

TEXAS A&M UNIVERSITY GALVESTON TS KENNEDY 2018 Annual Security Report



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

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

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

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

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

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Texas A&M University at Galveston TS Kennedy

Preparation of the Annual Security Report and Disclosure of Crime Statistics

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

The Training Ship (TS) Kennedy is used to support the mission of educating and training Texas A&M Maritime Academy (TAMMA) cadets in accordance with the educational principles of Texas A&M University at Galveston (TAMUG). The TS Kennedy is a public vessel owned by the United States Department of Transportation's Maritime Administration (Maritime Administration) and chartered by the TAMMA in 2018 based on a School Ship Time Charter agreement (charter). The ship serves as a training cruise location away from campus which offers an opportunity to practice theoretical knowledge taught in the classroom. Supervised sea service is required for TAMMA cadets pursuing merchant mariners credentials (MMC) issued by the United States Coast Guard (USCG).

The 2018 TAMUG TS Kennedy Annual Security Report is available and includes current campus security policy information. Security policies include, but are not limited to, reporting crimes and emergencies, security resources, crime awareness and prevention, security of the facilities, and alcohol and drug policies. The Texas A&M University at Galveston Police Department (TAMUG PD), TAMMA, and the Texas A&M University Office of Risk, Ethics, and Compliance (OREC) compose the Annual Security Report. The TS Kennedy charter was initiated in May 2018, therefore, statistical data for calendar years 2017, 2016, and 2015 is not available nor required to be disclosed in the 2018 Annual Security Report. TAMUG PD requests and obtains input from local law enforcement, the Superintendent of the TAMMA, the Office of the Commandant, Student Affairs, and other campus personnel 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. Each year, an e-mail notification which provides website access to this report is sent to all current students, faculty, and staff. The report can be found at:

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

University Police Department
Texas A&M University at Galveston

200 Seawolf Parkway, Bldg 3026
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 position. Website access to the Annual Security Report is provided by the Texas A&M University Division of Human Resources and Organizational Effectiveness through a link called “Safety and Security Notices” located on the right menu bar of the Texas A&M Job Path website (<https://jobpath.tamu.edu>) and through a link under the “Safety and Security Notices” heading on the following 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

Campus Security Overview

TS Kennedy safety and security is the responsibility of all persons on board. The Maritime Administration provides the commanding officer of the vessel (the Master) who at all times is the sole judge of safety and propriety of navigation, weather, and other conditions for safe operation of the vessel. The Master acts as the General Manager and the owner’s representative. The Master is ultimately responsible for the safe navigation of the TS Kennedy and the safety of all personnel while embarked on cruises. Under the direction and authority of the Master, Chief Engineer, the ship’s officers (all professional USCG-licensed mariners) led by the Chief Mate are responsible for maintaining safety and security in compliance with Texas A&M University System policy and federal law. The Chief Mate is also designated as the ship’s Vessel Security Officer (VSO). This responsibility includes 24 hour, 7 day week watches to prevent or to respond to emergencies while the ship is on a training cruise.

Jurisdiction

The USCG may board any vessel subject to the jurisdiction of the United States, whether on the seas, or on waters over which the United States has jurisdiction, including training cruises, to make inquiries, examinations, inspections, searches, seizures, and arrests for the prevention, detection, and suppression of violations of U.S. laws.

During training cruises, the ultimate authority aboard the TS Kennedy lies within the discretion of the Master of the ship in accordance with USCG requirements, the Code of Federal Regulations, and federal maritime law. The Master has the right and the responsibility to plan, direct, and control the actions of all officers, crew, and cadets according to authorization defined by federal law.

Arrest Authority

While on any training cruise, the Master has authority to restrain any person that is endangering themselves, others, or the ship. In such case, the Master will contact USCG and arrange to discharge such persons to the custody of the USCG or other law appropriate law enforcement organization at a docked location. The USCG has full arrest authority for violations of United States laws on vessels subject to their jurisdiction.

Enforcement Authority

The Master has authority over activities on ship executed through a chain of command structure. The authorization is defined by federal law.

In addition to instructions and rules put into place by the Master, all statutes and regulations governing Texas A&M University as well as the rules, regulations, and policies thereof, the effective Memorandum of Agreement, and United States Navigation law are effective for the duration of any training cruise. Any conduct that occurs on cruise is subject to university rules and the Corps of Cadets Operations Manual. The Master is the final authority in decisions to dismiss a cadet from the cruise for the safety, morale, or welfare of the ship's crew. A university hearing based on their conduct is provided at the TAMUG campus. The USCG is the lead federal maritime law enforcement agency and the only agency with both the authority and capability to enforce United States Navigation law.

Working Relationships and Agreements

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

The Master of the TS Kennedy is expected to develop and maintain an effective and collaborative relationship with USCG's law enforcement authority. The working relationship between TAMMA and the USCG is based on the written Code of Federal Regulations which TAMMA must follow due to TAMMA's designations as a State Maritime Academy. However, no written agreement is maintained between USCG and the TAMMA or the Master of the ship.

Monitoring Non-Campus Locations

During the training cruises, the TAMMA does not operate locations that meet non-campus property criteria and does not recognize or support student organizations with non-campus locations or non-campus housing facilities. Therefore, no policy exists for monitoring and reporting of criminal activity for these types of locations.

Professional Standards

Merchant Marine officers are held to strict professional standards meant to protect safety, security, ships, and the environment. Each officer is required to maintain up-to-date training in critical competencies including firefighting, maritime security, and first aid. The Master is responsible for ensuring the officers, crew, and cadets aboard TS Kennedy conduct themselves in a way appropriate to the standards of the profession. All personnel are advised to be attentive to their conduct. The appearance of the ship and its crew are important as the training ship is a United States Government Public Vessel and as such, the image it creates represents that of the United States, the State of Texas, Texas A&M University, and the TAMMA.

Campus Law Enforcement Telephone Directory

Website: <http://www.tamug.edu/police/>

TS Kennedy Master	508-830-5000 ¹ extension 2133	TS Kennedy Chief Mate	508-830-5000 ¹ extension 2135
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¹ Available only when the vessel is docked and connected to a shore communication line. When the ship is underway, the ship phone system is not operational. During this time, UHF radios with a predetermined channel (channel 2) or the ship's sound powered phone system are used.

