

TEXAS A&M UNIVERSITY COLLEGE STATION

2018 Annual Security Report



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

This Annual Security Report and the Texas A&M University College Station Annual Fire Safety Report on Student Housing (Annual Fire Safety Report) are available at the following Texas A&M University Office of Risk, Ethics, and Compliance websites.

<http://urc.tamu.edu/media/1157075/CSAnnualSecurityReport.pdf>

<http://urc.tamu.edu/media/1157614/CSAnnualFireReport.pdf>

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

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Texas A&M University College Station

Preparation of the Annual Security Report and Disclosure of Crime Statistics

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

The Texas A&M University Police Department (UPD) and Office of Risk, Ethics, and Compliance (OREC) are responsible for preparing and distributing the Annual Security Report to comply with the Clery Act. The Annual Security Report is published every year by October 1st and contains three years of selected campus crime statistics and certain campus security policy statements for the 2018 - 2019 academic year in accordance with the Clery Act. The 2018 Annual Security Report contains crime statistics for calendar years 2017, 2016, and 2015.

UPD 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

Each year, 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 UPD located at 1111 Research Parkway, by calling 979-845-2347, or emailing UPD at upd@tamu.edu. The report is found at the following website: <http://urc.tamu.edu/media/1157075/CSAnnualSecurityReport.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

UPD provides law enforcement and security services to all components of Texas A&M University including the academic campus and a variety of satellite facilities throughout the Brazos County.

The department 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.

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 two shifts. Security Officers work closely with our armed Patrol Officers by constantly patrolling university properties and staffing fixed posts at some facilities.

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.

Jurisdiction

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

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.

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 reported to UPD security or sworn police officers are investigated and are referred for prosecution through the Offices of the County Attorney and District Attorney when appropriate. Criminal matters involving university students may also be referred to university administration for disciplinary action.

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, Blinn College Police Department, and all four Brazos County Constable Offices. 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 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 at these non-campus locations. The local law enforcement agency with jurisdiction at the location responds when police services are requested.

Professional Standards

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

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

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

Campus Law Enforcement Telephone Directory

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

Emergencies-from on campus phones/Police/Fire/Medical	911 or 9-911	Non-Emergencies/General Assistance	845-2345
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TAMU Chief of Police	845-8052	Community Services Division	845-0070
Uniform Patrol Division	845-2345	Records Division	845-2347
Criminal Investigations Division	845-8063	Recruiting Division	862-8125
Uniform Security Division	862-3375	Public Information	845-0070
Field Operations Division	845-6633	Training Division	845-8055
Special Events Operations	845-8900	Victim Services	458-9767

Reporting Crimes

Incident Reporting and Response

Any on-campus emergency should be reported immediately to UPD by dialing 911 or 9-911 from a campus phone, 911 from a cellular phone, or in person. If you are using a campus phone (landline) you may dial either 911 or 9-911 and you will reach an emergency operator. Also, you can use one of the many emergency telephones located throughout campus and Residence Hall entrances. Campus elevators are also equipped with emergency phones. 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. The e-mail address for UPD is: upd@tamu.edu. For non-emergencies, UPD has an on-line reporting format. <http://upd.tamu.edu> "Online Reporting."

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. 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 and personnel:

Name	Phone	Location
Director of Housing, Residence Life	979-862-3158	https://reslife.tamu.edu/contact
Director, Student Health Services	979-458-8300	A.P. Beutel Health Center
Dean of Student Life	979-845-3111	http://studentlife.tamu.edu/
Women's Resource Center	979-845-8784	http://studentlife.tamu.edu/wrc
Commandant & Head of School of Military Sciences, Corps of Cadets	979-845-2811	Military Science Building 102
Gay, Lesbian, Bisexual, and Transgender (GLBT) Resource Center	979-862-8920	http://studentlife.tamu.edu/glbtrc
Human Resources Organizational Consulting & Resolution Management	979-862-4027	General Services Complex 1201
Office of the Dean of Faculties & Associate Provost	979-845-4274	YMCA Building 108
Title IX Coordinator	979-845-0977	General Services Complex 2101
Chief Risk, Ethics, and Compliance Officer	979-458-8407	Jack K. Williams Administration Building 302
Senior Associate Athletics Director/Senior Woman Administrator	979-845-1030	Nye Academic Center 291
Chief of Staff, Athletics Department	979-862-2586	3 rd floor Reed Arena

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](https://upd.tamu.edu/Pages/CSA-Reporting.aspx) link located on the following webpage: <https://upd.tamu.edu/Pages/CSA-Reporting.aspx>.

Students, faculty, staff, community members, and guests are encouraged to report all crimes and public safety related incidents to UPD 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. 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 our 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 written 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 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. Felony 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.

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 hours¹.

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 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 University Apartment students may update their emergency contact information at any time by logging in to Residence Life Online Services at <http://oncampusaggies.tamu.edu>. Students are encouraged to register their emergency contact information at <http://howdy.tamu.edu>.

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.

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.

¹ 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 with 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.
4. If for some reason it becomes necessary for Residence Life staff members to make contact with the designated emergency contacts, this should only be done by the Coordinator staff on duty or by one of the Associate Directors.
5. Contact other Residence Life staff members as indicated in the Department of Residence Life Incident Notification Matrix in the live-on-campus staff manuals.
6. Submit an incident report to the “Maxient Conduct Manager” system.

Students, employees, or other individuals receiving a missing student report should immediately contact the UPD at 979-845-2345 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 regardless of 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 (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 authority is 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 the writing and issuance of Crime Alerts. Personnel authorized to write and/or issue (send) a Crime Alert are: the Chief of Police, the Assistant Chiefs, the Public Information Officer, and the Clery Act Compliance Officer. An internal 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](http://1111ResearchParkway,CollegeStation,TX,77843)).

Crime Alerts are issued through the university e-mail system 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. Crime Alerts are also posted on the UPD public website at: <http://upd.tamu.edu> under “Crime Alerts.” 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 on the campus of Texas A&M University at College Station, i.e. on-campus property. The institution does not have separate procedures for non-campus property.

Emergency Notification System



Code Maroon is Texas A&M University'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, Texas A&M Email (Gmail and Exchange), KAMU-FM radio, campus cable television, classroom notification system, Emergency Alert System radios, campus digital signage, computer pop-up messages, some building fire alarm speaker systems, Twitter, and RSS.

Texas A&M University 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 Texas A&M University to immediately notify the campus community, via the Code Maroon 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 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, fire department, National Weather Service, or other personnel from Environmental Health and Safety.

The Code Maroon 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 university is not required to issue a Crime Alert based on the same circumstances.

The generation of a Code Maroon emergency 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 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 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 Director and Assistant Directors. Code Maroon alerts are issued to the entire campus community, 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 the alert from a remote location.

Texas A&M University conducts monthly pre-scheduled testing of the emergency notification system. These monthly tests are launched by the Communications Division of UPD. After each test, or actual alert, Texas A&M University Information Technology will analyze the functionality of each communication channel within the notification system, and create a report with the results of the findings. 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 monthly 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>.

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>.

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 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 main website will be updated with current information pertaining to the incident. <http://www.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

Texas A&M University is a partner with Brazos County and with the cities of Bryan and College Station in the Brazos County Inter-jurisdictional Emergency Management Plan. The university is also involved with the regional emergency response planning for the Brazos Valley Region consisting of the seven counties in this Council of Governments region: Brazos, Burleson, Grimes, Leon, Madison, Robertson and Washington. The Office of Safety and Security has primary responsibility for emergency preparedness at Texas A&M University. 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 Brazos County Plan.

