

TEXAS A&M UNIVERSITY GALVESTON

2017 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 at Galveston Annual Fire Safety Report on Student Housing (Annual Fire Safety Report) are available at the following Texas A&M University Risk and Compliance websites.

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

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

Numerous links to websites are included. Email vpfa-urc-compliance-officer@exchange.tamu.edu for assistance if any link does not function.

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Texas A&M University at Galveston

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 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 Crime Statistics Act" (hereafter the Clery Act).

An Annual Security Report is available that includes information on campus security policies and statistics. Security policies include: reporting crimes and emergencies, security resources, crime awareness and prevention, security of campus facilities and residence halls, and alcohol, drug and weapon policies. The 2017 Annual Security Report for Texas A&M University at Galveston (TAMUG) includes statistical data for calendar years 2016, 2015, and 2014. The Texas A&M at Galveston University Police Department (TAMUG PD) requests and obtains input from local law enforcement, Student Affairs, and Campus Security Authorities in determining crime statistics.

Annual Security Report Notifications

A printed copy of the Annual Security Report can be requested at the address, email, or phone number below. The report can be found at: <http://urc.tamu.edu/media/1157087/GalvestonAnnualSecurityReport.pdf>. Each year, an e-mail notification is sent to all current students, faculty, and staff providing the website to access this report.

University Police Department
Texas A&M University at Galveston
200 Seawolf Parkway, Bldg 3025
Galveston, TX 77553
police@tamug.edu
409-740-4545
<http://www.tamug.edu/police/Index.html>

Prospective employees are notified of the availability of the Annual Security Report through an email distributed when applying for a vacant position. Website access to the Annual Security Report is provided by the Texas A&M University Human Resources department 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 Texas A&M University 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

The TAMUG PD reports to the Associate Vice President for Administration and Auxiliary Services. TAMUG PD works closely with all departments of the university to ensure that safety policy and procedures are uniformly executed and conveyed in a clear and consistent manner to all the University's students, faculty, and staff.

The TAMUG PD office is located in the Student Support Building #3025, suite 120, on the Mitchell Campus at 200 Seawolf Parkway on Pelican Island in Galveston, Texas. The business office is open Monday thru Friday 8am-5pm.

Jurisdiction

The TAMUG PD is the primary police authority for TAMUG. 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, the TAMUG PD's armed police officers have the same 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

TAMUG PD is staffed by the Chief of Police, one supervisor and 8 commissioned Peace Officers. They are fully empowered and licensed by the State of Texas and have authority to stop vehicles, make arrests, conduct criminal investigations and enforce all laws ([Texas Education Code 51.203](#)).

TAMUG PD 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 TAMUG PD 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

TAMUG PD maintains excellent working relationships with all area law enforcement agencies including the Galveston Police Department (GPD) and the Galveston County Sheriff's Office. These working relationships are maintained through a written mutual aid agreement. This agreement allows for cooperation in the performance of police protection including the investigation of alleged crimes, enforcement of laws, and communication between agencies pursuant to the agreement. Working relationships are also maintained through periodic communications among agency administrators and frequent contacts between line officers and investigators cooperating on specific cases.

A request for timely information sharing is distributed to the local law enforcement agencies annually. The request is specific to informing TAMUG PD about situations reported to the given local law enforcement agency that may warrant an emergency response or timely warning notification.

Monitoring Non-Campus Locations

Criminal activity at non-campus locations in which students are engaged is generally monitored and recorded by the local law enforcement agency with jurisdiction at the location. If GPD is contacted about criminal activity occurring at non-campus property involving TAMUG students, GPD may notify TAMUG. However, there is no official GPD policy requiring such notification. Students in these cases may be subject to arrest by GPD and university disciplinary proceedings through the Office of Student Affairs. When TAMUG is notified, the TAMUG PD may assist with the investigation in cooperation with local, state, or federal law enforcement agencies. With the exception of SALT Camp, TAMUG PD does not routinely monitor or record criminal activity for non-campus locations that may be used by students or officially recognized student organizations. TAMUG does not have non-campus housing facilities for recognized student organizations.

Institutional sponsored travel by a student or student organization to a location outside of Galveston County may result in the location meeting the criteria for Clery non-campus property. TAMUG PD 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

TAMUG PD is concerned about the safety and welfare of all campus members and guests and commits itself to promoting a safe and secure environment. Because no campus can totally isolate itself from crime, TAMUG PD has developed a series of policies and procedures designed to ensure that every possible precaution is taken to protect the campus community. By all of us working together, we can achieve our goals of a safer campus.

Like many other college and university police departments, TAMUG PD appoints a training coordinator who is responsible for conducting intensive and continuing training for all campus police and security officers. Training subjects include criminal law, civil law, public relations, race relations, interpersonal communication, crisis intervention, critical incident response, and all facets of protection of persons and property. Training includes guest lecturers from the GPD and other outside agencies, such as the FBI and the Galveston County District Attorney's Office. Training is also conducted during periodic staff meetings.

This training usually includes updates on existing problems, new court decisions impacting the university environment, and other timely topics. The police officers also attend various training as required to maintain and advance their State Texas Commission on Law Enforcement License. In addition, all TAMUG PD police have attended standard first aid and CPR training.

Campus Law Enforcement Telephone Directory

Area Code – 409 (for all numbers listed below), Website: <http://www.tamug.edu/police/>

Emergencies-from on campus phones/Police/Fire/Medical	911	Non-Emergencies/General Assistance	740-4545
TAMUG PD Chief of Police	740-4548	TAMUG PD Cell Phone	771-5185

Reporting Crimes

Incident Reporting and Response

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety-related incidents to TAMUG PD in an accurate and prompt manner, when the victim of such crimes elects or

is unable to make such a report. This publication focuses on TAMUG PD because it patrols the Mitchell Campus and other local Texas A&M University property. To report a crime or an emergency on the TAMUG campus, call 911. To report a non-emergency security or public safety-related matter, call TAMUG PD at extension 4545 or, from outside the university phone system, 409-740-4545. In the event the phone service is interrupted or the power is interrupted on campus, callers can call the department cellphone, 409-771-5185.

All TAMUG PD incident reports are reviewed by a police supervisor. Some reports are forwarded to the Division of Student Affairs for review and/or referral, if they document university rule violations or law violations, as appropriate. TAMUG PD investigators will conduct a follow-up investigation of a report when it is deemed appropriate. Additional information obtained via any investigation may also be forwarded to the Office of Student Affairs to assist their investigation. If assistance is required from the GPD or the Galveston Fire or EMS Department, TAMUG PD will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including TAMUG PD, can offer the victim a wide variety of services. TAMUG PD is a member of the Galveston County Sexual Assault Response Team (SART) that has trained members who are on-call and available to assist a victim of sexual assault 24 hours a day.

The reasons for reporting to TAMUG PD are: 1) to take action which may prevent further victimization, including issuing a timely warning to warn the campus community of an impending threat to their safety; 2) to apprehend a potential perpetrator; 3) to seek justice for the wrong that was committed; and 4) to have the incident recorded for statistical purposes in TAMUG annual statistics and crime log.

If you choose to report the incident, a TAMUG PD officer will take a statement from you regarding the details of the crime. The officer will ask you to describe the actor(s) and may ask questions about the scene of the crime, any witnesses, and what happened before and after the incident. You may have a support person with you during the interview. Reporting an incident is a separate step from choosing to prosecute. When you file a report, you are not obligated to continue with legal proceedings or university disciplinary action. Remember, you can choose whether or not to participate in criminal proceedings at any point.

TAMUG PD can be contacted from on-campus telephones by dialing a four digit extension, 4545. In addition, approximately seven Emergency Blue Light phones are available throughout the Mitchell Campus in case of an emergency. These phones are maintained by the facilities services department and the safety officer. When anyone calls, they will be talking to the GPD dispatcher.

A person reporting a crime to TAMUG PD has the right to report the crime to the GPD by calling 911 or utilizing the Galveston non-emergency call center at 409-765-1702, if the offense occurred in the GPD jurisdiction. TAMUG PD officers regularly discuss this option with crime victims and will assist the victim with that process.

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 the TAMUG 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 TAMUG offices.