Roving Security Watch	UHF channel 2	TAMUG PD Chief of Police (on TAMUG campus)	409-740-4548
Emergencies—from on campus phones/Police/Fire/Medical	911	Non-Emergencies/General Assistance	409-740-4545
TAMUG PD Cell Phone (on TAMUG campus)	409-771-5185		

Reporting Crimes

Incident Reporting and Response

To report a crime or an emergency on the TS Kennedy while at port, call 911. When the TS Kennedy is at sea, report all emergencies and non-emergencies to the Wheelhouse by dialing “1” on any of the sound powered phones located strategically about the ship (wheelhouse, Captain’s room, Chief Engineer’s room, 1st Assistant Engineer’s room, emergency generator room, auxiliary machine room, and emergency gear locker room) or to the Roving Security Watch hailed on UHF channel 2. The Watch Officer will immediately contact the appropriate person for action to the location of the complaint. The Master of the ship encourages bystanders, witnesses, and others to accurately and promptly report all crimes to the Master or Wheelhouse when a victim elects to or is unable to make such a report. Suspicious behavior or any situation of concern can always be reported to the Master of the ship or designee. The Master also has immediate access to a satellite phone in addition to the ship’s satellite communication capabilities

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 or to the VSO aboard the TS Kennedy while at sea. 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 offices on the TAMUG campus and other individuals while at sea on TS Kennedy.

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
Interim Commandant, Corps of Cadets	409-740-4588	davidsoc@tamug.edu
Human Resources	409-740-4503	hr@tamug.edu
Associate Vice President for Finance and Compliance Officer	409-740-4533	lees@tamug.edu
TAMMA Superintendent	409-740-4703	rodriguez@tamug.edu
TAMMA Operations Officer	409-740-4795	dtreshman89@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 and individuals listed above, will assist reporting individuals in notifying the proper law enforcement authorities, if the individual chooses. It is the goal of the institution to provide assistance wherever the report is made and 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 or the VSO for inclusion in the annual crime statistics and crime log and to aid in providing timely warning notices to the community, when appropriate. Because police reports are public records under state law, TAMUG cannot hold reports of crimes in confidence. However, victims of certain offenses are eligible for a pseudonym in which the victim's true identity will not be released. An individual who is involved in or witnesses an active or ongoing emergency should dial 911 and report the emergency immediately.

Voluntary confidential reports, for purposes of inclusion in the annual disclosure of crime statistics and crime log, can generally be made by victims, witnesses, and others to the campus security authorities listed above and all other campus security authorities. A crime reported to a campus security authority is passed on the TAMUG PD or VSO while at sea to potentially be included in the TS Kennedy crime stats. Annual crime statistics and the crime log are confidential in that personally identifiable information is not included in the disclosure.

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 TAMUG 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. A licensed professional counselor from the TAMUG Counseling Center is typically assigned to the TS Kennedy during the cruise period.

Missing Students

No Texas A&M University cadets or students reside aboard TS Kennedy unless the TS Kennedy is on training cruise. Following are missing student policies in place while the TS Kennedy is functioning as a training cruise location.

While the TS Kennedy is operating a training cruise, the Master ensures accountability of all persons. If a student, employee, or other individual has reason to believe that a cadet on the training cruise has been missing for 24 hours, he or she should immediately notify the Wheelhouse by dialing "1" on any of the sound powered phones located strategically about the ship (wheelhouse, Captain's room, Chief Engineer's room, 1st Assistant Engineer's room, emergency generator room, auxiliary machine room, and emergency gear locker room) or the Roving Security Watch hailed on UHF channel 2. The Watch Officer will immediately contact the appropriate person to initiate following procedures.

In port, Watch Officers maintain a log of faculty, staff, and cadets who depart from and return to the ship. If personnel fail to return to the ship when instructed, the Master will order the ship to be searched. If the search fails to locate the missing person, the Master will immediately contact the security service at the port and local law enforcement.

If a person is discovered missing at sea, the Master will order the ship to be searched. If the search fails to locate the missing person, the Master will turn the ship about and order all hands on deck to search the sea for the missing person. The Master will also call immediately the USCG and other vessels in the area for assistance.

Students residing on the TS Kennedy have the option to confidentially register an individual to be contacted by the Master within 24 hours of the determination by the Master, other vessel security, or local law enforcement that the student is missing. Students who wish to identify or update a confidential contact can do so through TAMMA at 409-740-4795. A student's contact information is registered confidentially, 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, and may not be disclosed outside of a missing person investigation. If the student designated a contact person, the institution will notify the contact person within 24 hours that the student is missing. Regardless of whether or not a student has designated an emergency contact person to be notified, if a student is less than 18 years old and not an emancipated individual, Federal Law requires that the institution notify a custodial parent or guardian within 24 hours of the determination that the student is missing in addition to notifying any contact person designated by the student. The institution will notify local law enforcement no later than 24 hours after the student is determined to be missing unless the local law enforcement agency was the original entity that made the determination that the student was missing.

Following are the procedures that the institution, including responsible institutional personnel, must follow when a student who resides in on TS Kennedy is determined to have been missing for 24 hours².

1. Gather needed information from reporting person and then immediately contact the Master with all information provided regarding the missing student so that an investigation can be initiated.
2. If the student designated a contact person, the institution will notify the contact person within 24 hours that the student is missing.
3. Additionally, regardless of whether the student has identified a contact person, 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 in addition to notifying any contact person designated by the student.
4. After investigating the report of a missing person and determining that the person is missing, taking the facts of the case into account, the Master will notify local law enforcement and the USCG within 24 hours that the student is determined to be missing unless these entities were 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.

Timely Warning Policy

TS Kennedy policies while functioning as a training cruise location

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 the vessel safety team 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 Master (while the TS Kennedy is at sea), 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 Master 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 the vessel safety team or other Campus Security Authority is not notified of a crime in a manner that would allow the department to provide timely notice, a

² These requirements do not preclude the institution from determining a student is missing before a full 24 hours, or from initiating notification procedures as soon as it determines that a student is missing. In addition, the institution must comply with Suzanne's Law, a federal law requiring a person under the age of 21 to be entered into a national missing person database within two hours of the person being reported missing. Suzanne's Law provides that there shall be no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of 21.

Crime Alert may not be issued depending on the circumstances. All situations will be evaluated on a case by case basis.

The Master or the VSO is responsible for the writing and issuance of Crime Alerts. Personnel authorized to write and/or issue (send) a Crime Alert are: the Master of the ship, the VSO, or designee. Anyone with information warranting a Crime Alert should report the circumstances immediately to the Wheelhouse by dialing "1" on any of the sound powered phones located strategically about the ship (wheelhouse, Captain's room, Chief Engineer's room, 1st Assistant Engineer's room, emergency generator room, auxiliary machine room, and emergency gear locker room) or to the Roving Security Watch hailed on UHF channel 2. The Watch Officer will immediately contact the appropriate person.

Crime Alerts are issued through the university e-mail system to students, faculty and staff in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. While the TS Kennedy is at sea, hard copy Crime Alert notifications are posted in designated areas on the ship (bulletin boards) and communicated to staff and cadets by their supervisor(s). 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. An institution is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

Emergency Response and Evacuation Policy

The procedures disclosed in this section apply to significant emergencies and dangerous situations occurring on the campus of the TS Kennedy while at sea, i.e. on-campus property. The institution does not have separate procedures for non-campus property.

Emergency Notification System

The Master or the VSO receives information from various 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 campus community, the Master or the Officers of the TS Kennedy while at sea will evaluate the information and confirm whether a significant emergency or dangerous situation exists.

