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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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 2018 Annual Security Report contains crime statistics for calendar years 2018, 2017, and 2016. 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 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 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

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<td>Criminal Investigations 903 886 5868</td>
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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/campus-safety/sfsp/

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](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.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Phone</th>
<th>Campus Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>University Police Department</td>
<td>903-886-5868</td>
<td>Commerce / Farm Complex</td>
</tr>
<tr>
<td>Commerce Police Department</td>
<td>903-886-1139</td>
<td>Commerce / Farm Complex</td>
</tr>
<tr>
<td>Hunt County Sheriff's Office</td>
<td>903-453-6838</td>
<td>Commerce / Farm Complex</td>
</tr>
<tr>
<td>Mesquite Police Department</td>
<td>972-285-6336</td>
<td>Mesquite Metroplex</td>
</tr>
<tr>
<td>Dallas County Community College (El Centro)</td>
<td>972-860-4290</td>
<td>UCD / El Centro</td>
</tr>
<tr>
<td>Dallas Police Department</td>
<td>214-671-3001</td>
<td>UCD / El Centro</td>
</tr>
<tr>
<td>Navarro Dept. of Public Safety</td>
<td>903-875-7500</td>
<td>Navarro Partnership</td>
</tr>
<tr>
<td>Corsicana Police Department</td>
<td>903-654-4900 or 4902</td>
<td>Navarro Partnership</td>
</tr>
<tr>
<td>Collin County Community College Police (CHEC and Preston Ridge)</td>
<td>972-578-5555</td>
<td>CHEC / Preston Ridge</td>
</tr>
<tr>
<td>McKinney Police Department</td>
<td>972-547-2700</td>
<td>CHEC</td>
</tr>
<tr>
<td>Frisco Police</td>
<td>972-292-6010</td>
<td>Preston Ridge</td>
</tr>
<tr>
<td>TAMU UPD (Rellis)</td>
<td>979-845-2345</td>
<td>RELLIS</td>
</tr>
<tr>
<td>Blinn Police (Rellis)</td>
<td>979-209-7600</td>
<td>RELLIS</td>
</tr>
</tbody>
</table>

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](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 http://www.tamuc.edu/campuslife/campusServices/studentRights/studentConcerns.aspx, or https://commerce-tamu-advocate.symplicity.com/care_report/index.php/pid033256?.

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 CCCCCD 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 though 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 tabletop 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.


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 CCCCD. 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.

<table>
<thead>
<tr>
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<tr>
<td>Frisco Police</td>
<td>972-292-6010</td>
</tr>
<tr>
<td>TAMU UPD (Rellis)</td>
<td>979-845-2345</td>
</tr>
<tr>
<td>Blinn Police (Rellis)</td>
<td>979-209-7600</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>If the alleged offender is a:</th>
<th>Student</th>
<th>Employee or 3rd Party</th>
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<tbody>
<tr>
<td>Then the official Contact is:</td>
<td>Office of Student Rights and Responsibilities. <a href="mailto:TitleIX@tamuc.edu">TitleIX@tamuc.edu</a> 903-886-5153 Halladay Building Suite 201</td>
<td>University Compliance <a href="mailto:TitleIX@tamuc.edu">TitleIX@tamuc.edu</a> 903-886-5996 McDowell Administration Suite 259</td>
</tr>
</tbody>
</table>

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 (903-886-5996, 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

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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 903-886-5153 |
| 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 (903-886-5996) 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:

   1. causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
   2. causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
   3. 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

<table>
<thead>
<tr>
<th>Agency</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>University Police Department</td>
<td>903-886-5868</td>
</tr>
<tr>
<td>Commerce Police Department</td>
<td>903-886-1139</td>
</tr>
<tr>
<td>Hunt County Sheriff’s Office</td>
<td>903-453-6838</td>
</tr>
<tr>
<td>Mesquite Police Department</td>
<td>972-285-6336</td>
</tr>
<tr>
<td>Dallas County Community College (El Centro)</td>
<td>972-860-4290</td>
</tr>
<tr>
<td>Dallas Police Department</td>
<td>214-671-3001</td>
</tr>
<tr>
<td>Navarro Dept. of Public Safety</td>
<td>903-875-7500</td>
</tr>
<tr>
<td>Corsicana Police Department</td>
<td>903-654-4900 or 903-654-4902</td>
</tr>
<tr>
<td>Collin County Community College Police (CHEC and Preston Ridge)</td>
<td>972-578-5555</td>
</tr>
<tr>
<td>McKinney Police Department</td>
<td>972-547-2700</td>
</tr>
<tr>
<td>Frisco Police</td>
<td>972-292-6010</td>
</tr>
<tr>
<td>TAMU UPD (Rellis)</td>
<td>979-845-2345</td>
</tr>
<tr>
<td>Blinn Police (Rellis)</td>
<td>979-209-7600</td>
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### Other Useful Contact Information

<table>
<thead>
<tr>
<th>Department / Agency</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Student Health Center</td>
<td>903-886-5853</td>
</tr>
<tr>
<td>Student Counseling Center</td>
<td>903-886-5145</td>
</tr>
<tr>
<td>Hunt Regional Emergency Medical Center</td>
<td>903-886-3161</td>
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<tr>
<td>Title IX</td>
<td>903-886-5996</td>
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### Medical Resources

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<tr>
<th>Medical Resource</th>
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<tr>
<td>Student Health Services</td>
<td>903-886-5853</td>
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<td>Hunt Regional Emergency Medical Center</td>
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### Offsite Location Contact Information

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<th>Location</th>
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<tbody>
<tr>
<td>Mesquite 972-882-7520</td>
<td>2600 Motley Dr. Mesquite, TX 75150</td>
</tr>
<tr>
<td>CHEC 903-886-5000</td>
<td>3452 Spur 399 McKinney, TX 75069</td>
</tr>
<tr>
<td>Preston Ridge 972-377-1665</td>
<td>University Hall 105 9700 Wade Blvd, Frisco, TX 75035</td>
</tr>
<tr>
<td>Navarro College Partnership</td>
<td>3200 W. 7th Avenue Corsicana, TX 75110</td>
</tr>
<tr>
<td>El Centro 214-954-3600</td>
<td>UCD Administrative Offices/Visual Communication Department 801 Main Street Suite C340 Dallas TX 75202</td>
</tr>
<tr>
<td>Farm Complex</td>
<td>3059 Hwy 24, Campbell, TX 75422</td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>Offense (Reported By Hierarchy)</th>
<th>Year</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Residential Facilities*</th>
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<tbody>
<tr>
<td>Murder/Non Negligent Manslaughter</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2017</td>
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<td>2018</td>
<td>0</td>
<td>0</td>
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<td>Negligent Manslaughter</td>
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<td></td>
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<td>2018</td>
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<td>0</td>
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<td>Rape</td>
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<td>3</td>
</tr>
<tr>
<td></td>
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<td>0</td>
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<td>3</td>
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<tr>
<td></td>
<td>2018</td>
<td>12^1</td>
<td>1</td>
<td>0</td>
<td>12</td>
</tr>
<tr>
<td>Fondling</td>
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<tr>
<td>Robbery</td>
<td>2016</td>
<td>0</td>
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</table>

^1 Nine Sexual assaults were reported by one single person. These assaults spanned 3 years, but due to Clery regulations they are counted in the year in which they are reported.
<table>
<thead>
<tr>
<th>Offense</th>
<th>2017</th>
<th>2018</th>
<th>2017</th>
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<tbody>
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<td>Aggravated Assault</td>
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<td>Burglary</td>
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<td>Motor Vehicle Theft</td>
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<td>Liquor Law Arrests</td>
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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 2016, 2017 or 2018

Unfounded Crimes: There were no unfounded crimes.

---

2 Event occurred at a hotel during student travel. No students, staff, or faculty were involved.
# Navarro College Corsicana (Main) Campus

## Clery Crime Statistics

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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.

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## Mesquite Metroplex

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### Offense (Crimes Not Reported By Hierarchy)

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*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 2016, 2017, or 2018
## El Centro College

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*A&M Commerce co-located with El Centro in 2018. The above chart reflects crime statistics that occurred at the El Centro location from 2016 to the present, and is a direct copy from the El Centro ASR.