Name	Phone	Email
Director of Housing, Residence Life	409-740-4469	golemon@tamug.edu
Associate Vice President for Administration and Auxiliary Services	409-740-4943	shalleng@tamug.edu
Assistant Vice President of Student Affairs	409-740-4598	sutherlt@tamug.edu

Name	Phone	Email
Commandant, Corps of Cadets	409-740-4771	buzz@tamug.edu
Human Resources	409-740-4503	hr@tamug.edu
Associate Vice President for Finance and Compliance Officer	409-740-4533	lees@tamug.edu

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. TAMUG PD and the university offices listed above, will assist reporting individuals in notifying the proper law enforcement authorities, if the individual chooses. It is our goal to provide assistance wherever the report is made and include Clery countable crimes in our annual security report.

Confidential and Anonymous Reporting of Crimes

Victims, witnesses, and others should make voluntary reports of all crimes to the TAMUG PD for inclusion in the annual crime statistics and crime log and to aid in providing timely warning notices to the community, when appropriate. For example, a crime reported to a campus security authority and passed on the TAMUG PD will be included in the TAMUG crime stats; a crime that was reported only to the Galveston Rape Crisis Center would not be included in the TAMUG crime statistics. Annual crime statistics and the crime log are confidential in that personally identifiable information is not included in the disclosure. However, because police reports are public records under state law, TAMUG cannot hold reports of crimes in confidence.

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. TAMUG PD sends a request each year to the University Counseling Center that encourages counselors to inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics and crime log. Contracted counseling personnel available to employees are not provided the written reminder as they are referred using a network of local providers. TAMUG does not have pastoral counselors.

Missing Students

The TAMUG Missing Student Notification Policy contains the notification procedures for missing students who reside in on-campus housing, in accordance with the requirements of the Higher Education Opportunity Act of 2008 (HEOA). The purpose of this proposed policy is to promote the safety and welfare of members of the university community through compliance with the requirements of the HEOA.

If a student, employee, or other individual has reason to believe that a student who resides in on-campus housing has been missing for 24 hours, he or she should immediately notify TAMUG PD at 409-740-4545 so that an investigation can be initiated. Housing contact information is 409-740-4598. Housing will gather needed information from reporting person and then immediately contact TAMUG PD with all information provided regarding the missing student. TAMUG PD will generate a missing person report and initiate an investigation, depending on the information provided.

Students residing in on-campus housing have the option to confidentially identify an individual to be contacted by TAMUG within 24 hours of the determination that the student is missing. If a student has identified such an individual, TAMUG will notify that individual no later than 24 hours after the student is determined to be missing. Students who wish to identify or update a confidential contact can do so through [Residence Life](#) at

409-740-4598. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement to the extent allowed legally and as appropriate, in furtherance of a missing person investigation. Following are the procedures that the institution must follow when a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours.

After investigating the report of a missing person and determining that the person is missing, taking the facts of the case into account, TAMUG PD will notify local law enforcement no later than 24 hours after the student is determined to be missing unless GPD was the original 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 18, or is an emancipated minor. If the student designated a contact person, the institution will also notify the contact person within 24 hours that the student is missing. Additionally, if the missing student is under the age of 18 and is not an emancipated individual, TAMUG will notify the student's custodial parent or legal guardian within 24 hours after law enforcement has determined that the student has gone missing regardless of whether the student has identified a contact person through Residence Life.

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 the TAMUG PD 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 designee, is responsible for determining if a Crime Alert will be issued. Crimes reportable under the Clery Act 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 designee. 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 TAMUG PD 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.

The TAMUG PD 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 or designee. Anyone with information warranting a Crime Alert should report the circumstances immediately to the TAMUG PD, by phone (409-740-4545) or in person at the TAMUG PD building (200 Sea Wolf Parkway, Bldg 3025, Galveston, TX 77553).

Crime Alerts are issued through the university e-mail system to students, faculty and staff in a manner that is timely and will aid in the prevention of similar occurrences. Crime Alerts will 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. The Crime Alert will 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, where 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.

Emergency Response and Evacuation Policy

The procedures disclosed in this section apply to emergency situations occurring on the campus of TAMUG, i.e. on-campus property. The institution does not have separate procedures for emergency situations occurring on non-campus property.

Emergency Notification System

The Incident Command Team at TAMUG receives information from various offices/departments on campus, such as TAMUG PD and the Office of Emergency Management (OEM), and from other entities, such as law enforcement, fire department, National Weather Service, etc. If any of these units provides information regarding a significant emergency or dangerous situation involving an immediate threat to the health or safety of some or all members of the TAMUG community, available members of the Incident Command Team will evaluate the information and confirm whether a significant emergency or dangerous situation exists. Upon confirmation, the Incident Command Team will, with input from External Relations if available, use some or all of the systems described below to immediately notify the TAMUG community. The appropriate segment of the community will be notified if the threat is limited to a particular building or segment of the population. Available members of the Incident Command Team will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise the 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. If the Incident Command Team is not immediately available, the TAMUG PD or the Office of Emergency Management will determine the content of the notification and initiate the notification system once the threat has been confirmed.

In the event of a serious incident that poses an immediate threat to members of the TAMUG community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the TAMUG campus community. These methods of communication include Sea Aggie Alert, a system that provides email and text message alerts to members of the TAMUG community.

TAMUG PD will activate the Sea Aggie Alert Emergency Message System. All students are automatically signed up for this service upon admission. Everyone else is encouraged to sign up at this website. <https://www.getrave.com/login/tamug>

- In addition to posting the Sea Aggie Alerts, the TAMUG PD may generate an email which will be sent to Aggnews, administered by the Communication Department for immediate distribution to all campus members.
- For posting notifications on the TAMUG website, the TAMUG PD will send a copy of the notification to the Associate Vice President for Administration and Auxiliary Services (409-740-4943) for review. He/she alerts the University Chief Operating Officer of the notification as soon as circumstances permit. The TAMUG PD dispatcher on duty will post the notification on the website for the duration of the emergency as soon as circumstances permit.
- TAMUG PD does not issue emergency notifications if the threat of imminent danger for members of the TAMUG community has been mitigated.

Individuals receiving the emergency notification will also be advised with TAMUG updated information, as needed, using the same method(s) as the original notification.

Sea Aggie Alerts will be issued during an emergency. The Emergency Procedure section of the TAMUG website, <http://www.tamug.edu/emergency/>, provides additional information and tips for individual emergency preparedness and the Sea Aggie Emergency Playbook can be downloaded from the website. The handbook provides information on how to prepare for and respond to the most likely emergency situations that may arise on campus. (<http://www.tamug.edu/emergency/noshow/TAMUGEmergencyPlayBook.pdf>)

Registering for Emergency Notifications

Students, Faculty, and Staff Access

All students, staff, and faculty are automatically signed up for Sea Aggie Alerts based on contact information existing in TAMUG databases. Also, to add/modify your email address or mobile phone number to this service, go to this website: <https://www.getrave.com/login/tamug>. Register for approved TAMUG emergency communications and other important information via text message and email. The notification system does not charge subscribers to send or receive SMS messages. Standard or other messaging charges apply depending upon your wireless carrier plan and subscription details. Once registered, you can opt out of SMS messages at any time by texting STOP to 67283 or 226787.

Public Access

To add/modify your email address or mobile phone number to this service, go to this website: <https://www.getrave.com/login/tamug>. Register for approved TAMUG emergency communications and other important information via text message and email. The notification system does not charge subscribers to send or receive SMS messages. Standard or other messaging charges apply depending upon your wireless carrier plan and subscription details. Once registered, you can opt out of SMS messages at any time by texting STOP to 67283 or 226787.

Sea Aggie Alert is available for those in the TAMUG community, parents, guardians, and the public.

Disseminating Information to the Larger Community

Alerts are often sent out through social media pages as well, including Facebook and Twitter. Follow-up alerts will be broadcast over the same system. TAMUG updates will continue until the threat is over. Individuals can call the TAMUG PD or GPD dispatch line to report important information. Community members are encouraged to notify TAMUG PD of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students, faculty, staff, or visitors on campus. TAMUG PD has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, TAMUG PD has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If so, federal law requires that the institution notify the campus community or the appropriate segments of the community that may be affected by the situation.

