All employees who experience, observe, or become aware of prohibited discrimination, sexual harassment (including sexual assault, dating violence, domestic violence, and stalking), and/or related

retaliation must promptly report the conduct. Students and third parties are strongly encouraged, but not required, to report prohibited conduct. At the all campuses of A&M-Commerce, information should be reported to an official university contact designated to receive and investigate complaints in accordance with Table 1 – Official Contacts below. Depending on the circumstances, the contacts will coordinate responsibilities when necessary.

Table 1 – Official Contacts

If the alleged offender is a:	Student	Employee or 3 rd Party
Then the official Contact is:	Office of Student Rights and Responsibilities. TitleIX@tamuc.edu 903-886-5153 Halladay Building Suite 201	University Compliance TitleIX@tamuc.edu 903-468-3104 McDowell Administration Suite 259

Additional options for reporting include the following contacts who may intake reports related to prohibited conduct and will immediately forward them to the designated official contact for investigation and resolution.

- Title IX Coordinator for any complaint (903-468-3104, McDowell Administration., Suite 259.)
TitleIX@tamuc.edu

Individuals may file a complaint at any time with any local, state or federal civil rights office, including, but not limited to, the Equal Employment Opportunity Commission, the Texas Workforce Commission's Civil Rights Division, the U.S. Department of Education's Office of Civil Rights and the U.S. Department of Justice.

The official contacts have procedures in place to inform individuals of their rights to file criminal charges as well as the availability of services on and off campus. A report to law enforcement, even to UPD, is separate from a report to the university. An individual may pursue disciplinary remedies through the university (see Table 1 – Official Contacts) and criminal remedies through law enforcement. An individual may pursue both types of remedies separately or at the same time. An individual wishing to pursue disciplinary remedies and criminal remedies simultaneously should make a report to both entities. Individuals are notified of their right to report the incident to UPD and local police immediately, but also have the right to decline to notify such authorities. Reporting to law enforcement does not preclude an individual from pursuing disciplinary remedies with the university.

Individuals wishing to submit an anonymous report may use the Risk, Fraud, and Misconduct Hotline, an electronic reporting option. Anonymous reporting may also limit the university's response to the allegation.

The university responds to complaints in a prompt, *fair, and impartial* manner. After receiving a report, the university's official contact, designee, or the Title IX Coordinator will make an immediate assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks. These steps include access to medical care, assistance in notifying UPD or appropriate law enforcement authorities if the individual so chooses, and other interim protective measures to provide for the safety of the individual and campus community. The official contact, designee, or Title IX Coordinator will also take steps to address the conduct, protect and assist the

individual reporting, remediate effects, and provide information about the university's prohibition against retaliation.

Official *contacts provide a written list of available resources, rights, and options to each individual reporting sexual misconduct including sexual assault, dating violence, domestic violence, and stalking (whether the offense occurred on or off campus) regardless of whether the individual chooses to report the incident to local law enforcement. The handout includes information regarding:*

- the importance of preserving physical evidence that may assist in proving that the alleged criminal offense occurred, or may be helpful in obtaining a protective order;
- procedures about how and to whom the alleged offense should be reported;
- the option to notify proper law enforcement authorities including on-campus and local police;
- the option to be assisted by campus authorities in notifying law enforcement if the individual chooses;
- the option to decline to notify such authorities;
- the rights of individuals and the institution's responsibilities for orders of protection, no contact orders (no contact restrictions), restraining orders, or similar lawful orders issued by criminal, civil, or tribal court or the institution;
- information about how the institution will protect confidentiality;
- existing on-campus and community resources/contacts (counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to students, faculty, and staff);
- the options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures;
- protection from retaliation; and
- an explanation of procedures for institutional disciplinary action in cases of alleged sexual assault, dating violence, domestic violence, and stalking.

Individuals reporting to Student Health Services and UPD also receive the handout.

[Guidelines or Suggestions to Follow After an Incident of Sexual Assault, Dating Violence, Domestic Violence or Stalking \(as applicable to the specific incident\)](#)

- Go to a safe place as soon as you can.
- Contact the police department at 911
- Get medical attention as soon as possible to make sure you are physically well and to collect important evidence in the event you may later wish to take legal action. Go to the hospital's emergency room and request to be seen by a SANE (Sexual Assault Nurse Examiner).

- Try to preserve all physical evidence. Do not wash, use the toilet, swim, brush teeth, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
- Preserve evidence by saving text messages, instant messages, social networking pages, communications, pictures, or other documents, if any, that would be useful to police or investigators.
- Personnel are available to help explain your options, give you information, and provide emotional support. Personnel include: any official contact listed in Table 1- Official Contacts, Student Counseling Center 903-886-5145, and Student Health Services 903-886-5853.

Medical Treatment (as applicable to the specific incident)

It is important to seek immediate and follow-up medical attention for several reasons: first, to assess and treat any physical injuries you may have sustained; second, to test for sexually-transmitted infections or pregnancy and treat or take preventive measures; and third, to gather and preserve evidence that may assist in proving that the alleged criminal offense occurred, or is occurring, or may be helpful in obtaining a protective order. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of the evidence may be diminished. If individuals do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infection.

Confidentiality/Privacy of Counseling Staff

Students and employees have the option to disclose confidentially to individuals designated as confidential employees. Licensed counselors and licensed health care personnel, who receive reports when acting in this capacity as part of their official employment, will not reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18. Additionally, confidential employees will not report to the institution except as required by law. Publicly available recordkeeping must not include personally identifying information. Incidents are shared in a way that does not identify the individuals. For example, licensed healthcare providers share de-identified information related to crimes that may be statistics in the Clery Annual Security Report and/or disclosed in the daily crime log without identifying the individuals concerned.

The Student Counseling Center (903-886-5145) and the Life/Work Solutions Program (866-301-9623) are confidential, licensed mental health counseling services available to students and employees, and the employee's benefits-eligible dependents respectively. Currently enrolled students can access Student Health Services at 903-886-5853 to speak to licensed health care personnel.

Confidentiality in General: While the university wishes to create an environment in which individuals feel free to discuss concerns and make complaints, the university may be obligated to take action when its officials are informed that sexual assault, dating violence, domestic violence, and/or stalking may be occurring. Information is considered private but not confidential when shared with university personnel

and officials who do not possess a legal confidentiality exemption. Although the confidentiality of information received, the privacy of the individuals involved, and the wishes of the reporting party, complainant, and/or alleged offender cannot be guaranteed, they will be protected to as great a degree as is legally possible.

Maintenance of Records: The university is committed to protecting the privacy of reporting parties, complainants, and alleged offenders. Given the sensitive nature of reports, information will be maintained in a secure manner and will only be disclosed to school officials who are responsible for handling the university's response. The expressed wishes of the reporting party, complainant, and/or alleged offender regarding privacy will be considered by the official contact in the context of the university's obligation to act upon the complaint and the right of the charged party to be informed about the charges against them. The official contact or designee is responsible for evaluating requests for privacy. If the individual does not disclose any identifying information about him/herself or any other party involved (e.g. names, department, or unit) during the inquiry, response on the part of the university may be limited. Although individuals reporting sexual assault are not required to file criminal charges, the following program is offered in the State of Texas. In accordance with the Texas Code of Criminal Procedure, Chapter 57, when reporting certain sex offenses to a Texas law enforcement agency, victims may use a pseudonym to protect their identity. The offenses applicable to this program are identified in Chapter 62 of the Texas Code of Criminal Procedure, defined by the Texas Penal Code, and include sexual assault. The pseudonym will replace the victim's name in all public files and records concerning the offense, including police records, press releases, and records of judicial proceedings.

Resources, Rights, and Options

Following an allegation of sexual assault, dating violence, domestic violence, stalking, and/or related retaliation the individual reporting, the alleged offender, and other affected individuals have certain resources, rights, and options available to them. Parties with an inquiry or complaint are informed of resources, rights, and options in writing when official contacts receive notification of an incident whether it occurred on or off campus and regardless of whether the individual elects to pursue a criminal complaint or disciplinary measures. Available assistance is also covered through prevention and awareness education. Additional information about any of the resources, rights, and options discussed in this section can be requested from the official contacts listed in Table 1 – Official Contacts.

The following are on-campus and community resources available to complainants, alleged offenders, and others:

Law Enforcement

Agency	Phone
University Police Department	903-886-5868
Commerce Police Department	903-886-1139
Hunt County Sheriff's Office	903-453-6838
Mesquite Police Department	972-285-6336
Dallas County Community College (El Centro)	972-860-4290
Dallas Police Department	214-744-4444
Navarro Dept. of Public Safety	903-875-7500
Corsicana Police Department	903-654-4902
Collin County Community College Police (CHEC and Preston Ridge)	972-578-5555
McKinney Police Department	972-547-2700
Frisco Police	972-292-6010

Counseling and Mental Health

Counseling Center	903-886-5145
Work/Life Solutions Program	866-301-9623

Medical and Health Services

Student Health Services	903-886-5853
Hunt Regional Emergency Medical Center	903-886-3161

Support, Advocacy, and Other Resources

Victim Outreach Coordinator	victimsupport@tamuc.edu 903-886-5791
Office of Student Rights & Responsibilities	Studentconcern@tamuc.edu 903-886-5195
National Sexual Assault Hotline	800-656-HOPE (800-656-4673)
National Domestic Violence Hotline	800-799-SAFE (800-799-7233)

Interim Measures

The institution is obligated to offer and provide assistance to the complainant, the alleged offender, and other affected individuals in obtaining a range of accommodations and interim, remedial, and protective measures. The assistance is intended to facilitate continued access to institutional employment, academic programs, and activities; to stop and prevent the reoccurrence of prohibited conduct; and to support the individuals involved.

The institution is obligated to comply with the individual's reasonable request for a living and/or academic situation change following an allegation of sexual assault, dating violence, domestic violence, or stalking. Upon the request of a student involved with the report, the Title IX coordinator (903-468-3104) can assist with issues including, but not limited to, changing academic, living, transportation, and working situations and obtaining no-contact restrictions. The various options are provided if requested, appropriate, and reasonably available, regardless of whether the individual chooses to report the incident to law enforcement or pursue disciplinary remedies. Human Resources (903-886-8741)

provides similar assistance to employees. The university also provides reasonable remedial and protective measures to third parties as appropriate and available, taking into account the role of the third party and the nature of any contractual relationship with the university.

When an allegation of sexual assault, dating violence, domestic violence, or stalking is made, the institution will take prompt steps to provide interim measures or remedies before the investigation and will promptly address any violation of protective measures. In determining which institutional interim measures to impose and the reasonableness of the related measures, the official contact considers the request; the safety of the parties involved and the university community; the specific needs of the individuals; the severity or pervasiveness of the allegations; continuing effects; sharing of residence halls, dining halls, classes, transportation, or job locations; other judicial measures already in place; and other factors as appropriate. Measures provided by the institution vary and may include, but are not limited to, the following:

- Changing on-campus living situations including obtaining emergency housing or moving into another residential facility
- Addressing academic concerns such as transferring, withdrawing, or retaking classes and rescheduling exams or assignments
- Changing work schedules, job assignments, or other arrangements; obtaining a voluntary leave of absence
- Dealing with financial concerns, including providing financial aid guidance • Transportation and parking assistance and/or modification
- Limiting an individual's access to certain campus facilities or activities
- Assistance in obtaining access to medical, legal (protective orders, criminal trespass warnings), and counseling support
- Imposing an institutional no contact restriction (described below)

No-contact restrictions: A no-contact restriction is an interim measure issued by the institution that prohibits two parties from contacting one another through any means. No contact restrictions can be issued in addition to court ordered protection but may also serve as an alternative for those who do not want to seek a court order. A complainant or an alleged offender can request a no contact restriction directed at a student through the Offices of Student Rights and Responsibility (903-886-5153) or Title IX (903-886-5996). Officials may issue a restriction at any time prior to or during a conduct investigation based on information provided by the requestor. A no-contact restriction may also be implemented as a sanction subsequent to a finding of responsibility. If good cause for a no-contact restriction is determined, both parties are notified of the restrictions in writing. Records are maintained in the student conduct system.

No-contact restrictions directed at employees can be requested from Human Resources (903-468-8741).

Individuals should be aware that direct contact, refusal to leave a protected area, appearing at a location one reasonably knows the protected party is, third-party contact, or even an anonymous

contact are all potential violations of a no-contact restriction. Violations should be reported to the office that issued the restriction and may result in further disciplinary action.

Confidentiality/Privacy of Accommodations and Protective Measures: The university will maintain as private any accommodations or protective measures provided to the extent that maintaining such privacy would not impair the ability of the institution to provide the accommodations or protective measures. The official contacts are responsible for determining what information and to whom information will be disclosed based on the circumstances of the allegation, the individuals involved, and related safety needs. Official contacts use discretion and only disclose information to key officials at the institution who perform the tasks necessary for obtaining or providing the particular accommodation or protective measure. Prior to disclosure, the official contact will inform the individual of the information that will be shared, with whom it will be shared, and why.

Legal Rights and Options

The institution provides information and assistance to the complainant, the alleged offender, and other affected individuals in obtaining lawful orders issued by a criminal, civil, or tribal court including protective orders and criminal trespass warnings as discussed below. Failure to comply with any of the terms of lawful interim protective measures may be considered a separate violation in the institutional disciplinary proceeding.

Protective Orders: Individuals may apply for protective orders through the Texas criminal justice system. A protective order is an interim protective measure that requires the recipient to stay away from the protected individual's home, workplace, and/or children's schools (if the children are protected persons in the order) depending on the documented circumstances. It can require the recipient to stop communicating with the protected individual in a harassing or threatening manner, attend counseling, pay child support, and/or pay spousal support. An application for a protective order may be filed by an individual, a prosecuting attorney, or the Texas Department of Family and Protective Services (1-800-252-5400) on behalf of an individual. The application is obtained through the county attorney, the district attorney, or a private attorney. UPD (903-886-5868) will also provide assistance in applying for protective orders.

The application for a protective order must be filed in either the county where the applicant lives or the county where the recipient lives. The applicant's address can be kept confidential. If the legal criteria for a protective order is met, the county or district attorney's office will prepare and file all of the paperwork necessary to request a protective order from a court. Such orders provide effective tools for law enforcement when they are called upon to protect an individual and their family. Additionally, an emergency protective order may be recommended and automatically issued by the court following the original report and arrest of the alleged offender. A hearing is held at a later date to determine if the order should be extended or modified.

UPD officers are notified of protective orders that exist in the campus and surrounding area. Local law enforcement agencies are also notified of all existing protective orders in their area. If the requestor or other institutional personnel become aware that a protective order is violated, UPD should be contacted immediately at 903-886-5868. Responding agencies can also be contacted for protective order violations including the Commerce Police (903-886-1139), or any local law enforcement agency in

which the violation occurred. Violation of protective orders generally carry authority for the violator's immediate arrest by UPD or other law enforcement agencies.

Criminal Trespass Warning: A criminal trespass warning is an interim protective measure issued by UPD which is directed at those who are considered a danger to the campus community or a danger to a certain individual in the campus community. The warning advises the alleged offender to leave the premises and forbids him/her from entering and/or remaining on certain property which can cover either the entire campus or a specific campus location. To request a criminal trespass warning, contact UPD at 903-886-5868 and ask to speak with an officer. The UPD officer issues the criminal trespass warning if the alleged offender is determined to pose a risk to campus safety based on information provided by the requestor as it relates to applicable state law and/or UPD policy. When the warning is issued, the officer is responsible for providing notice to the requestor and the person receiving the warning. UPD officers are notified of criminal trespass warnings that exist in their area. If a criminal trespass warning is violated, UPD should be contacted immediately at 903-886-5868. A violation of the criminal trespass warning occurs when the individual is issued a warning but refuses to leave campus or is subsequently found in a prohibited area based on the trespass warning. The requestor and other institutional personnel should take appropriate action by contacting UPD for a responding officer when they become aware of a potential violation of a criminal trespass warning. UPD generally enforces these warnings by charging violators with criminal trespass resulting in arrest and/or fine.

If the complainant, alleged offender, or member of the university community has obtained an order of protection, civil no-contact order, or any other as described in this section, against another member of the university community, the order should be provided to the official contact or designee. In conjunction with UPD and other university officials, the official contact or designee will take all reasonable and legal actions to implement the order.

Other Legal Options: UPD, 903-886-5868, is available to provide information about personal safety, Texas Crime Victim's Rights, Texas Crime Victims' Compensation Fund and other information upon request. Or visit the Office of the Texas Attorney General's website at <https://www.texasattorneygeneral.gov/cvs/crime-victims-compensation>.

Investigations and Disciplinary Proceedings for Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation

All employees who experience, observe, or become aware of illegal discrimination on the basis of sex, sexual harassment, and/or related retaliation must promptly report the conduct. Students and third parties are strongly encouraged, but not required, to report prohibited conduct. Once an individual discloses information (in person, electronically, or by phone) to an official contact, according to Table 1 – Official Contacts, a complaint will be considered to be filed with the university, and the investigation process is initiated regardless of whether the complainant chooses to pursue criminal charges. The process, initiated by the official contact, allows for resolution of the conduct to include rendering a final result regarding the complaint and, if the complaint is found to have merit, taking action to prevent the recurrence of the conduct and related retaliation. The university diligently works to determine what occurred and what further action may be warranted based on the information provided.

Proceedings from an allegation of sexual assault, dating violence, domestic violence, or stalking are provided in a prompt, fair, and impartial manner from the initial investigation to the final result,

including any appeals. These proceedings are conducted by trained individuals who receive annual training. They are consistent with the institution's policies and transparent and equitable to the complainant and alleged offender.

If the alleged offender is a student: The complaint regarding prohibited conduct is initially reviewed by the official contact. The official contact will promptly notify the Title IX of the allegation of sexual assault, dating violence, domestic violence, or stalking.

Review of Alleged Violation. After the Dean of Campus Life and Student Development (or designee) receives a report or information that a student or group of students may have violated the Code, the Dean (or designee) may:

- Take appropriate action on behalf of the University;
- Make a referral to the University Hearing Board or other hearing officers/bodies (e.g. Residential Living and Learning, Campus Recreation, etc.); or
- In cases of clear and present danger to the well-being of the University community or other unusual circumstances, the Dean of Campus Life and Student Development (or designee) may take interim actions with respect to a student before a disciplinary hearing is held (see Student Code section V.C.). A hearing will be scheduled as soon thereafter as reasonable.

Notice of Allegations

- The Dean of Campus Life and Student Development (or designee), shall notify the student or student group in writing of the allegations against the student. Notification will include whether their case will be heard administratively or by the University Hearing Board. The decision as to which cases will be heard by the University Hearing Board will be made by Dean of Campus Life and Student Development (or designee).
- The student will be referred to the online Student Guidebook, which outlines the disciplinary and appeals procedures.
- The accused student will be given at least three (3) University business days to prepare for a hearing, unless voluntarily waived by the student.

Hearing Procedures

General

- All hearings will be closed to the public. Admission to the hearing of persons other than the parties involved will be at the discretion of the Dean of Campus Life and Student Development (or designee).
- In hearings involving more than one responding student, individual cases may be heard jointly. However, the Dean of Campus Life and Student Development (or designee) may permit each hearing to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding student.
- A student may be accompanied by an advisor, but the student must represent himself or herself at the hearing. The advisor may not make a presentation or represent the complainant or responding student during the hearing. The advisor may confer quietly with their advisee,

exchange notes, clarify procedural questions with the Chair, and suggest questions to their advisee. There are no limitations on who is chosen as the advisor.

- The complainant, responding student, Hearing Board, and the Dean of Campus Life and Student Development (or designee) may question all present witnesses and all present parties (directly or indirectly, at the discretion of the Chair and/or the Dean of Campus Life and Student Development (or designee)). Unduly repetitive witnesses can be limited at the discretion of the Hearing Board Chair and/or the Dean of Campus Life and Student Development (or designee). (NOTE: This procedure only applies to non-sexual misconduct cases. In cases of sexual misconduct or violence, all questions between the parties must be asked through the hearing officer. See Code section IV.D.4)

- The student may present relevant information regarding the allegations, including witness information, documents, or any other information that would assist the hearing officer or Hearing Board determine student responsibility. Formal rules of evidence will not be observed. The hearing officer or Hearing Board Chair may limit the number of character witnesses presented or may accept written character statements instead.

- If the student fails to appear for the original hearing without good cause, the student forfeits the right to appeal.

-If a student withdraws from the university pending disciplinary proceedings, the university reserves the right to move forward with the hearing until a final determination of responsibility is made.

Standard of Proof

In all cases of alleged violations of the Code, the standard of proof is the preponderance of the information (e.g., "more likely than not", "50% plus one"). This standard is also applied when making determinations regarding interim restrictions/actions.

Administrative Hearing

- A hearing officer will hold a conference with the student to: 1) review the allegations; and 2) provide an opportunity for the student to respond directly to the alleged violation(s). The administrative hearing is intended to be an educational meeting that enables the hearing officer to determine whether there has been a violation of the Code, and if so, what sanctions are appropriate. The hearing officer shall serve the best interests of any responding students by making use of appropriate University resources, including, but not limited to, University Counseling Center, Academic Success Center, etc.

- The student has the right to hear evidence supporting the allegations and ask questions of witnesses either directly or through the hearing officer.

In cases of sexual misconduct or violence, all questions between the parties must be asked through the hearing officer.

- The hearing officer may seek professional assistance and advice, consult with a student's parents or guardians, or take other measures to ensure fair disposition of the case.

- After the administrative hearing, the student shall be informed in writing of the action taken by the hearing officer, including findings of responsibility and sanctions.
- If the student fails to appear for a disciplinary hearing, the case may be heard in the student's absence.

University Hearing Board

- The Dean of Campus Life and Student Development (or designee) may assign a student conduct case to the University Hearing Board for adjudication. The decision as to which cases will be heard by the University Hearing Board will be made by Dean of Campus Life and Student Development (or designee).
- University Hearing Board members will be a group of trained faculty and staff members who serve as conduct officers during the adjudication process. Hearing Board members will listen to all of the information presented during the conduct conference and use that information to make decisions on whether the responding student is responsible for violating the Code and assigning appropriate sanctions, as appropriate.
- The Dean of Campus Life and Student Development (or designee) will appoint one board member as the Chair for the hearing.
- A staff member from the Office of Student Rights & Responsibilities shall attend all hearings to ensure that disciplinary procedures are followed. This staff member may not be present during Hearing Board deliberations, but may respond to procedural questions from the Hearing Board regarding procedure.
- The parties have the right to be present at the hearing; however, they do not have the right to be present during Hearing Board deliberations. If a student is unable to attend the hearing, he or she must notify the Office of Student Rights & Responsibilities no less than three (3) University business days prior to the scheduled hearing to arrange for another date, time and location. Except in cases of grave or unforeseen circumstances, if the responding student fails to give the required minimum three (3) University business days' notice, or if the responding student fails to appear for the hearing, the hearing may proceed as scheduled.
- After the hearing, the Hearing Board will deliberate and determine, by a preponderance of the information, if the responding student has violated the Code. A majority vote is required. If the responding student is found responsible for violating any section of the Code, the University Hearing Board will determine the appropriate sanction(s). The Office of Student Rights & Responsibilities is responsible for informing the Hearing Board of applicable precedent, any previous conduct violations, or other relevant pattern information about the responding student. The Hearing Board shall serve the best interests of any responding students by making use of appropriate University resources, including, but not limited to, University Counseling Center, Academic Success Center, etc.
- The Chair will prepare a written report and deliver it to the Dean of Campus Life and Student Life (or designee), detailing the findings and rationale for the Hearing Board's decision, and any information the Hearing Board excluded from its consideration and why. This report must include any sanctions or other actions imposed. This report should not exceed two pages in

length and must be submitted to the Dean of Campus Life and Student Development (or designee) within two (2) University business days of the end of deliberations.

- The responding student and complainant will be notified of the final determination in writing within five (5) University business days of the hearing.

- In cases of sexual misconduct and other crimes of violence, notice of the outcome will be delivered to all parties without substantial delay between the notifications to each party.

- There will be a single verbatim record, such as an audio recording, for all Hearing Board proceedings. Deliberations will not be recorded. The record will be the property of the University and maintained according to the System's record retention policy.

Procedures for Allegations of Sexual Misconduct, Violence, and Stalking.

Allegations of sexual misconduct by a student will be reviewed and investigated by the University's Title IX Compliance Office or other designated officials. At the conclusion of the investigation, a report will be provided to the Dean of Campus Life and Student Development (or designee) for review. After receiving a report indicating that a student or group of students may have violated sections of the Student Code of Conduct related to sexual misconduct, violence, and/or stalking, the Dean (or designee) may take action on behalf of the University.

In addition to the procedures found above in and in sections IV.D.1. IV.D.2., and IV.D.3. of the Student Code of Conduct, the following procedures shall apply:

1. The complainant shall not be required to attend the hearing. The complainant shall have the opportunity to submit an impact statement detailing any alleged consequences suffered by the complainant.
2. The complainant has the right to be assisted by an advisor of the complainant's choice. However, the complainant must present his or her own information.
3. For sexual misconduct, discrimination and other complaints of a sensitive nature, alternative testimony options may be provided to the complainant, such as placing a privacy screen in the hearing room or allowing the complainant to testify from another room via audio or audio/video technology. While these options are intended to help make the complainant more comfortable, they are not intended to work to the disadvantage of the responding student.
4. The past sexual history or sexual character of a party will not be admissible by the other parties in hearings unless such information is determined to be particularly relevant to the facts and circumstances at issue. All such information is presumed inadmissible until it is shown relevant to the case. Any such showing must be made in advance of the hearing, to hearing officer or Hearing Board Chair. Evidence of pattern, repeated, and/or predatory behavior by the responding student, in the form of previous findings in any legal or campus proceeding, (or in the form of previous good faith allegations), will always be relevant to the finding, not just the sanction. The parties will be notified in advance if any such information is deemed relevant and will be introduced in the hearing.

5. A complainant alleging sexual misconduct, other behavior falling within the coverage of Title IX, and/or a crime of violence will be notified in writing of the outcome of a hearing, any sanctions assigned, and the rationale for the decision.
6. The proceeding must be completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause with written notice to the complainant and the respondent of the delay and the reason for the delay.
7. The proceeding must be conducted by officials who do not have a conflict of interest or bias for or against the complainant or the respondent.

Findings

No Finding.

In these cases, an investigator has made a determination that the responding student is in no way involved in a violation of policy. The responding student's name will be cleared for purposes of third party reporting, but the record of the investigation will be retained. This finding is not subject to any appeal.

Not Responsible.

In these cases, a hearing officer or Hearing Board determines that insufficient evidence exists for a finding of responsible for any of the allegations. The case is closed and a record of the "not responsible" finding(s) is retained. In cases of sexual misconduct or other violence, complainants may accept the finding or elect to appeal.

Responsible.

In these cases, a hearing officer or Hearing Board determines that sufficient evidence exists for a finding of "Responsible" for any of the alleged violations. The responding student may accept both the finding and sanctions, or may elect to appeal.

Sanctions

One or more of the following sanctions may be imposed for a Code violation.

- Warning. The student is warned of possible consequences of continuing such behavior. Warnings can be verbal or written.
- Disciplinary Probation. A period of review and observation during which a student is under an official notice that subsequent violations of the Code, University rules, regulations, or policies are likely to result in a more severe sanction, including suspension or expulsion from the University. While on Disciplinary Probation, a student may be considered to be "not in good standing" and may face specific limitations on University privileges.
- Transcript Notation: When a sanction of suspension or expulsion is the result of a violation of the Student Code of Conduct, a notation will be made on the student's academic transcript without exception or time limitation. The notation will differentiate between academic and conduct violations that led to the assigned sanction.