The primary university plan is the broad-based Texas A&M Emergency Operations Plan available at <http://www.tamu.edu/emergency/resources/plans.html>. The Texas A&M Emergency Operations Plan describes the general framework for emergency response at Texas A&M University. A set of more specific emergency protocols has been developed that are intended to provide guidance for the general public in the event of foreseeable emergencies. The 12th Man Emergency Playbook may be viewed at <https://www.tamu.edu/emergency/documents/12thManEmergencyPlaybook.pdf>. Information about emergency procedures at Texas A&M University may also be accessed online via the Emergency Preparedness link: <http://www.tamu.edu/emergency>. University departments are responsible for developing business continuity plans for their specific areas to compliment and support the Institutional Continuity Annex (Annex J) of the Emergency Operations Plan.

Texas A&M University 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, Environmental Health 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.

Texas A&M University 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 Safety and Security also works with various departments on campus to include UPD, Environmental Health and Safety, and University Emergency Medical Services 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 and time occurred, date the crime was reported to the UPD, and disposition. You may view the Daily Crime Log via the UPD webpage at: <http://upd.tamu.edu>. A printed

copy of this report may be viewed at the UPD Records office, or obtained by calling 979-845-2347. The hard copy is printed on a daily basis on working business days.

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

Access to residence halls 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

Campus parking areas including garages are under video surveillance and may or may not be monitored. Various parking lots and garages are also equipped with emergency phones on each level 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 main campus of Texas A&M University is located within the City of College Station, 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 proctor 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 campus. 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 the 24 hour Communications Center at 979-845-4311.

The Department of Residence Life monitors the residential facility custodial and maintenance functions which are managed by a third party. The custodians are responsible for normal cleaning duties within the residence halls and the University Apartments. The maintenance staff is responsible for making repairs in the residence halls and the University Apartments. 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 Facilities and Operations office. For more information about any of these services, please call 979-862-3150 or email facilities-operations@housing.tamu.edu. Students are encouraged to report residence hall or apartment maintenance problems via <http://aggieworks.tamu.edu> to their Resident Advisor.

For after-hours emergency repairs, contact the 24 hour Communications Center at 979-845-4311. Garden Apartments should contact the Resident Advisor on duty at 979-845-2261. White Creek Apartments should contact the Resident Advisor on duty at 979-458-8500.

Security lighting tours of campus are jointly conducted each semester by contracted maintenance staff, students, UPD, Residence Life, and various Texas A&M University departmental representatives. Issues concerning lighting as well as landscaping affecting the disbursement of light are addressed. Residence hall and University Apartments 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 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 and 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.

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>.

Alcohol Policy

As an institution interested in the intellectual, physical and psychological well-being of the campus community, Texas A&M University 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 Texas A&M University on-campus housing facilities.

Additionally, in accordance with [Texas A&M University Student Rules, Appendix VIII](#) and [University Rule 34.03.01.M1 Alcoholic Beverages](#), alcohol possession and use of alcoholic beverages are prohibited on Texas A&M University premises and university sponsored events unless expressly authorized by University Rule 34.03.01.M1. Locations designated as exceptions in University Rule 34.03.01.M1 include University Apartments and residence hall rooms where all occupants are at least 21 years of age. Service of alcoholic beverages on Texas A&M University property (including sales) is limited to institutional entities that hold a valid liquor license according to University Rule 34.03.01.M1. Authorized service entities are listed in University Rule 34.03.01.M1. Consequences for policy violations could result in sanctions by the university and/or criminal charges/arrest by UPD for state law violations.

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 Deer Oaks Employee Assistance Program (888-993-7650) manages the alcohol & drug abuse and rehabilitation program for employees. The Deer Oaks Employee Assistance 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. ([Texas A&M University Student Rules, Appendix VII; System Policy 34.02, Drug and Alcohol Abuse and Rehabilitation](#))

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 Deer Oaks Employee Assistance Program (888-993-7650) manages the alcohol & drug abuse and rehabilitation program for employees. The Deer Oaks Employee Assistance 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 Texas A&M (all land and buildings owned or leased by Texas A&M) or in a university vehicle, unless prohibited by state law, federal law, or [University Rule 34.06.02.M1, 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. Any resident of campus housing who is a license to carry holder may store a handgun in his/her room securely in a safe purchased or rented from the Department of Residence Life. The open carry of handguns is prohibited everywhere on campus including all land and buildings owned or leased by Texas A&M University. [University Rule 34.06.02.M1](#) and [Student Conduct Code 24.4.14](#) contain additional weapons policy information.

Sexual Assault, Dating Violence, Domestic Violence, and Stalking

In accordance with federal law and [System Regulation 08.01.01 *Civil Rights Compliance*](#), Texas A&M University prohibits discrimination and harassment on the basis of sex² 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. Below is a list of local law enforcement agencies. Reports should be filed with the agency where the incident occurred.

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

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

All employees who experience, observe, or become aware of illegal discrimination, sexual harassment (including sexual assault, dating violence, domestic violence, and stalking), and/or related retaliation must promptly report the conduct³. Students and third parties are strongly encouraged, but not required, to report prohibited conduct. At the main campus in College Station, information should be reported to an official

² Sexual harassment is a form of sex discrimination. Unwelcome sexual advances, requests for sexual favors and 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.

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

university contact designated to receive and investigate complaints in accordance with Table 1 – Official Contacts below. Depending on the circumstances, the contacts will coordinate responsibilities when necessary.

Table 1 – Official Contacts

If the alleged offender is a:	Student ⁴	Employee or Third Party
Then the official contact is:	Dean of Student Life, Division of Student Affairs, Student Services at White Creek http://studentlife.tamu.edu College Station, TX 77843-1257 979-845-3111 studentlife@tamu.edu	Chief Risk, Ethics, and Compliance Officer, Office of Risk, Ethics, and Compliance Jack K. Williams Administration Building Suite 302 College Station, TX 77843 979-458-8407 OREC@tamu.edu

If the alleged offender is the Texas A&M President, or an employee who reports directly to the President, then the official contact is the Texas A&M System Ethics and Compliance Office (SECO) at 979-458-6008.

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 (979-845-0977, 750 Agronomy Rd., Suite 2101, College Station, TX 77843-1280, TitleIX.Coordinator@tamu.edu)
- Dean of Faculties for complaints against faculty (979-845-4274, 108 YMCA Bldg., College Station, TX 77843-1126, dofinvestigations@tamu.edu)
- Director of Organizational Consulting & Resolution Management for complaints against staff or third parties (979-862-4027, 750 Agronomy Rd., Suite 1201, College Station, TX 77843-1255, ocrm@tamu.edu)

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

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 [Tell Somebody](#), an electronic reporting option. Anonymous reporting may also limit the university's response to the allegation.

⁴ Texas A&M University Health Science Center (TAMHSC) students may contact the Texas A&M University Dean of Student Life or the TAMHSC contact specific to their college as identified in section 47.1 of [Student Rule 47. Investigation and Resolution of Complaints Against Texas A&M Students for Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation](#). The TAMHSC contacts are available to serve as a resource to any individual who has a sexual assault, dating violence, domestic violence, stalking or retaliation inquiry or complaint. The TAMHSC contacts are responsible for informing the Texas A&M University Title IX official contacts designated to receive and investigate complaints in accordance with Table 1 – Official Contacts.