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

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

Hate Crimes:
2016 – There were no hate crimes at the Collin Higher Education Center (CHEC).
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).

No unfounded crimes were reported for 2016, 2017 or 2018

** 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

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</table>

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

Hate Crimes:

2016 – There were no hate crimes at the Frisco Campus (Preston Ridge).
2017 – There were no hate crimes at the Frisco Campus (Preston Ridge).
2018 – There were no hate crimes at the Frisco Campus (Preston Ridge).

No unfounded crimes were reported for 2016, 2017 or 2018

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


Email vpfa-urc-compliance-officer@exchange.tamu.edu for assistance if any link does not function.
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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 2019 – 2020 academic year in accordance with the Clery Act. The 2019 Annual Security Reports contains crime statistics for calendar years 2018, 2017, and 2016.


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). RELLIS was renamed in 2016 to represent the Aggie core values of respect, excellence, leadership, loyalty, integrity, and selfless services. Facilities at RELLIS 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, and the Department of Anthropology. Recent construction of RELLIS facilities during calendar years 2017, 2018, and 2019 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 college degrees have also been established at RELLIS. Post-secondary degree education and training are being offered with programs through Blinn College and multiple universities.
under the TAMUS. The educational program at RELLIS is comprehensively called the RELLIS 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 RELLIS and reflect the same policies, practices, and services that are applicable to Texas A&M University unless otherwise stated. RELLIS 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 RELLIS, 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@tamu.edu. The report is found at the following website: [http://urc.tamu.edu/media/1492354/RELLISAnnualSecurityReport.pdf](http://urc.tamu.edu/media/1492354/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 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 172 authorized positions that includes 81 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 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 to RELLIS. To provide this around-the-clock coverage, UPD officers work in two 12 hour 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. In addition, UPD security personnel patrol the RELLIS 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 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.

**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 allow 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 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](http://upd.tamu.edu)

<table>
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<th>Emergencies-from on campus phones/Police/Fire/Medical</th>
<th>911 or 9-911</th>
<th>Non-Emergencies/General Assistance</th>
<th>845-2345</th>
</tr>
</thead>
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<td>TAMU Chief of Police</td>
<td>845-8052</td>
<td>Community Services Division</td>
<td>845-0070</td>
</tr>
<tr>
<td>Uniform Patrol Division</td>
<td>845-2345</td>
<td>Records Division</td>
<td>845-2347</td>
</tr>
</tbody>
</table>
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 RELLIS 209-7600  UPD Police at RELLIS 845-2345

Reporting Crimes
Incident Reporting and Response
Any on-campus emergency at RELLIS 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 RELLIS 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 RELLIS Blinn Academic Building can also be contacted at 979-209-7600 or at 911 for emergencies occurring at or near the RELLIS 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 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 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 you witness a crime or emergency, promptly report it to the UPD 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 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 RELLIS. 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 the following Texas A&M University offices:
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/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 RELLIS, 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 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 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 RELLIS 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 RELLIS 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 RELLIS 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 RELLIS Associate Director, and the BCPD 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). BCPD 979-209-7600 and UPD 979-845-2345 at RELLIS can also be contacted and/or dispatched 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 Texas A&M University students and employees located at RELLIS and students and employees that
are part of the RELLIS 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 RELLIS campus. The institution does not have separate procedures for non-campus property.

**Emergency Notification System**

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

The Texas A&M University emergency notification system (Code Maroon) is being utilized to notify Texas A&M University students and employees (and TAMUS member agency employees) located at RELLIS of significant emergencies or dangerous situations occurring at the RELLIS campus. The Blinn College emergency notification system called 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 Texas A&M Office of Safety and Security 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 RELLIS Campus Executive Leadership. The Office of Safety and Security advises RELLIS Campus Executive Leadership of emergencies or dangerous
situations occurring at the RELLIS 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 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, 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 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.

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 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.

Disseminating Information to the Larger Community
In the event that a crisis occurs on RELLIS 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 University Police Public Information Office and the RELLIS 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 Risk Management Office 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 RELLIS Campus has primary responsibility for emergency preparedness at the RELLIS campus. Duties and responsibilities range from working with departments to write and exercise building evacuation plans, to developing and maintaining emergency plans as deemed necessary.

The RELLIS campus Emergency Operations Plan is the primary plan that describes the general framework for emergency response at the campus. The RELLIS 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 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. 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 Program for all occupied facilities on the RELLIS 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 RELLIS campus community that will include, but may not be limited to, the following groups located at the RELLIS 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 RELLIS Emergency Operations Plan and emergency contacts.

**The Daily Crime Log**

Each business day, the Associate Director of RELLIS (or other trained personnel) publishes a Daily Crime Log for RELLIS 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 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 copy is reprinted on working business days as updates occur. The RELLIS crime log is published online at: [https://rellis.tamus.edu/clery/](https://rellis.tamus.edu/clery/).

**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 area exteriors are patrolled regularly by University Police and Security Officers.

Parking Areas
RELLIS has two main parking areas and no parking garages. Various 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 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 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

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 [http://urc.tamu.edu/media/628893/DFSCA.pdf](http://urc.tamu.edu/media/628893/DFSCA.pdf). Drug and alcohol programs are provided to Texas A&M University students and employees located at RELLIS by Texas A&M University, College Station as described in the biennial review.

Alcohol Policy
The following alcohol policy applies at the RELLIS 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 for state law violations.

The following services are provided to Texas A&M University students and employees located at RELLIS. 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 (1-866-301-9612) 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 RELLIS 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, Texas A&M University Student Rules prohibit using, possessing, being under the influence of, manufacturing, or distributing illegal drugs or illegally obtained/possessed controlled substances (Texas A&M University Student Rules, Appendix VII). Alleged violations of federal and state laws may result in criminal charges. University 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 RELLIS. 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 (1-866-301-9612) 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 RELLIS 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 the school or educational institution in being conducted, or a 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 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 (TAMUS Rule 34.06.02.S1).

**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 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 discrimination, harassment (including non-consensual sexual contact, sexual assault, sexual exploitation, dating violence, domestic violence, stalking, quid pro quo and hostile environment sexual harassment), complicity, and retaliation as prohibited conduct. The policies apply whether the prohibited 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

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1 Sexual harassment is a form of sex discrimination. Unwelcome sexual advances, requests for sexual favors or other verbal, nonverbal or physical conduct of a sexual nature constitute sexual harassment when this conduct is so severe, persistent or pervasive that it explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work or educational performance, or creates an intimidating or hostile work, educational, or campus living environment. Unwelcome means that an individual did not request or invite it and considers the conduct to be undesirable or offensive. Submission to the conduct or failure to complain does not always mean that the conduct was welcome. Sexual harassment may be quid pro quo (“this for that”) or may constitute a hostile environment. Sexual harassment includes non-consensual sexual contact, sexual assault, sexual exploitation, stalking, dating violence, and domestic violence when based on sex.
University students, faculty, and staff located at the RELLIS campus. Procedures for students and personnel located at the RELLIS 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.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>University Police Department</td>
<td>979-845-2345</td>
</tr>
<tr>
<td>Bryan Police Department</td>
<td>979-361-3888</td>
</tr>
<tr>
<td>College Station Police Department</td>
<td>979-764-3600</td>
</tr>
<tr>
<td>Blinn College Police Department</td>
<td>979-209-7600</td>
</tr>
<tr>
<td>Brazos County Sheriff's Department</td>
<td>979-361-4980</td>
</tr>
</tbody>
</table>

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.

Employees and student workers who observe or become aware of prohibited conduct must promptly report all known information, including identities of witness and involved parties, to the university. Student workers are not required to report prohibited conduct if the student worker observes or becomes aware of the prohibited conduct outside the context of their student worker employment. Employees and student workers who experience prohibited conduct are strongly encouraged, but not required, to report the prohibited conduct to the university. Additionally, students and third parties are strongly encouraged, but not required, to report prohibited conduct. Notwithstanding the above mandatory reporting requirement for employees, anyone may report matters which they believe are criminal to the appropriate local law enforcement agency.