Emergency procedures aboard TS Kennedy in port or at sea are well-defined and comply with federal law and TAMUG policy. All persons on board TS Kennedy must be familiar with emergency signals and procedures.

Upon confirmation while the TS Kennedy is at sea, the Master, the VSO, or designee will immediately notify the campus community through various emergency signals from the Bridge of the ship. Various emergency

signals radio transmissions and the ship's public address system are used to notify crew and cadets of any kind of emergency. Participants are required to learn the emergency signals at the beginning of the cruise

All segments of the TS Kennedy community will be notified as distributions are not limited to a particular segment of the population. The Master, the VSO, or designee 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. Individuals receiving the emergency notification will also be advised with updated information, as needed, using the same method(s) as the original notification.

Registering for Emergency Notifications

Students, Faculty, and Staff Access

No registration is required for students, staff, and faculty on board the TS Kennedy to receive emergency notifications.

Disseminating Information to the Larger Community

While the TS Kennedy is at sea, the larger TAMUG community will not generally be notified of emergencies occurring on board the TS Kennedy.

Emergency Preparedness

The TAMMA places the highest priority on personal safety and environmental protection. When the TS Kennedy is at sea, the vessel's Safety Management Manual governs emergency response and evacuation procedures in accordance with federal law. The TAMMA Safety Management Manual provides instructions and procedures to ensure a safe workplace and protection of the environment in compliance with all applicable rules and regulations. It is the responsibility of all seafarers, cadets, and shore side support staff of the TS Kennedy to have knowledge of all instructions, procedures, and policies contained in the TAMMA Safety Management Manual. TAMMA also has a USCG-approved Hurricane Plan that will activate during hurricanes.

Aboard the TS Kennedy when at sea, the Master conducts two emergency drills or safety demonstrations each week. Weekly drills are required by federal law. Drills include practicing firefighting techniques and procedures, damage control, emergency repairs, and how to abandon ship. Security and Emergency bills (matrix that lists everyone on board and their duties) are publicized by posting them throughout the vessel and Safety Management Manual procedures are publicized through communication during an initial safety course. Musters are also taken during drills, before departure, and at quarters to verify everyone is on board as muster is required when a true abandon ship is ordered. Emergency signaling devices aboard TS Kennedy are tested prior to the ship getting underway and then daily while the ship is operating on a training cruise. TS Kennedy officers maintain a log of all drills and tests in accordance with federal law and principles of good seamanship which includes a description of the test, the date and time, and whether it was announced or unannounced. This log is subject to review by the USCG at any time. Announced drills usually take place as part of vessel familiarization; however, the Master of the vessel may schedule unannounced drills as deemed necessary.

The Daily Crime Log

Aboard TS Kennedy the ship's officers are responsible for keeping the ships logs. Contracted security officers supplement the gangway watch, but the ship's safety, security, and recordkeeping is always the responsibility

of the Master and the ship's officers. When the TS Kennedy is docked and connected to a shore communication line, the Master can be contacted by calling 508-830-5000, extension 2133. The log identifies the nature of the crime, location, date and time occurred, date the crime was reported, and disposition. Personnel located at the TAMUG main campus' TAMUG PD front office located at 200 Sea Wolf Parkway, Building 3026 (409-740-4545) can also assist with accessing the TS Kennedy crime log.

Security of and Access to Campus Facilities

General Provisions

The TS Kennedy is a public vessel, chartered by TAMUG and owned by the federal government's Maritime Administration. The 2018 charter period is approximately 60 days. The vessel is delivered at a safe berth location as determined by the Maritime Administration. Routine access to the ship while docked at the delivery point and during the cruise (at sea and in port) is generally restricted to vessel faculty, staff, and cadets. Exceptions may occur in port or at delivery points if approved by the Maritime Administration in accordance with the charter and must be escorted by designees at all times. Each cadet participating on the charter cruise is required to have a TAMUG identification card, TWIC card, and passport prior to departure. Passports are turned in and kept in the TS Kennedy's security office. All other approved persons boarding the vessel must present a valid identification.

Standers on duty prevent unauthorized individuals from entering the vessel. Access to certain areas of the ship (radio room, bridge, chart area, engineering spaces) are limited to personnel with specific business as permitted by the Master or designees. Also, certain spaces are reserved for officers and faculty. The vessel is redelivered at the end of the charter period at a safe berth location as determined by the Maritime Administration.

The Commandant staff will make berthing assignments utilizing requests from participants and will be responsible for signing out and signing in of all room keys. Main room doors are locked when unattended. Rooms, lockers, desks, drawers, etc. may be subject to search by the Master of the ship or designee at any time.

When cruise participants return from liberty (leave from the ship), individuals and their belongings are subject to inspection for contraband. Prohibited items must be disposed of prior to boarding the ship. The disposal area may be searched prior to departing and illicit substances turned over to local law enforcement.

Maintenance of Campus Facilities

The Maritime Academy funds TS Kennedy's major maintenance. Significant, scheduled maintenance is the coordinated between the TAMMA and the Maritime Administration in accordance with manufacturing specifications and USCG regulations applicable to the ship's equipment and other life saving and fire gear. The maintenance is performed by certified, professional technicians contracted by the Maritime Administration. Other ship maintenance is performed by TAMMA personnel and cadets according to schedule and on an as-needed basis in response to a security hazard or when identified as a safety concern. The TS Kennedy and its systems are also inspected and certified by the USCG as required the by federal law.

Alcoholic Beverages, Illegal Drugs, and Weapons

Education Programs

The TAMUG Counseling Center 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, students contact the TAMUG Counseling Center 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.

For the TAMMA, TAMUG provides an employee/cadet assistance program (ECAP) to educate and train crew members, cadets, and ship supervisory personnel regarding drug and alcohol use. ECAP includes the following elements: training on effects and consequences of drug and alcohol use on personal health, safety, and the work environment; training on manifestations and behavioral clues that may indicate drug and/or alcohol use and abuse; display and distribution of informational material, community resource hotline telephone numbers for crew member assistance, and university policy related to drug and alcohol use.

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, in accordance with 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 (including the TS Kennedy) and university sponsored events unless expressly authorized by University Rule 34.03.01.M1. 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. Consequences for policy violations could result in sanctions by the university and/or criminal charges/arrest for law violations.

Regardless of location (i.e., on-campus, off-campus, on training-at-sea), all TAMMA cadets and personnel are required to comply with TAMUG student rules and university policies regarding alcohol.

Correction to Alcohol Policy in 2018 Annual Security Report

The Alcohol Policy disclosed in the 2018 TAMUG, TS Kennedy Annual Security Report in September 2018 indicated 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. This exception does not apply to the TS Kennedy location and was removed from the TAMUG, TS Kennedy Annual Security Report in October 2018.