In regards to students who report, in good faith, being the victim of or a witness to an incident of sexual assault, dating violence, domestic violence, or stalking, the university will not take disciplinary action against that student for violations of the Student Conduct Code occurring at or near the time of the incident reported. The university may, however, investigate to determine whether a report of an incident of sexual assault, dating violence, domestic violence, or stalking was made in good faith. The amnesty given does not apply to a student who reports the student's own commission or assistance in the commission of sexual assault, dating violence, domestic violence, or stalking.

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 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 (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. 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 your options, give you information, and provide emotional support. Personnel include: any official contact listed in Table 1- Official Contacts, Student Assistance Services 979-845-3113, Student Counseling Service 979-845-4427, Student Health Services 979-458-8316, UPD Victim Services 979-458-9767, Deer Oaks Employee Assistance Program 888-993-7650, 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 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

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 information⁵. 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.

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.

The Student Counseling Service (979-845-4427) and the Deer Oaks Employee Assistance Program (888-993-7650) 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 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.

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

Name	Phone	Address	Website
Texas A&M University Police	979-845-2345	1111 Research Parkway College Station, TX	https://upd.tamu.edu

Name	Phone	Address	Website
Bryan Police Department	979-361-3888	303 East 29 th Street Bryan, TX	www.bryantx.gov/police
College Station Police Department	979-764-3600	2611 Texas Avenue South College Station, TX	www.cstx.gov/police
Brazos County Sheriff's Department	979-361-4980	1700 Highway 21 West Bryan, TX	http://brazoscountysheriff.org

Counseling and Mental Health

Name	Phone	Address	Website
Student Counseling Service (SCS)	979-845-4427 or 979-845-2700	See website	http://scs.tamu.edu
Deer Oaks Employee Assistance Program	888-993-7650	n/a	https://employees.tamu.edu/ea/p/

Medical and Health Services

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

Support, Advocacy, Legal Assistance, and Other Resources

Name	Phone	Address	Website
SCS Helpline	979-845-2700	n/a	http://scs.tamu.edu/?q=helpline
Student Assistance Services	979-845-3113	See website	https://studentlife.tamu.edu/sas/
Women's Resource Center	979-845-8784	See website	https://studentlife.tamu.edu/wrc/
GLBT Resource Center	979-862-8920	See website	http://studentlife.tamu.edu/glbt
Student Conduct Office	979-847-7272	See website	http://studentlife.tamu.edu/sco

Name	Phone	Address	Website
Student Legal Services ⁶	979-862-4502	See website	http://studentlife.tamu.edu/sls
University Police Department Victim Services	979-458-9767	1111 Research Parkway College Station, TX	https://upd.tamu.edu/Pages/VictimsAdvocate.aspx
Bryan Police Department Victim's Assistance	979-209-5312	303 East 29 th Street Bryan, TX	http://www.bryantx.gov/police/investigative-services-bureau/
College Station Police Victim Advocacy & Assistance Program	979-764-5004	2611 Texas Avenue South College Station, TX	http://www.cstx.gov/index.aspx?page=3927
Brazos County Victim Assistance Division	979-361-4320	300 East 26 th Street Suite 310 Bryan, TX	http://www.brazoscountytexas.gov/index.aspx?NID=227
Brazos County Family Violence Unit	979-361-4657	300 East 26 th Street 1 st floor Bryan, TX	http://brazoscountytexas.gov/index.aspx?NID=112
Twin City Mission Domestic Violence Services	979-775-5355	2505 South College Avenue Bryan, TX	https://www.twincitymission.org/domestic-violence-services
Sexual Assault Resource Center of Brazos County (SARC)	979-731-1000 (24 hour hotline)	n/a	http://www.sarcbv.org
National Sexual Assault Hotline	800-656-HOPE	n/a	https://rainn.org/get-help/national-sexual-assault-hotline
National Domestic Violence Hotline	800-799-SAFE	n/a	http://www.thehotline.org

Visa and Immigration Assistance

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

⁶ 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.

Student Financial Aid

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

Institutional Rights and Options (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 Offices of the Dean of Student Life (979-845-3111) 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. OREC (979-458-8407) provides similar assistance to employees. The university (OREC, 979-458-8407) 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 the Dean of Student Life at 979-845-3111 or Student Assistance Services at 979-845-3113. The Dean of Student Life may issue a restriction at any time prior to or during a conduct investigation based on information provided by the requestor. A no contract 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 OREC 979-458-8407.

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 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. Areas receiving information may include, but are not limited to: Residence Life, Transportation Services, Athletics, Scholarships and Financial Aid, Corps of Cadets, Student Activities, academic departments (direct supervisor, Dean, or Associate Dean), or non-academic departments (direct supervisor, Vice President, or designee). 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 (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 webpage: <http://brazoscountytx.gov/index.aspx?NID=112>.

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 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 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 979-845-2345 and request 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 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, 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: The UPD's Community Services Division at 979-845-0070 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 <http://www.texasattorneygeneral.gov/cvs/crime-victims-compensation>.

Investigations and Disciplinary Proceedings⁷ 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 complainant⁸ 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 further action that 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. 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 Coordinator or designee, SECO, and the System Office of General Counsel (OGC) of the allegation of sexual assault, dating violence, domestic violence, or stalking.

The official contact diligently works to determine what occurred and further action that may be warranted based on the information provided. The official contact communicates with the complainant regarding resolution procedures (formal and informal options), the right of the complainant to decline to participate in an investigation or remain anonymous, and the right to request that no investigation occur⁹. The official contact is responsible for soliciting the complainant's preference for which procedures to use in resolving the matter.

The official contact performs a preliminary determination to establish whether or not there is sufficient information to proceed with the investigation. In consultation with the OGC, the official contact or designee's preliminary determination includes, but is not limited to, the following: assessing whether or not the allegations (if true) constitute prohibited conduct, assessing the complainant's request that an investigation not occur (which may be honored), and establishing whether or not the university has the ability to meaningfully investigate based on known or obtainable information. For example, the university's response may be diminished in the following cases: the identity of one or more parties is unknown or not disclosed, the complainant wishes to withhold their identity, and/or the complainant declines to participate in an

⁷ 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, alleged offender, and other affected individuals concerning accommodations or protective measures.

⁸ For the purposes of this section, the complainant is assumed to be the victim. A non-victim complainant may not be afforded all the rights described in this section. Non-victim complainants are provided protection against retaliation for making a complaint.

⁹ If the complainant requests that no investigation of the allegations occur, the institution will seek to honor the request whenever possible without impeding the institution's ability to protect the health and safety of the complainant and campus community while considering the circumstances and potential impacts of the complaint. The university reserves the right to initiate an investigation despite a complainant's request not to, in limited circumstances involving serious or repeated conduct where the alleged offender may pose a continuing threat to the campus community. The complainant is notified if the complainant's request cannot be honored.

investigation. After the preliminary determination, the official contact or designee may proceed with an investigation or close the report due to insufficient information unless additional information is provided.