Emergency Preparedness

The TAMUG PD is a partner with Galveston County and with the City of Galveston in the jurisdictional Emergency Management Plan. The OEM has primary responsibility for emergency preparedness at TAMUG. Duties and responsibilities range from working with departments to write and exercise building evacuation plans, to developing and maintaining emergency plans as required by regulation, and as otherwise deemed necessary to augment and implement the Galveston County Plan.

TAMUG's Emergency Management and Incident Command Team is in place to prepare and maintain the readiness of the TAMUG campus during an emergency or major incident affecting multiple areas of the TAMUG community to protect people, research and facilities. The university's various departments maintain a business continuity plan to assure the resumption of operations immediately following an emergency.

The primary university plan is the broad-based Texas A&M Emergency Operations Plan available at <http://www.tamug.edu/emergency/noshow/Campus%20Emergency%20Response%20Plans%2004-30-2015.pdf>. The Texas A&M Emergency Operations Plan describes the general framework for emergency response at TAMUG. 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 Sea Aggie Emergency Playbook may be viewed at <http://www.tamug.edu/emergency/noshow/TAMUGEmergencyPlayBook.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 Recovery-Institutional Continuity Plan (Annex J) of the Emergency Operations Plan.

TAMUG tests various aspects of our emergency operations plan on at least an annual basis through table-top exercises, full-scale exercises, and continuity exercises. 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. The testing reports and review documentation include a description of the exercise, the date the test was held, the time the test started and ended, and whether the test was announced or unannounced. In addition, Environmental Health and Safety manages a robust Building Evacuation Program which works with Building Emergency Coordinators to maintain and test building evacuation procedures annually for facilities on campus through emergency evacuation drills.

TAMUG conducts monthly pre-scheduled (announced and unannounced) testing of the emergency notification system. These monthly tests are launched by the Sea Aggie Alert system administrator. After each test the administrator generates a report to document and analyze the functionality of each communication device within the notification system. The TAMUG Emergency Management Coordinator distributes an email annually to students, faculty, and staff publicizing the TAMUG emergency response and evacuation procedures.

More information can be found at: [Emergency Management Guidelines](#).

The Daily Crime Log

The TAMUG PD (Chief of Police or other trained personnel) maintains a daily crime log which is updated within two business days of a crime report and contains all crimes reported to TAMUG PD. It is available free of charge upon request at the TAMUG PD Building #3025 or by calling 409-740-4545. The log identifies the nature of the crime, location, date and time occurred, date the crime was reported to the TAMUG PD, and disposition. A hard copy is printed daily as a back-up for TAMUG UPD's electronically maintained log. The hard copy is kept in the TAMUG PD front office for instant access.

Security of and Access to Campus Facilities

General Provisions

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 approved members of the university community. Residents may gain entry to their particular building by swiping their issued ID cards on card access readers. Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their own access cards. Residents are also cautioned against giving their ID cards to non-students so they may enter the buildings without the student. TAMUG PD officers patrol the residence halls on a regular basis and are authorized to ask for ID cards as needed.

House Staff, Residence Directors, and Area Coordinators also enforce security measures in the halls and work with residents to achieve a community respectful of individual and group rights and responsibilities. House Staff and TAMUG PD staff also conducts periodic educational sessions on prevention of various crimes, including sexual assault and acquaintance rape.

It is not acceptable to prop open doors or to allow free access to any university residence hall at any time, day or night. All intruders should be reported to the TAMUG PD as soon as detected.

Parking Facilities

Campus parking lots are patrolled by TAMUG PD 24 hours a day. All lots are illuminated for low light usage and all are unobstructed by bushes or signage to ensure a safer, more open parking area. Emergency phones are located near most parking lots. All vehicles parked on campus are required to have a valid parking permit properly displayed. All visitors and vendors are required to purchase a parking permit and display any receipt they receive or print.

The campus is located within the city limits of Galveston Island on a separate island known as Pelican Island. The campus is readily accessible over the Pelican Island Bridge by motor vehicle. Due to the rural setting and the two lane bridge, it is not easily accessed by foot and there is no public parking areas next to campus or along the roads leading to campus.

Academic and Administrative Buildings

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 time of the year, enrollment levels, and operational requirements. Access to some building 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. Some buildings are surveilled by cameras, which may be monitored. TAMUG PD officers patrol the buildings on a regular basis and are authorized to ask for ID cards as needed.

Maintenance of Campus Facilities

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. TAMUG PD regularly patrols campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Management for correction. Other members of the university community are helpful when they report equipment problems to TAMUG PD or to Facilities Management.

Alcoholic Beverages, Illegal Drugs, and Weapons

Education Programs

The Office of Student Counseling provides alcohol and other drug information to the campus community. Educational information is disseminated through workshops, training seminars, presentations to classes and student groups, information tables, People Helping People (a peer education program) and special educational promotions throughout the year. A resource library which includes books, journals, and video tapes on various substance abuse related topics is maintained in the office. Additionally, confidential counseling is offered by a licensed professional counselor. For more information, contact the Office of Student Counseling at 409-740-4736 or in suite 104, Siebel building. The Deer Oaks Employee Assistance Program (1-888-993-7650) manages substance abuse programs for employees. The Employee Assistance Program also provides licensed counseling and referral services.

Texas A&M University System Policies and information about drug and alcohol abuse and rehabilitation programs may be found on the System website at: <http://policies.tamus.edu/34-02-01.pdf>.

Additionally, according to the Drug-Free Schools and Communities Act, TAMUG 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, TAMUG 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 TAMUG on-campus housing facilities ([Texas A&M University Student Rules, Appendix VIII](#)).

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 TAMUG 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 TAMUG 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 TAMUG PD for state law violations.

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](#))

Weapons Policy

In accordance with [Texas Penal Code Ch. 46.03](#), it is a felony to intentionally, knowingly, or recklessly possess a firearm, illegal 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 TAMUG (all land and buildings owned or leased by TAMUG) 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 TAMUG. [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](#), TAMUG prohibits illegal discrimination on the basis of sex and prohibits sexual assault, dating violence, domestic violence, stalking, (as those terms are defined for the purpose of the Clery Act) and/or related retaliation. The TAMUG Code of Student Conduct states that rape and all forms of sexual assault are violations of TAMUG's Code of Student Conduct. The following are statements of policy that address sexual assault, dating violence, domestic violence, and stalking whether it occurs on or off campus, when it is reported to a university official. The policies in this section also apply to the other forms of sexual harassment¹ as defined in System Regulation 08.01.01, Civil Rights Compliance.

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

Individuals reporting 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 can be filed with the agency where the incident occurred.

Agency	Phone
TAMUG Police Department	409-740-4545

¹ 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 or educational 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, and stalking, dating violence, and domestic violence when based on sex.

Agency	Phone
Galveston Police Department	409-762-3702 or 911
Galveston Sheriff's Department	409-766-2300

The TAMUG PD 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 Galveston County District Attorney's Office. Law enforcement will help individuals understand the process of obtaining protective orders, restraining orders, or similar lawful orders issued by the courts.

Any student should, and an employee must, promptly report incidents of illegal discrimination, sexual harassment (including sexual assault, dating violence, domestic violence, and stalking) and/or related retaliation that they become aware of, experience, or observe. A third party should also promptly report incidents. At TAMUG, information should be reported to an official university contact, in accordance with the Table 1 – Official Contacts below, including the Texas A&M University Title IX Coordinator (979-845-0977, TitleIX.Coordinator@tamu.edu). The TAMUG Title IX Campus Coordinator (409-740-4503, TitleIXCoordinator@tamug.edu), located at the TAMUG Powell Marin Engineering Complex #123, Galveston, TX 7753, is also an official contact who can receive reports. Depending on the circumstances, the contacts will coordinate responsibilities when necessary.