- Not in good standing: A student who is not in good standing is subject to the following restrictions:
- Ineligible to hold an elected office in any student organization recognized by the University or to hold any elected or appointed office of the University.
- Ineligible to represent the University in any way, including representing the University at any official function, intercollegiate athletics or any forms of intercollegiate competition or representation. This includes events taking place both on and off of the University campus.
- Ineligible for fraternity, sorority, or organization new member intake.
- Additional restrictions or conditions also may be imposed, depending on the nature and seriousness of the misconduct.

Interim Actions. The University may take interim actions as necessary to protect the community from a threat to the health or safety of the community as a whole, to any particular member of the community, or in cases where there may be a risk of a substantial disruption to the normal operations of the University. In all cases, the student subject to the interim action will be given an opportunity to be heard by the Dean of Campus Life and Student Development (or designee) on the necessity of the restriction within three (3) University business days of the issuing of the restrictions. These actions may include, but are not limited to:

Interim Suspension. A student (or organization) suspended on an interim basis is subject to all of the same restrictions as if they had been suspended as a final sanction.

Interim Restriction. A student (or organization) with interim restrictions may be denied access to campus premises (including classes), specific individuals, and/or all other University activities or privileges for which the student might otherwise be eligible. These restrictions may include, but are not limited to: restricted access to facilities, housing and/or events, no-contact orders with specific individuals, etc. or any other restrictions deemed necessary by the Dean of Campus Life and Student Development to be necessary to achieve the goals stated above. (NOTE: The University will not pay for or make any arrangements for housing for any student removed from housing on an interim basis.)

Before changing any of these restrictions, a student may be required to participate in a psychological or counseling assessment, interviews, etc. at the discretion of the Dean of Campus Life and Student Development (or designee).

Suspension. The student is separated from the University for a definite period of time. The suspension takes effect when the appeal for the offense is exhausted, waived, or the time limit has passed. Suspensions may go into effect immediately or may be deferred for a period of time. If the student is found in violation of any University rule during the time of deferred suspension, the suspension takes effect immediately without further review.

Expulsion. The student may not return to the University.

Conditions/Restrictions. The University may limit a student's University privileges for a period of time, or require a student to complete a specified activity. This sanction may include, but is not limited to:

1. Restricted access to the campus or parts of campus;
2. A no-contact order;
3. Denial of the right to participate in University-sponsored activities;
4. Denial of the right to represent the University in any way;
5. Removal from an elected or appointed University office or position;
6. Denial of campus housing or parking privileges;
7. Required attendance at a workshop;
8. Ineligible for fraternity, sorority, or organization new member intake;
9. Participation in community service; and/or
10. Any other privileges that are consistent with the violation and the development of the student.

Other Sanctions. The University reserves the right to impose other sanctions as necessary to remain consistent with the mission and vision of the University. These may include, but are not limited to: mandated psychological or counseling assessment, research projects, drug/alcohol classes, and restitution, etc.

Parental Notification. The university may contact a student's parent, guardian, or family member, if deemed appropriate.

If the alleged offender is an employee or a third party

Employee procedures are covered under 08.01.01.R2 Civil Rights Compliance, the text of which can be found below, and System Policy 08.01.01 Civil Rights Compliance.

Texas A&M University-Commerce will provide equal opportunity to all employees, students, applicants for employment and admission, and the public.

Reason for Rule

This rule provides guidance in complying with local, state and federal civil rights laws and regulations as directed by System Policy 08.01 and Regulation 08.01.01.

Procedures and Responsibilities

1 DESIGNATED OFFICIAL

The Chief Human Resources Officer is the designated official responsible for overseeing the civil rights protection program at A&M-Commerce. The Chief Human Resources Officer

will ensure that all allegations of illegal discrimination, sexual harassment and/or related retaliation are promptly and thoroughly investigated and will follow up on situations in which illegal discrimination, sexual harassment and/or related retaliation is found to ensure that the situation does not recur.

2 RESPONSIBILITIES OF ALL EMPLOYEES AND STUDENTS

2.1 Any employee receiving an inquiry or a complaint of illegal discrimination, sexual harassment, and/or related retaliation from a local, state or federal agency must immediately inform the Chief Human Resources Officer who will immediately inform the System Ethics and Compliance Office.

2.2 All employees are responsible for ensuring their work and educational environments are free from illegal discrimination, sexual harassment and/or related retaliation. When alleged or suspected illegal discrimination, sexual harassment and/or retaliation is experienced or observed by or made known to an employee, the employee is responsible for reporting that information as outlined in Section 3.1 of this rule.

2.3 All employees are responsible for complying with state law requiring training on equal opportunity and nondiscrimination within thirty (30) days of hire and every two (2) years thereafter.

2.4 Employees and students may, at any time, file a complaint with any local, state or federal civil rights office, including the Equal Employment Opportunity Commission, the Texas Workforce Commission's Civil Rights Division and the U.S. Department of Education's Office of Civil Rights.

2.5 For additional responsibilities of all employees and students, see System Regulation 08.01.01.

3 CIVIL RIGHTS COMPLAINT PROCESSING

All complaints of illegal discrimination, sexual harassment and/or related retaliation shall follow the process identified in System Regulation 08.01.01 with the additional guidance below.

3.1 Reporting

Anyone who experiences, observes, or becomes aware of illegal discrimination, sexual

harassment, and/or related retaliation should promptly report the incident(s) to any of the following:

3.1.1 Their supervisor

3.1.2 Title IX Office, 903-468-3104, TitleIX@tamuc.edu

3.1.3 University Police Department, 903-886-5868, upd@tamuc.edu

3.1.4 Human Resources Office, 903-886-5282

3.1.5 Office of Student Rights & Responsibilities, 903-886-5195

3.1.6 Risk, Fraud & Misconduct Hotline, 888-501-3850

3.1.7 Any employee receiving a complaint or report of illegal discrimination, sexual harassment, and/or related retaliation must inform the Chief Human Resources Officer as soon as practical unless doing so would create a conflict of interest, in which case the Chief of Staff will serve as an alternate.

3.2 Investigations

3.2.1 The following offices are designated to process complaints, appeals and/or reports of illegal discrimination, sexual harassment, and/or related retaliation as specified.

The designated office will review the complaint, appeal and/or report and determine if there is sufficient information to proceed with an investigation or if additional information is needed. In consultation with OGC, the designated office may dismiss, close, or refer the complaint in accordance with System Regulation 08.01.01, §4.2.1. Jurisdiction over the complaint will be based on the status of the accused/respondent.

3.2.1.1 Human Resources Office (employees and third parties, non-sex-based complaints)

3.2.1.2 Title IX Office (sex-based complaints, including sexual harassment and sexual violence)

3.2.1.3 Office of Judicial Affairs (students, complaints not based on sex or disability)

3.2.1.4 Student Disability Services (students, complaints based on disability)

3.2.1.5 University Compliance Office will forward hotline complaints to the

appropriate designated office for the appointment of an investigative authority and designated administrator.

3.2.2 The designated office will appoint an investigative authority to review each complaint, interview witnesses (if applicable), examine relevant documentation, and provide a draft investigation report to the System Office of General Counsel for legal sufficiency review within 30 business days of receipt of the complaint. The designated office will also identify the designated administrator to receive the completed investigation report and render a decision on the merits of the complaint.

3.2.3 System Regulation 08.0.01., Section 4, provides additional time frames for complaint processing and resolution. Requests for extensions to these time frames must be made to the designated administrator in writing and will be in 15 business day increments.

3.2.4 Investigation reports in student conduct cases will follow University Procedure 13.02.99.R0.06, Code of Student Conduct.

3.2.5 The designated offices shall provide the Chief Human Resources Officer periodic updates on all complaints and investigations of illegal discrimination, sexual harassment, and/or related retaliation, including final decisions, unless doing so would create a conflict of interest, in which case the Chief of Staff will serve as an alternate.

3.3 Decisions

The designated administrator will render a decision on the merits of the complaint in writing to the individual subjected to the alleged illegal discrimination, sexual harassment and/or related retaliation, the respondent(s), the investigative authority, and the respondent's supervisor and department head(s) within five business days after receiving the investigative authority's report.

3.4 Sanctions

3.4.1 Faculty sanctions, if any, will be in accordance with University Rule 12.01.99.R1, Academic Freedom and Responsibility.

3.4.2 Nonfaculty employee sanctions, if any, will be determined by the respondent(s)' supervisor(s), in consultation with the Chief Human Resources Officer and in accordance with System Regulation 32.02.02, Discipline and Dismissal of Nonfaculty Employees.

3.4.3 Student sanctions, if any, will be in accordance with University Procedure 13.02.99.R0.06, Code of Student Conduct.

3.5 Appeals

All appeal processes will be in compliance with the requirements set forth in System Regulation 08.01.01, Section 4.5, with the additional guidance below.

3.5.1 Allegations of Sex Discrimination: Findings and/or Sanctions

3.5.1.1 Faculty appeals will follow processes outlined in University Rule 12.01.99.R1, Academic Freedom and Responsibility and/or University Procedure 32.01.01.R0.01, Grievance and Appeal Process for Faculty Members, as applicable.

3.5.1.2 Nonfaculty employee appeals must be directed to the Chief Human Resource Officer within 10 business days of receipt of the decision or sanction, as applicable, and will be processed in accordance with System Regulation 32.01.01, Complaint and Appeal Process for Nonfaculty Employees.

3.5.1.3 Student appeals must be directed to the University Appeals Board via the Office of Campus Life and Student Development within 10 business days.

3.5.2 Allegations of Illegal Discrimination and/or Related Retaliation Not Based on Sex: Sanctions Only

3.5.2.1 Faculty appeals will follow processes outlined in University Rule 12.01.99.R1, Academic Freedom and Responsibility, and/or University Procedure 32.01.01.R0.01, Grievance and Appeal Process for Faculty Members, as applicable.

3.5.2.2 Nonfaculty employee appeals must be directed to the Chief Human

Resource Officer within 10 business days of receipt of the decision or sanction, as applicable, and will be processed in accordance with System Regulation 32.01.01, Complaint and Appeal Process for Nonfaculty Employees.

3.5.2.3 Student appeals will be conducted in accordance with University Procedures 13.02.99.R0.06, Code of Student Conduct, and/or 13.02.99.R0.04, Appeal Procedures, as applicable.

Related Statutes, Policies, or Requirements

The Equal Pay Act of 1963

Title VII of The Civil Rights Act of 1964, as amended

The Age Discrimination in Employment Act of 1967

Title IX of The Education Amendments of 1972

The Rehabilitation Act Amendments of 1973, as amended

The Americans with Disabilities Act of 1990, as amended

The Genetic Information Nondiscrimination Act of 2008

Executive Order 11246, as amended, Office of Federal Contract Compliance Programs

Texas Labor Code, Chapter 21, Employment Discrimination

System Policy 08.01, Civil Rights Protections and Compliance

System Regulation 08.01.01, Civil Rights Compliance

System Policy 12.01, Academic Freedom, Responsibility, and Tenure

System Regulation 32.01.02, Complaint and Appeal Process for Non-faculty Employees

System Regulation 32.02.02, Discipline and Dismissal of Nonfaculty Employees

University Rule 12.01.99.R1 Academic Freedom and Responsibility

University Procedure 13.01.99.R0.01 Students With Disabilities

University Procedure 32.01.01.R0.01 Grievance and Appeal Process for Faculty Members

University Procedure 13.02.99.R0.06 Code of Student Conduct

University Procedure 13.02.99.R0.04 Appeal Procedures

University Procedure 08.01.01.R0.01 Civil Rights Compliance Procedure has been superseded.

Prevention and Awareness Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking.

Primary prevention programs are directed at incoming students and new employees. The primary programs are defined as programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur, through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

A&M-Commerce provides culturally relevant, inclusive primary prevention and awareness education to incoming students and new employees to clearly define sexual assault, dating violence, domestic violence, stalking, and consent. The programs identify sexual assault, dating violence, domestic violence, and stalking as prohibited conduct and provide information regarding bystander intervention, risk reduction in recognizing warning signs of abusive behavior, ways to avoid potential attacks, and individuals' rights and options. The training includes procedures individuals should follow if sexual assault, dating violence, domestic violence, or stalking occurs and procedures the institution will follow when one of these crimes is reported. This includes, but is not limited to, the importance of preserving evidence; options for notifying law enforcement and campus authorities; procedures for institutional disciplinary action and conduct proceedings; possible sanctions following a proceeding; on-campus and community resources; rights and options for obtaining lawful orders; assistance in receiving interim measures and remedial action; how the institution will protect the confidentiality of victims and other necessary parties; and protection from retaliation.

Primary prevention programs include the following:

- Health Promotion within the Dean of Campus Life and Student Development facilitates a session at new student conferences (orientations) that includes the above educational material. The session is mandatory for incoming, undergraduate freshmen and transfer students.
- The Office of the Dean of Campus Life also requires a mandatory online training module (Haven) focused on sexual harassment, sexual assault, dating violence, domestic violence, and stalking. Each semester, the training is sent to all incoming A&M-Commerce undergraduate, graduate, and professional students. New students are required to complete Haven training at all campuses.
- The new student handbook, distributed to new undergraduate students upon check-in at new student conferences, contains information on sexual assault, dating violence, domestic violence, and stalking; awareness; rights; resources; and available options.
- Crime prevention and safety information, some specifically targeting sexual violence, date rape, and stalking, is distributed at new student conferences by UPD.
- New employees receive primary prevention information through the web-based Creating a Discrimination Free Workplace training mandated by the Texas A&M University System.
- All employees are required to complete the training every two years thereafter. Ongoing prevention and awareness campaigns are directed at students and employees. The ongoing campaigns are defined as programming, initiatives, and strategies that are sustained over time

and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking using a range of strategies with audiences throughout the institution. The same information included in the institution's primary prevention and awareness programs is incorporated into ongoing prevention and awareness campaigns. Various departments on campus support ongoing campaigns for students and employees as described below.

- UPD provides ongoing education available to students and employees to promote prevention and personal safety including sexual assault and stalking prevention and awareness, drug and alcohol awareness, and sexual harassment. Related materials are distributed at awareness events across campus and in the community during times such as the Campus Safety Awareness Series, National Night Out, and Sexual Assault Awareness Month.
- Human Resources offers training for employees regarding sexual harassment in the workplace that covers employee rights, responsibilities, and strategies for preventing sexual harassment, university policies and rules, and reporting and addressing complaints.
- The Title IX webpage, <http://www.tamuc.edu/CampusLife/CampusServices/studentRights/documents/Civil%20Rights%20Policy%20handout.pdf>, also references sexual harassment and violence resources available through the Offices of the Dean of Campus Life and UPD and provides information for students, faculty, and staff who wish to report any form of sexual discrimination or harassment.
- All students and employees are provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services and resources available for individuals both on-campus and in the community. These departments distribute an email annually (fall semester) that contains information about how to report incidents, applicable policies, and other available options in addition to existing services and resources.
- Residential Living and Learning provides information to each on-campus resident via the RLL handbook.

Bystander Intervention and Risk Reduction

Everyone has a role in changing community knowledge, attitudes and behaviors. Change happens as each person is able to identify risky situations and take action to confront, interrupt, or prevent acts of sexual violence. Bystander intervention programs can help individuals observe a situation and determine an appropriate intervention where someone could use some help. Bystander intervention means just that; people taking care of others. If you find a friend in a situation that concerns you, consider the following strategies to intervene safely and effectively:

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

- Call for help, if needed

Sexual assault is never a victim's fault. However, there are ways that may reduce the risk of being sexually assaulted including being prepared, alert, and assertive. Consider the following tips:

- Be aware of your surroundings
- Practice responsible drinking; alcohol is a factor in many sexual assaults
- Never leave your drink unattended
- Don't accept drinks from someone you don't know or trust
- Stay with your friends and make sure your friends stay with you
- Be careful of online relationships
- Trust your instincts

We are reminded to think about relationships, specifically relationships that may be, or become abusive. Be aware of the signs:

- Is one of the partners verbally and emotionally abusive?
- Is one of the partners isolating the other from friends and family?
- Is one of the partners controlling, intimidating or always jealous?
- Is there a threat of harm?

Other Considerations

Retaliation

A&M-Commerce prohibits retaliation. An officer, employee, or agent of A&M-Commerce may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of the Clery Act.

Victim Disclosure

In accordance with the Higher Education Opportunity Act, upon written request, A&M-Commerce will disclose to the alleged victim of any crime of violence, or non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense with respect to 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 the purposes of this paragraph. Institutions are required to provide both the complainant and the alleged offender with simultaneous written notification of any result or updated result of any institutional conduct proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking. In these cases, it is not necessary for the victim to make a written request.

Sex Offender Registry

Section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) provides for the tracking of registered sex offenders and instructs states to post sex offender data on the internet.

The Texas Department of Public Safety (DPS) is the official Texas internet source for Sex Offender Registration information. The Sex Offender Registration open record information is extracted from the DPS Sex Offender Registration Database. The DPS maintains files based on registration information submitted by criminal justice agencies and represents a statewide source of information on sex offenders required to register by law.

The DPS Texas Public Sex Offender Registry is found at <https://records.txdps.state.tx.us/SexOffender/>.

UPD receives notification of registered sex offenders that are currently employed, work, teach, volunteer, or attend classes on the main campus of A&M-Commerce. Notification comes from the Hunt County Sheriff's Sex Offender Registration Office and the Commerce Police Department. It is required by law for registered offenders to report to the UPD if working or attending classes at A&M-Commerce. Sex Offender Registration is performed by the Administrative Lieutenant at 903-886-5868.

Definitions of Clery Act Offenses

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another. **Manslaughter By Negligence:** The killing of another person through gross negligence.

Sexual Assault: An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting system.

Texas Penal Code Sec. 22.011. SEXUAL ASSAULT. (a) A person commits an offense if:

- (1) the person intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
 - (C) 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; or
- (2) regardless of whether the person knows the age of the child at the time of the offense, the person intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of a child by any means;
 - (B) causes the penetration of the mouth of a child by the sexual organ of the actor;

(C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;

(D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or

(E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

(b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:

(1) the actor compels the other person to submit or participate by the use of physical force, violence, or coercion;

(2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person or to cause harm to the other person, and the other person believes that the actor has the present ability to execute the threat;

(3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;

(4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;

(5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;

(6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;

(7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;

(8) the actor is a public servant who coerces the other person to submit or participate;

(9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;

(10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or

(11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter [2](#), Family Code.

A **sex offense** is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent (see consent section below).

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.

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.

Dating Violence: 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 based upon the reporting party's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

Dating Violence is defined in the Texas Family Code, Section 71.0021 as follows. (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that: (1) is committed against a victim: (A) with whom the actor has or has had a dating relationship; or (B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and (2) 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. (b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of: (1) the length of the relationship; (2) the nature of the relationship; and (3) the frequency and type of interaction between the persons involved in the relationship. (c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

Family Violence is defined by the Texas Family Code, Section 71.004 as follows. (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself; (2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or (3) dating violence, as that term is defined by Section 71.0021.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. 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. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

Stalking is defined in the Texas Penal Code, Section 42.072 as follows. (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that: (1) constitutes an offense under Section 42.07 (see below), or that the actor knows or reasonably should know the other person will regard as threatening: (A) bodily injury or death for the other person; (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or (C) that an offense will be committed against the other person's property; (2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and (3) would cause a reasonable person to: (A) fear bodily injury or death for himself or herself; (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship; (C) fear that an offense will be committed against the person's property; or (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended. (b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section: (1) the laws of another state; (2) the laws of a federally recognized Indian tribe; (3) the laws of a territory of the United States; or (4) federal law. (c) For purposes of this section, a trier of fact may find that different types of conduct described by Subsection (a), if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct. (d) In this section: (1) "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code. (2) "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code. Sec. 42.07.

Harassment. (a) A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person: (1) initiates communication and in the course of the communication

makes a comment, request, suggestion, or proposal that is obscene; (2) threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property; (3) conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury; (4) causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; (5) makes a telephone call and intentionally fails to hang up or disengage the connection; (6) knowingly permits a telephone under the person's control to be used by another to commit an offense under this section; or (7) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another. (b) In this section: (1) "Electronic communication" means a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. The term includes: (A) a communication initiated by electronic mail, instant message, network call, or facsimile machine; and (B) a communication made to a pager. (2) "Family" and "household" have the meaning assigned by Chapter 71, Family Code. (3) "Obscene" means containing a patently offensive description of or a solicitation to commit an ultimate sex act, including sexual intercourse, masturbation, cunnilingus, fellatio, or anilingus, or a description of an excretory function. (c) An offense under this section is a Class B misdemeanor, except that the offense is a Class A misdemeanor if the actor has previously been convicted under this section.

Consent Defined: Consent is knowing, voluntary and clear agreement by word or action, to engage in sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct.

- An individual cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. Engaging in sexual activity when the individual knows, or reasonably should know, that another person is physically or mentally incapacitated is prohibited. It is not an excuse that the individual respondent of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other.

- Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction). Incapacity may be the result of mental disability, involuntary physical restraint, and/or from the taking of incapacitating drugs.

- Consent to a specific sexual act (such as kissing or fondling) is not consent for other sexual activity, such as intercourse. A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Silence or the absence of resistance alone is not consent.

- A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately.

- A minor below the age of consent according to state law cannot consent to sexual activity. This means that sexual contact by an adult with a person below the age of consent is a crime as well as a violation of this policy, even if the minor appeared to have wanted to engage in the act.

Texas Penal Code

According to the Texas Penal Code, Sec. 1.02. Objectives of Code, the general purposes of the Texas Penal Code are to establish a system of prohibitions, penalties, and correctional measures to deal with conduct that unjustifiably and inexcusably causes or threatens harm to those individual or public interests for which state protection is appropriate.

Consent is defined in the Texas Penal Code, Section 1.07(11) as assent in fact, whether express or apparent. Without consent is also defined in the Texas Penal Code, Section 22.011(b) within the definition of sexual assault (see below).

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 or violence and/or by putting the victim in fear.

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 a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed).

Burglary: The unlawful entry of a structure to commit a felony or theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding).

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.

Hate Crime: A criminal offense reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For Clery Act purposes, hate crimes include any of the following offenses that are motivated by bias: Murder and non-negligent manslaughter, manslaughter by negligence, sexual assault (rape, fondling, incest, statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property. Following are the bias 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.

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. **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 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 nonconforming individuals (a person who does not conform to the gender-based expectations of society).

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

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 aged or illness.

Additional Hate Crime Definitions:

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

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. **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.

Destruction/Damage/Vandalism of Property (Except "Arson"): To willfully or maliciously damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Arrests and Referrals for Disciplinary Action:

Arrest is defined as persons processed by arrest, citation, or summons. Referred for disciplinary action is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction. Clery Act statistics are disclosed for arrests and referrals regarding state or local violations of liquor, drug abuse, and weapons laws. Only violations of the law resulting in arrest or referral are disclosed. Violations of institutional policy alone are not included in Clery Act statistics.

Weapons: Carrying, Possessing, etc.: 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. Classify as a weapons: carrying, possessing, etc. violation: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed (except as permitted by state law and institutional policy through state law) or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the aforementioned acts.

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. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine). Classify as a drug abuse violation: all drugs, without exception, that are illegal under local or state law where your institution is located and all illegally obtained prescription 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. Classify as a liquor law violation: the manufacture, sale, transporting, furnishing, possessing, etc. of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and attempts to commit any of the aforementioned acts.

Definitions of Clery Act Locations

On-campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls. This also

includes any building or property that is within or reasonably contiguous to the geographic area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-campus Student Housing Facilities (Residential Facilities): A subset of the “On-campus” category. Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Non-campus: Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. This also includes any building or property owned or controlled by a student organization that is officially recognized by the institution.

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Crime Prevention and Security Awareness

It is important for all of us to understand our role in the reduction of crime. A conceptual aid often employed by crime prevention practitioners is referred to as the Crime Triangle. For any crime to occur three elements must be present: desire, ability, and opportunity. Members of the university community easily recognize there is little that can be done to control the criminal’s ability and desire. The university community’s greatest strength in the prevention of crime is our initiative to reduce or eliminate the opportunity for a crime to occur.

A primary goal of UPD is the prevention of crime before it occurs. Because UPD officers cannot be everywhere all the time, they need the help of all members of the university community to take an active role in their personal safety and property protection. Crime prevention is important to the campus community, and you can help by reporting any crime or suspected crime immediately to UPD. By doing so, you may be preventing someone else from becoming a victim of a more serious crime.

UPD continually presents programs covering crime prevention and security information for students, staff, and faculty. UPD staff participate in and provide information during new and transfer student orientation, international student orientation, in addition to a number of other programs scheduled annually with student, staff, and faculty organizations. In these sessions, information is provided regarding campus security procedures and practices. These sessions cover basic property loss prevention and personal safety strategies as well as the dangers of illegal drug use and alcohol awareness.

For additional information or to schedule a program you are encouraged to call the University Police at 903-886-5868.

UPD offers a variety of crime prevention programs and services to our community members. The programs are designed to encourage students and employees to be responsible for their own security and the security of others.

- Personal Safety Awareness – scheduled upon request
- Theft/burglary Prevention – scheduled upon request
- Operation ID (for property in the residence hall, home, and office) – scheduled upon request
- Residential and Office Security Surveys – scheduled upon request
- Alcohol and Drug Awareness – scheduled upon request
- Sexual Assault Prevention – scheduled upon request
- Active Shooter – scheduled monthly
- Apartment and Home or Residence Hall Security – scheduled upon request
- Workplace Crime Prevention – scheduled upon request
- Bicycle Registration – ongoing at the University Police Department

Useful Police Contact Information

Agency	Phone
University Police Department	903-886-5868
Commerce Police Department	903-886-1139
Hunt County Sheriff's Office	903-453-6838
Mesquite Police Department	972-285-6336
Dallas County Community College (El Centro)	972-860-4290
Dallas Police Department	214-744-4444
Navarro Dept. of Public Safety	903-875-7500
Corsicana Police Department	903-654-4902
Collin County Community College Police (CHEC and Preston Ridge)	972-578-5555
McKinney Police Department	972-547-2700
Frisco Police	972-292-6010
TAMU UPD (Rellis)	979-845-2345
Blinn Police (Rellis)	979-209-7600

Other Useful Contact Information

Department / Agency	Phone
Student Health Center	903-886-5853
Student Counseling Center	903-886-5145
Hunt Regional Emergency Medical Center	903-886-3161
Title IX	903-886-5996

Medical Resources

Student Health Services	903-886-5853
Hunt Regional Emergency Medical Center	903-886-3161

Offsite Location Contact Information

Mesquite 972-882-7520	2600 Motley Dr. Mesquite, TX 75150	Mesquite.Metroplex@tamuc.edu
CHEC 903-972-3122	3452 Spur 399 McKinney, TX 75069	chec@tamuc.edu
Preston Ridge 972-377-1665	University Hall 105 9700 Wade Blvd, Frisco, TX 75035	Frisco@tamuc.edu
Navarro College Partnership 903-875-7617	3200 W. 7th Avenue Corsicana, TX 75110	Navarro.Corsicana@tamuc.edu
El Centro 214-954-3600	UCD Administrative Offices/Visual Communication Department 801 Main Street Suite C340 Dallas TX 75202	Dallas@tamuc.edu
Farm Complex	3059 Hwy 24, Campbell, TX 75422	

Reportable Crimes

The following statistics include all incidents of Clery Act crimes reported to the institution that occurred within the campus' Clery Act locations, regardless of whether the individual reporting was a member of the campus community, and regardless of whether the individual chose to move forward with the criminal justice or campus disciplinary proceedings. To prepare the annual disclosure of crime statistics, the institution collects information from internal sources such as campus police and other campus security authorities, and requests information from external sources such as local law enforcement agencies.