Illegal Drugs Policy

Federal law prohibits the unlawful possession, use, sale, or distribution of drugs, including on the TS Kennedy. 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 and through the rules of the training ship by the Corps of Cadets. ([Texas A&M University Student Rules, Appendix VII; System Policy 34.02, Drug and Alcohol Abuse and Rehabilitation](#))

Additionally, in accordance with USCG regulations, TAMUG shall randomly and/or periodically test documented Merchant Marine employees and students for the following drugs: marijuana, cocaine, opiates, phencyclidine, and amphetamines. Positive drug tests and refusal to test may result in sanctions including suspension from the Corps of Cadets and the TAMMA.

Weapons Policy

In accordance with [Texas Penal Code Ch. 46.03](#), it is a felony to intentionally, knowingly, or recklessly possess a firearm, location restricted knife, or prohibited weapon on the physical premises of a school or educational institution, to include any buildings or passenger transportation vehicles under the direct control of the educational institution. The following exception applies. A license to carry holder under Chapter 411, Texas Government Code, may carry a concealed handgun on or about the license holder's person while the license holder is on the campus of 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. Marine vessels, such as those owned or operated by TAMUG, are also included in University Rule 34.06.02.M1 as prohibited areas. Possession of weapons is prohibited on the TS Kennedy. 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.

Federal law prohibits any person from carrying weapons of any kind aboard TS Kennedy.

Sexual Assault, Dating Violence, Domestic Violence, and Stalking

The following policies apply to Texas A&M University students and employees on the TS Kennedy campus, either while at sea or in port.

In accordance with federal law and [System Regulation 08.01.01 Civil Rights Compliance](#), TAMUG prohibits discrimination and harassment on the basis of sex³ including sexual assault, dating violence, domestic violence, stalking, (as those terms are defined for the purposes of the Clery Act) and/or related retaliation. The following are statements of policy that address sexual assault, dating violence, domestic violence, and stalking as prohibited conduct. The policies apply whether the prohibited conduct occurs on or off campus and when it is reported to a university official.

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

Individuals who have experienced or witnessed sexual assault, dating violence, domestic violence, or stalking have the option of notifying on-campus and local law enforcement authorities. When the TS Kennedy is at a United States port, call 911 for emergencies. While aboard the ship at sea or in a foreign port, the Master will provide the means for individuals to report crimes to agencies ashore as locations vary while on training cruise. Below is a list of local law enforcement agencies applicable to the TAMUG campus. Reports should be filed with the agency where the incident occurred.

Agency	Phone
TAMUG Police Department	409-740-4545
Galveston Police Department	409-762-3702 or 911
Galveston Sheriff's Department	409-766-2322

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.

All employees who experience, observe, or become aware of illegal discrimination, sexual harassment (including sexual assault, dating violence, domestic violence, and stalking), and/or related retaliation must promptly report the conduct⁴. Students and third parties are strongly encouraged, but not required, to report prohibited conduct. For individuals associated with the TS Kennedy campus, information may be reported to any of the following campus officials:

TAMUG Title IX Campus Official 409-740-4503, TitleIXCoordinator@tamug.edu
 Master 508-830-5000, extension 2133 (see footnote 1)
 TAMMA Operations Officer 409-740-4795

³ 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, stalking, dating violence, and domestic violence when based on sex.

⁴ Exceptions include confidential employees and are described in the "Confidentiality/Privacy" section of this report.

The campus officials are responsible for informing the TAMUG Title IX official contacts designate to receive and investigate complaints in accordance with Table 1 – Official Contacts below. Any complaint may also be filed directly with an official university contact designated to receive and investigate complaints in accordance with Table 1 – Official contacts below. Depending on the circumstances, the contacts will coordinate responsibilities when necessary.

Table 1 – Official Contacts

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

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

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

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

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

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

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

who reports the student's own commission or assistance in the commission of sexual assault, dating violence, domestic violence, or stalking.

The university responds to complaints in a prompt, fair, and impartial manner. After receiving a report, the university's official contact, designee, or Title IX Coordinator will make an immediate assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks. These steps include access to medical care, assistance in notifying 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, designee, or Title IX Coordinator will also take steps to address the conduct, protect and assist the individual reporting, remediate effects, and provide information about the university's prohibition against retaliation.

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

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

Individuals reporting to Student Health Services 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 (SANE) and a forensic unit offering detailed physical examinations, evidence collection, and expert testimony, as well as experienced advocates. Go to the hospital's emergency room and request to be seen by a SANE. While aboard

the TS Kennedy at sea or in a foreign port, the Master will provide the means for individuals to obtain reasonable and available medical care.

- Try to preserve all physical evidence. Do not wash, use the toilet, swim, brush teeth, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
- Preserve evidence by saving text messages, instant messages, social networking pages, communications, pictures, or other documents, if any, that would be useful to police or investigators.
- Personnel are available to help explain your options, give you information, and provide emotional support. Personnel include: any official contact listed in Table 1 – Official Contacts, Student Affairs (409-740-4598, sutherlt@tamug.edu), TAMUG Counseling Center (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). While aboard the TS Kennedy at sea or in a foreign port, the Master will provide the means for individuals to obtain reasonable and available resources.

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 to individuals designated as confidential employees. Licensed counselors and licensed health care personnel, who receive reports when acting in this capacity as part of their official employment, will not reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information

may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18.

Additionally, confidential employees will not report to the institution except as required by law. Publicly available recordkeeping must not include personally identifying information⁵. Incidents are shared in a way that does not identify the individuals. For example, licensed healthcare providers share de-identified information related to crimes that may be statistics in the Clery Annual Security Report and/or disclosed in the daily crime log without identifying the individuals concerned.

The TAMUG Counseling Center (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). While aboard the TS Kennedy at sea or in a foreign port, the Master will provide the means for individuals to obtain reasonable and available resources.

While the university wishes to create an environment in which individuals feel free to discuss concerns and make complaints, the university may be obligated to take action when its officials are informed that sexual assault, dating violence, domestic violence, and/or stalking may be occurring. Information is considered private but not confidential when shared with university personnel and officials who do not possess a legal confidentiality exemption. Although the confidentiality of information received, the privacy of the individuals involved, and the wishes of the reporting party, complainant, and/or alleged offender cannot be guaranteed, they will be protected to as great a degree as is legally possible.

The university is committed to protecting the privacy of reporting parties, complainants, and alleged offenders. Given the sensitive nature of reports, information will be maintained in a secure manner and will only be disclosed to school officials who are responsible for handling the university's response. The expressed wishes of the reporting party, complainant, and/or alleged offender regarding privacy will be considered by the official contact in the context of the university's obligation to act upon the complaint and the right of the charged party to be informed about the charges against them. The official contact or designee is responsible for evaluating requests for privacy. If the individual does not disclose any identifying information about him/herself or any other party involved (e.g. names, department, or unit) during the inquiry, response on the part of the university may be limited.