Table 1 – Official Contacts

If the alleged offender is a:	<ul style="list-style-type: none"> • Student 	<ul style="list-style-type: none"> • Faculty 	<ul style="list-style-type: none"> • Staff • Third party 	Any complaints can be reported to the Title IX Coordinator
Then the official contact is:	Assistant Vice President for Student Affairs, TAMUG Seibel Student Services Center #101G, Galveston, TX 77553, 409-740-4598, TitleIXStudents@tamug.edu	Dean of Faculties, TAMU 1126, 108 YMCA Building, College Station, TX 77843-1126, 979-845-4274, Dofinvestigations@tamu.edu	Executive Director of HR & Title IX Campus Coordinator, TAMUG Powell Marine Engineering Complex #123, Galveston, TX 77553, 409-740-4503, TitleIXCoordinator@tamug.edu	Title IX Coordinator, 750 Agronomy Rd., Suite 2101, College Station, TX 77843-1280, 979-845-0977, TitleIX.Coordinator@tamu.edu

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. Individuals are notified of their right to immediately report the incident to the TAMUG PD and local police, but have the right to decline to notify such authorities. The official contact or designee 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 the TAMUG PD 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 or designee will also take steps to address the conduct, protect and assist the individual reporting, and remediate effects. The investigation 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 recurrence of the conduct and related retaliation.

Official contacts provide a written explanation of 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 victim chooses;
- the option to decline to notify such authorities;
- the rights of individuals and the institution's responsibilities for orders of protection, no contact orders (no contact restrictions), restraining orders, or similar lawful orders issued by criminal, civil, or tribal court or the institution;
- information about how the institution will protect confidentiality;
- existing on-campus and community resources/contacts (counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to students, faculty, and staff)
- the options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures;
- protection from retaliation; and
- an explanation of procedures for institutional disciplinary action in cases of alleged sexual assault, dating violence, domestic violence, and stalking.

Victims reporting to Student Health Services 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 later wish to take legal action.
- John Sealy Hospital in Galveston (409-772-1011) is a member of the Galveston County SART team. This facility has specially trained Sexual Assault Nurse Examiners and a forensic unit offering detailed physical examinations, evidence collection, and expert testimony, as well as experienced advocates.
- Try to preserve all physical evidence. Do not wash, use the toilet, 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 Affairs (409-740-4598, sutherlt@tamug.edu), Student Counseling Services (409-740-4736), Student Health Services (409-740-4736), Deer Oaks Employee Assistance Program (888-993-7650), and the Galveston Resource Crisis Center (409-763-1441).

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 protection order. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected up to 96 hours later than this, but the quality and quantity of the evidence may be diminished. If victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infection.

Ordinarily the police will be contacted by hospital personnel whenever they provide treatment for injuries resulting from a crime. If you seek treatment at a local hospital and the police are contacted, this does not mean that you have to proceed with criminal charges. The officer will be concerned about your welfare and the welfare of other potential victims. Even if you agree to be examined and let evidence be collected, you are still going to be able to decide if you want to be involved in the criminal investigation process of your own case.

If a person declines to make a police report, the hospital can still perform a medical forensic exam. The exam is confidential and the evidence will be stored by the Department of Public Safety (DPS) for two years. The evidence kit will be destroyed after two years. In Texas, the statute of limitations for sexual assault is 10 years for an adult. There are no limitations where DNA evidence is available. Without a police report, the survivor will be responsible for the medical portion of the hospital exam. DPS will pay for the evidence collection. If a person makes a police report, the medical portion can be reimbursed through the Office of the Attorney General's Crime Victims Compensation Fund. Drug and toxicology screens are not part of a non-report exam. If a person suspects they were drugged, they are advised to make a police report immediately. The presence of many drugs dissipate quickly and may not be available for detection if the person delays testing. This is an advisory. Any person who suspects they were drugged or assaulted is able to make their own decisions in regard to reporting to the police.

Confidentiality/Privacy

Students and employees have the option to disclose confidentially. Licensed counselors and licensed health care personnel, who receive reports when acting in this capacity as part of their official employment, may keep reports of violations confidential. However, for the purposes of reporting and maintaining public safety, the individual to whom disclosures occur may share information about an incident in a way that does not identify the individuals concerned. Publically available recordkeeping, including for purposes of Clery Act reporting and disclosures such as the annual security report and the daily crime log, will be made without inclusion of personally identifying information² about the complainant. The Student Counseling & Career Services Office (409-740-4736) and the Deer Oaks Employee Assistance Program (1-888-993-7650) are confidential 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 (UTMB Family Medicine Clinic, 409-772-2166).

² 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.

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 him/her. 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 for Victims

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. 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
TAMUG Police Department	409-740-4545	Building 3025, Galveston Campus	http://www.tamug.edu/police/
Galveston Police Department	409-765-3702	2517 Ball St, Galveston, TX 77550	http://www.galvestonpolice.net/
Galveston County Sheriff's Office	409-766-2300	601 54 th St, Galveston, TX 77551	http://www.co.galveston.tx.us/sheriff/

Counseling and Mental Health

Name	Phone	Address	Website
TAMUG Employee Assistance Program (Deer Oaks)	1-888-993-7650	See website for location	http://www.tamug.edu/hrd/Employees/EAP.html
TAMUG Student Counseling Office	409-740-4736	Seibel Student Services Center #104 Galveston Campus	http://www.tamug.edu/counsel/

Medical and Health Services

Name	Phone	Address	Website
Student Health Services, UTMB Family Medicine Clinic	409-772-2166	Primary Care Pavilion, 400 Harborside Dr., Galveston, TX	http://www.tamug.edu/counsel/Resources/HealthServices.html
John Sealy Hospital at UTMB	409-772-2222	301 University Blvd., Galveston, TX	http://www.utmbhealth.com/ot/h/Page.asp?PageID=OTH000004
Mainland Medical Center	409-938-5000	6801 Emmett F Lowry Expressway Texas City, TX	http://www.mainlandmedical.com
Clear Lake Regional Medical Center	281-332-2511	500 Medical Center Blvd. Webster, TX	http://www.clearlakermc.com

Support, Advocacy, Legal Assistance, and Other Resources

Name	Phone	Address	Website
Resource & Crisis Center of Galveston County	409-765-7233	1802 Broadway, Suite 122, Galveston, TX	http://rccgc.org/
Bay Area Turning Point, Inc.	281-286-2525	210 South Walnut St., Webster, TX	http://www.bayareaturningpoint.org
Houston Area Women's Center	713-528-7273	1010 Waugh Drive, Houston, TX	http://www.hawc.org/
Advocacy Center for Children of Galveston County	409-741-6000	5710 Avenue S 1/2 Galveston, TX	http://www.galvestoncac.org/
National Sexual Assault Hotline	1-800-656-4673	1220 L Street NW, Suite 505, Washington, DC	https://www.rainn.org/get-help/national-sexual-assault-hotline
Texas Department of Family and Protective Services	1-800-252-5400	701 W. 51st Street Austin, TX	https://www.dfps.state.tx.us/About_DFPS/default.asp
U.S. Department of Education, Office for Civil Rights	1-800-872-5327	1999 Bryan St. Suite, 1510 Dallas, TX	http://www2.ed.gov/about/offices/list/ocr/index.html
U.S. Department of Justice, Office on Violence Against Women	202-307-2277	950 Pennsylvania Avenue, NW Washington, DC	http://www.ovw.usdoj.gov/

Name	Phone	Address	Website
National Domestic Violence Hotline	1-800-799-7233	n/a	http://www.thehotline.org/
No TAMUG on-campus support, advocacy, and legal services are available.			

Visa and Immigration Assistance

Name	Phone	Address	Website
International Student Services	979-845-1824	1 ST Floor Bizzell Hall East Texas A&M Campus	http://iss.tamu.edu
U.S. Citizenship and Immigration Services	1-800-375-5283	126 Northpoint Drive Houston, TX	http://www.uscis.gov/about-us/find-uscis-office/field-offices/texas-houston-field-office
Texas Workforce Commission	1-800-252-3642	3549 Palmer Hwy, Texas City, TX	http://www.twc.state.tx.us/customers/jsemp/employee-rights-laws.html
TAMU International Faculty and Scholarly Services	979-862-1719	1111 Research Pkwy, Texas A&M Campus	http://ifss.tamu.edu/
No TAMUG on-campus visa and immigration services are available.			