If information is sufficient, the official contact or designee will appoint the investigative authority (IA) to initiate an investigation. The IA consists of one or more investigators from the university. All persons serving in the process are to be impartial and free from bias or conflict of interest. Concerns about impartiality are addressed as necessary prior to the investigation. Investigators may also decline the assignment if they feel they cannot render an unbiased decision. Individuals conducting investigations and other decision makers, at a minimum, receive training annually which covers sexual assault, dating violence, domestic violence, and/or stalking, and how to conduct an investigation and hearing process that protects the safety of individuals involved and promotes accountability through prompt and equitable treatment.

The assigned IA provides the following to the complainant and alleged offender in writing.

- Receipt of the complaint stating the allegation
- Policy or policies alleged to have been violated and a copy of applicable university policies
- Date, time (if known), location, and nature of the alleged misconduct
- Identity (or pseudonym, if requested) of the complainant and alleged offender
- If the complainant has requested that a pseudonym be used in the institution's paperwork, the alleged offender will be verbally notified of the complainant's name
- Identity of and contact information for the IA
- Identity of the designated administrator¹⁰ (DA)
- Explanation of the prohibition against retaliation
- 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 appellate authority (AA)

The IA will review the complaint, interview the complainant, the alleged offender, and witnesses, if applicable, and ascertain details and circumstances associated with the complaint. Individuals will have an equal opportunity to present relevant witnesses and other evidence to the IA. Investigations are intended to collect and provide an investigation report with detailed information in connection with a reported incident involving Texas A&M University students. The purpose of an investigation is three fold: to provide staff in the Offices of the Dean of Student Life sufficient information to determine if the incident warrants further university action; to collect information (not determine responsibility); and to determine departmental jurisdiction. The investigation report should include a statement of allegations, a list of witnesses interviewed, and relevant documents but should not include findings, decisions, or recommendations.

Investigations provide both the complainant and alleged offender 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 alleged offender support, guidance or advice) of their choice at their own cost. The choice or presence of an advisor is not limited for either the complainant or the alleged offender in any meeting or institutional disciplinary proceeding, however, restrictions regarding the extent to which the advisor will participate in the proceedings may be established and applied equally to both parties. All parties, including advisors, are informed of participation restrictions before a proceeding is conducted so that parties understand and respect the limitations. Each party's advisor

¹⁰ The DA is the university official responsible for finalizing the investigation and determining actions to proceed subsequent to the investigation.

participation during the interview(s) will be limited to the role of an observer, may not actively participate, may not address an involved university official, or advocate on behalf of the student. The advisor may request a break from the interview to give advice. The advisor cannot be called as a witness once they have assumed the role of advisor. Students who are charged in the same fact pattern, or who are not in good standing with the university are not eligible to serve as an advisor at conduct proceedings. The university has the right, at all times, to determine what constitutes appropriate behavior on the part of the advisor.

After the IA completes the investigation report, the OGC reviews and approves it for legal sufficiency in coordination with SECO. Staff in the Offices of the Dean of Student Life, as the DA, finalize the investigation report from OGC and make the determination to investigate further, complete the investigation and proceed with resolution procedures, or dismiss the complaint. In regards to resolution procedures, the DA determines whether or not informal procedures may be used and provides the complainant with an option to initiate informal resolution procedures, if appropriate, or formal resolution procedures (a Student Life Conduct Conference).

Informal procedures, facilitated by the appropriate university administrator, provide an alternative method of reaching a voluntary resolution. If the complainant requests informal resolution and both the alleged offender and the official contact or designee agree to attempt an informal resolution, the official contact or designee initiates and manages mediation between the parties. Timely and equal access to any information that will be used during informal procedures will be provided to the complainant, alleged offender, and appropriate officials. Examples of outcomes resulting from informal procedures include, but are not limited to, no contact orders, a commitment to refrain from similar behaviors in the future, etc. Informal procedures, including mediation, will not be used to resolve complaints involving sexual assault with the exception fondling where informal procedures may be permitted on a case by case basis. A complainant is not required to engage in informal procedures prior to requesting formal procedures. Either party may request the official contact pursue a formal investigation at any time.

If moving forward with formal proceedings, the alleged offender and the complainant are informed of the resulting allegations and information surrounding the allegations and a Student Life Conduct Conference is initiated to determine whether a violation of student rules occurred. The complainant and alleged offender are notified by the DA that the investigation report is complete and are given the right to review an un-redacted copy of the investigation report (without exhibits). If requested, access to exhibits, which may be redacted, may be provided.

The Student Life Conduct Conference is facilitated by the Student Conduct Office which is authorized by the Vice President for Student Affairs or designee to conduct the proceedings and establish a Student Conduct Panel. The student conduct process provides that:

- Timely and equal access to any information that will be used during conduct conferences will be provided to the complainant, alleged offender, and appropriate officials.
- During the student conduct process the alleged offender and complainant have timely notice of meetings at which the complainant or alleged offender, or both, may be present. However, the student conduct panel may accommodate concerns for personal safety, well-being, and/or fears of confrontation of the complainant, alleged offender, and/or other witnesses during the conference at the discretion of the Student Conduct Administrator. The complainant is not required to attend the Student Life Conduct Conference.
- Both the complainant and alleged offender have the right to be assisted by an advisor as described above at any meeting related to the conduct process and related appeal. Admission of any other person to the student conduct conference shall be at the discretion of the Student Conduct Administrator.

- Prior to the decision of responsibility, pertinent records, exhibits, student impact statements and other written statements and responses may be accepted from both parties as information for consideration by the Student Conduct Panel at the discretion of the Student Conduct Administrator.
- A preponderance of evidence¹¹ standard (the conduct more likely than not occurred) is used to reach conclusions regarding the allegations.

After the Student Life Conduct Conference, a result is reached/rendered by the Student Conduct Panel. Sanctions are determined by the Student Conduct Panel. One or any combination of the following sanctions may be imposed in response to a student conduct code violation related to dating violence, domestic violence, sexual assault, or stalking: expulsion, suspension, conduct probation for a definite or indefinite period, conduct review, restrictions, community or university service, educational requirements, reprimand, required counseling, no contact restriction, letter of enrollment block, loss of campus housing privilege, deferred loss of campus housing privilege, and campus housing probation.

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 predation¹² for the purpose of carrying out these acts will be subject to permanent expulsion.

If a suspension is imposed, the student is eligible to apply for reenrollment after the suspension period has elapsed. Actual readmission 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.

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.

The range of the sanctions that can be applied vary significantly. When the Student Conduct Administrator or Student Conduct Panel is determining the most appropriate sanction or combination of sanctions, an assessment is made on a case by case basis and the following factors may be considered.

- Nature of the violation (seriousness of the violation, harm caused, effects of the violation)
- Impact of the conduct on the complainant
- Impact of the conduct on the university community and the need to protect the safety of the university community
- Prior misconduct/previous disciplinary history of the alleged offender on record with student conduct (only used in the sanctioning phase, not in the finding of responsibility)

¹¹ System Regulation 08.01.01 *Civil Rights Compliance* specifies a standard used to determine the merits of the allegation(s) as the preponderance of the evidence, i.e. more likely than not. Student conduct proceedings use this standard and identify it as “preponderance of information.”

¹² 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.