At the main campus in College Station, reports that a student, employee, or third party has engaged in prohibited conduct should be made to the Department of Civil Rights and Equity Investigations (CREI) as follows:

Assistant Vice President and Title IX Officer  
Medical Sciences Library  
202 Olsen Blvd., Suite 007  
College Station, TX 77843  
979-458-8407  
civilrights@tamu.edu

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2 Exceptions include confidential employees and are described in the “Confidentiality/Privacy” section of this report.
CREI’s Assistant Vice President and Title IX Officer is responsible for (1) overseeing the process of responding to allegations of prohibited conduct and (2) identifying and addressing any patterns or systematic problems that arise from the review of such complaints. The Assistant Vice President and Title IX Officer or designee shall decide whether this policy shall be applied to such allegations of prohibited conduct on a case by case basis. The decision of the Assistant Vice President and Title IX Officer is final and unappealable. Some conduct, while inappropriate, does not rise to the level of prohibited conduct. These behaviors are addressed by the appropriate disciplinary authority, e.g., Department Head, Student Conduct, Human Resources, etc., under rules or regulations other than this policy.

CREI is the department designated by the university to receive and investigate all reports alleging prohibited conduct against students, employees and third parties. However, reports that the Texas A&M President, or an employee who reports directly to the President, has engaged in prohibited conduct should be made to the Texas A&M System Ethics and Compliance Office (SECO) as follows:

SECO
301 Tarrow, 6th floor
College Station, TX 77843
979-458-6120
civilrightsreporting@tamus.edu

Additional options for reporting include the following. Individuals wishing to submit an anonymous report may do so through Tell Somebody, an electronic reporting option. Anonymous reporting may also limit the university’s ability to respond to the allegation.

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 complainant 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 may pursue disciplinary remedies by reporting to the university and criminal remedies by reporting to law enforcement. Disciplinary and criminal remedies may be pursued separately or at the same time. An individual wishing to simultaneously pursue a law enforcement investigation and a university resolution of prohibited conduct 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 prohibited conduct 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

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3 The individual(s) subjected to the alleged discrimination.
not performing at acceptable levels or standards or who has violated institutional policies, regulations, or university rules.

A person acting in good faith who reports or assists in the investigation of a report of an incident of sexual harassment, sexual assault, dating violence, or stalking, or who testifies or otherwise participates in a disciplinary process or judicial proceeding arising from a report of such incident: (1) is immune from civil liability and from criminal liability for offenses punishable by fine only, that otherwise might be incurred or imposed as a result of those actions; and (2) may not be subjected to any disciplinary action by the institution at which the person is enrolled or employed for any violation by the person of the institution’s code of conduct reasonably related to the incident for which suspension or expulsion from the institution is not a possible punishment.

The university’s response to allegations of prohibited conduct will be prompt and equitable. The response is intended to stop/prevent recurrence of any prohibited conduct 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.

CREI conducts an initial review and preliminary assessment of all reports/complaints of alleged prohibited conduct to assess the safety and well-being of the complainant, respondent, and the campus community. As part of the initial review, CREI will attempt to meet with the complainant to obtain more information about the allegations within 5 business of receiving a report or complaint, or as soon as reasonably practical thereafter. Initial review steps include: (1) informing the individual reporting of the right to file a complaint with law enforcement (if applicable) in addition to filing a complaint with CREI, (2) providing assistance in notifying UPD or appropriate law enforcement authorities if the individual so chooses, (3) informing the individual of the right to decline to contact law enforcement, and (4) informing the individual of the right to file a complaint with state and federal agencies. In coordination and consultation with other university officials, CREI will offer the opportunity to request interim supports, academic adjustments, and protective 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 the investigation, (2) the university’s procedures for investigation and resolution, 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 prohibited conduct 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 or chooses to pursue institutional disciplinary measures or criminal remedies. 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;

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4 An individual who is alleged to have discriminated against another.
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 (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 (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.
- 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, Counseling and Psychological Services (CAPS) 979-845-4427, Student Health Services 979-458-8316, UPD Victim Services 979-458-9767, Work/Life Solutions Program by GuidanceResources 1-866-301-9612, and the Brazos County 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 confidentially to individuals designated as confidential employees. Confidential employees include, but are not limited to, licensed health care providers and professional psychologists/counselors, who receive reports when acting in this capacity as part of their official employment. When an individual shares information with a confidential employee, the confidential employee 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. However, such information could be disclosed when: (1) the individual gives written consent for its disclosure; (2) there is a concern that the individual will likely cause serious physical harm to self or others; or (3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, the disabled, or the elderly.

Additionally, allegations of prohibited conduct disclosed to confidential employees will not be reported 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 regarding this conduct that may be statistics in the Clery Annual Security Report and/or disclosed in the daily crime log without identifying the individuals concerned.

CAPS (979-845-4427) and the Work/Life Solutions Program by GuidanceResources (1-866-301-9612) 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 979-458-8316 to speak to licensed health care personnel.

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 prohibited conduct 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 respondent cannot be guaranteed, they will be protected to as great a degree as is legally possible.

The university is committed to protecting the privacy of reporting parties, complainants, and respondents. 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 respondent regarding privacy will be considered by CREI or designee 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. CREI or designee is responsible for evaluating requests for privacy and informing complainants of their right to use a pseudonym in university documents related to

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5 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.

6 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.
the complaint. 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, the university’s ability to respond to the allegations 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 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 or other designees 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. Other designees include personnel who are likely to receive reports of prohibited conduct in the Division of Student Affairs, Division of Human Resources and Organizational Effectiveness, and UPD. 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 CREI.

The following are on-campus and community resources available to complainants, respondents, and others.

**Law Enforcement**

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas A&amp;M University Police</td>
<td>979-845-2345</td>
<td>1111 Research Parkway College Station, TX</td>
<td><a href="https://upd.tamu.edu">https://upd.tamu.edu</a></td>
</tr>
<tr>
<td>(same for UPD officer located at RELLIS)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bryan Police Department</td>
<td>979-361-3888</td>
<td>303 East 29th Street Bryan, TX</td>
<td><a href="www.bryantx.gov/police">www.bryantx.gov/police</a></td>
</tr>
<tr>
<td>College Station Police Department</td>
<td>979-764-3600</td>
<td>2611 Texas Avenue South College Station, TX</td>
<td><a href="www.cstx.gov/police">www.cstx.gov/police</a></td>
</tr>
<tr>
<td>(same for Blinn officer located at RELLIS)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brazos County Sheriff’s Department</td>
<td>979-361-4980</td>
<td>1700 Highway 21 West Bryan, TX</td>
<td><a href="http://brazoscounitysheriff.org">http://brazoscounitysheriff.org</a></td>
</tr>
</tbody>
</table>
## Counseling and Mental Health

<table>
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<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Website</th>
</tr>
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<tbody>
<tr>
<td>Counseling and Psychological Services (CAPS)</td>
<td>979-845-4427 or</td>
<td>Student Services @ White Creek, Building 65</td>
<td><a href="http://scs.tamu.edu">http://scs.tamu.edu</a></td>
</tr>
<tr>
<td>The Work/Life Solutions Program by GuidanceResources</td>
<td>1-866-301-9612</td>
<td>n/a</td>
<td><a href="https://employees.tamu.edu/cap/">https://employees.tamu.edu/cap/</a></td>
</tr>
</tbody>
</table>

## Medical and Health Services

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Health Services</td>
<td>979-458-8250</td>
<td>A.P. Beutel Health Center Texas A&amp;M Campus</td>
<td><a href="http://shs.tamu.edu">http://shs.tamu.edu</a></td>
</tr>
<tr>
<td>Baylor Scott &amp; White Medical Center</td>
<td>979-207-0100</td>
<td>700 Scott &amp; White Drive College Station, TX</td>
<td><a href="http://sw.org/location/college-station-hospital">http://sw.org/location/college-station-hospital</a></td>
</tr>
<tr>
<td>CHI St. Joseph Health College Station Hospital</td>
<td>979-764-5100</td>
<td>1604 Rock Prairie Road College Station, TX</td>
<td><a href="https://www.chistjoseph.org/locations/college-station-hospital">https://www.chistjoseph.org/locations/college-station-hospital</a></td>
</tr>
</tbody>
</table>