Although individuals reporting sexual assault are not required to file criminal charges, the following program is offered in the State of Texas. In accordance with the Texas Code of Criminal Procedure, Chapter 57, when reporting certain sex offenses to a Texas law enforcement agency, victims may use a pseudonym to protect their identity. The offenses applicable to this program are identified in Chapter 62 of the Texas Code of Criminal Procedure, defined by the Texas Penal Code, and include sexual assault. The pseudonym will replace the victim's name in all public files and records concerning the offense, including police records, press releases, and records of judicial proceedings.

⁵ Personally identifying information is defined as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including a first and last name; a home or other physical address; contact information (including a postal, email, or internet protocol address, or telephone or facsimile number); a social security number, a driver's license number, passport number or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

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 or disciplinary measures. Available assistance is also covered through prevention and awareness education. Additional information about any of the resources, rights, and options discussed in this section can be requested from the official contacts listed in Table 1 – Official Contacts.

While aboard the TS Kennedy at sea or in a foreign port, the Master will provide the means for individuals to obtain reasonable and available resources including institutional rights and options (interim measures) and legal rights and options. Cadets and others on board TS Kennedy have the same rights listed in this section of the report as others within the TAMUG campus community. The Master will implement protective measures as effectively as possible. However, due to the small size and close quarters living environment of TS Kennedy, the options available to the Master will be limited. In these cases, the Master will consult with Texas A&M University at College Station officials and/or TAMUG officials to implement the best possible solution.

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 3026, Galveston Campus	http://www.tamug.edu/police/
Galveston Police Department	409-765-3702	601 54 th St, Galveston, TX 77551	https://www.galvestontx.gov/165/Police-Department
Galveston County Sheriff's Office	409-766-2322	601 54 th St, Galveston, TX 77551	http://sheriff.galvestoncountytexas.gov/

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 Counseling Center (for students)	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

Name	Phone	Address	Website
John Sealy Hospital at UTMB	409-772-1011	301 8 th St., 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	https://www.justice.gov/ovw
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	Pavilion, Room 110 Texas A&M Campus	http://iss.tamu.edu
U.S. Citizenship and Immigration Services	1-800-375-5283	810 Gears Road Suite 100 Houston, TX	http://www.uscis.gov/about-us/find-uscis-office/field-offices/texas-houston-field-office

Name	Phone	Address	Website
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	Academic Complex (MAIN) #108 Galveston Campus	http://www.tamug.edu/finaid/
TAMUG Veterans Services	409-740-4500	Academic Complex (MAIN) #108 Galveston Campus	http://www.tamug.edu/Veterans/Benefits.html
Federal Student Aid Information 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 and interim, remedial, and protective measures. The assistance is intended to facilitate continued access to institutional employment, academic programs, and activities; to stop and prevent the reoccurrence of prohibited conduct; and to support the individuals involved.

TAMUG is obligated to comply with the individual's reasonable request for a living and/or academic situation change following an allegation of sexual assault, dating violence, domestic violence, or stalking. Upon the request of a student involved with the report, the Offices of the Dean of Student Life (979-845-3111) at the main campus, in conjunction with the TAMUG 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 or pursue disciplinary measures. OREC (979-458-8407) provides similar assistance to employees. The university (OREC, 979-458-8407) also provides reasonable remedial and protective measures to third parties as appropriate and available, taking into account the role of the third party and the nature of any contractual relationship with the university.

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

- Changing on-campus living situations including obtaining emergency housing or moving into another residential facility

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

No contact restrictions: A no contact restriction is an interim 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 OREC 979-458-8407.

Individuals should be aware that direct contact, refusal to leave a protected area, appearing at a location one reasonably knows the protected party is at, third party contact, or even an anonymous contact are all potential violations of a no contact restriction. Violations should be reported to the office that issued the restriction and may result in further disciplinary action.

Confidentiality/Privacy of Accommodations and Protective Measures: 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 (409-766-2322). Violating protective orders generally carry authority for the violator's immediate arrest by TAMUG PD or other law enforcement agencies.

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.

If the complainant, alleged offender, or member of the university community has obtained an order of protection, civil no-contact order, or any other as described in this section, against another member of the university community, the order should be provided to the official contact or designee. In conjunction with

TAMUG PD and other university officials, the official contact or designee will take all reasonable and legal actions to implement the order.

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 Proceedings⁶ for Sexual Assault, Dating violence, Domestic Violence, and Stalking

All employees who experience, observe, or become aware of illegal discrimination on the basis of sex, sexual harassment, and/or related retaliation must promptly report the conduct. Students and third parties are strongly encouraged, but not required, to report prohibited conduct. Once an individual discloses information (in person, electronically, or by phone) to an official contact, according to Table 1 – Official Contacts, a complaint will be considered to be filed with the university, and the investigation process is initiated regardless of whether the complainant⁷ chooses to pursue criminal charges. The process, initiated by the official contact, allows for resolution of the conduct to include rendering a final result regarding the complaint and, if the complaint is found to have merit, taking action to prevent the recurrence of the conduct and related retaliation. The university diligently works to determine what occurred and further action that may be warranted based on the information provided.

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

If the alleged prohibited conduct occurs on the TS Kennedy training cruise away from the TAMUG campus, the complainant and alleged perpetrator may be returned to the TAMUG campus for facilitation of the investigation and/or proceedings. Removal from the ship may also be necessary as accommodations and interim, remedial, and protective measures are limited on board the TS Kennedy due to the its size and berthing layout.

If the alleged offender is a student

The complaint regarding prohibited conduct is initially reviewed by the official contact. The official contact will promptly notify the Title IX Coordinator or designee, SECO, and the System Office of General Counsel (OGC) of the allegation of sexual assault, dating violence, domestic violence, or stalking.

⁶ 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.

⁷ For the purposes of this section, the complainant is assumed to be the victim. A non-victim complainant may not be afforded all the rights described in this section. Non-victim complainants are provided protection against retaliation for making a complaint.

The official contact diligently works to determine what occurred and further action that may be warranted based on the information provided. The official contact communicates with the complainant regarding resolution procedures (formal and informal options), the right of the complainant to decline to participate in an investigation or remain anonymous, and the right to request that no investigation occur⁸. The official contact is responsible for soliciting the complainant's preference for which procedures to use in resolving the matter.

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

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

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

- Receipt of the complaint stating the allegation
- Policy or policies alleged to have been violated and a copy of applicable university policies
- Date, time (if known), location, and nature of the alleged misconduct
- Identity (or pseudonym, if requested) of the complainant and alleged offender
- If the complainant has requested that a pseudonym be used in the institution's paperwork, the alleged offender will be verbally notified of the complainant's name
- Identity of and contact information for the IA
- Identity of the designated administrator⁹ (DA)
- Explanation of the prohibition against retaliation
- Instruction to the parties to preserve any potentially relevant evidence in any format

⁸ If the complainant requests that no investigation of the allegations occur, the institution will seek to honor the request whenever possible without impeding the institution's ability to protect the health and safety of the complainant and campus community while considering the circumstances and potential impacts of the complaint. The university reserves the right to initiate an investigation despite a complainant's request not to, in limited circumstances involving serious or repeated conduct where the alleged offender may pose a continuing threat to the campus community. The complainant is notified if the complainant's request cannot be honored.