- Mitigating/aggravating circumstances surrounding the incident (mitigating means reasons the sanction should be lessened and aggravating means reasons the sanction should be more severe)
- Motivation for the behavior (why the student engaged in the behavior, evidence of malicious intent)
- Whether the alleged offender has accepted responsibility for the conduct, which may be considered as a factor that may lessen, not increase, the severity of the sanctions
- Necessity of any specific action in order to eliminate the prohibited conduct, prevent its recurrence, and remedy its effects on the complainant or other university community members
- Developmental and educational impact for the individual and community (perception to the student and community, what the sanction can teach the student, how the sanction can help the student develop as a community member and individual)
- Expressed wishes of the complainant

The goal is to resolve complaints in a reasonably prompt timeframe of approximately 65 business days excluding any appeal period; however, extenuating circumstances requiring additional time may necessitate an extension with good cause. Extensions are granted by the Dean of Student Life or designee. Written notice of the delay and the reason for the delay is provided to the complainant and the alleged offender by the Dean of Student Life or designee.

Proceedings provide both parties with the right to be informed of the outcome of the investigation. Results¹³ are provided simultaneously and in writing by the Dean of Student Life or designee to both the complainant and alleged offender. Results are also provided to the IA. Procedures for the complainant and/or the alleged offender to appeal are provided with the documentation of results.

Appeals¹⁴ of the decision, the sanctions, or both may be made by the complainant and/or the alleged offender. Appeals must be filed within 5 business days from receipt of the notice of the decision and/or sanctions to be appealed. An appeal should be submitted in writing to the Chair of the University Disciplinary Appeals Panel (Chair) and is considered filed when the Chair receives it. If no appeal is filed within 5 business days, the decision and sanctions are final and both parties are notified that the results from the initial hearing are final.

The Chair promptly notifies both parties when an appeal is received. The Chair forwards the appeal to the appropriate AA, the University Disciplinary Appeals Panel. Cases may be deferred to the Dean of Student Life or alternative appeal body at the discretion of the Chair should there be no sanctions of suspension or expulsion, and no appeals seeking an increase in sanctions.

The AA decides the appeal, provides a rationale for the decision for each of the grounds appealed, and forwards the appellate decision to the complainant and alleged offender within 15 business days from the date of receipt of the appeal, unless circumstances require additional time and an extension is granted through the extension process described above. Appeal results, including changes occurring based on appeal and when such results become final, are provided to both the complainant and alleged offender simultaneously and in writing. Appeal results are also provided to the IA. The decision of the AA is final.

¹³ Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the decision and the sanctions, i.e. how the institution weighted the evidence and information presented during the proceeding, how the evidence and information support the decision and sanctions, and how the institution's standard of evidence was applied.

¹⁴ Results (decision and/or sanctions) can be appealed on 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 (for sanctions imposed on student alleged offenders only).

If the alleged offender is an employee or a third party

The complaint regarding prohibited conduct is initially reviewed by the official contact (Table 1 – Official Contacts). The official contact will promptly notify the Title IX Coordinator or designee, SECO, and the OGC of the allegation of sexual assault, dating violence, domestic violence, or stalking.

The official contact is responsible for reviewing the allegations, confirming the nature and circumstances of the allegations and requesting names of the parties with knowledge of the reported incident. A written statement of events may be requested at the time the complaint is filed. The official contact communicates resolution procedures (formal and informal options), explains the right of the complainant to decline to participate in an investigation or remain anonymous, and solicits the complainant's preference for which procedures to use in resolving the matter. Complainants may request an informal resolution, a formal resolution, or no investigation of their allegations (see footnote 9). The official contact or designee is responsible for making a preliminary determination about whether to resolve the case informally or through a formal investigation of the allegations.

Informal procedures provide an alternative method of reaching a voluntary resolution. If the complainant requests informal resolution and both the alleged offender and the official contact or designee agree to attempt an informal resolution, the official contact or designee initiates the mediation process by referring the complaint to the Dean of Faculties (if the alleged offender is faculty) or to the Human Resources Director of Organizational Consulting and Resolution Management (if the alleged offenders is a staff employee or third party). These groups manage mediation between the parties. Timely and equal access to any information that will be used during informal procedures will be provided to the complainant, alleged offender, and appropriate officials. Examples of outcomes resulting from informal procedures include, but are not limited to, no contact orders, a commitment to refrain from similar behaviors in the future, etc. Informal procedures, including mediation, will not be used to resolve complaints involving sexual assault with the exception fondling where informal procedures may be permitted on a case by case basis. Also, informal procedures will not be used for reports involving a complainant who is a student and an alleged offender who is in a position of authority over that complainant. A complainant is not required to engage in informal procedures prior to requesting formal procedures. Either party may request the official contact pursue a formal investigation at any time.

If the complainant requests formal resolution, the official contact performs a preliminary determination to establish whether or not there is sufficient information to proceed with the formal investigation. In consultation with the OGC, the official contact or designee's preliminary determination includes, but is not limited to, the following: assessing whether or not the allegations (if true) constitute prohibited conduct, assessing the complainant's request that an investigation not occur (which may be honored), and establishing whether or not the university has the ability to meaningfully investigate based on known or obtainable information. For example, the university's response may be diminished in the following cases: the identity of one or more parties is unknown or not disclosed, the complainant wishes to withhold their identity, and/or the complainant declines to participate in an investigation. After the preliminary determination, the official contact or designee may proceed with a formal investigation, close the report for insufficient information, or refer the report for potential violation of other university policies, if applicable.

If information is sufficient, the official contact or designee will appoint the investigative authority (IA) to initiate a formal investigation. The IA consists of one or more investigators from the university (such as a member of the Academic Civil Rights Investigation Committee if related to a faculty investigation) or the Texas A&M System, or an experienced external third party. All persons serving in the process are to be impartial and free from bias or conflict of interest. Concerns about impartiality are addressed as necessary prior to the investigation. Investigators may also decline the assignment if they feel they cannot render an unbiased decision. Individuals conducting investigations and other decision makers, at a minimum, receive training

annually which covers sexual assault, dating violence, domestic violence, and/or stalking, and how to conduct an investigation and hearing process that protects the safety of individuals involved and promotes accountability through prompt and equitable treatment.

The assigned IA provides the following to the complainant and alleged offender in writing.

- Receipt of the complaint stating the allegation
- Policy or policies alleged to have been violated and a copy of applicable university policies
- Date, time (if known), location, and nature of the alleged misconduct
- Identity (or pseudonym, if requested) of the complainant and alleged offender
- If the complainant has requested that a pseudonym be used in the institution's paperwork, the alleged offender will be verbally notified of the complainant's name
- Identity of and contact information for the IA
- Identity of the DA (see footnote 10)
- Explanation of the prohibition against retaliation
- 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

The IA also notifies the alleged offender's supervisor, in writing, of the report involving the alleged offender (if employed by Texas A&M University). At any point in the investigation process, the employee alleged offender may be suspended with pay, reassigned, and/or placed in another type of temporary status pending completion of the investigation and final resolution of the allegations. This is not a disciplinary action.

During the investigation, both parties will have an equal opportunity to be heard, to submit information and corroborating evidence, to identify witnesses who may have relevant information, and to submit questions they believe should be directed by the IA to each other or to any witness. The IA reviews the complaint and collects information to determine what occurred. Their process includes separately interviewing the complainant, the alleged offender, and third-party witnesses (observed the acts in question or have information relevant to the incident), if applicable, gathering other relevant and available evidence and records, and consulting with experts when necessary. The investigation is conducted in a manner that includes timely notice of meetings at which the complainant or alleged offender, or both, may be present. Timely and equal access to any information that will be used during the investigation is provided to the complainant, the alleged offender, and appropriate officials.