## Support, Advocacy, Legal Assistance, and Other Resources

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAPS Helpline (After Hours)</td>
<td>979-845-2700</td>
<td>n/a</td>
<td><a href="http://scs.tamu.edu/?q=helpline">http://scs.tamu.edu/?q=helpline</a></td>
</tr>
<tr>
<td>Student Assistance Services</td>
<td>979-845-3113</td>
<td>Student Services @ White Creek, Building 72</td>
<td><a href="https://studentlife.tamu.edu/sas/">https://studentlife.tamu.edu/sas/</a></td>
</tr>
<tr>
<td>Women’s Resource Center</td>
<td>979-845-8784</td>
<td>Student Services @ White Creek, Building 70</td>
<td><a href="https://studentlife.tamu.edu/wrc/">https://studentlife.tamu.edu/wrc/</a></td>
</tr>
<tr>
<td>GLBT Resource Center</td>
<td>979-862-8920</td>
<td>Student Services @ White Creek, Building 72</td>
<td><a href="http://studentlife.tamu.edu/glbt">http://studentlife.tamu.edu/glbt</a></td>
</tr>
<tr>
<td>Student Conduct Office</td>
<td>979-847-7272</td>
<td>Student Services @ White Creek, Building 71</td>
<td><a href="http://studentlife.tamu.edu/sco">http://studentlife.tamu.edu/sco</a></td>
</tr>
<tr>
<td>Student Legal Services</td>
<td>979-862-4502</td>
<td>Student Services @ White Creek, Building 72</td>
<td><a href="http://studentlife.tamu.edu/sls">http://studentlife.tamu.edu/sls</a></td>
</tr>
</tbody>
</table>

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7 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.
<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offices of the Dean of Student Life</td>
<td>979-845-3111</td>
<td>Student Services @ White Creek, Building 72</td>
<td><a href="https://studentlife.tamu.edu/">https://studentlife.tamu.edu/</a></td>
</tr>
<tr>
<td>Organizational Consulting &amp; Resolution Management</td>
<td>979-862-4027</td>
<td>750 Agronomy Rd., General Services Complex, Ste. 1201 College Station, TX</td>
<td><a href="https://employees.tamu.edu/ocrm/">https://employees.tamu.edu/ocrm/</a></td>
</tr>
<tr>
<td>University Police Department Victim Services</td>
<td>979-458-9767</td>
<td>1111 Research Parkway College Station, TX</td>
<td><a href="https://upd.tamu.edu/Pages/VictimsAdvocate.aspx">https://upd.tamu.edu/Pages/VictimsAdvocate.aspx</a></td>
</tr>
<tr>
<td>Bryan Police Department Victim’s Assistance</td>
<td>979-209-5312</td>
<td>303 East 29th Street Bryan, TX</td>
<td><a href="http://www.bryantx.gov/policy/investigative-services-bureau/">http://www.bryantx.gov/policy/investigative-services-bureau/</a></td>
</tr>
<tr>
<td>College Station Police Victim Advocacy &amp; Assistance Program</td>
<td>979-764-5004</td>
<td>2611 Texas Avenue South College Station, TX</td>
<td><a href="https://www.cstx.gov/departments__city_hall/police/operational/victim">https://www.cstx.gov/departments__city_hall/police/operational/victim</a></td>
</tr>
<tr>
<td>Brazos County Family Violence Unit</td>
<td>979-361-4657</td>
<td>300 East 26th Street 1st floor Bryan, TX</td>
<td><a href="http://brazoscountytx.gov/index.aspx?NID=112">http://brazoscountytx.gov/index.aspx?NID=112</a></td>
</tr>
<tr>
<td>Twin City Mission Domestic Violence Services</td>
<td>979-775-5355</td>
<td>2505 South College Avenue Bryan, TX</td>
<td><a href="https://www.twincitymission.org/domestic-violence-services">https://www.twincitymission.org/domestic-violence-services</a></td>
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<tr>
<td>Sexual Assault Resource Center of Brazos County (SARC)</td>
<td>979-731-1000</td>
<td>n/a</td>
<td><a href="http://www.sarcbv.org">http://www.sarcbv.org</a></td>
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<tr>
<td>National Sexual Assault Hotline</td>
<td>800-656-HOPE</td>
<td>n/a</td>
<td><a href="https://rainn.org/get-help/national-sexual-assault-hotline">https://rainn.org/get-help/national-sexual-assault-hotline</a></td>
</tr>
<tr>
<td>National Domestic Violence Hotline</td>
<td>800-799-SAFE</td>
<td>n/a</td>
<td><a href="http://www.thehotline.org">http://www.thehotline.org</a></td>
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</tbody>
</table>

Visa and Immigration Assistance

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>International Student Services</td>
<td>979-845-1824</td>
<td>1ST Floor of The Pavilion, Room 110 Texas A&amp;M Campus</td>
<td><a href="http://iss.tamu.edu">http://iss.tamu.edu</a></td>
</tr>
</tbody>
</table>
### Student Financial Aid

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scholarships &amp; Financial Aid</td>
<td>979-845-3236</td>
<td>2nd Floor of The Pavilion Texas A&amp;M Campus</td>
<td><a href="https://financialaid.tamu.edu/">https://financialaid.tamu.edu/</a></td>
</tr>
<tr>
<td>Veteran Services</td>
<td>979-845-8075</td>
<td>2nd Floor of The Pavilion Texas A&amp;M Campus</td>
<td><a href="http://veterans.tamu.edu">http://veterans.tamu.edu</a></td>
</tr>
<tr>
<td>Federal Student Aid</td>
<td>800-433-3243</td>
<td>n/a</td>
<td><a href="https://studentaid.ed.gov/">https://studentaid.ed.gov/</a></td>
</tr>
</tbody>
</table>

### Institutional Rights and Options (Interim Measures)

The institution is obligated to offer and provide assistance to the complainant, the respondent, and other affected individuals in obtaining a range of accommodations, support services, academic adjustments, and interim, remedial, and protective measures. The measures are intended to facilitate continued access to university employment, academic programs, and university activities; stop and prevent the reoccurrence of prohibited conduct; and 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 an individual involved with the report, CREI (979-458-8407) can assist with measures including, but not limited to, changing academic, living, transportation, and working situations and obtaining no contact directives. The various options are provided on a temporary or permanent basis (subject to periodic review), if requested, appropriate, and reasonably available, regardless of whether the individual chooses to report the incident to law enforcement or pursue disciplinary remedies. The university also provides reasonable interim, 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 before the investigation and will promptly address any violation of protective measures. These measures may be available regardless of whether a formal or informal disciplinary investigation is pursued. The university will maintain the privacy of a person receiving support services, academic adjustments, or protective measures provided to the extent practical and will promptly address any violation of the protective measures. In determining which institutional 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. CREI will also consider whether requesting an interim suspension or interim restriction (for student respondents) or an interim administrative action such as a leave of absence (for employee respondents) would enhance the safety and well-being of the complainant, respondent, and campus community.

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
• Providing academic accommodations such as transferring, withdrawing, or retaking classes; postponing due dates; or rescheduling exams or assignments
• Changing work schedules, job assignments, work locations, or other arrangements
• Transportation and parking assistance and/or modification
• Assistance in obtaining access to medical, legal (protective orders and criminal trespass warnings available through law enforcement and the judicial system), counseling support, and financial aid guidance
• Imposing institutional no-contact directives as described below
• Imposing interim suspensions of students as described below
• Obtaining interim administrative actions for employees, such as a leave of absence as described below
• Imposing institutional interim restrictions8 on students including restrictions in representing the university, and/or restriction of participation in university affiliated organization meetings, events, and/or activities

No-contact Directive: A no contact directive is an interim measure issued by the institution that prohibits two parties from contacting one another through any means. No contact directives 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 no-contact directive through the CREI at 979-458-8407. CREI may issue a no-contact directive at any time prior to or during a conduct investigation based on information provided by the requestor. A no-contact directive may also be implemented as a sanction subsequent to a finding of responsibility. If good cause for a no-contact directive is determined, both parties are notified of the restrictions in writing. Records are maintained in the student conduct system for no-contact directives involving students.

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 no-contact directive. Violations should be reported to CREI and may result in further disciplinary action.