Commerce and Farm Complex

Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*	Unfounded
Murder/Non Negligent Manslaughter	2017	0	0	0	0	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Negligent Manslaughter	2017	0	0	0	0	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Rape	2017	3	0	0	3	3	0
	2018	12	1	0	13	12	0
	2019	5	0	0	5	5	0
Fondling	2017	0	0	0	0	0	0
	2018	1	0	0	1	1	0
	2019	2	0	0	0	1	2
Incest	2017	0	0	0	0	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Statutory Rape	2017	0	0	0	0	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Robbery	2017	1	0	0	1	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0

Aggravated Assault	2017	0	1	0	1	0	0
	2018	1	0	0	1	1	0
	2019	0	0	0	0	0	0
Burglary	2017	32	1	0	33	31	0
	2018	7	0	0	7	7	0
	2019	7	0	0	7	7	0
Motor Vehicle Theft	2017	0	0	0	0	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	2
Liquor Law Arrests	2017	45	4	1	50	32	0
	2018	32	2	0	34	29	0
	2019	34	1	3	38	24	0
Drug Law Arrests	2017	51	2	20	73	28	0
	2018	61	1	8	70	30	0
	2019	69	0	22	91	32	0
Weapons Law Arrests	2017	1	0	0	1	0	0
	2018	1	0	0	1	0	0
	2019	0	0	3	3	0	0
Liquor Law Violations Referred for Disciplinary Action	2017	20	0	1	21	17	0
	2018	13	0	0	13	13	0
	2019	21	1	0	22	20	0
Drug Law Violations Referred for Disciplinary Action	2017	100	1	8	109	77	0
	2018	82	0	5	87	61	0
	2019	185	0	9	194	158	0
Weapons Law Violations Referred for Disciplinary Action	2017	1	0	0	1	1	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*	Unfounded
Arson	2017	0	0	0	0	0	0

	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Domestic Violence	2017	1	0	0	1	1	0
	2018	1	1	0	2	1	0
	2019	7	0	0	7	7	0
Dating Violence	2017	4	0	0	4	0	0
	2018	8	0	1	9	5	0
	2019	15	0	0	15	12	0
Stalking	2017	0	0	0	0	0	0
	2018	7	0	0	7	1	0
	2019	8	0	0	8	5	0

Note: Residential Facility Crime Statistics are a subset of the On Campus Category, i.e. they are counted in both categories.

HATE CRIME REPORTING: There was no hate crime reported 2017, 2018 or 2019

Unfounded Crimes: There were no unfounded crimes.

<i>Rape</i>	0	0	0	0	0	0	0	0	0	0	0	0
<i>Fondling</i>	0	0	0	0	0	0	0	0	0	0	0	0
<i>Incest</i>	0	0	0	0	0	0	0	0	0	0	0	0
<i>Statutory Rape</i>	0	0	0	0	0	0	0	0	0	0	0	0
<i>Robbery</i>	0	0	0	0	0	0	0	0	0	0	0	0
<i>Aggravated Assault</i>	0	0	0	0	0	0	0	0	0	0	0	0
<i>Burglary</i>	0	0	0	0	0	0	0	0	0	0	0	0
<i>Auto theft</i>	0	0	0	0	0	0	0	0	0	0	0	0
<i>Arson</i>	0	0	0	0	0	0	0	0	0	0	0	0
Any Crime involving bodily injury	0	0	0	0	0	0	0	0	0	0	0	0
Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Destruction / property	0	0	0	0	0	0	0	0	0	0	0	0
Arrest for												
Alcohol Violations	22	16	8	0	0	0	0	0	0	22	14	8
Drug Violations	33	25	22	0	0	0	21	24	11	12	11	11
Weapons Violations	1	0	1	0	0	0	1	0	1	0	0	0
Referrals for												
Alcohol Violations	7	2	11	0	0	0	0	0	0	7	2	11
Drug Violations	8	10	23	0	0	0	0	0	0	8	10	23
Weapons Violations	0	0	0	0	0	0	0	0	0	3	0	0
Unfounded												
Criminal Offenses	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Offenses	0	2	0	0	0	0	0	0	0	0	2	0
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0

*A&M-Commerce has no residential or non-campus properties at this location. The crime chart is taken directly from the ASR published by Navarro College.

Mesquite Metroplex

Offense (Reported By Hierarchy)	Year	On Campus	Public Property
Murder/Non Negligent Manslaughter	2017	0	0
	2018	0	0
	2019	0	0
Negligent Manslaughter	2017	0	0
	2018	0	0
	2019	0	0
Rape	2017	0	0
	2018	0	0
	2019	0	0
Fondling	2017	0	0
	2018	0	0
	2019	0	0
Incest	2017	0	0
	2018	0	0
	2019	0	0
Statutory Rape	2017	0	0
	2018	0	0
	2019	0	0
Robbery	2017	0	0
	2018	0	0
	2019	0	0
Aggravated Assault	2017	0	0
	2018	0	0
	2019	0	0
Burglary	2017	0	0
	2018	0	0
	2019	0	0

Motor Vehicle Theft	2017	0	0
	2018	0	0
	2019	0	0
Liquor Law Arrests	2017	0	0
	2018	0	0
	2019	0	0
Drug Law Arrests	2017	0	0
	2018	0	0
	2019	0	0
Weapons Law Arrests	2017	0	0
	2018	0	0
	2019	0	0
Liquor Law Violations Referred for Disciplinary Action	2017	0	0
	2018	0	0
	2019	0	0
Drug Law Violations Referred for Disciplinary Action	2017	0	0
	2018	0	0
	2019	0	0
Weapons Law Violations Referred for Disciplinary Action	2017	0	0
	2018	0	0
	2019	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Public Property
Arson	2016	0	0
	2017	0	0
	2018	0	0
Domestic Violence	2016	0	0
	2017	0	0
	2018	0	0
Dating Violence	2016	0	0
	2017	0	0
	2018	0	0
Stalking	2016	0	0
	2017	0	0
	2018	0	0

*A&M-Commerce has does not have any residential facilities or Non-Campus locations at this location.

UNFOUNDED CRIMES: There were no unfounded crimes reported for 2017, 2018, or 2019

UCD / El Centro

El Centro Offenses

OFFENSES	YEAR	ON CAMPUS	NON- CAMPUS	PUBLIC PROPERTY	UNF
MURDER/NON-NEGLIGENT MANSLAUGHTER	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
RAPE	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
FONDLING	2017	0	0	0	0
	2018	1	0	0	0
	2019	0	0	0	0
INCEST	2017	0	0	0	0
	2018	0	0	0	0

El Centro Offenses

OFFENSES	YEAR	ON CAMPUS	NON- CAMPUS	PUBLIC PROPERTY	UNF
	2019	0	0	0	0
STATUTORY RAPE	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
ROBBERY	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
AGGRAVATED ASSAULT	2017	0	0	0	0
	2018	0	0	1	0
	2019	0	0	0	0
BURGLARY	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
MOTOR VEHICLE THEFT	2017	0	0	0	0
	2018	0	0	0	0

El Centro Offenses

OFFENSES	YEAR	ON CAMPUS	NON-CAMPUS	PUBLIC PROPERTY	UNF
	2019	0	0	0	0
ARSON	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
El Centro Offense (VAWA)					
OFFENSE (VAWA)	YEAR	ON CAMPUS	NON-CAMPUS	PUBLIC PROPERTY	
DOMESTIC VIOLENCE	2017	0	0	0	
	2018	1	0	0	
	2019	0	0	0	
DATING VIOLENCE	2017	0	0	0	
	2018	0	0	0	
	2019	0	0	0	
STALKING	2017	1	0	0	
	2018	0	0	0	

El Centro Offenses

OFFENSES	YEAR	ON CAMPUS	NON-CAMPUS	PUBLIC PROPERTY	UNF
	2019	0	0	0	0

El Centro Arrests and Referrals

ARRESTS and REFERRALS	YEAR	ON CAMPUS	NON-CAMPUS	PUBLIC PROPERTY
ARRESTS: WEAPONS VIOLATIONS	2017	0	0	0
	2018	1	0	0
	2019	0	0	1
REFERRALS: WEAPONS VIOLATIONS	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
ARREST: DRUG VIOLATIONS	2017	5	1	20
	2018	0	0	9
	2019	1	0	9
REFERRALS: DRUG VIOLATIONS	2017	0	0	0
	2018	0	0	0

El Centro Arrests and Referrals

ARRESTS and REFERRALS	YEAR	ON CAMPUS	NON- CAMPUS	PUBLIC PROPERTY
	2019	0	0	0
ARRESTS: LIQUOR VIOLATIONS	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
REFERRALS: LIQUOR VIOLATIONS	2017	0	0	0
	2018	1	0	0
	2019	0	0	0

HATE CRIMES — *There were no reported hate crimes for the years 2017.2018.2019*

*A&M Commerce has no residential or non-campus locations at this facility.

**A&M Commerce moved to El Centro in 2018. The above chart is directly from the ASR of El Centro and reflects crimes that have occurred at the El Centro location for the past 3 years.

Collin Higher Education Center

Collin Higher Education Center (CHEC)*									
Offense	On-Campus			Non-Campus			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
Criminal Offenses									
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Arrests									
Weapons: Carrying, Possessing, Etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	1	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals									
Weapons: Carrying, Possessing, Etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
VAWA Offenses									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	1	0	0	0	0	0	0	0	0

* Note: The Collin Higher Education Center (CHEC) does not have any residential facilities.

Hate Crimes:

2017 – There were no hate crimes at the Collin Higher Education Center (CHEC).

2018 – There were no hate crimes at the Collin Higher Education Center (CHEC).

2019 – There were no hate crimes at the Collin Higher Education Center (CHEC).

No unfounded crimes were reported for 2017, 2018 or 2019

** A&M Commerce has no residential or non-campus facilities at this location. The above chart is taken directly from the ASR produced by Collin College.

Preston Ridge

Frisco Campus (Preston Ridge)*									
Offense	On-Campus			Non-Campus			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
Criminal Offenses									
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	1	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Arrests									
Weapons: Carrying, Possessing Etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	1	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals									
Weapons: Carrying, Possessing Etc.	1	0	1	0	0	0	0	0	0
Drug Abuse Violations	1	0	2	0	0	0	0	0	0
Liquor Law Violations	0	0	4	0	0	1	0	0	0
VAWA Offenses									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	1	0	0	0	0	0	0	0	0
Stalking	6	1	0	0	0	0	0	0	0

* Note: The Frisco Campus (Preston Ridge) does not have any residential facilities.

Hate Crimes:

2017 – There were no hate crimes at the Frisco Campus (Preston Ridge).

2018 – There were no hate crimes at the Frisco Campus (Preston Ridge).

2019 – There were no hate crimes at the Frisco Campus (Preston Ridge).

No unfounded crimes were reported for 2017, 2018 or 2019

** A&M Commerce has no residential or non-campus facilities at this location.

***A&M Commerce moved to this location in 2018, the above chart is directly from the ASR produced by Collin College and includes 3 years of crimes that occurred at Preston Ridge.

Important Information About the Rellis Campus

The Rellis Campus is a collaborative campus with each member of the Texas A&M System offering courses in one location.

Located just minutes from Texas A&M University, the 2,000-acre RELLIS campus unites future-focused companies, faculty and students in a unique, 21st century community purpose-built to foster advanced research, technology development, testing and evaluation, higher education and hands-on career training.

Through partnerships with Texas A&M University System, Blinn College, workforce training organizations and the private sector, RELLIS is the first integrated education, research and testing institution in the state of Texas. The educational programs at RELLIS focus on collaboration beyond institutional affiliation, and the campus will serve as a model for the future of higher education by cultivating powerful opportunities for students.

This multi-industry and education model provides unique opportunities for both global enterprises and companies located in the Bryan-College Station area. By assembling a diverse spectrum of engineering and technology tenants into one location, the campus fosters collaboration between enterprises that seek to shape the future through transformation, innovation and education.

The RELLIS Campus was built to close the loop between research and implementation in an array of industries. Our partnerships showcase advancement in technology and high-tech development in multiple areas, while stimulating education in transportation, engineering, manufacturing and more.

A&M Commerce has students at the Rellis campus, but there is a formal agreement between Rellis and A&M Commerce that all student conduct be handled by Rellis staff. As such, all policies are different at Rellis than for any other A&M Commerce Location. Because of these differences, the Rellis ASR is attached in its entirety.

[Rellis ASR](#)

TEXAS A&M UNIVERSITY RELLIS CAMPUS

2020 Annual Security Report



In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f), 34 CFR 668.46)

This Annual Security Report is available on the Texas A&M University Office of Risk, Ethics, and Compliance website at:

<https://orec.tamu.edu/wp-content/uploads/RELLISAnnualSecurityReport.pdf>.

Email vpfa-urc-compliance-officer@exchange.tamu.edu for assistance if any link does not function.

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Texas A&M University RELLIS Campus

Preparation of the Annual Security Report and Disclosure of Crime Statistics

Enacted in 1990, The Crime Awareness and Campus Security Act was designed to assist the campus community in making decisions which affect their personal safety by requiring institutions of higher education to provide certain campus security information to current and prospective students and employees annually. The Higher Education Act of 1998 and the subsequent amendments of the implementing regulations (34 C.F.R.668.46) significantly expanded institutions' obligations under the Act. The Act was also renamed the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" (hereafter the Clery Act).

The Texas A&M University Police Department (UPD) and Office of Risk, Ethics, and Compliance (OREC) are responsible for preparing and distributing the Annual Security Report to comply with the Clery Act. The Annual Security Report is published every year by October 1st and contains three years of selected campus crime statistics and certain campus security policy statements for the 2020 – 2021 academic year in accordance with the Clery Act. The 2020 Annual Security Reports contains crime statistics for calendar years 2019, 2018, and 2017.

RELLIS, formerly known as the Riverside Campus, is owned by the Texas A&M University System (TAMUS), controlled by the institution for purposes of the Clery Act, and located eight miles from the Texas A&M University main campus in College Station (Texas A&M University). RELIS was renamed in 2016 to represent the Aggie core values of respect, excellence, leadership, loyalty, integrity, and selfless services. Facilities at RELIS are, and have historically been, used to conduct world-class research, technology development, and industry outreach with participants including, but not limited to, the College of Engineering (through affiliation with the Texas A&M Engineering Experiment Station and the Texas A&M Transportation Institute), the College of Architecture, College of Geosciences, and the Department of Anthropology. Recent construction of RELIS facilities created an expanded campus where students participate in research and testing with multiple agencies in the TAMUS; federal, state, and local governments; and private industry. Additional paths toward workforce development and college degrees have also been established at RELIS. Post-secondary degree education and training are being offered with programs through Blinn College and multiple universities under the TAMUS. The educational program at RELIS is comprehensively called the RELIS Academic Alliance and includes plans for further facility expansion.

Policy statements in this Annual Security Report are relevant to Texas A&M University students, faculty, and staff located at RELIS and reflect the same policies, practices, and services that are applicable to Texas A&M University unless otherwise stated. RELIS Academic Alliance students and employees are not enrolled in or employed by Texas A&M University, therefore, may have differing policies, practices, and services provided by other entities that are not required to be disclosed in this Annual Security Report.

Personnel at RELIS, UPD, TAMUS, and OREC compose the Annual Security Report and statistical information with input from various sources such as local law enforcement agencies, Student Affairs, and other campus personnel.

Annual Security Report Notifications

An e-mail notification which provides website access to this report is sent to all current students, faculty, and staff. Upon request, individuals may obtain a written paper copy of the report at the Academic Complex, Phase 1 Building, Room 106F located at 1425 Bryan Ave., Bryan, TX, by calling 979-317-3402, or emailing ivance@tamus.edu. The report is found at the following website: <https://orec.tamu.edu/wp-content/uploads/RELLISAnnualSecurityReport.pdf>.

Prospective employees are notified of the availability of the Annual Security Report through an email distributed when applying for a position. Website access to the Annual Security Report is provided by the Division of Human Resources and Organizational Effectiveness through a link called “Safety and Security Notices” located on the right menu bar of the Texas A&M Job Path website (<https://jobpath.tamu.edu>) and through a link under the “Safety and Security Notices” heading on the Required Employee Notices & Important Reminders webpage (<http://employees.tamu.edu/employees/required-notices/>).

Prospective students are notified of the availability of the Annual Security Report through an email distributed when applying for admission. Website access to the Annual Security Report is provided by the Office of Admissions through a link titled “Campus Safety” located at the bottom of the Admissions webpage (<http://admissions.tamu.edu/>).

Campus Law Enforcement Policies

Police Department Overview

An infrastructure agreement is in place between TAMUS and Texas A&M University to provide primary police and security service at RELIS through the UPD. UPD provides law enforcement and security services to all components of Texas A&M University located in Brazos County, including RELIS, and a variety of other satellite facilities throughout the Brazos County.

The UPD has 173 authorized positions that includes 82 state certified Police Officers, 61 Security Officers, 13 Communications Officers, and 17 administrative support personnel. The department maintains a fully staffed Criminal Investigations Division, a Community Services Division, a Recruiting Unit, a Training Division, Records Division, Communications Division, Evidence Technician, an Emergency Communications Center, and a Victim Advocate. Patrol is the core of UPD. These officers answer calls for service, respond to alarms and enforce state criminal and traffic laws. The department also has police officers responsible for specialized assignments including criminal investigations, crime prevention, bomb detecting K9, and bicycle patrol.

To provide a safe campus for our students, staff, faculty and visitors, the UPD has uniformed officers on patrol 24-hours a day, year round at the main campus who are available to respond to RELIS. To provide this around-the-clock coverage, UPD officers work in two 12 hour shifts with an additional third overlapping 12 hour shift as staffing allows. UPD Security Officers work closely with UPD armed Patrol Officers by constantly patrolling university properties and staffing fixed posts at some facilities. Additionally, UPD patrols the RELIS campus as part of a normal random patrol pattern and UPD security personnel patrol the RELIS campus each evening, including weekends, for an eight hour period beginning at dusk.

A Memorandum of Understanding (MOU) is also established between the Blinn College Police Department (BCPD) and the UPD to coordinate police service for the Academic Alliance and RELIS. During normal business hours, BCPD provides a police officer dedicated to facilities at RELIS that are occupied by Blinn students and employees and the RELIS campus in general. The Blinn officer is located at the RELIS campus in the Walter C. Schwartz Building (Blinn Academic Building), 1366 Bryan Rd., Bryan, TX 77807.

Jurisdiction

UPD is the primary police authority for RELIS. UPD police officers are certified Texas peace officers as defined in article 2.12 of the Texas Code of Criminal Procedure. Pursuant to Section 51.203 of the Texas Education Code, police officers commissioned by a state institution of higher education have authority and jurisdiction in all counties in which property is owned, leased, rented, or otherwise under the control of the institution of higher education.

Arrest Authority

As peace officers, UPD's armed police officers have the same full authority to detain and arrest as municipal police officers. While the security officers do not have authority to detain or make arrests, their presence and observations at various campus locations support and assist the work of the UPD Patrol Division. BCPD officers at RELIS also have authority to detain and arrest. Evening and weekend security personnel do not have arrest authority.

Enforcement Authority

UPD is computer linked to city, state and federal criminal justice agencies, which provide access to criminal records, wanted persons, stolen property, and vehicle information. All crimes occurring at RELIS should be reported to UPD or submitted to UPD from BCPD officers or contract security. UPD investigates and refers crimes for prosecution through the Offices of the County Attorney and District Attorney when appropriate. Criminal matters involving students or employees may also be referred to the appropriate university's administration for disciplinary action.

Working Relationships and Agreements

UPD maintains excellent working relationships with all area law enforcement agencies including the College Station Police Department, Bryan Police Department, Brazos County Sheriff's Office, BCPD, and all four Brazos County Constable Offices. These working relationships are maintained through a written mutual aid agreement and MOUs specific to RELIS. The agreements allows for cooperation in the performance of police protection including the investigation of alleged crimes, enforcement of laws, and communication between agencies pursuant to the agreement. Working relationships are also maintained through periodic communications among agency administrators and frequent contacts between line officers and investigators cooperating on specific cases. Through these relationships, UPD may be provided information regarding student non-campus criminal activity, including student organizations with non-campus housing.

UPD also maintains excellent working relationships with many state and federal agencies on an as needed basis. These agencies include, but are not limited to, the Federal Bureau of Investigation, The United States Secret Service, Alcohol Tobacco and Firearms, and The Texas Department of Public Safety.

A request is distributed to local law enforcement agencies annually to solicit cooperation in informing the institution about crimes. The request is specific to informing UPD about situations reported to the given local law enforcement agency that may warrant an emergency response or timely warning notification.

Monitoring Non-Campus Locations

When a Texas A&M student is involved in an offense in a non-campus location, UPD may assist with the investigation in cooperation with local, state, or federal law enforcement agencies but does not actively record or monitor criminal activity. Texas A&M has recognized fraternity and sorority organizations housed in College Station, Bryan, and Brazos County. The Division of Student Affairs maintains contact with recognized fraternity and sorority organizations through the efforts of the Dean of Student Life. UPD does not provide routine law enforcement service to non-campus housing facilities of recognized fraternity and sorority organizations or other non-campus facilities. Criminal activity at recognized fraternity and sorority residences is monitored and recorded by College Station Police Department, Bryan Police Department, or the Brazos County Sheriff's Office. UPD may assist in accordance with mutual assistance agreements.

Institutional sponsored travel by a student or student organization to a location away from campus may result in the location meeting the criteria for Clery non-campus property. UPD does not monitor or record criminal activity for these non-campus locations. The local law enforcement agency with jurisdiction at the location responds when police services are requested.

Professional Standards

Providing excellent service and maintaining good relationships within the community is vital to achieving UPD's overall mission of keeping the campus safe and secure. All members of the Texas A&M community can expect to be treated in a courteous and professional manner by members of the department. UPD will not tolerate an employee who acts unprofessionally or who does not provide an appropriate level of service. Instances where UPD employees have been especially helpful or have exceeded expectations in service can also be recognized.

The quality of UPD's service is dependent in part on feedback from the community. Please help the department improve by bringing complaints and compliments to the attention of any of the following individuals in a timely manner:

- Request the on-duty Police Supervisor by calling 979-845-2345. This individual is available 24-hours a day.
- Address written correspondence to: Chief of Police, UPD, TAMU 1231, College Station, Texas 77843-1231.

Campus Law Enforcement Telephone Directory

Area Code – 979 (for all numbers listed below), Website: <http://upd.tamu.edu>

Emergencies-from on campus phones/Police/Fire/Medical	911 or 9-911	Non-Emergencies/General Assistance	845-2345
TAMU Chief of Police	845-2345	Community Services Division	845-0070
Uniform Patrol Division	845-2345	Records Division	845-2347
Criminal Investigations Division	845-8063	Recruiting Division	862-8125
Uniform Security Division	862-3375	Public Information	845-0070
Field Operations Division	845-6633	Training Division	845-8055
Special Events Operations	845-8900	Victim Services	458-9767
Blinn Police at RELIS	209-7600	UPD Police at RELIS	845-2345

Reporting Crimes

Incident Reporting and Response

Any on-campus emergency at RELIS should be reported immediately to UPD or BCPD by dialing 911 or 9-911 from a campus phone, 911 from a cellular phone, or in person. When using a campus phone (landline) dial either 911 or 9-911 to reach an emergency operator. For non-emergencies contact UPD at 5-2345 from a campus phone or call 979-845-2345 from an off campus phone, campus payphone, or cell phone. Upon receipt of the call, the UPD Communications Center personnel can supply information or dispatch officers as necessary. UPD officers located at RELIS can be contacted at 979-845-2345. Electronic crime reports can be filed with UPD by emailing upd@tamu.edu. The Blinn police officer located at the RELIS Blinn Academic Building can also be contacted at 979-209-7600 or at 911 for emergencies occurring at or near the RELIS campus.

UPD calls for service are received in the UPD Communications Center where the information is entered into a Computer Aided Dispatch (CAD) system. The Communications Operator will request basic information regarding the call for service and the caller's contact information as an officer may need to subsequently reach the reporting party. A Police Officer will either be dispatched to the scene or to the office to take the call by telephone, depending on the type of call. The Police Officer may then issue a case number for the call and complete an incident or offense report. Copies of all incident and offense reports are kept with the UPD Records division for a time period mandated by institutional and state records retention policies.

UPD will respond as quickly and safely as possible to requests for assistance, whether it is an emergency or not. Response time is based on current activity and severity of the call. Crimes in progress, alarms, traffic accidents with injuries, and medical assists have a higher priority than other types of calls. University Police or Security officers in vehicles, on foot, or on bicycles will assist and may be contacted directly. For non-campus offenses, we encourage prompt reporting to the proper local law enforcement agency.

We cannot overemphasize the importance of prompt and accurate reporting of crime. If a crime is not reported promptly, evidence can be destroyed or the potential to apprehend a suspect is lost. Without accurate reports, leads could be missed and the investigation headed in the wrong direction. If a crime or emergency is witnessed, promptly report it to the UPD and be prepared to answer questions as accurately as possible. The subsequent investigation can only be as thorough as the information received. If you are the victim of a crime, or have seen or received information of criminal activity or other emergency, please contact the UPD immediately.

Reporting Criminal Offenses to University Officials: Campus Security Authorities

Faculty, staff, and students are encouraged to report any criminal offenses within the campus environment directly to UPD or BCPD located at RELIS. For non-campus offenses, we encourage accurate and prompt reporting to the proper local law enforcement agency. As an option, criminal offenses of which students and employees are aware may also be reported to the following Texas A&M University offices and personnel:

Name	Phone	Location
Director of Housing, Residence Life	979-862-3158	https://reslife.tamu.edu/contact
Director, Student Health Services	979-458-8300	A.P. Beutel Health Center
Dean of Student Life	979-845-3111	Student Services Building, 2nd Floor
Women's Resource Center	979-845-8784	Student Services Building, 2nd Floor
Commandant & Head of School of Military Sciences, Corps of Cadets	979-845-2811	Military Science Building 102

Name	Phone	Location
Lesbian, Gay, Bisexual, Transgender, & Queer (LGBTQ) + Pride Center	979-862-8920	Student Services Building, 2nd Floor
Human Resources Employee Relations	979-862-4027	General Services Complex 1201
Office of the Dean of Faculties & Associate Provost	979-845-4274	YMCA Building 108
Assistant Vice President and Title IX Coordinator	979-458-8407	Medical Sciences Library 007
Chief Risk, Ethics, and Compliance Officer	979-458-0308	Jack K. Williams Administration Building 302
Deputy Athletics Director, Student Athlete Experience	979-845-4810	Kyle Field, W30.37.04
RELIS Assistant Provost	979-317-3402	Academic Complex, Phase 1 Building 106F at RELIS

Crime reports provided to these and other campus security authorities are used by the school to fulfill its responsibility to annually disclose accurate crime statistics and to issue or facilitate the issuance of timely warnings or emergency notifications. Campus security authority crime reports should include sufficient detail such as dates and locations, and where appropriate, personally identifying information, including name and contact information, if available. For additional information on the duties and responsibilities of the individuals and offices listed above, see the [CSA Powerpoint Presentation](https://upd.tamu.edu/Pages/CSA-Reporting.aspx) link located on the following webpage: <https://upd.tamu.edu/Pages/CSA-Reporting.aspx>.

Students, faculty, staff, community members, and guests are encouraged to report all crimes and public safety related incidents to UPD, BCPD at RELIS, or the appropriate police agencies in an accurate and prompt manner when the victim of such crimes elects or is unable to make such a report. The UPD Victim Services program provides information regarding victims' rights, as well as assistance in dealing with the traumatizing consequences of crimes, to those who make a report or who may be reluctant to report. UPD officers provide UPD Victim Services contact information to victims and witnesses encountered in the field. UPD, UPD Victim Services, and the university offices listed above, will assist individuals reporting in notifying the proper law enforcement authorities, if the individual chooses. It is the goal of the institution to provide assistance wherever the report is made and include Clery countable crimes in the annual security report.