Student Financial Aid

Name	Phone	Address	Website
TAMUG Office of Financial Aid	409-740-4500	Sea Aggie Center #913 Galveston Campus	http://www.tamug.edu/finaid/
TAMUG Veterans Services	409-740-4500	Sea Aggie Center #913 Galveston Campus	http://www.tamug.edu/Veterans/Benefits.html
Federal Student Aid Call Center	(800) 433-3243	n/a	https://studentaid.ed.gov/

Institutional Rights and Options (Interim Measures)

TAMUG is obligated to offer and provide assistance to the complainant, the alleged offender, and other affected individuals in obtaining a range of accommodations, interim protective measures, and remedies. The institution is obligated to comply with the individual's reasonable request for a living and/or academic situation change following an allegation of dating violence, domestic violence, sexual assault, or stalking. Upon the request of a student involved with the report, the Office of Student Affairs (409-740-4598) 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. Human Resources (409-740-4503) and the Dean of Faculties Office (979-845-4274) provides similar assistance to staff and faculty.

When an allegation of sexual assault, dating violence, domestic violence, or stalking is made, TAMUG will take prompt steps to provide interim measures or remedies before the completion of the investigation. 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 assistance
- 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 protective 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 Office of Student Affairs at 409-740-4598. The Office of Student Affairs may issue a restriction at any time prior to or during a conduct investigation based on information provided by the requestor. A no contact restriction may also be implemented as a sanction subsequent to a finding of responsibility. If good cause for a no contact restriction is determined, both parties are notified of the restrictions in writing. Records are maintained in the student conduct system.

No contact restrictions directed at employees can be requested from Human Resources at 409-740-4503 (staff) and from the Dean of Faculties Office at 979-845-4274 (faculty).

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: 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. TAMUG 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: Student Affairs, Residence Life, Parking, Recreational Sports, Scholarships and Financial Aid, Office of the Commandant, 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 district attorney (Galveston County District Attorney's Office – Juvenile/Family, 409-766-2364) or a private attorney. TAMUG PD (409-740-4545) will also provide assistance in applying for protective orders. Forms associated with applying for a protective order in Galveston County are not available online.

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.

TAMUG PD 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, TAMUG PD should be contacted immediately at 409-740-4545. Responding agencies can also be contacted for protective order violations including GPD (409-765-3702), or the Galveston County Sheriff's Department (409-766-2300). Violating protective orders generally carry authority for the violator's immediate arrest by TAMUG PD or other law enforcement agencies.

All of the provisions in protective orders are enforced in court. Other institutional personnel cannot enforce a protective order but must exercise reasonable care to take appropriate protective action when notified of a potential violation.

Criminal Trespass Warning: A criminal trespass warning is an interim protective measure issued by TAMUG PD 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 TAMUG PD at 409-740-4545 and request to speak with an officer. The TAMUG PD 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 TAMUG PD policy. When the warning is issued, the officer is responsible for providing notice to the requestor and the person receiving the warning.

TAMUG PD officers are notified of criminal trespass warnings that exist in their area. If a criminal trespass warning is violated, TAMUG PD should be contacted immediately at 409-740-4545. 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 TAMUG PD for a responding officer when they become aware of a potential violation of a criminal trespass warning. TAMUG PD generally enforces these warnings by charging violators with criminal trespass resulting in arrest and/or fine.

Other Legal Options: The TAMUG PD is available at 409-740-4545 to all victims to provide information or direct victims to the proper agency about personal safety, Texas Crime Victim's Rights, Texas Crime Victims Compensation Fund and other information upon request. Or visit the Office of the Texas Attorney General's website at <https://www.texasattorneygeneral.gov/cvs/crime-victims-compensation>.

Investigations and Disciplinary Proceedings³ for Sexual Assault, Dating violence, Domestic Violence, and Stalking

A student should, and an employee must, promptly report incidents of illegal discrimination, sexual harassment, and/or related retaliation that they become aware of, experience, or observe. A third party should also promptly report incidents. Once an individual discloses information to an official contact, according to Table 1 – Official Contacts (in person, electronically, or by phone), they will be considered to have filed a complaint with the university, and the investigation process is initiated regardless of whether the complainant chooses to pursue criminal charges. A written statement of events may be requested at the time the complaint is filed. The TAMUG Title IX Campus Coordinator or the official contact will promptly notify the Title IX Coordinator or designee at the main campus and the System Ethics and Compliance Office of the allegation of sexual assault, dating violence, domestic violence, or stalking. The university responds to complaints in a prompt and equitable manner. Due diligence is exercised in determining what occurred and further action that may be warranted based on the information provided.

The complaint is reviewed to determine if there is sufficient information to proceed with an investigation or if additional information is needed. If the information is insufficient the official contact or designee may, in consultation with the Office of General Counsel, conduct an inquiry into the circumstances of the complaint. If information is sufficient, the official contact or designee will appoint the investigating authority⁴ to initiate the investigation. In assigning investigators to cases, the official contact examines the relationships of those involved so that proceedings are conducted by investigators who do not have a conflict of interest or bias for or against the complainant or the alleged offender. Investigators may also decline the assignment if they feel they cannot render an unbiased decision. Individuals conducting investigations, at a minimum, receive training annually which covers grievance models that address sexual assault, dating violence, domestic violence, and/or

³ 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.

⁴ When the alleged offender is faculty, the designated official receiving the report (TAMU Dean of Faculties Office in College Station) appoints specific TAMUG faculty members to conduct the investigation through the TAMUG Title IX Campus Coordinator. The Dean of Faculties Office retains oversight of the investigation.

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.

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 to the complainant⁵ and alleged offender. A preponderance of the evidence standard⁶ (more likely than not) is used. Proceedings 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. 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 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. Proceedings provide both parties with the right to present evidence and witnesses and the right to be informed of the outcome of the investigation. Following are the university's investigation procedures which are conducted in the manner prescribed in [System Regulation 08.01.01, *Civil Rights Compliance*](#) and the Student Rules and University SAPs that are noted after each section below.

If the alleged offender is a student

Students are notified of the investigation via their TAMUG email and/or phone. The investigative authority, composed of one or more people, will review the complaint, interview the complainant, the alleged offender, and witnesses, if applicable, and ascertain details and circumstances associated with the complaint. Investigations are intended to collect and provide an investigation report with detailed information in connection with a reported incident involving TAMUG students. The purpose of an investigation is three fold: to provide the Assistant Vice President of Student Affairs sufficient information to determine if the incident warrants further university action; to collect information (not determine responsibility); and to determine departmental jurisdiction. Conducting an investigation is not a process that is designed to "prove" a student did something wrong or to find a student responsible for a student rule violation.

After the investigative authority completes the investigation report, the Office of General Counsel reviews and approves it for legal sufficiency. The investigation report is then provided to the official contact or designee. The official contact or designee reviews the report and makes the determination to investigate further, complete the investigation, and initiate a student conduct conference, or dismiss the complaint. If further investigation or a conduct conference is warranted, the alleged offender and the complainant are informed of the allegations and information surrounding the allegations. If warranted based on information from the investigation, the student conduct conference is initiated to determine whether a violation of student rules occurred. The student conduct conference is facilitated by the Student Conduct Administrator and a student conduct panel who are authorized and established by the Assistant Vice President of Student Affairs or designee to conduct proceedings. The student conduct process provides that:

⁵ For the purposes of this section, "Investigations and Disciplinary Proceedings for Sexual Assault, Dating Violence, Domestic Violence, and Stalking", 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.

⁶ 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."

- Timely and equal access to any information that will be used after the investigation but during formal and informal 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 conduct conference.
- The complainant and alleged offender have the right to be assisted by an advisor of their choice at their own expense. However, the complainant and the alleged offender are responsible for presenting their own information. 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. Admission of any other person to the student conduct conference shall be at the discretion of the Student Conduct Administrator.

After the student conduct conference, a result is reached/rendered by the Student Conduct Administrator and/or the student conduct panel. Sanctions are determined by the student conduct panel. One or any combination of the following sanctions may be imposed for 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. 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 Affairs Office (409-740-4598) prior to course registration. Potential sanctions do not differ between dating violence, domestic violence, sexual assault, and stalking. For more detail, see [Texas A&M University Galveston Student Rule 27, Sanctions](#).