Interim Suspensions of Students: A student may not be expelled or suspended prior to a decision of responsibility for prohibited conduct or for other violations of university rules, policies, regulations, codes, or SAPs except when the Dean of Student Life believes that an interim suspension should be imposed.

Interim suspensions may be imposed only to ensure the safety and well-being of members of the university community or guest, or preservation of university property; to ensure the student’s own physical or emotional safety and well-being; and/or if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the university.

If the Dean of Student Life issues an interim suspension, a show cause hearing will be scheduled as soon thereafter as practicable. The student will be notified in writing of this action and the reasons for the interim suspension.

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8 Interim restrictions may be imposed (1) when a student has been interim suspended; (2) when a determination is made to implement a transcript hold under Texas A&M System Regulation 11.99.02; and/or (3) in instances when the student’s participation or representation would threaten or negatively impact other students who are participating and/or representing an organization or the university. When interim restrictions are imposed, a student will be notified in writing of the specifics of the restrictions and why the restrictions are being implemented. Restrictions will remain in place through a designated time period and/or, if not indicated, until the student is notified that the restriction has ended.
suspension. The notice will include the time, date, and place of a subsequent conference at which the student may show cause as to why his/her continued presence on the campus does not constitute a threat. The student may also contest whether the facts of the initial report are accurate.

During the interim suspension, 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 suspension 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 during 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 Protective Measures (includes interim 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. 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 protective measure. The identity of an alleged victim of sexual harassment, 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 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 (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 - 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://brazoscountytx.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 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 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 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 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 Proceedings\(^9\) for Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation

Proceedings from an allegation of sexual assault, dating violence, domestic violence, or stalking (prohibited conduct) 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:

- Timely and equal access to 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.

Individuals conducting investigations and other decision makers, at a minimum, receive training annually regarding university rules and procedures and handling of civil rights investigations. Investigators receive additional training in regards to conducting fair and impartial investigations including trauma-informed investigation techniques, due process protections, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Employees and student workers who observe or become aware of prohibited conduct must promptly report all known information, including identities of witness and involved parties, to the university. Student workers are not required to report prohibited conduct if the student worker observes or becomes aware of the prohibited conduct outside the context of their student worker employment. Employees and student workers who experience prohibited conduct are strongly encouraged, but not required, to report the prohibited conduct to the university. Additionally, students and third parties are strongly encouraged, but not required, to report prohibited conduct. Once an individual discloses information to CREI, a complaint will be considered to be filed with the university, and the institution’s process is initiated regardless of whether the complainant choses to pursue criminal charges.

The complaint regarding prohibited conduct is initially reviewed by CREI, not only to assess safety, but also to determine whether a potential violation of the System Regulation 08.01.01 or other university rule, SAP, code, or policy could have occurred. During the initial review and preliminary assessment CREI will:

- Inform the complainant formal and informal resolution policies and solicit the complainant’s preferred method for resolving the matter. The complainant may request a formal resolution of the allegations of prohibited conduct or may request “no resolution” of the allegations or prohibited conduct.
- If applicable, inform the complainant of the right to use a pseudonym in university documents related to the complaint.

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\(^9\) 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.
Offer assistance to the complainant in submitting a written complaint that details the nature and circumstances of the allegations, including the names of the complainants and respondents, if so inclined.

If a complaint alleges conduct that may be prohibited conduct as well as a violation of one or more rules, SAPs, regulations, codes, or policies, CREI will consult with other university officials, as appropriate, and coordinate procedures to resolve the allegations, in addition to those required by this policy. CREI may elect to resolve all the allegations in one proceeding under this policy, or CREI may elect to refer one or more of the allegations to other university administrators for resolution apart from this policy.

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. 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;
- 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 imposing protective measures and (2) initiating a formal investigation.

Formal Resolution
The allegations will be considered for investigation pursuant to the following procedures. CREI reserves the right to resolve the complaint through no resolution rather than a formal investigation if the allegation does not rise to the level of prohibited conduct.

Within 5 business days of the receipt of a report, or as soon as practicable thereafter, 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 prohibited conduct; 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 prohibited conduct; 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 or refer the report to a different office at the university. The university office may review the conduct and take disciplinary action against the respondent for violations of other university rules, codes, regulations, policies, or SAPs, if applicable.

Once it has been determined that the university will proceed with a formal investigation, CREI will appoint the Investigative Authority (IA)\(^{10}\) to initiate the process of determining whether a violation of System Regulation 08.01.01 or other university rule, SAP, code, or policy occurred.

Within 2 business days of the IA’s appointment, the Assistant Vice President and Title IX Officer (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:

• the identity (or pseudonym, if requested and applicable) of the complainant and the respondent;
• the date, time (if known), location, and nature of the alleged misconduct;
• the identity of and contact information for the IA; the identity of the Designated Administrator (DA) and Appellate Authority (AA);\(^{11}\)
• an explanation of the prohibition against retaliation;
• the regulation(s), policies(s), rule(s), SAP(s), or code(s) alleged to have been violated and a copy of the Texas A&M University SAP 08.01.01.M1.01, Investigation and Resolution of Allegations of Prohibited Conduct Against Students, Employees, and Third Parties (SAP 08.01.01.M1.01);
• an instruction to the parties to preserve any potentially relevant evidence in any format;
• information about the university’s process for challenging the neutrality or bias of the IA, DA, or AA; and
• a redacted copy of the written complaint, if any, with appropriate admonishments about privacy.

\(^{10}\) The IA is one or more trained individuals appointed to conduct a formal investigation to discover and examine the facts related to an allegation. The IA may also draw conclusions as to whether, based on the preponderance of the evidence, an allegation is substantiated, unsubstantiated, or that there is insufficient information to substantiate. The IA may also draw conclusions as to whether or not any other regulations, codes, policies, rules or SAPs were violated.

\(^{11}\) The DA reviews the investigation report, the documentary evidence, and any other relevant information and renders a written decision of responsibility based on the preponderance of the evidence as to 1) whether the conduct alleged occurred; and 2) whether each allegation has been substantiated, unsubstantiated, or that there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01. The DA may also render a written decision as to whether other regulations, codes, policies, rules or SAPs were violated. If violation(s) are found, the DA may issue sanctions. If the complainant or the respondent appeals the DA’s decision, the AA will review the investigation report, the DA’s decision, the documentary evidence, and any other relevant information and render a written decision on the appeal. All persons serving as DAs, AAs, and IAs will be impartial and free of conflicts of interest 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. If the concern is in relation to the Chief Risk, Ethics, and Compliance Officer serving in one of the capacities, the Vice President for Finance will have the option of designating a replacement.
If the complainant has requested that a pseudonym be used in the university’s paperwork, the respondent will be verbally notified of the complainant’s name at the respondent’s intake meeting. The notice will also include an assurance that the parties will be kept apprised of the status of the investigation and resolution process and provide a contact person for the party to contact for periodic update.

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, and other responsibilities necessary to properly conduct the investigation.

To the extent possible, the investigation will be conducted in a manner that protects the privacy of all parties involved. While the university cannot guarantee complete privacy, information collected during the investigation will be communicated only to the parties and those with a need to know in order to fulfill the purposes of university policies and to comply with applicable laws.

If the respondent is an employee, the Assistant Vice President and Title IX Officer (or designee) shall notify, in writing, the respondent’s department head that CREI is investigating an allegation that the respondent has engaged in conduct that may be a violation of System Regulation 08.01.01 or other university rules, SAPs, codes, or policies.

The IA will review the complaint, conduct a prompt, fair, thorough, and impartial investigation, and provide a draft investigation report for OGC review within approximately 30 business days from the issuance of the notice of investigation. Circumstances may warrant extensions to this timeframe. Abuse of the investigation and resolution process is subject to disciplinary action up to and including dismissal or separation from the university. Examples of abuse of process include:

- 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).

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 have observed the acts in question or have information relevant to the incident in order to participate in the process. A witness cannot participate solely to speak about an individual’s character. However, a respondent may provide letters or other written testimonials to the IA that include information about the respondent’s character, which will be provided to the DA after a decision on responsibility has been made but before sanctions, if any, are considered.