Although exempt from the reporting requirements of the Clery Act, pastoral and professionally licensed mental health counselors are encouraged, if and when they deem appropriate, to refer persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual statistics and crime log, especially if the incident may pose an ongoing threat to the campus community. Each year, counselors are provided a reminder to review reporting options with student clients. Contracted counseling personnel available to employees are not provided the written reminder as they are referred using a network of local providers.

Confidential and Anonymous Reporting of Crimes

UPD encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, UPD cannot hold reports of crimes in confidence. However, victims of certain offenses are eligible for a pseudonym in which the victim's true identity will not be released. An individual who is involved in or witnesses an active or ongoing emergency should dial 911 and report the emergency immediately.

Voluntary confidential reports, for purposes of inclusion in the annual disclosure of crime statistics and crime log, can generally be made by victims, witnesses, and others to the campus security authorities listed on the

previous page and all other campus security authorities. Annual crime statistics and the crime log are confidential in that personally identifiable information is not included in the disclosure. Crimes can be reported anonymously by calling Crime Stoppers at 979-775-TIPS (8477). Concerning behavior, including crimes, can be reported anonymously to the Texas A&M University Special Situations Team via the Tell Somebody online reporting form. The form and more information can be found at <https://tellsomebody.tamu.edu/>. Reports submitted anonymously or with limited information may restrict the team's ability to follow up on the incident.

Timely Warning Policy

The procedures disclosed in this section apply to incidents occurring at the RELIS campus that warrant a Timely Warning (Crime Alert).

The UPD coordinates with the main Texas A&M University campus, the Blinn Police Department, and TAMUS to generate and issue Crime Alerts on behalf of the RELIS campus using established procedures as described below.

The circumstances in which a Crime Alert will be generated include, but are not limited to, the receipt of a report to UPD or other campus security authority of a crime reportable under the Clery Act, that poses a serious or continuing threat to the campus community. The Chief of Police, or an Assistant Chief, is responsible for determining if a Crime Alert will be issued. Crimes that may warrant a Crime Alert include, but are not limited to, major incidents of arson, murder/non-negligent manslaughter, robbery, aggravated assault, sex offenses, or other crimes as determined necessary by the Chief of Police or an Assistant Chief. The determination will be made on a case-by-case basis after due consideration of all available facts of the crime, such as the nature of the crime and whether or not a continuing danger to the campus community exists. If UPD or other campus security authorities are not notified of a crime in a manner that would allow the department to provide timely notice, a Crime Alert may not be issued depending on the circumstances. All situations will be evaluated on a case by case basis.

UPD is responsible for writing and issuing Crime Alerts for crimes occurring at the RELIS campus. Personnel authorized to write and/or issue (send) a Crime Alert are: the UPD Chief of Police, the UPD Assistant Chiefs, the UPD Public Information Officer, the UPD Clery Act Compliance Officer, the RELIS Assistant Provost, the BCPD Chief of Police, or a Texas A&M University official designated by the UPD Chief of Police. An internal or external review among two or more authorized personnel may occur if time allows. Anyone with information warranting a Crime Alert should report the circumstances immediately to UPD, by phone (979-845-2345) or in person at UPD ([1111 Research Parkway, College Station, TX 77843](https://www.tamu.edu/research-parkway)). BCPD 979-209-7600 and UPD 979-845-2345 can also be contacted and/or dispatched to RELIS by phone.

Crime Alerts are issued through email to students, faculty, and staff in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. Recipients include, but are not limited to, Texas A&M University students and employees located at RELIS and students and employees that are part of the RELIS Academic Alliance. Information regarding the Crime Alert may be forwarded to local media outlets through a formal press release. Crime Alerts contain sufficient information about the nature of an identified threat to assist members of the campus community in taking appropriate action to protect themselves or their property. Crime Alerts generally include:

- A readily understandable description of the type of crime or occurrence.
- The general location, date and time of the offense.
- A physical description of the suspect(s), if available, when there is sufficient detail that would reasonably help identify a specific individual suspect or group of suspects.

- Possible connection to other incidents.
- Date and time the alert was issued.
- Suggested measures which members of the university community can take to help protect themselves.

It is important to note that in some cases law enforcement may need to withhold some facts if releasing the information would compromise an ongoing investigation or the identity of the victim. Victim names and other identifying information of victims are never included in Crime Alerts. An institution is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

Emergency Response and Evacuation Policy

The procedures disclosed in this section apply to significant emergencies or dangerous situations occurring at the RELIS campus. The institution does not have separate procedures for non-campus property.

Emergency Notification System

The UPD coordinates with the main Texas A&M University campus and Blinn College to generate and issue emergency notifications on behalf of the RELIS campus using two emergency notification systems. Established procedures are described below.

The Texas A&M University emergency notification system (Code Maroon) is utilized to notify Texas A&M University students and employees and TAMUS member agency employees located at RELIS of significant emergencies or dangerous situations occurring at the RELIS campus. The Blinn College emergency notification system called Blinn Alert, is being utilized to notify Academic Alliance students and employees located at RELIS of significant emergencies or dangerous situations occurring at the RELIS campus. Authorization and access is coordinated for efficiency and distribution of identical communications.

The Code Maroon (and Blinn Alert) emergency notification system gives the campus the ability to communicate health and emergency information through one or all of the following mechanisms: SMS text message and email. Code Maroon also utilizes Twitter, RSS, and a mobile app. Texas A&M University will use the Code Maroon (and Blinn Alert) system only to provide official notification of critical emergencies (i.e., situations that pose an imminent threat to the community). It is the policy of Texas A&M University to immediately notify the campus community, via the Code Maroon (and Blinn Alert) emergency notification system, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the RELIS campus. Personnel from Texas A&M Office of Safety and Security or other designated employees determine whether or not a significant emergency or dangerous situation exists by evaluating information received from entities which may include, but are not limited to: law enforcement (including the Blinn Police Department), fire department, National Weather Service, Environmental Health and Safety, and other campus officials including personnel from RELIS Campus Executive Leadership. The Office of Safety and Security advises RELIS Campus Executive Leadership of emergencies or dangerous situations occurring at the RELIS campus and the resulting Code Maroon (and Blinn Alert) messages, if any, as time allows.

The Code Maroon (and Blinn Alert) emergency notification system does not replace the Crime Alert requirement. They differ in that the Crime Alert requirement applies to Clery reportable crimes, while the emergency notification system addresses a much wider range of threats (i.e. gas leaks, tornadoes, active shooter, etc.). If an emergency notification is issued, the campus is not required to issue a Crime Alert based on the same circumstances.

The generation of a Code Maroon (and Blinn Alert) message and activation of the notification system is the responsibility of the Office of Safety and Security. Upon notification from an authorized Office of Safety and Security employee, the UPD or designee will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate/send the Code Maroon (and Blinn Alert) notification system; unless issuing the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Victim names and other identifying information of victims are never included in emergency notifications.

Personnel authorized to make a final determination of a significant emergency or dangerous situation, write, and to issue/send a Code Maroon (and Blinn Alert) are: the UPD Chief of Police, the UPD Assistant Chief(s) of Police, UPD Patrol Supervisors, the Associate Vice President for Safety and Security, Environmental Health and Safety Directors, Environmental Health and Safety Assistant Directors, and UPD Dispatchers. If time allows, final message content will be approved at the highest level available. However, in circumstances where time is of the essence, a UPD Dispatcher is authorized to select, modify, and send one of the warnings that are pre-scripted for that purpose. An example of such an urgent message could include a Code Maroon message issued for a tornado or for an active shooter. UPD Dispatch may also issue/send Code Maroon (and Blinn Alert) messages when notified by one of the authorized individuals.

Code Maroons are issued to the Texas A&M University campus community, including Texas A&M University students and employees at RELIS, rather than to specific segments of the campus population. Blinn Alerts are issued to the Blinn College, Bryan campus community and Academic Alliance students and employees at RELIS, rather than to specific segments of the campus population. In the event of a system problem, certain trained individuals from Texas A&M University Information Technology can be called upon to issue an alert from a remote location.

Texas A&M University conducts monthly pre-scheduled testing of the Code Maroon emergency notification system. These tests are launched by the Communications Division of UPD. After each test, or actual alert, Texas A&M University Information Technology will analyze and report on the functionality of each communication channel within the notification system. The report is provided to the Associate Vice President for Safety and Security and the Executive Director - Deputy Chief Information Officer with communication of significant issues to their management. Any test may be cancelled by the Associate Vice President for Safety and Security. Reasons for cancelling monthly tests include the existence of real threats that could necessitate sending an emergency message, recent emergency messages that obviate the need for that month's test, etc.

The Blinn Alert System is tested each month to verify proper operation. The test is performed by a different member of the Blinn emergency management team, consisting of members of the Blinn College Police Department, to familiarize the team with the system and procedures.

Registering for Emergency Notifications

Students, Faculty, and Staff Access

The Code Maroon emergency notification system allows students, faculty and staff who have a Texas A&M NetID and password to register to receive text message alerts. Emergency alerts are automatically sent to all Texas A&M email (Gmail and Exchange) addresses. The system also pushes the emergency notification message to KAMU-FM radio, campus cable television, the classroom notification system, Emergency Alert System radios, campus digital signage, campus pop-up messages when connected to the Texas A&M network, Twitter and RSS. To register, visit: <http://codemaroon.tamu.edu>.

The Blinn Alert emergency notification system allows Academic Alliance students, faculty and staff to receive email and text message alerts. Emergency alerts are automatically sent to all Academic Alliance cell phone and email addresses registered with the TAMUS.

Public Access

Parents, family, and friends of Texas A&M can receive emergency alerts by subscribing to Code Maroon's RSS feed which can be accessed through email clients (Microsoft Outlook or Mozilla Thunderbird), various news readers (My Yahoo, Feedly and Flipboard), and internet browsers (Internet Explorer, Firefox, etc.). Setup instructions can be found here: <http://codemaroon.tamu.edu/PublicAccess.aspx>.

The public can receive Code Maroon alerts through Twitter, however, delivery by Twitter cannot be guaranteed since Texas A&M University does not manage this notification outlet. Twitter users can follow TAMUCodeMaroon to see alerts in your Twitter feed and/or receive push alerts on a mobile device through the Twitter mobile app. Once TAMUCodeMaroon is followed, click the Bell Icon on the TAMUCodeMaroon profile page to turn on push notifications for any mobile device with the Twitter app installed.

Also, anyone with a device that uses the Android or iOS operating systems can download the AppArmor Safety mobile app for receiving Code Maroon alerts on their device via push notifications. The app requires a connection to the internet to receive the alerts. The application is available for download on Google Play and Apple Store.

The public cannot register for Blinn Alert.

Disseminating Information to the Larger Community

In the event that a crisis occurs on RELIS property, the TAMUS Office of Marketing and Communications will be notified as soon as possible. As chief spokesperson(s) for the campus, TAMUS Marketing and Communications staff will ultimately be responsible for providing strategic direction and implementing protocols as outlined in the emergency communications plan. TAMUS Marketing and Communications will work with the UPD Public Information Officer and the RELIS Director to prepare and disseminate internal and external messages, distribute news releases, respond to media inquiries, update the main university website with pertinent information, and share timely information as appropriate via digital channels. The TAMUS Office of Risk Management will serve in a liaison capacity when necessary. In addition, TAMUS Marketing and Communications will be responsible for planning, scheduling, and providing logistical support for news conferences as well as coordinating communication efforts with relevant entities and organizations. In case of an emergency, the Texas A&M University Code Maroon webpage will be updated with current information pertaining to the incident at <https://codemaroon.tamu.edu/>. Individuals receiving the emergency notification will also be advised with updated information, as needed, using the same method(s) as the original notification.

Emergency Preparedness

The Director of the RELIS Campus has primary responsibility for emergency preparedness at the RELIS campus. Duties and responsibilities range from working with departments to write and exercise building evacuation plans, to developing and maintaining emergency response plans as deemed necessary.

The RELIS campus Emergency Operations Plan is the primary plan that describes the general framework for emergency response at the campus. The RELIS Campus Director in coordination with TAMUS Risk Management is responsible for maintaining and updating this plan. This plan shall be reviewed at least annually and updated based upon deficiencies identified during actual emergency situations, training and exercises, and when changes in hazards, resources, capabilities or organizational structure occur. A revised or updated plan

will be provided to all departments and individuals tasked within this plan in addition to TAMUS Risk Management.

The Emergency Operations Plan will be tested and exercised at least annually utilizing a discussion-based level exercise or higher and tests of the emergency notification system. An operations-based exercise will be performed at least every three years. The agencies and emergency response entities that interface with RELIS officials during an actual emergency situation will be invited to participate in the campus exercises. Actual emergency situations or false emergency alarms will not be used to meet the requirements for testing and exercising the RELIS Emergency Operations Plan. The tests and appropriate follow-through activities are designed for assessment and evaluation of emergency plans and capabilities and are performed and documented. Tests may be announced or unannounced. Testing reports and review documentation will include a description of the exercise, the date the test was held, the start and end time of the exercise, and whether the test was announced or unannounced. Texas A&M University Environmental Health and Safety, in cooperation with lead administrators for each occupied facility, oversee a building evacuation procedures for all occupied facilities on the RELIS campus. Environmental Health and Safety works with each facility representative to maintain and test building evacuation procedures annually for occupied facilities on campus through emergency evacuation drills.

Emergency response and evacuation procedures are to be publicized annually in conjunction with a test through an email to the RELIS campus community that will include, but may not be limited to, the following groups located at the RELIS campus: Texas A&M University students and employees, TAMUS member agency employees, Blinn students and employees, and Academic Alliance students and employees. The email will communicate information about accessing the RELIS Emergency Operations Plan and emergency contacts. A Code Maroon test distribution may also be used to publicize this information to Texas A&M University students and employees and TAMUS member agency employees.

The Daily Crime Log

The Assistant Provost at RELIS (or other trained personnel) publishes a Daily Crime Log for RELIS that is available to the media, the public, and campus offices free of charge. This summary identifies the nature of the crime, location, date and time occurred, date the crime was reported to the UPD, and disposition. A printed copy of this report may be viewed by the public during business hours at the Academic Complex, Phase 1 Bldg., Room 106F located at 1425 Bryan Ave., Bryan, TX 77807, or obtained by calling 979-317-3402. The RELIS crime log is published online at: <https://rellis.tamus.edu/clery/>.

Security of and Access to Campus Facilities

General Provisions

The Director of the RELIS campus is responsible for determining access to the RELIS campus. Access to facilities at RELIS are the responsibility of TAMUS member agencies and department directors. For security and safety reasons, segregation or separation is required for certain activities located on the RELIS campus. Applicable areas are secured by barriers and/or enhanced controls that may restrict public access.

It is unlawful for any person to trespass on the grounds of any state institution of higher education of this state or to damage or deface any of the buildings, statues, monuments, memorials, trees, shrubs, grasses, or flowers on the grounds of any state institutions of higher education as indicated in *Texas Education Code Section 51.204*. Texas Penal Code *Criminal Trespass Section 30.05* and *Criminal Mischief Section 28.03* are State statutes that are similar in nature and are also widely utilized to help support *Texas Education Code Section 51.204*.

The governing board of a state institution of higher education or its authorized representatives may refuse to allow persons having no legitimate business to enter on property under the board's control, and may remove any person from the property on his or her refusal to leave peaceably on request. Identification may be required of any person on the property. (*Texas Education Code Section 51.209*) The UPD's Community Services Division, upon request, will prepare a security survey of the facility to determine security coverage and appropriate access control.

Residence Halls

RELLIS has no residence halls. For Texas A&M University students located at RELIS and residing on the Texas A&M University main campus, access to residence halls on the main campus is restricted to residents, their approved guests, and other authorized members of the university community. Exterior doors to on-campus residence halls and the White Creek Apartments are equipped with electronic card access that is connected to a centralized software system with 24 hour recording. Residents gain entry by swiping their card in the card access readers. Residents are cautioned against permitting strangers to enter the residence halls, and are urged to require individuals seeking entry to use their own access cards. Interior residence hall doors and the Gardens and White Creek Apartment (collectively known as University Apartments) doors are key-locked with deadbolts and have "peepholes." Residence area exteriors are patrolled regularly by University Police and Security Officers.

Parking Areas

RELLIS has two main parking areas and no parking garages. RELIS campus has video surveillance of the main parking lots which may or may not be monitored. Parking areas are equipped with emergency phones and are readily visible and identifiable by the bright blue lights located on top of the phone cabinets. Instructions adjacent to the keypads direct customers to contact UPD at 979-845-2345 for non-emergency assistance and to dial 911 for emergency assistance.

Academic and Administrative Buildings

The RELIS campus includes many public areas that are readily accessible. In general, the academic and administrative buildings at these locations are open to the public, at a minimum, during normal business hours. Individual facilities may have specific hours of operation, which can vary depending upon factors such as the time of the year and operational requirements. Access to some buildings, or portions of buildings, may be limited to authorized personnel at various times. Card swipe systems, locks and other means may be employed to limit access. Information about access to a specific facility can be obtained from the proctor for that facility. University Police Officers generally are not assigned to specific academic or administrative buildings at RELIS. A BCPD officer is assigned to and present at the RELIS campus during normal business hours. Contract security patrols RELIS on a regular basis during evening and weekend hours.

Maintenance of Campus Facilities

Contracted facilities personnel are responsible for maintaining the buildings, grounds, and custodial services for the Texas A&M University campus and at RELIS. The group addresses maintenance, renovation, and repair projects for facilities, custodial and landscaping. Texas A&M's Utilities & Energy Services Department provides electricity, heating and cooling, running water, and waste disposal. Faculty and staff are encouraged to report maintenance problems to their respective building proctor or to maintenance personnel by submitting through AggieWorks, an online request system (<https://aggieworks.tamu.edu/>). After-hours or emergency repairs, should be directed to maintenance personnel through the 24 hour Communications Center at 979-845-4311.

Police personnel at RELIS closely monitor any security-related maintenance problems, and report their findings to the appropriate university official. If necessary, they will stand-by until the problem is corrected. Contract security survey campus lighting nightly and monitor those areas having defective fixtures and report the deficiencies to the appropriate personnel for corrective action. Police personnel check the operations of the emergency telephones on a scheduled periodic basis.

Alcoholic Beverages, Illegal Drugs, and Weapons

Education Programs

In accordance with the Drug-Free Schools and Communities Act, Texas A&M University reviews its programs, services, and policies to prevent unlawful possession, use, or distribution of alcohol and illicit drugs. The results of the biennial review are published at <https://nokwv2p4iir3h3frsml79d3t-wpengine.netdna-ssl.com/wp-content/uploads/2019/10/dfsc.pdf>. Drug and alcohol programs are provided to Texas A&M University students and employees located at RELIS by Texas A&M University, College Station as described in the biennial review.

Alcohol Policy

The following alcohol policy applies at the RELIS campus.

All members of the campus community and guests are required to comply with federal and state laws regarding the possession, use, and service (including sales) of alcoholic beverages. Except as permitted or expressly authorized by state law, alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under 21 years of age.

The TAMUS strictly prohibits the unlawful manufacture, distribution (including sales), possession, or use of alcohol on TAMUS property, while on official duty, and/or as part of any TAMUS activities ([System Policy 34.02, Drug and Alcohol Abuse](#)). Possession or consumption of alcoholic beverages on property under control of the TAMUS will not be permitted except in special use buildings and facilities that may be designated by the chief executive officer of the member, approved by the chancellor, and subsequently reported to the board on an annual basis ([System Policy 34.03, Alcoholic Beverages](#)).

The purchase, service (including sales), possession, and consumption of alcohol beverages in facilities under the control of the TAMUS shall in all respects comply with state law ([System Policy 34.03, Alcoholic Beverages](#)). All purchases of alcoholic beverages by any member must comply with guidelines as established in [System Policy 34.03, Alcoholic Beverages](#) regarding the purchase's source of funds, purpose, and required documentation.

Consequences for policy violations could result in sanctions by the institution and/or criminal charges/arrest by UPD or other law enforcement agencies for state law violations.

The following services are provided to Texas A&M University students and employees located at RELIS. Health Promotion (979-845-0280), in the Offices of the Dean of Student Life (979-845-3111), is committed to promoting responsible decision making regarding alcohol and other drugs through educational programming, resources, and referrals. The Work/Life Solutions Program by GuidanceResources (1-866-301-9623) manages the alcohol, drug abuse, and rehabilitation program for employees and provides licensed counseling and referral services.

Illegal Drugs Policy

The following illegal drug policy applies at the RELIS campus.

Federal law prohibits the unlawful possession, use, sale, or distribution of drugs. Texas state law prohibits the possession, use, sale, manufacture, or delivery of a controlled substance without legal authorization. A controlled substance includes any drug, substance or immediate precursor covered under the Texas Controlled Substances Act, including but not limited to opiates, barbiturates, amphetamines, marijuana, and hallucinogens. The possession of drug paraphernalia is also prohibited under Texas state law. Drug paraphernalia includes all equipment, products and material of any kind that are used to facilitate, or intended or designed to facilitate, violations of the Texas Controlled Substances Act. According to [System Policy 34.02, Drugs and Alcohol Abuse](#), all students and employees are expected to abide by federal and state laws pertaining to controlled substances and illicit drugs. More specifically, student codes of conduct governing students at the RELIS campus prohibit using, possessing, being under the influence of, manufacturing, or distributing illegal drugs or illegally obtained/possessed controlled substances. Alleged violations of federal and state laws may result in criminal charges. Institutional conduct charges may be pursued against those alleged to have violated institutional policies and/or state/federal laws concerning controlled substances.

The following services are provided to Texas A&M University students and employees located at RELIS. Health Promotion (979-845-0280), in the Offices of the Dean of Student Life (979-845-3111), is committed to promoting responsible decision making regarding alcohol and other drugs through educational programming, resources, and referrals. The Work/Life Solutions Program by GuidanceResources (1-866-301-9623) manages the alcohol, drug abuse, and rehabilitation program for employees and provides licensed counseling and referral services.

Weapons Policy

The following weapons policy applies at the RELIS campus.

In accordance with [Texas Penal Code Ch. 46.03](#), it is a felony to intentionally, knowingly, or recklessly possess a firearm, location restricted knife, club, or prohibited weapon on the physical premises of a school or educational institution, to include any grounds or buildings on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicles of a school or educational institution. The following exception applies. A license holder under Chapter 411, Texas Government Code, may carry a concealed handgun on or about the license holder's person while the license holder is on the premises of the TAMUS offices (where the TAMUS offices has operational responsibility) or in a TAMUS vehicle, unless prohibited by state law or federal law. Concealed carry is prohibited in any premises where TAMUS offices, as directed or approved by the chancellor as necessary for institutional safety, gives effective notice on a temporary basis pursuant to [Section 30.06, Texas Penal Code](#). The open carry of handguns on TAMUS offices' land or premises is prohibited. Licensed peace officers are authorized by law to carry firearms at all times. [TAMUS Rule 34.06.02.S1](#) contains additional weapons policy information.

Sexual Assault, Dating Violence, Domestic Violence, and Stalking

In accordance with federal law and [Texas A&M University System Regulation 08.01.01 Civil Rights Compliance](#) (System Regulation 08.01.01), Texas A&M University prohibits discrimination and harassment including sexual assault, dating violence, domestic violence, stalking, (as those terms are defined for the purposes of the Clery Act) and/or related retaliation. The following are statements of policy that address

discrimination, harassment (including, but not limited to, sexual harassment¹ and sex-based misconduct²), complicity, and retaliation. The policies apply whether this conduct occurs on or off campus and when it is reported to the university. All policies described in this section apply to Texas A&M University students, faculty, and staff located at the RELIS campus. Procedures for students and personnel located at the RELIS campus who are not enrolled at or employed by Texas A&M University may be governed by the policies of their applicable institution or agency.

Procedures for Reporting Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation

Individuals have the option of notifying on-campus and local law enforcement authorities to report sexual assault, dating violence, domestic violence, or stalking. Below is a list of local law enforcement agencies. Reports should be filed with the agency where the incident occurred.

Agency	Phone
University Police Department	979-845-2345
Bryan Police Department	979-361-3888
College Station Police Department	979-764-3600
Blinn College Police Department	979-209-7600
Brazos County Sheriff's Department	979-361-4980

UPD is available to receive and investigate reports of sexual assault, dating violence, domestic violence, and stalking; assist in securing medical attention; participate in evidence preservation and collection; conduct criminal investigations of crimes; and inform the individual of legal and administrative options both on and off campus. Criminal investigations may occur independent from a conduct proceeding and are handled in accordance with the Texas Penal Code, the Texas Code of Criminal Procedure, and information from the Brazos County and District Attorney Offices. Law enforcement will help individuals understand the process of obtaining protective orders, restraining orders, or similar lawful orders issued by the courts.

All Texas A&M University employees are mandatory reporters who must report all known information about an alleged or suspected incident of discrimination, harassment, retaliation, or complicity that is experienced by,

¹ Sexual harassment is a form of sex discrimination. Unwelcome conduct on the basis of sex (of a sexual nature or otherwise): (1) by an employee of the university who conditions the provision of an aid, benefit, or service of the university on an individual's participation in that unwelcome sexual conduct; (2) determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the university's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking based on sex. For the purposes of defining sexual harassment specified in (2): severe means of sufficient seriousness to interfere with the rights, privileges, and legal activities of an individual, as well as actions that would be deemed by a reasonable person to be extreme or life-threatening; pervasive means conduct existing in or spreading over a large area of an activity or program over a period of time; and objectively offensive means behavior determined by a reasonable person to be offensive (actions that cause unreasonable harm or distress to another individual or group of people). Includes complaints based on sex, sexual orientation, and/or gender identity.

² Sex-based misconduct is unwelcome conduct on the basis of sex that is severe, persistent, or pervasive enough to create a work, educational, or campus living environment that a reasonable person would consider intimidating, abusive, or offensive. Sex-based misconduct is explicitly prohibited under System Regulation 08.01.01. Aiding another in the commission of sex-based misconduct is also prohibited by System Regulation 08.01.01. Sex-based includes, but is not limited to, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking based on sex. Sexual exploitation is defined as a situation in which an individual(s) takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, invasion of sexual privacy, exposing one's genitals or causing another to expose one's genitals, and knowingly exposing another person to a sexually transmitted infection or disease. Sexual exploitation is a form of sex-based misconduct. Includes complaints based on sex, sexual orientation, and/or gender identity.

observed by or made known to an employee in the course and scope of their employment as soon as possible³. Student workers are not required to report conduct prohibited by this policy if the student worker experiences, observes, or becomes aware of the prohibited conduct outside the context of their employment.

An employee is also not required to report an incident where: (1) the employee was a victim of sexual harassment, sexual assault, dating violence, domestic violence, or stalking; (2) the incident about which the employee received information was due to a disclosure made at a sexual harassment, sexual assault, dating violence, domestic violence, or stalking public awareness event sponsored by the university or by a student organization affiliated with the university; or (3) the person has either learned of the incident during the course of their employer's review or process, or has confirmed with the designated office overseeing the review or process, that the incident has been previously reported.

An employee's failure to report alleged or suspected discrimination, harassment, retaliation, or complicity may result in disciplinary action, including termination of employment. An employee must be dismissed if, in accordance with disciplinary processes, the employee is determined to have knowingly failed to make a required report, or that employee, with the intent to harm or deceive, knowingly made a report that is false. Notwithstanding the above mandatory reporting requirement for employees, anyone may report matters which they believe are criminal to the appropriate local law enforcement agency.

Students and third parties are strongly encouraged, but not required, to report conduct prohibited by this policy.