Investigations provide both the complainant and alleged offender the same opportunities to have others present during any institutional proceeding or appeal, including the opportunity to be accompanied to any related meeting or proceeding by an advisor (any individual who provides the complainant or alleged offender support, guidance or advice) of their choice at their own cost. The choice or presence of an advisor is not limited for either the complainant or the alleged offender in any meeting or institutional disciplinary proceeding, however, restrictions regarding the extent to which the advisor may participate in the proceedings will be established and applied equally to both parties. All parties, including advisors, are informed of participation restrictions before a proceeding is conducted so that parties understand and respect the limitations. Each party's advisor participation during the interview(s) will be limited to the role of an observer, although the advisor may request a break from the interview to give advice. The advisor cannot be called as a witness once they have assumed the role of advisor.

At the conclusion of the investigation, the IA prepares a draft investigation report summarizing the information gathered without conclusions. The complainant and alleged offender are notified that the draft investigation report is complete and are given the right to review the draft and provide a written response to

the IA. Based on the responses, the IA determines if any new or relevant information has been provided by one or both parties necessitating additional investigative steps. If so, the IA proceeds with the additional steps and amends the investigation report as needed. The investigation report should include a statement of allegations, a list of witnesses interviewed, relevant documents, and may conclude that each allegation is substantiated, unsubstantiated, or there is insufficient information to substantiate. A preponderance of evidence standard (the conduct more likely than not occurred) is used to reach decisions regarding the allegations. The IA submits the investigation report, as amended, to OGC who, in coordination with SECO, conducts a legal review and returns it to the IA. The investigation report is then finalized by the IA.

After the investigation report is finalized, the IA forwards it to the DA, in accordance with Table 2, or designee who renders a final decision, including sanctions (if applicable).

Table 2 – Designated Administrators

If the alleged offender is a:	Faculty Employee	Non-Faculty Employee or Third Party
Then the DA is:	Dean of Faculties, 108 YMCA Building College Station, TX 77843-1126 979-845-4274 dofinvestigations@tamu.edu <u>Exception:</u> The Texas A&M President or designee is the DA for complaints against the Dean of Faculties	Chief Risk, Ethics, and Compliance Officer, Office of Risk, Ethics, and Compliance Jack K. Williams Administration Building Suite 302 College Station, TX 77843 979-458-8407 OREC@tamu.edu <u>Exception:</u> The Texas A&M System Chancellor or designee is the DA for complaints against the Texas A&M President and for any employee who reports directly to the President.

The DA or designee reviews the un-redacted final investigation report, documentary evidence, and any other relevant information. The DA drafts a preliminary decision as to whether or not each allegation has been substantiated, unsubstantiated, or there is insufficient information to substantiate. The preliminary decision also includes sanctions for each substantiated allegation.

When an employee is found to have sexually harassed (see definition in footnote 2) another member of the university or agency community, the sanction will be termination of employment.

In response to a finding of prohibited conduct, third parties may have their relationships with the university terminated and/or their privileges of being on university premises withdrawn.

If the DA or designee has substantial doubts about the thoroughness, fairness, and/or impartiality of the investigation, the DA will return the report to the IA with further instructions. Otherwise, the DA will forward the preliminary decision to OGC who will coordinate with SECO to conduct a legal review of the preliminary decision. Once the DA receives OGC’s legal review, the DA finalizes the decision and renders sanctions.

The goal is to resolve complaints in a reasonably prompt timeframe of approximately 65 business days excluding any appeal period; however, extenuating circumstances requiring additional time may necessitate an extension with good cause. Examples include, but are not limited to, temporary unavailability of parties, information delays, holidays or periods when parties are unavailable, new allegations, new evidence, new witnesses that would require further investigation. Extensions must be justified in writing by the IA or DA (as

appropriate), sent to the OREC, and reviewed and approved by the Chief Risk, Ethics, and Compliance Officer. The Title IX Coordinator or designee is also notified of extension requests when sent to the OREC. Written notice describing the delay and the reason for the delay is provided to the complainant and the alleged offender by OREC.

Proceedings provide both parties with the right to be informed of the outcome of the investigation. The results (see footnote 13) are provided simultaneously and in writing by the DA to both the complainant and the alleged offender. Procedures for the complainant and the alleged offender to appeal are provided with the documentation of results. Results are also provided to the IA and any other university personnel with a need to know. The complainant and alleged offender are notified simultaneously in writing of their right to review a copy of the finalized redacted investigation report and the exhibits after receiving admonishments as to privacy. The final investigation report is redacted in accordance with state and/or federal law before allowing complainant and alleged offender review.

Appeals (see footnote 14) of the DA's decision on the merits may be made by the complainant and/or the alleged offender. Appeals must be filed within 10 business days of the party's receipt of the notice of the decision to be appealed. An appeal should be submitted in writing to OREC and is considered filed when OREC receives it. If no appeal is filed within the 10 business days of receipt of notice of the decision on the merits, OREC will provide simultaneous notice that no appeal was filed and that the decision of the DA is final.

OREC promptly notifies both parties when an appeal is received. OREC forwards the appeal and response(s), if any, to the appropriate AA, in accordance with Table 3.

Table 3 – Appellate Authorities

If the alleged offender is a:	Faculty Employee	Non-Faculty Employee	Third Party
Then the AA is:	Provost and Executive Vice President or designee	Vice President for the Division of Human Resources and Organizational Effectiveness or designee	Executive Vice President and Chief Financial Officer or designee

The AA, in consultation with OGC, will decide the appeal and provide a rationale for the decision for each of the grounds appealed. The AA will forward the appellate decision to the DA within 10 business days from the date of receipt of the appeal, unless circumstances require additional time and an extension is granted through the extension process described above. The decision of the AA is final.

Appeal results, including changes occurring based on appeal and when such results become final, are provided to both the complainant and the alleged offender simultaneously and in writing by the DA within 5 business days after receiving the appellate decision. Appeal results are also provided to the IA and any other university personnel with a need to know.

For all investigations and disciplinary proceedings

Any employee or student who knowingly and intentionally interferes with an investigation or disciplinary proceedings will be subject to disciplinary action up to and including dismissal or separation from the university. Throughout the process, individuals are provided information which defines retaliation, retaliation reporting procedures, and possible protective actions such as no contact restrictions. The university will take reasonable action to protect the complainant, the alleged offender, and those providing witness statements on behalf of either party or supporting either party in other ways from related retaliation. Actions may come prior

to, during, or following an investigation of a complaint. Instances of related retaliation are prohibited, will be investigated, and may result in conduct charges or disciplinary actions.

The official contact will follow-up on situations in which violations are found to see if there have been any new incidents or retaliation and will respond promptly to address continuing or new problems.

Prevention and Awareness Programs¹⁵

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.

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 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 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.
- Graduate/professional student orientations are provided by the TAMHSC College of Medicine targeting incoming students at the main campus. The College of Medicine holds a mandatory orientation for first year M.D. students and a general orientation for second, third, and fourth year M.D. students. The College of Medicine Office of Research and Graduate Studies also conducts and

¹⁵ 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.

in-house orientation for their graduate students that includes Title IX procedures and other safety information.