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 done 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)
- Prior violations/previous disciplinary history of the alleged offender on record with student conduct (only used in the sanctioning phase, not in the finding of responsibility)
- 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)
- 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)

The goal is to resolve complaints in a reasonably prompt timeframe of approximately 55 business days excluding any appeal period, however, extenuating circumstances requiring additional time may necessitate an extension with good cause. Extensions are granted by the Title IX Coordinator or designee. Written notice

of the delay and the reason for the delay is provided to the complainant and the alleged offender. Results⁷, including any sanctions, are provided simultaneously and in writing to both the complainant and alleged offender. Appeals⁸ may be made by the complainant and/or the alleged offender. Appeals must be filed within 5 business days from receipt of the results. Procedures for the complainant and/or the alleged offender to appeal are provided with the documentation of results. Changes occurring based on appeal and when such results become final are provided to both the complainant and alleged offender simultaneously and in writing. For more detail, see [Texas A&M University Galveston 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 \(SSDDSR\)](#).

If the alleged offender is faculty

Upon receipt of the complaint, the official contact notifies the alleged offender that a complaint has been filed against him/her. The investigative authority meets with the complainant to confirm the allegations and notifies the alleged offender of the basis of the allegation. At any point in the investigation process, the alleged offender may be suspended with pay, reassigned, and/or placed in another type of temporary status pending completion of the investigation. The investigative authority⁹ will review the complaint, interview the complainant, the alleged offender, and witnesses, if applicable, to determine what occurred. 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 the investigation is provided to the complainant, the alleged offender, and appropriate officials.

After the investigative authority completes the investigation report, the Office of General Counsel reviews and approves it for legal sufficiency. The investigation report is then provided to the Dean of Faculties. The report may contain a listing of allegations, requested relief, a description of relevant documentation reviewed, a list of witnesses interviewed, an analysis of each allegation based on interviews, and conclusions and rationale. The Dean of Faculties reviews the report and renders a decision in writing on the merits of the complaint and any sanctions (if applicable). The result specifies whether the allegations are substantiated, not substantiated, or there is insufficient evidence to make that determination. The Dean of Faculties or designee considers only information contained in the investigation report. If the report is incomplete or otherwise insufficient, the Dean of Faculties or designee will return the report to the investigative authority to address any unresolved issues.

One or any combination of the following sanctions may be imposed in response to a finding of misconduct related to dating violence, domestic violence, sexual assault, or stalking: written warning or reprimand, required training and/or counseling, no contact restriction, probation for a definite or indefinite period, and dismissal/employment termination. Potential sanctions do not differ between dating violence, domestic violence, sexual assault, and stalking. The range of the sanctions that can be applied vary significantly. When

⁷ 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.

⁸ 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.

⁹ If the alleged offender is faculty, the investigative authority consists of two members of the Academic Civil Rights Investigation Committee (ACRIC), a standing committee of faculty members appointed by the deans of the colleges, schools, libraries, and branch campuses and the Dean of Faculties and Associate Provost.

the Dean of Faculties or designee is determining the most appropriate sanction or combination of sanctions, an assessment is done on a case by case basis and the following factors may be considered.

- Nature of the misconduct (seriousness of the misconduct, harm caused, effects of the misconduct)
- Prior misconduct/previous disciplinary history of the alleged offender on record with the Dean of Faculties Office (only used in the sanctioning phase, not in the finding of responsibility)
- 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 individual engaged in the behavior, evidence of malicious intent)
- Developmental and educational impact for the individual and community (perception to the individual and community, what the sanction can teach the individual, how the sanction can help the individual develop as a community member)

The goal is to resolve complaints in a reasonably prompt timeframe of approximately 55 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 Faculties. Written notice of the delay and the reason for the delay is provided to the complainant and the alleged offender. Results (see footnote 7), including any sanctions, are provided simultaneously and in writing to both the complainant and alleged offender by the Office of the Dean of Faculties. Results are also provided to the investigative authority.

Appeals (see footnote 8) may be made by the complainant and/or the alleged offender. Appeals must be filed within 10 business days from receipt of the results. Procedures for the complainant and the alleged offender to appeal are provided with the documentation of results. Changes occurring based on appeal and when such results become final are provided to both the complainant and alleged offender simultaneously and in writing. For more detail, see [University SAP 08.01.01.M1.02, Investigation and Resolution of Complaints Against Faculty Members for Illegal Discrimination, Sexual Harassment, or Related Retaliation Charges](#).

If the alleged offender is staff or a third party

When a complaint is reported and sufficient information determined, the alleged offender (if an employee) is informed of the allegations and the facts surrounding the allegations. At any point in the investigation process, the alleged offender (if employed by Texas A&M University) 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. The investigative authority will review the complaint, interview the complainant, the alleged offender, and witnesses, if applicable, determine what occurred. 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 the investigation is provided to the complainant, the alleged offender, and appropriate officials.

After the investigative authority completes the investigation report, the Office of General Counsel reviews and approves it for legal sufficiency. The investigation report is then finalized by the investigative authority. The report includes a statement of allegations, a list of witnesses interviewed, relevant documents, and may conclude that each allegation is substantiated, unsubstantiated, or there is insufficient evidence to make that determination. The investigative authority forwards the finalized report to the TAMUG Executive Director of Human Resources or designee who renders a final decision, including any sanctions (if applicable). The TAMUG Executive Director of Human Resources or designee considers only information contained in the investigation report. If the report is incomplete or otherwise insufficient, the TAMUG Executive Director of Human Resources or designee will return the report to the investigative authority to address any unresolved issues.

One or any combination of the following sanctions may be imposed in response to a finding of misconduct related to dating violence, domestic violence, sexual assault, or stalking: written warning or reprimand, required training and/or counseling, no contact restriction, probation for a definite or indefinite period, suspension and dismissal/employment termination. If a suspension is imposed, the staff member is employed without pay during the suspension period and eligible for reinstatement to their prior position after the suspension period has elapsed. The length of suspension is determined on a case by case basis. Potential sanctions do not differ between dating violence, domestic violence, sexual assault, and stalking.

The range of the sanctions that can be applied vary significantly. When the TAMUG Executive Director of Human Resources or designee is determining the most appropriate sanction or combination of sanctions, an assessment is done on a case by case basis and the following factors may be considered.

- Nature of the misconduct (seriousness of the misconduct, harm caused, effects of the misconduct)
- Prior misconduct/previous disciplinary history of the alleged offender on record with the Human Resources Office (only used in the sanctioning phase, not in the finding of responsibility)
- 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 individual engaged in the behavior, evidence of malicious intent)
- Developmental and educational impact for the individual and community (perception to the individual and community, what the sanction can teach the individual, how the sanction can help the individual develop as a community member)

The goal is to resolve complaints in a reasonably prompt timeframe of approximately 55 business days excluding any appeal period, however, extenuating circumstances requiring additional time may necessitate an extension with good cause. Extensions are granted by the Vice President for Human Resources and Organizational Effectiveness. The Title IX Coordinator or designee is also notified of an extension request when sent to the Vice President for Human Resources and Organizational Effectiveness. Written notice of the delay and the reason for the delay is provided to the complainant and the alleged offender. Results (see footnote 7), including any sanctions, are provided simultaneously and in writing to both the complainant and the alleged offender. Results are also provided to the investigative authority and the supervisor and department head(s) of the alleged offender, if applicable.

Appeals (see footnote 8) may be made by the complainant and/or the alleged offender. Appeals must be filed within 10 business days of the date the decision was rendered. Procedures for the complainant and the alleged offender to appeal are provided with the documentation of results. 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. For more detail, see [University SAP 08.01.01.G1.01, Investigation and Resolution of Complaints Against Non-faculty Employees and Unrelated Third Parties for Illegal Discrimination, Sexual Harassment, or Related Retaliation Charges](#)

For all investigations and disciplinary proceedings

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 Programs¹⁰

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.

TAMUG 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 victims' rights and options. This training includes procedures victims 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.

The Assistant Vice President of Student Affairs established a session, known as “The Next Step Program” at new student conferences (orientations) which include presentation and distribution of the above educational material. The session is mandatory for incoming, undergraduate freshmen and transfer students. Crime prevention and safety information, some specifically targeting sexual violence and stalking, is presented at new student conferences by the TAMUG PD. A similar presentation is provided to incoming graduate students at graduate student orientation in the fall and spring semesters.