At the main campus in College Station, reports that a student, an employee, or a third party has engaged in conduct prohibited by this policy should be made to:

Assistant Vice President and Title IX Coordinator
Department of Civil Rights and Equity Investigations (CREI)
Medical Sciences Library
202 Olsen Blvd., Suite 007
College Station, TX 77843
979-458-8407
civilrights@tamu.edu
Website Reporting Form: <https://titleix.tamu.edu/report/>

CREI's Assistant Vice President and Title IX Coordinator's responsibilities include, but are not limited to, (1) overseeing Texas A&M University's civil rights protections program; (2) ensuring all complaints of discrimination, harassment, retaliation, and complicity are promptly, thoroughly, and equitably reviewed, investigated, and resolved in accordance with System Regulation 08.01.01, [Texas A&M University Rule 08.01.01.M1, Civil Rights Compliance](#) (Rule 08.01.01.M1), and [Texas A&M University SAP 08.01.01.M1.01, Investigation and Resolution of Allegations of Discrimination, Harassment, Retaliation, and Complicity Against Students, Employees, and Third Parties](#); and (3) identifying and addressing any patterns or systematic problems that arise from the review of such complaints. The Assistant Vice President and Title IX Coordinator or designee shall decide whether this policy shall be applied to such conduct on a case by case basis. Some conduct, while inappropriate and unprofessional, does not rise to the level of discrimination, harassment, retaliation, or complicity. These behaviors will be forwarded by CREI to be addressed by the appropriate disciplinary authority, e.g., Supervisor, Student Conduct, Residence Life, etc., under rules or regulations other than this policy.

³ Exceptions include confidential employees and are described in the "Confidentiality/Privacy" section of this report.

CREI is the department designated by the university to receive, investigate, and resolve all reports alleging discrimination, harassment, retaliation, and/or complicity. However, reports that the following individuals have engaged in conduct prohibited by this policy: the Texas A&M University System Chancellor; the Texas A&M President; a Chief Operating Officer; an employee who reports directly to the Chancellor, President, or Chief Operating Officer; the Title IX Coordinator or a Deputy Title IX Coordinator; the Chief Risk, Ethics, and Compliance Officer; or the Hearing Officer should be made to:

Texas A&M System Ethics and Compliance Office (SECO)
301 Tarrow, 6th floor
College Station, TX 77843
979-458-6120
civilrightsreporting@tamus.edu

Additional options for reporting to the university include:

- Submitting an anonymous report may through [Tell Somebody](#), an electronic reporting option. Anonymous reporting may also limit the university's ability to respond to the allegation.
- Submitting an electronic report through the "Make a Report" form found at <https://titleix.tamu.edu/>

Individuals may file a complaint at any time with any local, state or federal civil rights office, including, but not limited to, the Equal Employment Opportunity Commission, the Texas Workforce Commission's Civil Rights Division, the U.S. Department of Education's Office of Civil Rights and the U.S. Department of Justice.

CREI has procedures in place to inform individuals of their rights to file criminal charges as well as the availability of services on and off campus. A complainant⁴ may request assistance from and/or will be assisted by CREI in notifying law enforcement authorities if the complainant so chooses. A report to law enforcement, even to UPD, is separate from a report to the university. An individual wishing to simultaneously pursue a law enforcement investigation and a university resolution of conduct prohibited by this policy should make a report to both entities. Individuals are notified of their right to report the incident to UPD and local police immediately, but always have the right to decline to notify such authorities. Reporting to law enforcement does not preclude an individual from pursuing disciplinary remedies with the university.

Although a report of conduct prohibited by this policy may be made at any time, regardless of when the conduct occurred, a report should be filed as soon as possible after the actions that caused the report. Prompt reporting assists investigators in the collection and preservation of evidence.

The filing of a report will not stop, delay, or affect pending personnel or disciplinary actions. This includes, but is not limited to, performance evaluations or disciplinary actions related to an employee or student who is not performing at acceptable levels or standards or who has violated System policies or regulations or university rules or SAPs.

The university's response to allegations of conduct prohibited by this policy will be prompt and equitable. The response is intended to stop/prevent recurrence of any harassment and remedy discriminatory effects of the conduct, as appropriate. A substantiated allegation of prohibited conduct will result in disciplinary action, up to and including termination of employment or separation from the university. Third parties who commit prohibited conduct may have their relationship with the university terminated and/or their privileges of being on university premises withdrawn.

⁴ The individual(s) who is alleged to have been subjected to discrimination.

CREI conducts an initial review and preliminary assessment of all reports/complaints that are received by CREI to assess and address the safety and well-being of the complainant, respondent⁵, and the community. As part of the initial review, CREI will take the following step: (1) inform the individual reporting of the right to file a complaint with law enforcement (if applicable) in addition to filing a complaint with CREI, (2) provide assistance in notifying UPD or appropriate law enforcement authorities if the individual so chooses, (3) inform the individual of the right to decline to contact law enforcement, and (4) inform the individual of the right to file a complaint with state and federal agencies. CREI will offer the opportunity to request supportive measures to provide for the safety of the individual and campus community.

CREI will also take steps to advise about (1) the importance of preserving evidence, if applicable, that could assist in proving that a criminal offense occurred or may be helpful in obtaining a protective order or assist in an investigation, (2) the university's procedures for investigation and options for formal and informal resolutions, and (3) the university's prohibition against retaliation. At this time, CREI will determine whether the complainant is a minor, elderly, or disabled and, if required, contact the appropriate agency in accordance with the Texas law.

CREI provides a written notification of available resources, rights, and options to each individual reporting discrimination, harassment, or retaliation (whether the offense occurred on or off campus) regardless of whether the individual chooses to report the incident to local law enforcement or chooses to pursue informal or formal remedies through the university or criminal remedies through law enforcement. The written notification includes information regarding:

- the importance of preserving physical evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order;
- procedures about how and to whom the alleged offense should be reported;
- the option to notify proper law enforcement authorities including on-campus and local police;
- the option to be assisted by campus authorities in notifying law enforcement if the victim chooses;
- the option to decline to notify such authorities;
- the rights of individuals and the institution's responsibilities for orders of protection, no contact orders (mutual no contact restrictions), restraining orders, or similar lawful orders issued by criminal, civil, or tribal court or the institution;
- information about how the institution will protect confidentiality;
- existing on-campus and community resources/contacts (counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to students, faculty, and staff);
- the options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or supportive/protective measures;
- protection from retaliation; and
- an explanation of procedures for institutional disciplinary action in cases of alleged sexual assault, dating violence, domestic violence, and stalking.

Individuals reporting to Student Health Services, Counseling and Psychological Services (CAPS), and UPD also receive the written notification.

⁵ An individual who has been alleged to have engaged in discriminatory conduct as defined in this policy.

Guidelines or Suggestions to Follow After an Incident of Sexual Assault, Dating Violence, Domestic Violence or Stalking (as applicable to the specific incident)

- Go to a safe place as soon as you can.
- Contact the Police Department at 911 (911 or 9-911 using an on-campus phone).
- Get medical attention as soon as possible to make sure you are physically well and to collect important evidence in the event you may later wish to take legal action. Baylor Scott & White Medical Center in College Station (979-207-0100, <https://www.bswhealth.com/specialties/forensic-medicine/>) is the community's designated forensic nursing facility offering a 24/7 program with trained Sexual Assault Nurse Examiners (SANE) and a forensic unit that provides detailed physical examinations, evidence collection, and expert testimony. CHI St. Joseph Regional Hospital in Bryan (979-776-3777) also conducts forensic exams. Go to the hospital's emergency room and request to be seen by a SANE. A forensic examination can also be performed for victims of domestic violence.
- Try to preserve all physical evidence. Do not wash, use the toilet, swim, brush teeth, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
- Preserve evidence by saving text messages, instant messages, social networking pages, communications, pictures, or other documents, if any, that would be useful to police or investigators.
- Personnel are available to help explain options, give information, and provide emotional support. Personnel include: CREI 979-458-8407, Student Assistance Services 979-845-3113, CAPS 979-845-4427, Student Health Services 979-458-8310, UPD Victim Services 979-458-9767, Work/Life Solutions Program by GuidanceResources 1-866-301-9623, and the Brazos Valley Sexual Assault Resource Center 979-731-1000.

Medical Treatment (as applicable to the specific incident)

It is important to seek immediate and follow-up medical attention for several reasons: first, to assess and treat any physical injuries sustained; second, to test for sexually transmitted infections or pregnancy and treat or take preventive measures; and third, to gather and preserve evidence that may assist in proving that the alleged criminal offense occurred or is occurring or may be helpful in obtaining a protective order. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of the evidence may be diminished. If victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infection.

Confidentiality/Privacy

Students and employees have the option to disclose incidents to confidential reporters who are employees designated or permitted by the university to receive complaints of discrimination, harassment, retaliation, and complicity and maintain confidentiality. Confidential reporters include, but are not limited to, licensed health care personnel and certain mental health providers (professional psychologists/counselors) who receive reports when acting the course and scope of their employment as part of their official employment. When an individual shares information with a confidential reporter, the confidential reporter cannot legally disclose the communication to another person or the institution except under very limited circumstances. Such information could be disclosed when: (1) the individual gives written consent for its disclosure; (2) there is a concern that the party poses an imminent danger to themselves or others; (3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, the disabled, or the elderly; or (4) required by law.

Confidential reporters are required to provide general nonidentifying information as required to comply with the Clery Act or other applicable laws/regulations, and must report de-identified statistics to the Title IX Coordinator for any type of sex-based incident made known to them, and may not include any information that would violate that person's expectation of privacy. Publicly available recordkeeping, including Clery Act reporting and disclosures, must not include personally identifying information⁶. Incidents are shared in a way that does not identify the individuals. For example, licensed healthcare providers share de-identified information regarding conduct that may be a statistic in the Clery Annual Security Report and/or disclosed in the daily crime log without identifying the individuals concerned. Additionally, researchers are deemed confidential only when the research project is federally funded and the identity of research subjects on the specific project are deemed confidential by law.

At Texas A&M University, the following are considered confidential reporters: Mental health providers for students - CAPS (979-845-4427), Texas A&M Psychology Clinic (979-845-8017); mental health provider for student athletes - Counseling and Sport Psychology Services (979-335-9681); health care personnel for students - Student Health Services (979-458-8310); and mental health provider for employees and the employee's benefits-eligible dependents - The Work/Life Solutions Program by GuidanceResources (1-866-301-9623). Confidential reports are available to support both complainants and respondents.

All other employees informed of possible discrimination, harassment, retaliation, and/or complicity should advise the reporting party that they cannot keep the information confidential and are required to report it to the university. Employees should inform the reporting party where confidential guidance can be obtained, such as the student counseling center or employee assistance program. To the extent possible, the university will protect the privacy of all parties to the report (see definition of private⁷).

Employees receiving a complaint under this policy may not disclose the identity of the complainant to any law enforcement authority unless:

- expressly authorized by the complainant;
- imminent threat to health or safety exists; or
- required by law.

Requests from complainants to withhold any name, or a request not to investigate or seek action against the respondent, will be considered by the university in the context of the university's duty to provide a safe and nondiscriminatory work, educational, and campus living environment. This may require that the university take actions when the complainant requests no action, such as when violence is involved, when the threat of violence exists, or when required by law, as in the case of elderly, disabled, or child abuse. A request to withhold information or not to investigate the alleged misconduct may limit the university's ability to respond.

Although individuals reporting sexual assault are not required to file criminal charges, the following program is offered in the State of Texas. In accordance with the Texas Code of Criminal Procedure, Chapter 57, when reporting certain sex offenses to a Texas law enforcement agency, victims may use a pseudonym to protect

⁶ Personally identifying information is defined as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including a first and last name; a home or other physical address; contact information (including a postal, email, or internet protocol address, or telephone or facsimile number); a social security number, a driver's license number, passport number or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

⁷ Private - that which affects, characterizes, or belongs to an individual person, as opposed to the general public. With respect to this regulation, private means restricting information to those with a reasonable need to know.

their identity. The offenses applicable to this program are identified in Chapter 62 of the Texas Code of Criminal Procedure, defined by the Texas Penal Code, and include sexual assault. The pseudonym will replace the victim's name in all public files and records concerning the offense, including police records, press releases, and records of judicial proceedings.

Resources, Rights, and Options

Following an allegation of sexual assault, dating violence, domestic violence, stalking, and/or related retaliation the complainant, the respondent, and other affected individuals have certain resources, rights, and options available to them. Parties with an inquiry or complaint are informed of resources, rights, and options in writing when CREI receives notification of an incident whether it occurred on or off campus and regardless of whether the individual elects to pursue a criminal complaint or disciplinary measures. Other personnel likely to receive reports of conduct prohibited by this policy in the Division of Student Affairs, Division of Human Resources and Organizational Effectiveness, and UPD, may also provide resources, rights, and options in writing. Available assistance information is also shared through prevention and awareness education and can be found on the Title IX webpage at <https://titleix.tamu.edu/get-help/>. Additional information about any of the resources, rights, and options discussed in this section can be requested from CREI.

In addition to the Case Managers at CREI, the following are on-campus and community resources available to complainants, respondents, and others.

Law Enforcement

Name	Phone	Address	Website
Texas A&M University Police	979-845-2345 (same for UPD officer located at RELIS)	1111 Research Parkway College Station, TX	https://upd.tamu.edu
Bryan Police Department	979-361-3888	303 East 29 th Street Bryan, TX	www.bryantx.gov/police
College Station Police Department	979-764-3600	800 Krenek Tap Road College Station, TX	www.cstx.gov/police
Blinn College Police Department	979-209-7600 (same for Blinn officer located at RELIS)	2423 Blinn Blvd., Building S, Room 106, Bryan, TX	https://www.blinn.edu/police-emergency-management/index.html
Brazos County Sheriff's Department	979-361-4980	1700 Highway 21 West Bryan, TX	http://brazoscountysheriff.org

Counseling and Mental Health

Name	Phone	Address	Website
Counseling and Psychological Services (CAPS)	979-845-4427 or 979-845-2700	Student Services Building, 4th Floor Texas A&M Campus	https://caps.tamu.edu/

Name	Phone	Address	Website
The Work/Life Solutions Program by GuidanceResources	1-866-301-9623	n/a	https://employees.tamu.edu/eap/

Medical and Health Services

Name	Phone	Address	Website
Student Health Services	979-458-8250	A.P. Beutel Health Center Texas A&M Campus	http://shs.tamu.edu
Baylor Scott & White Medical Center	979-207-0100	700 Scott & White Drive College Station, TX	https://www.bswhealth.com/locations/college-station/
CHI St. Joseph Health College Station Hospital	979-764-5100	1604 Rock Prairie Road College Station, TX	https://www.chistjoseph.org/locations/college-station-hospital
CHI St. Joseph Regional Hospital	979-776-3777	2801 Franciscan Drive Bryan, TX	https://stjoseph.stlukeshealth.org/locations/chi-st-joseph-health-regional-hospital

Support, Advocacy, Legal Assistance, and Other Resources

Name	Phone	Address	Website
CAPS Helpline (After Hours)	979-845-2700	n/a	https://caps.tamu.edu/?q=helpline
Student Assistance Services	979-845-3113	Student Services Building, 2nd Floor Texas A&M Campus	https://studentlife.tamu.edu/sas/
Women's Resource Center	979-845-8784	Student Services Building, 2nd Floor Texas A&M Campus	https://studentlife.tamu.edu/wrc/
LGBTQ + Pride Center	979-862-8920	Student Services Building, 2nd Floor Texas A&M Campus	https://studentlife.tamu.edu/lgbtq/contact/
Student Conduct Office	979-847-7272	Student Services Building, 3rd Floor, Suite 309, Texas A&M Campus	http://studentlife.tamu.edu/sc
Student Legal Services ⁸	979-862-4502	Student Services Building, 2nd Floor Texas A&M Campus	http://studentlife.tamu.edu/sls

⁸ Student Legal Services does not render advice to students in a dispute against other Texas A&M University students or against Texas A&M University and does not represent students in court.

Name	Phone	Address	Website
Offices of the Dean of Student Life	979-845-3111	Student Services Building, 2nd Floor Texas A&M Campus	https://studentlife.tamu.edu/
Human Resources Employee Relations	979-862-4027	750 Agronomy Rd., General Services Complex, Ste. 1201 College Station, TX	https://employees.tamu.edu/employee-relations/
University Police Department Victim Services	979-458-9767	1111 Research Parkway College Station, TX	https://upd.tamu.edu/Pages/VictimsAdvocate.aspx
Bryan Police Department Victim's Assistance	979-209-5312	303 East 29 th Street Bryan, TX	http://www.bryantx.gov/police/investigative-services-bureau/
College Station Police Victim Advocacy & Assistance Program	979-764-5004	2611 Texas Avenue South College Station, TX	https://www.cstx.gov/departments_city_hall/police/about/operational/victim
Brazos County Victim Assistance Division	979-361-4320	300 East 26 th Street Suite 310 Bryan, TX	http://www.brazoscountytexas.gov/227/Victim-Assistance
Brazos County Family Violence Unit	979-361-4657	300 East 26 th Street 1 st floor Bryan, TX	http://brazoscountytexas.gov/112/Family-Violence
Twin City Mission Domestic Violence Services	979-775-5355	2505 South College Avenue Bryan, TX	https://www.twincitymission.org/domestic-violence-services
Brazos Valley Sexual Assault Resource Center (SARC)	979-731-1000 (24 hour hotline)	n/a	http://www.sarcbv.org
National Sexual Assault Hotline	800-656-HOPE	n/a	https://rainn.org/get-help/national-sexual-assault-hotline
National Domestic Violence Hotline	800-799-7233	n/a	http://www.thehotline.org

Visa and Immigration Assistance

Name	Phone	Address	Website
International Student Services	979-845-1824	1 ST Floor of The Pavilion, Room 110 Texas A&M Campus	http://iss.tamu.edu
U.S. Citizenship and Immigration Services, Texas – San Antonio Field Office	800-375-5283	20760 North US Highway 281, Suite A San Antonio, TX	https://www.uscis.gov/about-us/find-a-uscis-office/field-offices

Student Financial Aid

Name	Phone	Address	Website
Scholarships & Financial Aid	979-845-3236	2 nd Floor of The Pavilion Texas A&M Campus	https://financialaid.tamu.edu/
Veteran Services	979-845-8075	2 nd Floor of The Pavilion Texas A&M Campus	http://veterans.tamu.edu
Federal Student Aid Information Center	800-433-3243	n/a	https://studentaidhelp.ed.gov/app/home/site/studentaid

Institutional Rights and Options (Supportive Measures)

The institution is obligated to offer and provide assistance to students, employees, and third parties in obtaining a range of supportive measures. Supportive measures are intended to restore or preserve equal access to the workplace and educational programs or activities without unreasonably burdening the other party; stop and prevent the reoccurrence of discrimination, harassment, and/or retaliation; and support the complainant and respondent during the investigation and resolution process.

Supportive measures are non-disciplinary, non-punitive individualized services. Supportive measures are offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent.

In all complaints of discrimination, harassment, and/or retaliation, CREI promptly contacts the parties to discuss the availability of supportive measures, considers the parties' wishes with respect to supportive measures, informs the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explains to the complainant the process for filing a formal complaint. The university must maintain the privacy of any supportive measures provided to the complainant or respondent to the extent that maintaining such privacy would not impair the ability of the university to provide supportive measures.

CREI is responsible for coordinating the effective implementation of supportive measures. In addition to facilitating supportive measures, CREI can provide parties with access to university officials with information about counseling, medical, mental health, victim advocacy, visa and immigration information, impact of a leave of absence on student financial aid, and other services available to complainants and respondents (on campus and in the community). CREI will also notify the parties that options such as protective orders and criminal trespass warnings may be available through law enforcement agencies and the judicial system. A party may request a supportive measure through CREI (979-458-8407) at any time, regardless of whether a formal complaint has been filed and regardless of whether the individual chooses to report the incident to law enforcement or pursue disciplinary remedies.

CREI can assist with supportive measures that may include but are not limited to changes to academic, living, transportation and working situations or supportive measures according to the list below. In determining which supportive measures to impose and the reasonableness of the related measures, CREI considers the request; the safety of the complainant, respondent, and the university community; the specific needs of the individuals; the severity or pervasiveness of the allegations; continuing effects; sharing of residence halls, dining halls, classes, transportation, or job locations; other judicial measures already in place; and other factors as appropriate. The university also provides reasonable supportive measures to third parties as appropriate and

available, taking into account the role of the third party and the nature of any contractual relationship with the university. Parties seeking a supportive measure should discuss their options with their CREI case manager.

Supportive measures provided by the institution vary and may include, but are not limited to, the following:

- Assistance in obtaining access to medical, mental health, legal (protective orders and criminal trespass warnings available through law enforcement and the judicial system), counseling support, victim advocacy, visa and immigration information, and financial aid guidance
- Extension of deadlines or other course-related adjustments, e.g., in cases in which a student complainant and student respondent are enrolled in the same course, either student may elect to drop the course without any academic penalty
- Modifications of work or class schedules
- Campus escort services
- Mutual no contact restrictions between the parties as described below
- Changes in work or housing locations
- Leaves of absence
- Increased security and monitoring of certain areas of campus or workplace
- Other similar measures

Mutual No Contact Restriction: A mutual no contact restriction is a supportive measure issued by the institution that prohibits two parties from contacting one another through any means. Mutual no contact restrictions can be issued in addition to court ordered protection but may also serve as an alternative for those who do not want to seek a court order. A complainant or a respondent can request a mutual no contact restriction through the CREI at 979-458-8407. CREI may issue a mutual no contact restriction at any time prior to or during a conduct investigation based on information provided by the requestor. If good cause for a mutual no contact restriction is determined, both parties are notified of the restrictions in writing. Mutual no contact restriction records are maintained in CREI's tracking system.

Individuals should be aware that direct contact, refusal to leave a protected area, appearing at a location one reasonably knows the protected party is at, third-party contact, or even an anonymous contact are all potential violations of a mutual no contact restriction. Violations should be reported to CREI and may result in further disciplinary action. Failure to comply with the terms of supportive measures such as mutual no contact restrictions may be considered a separate violation of system policies and regulations and university rules and procedures.

CREI will also consider an interim removal of the respondent from university programs or activities if the respondent is an immediate threat to the health or safety of the community or another individual. Both an interim removal for student respondents and an interim administrative action for employee respondents, such as a leave of absence, are described below.

Interim Removal of Students: A student may not be expelled or suspended prior to a decision of responsibility for a violation(s) of a university rule, policy, regulation, code, or SAP except as provided below.

The Dean of Student Life may remove a student from an education program or activity on an emergency basis only after an individualized safety and risk analysis has determined that the student is an immediate threat to the physical health or safety of any other student or individual arising from the allegations. The Dean of Student Life must provide the removed student with notice and opportunity to challenge the decision immediately following the removal. Upon being removed, the removed student must be granted the

opportunity for a hearing within 5 business days to review whether or not the removal is warranted. The outcome of this hearing is not subject to appeal and is not a disciplinary action.

During the interim removal, a student may be denied access to campus housing and/or the campus (including classes) and/or all other university activities or privileges for which the student might otherwise be eligible.

The interim removal does not replace the investigation and resolution process. The investigation and resolution process shall proceed as outlined in this policy, except that the timelines referenced in this policy may not be followed and the allegations will be resolved as soon as possible.

Interim Administrative Actions for Employees: In accordance with university rules and SAPs, CREI may request that an employee be placed on leave, suspended with pay, reassigned and/or place in another type of temporary status pending completion of the investigation and resolution process. CREI may also issue interim restrictions to an employee, which include, but are not limited to, contact restrictions (no-contact directives); representation of the university; “no trespass” orders, etc. Such interim actions will remain in place as specified in a notification to the employee or until the allegations are resolved.

Confidentiality/Privacy of Accommodations and Supportive Measures: The university will maintain as private any accommodations or supportive measures provided to the extent that maintaining such privacy would not impair the ability of the institution to provide the accommodations or supportive measures. CREI is responsible for determining what information and to whom information will be disclosed based on the circumstances of the allegation, the individuals involved, and related safety needs. CREI uses discretion and only discloses information to key officials at the institution who perform the tasks necessary for obtaining or providing the particular accommodation or supportive measure. The identity of an alleged victim of sexual harassment, sex-based misconduct, sexual assault, dating/domestic violence, or stalking may only be disclosed to: (a) persons employed or under contract with the institution, who are necessary to conduct an investigation of the report or any related hearings; (b) a law enforcement officer as necessary to conduct a criminal investigation of the report; (c) the person or persons alleged to have perpetrated the incident, to the extent required by other law; or (d) potential witnesses to the incident as necessary to conduct an investigation of the report. Other areas receiving information related to supportive measures may include, but are not limited to: Offices of the Dean of Student Life, Residence Life, Transportation Services, Athletics, Scholarships and Financial Aid, Corps of Cadets, Student Activities, Division of Human Resources and Organizational Effectiveness, academic departments (direct supervisor, Dean, or Associate Dean), or non-academic departments (direct supervisor, Vice President, or designee). Prior to disclosure, CREI will receive consent to disclose the identity of the alleged victim, inform the individual of the information that will be shared, with whom it will be shared, and why.

Legal Rights and Options

The institution provides information and assistance to the complainant, the respondent, and other affected individuals in obtaining lawful orders issued by a criminal, civil, or tribal court including protective orders and criminal trespass warnings as discussed below. Failure to comply with any of the terms of lawful supportive measures may be considered a separate violation in the institutional disciplinary proceeding.

Protective Orders: Individuals may apply for protective orders through the Texas criminal justice system. A protective order is an interim protective measure that requires the recipient to stay away from the protected individual’s home, workplace, and/or children’s schools (if the children are protected persons in the order) depending on the documented circumstances. It can require the recipient to stop communicating with the protected individual in a harassing or threatening manner, attend counseling, pay child support, and/or pay

spousal support. An application for a protective order may be filed by an individual, a prosecuting attorney, or the Texas Department of Family and Protective Services (1-800-252-5400) on behalf of an individual. The application is obtained through the county attorney (Brazos County Attorney's Office – Family Violence Unit, Family Violence and Mental Health Coordinator, 979-361-4657), the district attorney (Brazos County District Attorney's Office - Chief Family Violence Division, 979-361-4320), or a private attorney. UPD (979-845-2345) will also provide assistance in applying for protective orders. Forms associated with applying for a protective order are found on the following webpages: <http://brazoscountytexas.gov/index.aspx?NID=112> and <https://guides.sll.texas.gov/legal-forms/protective-orders>.

The application for a protective order must be filed in either the county where the applicant lives or the county where the recipient lives. The applicant's address can be kept confidential. If the legal criteria for a protective order is met, the county or district attorney's office will prepare and file all of the paperwork necessary to request a protective order from a court. Such orders provide effective tools for law enforcement when they are called upon to protect an individual and their family. Additionally, an emergency protective order may be recommended and automatically issued by the court following the original report and arrest of the respondent. A hearing is held at a later date to determine if the order should be extended or modified.

UPD is notified of protective orders that exist in the campus and surrounding area. Local law enforcement agencies are also notified of all existing protective orders in their area. If the requestor or other institutional personnel become aware that a protective order is violated, UPD should be contacted immediately at 979-845-2345. Responding agencies can also be contacted for protective order violations including Bryan Police (979-361-3888), College Station Police (979-764-3600), or the Brazos County Sheriff's Department (979-361-4980). Violating protective orders generally carry authority for the violator's immediate arrest by UPD or other law enforcement agencies.

Criminal Trespass Warning: A criminal trespass warning is a supportive measure issued by UPD which is directed at those who are considered a danger to the campus community or a danger to a certain individual in the campus community. The warning advises the respondent to leave the premises and forbids him/her from entering and/or remaining on certain property which can cover either the entire campus or a specific campus location. To request a criminal trespass warning, contact UPD at 979-845-2345 and request to speak with an officer. The UPD officer issues the criminal trespass warning if the respondent is determined to pose a risk to campus safety based on information provided by the requestor as it relates to applicable state law and/or UPD policy. When the warning is issued, the officer is responsible for providing notice to the requestor and the person receiving the warning.