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 advisor (any individual who provides the complainant or respondent support, guidance or advice) 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. The advisor may be any person selected by a party, including legal counsel, except that the advisor may not be another party or a witness in the case. Restrictions regarding the extent to which the advisor will participate in the proceedings may be established and applied equally to both parties. The advisor's participation will be limited to the role of an observer, although the advisor may request a break at any point to give advice to a party. An advisor can be barred from being present during the process if, in the judgment of the IA, the DA, the AA, or the Assistant Vice President and Title IX Officer, the advisor attempts to directly address the IA, DA or AA, advocate on behalf of a party, 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. Any fees charged by the advisor are the responsibility of the individual who selected the advisor.

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.

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; the university’s obligations and supportive resources; 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.

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. With respect to allegations of prohibited conduct based on sex or gender, the sexual history of the complainant or respondent is generally irrelevant and will not be used to prove
character or reputation. Sexual history of the parties may be relevant in limited circumstances, such as when it aids in determining the manner and nature of prior communications of consent between the parties.

At the conclusion of the investigation, the IA will prepare a draft investigation report summarizing the relevant information gathered and outlining any relevant contested and uncontested information. The draft investigation report will not include any conclusions as to whether allegations are substantiated, unsubstantiated or that there is insufficient information to substantiate.

The complainant and the respondent will be notified that the draft investigation report is complete and will be given 5 business days to review the draft investigation report and submit a written response to the IA. CREI may extend the time to review the draft investigation report upon request for good cause. If one party is granted an extension of time to review the report, an equal amount of additional time will be granted to all other parties.

In cases that include allegations against a student respondent, the exhibits to the draft investigation report may be reviewed by the parties upon request. In cases that include allegations against an employee or third party respondent, all parties may review the exhibits to the draft investigation report without making a request.

Involved parties have the opportunity to review and respond to the draft investigation report by: (1) providing written comment or feedback, (2) submitting additional evidence or information, (3) identifying additional witnesses or requesting the collection of other information by the IA, and/or (4) suggesting questions to be asked (at the discretion of the IA) of the other parties. A party’s written response, if any, will be shared with all other parties and incorporated in the investigation report as an exhibit. If a party knows, or through the exercise of reasonable diligence, should know, of information or evidence that was not provided to the IA during the investigation, the party must provide such information or, if the party does not have access to the information, a description of such evidence to the IA during the review and respond period or such evidence will not be considered, absent good cause, in the determination of responsibility for a violation of a regulation, rule, SAP, code, or policy.

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 investigation report. If the amended investigation report contains any material or substantial changes, the complainant and respondent will be given 5 business days to review the amended investigation report and submit a written response as set forth above. The opportunity to review and respond to an amended investigation report will be extended to the complainant and respondent until the IA determines that no material or substantial changes were made to the draft investigation report.

The IA may add a conclusion for each allegation to the investigation report after the final review and respond period concludes. The conclusion will be: substantiated, unsubstantiated, or insufficient information to substantiate based on the evidence and information in the report. In addition, the IA may add a conclusion as to whether System Regulation 08.01.01 was violated, and, if appropriate, the IA may make a conclusion as to whether other regulations, policies, rules, SAPs, or codes were violated. The IA will use the preponderance of the evidence standard (i.e., more likely than not) in making conclusions. The IA will not make any recommendations or conclusions with respect to sanctions. The conclusions of the IA are merely advisory and are not the final decision with respect to responsibility.

Within 5 business days after the final review and respond period concludes, CREI will forward the investigation report, as amended with conclusions (if applicable), along with the documentary evidence and any other
relevant information, to the OGC. OGC will conduct a legal review in accordance with Section 4.2.5 of System Regulation 08.01.01. OGC will provide its legal review to the IA within 10 business days. After receiving the legal review, the IA will have 5 business days to finalize the investigation report. The Assistant Vice President and Title IX Officer (or designee) will submit the final report directly to the DA, appointed in accordance with the following table, for decision-making. In cases that involve a student respondent, all parties will receive an electronic copy of the final investigation report (which does not include conclusions or exhibits) at the time the report is sent to the DA. Exhibits may be reviewed upon request in CREI’s office.

**Designated Administrators**

<table>
<thead>
<tr>
<th>If the allegations are against a</th>
<th>Student</th>
<th>Non-Faculty Employee or Third Party</th>
<th>Faculty Employee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Then the DA is:</td>
<td>Hearing Officer appointed by the Chief Risk, Ethics, and Compliance Office</td>
<td>Individual appointed by the Chief Risk, Ethics, and Compliance Office</td>
<td>The Dean of Faculties and Associate Provost</td>
</tr>
<tr>
<td><strong>Exception:</strong> The Texas A&amp;M System Chancellor or designee is the DA for complaints against the Texas A&amp;M University President and for any employee who reports to the President.</td>
<td></td>
<td></td>
<td><strong>Exception:</strong> The Texas A&amp;M University President or designee is the DA for complaints against the Dean of Faculties and Associate Provost.</td>
</tr>
</tbody>
</table>

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 or Texas A&M University Rule 08.01.01.M1, *Prohibited Conduct: Discrimination, Harassment, Complicity, and Related Retaliation based on a Protected Characteristic*. If violation(s) are found, the DA may issue sanctions.

**Formal resolution procedures governing non-separable allegations against students**

The DA will (1) review the unredacted final investigation report, the documentary evidence, and any other relevant information; and, (2) draft a result**13** (hereafter called decision) based on the preponderance of the evidence as to a) whether 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. The DA may also decide whether the respondent has violated any other regulations, rules, SAPs, codes, or policies. If any violations of System Regulation 08.01.01 are substantiated, the draft decision will include sanctions. The draft decision may also include sanctions for substantiated violations of regulations, rules, SAPs, codes, and policies.

In the decision, the DA will state the rationale for the decision and the sanctions, if any. 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 the Family Educational Rights and Privacy Act (FERPA), the result must include the rationale for the decision and the sanctions. The decision will also include

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12 A non-separable allegation against a student is an allegation that a student engaged in conduct that does not carry a possible sanction of suspension or expulsion as per the Texas A&M Student Sanctioning Matrix or 2) has been determined by the Assistant Vice President and Title IX Officer to not be serious enough that, if true, a possible sanction of suspension or expulsion would be appropriate.

13 Result is defined as any initial, interim and final decision by any official or entity authorized to resolve disciplinary matters within the institution.
an explanation of how the university weighted the evidence, how the evidence and information support the
decision and sanctions, and how the standard of proof was applied. The final decision will include instructions
for appealing the decision and/or sanctions. The decision of responsibility made by the DA does not
constitute an employment action with respect to faculty and non-faculty employees. Any sanction imposed as
a result of a substantiated finding, will constitute an employment action.

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 could include the appointment of a
different IA.

Within 5 business days of the DA’s receipt of the final investigation report, the DA will forward its draft
decision, including sanctions, to OGC. Within 5 business days of OGC’s receipt of the draft decision, OGC
will conduct a legal review in accordance with Section 4.4.1 of System Regulation 08.01.01 and consult, as
needed, with respect to sanctioning.

Once the DA receives OGC’s legal review, the DA will then have 5 business days to finalize the decision and
1) forward notice of the DA’s decision to the parties simultaneously and in writing; and 2) in cases that involve
an employee respondent, simultaneously notify the parties of their right to review a copy of the final
investigation report, with conclusions and the exhibits, after receiving admonishments as to privacy and
retaliation.