The Offices of the Dean of Student Life implemented an online training module (Haven) focused on sexual harassment, sexual assault, dating violence, domestic violence, and stalking. During the Fall of 2017, Texas A&M University undergraduate, graduate, and professional students at all campuses, with the exception of Texas A&M University Qatar students, are required to complete Haven training. New students will be required to complete the training each semester thereafter.

New employees receive primary prevention information from the Human Resources Department at new employee orientation. New employees also currently receive web-based *Creating a Discrimination Free Workplace* training mandated by The Texas A&M University System. Employees are required to complete the training every two years thereafter. Incoming graduate students are also required to complete the *Creating a Discrimination Free Workplace* training.

¹⁰ 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.

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 are incorporated into ongoing prevention and awareness campaigns. Various departments on campus support ongoing campaigns for students and employees to promote awareness and prevention of sexual assault, dating violence, domestic violence, and stalking as described below.

The Women's Resource Center (WRC) (409-765-7233), and the Resource Crisis Center (RCC) (409-763-1441) provide advocacy, education, prevention programs and support services for female and male students, faculty, and staff.

TAMUG PD participates with other university departments during awareness events across campus and in the community during times such as Campus Safety Awareness Week, National Night Out, and Sexual Assault Awareness Month.

The Human Resources Department also offers training for employees regarding violence and sexual harassment in the workplace that covers employee rights, responsibilities, and strategies for preventing sexual violence and reporting complaints.

TAMUG has initiated the Step Up! Bystander Awareness Training Program with its faculty, staff, students and student leaders. Step UP! is a prosocial behavior and bystander intervention program that educates students to be proactive in helping others. The goals of Step UP! are to:

- Raise awareness of helping behaviors
- Increase motivation to help
- Develop skills and confidence when responding to problems or concerns
- Ensure the safety and well-being of self and others

Most problematic behaviors on college campuses involve bystanders. Step UP! training provides a framework explaining the bystander effect, reviews relevant research and teaches skills for intervening successfully using the 5 Decision Making Steps, and the S.E.E. Model (Safe, Early, Effective).

A webpage, called TAMUG Title IX (<http://www.tamug.edu/hrd/Title%20IX.html>), describes university resources, assistance, and reporting procedures for students impacted by sexual violence. It also lists resources for students, faculty, staff and visitors who wish to report any form of sexual harassment.

A notice of non-discrimination and abuse is sent to all students and employees 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 available for victims both on-campus and in the community. The Assistant Vice President of Student Affairs distributes an email with this information and prevention and awareness information to all students in the fall semester and to new students in the spring semester. Human Resources provide a similar email distribution to all employees annually.

TAMUG has implemented the following programs to help all campus members understand, recognize and combat sexual violence.

- Sexual Assault Awareness Presentations: New/Transfer Student Orientation & Corp of Cadets
Presented by: Ken Bailey, MS, LPC-S, Director of Counseling and Career Services; Todd Sutherland, PhD, Assistant Vice President for Student Affairs; Sam Martinez, University Police Department Chief of Police; Shannon Samuelson, Outreach at Resource and Crisis Center of Galveston County; Amber Wilhelm, MA, Crisis Intervention Specialist at Resource and Crisis Center of Galveston County

Student Life, Counseling and Career Services, and the Resource and Crisis Center of Galveston County collaborate to present educational information to new and transfer students and their parents related to harassment, stalking, dating violence and sexual assault. This program includes definitions, concepts, real world examples, how to report, as well as on and off campus resources. The Resource and Crisis Center also presents this program to the Corp of Cadets.

These presentations are every fall during new student conferences and as requested by the Corps

- Healthy Relationships Presentations in Health and Fitness Classes
Presented by: Ken Bailey, MS, LPC-S, Director of Counseling and Career Services; Daisey McCloud, MAPCP, LPC, Assistant Director of Counseling; Rick Ertell, Ed.D., LPC-S, CSC, CSES, Assistant Director Counseling and Disability Services; Diane Manley, MS, LPC-Intern, Student Development Specialist II

Counselors present to students on healthy relationships vs unhealthy relationships, how mental health can affect relationships, suicide, how to help a friend, resources available.

These presentations are every fall, and as requested by the Health and Fitness faculty

- Stranger Danger: Gig 'Em Week Event
Presented by: Diane Manley, MS, LPC-Intern, Student Development Specialist II; Sgt. Chris Fultz, UTMB RAD Program; TAMUG Peer Educators, Trained Student Workers

The purpose is to educate new and returning students on how to stay safe on campus. TAMUG PD business cards are available along with safety whistles and campus and community resource information. Students are able to sign up for the RAD program on campus and a representative from the UTMB RAD program is present to explain the program and answer questions.

This program is presented every fall during Gig 'Em Week, the first week(s) back to school

- Safe Sex Bingo
Presented by: Diane Manley, MS, LPC-Intern, Student Development Specialist II; Mark White, Executive Director, AIDS Coalition Coastal Texas; Gerald Weber, Director of Community Outreach at STDcheck.com; TAMUG Peer Educators, Trained Student Workers

An interactive way to educate students on correct terminology related to safe sex practices (including abstinence, consent, etc.). A panel of sex education specialist is available to answer anonymous questions from students.

This program is presented every semester: fall during Gig 'Em Week and spring for Valentine's Day

- UTMB RAD Program

Presented by: James Carr, UTMB RAD Instructor; Sgt. Chris Fultz, UTMB RAD Instructor

For Domestic Violence Awareness Month in October and Sexual Assault Awareness Month in April UTMB RAD (Rape Aggression Defense) Officers come to campus to train female students in basic self-defense. This 12 hour course includes a lecture on personal safety and violence, threat avoidance strategies, safety skills, and real world assault resistance tactics for women.

This program is presented during Domestic Violence Awareness Month (October) and during Sexual Assault Awareness Month (April). It is also offered off campus at UTMB.

- Health Fairs

Presented by: Diane Manley, MS, LPC-Intern, Student Development Specialist II; Daisey McCloud, MAPCP, LPC, Assistant Director of Counseling and Career Services

Approximately 15 agencies from the community come to campus to share educational information and giveaways in an effort to increase health, safety, and wellness on campus. Some of the agencies in attendance include: Resource and Crisis Center of Galveston County, Family Service Center, UTMB Health, Crisis Hotline, RAD Offices, TAMUG Police Department, and other related organizations.

Presented in the spring and the fall

- Counseling and Community Resources Networking Luncheon

Presented by: The Office of Counseling and Career Services Counselors

Counseling and Career Services hosts a networking luncheon at TAMUG to share information on community resources and services that might be helpful for our students. Attendees typically include Resource and Crisis Center of Galveston County, UTMB Health, Crisis Hotline, Aggie Moms, St. Vincent's House, Bay Area Council on Drugs and Alcohol, Gulf Coast Center, and TAMUG PD. Information from this networking meeting is compiled into a community resource binder. This binder is kept in the Office of Counseling and Career Services (relaxation room) for students to use as needed.

Typically held once per year, during the summer

- Denim Day

Presented by: Diane Manley, MS, LPC-Intern, Student Development Specialist II; Kenyatta Dawson, PhD, Assistant Director of Diversity Services; Christina Harrover, Resource Education and Development Coordinator at Resource and Crisis Center; Amber Wilhelm, MA, Crisis Intervention Specialist at Resource and Crisis Center

Students purchase a ribbon (for a small donation) and wear their ribbon and denim to support survivors of sexual assault. A representative comes to campus to present on the meaning of denim day and educates faculty, staff, and students on consent, assault, violence, and what to do if you need help.

Denim Day is held in April for Sexual Assault Awareness Month

Bystander Intervention and Risk Reduction¹¹

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

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

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

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

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

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

Other Considerations

Retaliation

TAMUG prohibits retaliation. An officer, employee, or agent of TAMUG 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 or State law. Retaliation is a crime and anyone found engaging in it may be arrested.

Victim Notification

In accordance with the Higher Education Opportunity Act, upon written request, TAMUG will disclose to the alleged victim of any crime of violence, or non-forcible sex offense, the report on the results of any

¹¹ 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.

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 alleged offender and the complainant 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

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteer's services, or is a student.