UPD officers are notified of criminal trespass warnings that exist in their area. If a criminal trespass warning is violated, UPD should be contacted immediately at 979-845-2345. A violation of the criminal trespass warning occurs when the individual is issued a warning but refuses to leave campus or is subsequently found in a prohibited area based on the trespass warning. The requestor and other institutional personnel should take appropriate action by contacting UPD for a responding officer when they become aware of a potential violation of a criminal trespass warning. UPD generally enforces these warnings by charging violators with criminal trespass resulting in arrest and/or fine.

If the complainant, respondent, or member of the university community has obtained a protective order, civil no-contact order, restraining order, or similar order from a court as described in this section, against another member of the university community, a copy of the order should be provided to the Chief Risk, Ethics, and Compliance Officer. In conjunction with UPD and other university officials, the Chief Risk, Ethics, and Compliance Officer will take all reasonable actions authorized by law to implement the order.

Other Legal Options: The UPD's Community Services Division at 979-845-0070 is available to provide information or direct victims to the proper agency about personal safety, Texas Crime Victim's Rights, Texas Crime Victims Compensation Fund and other information upon request. Or visit the Office of the Texas Attorney General's website at <https://www.texasattorneygeneral.gov/cvs/crime-victims-compensation>.

Investigations and Disciplinary Proceedings⁹ for Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation

Proceedings from an allegation of sexual assault, dating violence, domestic violence, or stalking are provided in a prompt, fair, and impartial manner from the initial investigation to the final result, including any appeals. They are consistent with the institution's policies and transparent and equitable to the complainant and respondent. The investigation provides that:

- Both the complainant(s) and the respondent(s) must receive equitable treatment in all facets of the investigation and resolution process including, but not limited to, the right to an advisor (if any), the right to present evidence and witnesses, and the right to be informed of the outcome of the investigation.
- Timely and equal access to any information (inculpatory and exculpatory) discovered during the investigation as well as any information that will be used during informal and formal disciplinary meetings and hearings will be provided to the complainant, respondent, and appropriate officials.
- During the investigation the complainant and respondent have timely notice of meetings at which the complainant or respondent, or both, may be present.
- Determinations use the preponderance of the evidence standard, i.e., what is more likely than not to be true, based on the totality of the available evidence.
- If the respondent has multiple roles at the university, such as when the respondent is both a student and an employee, the Chief Risk, Ethics, and Compliance Officer will consult with other relevant university officials and determine which procedure(s) to follow in the investigation and resolution of the allegations of prohibited conduct as well as other policy violations. The Chief Risk, Ethics, and Compliance Officer will consider the known facts and circumstances, including which role predominates in the context of the prohibited conduct.
- The university's disclosure of information related to an investigation, the DA's decision and/or the sanctions rendered are governed by the provisions of the Family Educational Rights and Privacy Act (FERPA), the Texas Public Information Act (TPIA), the Texas Education Code Section 51.971, and other applicable confidentiality laws.

Individuals conducting investigations and other decision makers, at a minimum, receive annual training on the issues related to sexual assault, dating violence, domestic violence, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. All of those involved in the administration of civil rights complaints at the university (including but not limited to: reporting, administering, investigating, adjudicating, advising, and informal resolution) complete annual training specific to their roles in accordance with requirements established by SECO in [System Regulation 08.01.01, Appendix B, Minimum Training Requirements for Civil Rights Investigations, Advisement, Adjudication, Appeals, and Informal Resolution in The Texas A&M University System](#). Minimum training requirements include university rules and procedure, applicable federal and state laws, how to conduct comprehensive civil rights investigations

⁹ For the purposes of this section, proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and the complainant, respondent, and other affected individuals concerning accommodations or protective measures.

and prepare reports, trauma-informed investigation techniques and considerations, due process protections, how to value and weigh evidence and assess credibility, sanctioning, appellate processes, etc.

If an employee reasonably believes that an incident constitutes sexual harassment, sexual assault, dating violence, domestic violence, or stalking and that the incident is alleged to have been committed by or against a person who was a student enrolled at or an employee of the institution at the time of the incident, the employee must promptly report the incident to CREI. Students and third parties (including, but not limited to, anyone receiving services from the university, vendors and private business associates) are strongly encouraged to report the incident(s) promptly to CREI. An employee is not required to report an incident in which that employee was a victim of the sexual harassment, sexual assault, dating violence, domestic violence, or stalking. Once an individual discloses information to CREI, a complaint will be considered to be made with the university, and the institution's process is initiated regardless of whether the complainant chooses to pursue criminal charges.

Complaints are initially reviewed by CREI, not only to assess and address safety, but also to determine whether a violation of the System Regulation 08.01.01 and/or Rule 08.01.01.M1 and/or any other university rule, SAP, code, or policy could have occurred. During the initial review and preliminary assessment CREI will:

- Inform the complainant about options for formal and informal resolutions and solicit the complainant's preferred method for resolving the matter. Complainants may request a formal resolution, an informal resolution, or "no resolution" of the allegations of discrimination, harassment, retaliation, and/or complicity.
- Offer assistance to the complainant in submitting a written formal complaint¹⁰ that details the nature and circumstances of the allegations, including the names of the complainants and respondents, if so inclined.

No Resolution

If the complainant requests that no resolution of the allegations occur, the university will seek to honor the request whenever possible without impeding the university's ability to enhance the safety and security of the complainant and the university community. The university may initiate an investigation based on the seriousness of the allegation, whether or not there are multiple allegations, and/or whether or not a respondent poses a risk of harm to others. CREI will consider the following factors when evaluating such requests:

- All of the known circumstances, including any corroborating evidence;
- The nature and scope of the alleged conduct, including whether the reported behavior involves the use of a weapon;
- The respective ages and roles of the complainant and respondent;
- Whether there have been other reports of prohibited conduct or other misconduct by the respondent;
- Whether the report reveals a pattern of misconduct related to prohibited conduct (e.g. via illicit use of drugs or alcohol) at a given location or by a particular group;
- Fairness considerations for both the complainant and the respondent;
- Whether the university possesses other means to obtain relevant information and evidence;
- The university's obligation to provide a safe and non-discriminatory environment;

¹⁰A formal complaint is a document or electronic submission (such as by electronic mail or through an on-line portal provided for this purpose) filed by a complainant, or signed by the Title IX Coordinator, alleging sex-based discrimination against a respondent and requesting that the university investigate the allegation(s). The formal complaint must contain the complainant's physical or digital signature, or otherwise indicate that the complainant is the person filing the complaint. Alternatively, a Title IX Coordinator may sign a formal complaint but is not a complainant or otherwise a party to the complaint. The university may consolidate formal complaints as to allegations of sex-based violations against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, when the allegations of sexual harassment arise out of the same facts or circumstances.

- Admissions of responsibility by the respondent, if any; and
- The impact of honoring the request on the complainant and the university community, including the risk of additional violence.

If the university is able to honor the complainant's request for no resolution, the university may close the matter with no action taken, or the university may proceed with other appropriate steps, including investigation and disciplinary action against the respondent for violations of other rules, SAPs, regulations, policies, or codes, if applicable.

If the university determines that the complainant's request cannot be honored, the complainant will be notified of the decision, and CREI will take appropriate actions, including but not limited to, (1) offering support services or academic adjustments and (2) initiating a formal investigation.

Informal Resolution

Informal resolutions do not utilize a formal hearing and may or may not involve the establishment of findings of fact and the application of sanctions.

At any time prior to the determination of a final decision, the parties may seek informal resolution to resolve the complaint. The following conditions apply to informal resolution:

- Informal resolution is a voluntary process. No party may be compelled to participate in informal resolution. The university, in consultation with SECO, must agree to allow an informal resolution to move forward and must obtain the parties' voluntary, written consent to the informal resolution process.
- Prior to an informal resolution, the parties will be provided with: (a) written notice of the allegations; (b) the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; and (c) the consequences of withdrawing from the informal process and resuming the formal process, and including the records that will be maintained or could be shared.
- Once a party agrees to participate in informal resolution, they may withdraw from the process at any time prior to a final agreement and resume the formal grievance process. Information shared in the informal resolution process may not be introduced into the formal process without independent evidence.
- Once a final agreement is established through informal resolution, the complaint may not return to the formal complaint process unless one or both parties fails to abide by any conditions established in the agreement.
- Informal resolution options include mediation, restorative conferences, shuttle facilitation, and other forms of facilitated dialogue.
- Mediation may not be used to resolve complaints of rape, statutory rape, dating violence, domestic violence, or any case in which imminent threats of harm may exist.
- The university may not offer an informal resolution process in sex-based complaints unless a formal complaint is filed and may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Formal Resolution

The allegations will be considered for investigation pursuant to the following procedures. CREI reserves the right to resolve the complaint informally or through no resolution if the allegation does not rise to the level of conduct prohibited by System Regulation 08.01.01.

Upon receipt of a report, CREI may consult with the Texas A&M University System Office of General Counsel (OGC) as needed and make a preliminary determination about whether to conduct a formal investigation of the allegations. The preliminary determination may include, but is not limited to, the following:

- An assessment of whether there is sufficient known or obtainable information to proceed with an investigation of the complaint;
- An assessment of whether the allegations are baseless;
- An assessment of whether the allegations, if true, would constitute a violation of System Regulation 08.01.01; and/or
- An assessment of whether a complainant's request for no resolution may be honored.

If it is determined that there is insufficient information to proceed with an investigation; or that the allegations are baseless; or that the allegations, if true, would not constitute conduct prohibited by System Regulation 08.01.01 and/or Rule 08.01.01.M1; or, that an investigation will not occur due to the complainant's request for no resolution, CREI may, after consultation with OGC:

- dismiss the complaint,
- close it for insufficient evidence to investigate or lack of jurisdiction,
- refer the report to a different office at the university (the university office may review the conduct and take appropriate action, including but not limited to, disciplinary action against the respondent for violations of other university rules, codes, regulations, policies, or SAPs, if applicable), or
- with the consent of the parties, as well as the approval of SECO, refer the complaint to informal resolution (cases involving allegations based on sex require the submission of a formal complaint before they may be referred to informal resolution).

CREI will notify the complainant of such action in writing. Complaints that have been dismissed or referred may be appealed in accordance with the appeal procedures section of this policy.

Once it has been determined that the university will proceed with a formal investigation, CREI will appoint the Investigative Authority (IA)¹¹ within 5 business days to initiate the process of determining whether a violation of System Regulation 08.01.01 or other university rule, SAP, code, or policy occurred.

The Assistant Vice President and Title IX Coordinator (or designee) shall simultaneously notify the complainant(s) and respondent(s) in writing of the commencement of the investigation. The notice of investigation will include:

- receipt of the complaint stating the allegation of a violation of this policy;
- interim supportive measures, if any;
- admonishments regarding cooperation and prohibiting retaliation;
- any informal resolution process that may be available; and
- an unredacted version of the complaint to an employee respondent(s) and their advisor, if applicable, with admonishments regarding privacy.

¹¹ The IA is one or more trained individuals appointed to conduct a formal investigation to discover and examine the facts related to an allegation and conclude if, based on the preponderance of the evidence, the allegation is substantiated, unsubstantiated, or if there is insufficient information. In complaints involving allegations of sex-based behaviors, the IA will be limited to only reporting the evidence collected during the investigation, as well as issuing appropriate determinations surrounding credibility of parties, witnesses, and evidence.

- the appointed IA; the appointed Designated Administrator (DA) and Appellate Authority (AA);¹²

If in the course of an investigation the university decides to investigate allegations about the complainant or respondent that were not included in the original notice, the university must provide notice of the additional allegations to the parties.

If the respondent is an employee, the Assistant Vice President and Title IX Coordinator (or designee) shall notify, in writing, the respondent's supervisor that CREI is investigating an allegation that the respondent has engaged in conduct that may be a violation of System Regulation 08.01.01 and/or Rule 08.01.01.M1 or other university rules, SAPs, codes, or policies. If the respondent is a third party, CREI will collaborate with the third party's employer regarding the investigation and disciplinary action.

CREI is responsible for all administrative actions required to conduct the investigation. These include, but are not limited to, informing the parties of extensions or other delays affecting the investigation, contacting supervisors or faculty regarding their employees' or students' time away from work or class to participate in the investigative process, making reports to university administrators, coordinating supportive measures, and undertaking any other tasks necessary to properly conduct the investigation.

The IA will review the complaint, conduct a prompt, fair, thorough, and impartial investigation. Abuse of the investigation and resolution process is prohibited and subject to disciplinary action up to and including dismissal or separation from the university. Examples of abuse of process include, but are not limited to:

- Failure to appear at a meeting, interview, hearing, or conference as set forth in a notice issued by CREI;
- Falsification, distortion, destruction, or misrepresentation of evidence or information;
- Disruption or interference with the orderly conduct of an investigation, interview, meeting, hearing or conference;
- Intentionally initiating or causing a false report to be initiated;
- Attempting to discourage an individual's proper participation in, or use of, the investigation and resolution process, disciplinary process, or legal process;
- Attempting to influence the impartiality of the IA, AA, or DA prior to, and/or during the course of the investigation and resolution process;
- Verbal or physical intimidation, and/or retaliation of any party to the investigation and resolution process prior to, during, and/or afterwards;
- Failure to abide by the terms of university administered sanctions;
- Influencing or attempting to influence another person to commit an abuse of the investigation and resolution process; and/or
- Failure to cooperate fully with the IA (applies to employees only).

¹² The DA is the decision-making entity specified in university rules. This may be an administrator or a hearing officer/panel but may not include a person with a clear conflict of interest (e.g., supervisor, subordinate, and/or family member of either party) or personal bias. The role of the DA is to determine whether or not allegations of misconduct rise to the level of a violation of System Regulation 08.01.01 based on the evidence provided and utilizing the preponderance of the evidence standard. The DA cannot have served as an investigator nor may they later serve as an appellate authority in the same case. Title IX Coordinators may not serve as a DA in any case involving an allegation of discrimination or harassment based on sex. The AA is any individual or panel responsible for rendering appeal decisions as specified in university rules. The role of the AA is to review the process by which an original decision was reached and render an appellate decision, consistent with the grounds for appeal. Title IX Coordinators may not serve as an AA in any case involving an allegation of discrimination or harassment based on sex. All persons serving as DAs, AAs, and IAs will be impartial and free of conflicts of interest or bias for or against the complainant or the respondent. Parties who are concerned about the impartiality of an individual serving in one of these roles should submit their concerns, in writing, to the Chief Risk, Ethics, and Compliance Officer (civilrights@tamu.edu) who may designate alternative individuals to fulfill any of these roles.

Students, employees, and third parties who are found responsible for abuse of the investigation and resolution process are subject to the sanctions as described in this policy.

During the investigation, the complainant and the respondent will have an equal opportunity to be heard, submit information and corroborating evidence, identify witnesses who may have relevant information, and submit questions to be asked of the other party. Questions for the other party will be asked by and at the discretion of the IA. The IA will meet separately with the complainant, the respondent, and any witnesses, and will gather other relevant and available evidence and information. The IA may also consult medical, forensic, technological, or other experts when expertise is needed in order to achieve an understanding of the issues under investigation.

Witnesses must (1) have observed the acts in question, (2) have information related to or relevant to the incident, or (3) have information about impact, mitigation, aggravation, and/or character in order to participate in the investigation process.

Investigations provide both the complainant and respondent the same opportunities to have others present during any institutional proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor¹³ of their choice. The advisor may be present at any time in which the party participates in the investigation and resolution process, including the filing of the complaint, the interview with the IA, and all other meetings related to the investigation and resolution of the complaint. A party may select any person to be an advisor, including legal counsel.

If the allegations are related to sexual harassment or sex-based misconduct, a party must have an advisor for the hearing to provide guidance and to conduct cross examination. If a party does not have an advisor for a hearing involving sexual harassment or sex-based misconduct allegations, the university will appoint an advisor for the party. To the extent reasonably possible, the university will provide a party without an advisor with a list of trained advisors and allow the party to select an advisor to be appointed from the list.

Restrictions regarding the extent to which the advisor will participate in the proceedings may be established and applied equally to both parties. In all instances, the advisor's participation will be limited to the role of an observer, except that the advisor will conduct the cross examination during a hearing on allegations of sexual harassment and sex-based misconduct. An advisor can be barred from being present during the investigation and resolution process if, in the judgment of the IA, the DA, the AA, or the Assistant Vice President and Title IX Coordinator, the advisor attempts to advocate on behalf of a party (other than cross-examination), or is otherwise disruptive. All parties, including advisors, are informed of participation restrictions before a proceeding is conducted so that parties understand and respect the limitations.

When the university is made aware that there is a concurrent criminal investigation, CREI may inform the law enforcement agency that a university investigation is also in progress; ascertain the status of the criminal investigation; and determine the extent to which any evidence collected by law enforcement may be available to the university in its investigation.

¹³ An advisor is an individual selected by each complainant and respondent to provide guidance, support, or advice during the investigation and resolution process and to conduct cross-examination when a complaint is referred to a formal hearing. An advisor may be an attorney. The university may appoint an advisor of the university's choice for a complainant or respondent for a hearing if either party does not have an advisor present. Advisors may not otherwise represent or speak for the party they are advising. Each party is allowed one advisor, although the university may establish circumstances under which a second advisor would be permitted (e.g., accommodating a party with a disability).

At the request of law enforcement, the university may temporarily defer part or all of the investigation until after the initial evidence-gathering phase of the law enforcement investigation is complete. The IA will communicate with the parties (as appropriate) about the law enforcement agency's request to the extent allowed by law; the university's obligations and supportive measures; procedural options; anticipated timing; and the implementation of any necessary interim measures for the safety and well-being of all affected individuals.

Standards for the resolution of criminal allegations are different than the standards for resolution of a violation of System Regulation 08.01.01 and/or any other university policy, rule, SAP, or code; therefore, the university will not base its decisions on any law enforcement determination and/or the outcomes of any criminal proceedings.

Within 30 business days, the IA will prepare an initial draft investigation report at the conclusion of the investigation and provide it to OGC for review. The initial draft investigation report includes the following but does not contain speculation, opinions, findings, decisions, or recommendations for sanctions¹⁴:

- statement of the allegation(s)
- listing of individuals interviewed including dates of the interviews
- all inculpatory evidence (evidence that would tend to support a finding that a respondent is responsible for the alleged misconduct) that is directly related to the allegations
- all exculpatory evidence (evidence that would tend to support a finding that a respondent did not commit the alleged misconduct) that is directly related to the allegations
- credibility assessments which may not be based on an individual's status as a complainant, respondent, or witness
- listing of relevant documents attached to the report as exhibits

The IA has the sole discretion to determine the relevance of evidence and whether it should be included in or excluded from the investigation report. OGC will coordinate with SECO and provide its review of the initial draft investigation report to the IA within 10 business days.

The IA will have 5 business days to create a final draft investigation report and share that document electronically with both the complainant, respondent, and their advisors, if any. The university provides parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the university does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence related to the allegations whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. This includes sending to each party and the party's advisor, if any, the final draft investigation report (with exhibits) subject to inspection and review. Both the report and the collected evidence will be unredacted to the extent allowed by law.

The complainant and the respondent will be given 10 business days to review the final draft investigation report and evidence and submit a written response to the IA for the IA to consider prior to final completion of the investigative report. A party's response may include: (1) written comment or feedback; (2) additional evidence or information; (3) the names of additional witnesses or a request for the collection of other information by

¹⁴ The investigation report for a non-sex based civil rights complaint must also include the IA's conclusion, based on the preponderance of the evidence, whether or not the alleged behavior/conduct occurred, did not occur, or there was insufficient evidence to establish that the behavior occurred or not, but will not determine whether or not the behavior establishes a violation of system or university regulations or rules.

the IA; and/or (4) questions to be asked (at the discretion of the IA) of the other parties or witnesses. The IA must explain to the party proposing the questions any decision to exclude a question as repetitious or not relevant. A party's written response, if any, will be shared with all other parties and incorporated in the investigation report as an exhibit.

While it is the IA's responsibility to undertake a thorough search for relevant facts and evidence and to gather evidence sufficient to reach a determination regarding responsibility, the IA must conclude the investigation within a reasonably prompt time frames and without the power of subpoena.

At the conclusion of the review and respond period, the IA will determine if any new or relevant information was provided by one or both of the parties. If necessary, the IA may pursue additional investigative steps and/or amend the final draft investigation report. The IA will have 10 business days to complete this process.

The IA will then have 5 additional business days to prepare a final report (as amended, if applicable), and forward it along with exhibits, responses from the parties, and other information directly related and relevant to the allegations, to OGC and SECO for legal review. OGC and SECO will then have 5 business days to provide feedback to IA. The latter review provided by OGC and SECO may be waived by mutual agreement between the university and OGC/SECO if no substantive changes were made following the initial review. After receiving the legal review, the IA will have 5 business days to finalize the investigation report and submit to the DA for decision-making and sanctions.

Circumstances may warrant extensions to the time frames in this section. The IA should send an extension request, if needed, to CREI. Both the complainant(s) and the respondent(s) are notified of any extensions in writing.

The respondent is presumed to not have engaged in prohibited conduct until the DA finds that there is sufficient evidence based on a preponderance of the evidence to find that the respondent has violated System Regulation 08.01.01 and/or Rule 08.01.01.M1. If violation(s) are found, the DA may issue sanctions.

Procedures governing the resolution of all sexual harassment and sex-based misconduct allegations, see definitions on page 16

The university's Chief Risk, Ethics, and Compliance Officer will appoint a university official and/or a hearing officer to be the DA. The university official and/or hearing officer will render decisions in cases with allegations against employees, third parties, and students¹⁵.

The DA will review the unredacted final investigation report, the documentary evidence, the record of the hearing (if applicable), and any other relevant information. The DA or designee will provide the final investigative report and exhibits to the parties. The parties will also be provided a pre-hearing conference to review the hearing process as well as to explore any available options for informal resolution. The parties have at least 10 business days to review the final investigative report and to respond in writing to the DA (if desired) prior to the hearing. The DA has the sole discretion to determine the relevance of evidence and whether it should be heard at a hearing. The Rules of Evidence do not apply in hearings. At any time prior to the adjudication of a formal complaint, the parties may seek informal resolution to resolve the complaint.

¹⁵ Exceptions: The chancellor or designee will serve as the DA in complaints against the Texas A&M President or an employee who reports directly to the Texas A&M President; a Chief Operating Officer or an employee who reports directly to the Chief Operating Officer; or an employee who works in the department of CREI. The chair of the Board of Regents or designee will serve as the DA in complaints against the chancellor or an employee who reports directly to the chancellor.

Unless waived by the parties, following the pre-hearing conference the parties will be given a minimum of 5 business days notice of any formal hearing. The notice must include the date, time, and location of the hearing, as well as instructions for those participating in hearings through online means.

The DA will conduct a live hearing¹⁶ to allow the parties to question witnesses, submit evidence or information, and to allow the DA and the parties' advisors to cross-examine other parties or witnesses. The complainant and the respondent at a hearing must have an advisor with them. In cases in which a party does not have an advisor, the university will provide a trained advisor to assist them in the hearing process.

Cross-examination of the complainant, respondent, and any witnesses may not be conducted by the opposing party but must be conducted by their advisor. Questions are to be directed to the DA, who will determine whether or not each question will be admitted into the hearing. If a question is deemed repetitious or not relevant, the decision-maker must explain the decision to exclude it. When parties are being subject to cross-examination, the advisor may not answer on behalf of the party.

The DA will preside over the hearing and make final determinations on the relevance of questions and evidence asked during the cross-examination. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the alleged conduct, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

If a complainant, respondent, or witness is not in attendance at a live hearing, the DA cannot rely on the previously submitted statements of the absent party in reaching a determination, but may utilize all other evidence, including witnesses who interacted with the absent party, but not hearsay testimony of what the absent party told that individual. A complainant, respondent, or witness statement can also not be utilized in a determination if that person refuses to submit to cross-examination at a live hearing. The DA cannot draw an inference regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Following the hearing, the DA will develop a draft result¹⁷ (hereafter called decision), based on the preponderance of the evidence, as to a) whether or not the alleged conduct occurred; and b) whether each allegation is substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01 and/or Rule 08.01.01.M1. If applicable, the DA will also include a decision as to whether the respondent violated any other university regulation, code, policy, SAP, or rule. If the DA determines that any regulations, policies, rules, SAPs, or codes have been violated, the DA will consider any information about impact, mitigation, aggravation, and the respondent's character (see factors listed in the Sanctioning Considerations section on page 39) and include a decision about sanctions. The DA will submit the draft to SECO within 2 business days. SECO will have a maximum of 3 business days to provide feedback to the DA.

Thereafter, the DA will have a maximum of 3 additional business days to issue a decision letter. The decision letter must be sent simultaneously to notify the parties, in writing, of the decision on responsibility and

¹⁶ Hearings will be closed to the public. The university will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review. Physical access to the recording or transcript must be provided upon request for the purpose of preparing an appeal following the hearing. Attendance at a hearing may be in person or may be conducted through remote means, provided that all parties and the DA can see and hear one another in real time during the course of the hearing.

¹⁷ Result is defined as any initial, interim and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanction imposed by the institution.

sanctions except when to do so would violate state or federal law [e.g. Family Education Rights and Privacy Act (FERPA)]. The decision must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, the decision letter must include the rationale for the decision and the sanctions¹⁸. The decision will include information about appealing the decision and/or sanctions.

Decision letters must include (1) identification of the allegations; (2) a description of the procedural steps taken from the receipt of a formal complaint through determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held, if any; (3) a finding for each allegation as to whether the conduct occurred and findings of fact supporting the determination; (4) conclusion regarding the application of the university's conduct standards to the facts; (5) a statement of, and rationale for, the result as to each allegation including a determination regarding responsibility (substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01 and/or Rule 08.01.01.M1), any disciplinary sanctions the university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the university's education program or activity will be provided by the university to the complainant, and; (6) the university's procedures and permissible bases for the complainant and respondent to appeal the decision and/or sanctions. If it was alleged that any other system regulations or university rules, SAPs, codes, or policies were violated, there will be a statement of responsibility as to these allegations as well. The decision on responsibility made by the DA does not constitute an employment action with respect to faculty and non-faculty employees. Any sanction against an employee, imposed as a result of a substantiated finding, will constitute an employment action.

If for any reason there is reasonable cause for the university to delay the issuance of the decision letter, this will be communicated to the parties by the DA or designee. If a student respondent withdraws or graduates from the university pending the resolution of a complaint, the process will continue and, the university will not issue a transcript on behalf of the student until the conclusion of the process.

Upon request by another postsecondary educational institution, the university must provide to the requesting institution any determination that a student violated the university's code of conduct by committing sexual harassment, sexual assault, sex-based misconduct, dating violence, domestic violence, and/or stalking based on sex.

The goal is to resolve complaints in a reasonably prompt timeframe; however, extenuating circumstances requiring additional time may necessitate an extension for good cause. Written notice of the delay and the reason for the delay is provided to the complainant and the respondent by CREI or designee.

Procedures governing the resolution of all other civil rights complaints (allegations other than sexual harassment and sex-based misconduct)

Following are the resolution procedures for non sex-based complaints based on race, color, religion, national origin, age, disability, genetic information, and/or veteran status. When a complaint involves allegations of misconduct that involve both sex-based allegations and allegations of other civil rights violations, the process shall be conducted under the requirements established for sex-based offenses (see page 36).