**Formal resolution procedures governing separable allegations against students**

The DA will (1) review the unredacted final investigation report, the documentary evidence, and any other
relevant information; and, (2) conduct a live hearing to allow the parties to present witnesses, evidence or
information, and to cross-examine the other parties or witnesses by submitting written questions to the DA
(questions will be asked by and at the discretion of the DA). If applicable, the DA has the sole discretion to
determine the relevance of evidence and whether it should be heard at a live hearing. The Rules of Evidence
do not apply in a live hearing. Thereafter, the DA will announce a decision (see Footnote 13), 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. The DA may also announce 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
conduct a second hearing on sanctions immediately following the first hearing. The DA will receive

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14 With respect to an allegation involving prohibited conduct based on sexual harassment, sexual assault, sexual exploitation, dating
abuse/violence, domestic abuse/violence, or stalking based on sex or gender, the DA will simultaneously notify the parties, the IA, and any
other university official with a need to know of any initial, interim, and final decision on the allegations and/or sanctions in writing, except
when doing so would violate state or federal law (e.g., FERPA). If the allegations involve prohibited conduct other than sexual harassment,
sexual assault, sexual exploitation, dating abuse/violence, domestic abuse/violence, stalking, or related retaliation the DA will
simultaneously notify: (1) the complainant that an investigation of the allegations was conducted and the matter has been resolved
appropriately; and (2) the respondent, the IA, and any other university official with a need to know, of the decision and/or sanctions In
all cases, the DA will also notify the parties that they can review the final investigation report with conclusions (if applicable) and exhibits
in CREI’s office. The final investigation report is redacted in accordance with state and/or federal law before the parties’ review.

15 A separable allegation is an allegation that 1) a student respondent engaged in prohibited conduct or other violation of System regulations
or university policies that carries a possible sanction of suspension or expulsion as per the Texas A&M Student Sanctioning Matrix, or 2) the
Assistant Vice President and Title IX Officer has determined to be serious enough, if true, a sanction of suspension or expulsion would
be appropriate.
information about and consider the following factors and accept any impact or mitigation statements as well as any information about the respondent’s character. Factors include, but are not limited to:

- the expressed wishes of the complainant(s);
- the nature of the prohibited 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 prohibited conduct, prevent its recurrence, and remedy its effects on the complainant(s) or other university community members; and/or
- any other mitigating, aggravating, or compelling circumstances.

Thereafter, the DA will simultaneously notify the parties, in writing, of the decision on responsibility and sanctions (see Footnote 1). In the decision, the DA will state the rationale for the decision and the sanctions, if any. 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 result must include the rationale for the decision and the sanctions. The decision of the DA will include how the university weighted the evidence and information contained within the investigation report, how the evidence and information support the decision and sanctions, and how the standard of proof was applied. The final decision will include information about appealing the decision and/or sanctions.

The goal is to resolve complaints in a reasonably prompt timeframe not to exceed 90 business days excluding any appeal period; however, extenuating circumstances requiring additional time may necessitate an extension with 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.

**Sanctioning for Employees**

If an employee is found to have sexually harassed (see Footnote 1) another member of the university or agency community, the sanction will be termination of employment. If an employee is found to have engaged in prohibited conduct other than sexual harassment, 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, sexual assault, domestic abuse/violence, dating abuse/violence, stalking based on sex or gender, or sexual exploitation, the student will be sanctioned in accordance with the Texas A&M Student Sanctioning Matrix which is described in the following table. If a student is found responsible for engaging in any other form of prohibited conduct, 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.
<table>
<thead>
<tr>
<th>Prohibited Conduct</th>
<th>Example Behaviors</th>
<th>Stage 1 Sanction</th>
<th>Stage 2 Sanction</th>
<th>Stage 3 Sanction</th>
<th>Stage 4 Sanction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Sexual innuendos, jokes, remarks, questions</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Sexual gestures and/or gifts of a sexual nature</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Display of sexually explicit visual material</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td></td>
</tr>
<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Pressuring another person for dates or sexual favors</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Depriving another person educational access, benefits, opportunities</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Threats in retaliation for reporting sexual misconduct, dating/domestic violence, and/or stalking (includes deprivation of and educational opportunity or benefit)</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Intimidation: Using actions, gestures, and tone of voice to indicate a threat of violence</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Preventing complainant from calling for help</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Destruction of property</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td></td>
</tr>
<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Physical abuse: Pushing, shoving, hair-pulling, scratching, hitting, using force to prevent partner from leaving</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Intimidation or Physical abuse in retaliation for reporting sexual misconduct, dating/domestic violence, and/or stalking</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Displaying weapons, throwing objects at a person with potential to injure</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stalking</td>
<td>Repeated, unsolicited phone calls, emails, texts, and/or gifts to another person and/or their family/household</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Stalking</td>
<td>Repeatedly following another person or conducting surveillance of another person and/or their family/household</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Stalking</td>
<td>Repeated, unsolicited visits to another person’s home, business, and/or class, and/or that of their family/household</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Stalking</td>
<td>Repeated, unsolicited contact or attempts to contact via social media</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Stalking</td>
<td>Intimidation or physical abuse in retaliation for reporting sexual misconduct, dating/domestic violence, and/or stalking</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stalking</td>
<td>Assuming another’s identity in order to make contact with complainant</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-consensual sexual contact</td>
<td>Unwelcomed kissing and/or light touching over clothing</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td></td>
</tr>
<tr>
<td>Non-consensual sexual contact</td>
<td>Non-genital fondling, groping or heavy touching</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td></td>
</tr>
<tr>
<td>Non-consensual sexual contact</td>
<td>Unwelcomed increased touching, fondling, groping, or genital touching</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Non-consensual sexual contact</td>
<td>Unwelcomed touching, fondling, groping or genital touching</td>
<td>●</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Sexual Abuse</td>
<td>Oral sex</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexual Abuse</td>
<td>Penetration (by sex organs)</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexual Abuse</td>
<td>Penetration (by means other than sex organs)</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Stage 4 sanction is expulsion. Stage 3 sanctions include letters of enrollment block and 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.

**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 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 standing” 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 16). 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.

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16 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.
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.

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
If an employee is found to have sexually harassed (see Footnote 1) another member of the university or agency community, the sanction will be termination of employment.

In addition, students found responsible for sex-based 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 sex-based violence and/or non-consensual sexual penetration of another person 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.

Footnote 17: Predation is defined as an intent to engage in these acts prior to their occurrence demonstrating premeditation, planning or forethought, and 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 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.
Campus Housing Sanctions

In addition to the sanctions specified in the Texas A&M 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

Appeals of the decision, the sanctions, or both may be made by the complainant and/or the respondent. All appeals will be confined to a review of the record from the investigation and any pertinent 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.

Appeals must be filed in writing and must include a statement outlining the basis for the appeal and any evidence which supports the appeal. Appeals must be filed within 5 business days of receipt of the notice of the decision and/or sanctions to be appealed. Complainants and respondents are deemed to have received notice of the decision and/or sanctions on the day that the notice is emailed to the party’s university email account or to any other email account that was provided to CREI by the party. An appeal is filed when CREI receives a copy of a written appeal at civilrights@tamu.edu.

If no appeal is filed within 5 business days of the receipt of the DA’s decision or CREI determines that the appeal does not identify one of the bases for appeal or provide credible information or evidence substantiating the identified bases for appeal, CREI will provide simultaneous notice to the parties that no valid appeal was filed and the decision and sanctions are final and the case is closed.

18 Results (decision and/or sanctions) can be appealed on any of all of the following bases, as applicable: (a) a procedural error or omission that significantly impacted the outcome; (b) new evidence, unknown or unavailable during the investigation that could have significantly impacted the outcome; or (c) 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.
If a timely and valid appeal is filed by either party, the other party will be notified as soon as practical thereafter. CREI will forward the appeal and any supporting information or evidence to the appropriate AA in accordance with the following table.

<table>
<thead>
<tr>
<th>If the allegations are against a:</th>
<th>Student</th>
<th>Non-Faculty Employee and Third Party</th>
<th>Faculty Employee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Then the AA is:</td>
<td>University Disciplinary Appeals Panel (UDAP) who may refer the appeal to the Dean of Student Life or designee <a href="https://student-rules.tamu.edu/rule58/">https://student-rules.tamu.edu/rule58/</a></td>
<td>Vice President for the Division of Human Resources and Organizational Effectiveness or designee <a href="http://rules.tamu.edu/PDFs/32.02.02.M0.02.pdf">http://rules.tamu.edu/PDFs/32.02.02.M0.02.pdf</a></td>
<td>University Committee on Faculty Disciplinary Appeals (UCFD) who will render an advisory opinion regarding the appeal to the Provost and Executive Vice President who will render a final decision</td>
</tr>
</tbody>
</table>

The AA, in consultation with OGC, will review the appeal documents, the decision of the DA, any new evidence submitted by the parties, and the investigation report and exhibits. The AA will render a written decision which includes a rationale for the decision as to each of the grounds appealed. If an appeal is sought by both parties within the allowed time frame, the AA will review both appeals and will render decisions accordingly.