- The Offices of the Dean of Student Life offer sessions at various supplemental new student 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 (Haven) 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 Haven training at all campuses with the exception of Texas A&M University Qatar.
- 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 a 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.

Health Promotion (including the former Consensual Language, Education, Awareness, and Relationships Office) 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. Health Promotion promotes prevention of power-based interpersonal violence at the university by offering 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. Presentations are provided for classes, student organization meetings, orientations, residence hall programs, and other events. Following is Health Promotion contact information: <https://studentlife.tamu.edu/hp/presentations/>, healthpromotion@tamu.edu or 979-845-0280).

The Women's Resource Center (WRC) provides advocacy, education, prevention programs, support, and referral services for female and male students, faculty, and staff. The WRC develops presentations on a variety of topics related to sexual violence, partner violence, and stalking (<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 provides 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 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/>).

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 (SHARP). 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/>.

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>) which 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 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 the OREC 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 OREC and to employees by the Division of Human Resources and Organizational Effectiveness. 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.

Bystander Intervention and Risk Reduction¹⁶

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?

¹⁶ 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.

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.

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 alleged offender 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 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 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

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. 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 Student Conduct Code](#)

According to the [Texas A&M University Student Life Rules, 24. Student Conduct Code](#), attendance at a university is not compulsory. The voluntary attendance of a student at a university is a voluntary entrance into the academic community. By such voluntary entrance, the student voluntarily assumes obligations of performance and behavior reasonably imposed by the university. These obligations are generally much higher than those imposed on all citizens by the civil and criminal law. A university may discipline students to secure compliance with these higher obligations as a teaching method or to sever the student from the academic community. Definitions in the Student Conduct Code are used only for the purposes of the Student Conduct Code. The Vice President for Student Affairs or designee reserves the right to interpret and enforce this Code of Conduct.

According to the [Texas A&M University Student Life Rules, 24. Student Conduct Code 24.1.6](#) the term consent, solely for the purposes of the sexual misconduct rule, means clear, voluntary, and positive verbal or non-verbal communication that all participants have agreed to the sexual activity. Consent must occur prior to or at the same times as the sexual activity. Consent must remain clear, voluntary, and positive throughout the sexual activity. Consent must be given for the current sexual contact. The existence of a prior relationship or prior sexual activity does not automatically ensure consent for current or future sexual contact. There must be consent for each specific type of sexual contact throughout the sexual activity. Consent must be given by each participant involved. A person must be 17 years of age or older to be able to consent to sexual activity if the other participant(s) involved are more than three years of age older than that person. A person who is clearly or visibly incapacitated is not able to give consent to sexual activity. According to [Texas A&M University Student Life Rules, 24. Student Conduct Code 24.1.11](#), incapacitation means the physical and/or mental inability to make informed, rational judgements. States of incapacitation include, but are not limited to, sleep, unconsciousness, and brownouts and blackouts (where an individual is awake but is not forming memories). Where alcohol or other drugs are involved, incapacitation is defined with respect to how the substance consumed impacts a person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. According to [Texas A&M University Student Life Rules, 24. Student Conduct Code 24.4.20.1](#) in regards to sexual abuse, an individual who is mentally incapacitated, unconscious, or unaware that the sexual abuse is occurring is considered

unable to give consent. The type of force employed may involve physical force, coercion, intentional impairment of an individual's ability to appraise the situation through the administering of any substance, or threat of harm to the victim.

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 systemwide 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 to 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 the person:
 - (1) intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
 - (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
 - (2) 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:
 - (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](#) 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.

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).

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.

Texas A&M University, College Station - 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.

Criminal Offenses						
Offense	Year	On Campus Property	Residential Facilities (subset of on campus property)	Non-Campus Property	Public Property	Unfounded Crimes ¹⁷
Murder / Non-negligent Manslaughter	2015	0	0	0	0	0
	2016	0	0	0	0	0
	2017	0	0	0	0	0
Manslaughter By Negligence	2015	0	0	0	0	0
	2016	0	0	0	0	0
	2017	0	0	0	0	0
Sex Offenses, Rape ¹⁸	2015	13	11	2	0	0
	2016	30	26	3	0	0
	2017	75	72	2	0	0
Sex Offenses, Fondling	2015	6	5	0	0	0
	2016	10	4	1	2	0
	2017	13	8	1	0	0
Sex Offenses, Incest	2015	0	0	0	0	0
	2016	0	0	0	0	0
	2017	0	0	0	0	0
Sex Offenses, Statutory Rape	2015	0	0	0	0	0
	2016	0	0	0	0	0
	2017	0	0	0	0	0
Robbery	2015	1	0	0	0	0
	2016	3	0	0	1	0
	2017	0	0	0	0	1
Aggravated Assault	2015	2	0	0	0	0
	2016	11	6	0	3	0
	2017	7	1	0	2	0
Burglary of Structure	2015	19	9	10	0	2
	2016	11	6	0	0	0
	2017	39	10	5	0	0
Motor Vehicle Theft	2015	12	0	0	0	2
	2016	16	0	1	0	0
	2017	8	0	4	0	3
Arson	2015	1	0	0	0	0
	2016	3	0	0	0	0
	2017	3	2	0	0	0

¹⁷ 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.

¹⁸ The 2017 Clery statistics for "Sex Offenses, Rape" and "Dating Violence" show an increase over the same statistics from last year. Most of the increase (50 of the total 2017 counts in each category of "Sex Offenses, Rape" and "Dating Violence") can be attributed to incidents that occurred involving one respondent over the course of relationships with two complainants. Because the incidents accrued over a period of time in the context of relationships, the complainants were unable to give specific counts of the number of incidents. Therefore, the University estimated (23) incidents for one complainant and (27) for the other based on all available information.

Hate Crimes						
Offense	Year	On Campus Property	Residential Facilities (subset of on campus property)	Non-Campus Property	Public Property	Unfounded Crimes
Hate Crimes ¹⁹	2015	0	0	0	0	0
	2016	0	0	0	0	0
	2017	0	0	0	0	0

Violence Against Women Reauthorization Act of 2013 (VAWA) Offenses						
Offense	Year	On Campus Property	Residential Facilities (subset of on campus property)	Non-Campus Property	Public Property	Unfounded Crimes
Domestic Violence	2015	8	2	0	0	0
	2016	15	12	0	1	0
	2017	19	9	0	0	0
Dating Violence ²⁰	2015	13	9	0	0	0
	2016	18	7	0	1	0
	2017	86	75	0	1	0
Stalking	2015	21	10	1	0	0
	2016	76	19	0	1	0
	2017	89	24	2	0	0

Arrests and Disciplinary Referrals						
Offense	Year	On Campus Property	Residential Facilities (subset of on campus property)	Non-Campus Property	Public Property	Unfounded Crimes
Arrests: Weapons Carrying, Possessing, Etc.	2015	4	1	0	0	0
	2016	4	2	0	0	0
	2017	6	0	0	3	0
Disciplinary Referrals: Weapons Carrying, Possessing, Etc.	2015	2	1	0	0	0
	2016	3	3	0	0	0
	2017	4	4	0	0	0
Arrests: Drug Abuse Violations	2015	64	18	1	14	0
	2016	110	21	15	23	0
	2017	113	33	0	37	0
Disciplinary Referrals: Drug Abuse Violations	2015	13	8	0	0	0
	2016	21	15	1	0	0
	2017	29	14	0	1	0
Arrests: Liquor Law Violations	2015	148	44	5	6	0
	2016	186	19	0	9	0
	2017	287	27	0	5	0
Disciplinary Referrals: Liquor Law Violations	2015	57	53	0	1	0
	2016	103	98	5	0	0
	2017	81	67	0	0	0

September 2018 Changes to Prior Year Statistics in the 2018 Annual Security Report

The following changes are included in the above statistical tables based on a review of an alleged incident's location and the nature of the relationship between the complainant and respondent:

- Calendar year 2016 Sex Offenses, Rape in the Residential Facilities category increased from 25 to 26. The statistic was previously classified in On Campus Property only.
- Calendar year 2016 Dating Violence increased from 17 to 18 in the On Campus Property category and from 6 to 7 in the Residential Facilities category. The statistics were previously classified as Sex Offenses, Rape only.