⁹ The DA is the university official responsible for finalizing the investigation and determining actions to proceed subsequent to the investigation.

- Information about the university's process for challenging the neutrality or bias of the IA, DA, or appellate authority (AA)

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

Investigations provide both the complainant and alleged offender the same opportunities to have others present during any institutional proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor (any individual who provides the complainant or alleged offender support, guidance or advice) of their choice at their own cost. The choice or presence of an advisor is not limited for either the complainant or the alleged offender in any meeting or institutional disciplinary proceeding, however, restrictions regarding the extent to which the advisor will participate in the proceedings may be established and applied equally to both parties. All parties, including advisors, are informed of participation restrictions before a proceeding is conducted so that parties understand and respect the limitations. Each party's advisor participation during the interview(s) will be limited to the role of an observer, may not actively participate, may not address an involved university official, or advocate on behalf of the student. The advisor may request a break from the interview to give advice. The advisor cannot be called as a witness once they have assumed the role of advisor. Students who are charged in the same fact pattern, or who are not in good standing with the university are not eligible to serve as an advisor at conduct proceedings. The university has the right, at all times, to determine what constitutes appropriate behavior on the part of the advisor.

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

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

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

The student conduct conference is facilitated by the Student Conduct Administrator and a student conduct panel who are authorized and established by the TAMUG Assistant Vice President of Student Affairs or designee to conduct proceedings. The student conduct process provides that:

- Timely and equal access to any information that will be used during conduct conferences will be provided to the complainant, alleged offender, and appropriate officials.
- During the student conduct process the alleged offender and complainant have timely notice of meetings at which the complainant or alleged offender, or both, may be present. However, the student conduct panel may accommodate concerns for personal safety, well-being, and/or fears of confrontation of the complainant, alleged offender, and/or other witnesses during the conference at the discretion of the Student Conduct Administrator. The complainant is not required to attend the Student Life Conduct Conference.
- Both the complainant and alleged offender have the right to be assisted by an advisor as described above at any meeting related to the conduct process and related appeal. Admission of any other person to the student conduct conference shall be at the discretion of the Student Conduct Administrator.
- Prior to the decision of responsibility, pertinent records, exhibits, student impact statements and other written statements and responses may be accepted from both parties as information for consideration by the Student Conduct Panel at the discretion of the Student Conduct Administrator.
- A preponderance of evidence¹⁰ standard (the conduct more likely than not occurred) is used to reach conclusions regarding the allegations.

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

Students found responsible for sex-based violence and/or non-consensual sexual penetration of another person will be subject to a minimum sanction of a one-year suspension, in the absence of significant mitigating factors. Students found responsible for these acts who have demonstrated predation¹¹ for the purpose of carrying out these acts will be subject to permanent expulsion.

¹⁰ 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.”

¹¹ Predation is defined as an intent to engage in these acts prior to their occurrence demonstrating premeditation, planning or forethought, and is reflected in communicated intent (physical, verbal, visual, or written), threats directed at a party, attempts to incapacitate a party, attempts to isolate a party, utilizing violence, or other actions that a reasonable person would construe as a pre-meditation to engage in actions that are unwanted by/against the recipient. Committing any of these actions with an individual under the age of consent is also considered predatory.

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.

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

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

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

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

Proceedings provide both parties with the right to be informed of the outcome of the investigation. Results¹² are provided simultaneously and in writing by the TAMUG Assistant Vice President of Student Affairs or designee to both the complainant and alleged offender. Results are also provided to the IA. Procedures for the complainant and/or the alleged offender to appeal are provided with the documentation of results.

¹² 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.

Appeals¹⁵ of the decision, the sanctions, or both may be made by the complainant and/or the alleged offender. Appeals must be filed within 5 business days from receipt of the notice of the decision and/or sanctions to be appealed. An appeal should be submitted in writing to the Chair of the University Disciplinary Appeals Panel (Chair) and is considered filed when the Chair receives it. If no appeal is filed within 5 business days, the decision and sanctions are final and both parties are notified that the results from the initial hearing are final.

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

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

If the alleged offender is an employee or a third party

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

The official contact is responsible for reviewing the allegations, confirming the nature and circumstances of the allegations and requesting names of the parties with knowledge of the reported incident. A written statement of events may be requested at the time the complaint is filed. The official contact communicates resolution procedures (formal and informal options), explains the right of the complainant to decline to participate in an investigation or remain anonymous, and solicits the complainant's preference for which procedures to use in resolving the matter. Complainants may request an informal resolution, a formal resolution, or no investigation of their allegations (see footnote 8). The official contact or designee is responsible for making a preliminary determination about whether to resolve the case informally or through a formal investigation of the allegations.

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

¹⁵ Results (decision and/or sanctions) can be appealed on the following bases, as applicable: (a) a procedural error or omission that significantly impacted the outcome; (b) new evidence, unknown or unavailable during the investigation that could have significantly impacted the outcome; or (c) the appropriateness or severity of the sanctions (for sanctions imposed on student alleged offenders only).

that complainant. A complainant is not required to engage in informal procedures prior to requesting formal procedures. Either party may request the official contact pursue a formal investigation at any time.

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

If information is sufficient, the official contact or designee will appoint the investigative authority (IA) to initiate a formal investigation. The IA consists of one or more investigators from the university (such as a member of the Academic Civil Rights Investigation Committee if related to a faculty investigation) or the Texas A&M System, or an experienced external third party. The IA may be from the TAMUG campus or the main campus in College Station as determined by the official contact or designee. All persons serving in the process are to be impartial and free from bias or conflict of interest. Concerns about impartiality are addressed as necessary prior to the investigation. Investigators may also decline the assignment if they feel they cannot render an unbiased decision. Individuals conducting investigations and other decision makers, at a minimum, receive training annually which covers sexual assault, dating violence, domestic violence, and/or stalking, and how to conduct an investigation and hearing process that protects the safety of individuals involved and promotes accountability through prompt and equitable treatment.

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

- Receipt of the complaint stating the allegation
- Policy or policies alleged to have been violated and a copy of applicable university policies
- Date, time (if known), location, and nature of the alleged misconduct
- Identity (or pseudonym, if requested) of the complainant and alleged offender
- If the complainant has requested that a pseudonym be used in the institution's paperwork, the alleged offender will be verbally notified of the complainant's name
- Identity of and contact information for the IA
- Identity of the DA (see footnote 9)
- Explanation of the prohibition against retaliation
- Instruction to the parties to preserve any potentially relevant evidence in any format
- Information about the university's process for challenging the neutrality or bias of the IA, DA, or AA

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

During the investigation, both parties will have an equal opportunity to be heard, to submit information and corroborating evidence, to identify witnesses who may have relevant information, and to submit questions they believe should be directed by the IA to each other or to any witness. The IA reviews the complaint and

collects information to determine what occurred. Their process includes separately interviewing the complainant, the alleged offender, and third-party witnesses (observed the acts in question or have information relevant to the incident), if applicable, gathering other relevant and available evidence and records, and consulting with experts when necessary. The investigation is conducted in a manner that includes timely notice of meetings at which the complainant or alleged offender, or both, may be present. Timely and equal access to any information that will be used during the investigation is provided to the complainant, the alleged offender, and appropriate officials.