The AA will render one or more of the following written decisions after reviewing a) the final investigation report, the documentary evidence and other relevant information; and b) the DA’s decision on responsibility and/or sanctions:

- Affirm the DA’s decision on responsibility and/or 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, which was unknown or unavailable during the investigation, appears to be relevant and could have significantly affected the outcome of the decision on responsibility or the sanctions. The DA will instruct the IA to review the new evidence and amend the investigation report, as appropriate. The IA will submit the amended investigation report, without conclusions, to the parties for review and response and then to the DA for a new decision in accordance with the established formal investigation procedures. The new decision of the DA 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 during the investigation phase, the DA will instruct the IA to correct the procedural error or omission and amend the investigation report, as appropriate. The IA will then submit the amended investigation report, without conclusions, to the parties for review and response and then to the DA for a new decision in accordance with the established formal investigation procedures. The new decision of the DA may be appealed by the parties in accordance with the previously described appeal procedures.
- Modify the decision on sanctions because the sanctions given were inappropriate or disproportionate to the severity of the conduct after considering all the circumstances. The AA will impose new sanctions, which are final.

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19 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.
The AA will forward the appellate decision to CREI within 15 business days from the date of receipt of the appeal, unless circumstances require additional time. The decision of the AA will be final. Within 5 business days after receiving the appellate decision, CREI will provide simultaneous written notice of the AA’s decision, including changes occurring based on appeal and when such results become final (see Footnote 14).

**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. 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.

For all investigations and disciplinary proceedings

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.

**Prevention and Awareness Programs**

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.

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20 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.
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 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 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 new student conferences (orientations) that includes the above educational material. 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.
- The Offices of the Dean of Student Life 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 Offices of the Dean of Student Life require 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 before the start of classes, 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 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 advocacy, support, and referral services for students, faculty, and staff (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.

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 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 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. Online courses are offered that provide guidance to identify and address behaviors of concern as a way of preventing violence in the workplace.

The Offices of the Dean of Student Life and Student Assistance Services maintain a webpage (http://studentlife.tamu.edu/sas.svp) that describes university resources, assistance, and reporting procedures for students impacted by sexual violence. The Title IX webpage, http://titleix.tamu.edu/, also references sexual harassment and violence resources available through CREI, the Offices of the Dean of Student Life, and UPD and provides information for students, faculty, and staff who wish to report any form of sexual discrimination or harassment. Furthermore, 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 by CREI and to employees by the Division of Human Resources and Organizational Effectiveness.
These departments distribute an email annually (fall semester) that contains information covering how to report incidents, applicable policies, and other available options in addition to existing services and resources.

**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**

Texas A&M University prohibits retaliation. 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.

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21 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.
**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/](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 was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent.

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
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 or violence;
(2) the actor compels the other person to submit or participate by threatening to use force or violence against 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.

(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) 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.

(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 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.

(f) An offense under this section is a felony of the second degree, except that an offense under this section is 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.

**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](https://www.tshaclerly.org/35000142) 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 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 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](https://www.txcourts.gov) 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](https://www.txcourts.gov) 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 RELLIS 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 RELLIS Campus, therefore, statistics for on-campus student housing are not required to be disclosed.
Texas A&M University RELLIS 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. Not all local law enforcement agencies responded to the institution’s request for statistics or responded with a format usable for Clery crime reporting.

<table>
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<tr>
<th>Criminal Offenses</th>
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<th>Public Property</th>
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### Violence Against Women Reauthorization Act of 2013 (VAWA) Offenses

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### Arrests and Disciplinary Referrals

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The following are in reference to the reportable crimes tables.

* In 2018, 2017, and 2016 there were no reported criminal incidents involving hate/bias.

§Unfounded crimes are those that a commissioned peace officer has investigated and found to be false or baseless and are subsequently withheld from the crime statistic.

The Handbook for Campus Safety and Security Reporting (Handbook) was updated in June 2016 and is used for reporting Clery crime statistics for calendar year 2016 and future. According to Handbook guidance published in 2016, the RELLIS Campus meets criteria for a Clery Act separate campus which requires independent publication of policy and statistical disclosure. Prior to the updated Handbook, the RELLIS Campus was included in the Texas A&M University College Station annual security report as a non-campus location.

### 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 because reporting to UPD (or to the UPD and BCPD officers located at RELLIS for crimes occurring at RELLIS) 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 RELLIS. 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 on a monthly basis in the fall semester. For additional information or to schedule a program you are encouraged to call the Community Services Division at 979-845-0070.

UPD 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.

- 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
Texas A&M University RELLIS Campus Annual Security Report

- 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 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 http://transport.tamu.edu/alternative/bicycles/services.aspx#registration.

Important Telephone Numbers
Area Code 979 (for all numbers listed below)

<table>
<thead>
<tr>
<th>Emergencies-Police/Fire/Medical</th>
<th>911 for off campus; 911 or 9-911 for on campus</th>
<th>University Police Department</th>
<th>845-2345</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bryan Police (non-emergency)</td>
<td>361-3888</td>
<td>Blinn College Police Department (at RELLIS)</td>
<td>209-7600</td>
</tr>
<tr>
<td>Brazos County Sheriff (non-emergency)</td>
<td>361-4980</td>
<td>University Police Department (at RELLIS)</td>
<td>845-2345</td>
</tr>
<tr>
<td>College Station Police (non-emergency)</td>
<td>764-3600</td>
<td>Student Health Services</td>
<td>458-8250</td>
</tr>
<tr>
<td>Crime Stoppers 775-TIPS</td>
<td>775-8477</td>
<td>Health Promotion (Counseling &amp; Referral, Alcohol &amp; other Drugs)</td>
<td>845-0280</td>
</tr>
<tr>
<td>Department of Public Safety (State Troopers)</td>
<td>776-3100</td>
<td>Student Conduct Office</td>
<td>847-7272</td>
</tr>
<tr>
<td>FBI</td>
<td>776-8894</td>
<td>Counseling and Psychological Services (CAPS)</td>
<td>845-4427</td>
</tr>
<tr>
<td>Bryan Fire</td>
<td>209-5960</td>
<td>Facilities Services (AggieWorks)</td>
<td>845-4311</td>
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<tr>
<td>Brazos County Fire (Rural)</td>
<td>361-3888</td>
<td>Transportation Services</td>
<td>845-9700</td>
</tr>
<tr>
<td>College Station Fire</td>
<td>764-3700</td>
<td>Parking</td>
<td>862-7275</td>
</tr>
<tr>
<td>Paratransit</td>
<td>845-1971</td>
<td>CARPOOL (10pm-3am on Thursday, Friday and Saturday)</td>
<td>693-9905</td>
</tr>
<tr>
<td>Transit (Bus) Help-Line / Information</td>
<td>847-7433</td>
<td>Environmental Health &amp; Safety</td>
<td>845-2132</td>
</tr>
<tr>
<td>Campus Information/Student Locator</td>
<td>845-3211</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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:
http://urc.tamu.edu/clery-act/clery-annual-reports/.

Other Texas A&M University Annual Security Reports
Texas A&M University College Station
Texas A&M University O.D. Butler, Jr. Animal Science Complex and University Farm
Texas A&M University at Galveston
Texas A&M University at Qatar
Texas A&M University Mays Business School at CityCentre
Texas A&M University School of Law
Texas A&M University Health Science Center Bryan
Texas A&M University Health Science Center Dallas
Texas A&M University Health Science Center Houston
Texas A&M University Health Science Center Kingsville
Texas A&M University Health Science Center McAllen
Texas A&M University Health Science Center Round Rock
Texas A&M University Health Science Center Temple
Texas A&M University Higher Education Center at McAllen
Texas A&M University at Galveston, TS General Rudder
Texas A&M University Maritime Academy Summer Sea Term

Other Texas A&M University Annual Fire Safety Reports
Texas A&M University at College Station
Texas A&M University at Galveston
Texas A&M University Health Science Center Kingsville
Texas A&M University at Galveston, TS General Rudder
Texas A&M University Maritime Academy Summer Sea Term