¹⁹ In 2015, 2016, and 2017 there were no reported criminal incidents involving hate/bias.

²⁰ The 2017 Clery statistics for "Sex Offenses, Rape" and "Dating Violence" show an increase over the same statistics from last year. Most of the increase (50 of the total 2017 counts in each category of "Sex Offenses, Rape" and "Dating Violence") can be attributed to incidents that occurred involving one respondent over the course of relationships with two complainants. Because the incidents accrued over a period of time in the context of relationships, the complainants were unable to give specific counts of the number of incidents. Therefore, the University estimated (23) incidents for one complainant and (27) for the other based on all available information.

Calendar year 2015 crime statistics included in this report were determined in accordance with the Clery federal register (34 C.F.R.668.46) as of October 20, 2014, and guidance in the Handbook for Campus Safety and Security Reporting (Handbook) published by the U.S. Department of Education in February 2011 which was effective when the crimes occurred and statistics were collected. Subsequently, the Handbook was updated in June 2016 and is used for reporting Clery crime statistics for calendar year 2016 and 2017.

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.

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 for students, staff, and faculty. 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 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 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

- Sexual Harassment and Rape Prevention (SHARP) – offered during move in week and monthly during fall and spring semesters
- Alive@25 Defensive Driving – offered monthly during fall and spring semesters
- 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 upon request
- Apartment and Home or Residence Hall Security – scheduled upon request
- Robbery Prevention – scheduled upon request
- Workplace Crime Prevention – scheduled upon request
- Bicycle Registration – see description below
- Community-Oriented Police Services (C.O.P.S.) – see description below

Bicycles are a popular mode of transportation in the campus environment and can be a prime target of the opportunistic thief. 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>.

The Community Services Division is responsible for staffing the [C.O.P.S.](#) program. The C.O.P.S. program is a joint effort among the Department of Security, UPD, and the Department of Residence Life to provide a safer campus community. C.O.P.S. offers a variety of the programs listed above at locations convenient for students in or near the residence halls and in other areas on-campus. C.O.P.S. officers from the Patrol Division are available for assistance or to take reports at the C.O.P.S. office in the Southside Commons, Suite 102. <http://reslife.tamu.edu/cops/>

Also, the Texas A&M University Corps of Cadets provides a free escort service where a Corps member will meet an individual requesting an escort and walk with him/her to most central on-campus locations, e.g., residence halls, parking lots, etc. An escort can be requested by calling the Guard Room at 979-845-6789. Hours of operation during the fall and spring semesters are 5pm-7am, 7 days a week.

Important Telephone Numbers

Area Code 979 (for all numbers listed below)

Emergencies- Police/Fire/Medical	911 for off campus; 911 or 9-911 for on campus	University Police Department	845-2345
College Station Police (non-emergency)	764-3600	Campus Information/Student Locator	845-3211
Bryan Police (non-emergency)	361-3888	Health Promotion (Counseling & Referral, Alcohol & other Drugs)	845-0280
Brazos County Sheriff (non-emergency)	361-4980	Student Health Services	458-8250

Crime Stoppers 775-TIPS	775-8477	Corps of Cadets Escort Service	845-6789
Department of Public Safety (State Troopers)	776-3100	Student Conduct Office	847-7272
FBI	776-8894	Student Counseling Service	845-4427
College Station Fire	764-3700	Facilities Services	458-5500
Bryan Fire	209-5960	Transportation Services	845-9700
Brazos County Fire (Rural)	361-3888	Parking	862-7275
Paratransit	845-1971	CARPOOL (10pm-3am on Thursday, Friday and Saturday)	693-9905
Transit (Bus) Help-Line / Information	847-7433	Environmental Health & Safety	845-2132

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 O.D. Butler, Jr. Animal Science Complex and University Farm

<http://urc.tamu.edu/media/1492363/UnivFarmAnnualSecurityReport.pdf>

Texas A&M University RELIS Campus

<http://urc.tamu.edu/media/1492354/RELISAnnualSecurityReport.pdf>

Texas A&M University at Galveston

<http://urc.tamu.edu/media/1157087/GalvestonAnnualSecurityReport.pdf>

Texas A&M University at Qatar

<http://urc.tamu.edu/media/1157081/QatarAnnualSecurityReport.pdf>

Texas A&M University Mays Business School at CityCentre

<http://urc.tamu.edu/media/1157078/MaysAnnualSecurityReport.pdf>

Texas A&M University School of Law

<http://urc.tamu.edu/media/1157084/LawAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Bryan

<http://urc.tamu.edu/media/1157090/HSCBryanAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Dallas

<http://urc.tamu.edu/media/1157093/HSCDallasAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Houston

<http://urc.tamu.edu/media/1157096/HSCHoustonAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Kingsville

<http://urc.tamu.edu/media/1157099/HCKingsvilleAnnualSecurityReport.pdf>

Texas A&M University Health Science Center McAllen

<http://urc.tamu.edu/media/1157102/HSCMcAllenAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Round Rock

<http://urc.tamu.edu/media/1157069/HSCRRAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Temple

<http://urc.tamu.edu/media/1157072/HSCTempleAnnualSecurityReport.pdf>

Texas A&M University Higher Education Center at McAllen

<http://urc.tamu.edu/media/1492360/HECMcAllenAnnualSecurityReport.pdf>

Texas A&M University at Galveston, TS General Rudder

<http://urc.tamu.edu/media/1601438/TAMUGGeneralRudderAnnualSecurityReport.pdf>

Texas A&M University at Galveston, TS Kennedy

<http://urc.tamu.edu/media/1601439/TAMUGKennedyAnnualSecurityReport.pdf>

Other Texas A&M University Annual Fire Safety Reports

Texas A&M University College Station

<http://urc.tamu.edu/media/1157614/CSAnnualFireReport.pdf>

Texas A&M University at Galveston

<http://urc.tamu.edu/media/1157611/GalvestonAnnualFireReport.pdf>

Texas A&M University Health Science Center Kingsville

<http://urc.tamu.edu/media/1197453/KingsvilleAnnualFireReport.pdf>

Texas A&M University at Galveston, TS General Rudder

<http://urc.tamu.edu/media/1601436/TAMUGGeneralRudderAnnualFireReport.pdf>

Texas A&M University at Galveston, TS Kennedy

<http://urc.tamu.edu/media/1601437/TAMUGKennedyAnnualFireReport.pdf>