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

At the conclusion of the investigation, the IA prepares a draft investigation report summarizing the information gathered without conclusions. The complainant and alleged offender are notified that the draft investigation report is complete and are given the right to review the draft and provide a written response to the IA. Based on the responses, the IA determines if any new or relevant information has been provided by one or both parties necessitating additional investigative steps. If so, the IA proceeds with the additional steps and amends the investigation report as needed. The investigation report should include a statement of allegations, a list of witnesses interviewed, relevant documents, and may conclude that each allegation is substantiated, unsubstantiated, or there is insufficient information to substantiate. A preponderance of evidence standard (the conduct more likely than not occurred) is used to reach decisions regarding the allegations. The IA submits the investigation report, as amended, to OGC who, in coordination with SECO, conducts a legal review and returns it to the IA. The investigation report is then finalized by the IA.

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

Table 2 – Designated Administrators

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

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

When an employee is found to have sexually harassed (see definition in footnote 3) another member of the university or agency community, the sanction will be termination of employment.

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

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

The goal is to resolve complaints in a reasonably prompt timeframe of approximately 65 business days excluding any appeal period; however, extenuating circumstances requiring additional time may necessitate an extension with good cause. Examples include, but are not limited to, temporary unavailability of parties, information delays, holidays or periods when parties are unavailable, new allegations, new evidence, new witnesses that would require further investigation. Extensions must be justified in writing by the IA or DA (as appropriate), sent to the OREC, and reviewed and approved by the Chief Risk, Ethics, and Compliance Officer. The Title IX Coordinator or designee is also notified of extension requests when sent to the OREC. Written notice describing the delay and the reason for the delay is provided to the complainant and the alleged offender by OREC.

Proceedings provide both parties with the right to be informed of the outcome of the investigation. The results (see footnote 12) are provided simultaneously and in writing by the DA to both the complainant and the alleged offender. Procedures for the complainant and the alleged offender to appeal are provided with the documentation of results. Results are also provided to the IA and any other university personnel with a need to know. The complainant and alleged offender are notified simultaneously in writing of their right to review a copy of the finalized redacted investigation report and the exhibits after receiving admonishments as to privacy. The final investigation report is redacted in accordance with state and/or federal law before allowing complainant and alleged offender review.

Appeals (see footnote 13) of the DA's decision on the merits may be made by the complainant and/or the alleged offender. Appeals must be filed within 10 business days of the party's receipt of the notice of the decision to be appealed. An appeal should be submitted in writing to OREC and is considered filed when OREC receives it. If no appeal is filed within the 10 business days of receipt of notice of the decision on the merits, OREC will provide simultaneous notice that no appeal was filed and that the decision of the DA is final.

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

Table 3 – Appellate Authorities

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

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

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

For all investigations and disciplinary proceedings

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

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

Prevention and Awareness Programs¹⁴

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 for 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. All persons embarking on the Kennedy are required to complete sexual harassment and discrimination prevention training.

The Offices of the Dean of Student Life require a mandatory online training module (Haven) focused on sexual harassment, sexual assault, dating violence, domestic violence, and stalking. Each semester, the training is sent to all incoming Texas A&M University undergraduate, graduate, and professional students. New students are required to complete Haven training at all campuses with the exception of Texas A&M University Qatar.

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. All 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.

¹⁴ 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 is 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 offers online training for employees regarding violence and sexual harassment in the workplace that covers employee rights, responsibilities, strategies for prevention, 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 written notification is provided to students by the Assistant Vice President of Student Affairs and to employees by the Human Resources Department. These departments distribute an email annually (fall semester) that contains information covering how to report incidents, applicable policies, and other available options in addition to existing services and resources.

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 Reduction¹⁵

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

¹⁵ 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

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

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

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

As locations vary while the TS Kennedy is on a training cruise, sex offender registries also vary and can be searched by state at the following webpage: www.nsopw.gov/en-US/Registry.

Definitions of Clery Act Offenses

The following definitions originate from the Uniform Crime Reporting Program (federal), the State of Texas, and Texas A&M University institutional policies. Jurisdictional definitions applicable to the TS Kennedy campus, which serves as a traveling educational and training vessel, also reflect the State of Texas definitions as the Texas A&M University main campus is located in Texas where the standards of conduct apply.

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 [TAMUG Student Rules, 24. Student Conduct Code 24.1.10](#), incapacitation means the physical and/or mental inability to make informed, rational judgements. States of incapacitation include, but are not limited to, sleep, unconsciousness, and brownouts and blackouts (where an individual is awake but is not forming memories). Where alcohol or other drugs are involved, incapacitation is defined with respect to how the substance consumed impacts a person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. According to the [TAMUG Student Rules, 24. Student Conduct Code 24.4.20.1](#) in regards to sexual abuse, an individual who is mentally incapacitated, unconscious, or unaware that the sexual abuse is occurring is considered unable to give consent. The type of force employed may involve physical force, coercion, intentional impairment of an individual's ability to appraise the situation through the administering of any substance, or threat of harm to the victim.

Texas A&M University System Regulation

[System Regulation 08.01.01, Civil Rights Compliance](#) provides guidance in complying with local, state and federal civil rights laws and regulations and related system policy. This regulation establishes systemwide standards for the receipt and processing of complaints, appeals, or reports of discrimination, sexual harassment and/or related retaliation based on protected class including complaints made by employees, students, and/or third parties.

According to [System Regulation 08.01.01, Civil Rights Compliance](#), consent is clear, voluntary, and ongoing agreement to engage in a specific sexual act. Persons need to verbalize their consent to engage in a sexual act for there to be permission. Permission to engage in a sexual act may be indicated

through physical actions rather than words. A person who was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent.

Texas Penal Code

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

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

Sexual Assault is defined in the [Texas Penal Code, Section 22.011](#) as follows.