In Galveston, convicted sex offenders must register with the Galveston Police Department. You can link to this information, which appears on GPD's website, (under-Community) by accessing GPD's website at <http://www.galvestonpolice.net/>

In Texas, convicted sex offenders must register with the Department of Public Safety. You can link to this information, which appears on the Texas State Police website, by accessing, <https://records.txdps.state.tx.us/DpsWebsite/index.aspx>

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 [TAMUG Student 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 Assistant Vice President for Student Affairs or designee reserves the right to interpret and enforce this Code of Conduct.

According to the [TAMUG Student Rules, 24. Student Conduct Code 24.1.6](#) the term consent, solely for the purposes of the Sexual Misconduct policy, 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 the [TAMUG Student Rules, 24. Student Conduct Code 24.4.20.1](#), 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. This regulation applies to complaints and/or appeals of employment or disciplinary actions made by faculty, administrators, staff, students and/or third parties alleging illegal discrimination, sexual harassment and/or related retaliation.

According to [System Regulation 08.01.01, Civil Rights Compliance](#), consent is clear and voluntary agreement to engage in a specific sexual activity. 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 that 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 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, Galveston - Reportable Crimes

Criminal Offenses						
Offense	Year	On Campus Property	Residential Facilities	Non-Campus Property	Public Property	Unfounded Crimes [§]
Murder / Non-negligent Manslaughter	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0
Manslaughter By Negligence	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0
Sex Offenses, Rape	2014	0	0	0	0	1
	2015	0	0	0	0	0
	2016	2	2	0	0	1
Sex Offenses, Fondling	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0
Sex Offenses, Incest	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0
Sex Offenses, Statutory Rape	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0
Robbery	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0
Aggravated Assault	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0
Burglary of Structure	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0
Motor Vehicle Theft	2014	0	0	0	0	0
	2015	1	0	0	0	0
	2016	6	0	0	0	0
Arson	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0

Hate Crimes						
Offense	Year	On Campus Property	Residential Facilities	Non-Campus Property	Public Property	Unfounded Crimes [§]
Hate Crimes *	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0

Violence Against Women Reauthorization Act of 2013 (VAWA) Offenses						
Offense	Year	On Campus Property	Residential Facilities	Non-Campus Property	Public Property	Unfounded Crimes [§]
Domestic Violence	2014	2	2	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0
Dating Violence	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0
Stalking	2014	1	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0

Arrests and Disciplinary Referrals						
Offense	Year	On Campus Property	Residential Facilities	Non-Campus Property	Public Property	Unfounded Crimes [§]
Arrests: Weapons Carrying, Possessing, Etc.	2014	0	0	0	0	0
	2015	0	0	0	0	0
	2016	0	0	0	0	0
Disciplinary Referrals: Weapons Carrying, Possessing, Etc.	2014	2	2	0	0	0
	2015	0	0	0	0	0
	2016	2	2	0	0	0
Arrests: Drug Abuse Violations	2014	0	0	0	0	0
	2015	1	1	0	0	0
	2016	1	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2014	7	6	0	0	0
	2015	8	8	0	0	0
	2016	9	6	0	0	0
Arrests: Liquor Law Violations	2014	18	18	0	0	0
	2015	33	32	0	0	0
	2016	5	2	0	0	0
Disciplinary Referrals: Liquor Law Violations	2014	15	11	0	0	0
	2015	46	45	0	0	0
	2016	52	49	0	0	0

The following are in reference to the reportable crimes table on the previous page.

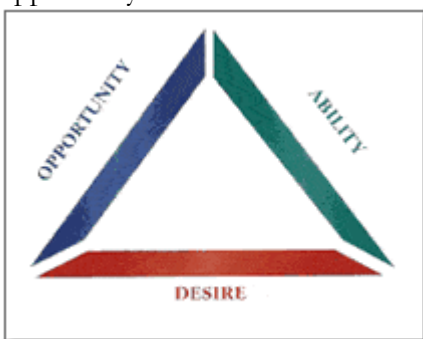
* In 2014, 2015, and 2016 there were no reported criminal incidents involving hate/bias.

§Unfounded crimes (those that a commissioned peace officer has investigated and found to be false or baseless and are subsequently withheld from the crime statistic) are required to be disclosed beginning in calendar year 2014.

Calendar years 2014-2015 crime statistics included in this report were determined in accordance with the Cley 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 Cley crime statistics for calendar year 2016.

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 the TAMUG PD is the prevention of crime before it occurs. Because campus police 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 the TAMUG Police. By doing so, you may be preventing someone else from becoming a victim of a more serious crime.

TAMUG departments continually presents programs covering crime prevention and security information to students, staff, and faculty. The programs are designed to encourage students and employees to be responsible for their own security and the security of others. Campus security and fire safety procedures are discussed during new student orientations. The TAMUG PD, the Safety Officer, the OEM, and the Division of Student Affairs, including TAMUG Residence Hall Staff participate in forums, town hall meetings, and Community Leader floor meetings in residence halls to address students and to explain university security, public safety, and fire safety measures and procedures at TAMUG. All incoming students and new employees are clearly instructed to call the campus police for any problem. All incoming students are warned about the dangers of sexual assault and instructed to call the police or any campus official if they ever need help for such a problem. In addition, members of TAMUG PD conduct crime prevention and general security and safety awareness presentations when requested by various community groups, including students and employees of the university. During these presentations, the following information is typically provided: crime prevention tips; statistics on crime at TAMUG; fire safety information; information regarding campus security procedures and practices, including encouraging participants to be responsible for their own security/safety and for the security/safety for others on campus. New employee orientation includes the distribution of crime prevention and fire safety materials to all new employees at the Human Resources office.

TAMUG PD provides an escort service, 24 hours a day, seven days a week for students on the Mitchell Campus.

TAMUG PD promotes the Identification program, by engraving serial numbers or owner's recognized numbers (e.g. driver's license number) on items of value, and makes engravers available upon request free of charge by TAMUG PD.

TAMUG PD monitors the fire alarm system and manages the response to an actual fire alarm by checking the area immediately and by communicating with evacuating residents and the responding fire apparatus, giving real time information and directions, if needed.

Members of the university community must assume responsibility for their own personal safety and the security of their personal property. The following precautions provide guidance.

- Report all suspicious activity to TAMUG PD immediately.
- Never take personal safety for granted.
- Try to avoid walking alone at night. Use the TAMUG PD escort service.
- Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or that have too many people drinking excessively. Remember to call TAMUG PD or GPD for help at the first sign of trouble.
- Carry only small amounts of cash.
- Never leave valuables (wallets, purses, books, phones, etc.) unattended.
- Carry your keys at all times and do not lend them to anyone.
- Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car.
- Always lock the door to your residence hall room, whether or not you are there.

- Be certain that your door is locked when you go to sleep, and keep windows closed and locked when you are not at home.
- Do not leave valuables in your car, especially if they can be easily noticed.
- Engrave serial numbers or owner's recognized numbers, such as a driver's license number, on items of value.
- Inventory your personal property and insure it appropriately with persona insurance coverage.

If a TAMUG community member becomes the victim of a crime, the TAMUG PD can assist with a referral to the Galveston County District Attorney's office, Victims Assistance Program Coordinator. The Coordinator provides assistance to victims/survivors of a crime by assisting them in obtaining the services they need to work through and better understand their options.

Important Telephone Numbers

Area Code 409 (for all numbers listed below)

Emergencies-from off campus phone / Cell phones Police/Fire/Medical	911 for off campus; 911 or 9-911 for on campus	TAMUG Police Department	740-4545; After hours 771-5185
Galveston Police (non-emergency)	765-3702	Galveston Fire	797-3850
Galveston County Sheriff's Office	766-2300	Counseling and Career Services (student disability services)	740-4736
Facilities Services	740-4547	Student Health Services	772-2166
Crime Stoppers 763-TIPS	763-8477	Campus Escorts	740-4545
Department of Public Safety	766-2285	Student Affairs	740-4598
FBI	935-7327	Galveston Public Transportation System	797-3900
Environmental Health & Safety	741-4055		

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 Risk and Compliance website:

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

Other Texas A&M University Annual Security Reports

Texas A&M University College Station

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

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/RELLISAnnualSecurityReport.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/HSCKingsvilleAnnualSecurityReport.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/HSCRRAAnnualSecurityReport.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>

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>