The DA will review the unredacted final investigation report (see footnote 14), the documentary evidence, and any other relevant information. If the DA has substantial doubts about the thoroughness, fairness, and/or impartiality of the investigation, the DA may refer the matter back to the IA with further instructions, which

¹⁸ The decision of the DA will include how the university weighted the evidence and information presented during the hearing, how the evidence and information support the decision and sanctions, and how the standard of evidence was applied.

could include the appointment of a different IA. At any time prior to the adjudication of a formal complaint, the parties may seek informal resolution to resolve the complaint.

The DA will develop a draft decision (see footnote 17), based on the preponderance of the evidence, as to a) a finding for each allegation as to whether conduct occurred; and b) a finding of responsibility for each allegation: substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01 and/or Rule 08.01.01.M1. If it was alleged that any other system regulations or university rules, SAPs, codes, or policies were violated, there will be a statement of responsibility as to these allegations as well.

The DA will submit the draft decision to OGC within 5 business days after receiving the final investigation report and consult, as needed, with respect to sanctioning. OGC will coordinate with SECO and provide its review of the draft decision within 5 business days. For a complaint against a student, it may be impractical for OGC to review the intended decision prior to issuance by the DA. Universities are therefore exempt from obtaining OGC review of the decision, for student complainants, prior to issuance but may request assistance from OGC and SECO when needed.

The DA will have 5 business days to finalize the decision and simultaneously notify the parties, the IA, and any other university official with a need to know, in writing, of the decision and sanctions. In cases in which the allegations are substantiated, the final decision will also be provided to an employee respondent's supervisor. The decision must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, in the decision, the DA will state the rationale for the decision and the sanctions, if any (see footnote 18). The final decision will include instructions for appealing the decision and/or sanctions.

Circumstances may warrant extensions to the time frames in this section. The DA should send an extension request, if needed, to the office or individuals who appointed them. Both the complainant(s) and the respondent(s) should be notified of any extensions in writing.

Sanctioning Considerations

In determining appropriate sanctions, many factors may be considered. Factors include, but are not limited to:

- the expressed wishes of the complainant(s),
- the nature of the conduct,
- the impact of the conduct on the complainant(s) and university community and the need to protect the safety of the university community,
- prior disciplinary history of the respondent,
- whether the respondent has accepted responsibility for the conduct,
- the necessity of any specific action in order to eliminate the discrimination, harassment, and/or retaliation and prevent its recurrence, as well as the need to remedy its effects on the complainant(s) or other university community members, and/or
- any other mitigating, aggravating, or compelling circumstances.

Sanctioning for Employees

If an employee is found to have engaged in sexual harassment or sex-based misconduct, the sanction will be termination of employment. If an employee is found to have engaged in conduct prohibited by System Regulation 08.01.01 and/or Rule 08.01.01.M1 (other than sexual harassment and/or sex-based misconduct),

the DA may assign appropriate sanction(s) which may have educational, restorative, punitive, and rehabilitative components. Sanctions include written warning or reprimand, required training and/or attendance at counseling, no contact directives, probation, suspension, and termination.

If an employee is found responsible for violating any other rule, policy, SAP, code, or regulation, the DA may assign appropriate sanction(s) or may refer the sanctioning to any other appropriate university administrator.

Sanctioning for Students

If a student is found responsible for sexual harassment or sex-based misconduct, the student will be sanctioned in accordance with the [Texas A&M University Title IX Cumulative Student Sanctioning Matrix](#) which is described in the following table. Behavior examples identified in the table are not intended to represent an exhaustive listing of sexual harassment or sex-based misconduct. If a student is found responsible for engaging in any other form of conduct prohibited by System Regulation 08.01.01 or Rule 08.01.01.M1, or if the student is found responsible for violating any other university rule or System regulation, the DA will assign appropriate sanctions which may have educational, restorative, and rehabilitative components and/or may place a student in a probationary or review status or separate the student from the university.

Sexual Harassment (defined on page 16)			
Stage 1 Sanction	Stage 2 Sanction	Stage 3 Sanction	Stage 4 Sanction
Severe, persistent, or pervasive sexual innuendos, jokes, remarks, questions, gestures	Any one or the combination of Stage 1 behaviors, plus a behavior from another category	Any one or the combination of Stage 1 and/or Stage 2 behaviors, plus a behavior from another category	Any one or the combination of Stage 1, Stage 2 and/or Stage 3 behaviors, plus a behavior from another category
Display of sexually explicit visual material			
Dating Abuse and Violence / Domestic Abuse and Violence (defined on pages 56-57)			
Stage 1 Sanction	Stage 2 Sanction	Stage 3 Sanction	Stage 4 Sanction
Intimidation: Using actions, gestures, and tone of voice to indicate a threat of violence	Any one or combination of Stage 1 behaviors, plus:	Any one or combination of Stage 2 behaviors, plus:	Any one or combination of Stage 1, Stage 2 and/or Stage 3 behaviors
	Preventing complainant from calling for help or leaving the room	Intimidation or Physical abuse in retaliation for reporting sexual misconduct, dating/domestic violence, and/or stalking	
	Destruction of property	Displaying weapons, throwing objects at a person with potential to injure	
	Physical abuse: Pushing, shoving, hair-pulling, scratching, hitting, throwing objects	Destruction of valuable property	
Stalking (defined on pages 57-58)			
Stage 1 Sanction	Stage 2 Sanction	Stage 3 Sanction	Stage 4 Sanction
Repeated, unsolicited phone calls, emails, texts, and/or gifts to another person and/or their family/household	Any one or combination of Stage 1 behaviors, plus:	Any one or combination of Stage 1 and/or Stage 2 behaviors, plus:	Any one or combination of Stage 1, Stage 2 and/or Stage 3 behaviors
Repeatedly following another person or conducting surveillance of another person and/or their family/household	Second violation of stalking	Intimidation or physical abuse in retaliation for reporting sexual misconduct, dating/domestic violence, and/or stalking	
Direct or private unsolicited contact or attempts to contact via social media	Repeated, unsolicited contact or attempts to contact via social media	Repeated, unsolicited visits to another person's home, business, and/or class, and/or that of their family/household	
		Assuming another's identity in order to make contact with complainant	

Sexual Exploitation (defined on page 16)			
Stage 1 Sanction	Stage 2 Sanction	Stage 3 Sanction	Stage 4 Sanction
Reckless viewing of nudity or sexual behavior	Any one or combination of Stage 1 behaviors, plus:	Any one or combination of Stage 1 and/or Stage 2 behaviors, plus:	Any one or combination of Stage 1, Stage 2 and/or Stage 3 behaviors
	Allowing others to observe sexual activity without the other person's consent	Soliciting sexual contact with a minor	Collecting, creating, and/or distributing child pornography/sexual images of those under 18
	Intentional viewing of nudity or sexual behavior	Possessing and/ or viewing child pornography/sexual images of those under 18	Prostituting another person
	Indecent exposure without proper regard for others (i.e. public urination)	Taking or transmitting images or videos of an identified person in a sexual, intimate, or private act without that person's consent	
	Taking or transmitting images or videos of an unidentified person in a sexual, intimate, or private act without that person's consent	Distributing sexual or intimate images or recordings of another identified person without that person's consent	
	Distributing sexual or intimate images or recordings of an unidentified person without that person's consent	Engaging in sexual activity while knowingly infected with an STD without the other person's knowledge	
		Deliberate indecent exposure with intent for impact	
Non-consensual Sexual Contact (defined as attempting or making sexual contact without the person's consent)			
Stage 1 Sanction	Stage 2 Sanction	Stage 3 Sanction	Stage 4 Sanction
Unwelcomed kissing and/or light touching over clothing	Any one or combination of Stage 1 behaviors, plus a behavior from another category, plus:	Any one or combination of Stage 1 and/or Stage 2 behaviors, plus:	Any one or combination of Stage 1, Stage 2 and/or Stage 3 behaviors
	Non-genital fondling, groping or heavy touching plus a behavior from another category	Unwelcomed touching, fondling, groping or genital touching	
	Unwelcomed increased touching, fondling, groping, or genital touching		
Sexual Abuse (defined as the following behaviors carried out by any means against the complainant's will or without his/her consent)			
Stage 1 Sanction	Stage 2 Sanction	Stage 3 Sanction	Stage 4 Sanction
n/a	n/a	Oral sex	Any one or combination of Stage 3 behaviors with predation ¹⁹
		Penetration (by sex organs)	
		Penetration (by means other than sex organs)	

The Stage 4 sanction is expulsion. The Stage 3 sanction is suspension. The Stage 2 sanction is conduct probation. Stage 1 sanctions include conduct reviews, restrictions, restitution, community/university service, educational requirements, and letters of reprimand. Texas A&M University sanctions are defined below.

Texas A&M Student Sanctioning Matrix - Stage 4 Sanctions

Expulsion: Separation of the student from the university whereby the student is not eligible for readmission to this University.

¹⁹ Predation is an intent to engage in acts of misconduct prior to its occurrence, demonstrating premeditation, planning or forethought. Predation is reflected in communicated intent (physical, verbal, visual, or written), threats directed at a party, attempts to incapacitate a party, attempts to isolate a party, utilizing physical force or violence, or other actions that a reasonable person would construe as a pre-meditation to engage in actions that are unwanted by/against the recipient. Committing any of these actions with an individual under the age of consent is also considered predatory.

Texas A&M Student Sanctioning Matrix - Stage 3 Sanctions

Letter of Enrollment Block: A letter stating that the student may not reenter Texas A&M University without prior approval through CREI, the Offices of the Dean of Student Life, or the Vice President for Student Affairs if enrollment has been blocked for a previous student conduct problem.

Suspension: Separation of the student from the university for a definite period of time. The student is not guaranteed readmission at the end of such period of time, but is guaranteed a review of the case and a decision regarding eligibility for readmission. The suspension takes effect when the appeal for the offense is exhausted, waived or time limit has passed. Suspensions may be implemented in one of two ways: immediate implementation of suspension or deferred implementation of suspension. The sanction of suspension may be placed in deferred status. If the student is found in violation of any university's regulations, policies, rules, codes, or SAPs during the time of deferred suspension, the suspension takes effect immediately without further review. Additional student conduct sanctions appropriate to the new violation also may be applied. A student who has been issued a deferred suspension sanction is deemed "not in good standing²⁰" with the university.

At the end of the suspension period, the student is eligible for reenrollment. Actual admission to the university will be determined by the academic rules in place at the time of application for reenrollment. If admitted, the student is required to attend a mandatory meeting with the Student Conduct Office (979-847-7272) prior to course registration.

Texas A&M Student Sanctioning Matrix - Stage 2 Sanctions

Conduct Probation: An official warning that the student's conduct is in violation of Texas A&M University regulations, policies, rules, codes, or SAPs, but is not sufficiently serious to warrant expulsion or suspension. A student on conduct probation is deemed "not in good standing" with the university (see footnote 20). If there is a finding of responsibility for subsequent violations of the university's regulations, policies, rules, codes, or SAPs during this period of time, more severe sanctions may be administered.

Texas A&M Student Sanctioning Matrix - Stage 1 Sanctions

Conduct Review: An official warning that the student's conduct is in violation of Texas A&M University regulations, policies, rules, codes, or SAPs, but is not sufficiently serious to warrant expulsion, suspension, or conduct probation. A student on conduct review shall have their conduct under review for a specified period of time. This sanction may require regular meetings with an appropriate official to ascertain and evaluate compliance with student rules. Additional restrictions or conditions also may be imposed, depending on the nature and seriousness of the misconduct. Students placed on this sanction remain in good standing with the university. If there is a finding of responsibility for subsequent violations of regulations, policies, rules, codes, or SAPs during this period of time, more severe sanctions may be administered.

²⁰ A student who is not in good standing is subject to the following restrictions: (1) Ineligibility to hold an office in any student organization recognized by the university or to hold any elected or appointed office of the university. (2) Ineligibility to represent the university in any way, including representing the university at any official function, intercollegiate athletics or any forms of intercollegiate competition or representation. This includes events taking place both on and off of the university campus. (3) Ineligibility to receive a university administered scholarship when the length of the period of not in good standing is greater than one semester. Some scholarships adhere to more strict guidelines, and, therefore, ineligibility may result from a lesser length of not in good standing. This sanction implies a serious offense and must be uniformly applied by the office administering the scholarship upon notification by CREI. (4) Additional restrictions or conditions also may be imposed, depending on the nature and seriousness of the misconduct.

Restrictions: The withdrawal of specified privileges for a definite period of time, but without the additional stipulations contained in the imposition of a sanction which results in a student being not in good standing. The restrictions involved will be clearly defined.

Restitution: A payment for financial injury to an innocent party in cases involving theft, destruction of property or deception. The assessed costs to be paid may be in addition to receipt of any of the above sanctions.

Community/University Service: A student may be offered an opportunity to complete a specified number of hours of community/university service. The type of community/university service must be approved by the respondent's CREI Case Manager.

Educational Requirements: A provision to complete a specific educational requirement. Such educational requirements may include, but are not limited to, completion of an alcohol education workshop, a diversity awareness workshop, essays, reports, reflective writing assignments, etc.

Letter of Reprimand: A letter that makes a matter of record any incident that reflects unfavorably on the student or the university.

Minimum Sanctions

In addition, students found responsible for committing dating or domestic violence and/or non-consensual sexual penetration of another person will be subject to a minimum sanction of a one-year suspension, in the absence of significant mitigating factors. Students found responsible for these acts who have demonstrated predation for the purpose of carrying out these acts will be subject to permanent expulsion.

Students found responsible for committing acts of sexual harassment, sexual assault, dating violence, domestic violence, stalking based on sex, and/or any other sex-based misconduct who are allowed to return after a suspension of one year or more will be ineligible to hold an office in any student organization, ineligible to represent the university in any way (including intercollegiate athletics or other competitions, both on and off campus), and ineligible to receive an institutional scholarship, in the absence of significant mitigating factors.

Campus Housing Sanctions

In addition to the sanctions specified in the [Texas A&M University Title IX Cumulative Student Sanctioning Matrix](#), occupants of each residence hall, by majority vote, have the power to establish additional "in house" rules approved by the Department of Residence Life. Generally, "in house" rule infractions are handled by Residence Life staff. Campus housing sanctions are described below.

Loss of Campus Housing Privilege: Removal from university housing for conduct reasons.

Deferred Loss of Campus Housing Privilege: The sanction of loss of campus housing privilege may be placed in deferred status. If a student is found in violation of any university rule during the time of the deferred sanction, removal from housing takes effect immediately without further review. Additional student conduct sanctions appropriate to the new violation also may be taken. In addition, a student is ineligible to hold an elected or appointed office in any affiliated housing organization. This includes but is not limited to the following offices/positions: president, vice president, secretary, treasurer, Residential Housing Association delegate.

Campus Housing Probation: An official notice that the student's conduct is in violation of residence hall rules, university apartments rules and/or university rules and that more stringent student conduct sanctions, including removal from housing, may result if future violations occur. In addition, a student is ineligible to hold an elected or appointed office in any affiliated housing organization. This includes but is not limited to the following offices/positions: president, vice president, secretary, treasurer, Residential Housing Association delegate.

Corps of Cadets Sanctions

In addition to any of the sanctions listed in this section, members of the Corps of Cadets are subject to disciplinary action in accordance with Corps Operations Manual.

Appeals procedures governing the resolution of all sexual harassment and sex-based misconduct allegations, see definitions on page 16

An appeal of a complaint dismissal, hearing decision, and/or sanctions related to an allegation of sexual harassment or sex-based misconduct may be made by the complainant and/or the respondent. The AA, the individual or panel responsible for rendering appeal decisions, is assigned based on the status of the respondent in accordance with the following table. AAs shall not have had any previous involvement and/or participation in the investigation and/or decision pertaining to an appeal under review.

If the allegations are against a:	Student	Non-Faculty Employee and Third Party	Faculty Employee
Then the AA is:	University Disciplinary Appeals Panel (UDAP) who may refer the appeal to the Dean of Student Life or designee https://student-rules.tamu.edu/rule58/	Vice President for the Division of Human Resources and Organizational Effectiveness or designee https://policies.tamu.edu/32-01-02.pdf	Provost and Executive Vice President or designee who may seek an advisory opinion from the University Committee on Faculty Disciplinary Appeals (UCFD) before rendering decision

All appeals will be confined to a review of the record from the investigation and any relevant evidence, as well as the DA's decision as related to the grounds for appeal. The appeal does not create an entitlement to a new investigation. The appeals process carries a presumption that the original decision was correct unless a preponderance of the evidence demonstrates that one or more of the conditions of the appeal are met, and that either or both parties was deprived of a fair process.

Appeals must be submitted in writing and must include a statement outlining the basis for the appeal²¹ and any evidence which supports the appeal. Appeals must be filed at the location and within the timeframe dated in the DA's written notice of the decision (within 5 business days of notification of the decision). Decisions made by the DA shall not be final until an appeal deadline is passed, or when the appeal process is exhausted, or when all parties choose not to appeal.

²¹ Results (decision and/or sanctions) or dismissal of a complaint can be appealed on any of all of the following bases, as applicable: (a) A procedural irregularity that affected the outcome; (b) New evidence, not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter. The new evidence must be provided at the time of the appeal through the designated mechanism for filing an appeal; (c) The Title IX Coordinator, investigator(s) or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or (d) The appropriateness or severity of the sanctions. If an employee was found to have sexually harassed another member of the university or agency community, the appropriateness or severity of the sanction cannot be appealed.

To be a valid appeal, the appeal must: (1) be filed at the location and within the time frame stated in the DA's written notice; (2) identify one of the bases for appeal (see footnote 21); and (3) provide credible information or evidence substantiating the identified bases for appeal.

If the AA determines that an appeal is not valid, the AA will provide simultaneous written notice to the parties and CREI that no valid appeal was filed and that the decision of the DA is final and the case is closed.

If a timely and valid appeal is filed by either party, the other party will be notified as soon as practical thereafter by the AA. The parties will be given 3 business days to review the appeal and submit a written response a) that provides support for or challenges the decision by the DA, and b) that responds to the appeal bases submitted by the appealing party. Any written response must be submitted to the AA.

The AA will review the investigation report, the DA's decision on responsibility and/or sanctions, the documentary evidence, the record from the hearing (if applicable), and any other relevant information and render a written decision on the appeal. If both parties file a valid appeal, the AA will review both appeals and will render decisions accordingly.

The AA will render one or more of the following written decisions:

- Affirm the DA's decision on responsibility and, if applicable, the sanctions. There are no relevant issues of concern related to the ground(s) of the appeal, and, therefore, the decision is affirmed and final.
- Remand the complaint back to the DA because new evidence, not reasonably available at the time the determination regarding responsibility or dismissal was made, appears to be relevant and could have significantly affected the outcome of the decision on responsibility, dismissal of the complaint, or the sanctions. The DA will reconvene the hearing for the limited purpose of considering the new evidence. The DA will issue a new decision which may be appealed by the parties in accordance with the previously described appeal procedures.
- Remand the complaint back to the DA with an instruction to correct the procedural error or omission. If the procedural error occurred in the investigation phase, the DA will instruct the IA to correct the procedural error or omission and amend the Investigative Report, as appropriate. The IA will then submit the amended investigative report to the parties for review and response and then to the DA for a new decision in accordance with formal resolution procedures. If the procedural error occurred in the resolution phase, the DA will correct the procedural error or omission and then issue a new decision in accordance with the formal resolution procedures. The new decision of the DA may be appealed by the parties in accordance previously described appeal procedures.
- Remand the complaint to 1) CREI or 2) SECO with the instruction to remedy a bias by the IA or DA or the Title IX Coordinator. If bias was present in the IA, CREI will appoint a new IA to review the investigation, collect additional evidence or information as appropriate, and follow the investigation requirements as outlined in the formal resolution procedures. A new report will be written and provided to the DA for a new hearing. If the bias was present in the DA, CREI will appoint a new DA to re-hear the case with the existing investigation. If the bias was present in the Title IX Coordinator, SECO will appoint a new staff member to address the influence of the Title IX Coordinator on the case.

- Modify the decision on sanctions because the sanctions given were inappropriate or disproportionate to the severity of the conduct after considering all the circumstances²². The AA will impose new sanctions, which are final.

Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, the AA will render a written decision simultaneously to the parties that includes a rationale for the decision as to each of the grounds appealed, changes occurring based on appeal, and when such results become final (see footnote 18).

To the extent reasonably possible:

- For student respondents: The AA will provide the written decision simultaneously to the parties and CREI within 10 business days following the 3 business day review deadline. AAs are exempt from obtaining OGC review of decisions for student respondents prior to issuance but may request assistance from OGC and SECO when needed.
- For employee or third-party respondents: The AA will provide a draft decision to OGC for review within 5 business days following the 3 business day review deadline. System Office officials will provide its review of the draft decision to the AA within 5 business days. To the extent possible, the AA will provide a final written decision simultaneously to the parties and CREI within 5 business days of receipt of the review from the System Office. If the complaint on appeal is substantiated, the respondent's supervisor will also be informed.

The decision of the AA is considered be final and binding on all involved parties.

Circumstances may warrant extensions to the timeframes outlined in this section. The AA may send an extension request to the office or individual who appointed them with a rationale for an extension. If the extension is granted, the AA will notify the parties and CREI in writing.

Appeal procedures governing the resolution of other complaints (allegations other than sexual harassment and sex-based misconduct)

Any employee disciplined pursuant to this regulation may appeal that action in accordance with [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#); [System Policy 32.01, Employee Complaint and Appeal Procedures](#); [System Regulation 32.01.01, Complaint and Appeal Procedures for Faculty Members](#); [System Regulation 32.01.02, Complaint and Appeal Process for Nonfaculty Employees](#); and/or other system policies or regulations as appropriate.

Any student receiving a sanction of separation (expulsion or suspension) pursuant to this regulation may appeal the sanction in accordance with the code of conduct for student grievances, [Student Rule 51, Student Conduct Separation and Appeal](#).

Extensions

The university will make every reasonable effort to comply with the timelines contained in this procedure. However, extensions may be obtained by the IA, DA, or AA, as appropriate under the circumstances. Time frames for the receipt, investigation, and adjudication of complaints may be extended for good cause. Good cause is to be determined by the university in consultation with OGC and SECO and reasonable extensions

²² If an employee was found to have sexually harassed another member of the university or agency community, the AA may not render a decision which modifies the sanctions.

may be granted at the discretion of the university. Circumstances that warrant an extension may include, but are not limited to:

- Temporary unavailability of the complainant(s), respondent(s) or witnesses;
- Delays in issuance and/or receipt of information to or from the IA;
- Temporary unavailability of the IA, DA, or AA due to illness, family needs or professional commitments;
- Holidays or other periods when the complainant, respondent, witnesses, or other university employees may be unavailable; and/or
- New allegations, new evidence, new witnesses, or any other fact or circumstance that would require further investigation.

All requests for extensions must be justified in writing and shall be sent by the IA, DA, or AA to OREC for review and approval by the Chief Risk, Ethics, and Compliance Officer or designee. CREI will simultaneously notify the complainant and respondent in writing of any extensions and the reason for the extensions.

Dismissals under Title IX

Cases involving allegations of sexual harassment, sexual assault, and dating violence, domestic violence, and/or stalking based on sex are subject to mandatory or discretionary dismissal from the Title IX process²³ under federal law. However, at the discretion of the Title IX Coordinator, in consultation with OGC and SECO, cases dismissed from the Title IX process may be subject to investigation and adjudication as sex-based misconduct which provides for the same investigation and resolution process as cases meeting sexual harassment under Title IX.

Mandatory dismissals

If the conduct alleged in the formal complaint would not constitute sexual harassment as defined even if proved, did not occur in the university's education program or activity, or did not occur against a person in the United States, then the university must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX only. Such dismissal does not preclude action under

- Sex-based Misconduct procedures as outlined on page 36 or
- Another provision of the university's conduct standards.

Discretionary dismissals

The university may dismiss a formal complaint for the purposes of sexual harassment under Title IX if the complainant notifies the Title IX Coordinator in writing that the complainant wishes to withdraw it, if the respondent is no longer enrolled or employed by the university, or if specific circumstances prevent the university from collecting evidence sufficient to reach a determination (for example, when the complainant has ceased participating in the process; in certain fact specific cases when the passage of time precludes the collection of sufficient evidence; when complainant's identity is not known; and when the exact same allegations have already been investigated and adjudicated). Such dismissal does not preclude action under:

²³ Complaints will be processed under Title IX if all of the following apply: (1) The university has actual knowledge of a notice of sexual harassment or a complaint involving allegations of sexual harassment, sexual assault, and/or dating violence, domestic violence, and stalking based on sex to the Title IX Coordinator or any university official who has authority to institute corrective measures and redress harassment on behalf of the university including Deputy Title IX Coordinators, the Chief Risk, Ethics and Compliance Officer, the Director of Employee Relations, the Vice President for Human Resources, the Dean of Faculties, the Office of the Provost, the Dean of Students, the Dean of Student Life, and the Associate Director of Student Life. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge; (2) A formal complaint is filed by the complainant or signed by the Title IX Coordinator; (3) The alleged behavior/conduct must have occurred against a person while in the United States; (4) At the time the formal complaint was filed, the complainant was participating or attempting to participate in the university's education program or activity. This includes an enrolled student, an employee, and applicants for admission or employment at the university, and; (5) The alleged conduct meets the definition of sexual harassment as set forth in this policy.

- Sex-based Misconduct procedures as outlined on page 36 or
- Another provision of the university's conduct standards.

Upon a dismissal required or permitted pursuant to the above, the university must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties. The parties must be given the opportunity to appeal a dismissal to the designated AA in accordance with the appeal procedures referenced above.

Prevention and Awareness Programs²⁴

Primary prevention programs are directed at incoming students and new employees. The primary programs are defined as programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexual interactions, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Texas A&M University provides culturally relevant, inclusive primary prevention and awareness education to incoming students and new employees to clearly define sexual assault, dating violence, domestic violence, stalking, and consent. The programs identify sexual assault, dating violence, domestic violence, and stalking as conduct prohibited by the university and provide information regarding bystander intervention, risk reduction in recognizing warning signs of abusive behavior, ways to avoid potential attacks, and individuals' rights and options. The training includes procedures individuals should follow if sexual assault, dating violence, domestic violence, or stalking occurs and procedures the institution will follow when one of these behaviors is reported. This includes, but is not limited to, the importance of preserving evidence; options for notifying law enforcement and campus authorities; procedures for institutional disciplinary action and conduct proceedings; possible sanctions following a proceeding; on-campus and community resources; rights and options for obtaining lawful orders; assistance in receiving support measures and remedial action; how the institution will protect the confidentiality of victims and other necessary parties; and protection from retaliation.

Primary prevention programs include the following:

- Health Promotion within the Offices of the Dean of Student Life facilitates a session at virtual new student conferences (orientations) that includes bystander intervention, consent, and options for reporting discrimination, harassment, and sexual violence. The session is mandatory for incoming, undergraduate freshmen and transfer students.
- Similar sessions are provided by the Offices of the Dean of Student Life to incoming graduate and professional students at new graduate student orientations overseen by the Office of Graduate and Professional Studies (OGAPS). Primary prevention and awareness information is provided at these orientations in addition to related institutional procedures and resources. Prior to the fall semester, the OGAPS orientation materials are also emailed to the entire university graduate community, including to those at remote locations, and published online.