- (a) A person commits an offense if the person:
 - (1) intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
 - (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
 - (2) intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of a child by any means;
 - (B) causes the penetration of the mouth of a child by the sexual organ of the actor;
 - (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
 - (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
 - (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
- (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:
 - (1) the actor compels the other person to submit or participate by the use of physical force or violence;
 - (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;
 - (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
 - (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
 - (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
 - (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
 - (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
 - (8) the actor is a public servant who coerces the other person to submit or participate;

- (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
- (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or
- (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.
- (c) In this section:
- (1) "Child" means a person younger than 17 years of age.
 - (2) "Spouse" means a person who is legally married to another.
 - (3) "Health care services provider" means:
 - (A) a physician licensed under Subtitle B, Title 3, Occupations Code;
 - (B) a chiropractor licensed under Chapter 201, Occupations Code;
 - (C) a physical therapist licensed under Chapter 453, Occupations Code;
 - (D) a physician assistant licensed under Chapter 204, Occupations Code; or
 - (E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.
 - (4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:
 - (A) licensed social worker as defined by Section 505.002, Occupations Code;
 - (B) chemical dependency counselor as defined by Section 504.001, Occupations Code;
 - (C) licensed professional counselor as defined by Section 503.002, Occupations Code;
 - (D) licensed marriage and family therapist as defined by Section 502.002, Occupations Code;
 - (E) member of the clergy;
 - (F) psychologist offering psychological services as defined by Section 501.003, Occupations Code; or
 - (G) special officer for mental health assignment certified under Section 1701.404, Occupations Code.
 - (5) "Employee of a facility" means a person who is an employee of a facility defined by Section 250.001, Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.
- (d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.
- (e) It is an affirmative defense to prosecution under Subsection (a)(2):
- (1) that the actor was the spouse of the child at the time of the offense; or
 - (2) that:
 - (A) the actor was not more than three years older than the victim and at the time of the offense:
 - (i) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
 - (ii) was not a person who under Chapter 62, Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and
 - (B) the victim:
 - (i) was a child of 14 years of age or older; and
 - (ii) was not a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.

(f) An offense under this section is a felony of the second degree, except that an offense under this section is a felony of the first degree if the victim was a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.

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

Dating Violence is defined in the [Texas Family Code, Section 71.0021](#) as follows.

- (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:
- (1) is committed against a victim:
 - (A) with whom the actor has or has had a dating relationship; or
 - (B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
 - (2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- (b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:
- (1) the length of the relationship;
 - (2) the nature of the relationship; and
 - (3) the frequency and type of interaction between the persons involved in the relationship.
- (c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

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

Family Violence is defined by the [Texas Family Code, Section 71.004](#) as follows.

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

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

Stalking is defined in the [Texas Penal Code, Section 42.072](#) as follows.

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

Sec. 42.07. Harassment.

- (a) A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:

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

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used 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 or local violations of liquor, drug abuse, and weapons laws. Only violations of the law resulting in arrest or referral are disclosed. Violations of institutional policy alone are not included in Clery Act statistics.

Weapons: Carrying, Possessing, Etc.: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Classify as a weapons: carrying, possessing, etc. violation: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed (except as permitted by state law and institutional policy through state law) or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the aforementioned acts.

Drug Abuse Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine). Classify as a drug abuse violation: all drugs, without exception, that are illegal under local or state law where your institution is located and all illegally obtained prescription drugs.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Classify as a liquor law violation: the manufacture, sale, transporting, furnishing, possessing, etc. of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and attempts to commit any of the aforementioned acts.

Definitions of Clery Act Locations

On-campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls. This also includes any building or property that is within or reasonably contiguous to the geographic area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

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

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

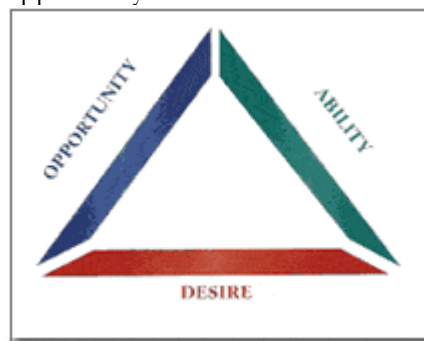
Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Texas A&M University at Galveston, TS Kennedy - Reportable Crimes

TAMUG began utilizing and offering courses at the TS Kennedy location for combined summer cruises in May 2018, therefore, statistics for calendar years 2015, 2016, and 2017 are not available nor required to be disclosed in the 2018 Annual Security Report.

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 and the TS Kennedy Master and ship's officers 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. 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, including TAMMA personnel and cadets. 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.

On board the TS Kennedy, it is the responsibility of all persons to become familiar with the ship's Safety Equipment Manual that includes a USCG approved Vessel Security Plan enforced by internal and external audits and inspections. The purpose of the Safety Equipment Manual is to provide students and employees instructions and procedures for a safe workplace and for protection of the environment in accordance with industry standards as well as encourage students and employees to be responsible for their own security and the security of others. All crew and cadets are required to complete a safety familiarization orientation process prior to boarding.

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 personal 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.

Every person aboard the TS Kennedy is expected to contribute to the overall security awareness of the vessel and actively participate in detecting potential security breaches. Mandatory security orientation is required of all individuals on board and many crew members receive additional specific training for the security duties they are assigned. Every person on board has an associated security bill assignment of duties which they are required to learn through the authority of the ship's Chief Mate. Individuals are instructed to immediately report loss of their port pass or any suspicious activity to any of the TS Kennedy officers.

Important Telephone Numbers

Area Code 409 (for all numbers listed below unless noted otherwise)

Emergencies-from off campus phone / Cell phones	911 for off campus; 911 or 9-911 for on campus	TAMUG Police Department	740-4545; After hours 771-5185
Police/Fire/Medical			
Galveston Police (non-emergency)	765-3702	Galveston Fire	797-3850
Galveston County Sheriff's Office	766-2322	Counseling and Career Services (student disability services)	740-4736
TS Kennedy Master	508-830-5000, extension 2133 (see footnote 1)	Roving Security Watch	UHF channel 2
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	TAMMA Superintendent	740-4703
TAMMA Operations Officer	740-4795		

Other Annual Security Reports and Annual Fire Safety Reports

Annual Security Reports and Annual Fire Safety Reports for other Texas A&M University locations are as follows and are available at the following Texas A&M University OREC website:

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

Other Texas A&M University Annual Security Reports

Texas A&M University College Station

<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/RELISAnnualSecurityReport.pdf>

Texas A&M University at Galveston

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

Texas A&M University at Qatar

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

Texas A&M University Mays Business School at CityCentre

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

Texas A&M University School of Law

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

Texas A&M University Health Science Center Bryan

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

Texas A&M University Health Science Center Dallas

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

Texas A&M University Health Science Center Houston

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

Texas A&M University Health Science Center Kingsville

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

Texas A&M University Health Science Center McAllen

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

Texas A&M University Health Science Center Round Rock

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

Texas A&M University Health Science Center Temple

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

Texas A&M University Higher Education Center at McAllen

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

Texas A&M University at Galveston, TS General Rudder

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

Other Texas A&M University Annual Fire Safety Reports

Texas A&M University College Station

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

Texas A&M University at Galveston

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

Texas A&M University Health Science Center Kingsville

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

Texas A&M University at Galveston, TS General Rudder

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

Texas A&M University at Galveston, TS Kennedy

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