²⁴ For the purposes of this section awareness programs means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. Programs to prevent dating violence, domestic violence, sexual assault, and stalking means comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, assessed for value, effectiveness, or outcome; and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

- The Offices of the Dean of Student Life and CREI offer sessions at various extended orientation programs (Fish Camp, T-Camp, ExCEL, etc.) and to various segments of the student community (residence advisors, Corps of Cadets, student athletes, fraternities and sororities, other student leader groups) at the beginning of each semester.
- The university requires a mandatory online training module (Sexual Assault Prevention) focused on sexual harassment, sexual assault, dating violence, domestic violence, and stalking. Each semester, the training is sent to all incoming Texas A&M University undergraduate, graduate, and professional students. New students are required to complete this training at all campuses with the exception of Texas A&M University Qatar.
- The Corps of Cadets Discipline Officer and personnel from the Student Conduct Office and CREI provide semi-annual training for all cadets, focusing on sexual harassment, sexual assault, and related discipline.
- The new student handbook, available to students electronically through a link they receive in an email from the Offices of the Dean of Student Life, contains information on sexual assault, dating violence, domestic violence, and stalking; awareness; rights; resources; and options available through the CREI department.
- Crime prevention and safety information, some specifically targeting sexual violence, date rape, and stalking, is shared online through the virtual New Student Conference Resource Table website.
- New employees receive primary prevention information through a web-based *Creating a Discrimination Free Workplace* training mandated by TAMUS. All employees are required to complete the training every two years thereafter.

Ongoing prevention and awareness campaigns are directed at students and employees. The ongoing campaigns are defined as programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking using a range of strategies with audiences throughout the institution. The same information included in the institution's primary prevention and awareness programs is incorporated into ongoing prevention and awareness campaigns. Various departments on campus support ongoing campaigns for students and employees as described below.

Health Promotion (including an interpersonal violence unit) provides Green Dot Bystander Intervention training that addresses the dynamics and frequency of sexual assault; safety against and prevention of sexual assault, dating violence, domestic violence, and stalking; recognizing signs of unhealthy relationships; and active bystander intervention. Through Green Dot training, participants learn how to use the 3 D's (direct, delegate, and distract) to intervene in any acts of power-based personal violence they may witness. Health Promotion furthers prevention of power-based interpersonal violence at the university by offering Green Dot and other education and training on the topics of bystander intervention, consensual language, healthy relationships, and responding to and assisting survivors of sexual assault. These programs occur throughout the year and are available upon request (<https://studentlife.tamu.edu/hp/presentations/>, healthpromotion@tamu.edu or 979-845-0280). Presentations have been provided for classes, student organization meetings, orientations, residence hall programs, and other events.

The Women's Resource Center (WRC) provides visibility, advocacy, support, and programming for students, faculty, and staff by educating campus and community constituencies on women's issues and functions as a resource and referral center (<http://studentlife.tamu.edu/wrc>, wrc@tamu.edu, or 979-845-8784).

The Sexual Assault Survivors Services (SASS) committee is a collaborative working committee comprised of individuals from across the university and university community. The committee strives to share resources

and perspectives to enhance services for support and education in the area of sexual violence. Focused on students, committee members work together to create educational resources and informational publications, and organize related special events. SASS developed the STAND Up workshop designed to train faculty, staff, and students on how to have trauma-informed conversations with individuals who have been involved in incidents of sexual assault, dating violence, domestic violence, and/or stalking. The workshop provides information about sexual assault, dating violence, domestic violence, and stalking; social perspectives; the impacts of trauma on the brain; listening techniques; tools for mandated reporters; and campus and community resources. Health Promotion coordinates the day to day operations of this workshop; see their contact information above.

The university developed the Step In. Stand Up. Campaign, endorsed by the President, to create a culture of awareness that does not tolerate incidents of sexual violence. A large group of student leaders were involved to assist in crafting the message and the Campaign logo with the intention of reaching a broad campus population. The Campaign asks supporters to “step in” as active bystanders to prevent incidences of sexual violence from occurring and to “stand up” to support survivors. Student, faculty, and staff groups actively support the Campaign. These groups extend the Step In. Stand Up. message on campus and in the community during sporting events, student and employee orientations, and other campus-hosted events that take place throughout the year. Special efforts are made during sexual assault awareness month which include providing resource tables, facilitating pledge banner signatures, distributing t-shirts, and hosting speakers who advocate for social change and awareness. A website for the Campaign includes an online pledge of commitment, university-wide statements of support, campus and community resources, and information on how to report sexual violence (<http://stepinstandup.tamu.edu/>).

In 2019, the university conducted a campus climate survey on sexual assault and misconduct to capture student voices around these issues and gain a better understanding of each student’s experiences and opinions about sexual harassment and sexual violence within the campus community. Results of the survey are posted here: <https://titleix.tamu.edu/our-stats/2019-campus-climate-survey/>.

The UPD’s Community Services Division, 979-845-0070, provides ongoing education available to students and employees to promote prevention and personal safety including sexual assault and stalking prevention and awareness, drug and alcohol awareness, and sexual harassment and rape prevention through self-defense tactics. Related materials are typically distributed by the Community Services Division at awareness events across campus and in the community during times such as the Campus Safety Awareness Series, National Night Out, and Sexual Assault Awareness Month.

The Office of the Vice President for Student Affairs distributes an online Concerning Behavior Response Guide, to new faculty and staff to assist them in responding to individuals who may exhibit behavior that is concerning. The guide includes information about identifying sexual harassment, sexual assault, dating violence, domestic violence, and/or stalking, reporting requirements and procedures, and limits on requests for confidentiality in response to individuals who disclose related incidents. The guide can be found online at <http://tellsomebody.tamu.edu/resources/>.

CREI provides Title IX presentations to various Texas A&M University student, staff, and faculty groups multiple times per year and upon request. The presentations include and explanation of the federal law and Texas A&M University’s institutional policies, reporting procedures, response, and disciplinary proceedings. CREI also conducts presentations on trauma informed response to campus personnel such as the Office of the Commandant.

The Division of Human Resources and Organizational Effectiveness offers training for employees regarding fostering respect in a diverse workplace and inclusion that covers information about the employee's and supervisor's role in maintaining a work environment that is free from discrimination and harassment. Participants have the opportunity to review federal equality laws, identify and discuss behaviors that might unknowingly contribute to a disrespectful or hostile environment, and identify ways to be proactive in creating a respectful work environment. Other online courses are offered that provide guidance in following university policies and rules and reporting and addressing complaints.

The Title IX webpage, <http://titleix.tamu.edu/>, describes university resources, assistance, educational opportunities, and reporting procedures for campus community members impacted by sexual violence, sexual harassment, and other illegal discrimination. CREI, the Offices of the Dean of Student Life, and UPD provides information for students, faculty, and staff who wish to report any form of sexual discrimination or harassment. The [Step In. Stand Up. website](#) referenced above also includes information on these topics.

A notice of non-discrimination and abuse is sent to all students and employees by CREI at the beginning of the fall and spring semesters regarding reporting procedures and requirements related to incidents of illegal discrimination, sexual harassment (including sexual assault, dating violence, domestic violence, and stalking), and related retaliation.

All students and employees are provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services and resources available for individuals both on-campus and in the community. The written notification is provided to students and employees by CREI through an annual email (fall semester) that contains information about how to report incidents, applicable policies, and other available options in addition to existing services and resources.

Bystander Intervention and Risk Reduction²⁵

Everyone has a role in changing community knowledge, attitudes and behaviors. Change happens as each person is able to identify risky situations and take action to confront, interrupt, or prevent acts of sexual violence. Bystander intervention programs can help individuals observe a situation and determine an appropriate intervention where someone could use some help. Bystander intervention means just that; people taking care of others. If you find a friend in a situation that concerns you, consider the following strategies to intervene safely and effectively:

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

Sexual assault is never a victim's fault. However, there are ways that may reduce the risk of being sexually assaulted including being prepared, alert, and assertive. Consider the following tips:

²⁵ For the purposes of this section bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

- Be aware of your surroundings
- Practice responsible drinking; alcohol is a factor in many sexual assaults
- Never leave your drink unattended
- Don't accept drinks from someone you don't know or trust
- Stay with your friends and make sure your friends stay with you
- Be careful of online relationships
- Trust your instincts

We are reminded to think about relationships, specifically relationships that may be, or become abusive. Be aware of the signs:

- Is one of the partners verbally and emotionally abusive?
- Is one of the partners isolating the other from friends and family?
- Is one of the partners controlling, intimidating or always jealous?
- Is there a threat of harm?

Other Considerations

Prohibition of Retaliation

Texas A&M University prohibits retaliation. Texas A&M University or an officer, employee, or agent of Texas A&M University may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of the Clery Act.

Victim Notification

In accordance with the Higher Education Opportunity Act, upon written request, Texas A&M University will disclose to the alleged victim of any crime of violence, or non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense with respect to 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 the purposes of this paragraph.

Institutions are required to provide both the complainant and the respondent with simultaneous written notification of any result of any institutional conduct proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking. In these cases, it is not necessary for the victim to make a written request.

Sex Offender Registry

Section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) provides for the tracking of registered sex offenders and instructs states to post sex offender data on the internet.

The Texas Department of Public Safety (DPS) is the official Texas internet source for Sex Offender Registration information. The Sex Offender Registration open record information is extracted from the DPS Sex Offender Registration Database. The DPS maintains files based on registration information submitted by criminal justice agencies and represents a statewide source of information on sex offenders required by law to register.

The DPS public web page can be found at <https://records.txdps.state.tx.us/SexOffender/>.

UPD receives notification of registered sex offenders that are currently employed, work, teach, volunteer, or attend classes on the campus of Texas A&M University. Notification comes from the Brazos County Sheriff's Sex Offender Registration Office.

Additional resources for gathering sex offender and sex crime data in the area:

Brazos County Sheriff's Office – 979-361-4980

Bryan Police Department – 979-209-5300

College Station Police Department – 979-764-3600

Blinn College Police Department – 979-361-3888

Definitions of Clery Act Offenses

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

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

Sexual Assault: An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) Program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent (see consent section below).

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.

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.

Consent:

[Texas A&M University System Regulation](#)

[System Regulation 08.01.01, Civil Rights Compliance](#) provides guidance in complying with local, state and federal civil rights laws and regulations and related system policy. This regulation establishes system-wide standards for the receipt and processing of complaints, appeals, or reports of discrimination, sexual harassment and/or related retaliation based on protected class including complaints made by employees, students, and/or third parties.

According to [System Regulation 08.01.01, Civil Rights Compliance](#), consent is clear, voluntary, and ongoing agreement to engage in a specific sexual act. Persons need not verbalize their consent to engage in a sexual act for there to be permission. Permission to engage in a sexual act may be indicated through physical actions rather than words. A person who is asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement

was made by threat, coercion, or force, cannot give consent. Consent may be revoked by any party at any time.

Texas Penal Code

According to the [Texas Penal Code, Sec. 1.02. Objectives of Code](#), the general purposes of the Texas Penal Code are to establish a system of prohibitions, penalties, and correctional measures to deal with conduct that unjustifiably and inexcusably causes or threatens harm to those individual or public interests for which state protection is appropriate.

Consent is defined in the [Texas Penal Code, Section 1.07\(11\)](#) as assent in fact, whether express or apparent. Without consent is also defined in the [Texas Penal Code, Section 22.011\(b\)](#) within the definition of sexual assault (see below).

Sexual Assault is defined in the [Texas Penal Code, Section 22.011](#) as follows.

- (a) A person commits an offense if:
 - (1) the person intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
 - (C) 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; or
 - (2) regardless of whether the person knows the age of the child at the time of the offense, the person intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of a child by any means;
 - (B) causes the penetration of the mouth of a child by the sexual organ of the actor;
 - (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
 - (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
 - (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
- (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:
 - (1) the actor compels the other person to submit or participate by the use of physical force, violence, or coercion;
 - (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person or to cause harm to the other person, and the other person believes that the actor has the present ability to execute the threat;
 - (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
 - (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
 - (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
 - (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
 - (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;

- (8) the actor is a public servant who coerces the other person to submit or participate;
 - (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
 - (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser;
 - (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code; or
 - (12) the actor is a health care services provider who, in the course of performing an assisted reproduction procedure on the other person, uses human reproductive material from a donor knowing that the other person has not expressly consented to the use of material from that donor.
- (c) In this section:
- (1) "Child" means a person younger than 17 years of age.
 - (2) "Spouse" means a person who is legally married to another.
 - (3) "Health care services provider" means:
 - (A) a physician licensed under Subtitle B, Title 3, Occupations Code;
 - (B) a chiropractor licensed under Chapter 201, Occupations Code;
 - (C) a physical therapist licensed under Chapter 453, Occupations Code;
 - (D) a physician assistant licensed under Chapter 204, Occupations Code; or
 - (E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.
 - (4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:
 - (A) licensed social worker as defined by Section 505.002, Occupations Code;
 - (B) chemical dependency counselor as defined by Section 504.001, Occupations Code;
 - (C) licensed professional counselor as defined by Section 503.002, Occupations Code;
 - (D) licensed marriage and family therapist as defined by Section 502.002, Occupations Code;
 - (E) member of the clergy;
 - (F) psychologist offering psychological services as defined by Section 501.003, Occupations Code; or
 - (G) special officer for mental health assignment certified under Section 1701.404, Occupations Code.
 - (5) "Employee of a facility" means a person who is an employee of a facility defined by Section 250.001, Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.
 - (6) "Assisted reproduction" and "donor" have the meanings assigned by Section 160.102, Family Code.
 - (7) "Human reproductive material" means:
 - (A) a human spermatozoon or ovum; or
 - (B) a human organism at any stage of development from fertilized ovum to embryo.
- (d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.
- (e) It is an affirmative defense to prosecution under Subsection (a)(2):
- (1) that the actor was the spouse of the child at the time of the offense; or
 - (2) that:

- (A) the actor was not more than three years older than the victim and at the time of the offense:
 - (i) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
 - (ii) was not a person who under Chapter 62, Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and
- (B) the victim:
 - (i) was a child of 14 years of age or older; and
 - (ii) was not
 - (a) a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01; or
 - (b) a person with whom the actor was prohibited from engaging in sexual intercourse or deviate sexual intercourse under Section 25.02.
- (f) An offense under this section is a felony of the second degree, except that an offense under this section is
 - (1) a felony of the first degree if the victim was a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section [25.01](#); or
 - (2) a state jail felony if the offense is committed under Subsection (a)(1) and the actor has not received express consent as described by Subsection (b)(12).

Dating Violence: 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 based upon the reporting party's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

Dating Violence is defined in the [Texas Family Code, Section 71.0021](#) as follows.

- (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:
 - (1) is committed against a victim or applicant for a protective order:
 - (A) with whom the actor has or has had a dating relationship; or
 - (B) 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
 - (2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- (b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:
 - (1) the length of the relationship;
 - (2) the nature of the relationship; and
 - (3) the frequency and type of interaction between the persons involved in the relationship.
- (c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

Family Violence is defined by the [Texas Family Code, Section 71.004](#) as follows.

- (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;
- (2) abuse, as that term is defined by [Sections 261.001\(1\)\(C\), \(E\), \(G\), \(H\), \(I\), \(J\), \(K\), and \(M\)](#), by a member of a family or household toward a child of the family or household; or
- (3) dating violence, as that term is defined by Section 71.0021.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. 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. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

Stalking is defined in the [Texas Penal Code, Section 42.072](#) as follows.

- (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:
 - (1) constitutes an offense under [Section 42.07](#) (see below), or that the actor knows or reasonably should know the other person will regard as threatening:
 - (A) bodily injury or death for the other person;
 - (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
 - (C) that an offense will be committed against the other person's property;
 - (2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
 - (3) would cause a reasonable person to:
 - (A) fear bodily injury or death for himself or herself;
 - (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
 - (C) fear that an offense will be committed against the person's property; or
 - (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

(b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:

- (1) the laws of another state;
- (2) the laws of a federally recognized Indian tribe;
- (3) the laws of a territory of the United States; or
- (4) federal law.

(c) For purposes of this section, a trier of fact may find that different types of conduct described by Subsection (a), if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.

(d) In this section:

- (1) "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.
- (2) "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

Sec. 42.07. Harassment.

(a) A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:

- (1) initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;
- (2) threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
- (3) conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
- (4) causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
- (5) makes a telephone call and intentionally fails to hang up or disengage the connection;
- (6) knowingly permits a telephone under the person's control to be used by another to commit an offense under this section; or
- (7) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

(b) In this section:

- (1) "Electronic communication" means a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. The term includes:
 - (A) a communication initiated through the use of electronic mail, instant message, network call, a cellular or other type of telephone, a computer, a camera, text message, a social media platform or application, an Internet website, any other Internet-based communication tool, or facsimile machine; and
 - (B) a communication made to a pager.
- (2) "Family" and "household" have the meaning assigned by Chapter 71, Family Code.

(3) "Obscene" means containing a patently offensive description of or a solicitation to commit an ultimate sex act, including sexual intercourse, masturbation, cunnilingus, fellatio, or anilingus, or a description of an excretory function.

(c) An offense under this section is a Class B misdemeanor, except that the offense is a Class A misdemeanor if the actor has previously been convicted under this section.

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 or violence and/or by putting the victim in fear.

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 a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed).

Burglary: The unlawful entry of a structure to commit a felony or theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding).

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.

Hate Crime: A criminal offense reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For Clery Act purposes, hate crimes include any of the following offenses that are motivated by bias: Murder and non-negligent manslaughter, manslaughter by negligence, sexual assault (rape, fondling, incest, statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property. Following are the bias 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.

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.

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 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 (a person who does not conform to the gender-based expectations of society).

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that “race” refers to grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

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 aged or illness.

Additional Hate Crime Definitions:

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

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.

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.

Destruction/Damage/Vandalism of Property (Except “Arson”): To willfully or maliciously damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Arrests and Referrals for Disciplinary Action: Arrest is defined as persons processed by arrest, citation, or summons. Referred for disciplinary action is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction. Clery Act statistics are disclosed for arrests and referrals regarding state or local violations of liquor, drug abuse, and weapons laws. Only violations of the law resulting in arrest or referral are disclosed. Violations of institutional policy alone are not included in Clery Act statistics.

Weapons: Carrying, Possessing, Etc.: 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. Classify as a weapons: carrying, possessing, etc. violation: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed (except as permitted by state law and institutional policy through state law) or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the aforementioned acts.

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. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine). Classify as a drug abuse violation: all drugs, without exception, that are illegal under local or state law where your institution is located and all illegally obtained prescription 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. Classify as a liquor law violation: the manufacture, sale, transporting, furnishing, possessing, etc. of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and attempts to commit any of the aforementioned acts.

Definitions of Clery Act Locations

On-campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls. This also includes any building or property that is within or reasonably contiguous to the geographic area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Non-campus: Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. This also includes any building or property owned or controlled by a student organization that is officially recognized by the institution. No non-campus facilities are owned or controlled by RELIS Campus, therefore, statistics for non-campus facilities are not required to be disclosed.

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

On-campus Student Housing Facilities (Residential Facilities): No on-campus student housing facilities are owned or controlled by RELIS Campus, therefore, statistics for on-campus student housing are not required to be disclosed.

Texas A&M University RELIS Campus - Reportable Crimes

The following statistics include all incidents of Clery Act crimes reported to the institution that occurred within the campus' Clery Act locations, regardless of whether the individual reporting was a member of the campus community and regardless of whether the individual chose to move forward with the criminal justice or campus disciplinary proceedings. To prepare the annual disclosure of crime statistics, the institution collects information from internal sources such as campus police and other campus security authorities and requests information from external sources such as local law enforcement. Some local law enforcement agencies did not respond to the institution's request for statistics or did not respond with a format usable for Clery crime reporting.

Criminal Offenses			
Offense	Year	On Campus Property	Public Property
Murder / Non-negligent Manslaughter	2017	0	0
	2018	0	0
	2019	0	0
Manslaughter By Negligence	2017	0	0
	2018	0	0
	2019	0	0
Sex Offenses, Rape	2017	0	0
	2018	1	0
	2019	0	0
Sex Offenses, Fondling	2017	0	0
	2018	0	0
	2019	0	0
Sex Offenses, Incest	2017	0	0
	2018	0	0
	2019	0	0
Sex Offenses, Statutory Rape	2017	0	0
	2018	0	0
	2019	0	0
Robbery	2017	0	0
	2018	0	0
	2019	0	0
Aggravated Assault	2017	1	0
	2018	0	0
	2019	0	0
Burglary of Structure	2017	0	0
	2018	0	0
	2019	1	0
Motor Vehicle Theft	2017	0	0
	2018	0	0
	2019	0	0
Arson	2017	0	0
	2018	0	0
	2019	0	0

Hate Crimes			
Offense	Year	On Campus Property	Public Property
Hate Crimes *	2017	0	0
	2018	0	0
	2019	0	0

Violence Against Women Reauthorization Act of 2013 (VAWA) Offenses			
Offense	Year	On Campus Property	Public Property
Domestic Violence	2017	0	0
	2018	0	0
	2019	0	0
Dating Violence	2017	0	0
	2018	0	0
	2019	0	0
Stalking	2017	0	0
	2018	0	0
	2019	1	0

Arrests and Disciplinary Referrals			
Offense	Year	On Campus Property	Public Property
Arrests: Weapons Carrying, Possessing, Etc.	2017	0	0
	2018	0	0
	2019	0	0
Disciplinary Referrals: Weapons Carrying, Possessing, Etc.	2017	0	0
	2018	0	0
	2019	0	0
Arrests: Drug Abuse Violations	2017	0	0
	2018	0	0
	2019	0	0
Disciplinary Referrals: Drug Abuse Violations	2017	0	0
	2018	0	0
	2019	0	0
Arrests: Liquor Law Violations	2017	0	0
	2018	0	0
	2019	0	0
Disciplinary Referrals: Liquor Law Violations	2017	0	0
	2018	0	0
	2019	0	0

The following are in reference to the reportable crimes tables.

* In 2019, 2018, and 2017 there were no reported criminal incidents involving hate/bias.

Texas A&M University RELIS Campus - Unfounded Crimes

Unfounded crimes are crimes that sworn or commissioned law enforcement personnel have investigated and made a formal determination that the report is false or baseless and are, therefore, subsequently withheld from Clery crime statistics. Following are the unfounded crimes as reported for all Texas A&M University RELIS campus Clery Act locations and Clery Act offenses:

- Calendar year 2019: 0 unfounded crimes
- Calendar year 2018: 0 unfounded crimes
- Calendar year 2017: 0 unfounded crimes

Crime Prevention and Security Awareness

It is important for all of us to understand our role in the reduction of crime. A conceptual aid often employed by crime prevention practitioners is referred to as the Crime Triangle. For any crime to occur three elements must be present: desire, ability, and opportunity.



Members of the university community easily recognize there is little that can be done to control the criminal's ability and desire. The university community's greatest strength in the prevention of crime is our initiative to reduce or eliminate the opportunity for a crime to occur.

A primary goal of UPD is the prevention of crime before it occurs. Because UPD officers cannot be everywhere all the time, they need the help of all members of the university community to take an active role in their personal safety and property protection. Crime prevention is important to the campus community and you can help by reporting any crime or suspected crime immediately is helpful to UPD (or to the UPD and BCPD officers located at RELIS for crimes occurring at RELIS) and may prevent someone else from becoming a victim of a more serious crime.

The UPD's Community Services Division, staffed by officers who are state Certified Crime Prevention Specialists, continually presents programs covering crime prevention and security information and make programs available for students, staff, faculty, and others, including Texas A&M University students and employees located at RELIS. These Crime Prevention Specialists are dedicated full time to crime prevention efforts and programs. They participate in and provide information during new and transfer student orientation, international student orientation, in addition to a number of other programs scheduled annually with student, staff and faculty organizations. In these sessions information is provided regarding campus security procedures and practices. The Campus Safety Awareness Series is another opportunity for the campus community to get to know UPD officers, ask questions about safety and security procedures and practices, and/or voice concerns. For additional information or to schedule a program you are encouraged to call the Community Services Division at 979-845-0070.

UPD typically offers a variety of crime prevention programs and services to Texas A&M University students and employees. The programs are designed to encourage students and employees to be responsible for their own security and the security of others. Due to COVID-19, the availability of the following programs or service requests may be restricted to online only or unavailable if the request cannot meet COVID-19 guidelines. In person requests that cannot meet the COVID-19 guidelines will resume once it is safe for all involved.

- Personal Safety Awareness – scheduled upon request
- Theft/burglary Prevention – scheduled upon request
- UPD Self-Defense Program – offered during fall move in week and regularly during fall and spring semesters
- Alive@25 Defensive Driving – offered periodically throughout the year
- Operation ID (free engraving of property in the residence hall, home, and office) – during the fall semester starting with Howdy Week and scheduled upon request or at UPD
- Residential and Office Security Surveys – scheduled upon request

- Drug and Alcohol Awareness – scheduled upon request
- Sexual Assault Prevention – scheduled upon request
- Active Shooter Preparedness– scheduled upon request
- Apartment and Home or Residence Hall Security – scheduled upon request
- Robbery Prevention – scheduled upon request
- Workplace Crime Prevention – scheduled upon request
- Bicycle Registration – see description below

Bicycles are a popular mode of transportation in the campus environment and can be a prime target of theft. Texas A&M Transportation Services requires all students, faculty, and staff to register any bicycle they plan to ride on campus and show proof of registration by displaying a permit/registration sticker to avoid enforcement action. Registration is critical for planning and communication and helps identify bicycles that are lost or stolen. Information on mandatory bike registration can be obtained by calling the Alternative Transportation Office at 979-847-2453 or visiting <https://transport.tamu.edu/alternative/bicycles/register.aspx>.

Important Telephone Numbers

Area Code 979 (for all numbers listed below)

Emergencies- Police/Fire/Medical	911 for off campus; 911 or 9-911 for on campus	University Police Department	845-2345
Bryan Police (non-emergency)	361-3888	Blinn College Police Department (at RELIS)	209-7600
Brazos County Sheriff (non-emergency)	361-4980	University Police Department (at RELIS)	845-2345
College Station Police (non-emergency)	764-3600	Student Health Services	458-8250
Crime Stoppers 775-TIPS	775-8477	Health Promotion (Counseling & Referral, Alcohol & other Drugs)	845-0280
Department of Public Safety (State Troopers)	776-3100	Student Conduct Office	847-7272
FBI	776-8894	Counseling and Psychological Services (CAPS)	845-4427
Bryan Fire	209-5960	Facilities Services (AggieWorks)	845-4311
Brazos County Fire (Rural)	361-3888	Transportation Services	845-9700
College Station Fire	764-3700	Parking	862-7275
Paratransit	845-1971	CARPOOL (10pm-3am on Thursday, Friday and Saturday)	693-9905
Transit (Bus) Help-Line / Information	847-7433	Environmental Health & Safety	845-2132
Campus Information/Student Locator	845-3211	Department of Civil Rights and Equity Investigations	458-8407

Other Annual Security Reports and Annual Fire Safety Reports

Annual Security Reports and Annual Fire Safety Reports for other Texas A&M University locations are as follows and are available at the following Texas A&M University OREC website:

<https://orec.tamu.edu/clery/annual-security-report/>.

Other Texas A&M University Annual Security Reports

Texas A&M University College Station

<https://orec.tamu.edu/wp-content/uploads/CSAnnualSecurityReport.pdf>

Texas A&M University O.D. Butler, Jr. Animal Science Complex and University Farm

<https://orec.tamu.edu/wp-content/uploads/UnivFarmAnnualSecurityReport.pdf>

Texas A&M University at Galveston

<https://orec.tamu.edu/wp-content/uploads/GalvestonAnnualSecurityReport.pdf>

Texas A&M University at Qatar

<https://orec.tamu.edu/wp-content/uploads/QatarAnnualSecurityReport.pdf>

Texas A&M University Mays Business School at CityCentre

<https://orec.tamu.edu/wp-content/uploads/MaysAnnualSecurityReport.pdf>

Texas A&M University School of Law

<https://orec.tamu.edu/wp-content/uploads/LawAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Bryan

<https://orec.tamu.edu/wp-content/uploads/HSCBryanAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Dallas

<https://orec.tamu.edu/wp-content/uploads/HSCDallasAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Houston

<https://orec.tamu.edu/wp-content/uploads/HSCHoustonAnnualSecurityReport.pdf>

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