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 Maritime Academy Summer Sea Term 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.

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


Annual Security Report Notifications ........................................................................................................ 3

Campus Law Enforcement Policies ........................................................................................................... 3

Reporting Crimes ........................................................................................................................................ 5

Missing Students ....................................................................................................................................... 6

Timely Warning Policy .............................................................................................................................. 8

Emergency Response and Evacuation Policy ............................................................................................. 9

The Daily Crime Log .................................................................................................................................. 10

Security of and Access to Campus Facilities ............................................................................................. 10

Maintenance of Campus Facilities ............................................................................................................. 11

Alcoholic Beverages, Illegal Drugs, and Weapons ..................................................................................... 11

Sexual Assault, Dating Violence, Domestic Violence, and Stalking ........................................................ 14

Other Considerations ............................................................................................................................... 46

Sex Offender Registry ............................................................................................................................... 46

Definitions of Clery Act Offenses ............................................................................................................. 47

Definitions of Clery Act Locations ............................................................................................................ 54

Texas A&M University Maritime Academy, Summer Sea Term - Reportable Crimes ......................... 56

Crime Prevention and Security Awareness ............................................................................................... 58

Important Telephone Numbers ................................................................................................................ 60

Other Annual Security Reports and Annual Fire Safety Reports ............................................................. 60
Texas A&M University Maritime Academy
Summer Sea Term


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

The Texas A&M University Maritime Academy (TAMMA) is a highly specialized maritime training and education program dedicated to cadets at Texas A&M University at Galveston (TAMUG). As part of the TAMMA program, a public vessel owned by the United States Department of Transportation’s Maritime Administration (Maritime Administration) is chartered by the TAMMA for a Summer Sea Term based on a School Ship Time Charter agreement (charter). During the Summer Sea Term, 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 2019 TAMMA Summer Sea Term 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 Training Ship (TS) Golden Bear was chartered from July 2019 to August 2019 for the 2019 TAMMA Summer Sea Term. Accordingly, policies included in the 2019 Annual Security Report reflect TS Golden Bear protocols as TS Golden Bear was active during calendar year 2019.

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:


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 Golden Bear 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 Golden Bear and the safety of all personnel while embarked on cruises. Under the direction and authority of the Master and the 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 the establishment of security protocols and 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 United States law.

During training cruises, the ultimate authority aboard the TS Golden Bear 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; Texas A&M University rules, regulations, and standard administrative policies; 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 policies, including student 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 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 is distributed by TAMUG 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 Golden Bear 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 regarding the investigation of alleged criminal offenses.

As the TS Golden Bear is only docked briefly at the TAMUG campus at the start of the summer cruise, there is no written agreement maintained between TAMUG UPD or Galveston local law enforcement regarding the investigation of alleged criminal offenses.

**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 Golden Bear conduct themselves in a way that is 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 is important as the training ship is a United States Public Vessel and as such, represents the United States, the State of Texas, and the TAMMA.

**Campus Law Enforcement Telephone Directory**

Website: [http://www.tamug.edu/police/](http://www.tamug.edu/police/)

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>TS Golden Bear Master</td>
<td>1303 1</td>
<td></td>
</tr>
<tr>
<td>Wheelhouse / Roving Security Watch</td>
<td>1302 / 409-877-2321 (cell)</td>
<td></td>
</tr>
<tr>
<td>Emergencies-from on campus phones/Police/Fire/Medical</td>
<td>911</td>
<td></td>
</tr>
<tr>
<td>TAMUG PD Cell Phone (on TAMUG campus)</td>
<td>409-771-5185</td>
<td></td>
</tr>
<tr>
<td>TAMMA Office (emergency/non-emergency)</td>
<td>409-740-4477/4706</td>
<td></td>
</tr>
<tr>
<td>TS Golden Bear Chief Mate</td>
<td>1394 1</td>
<td></td>
</tr>
<tr>
<td>TAMUG PD Chief of Police (on TAMUG campus)</td>
<td>409-740-4548</td>
<td></td>
</tr>
<tr>
<td>Non-Emergencies/General Assistance</td>
<td>409-740-4545</td>
<td></td>
</tr>
<tr>
<td>TAMMA Office</td>
<td>409-740-4477/4706</td>
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</tr>
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**Reporting Crimes**

**Incident Reporting and Response**

To report a crime or an emergency on the TS Golden Bear while at port, call 911, the Wheelhouse at 1302, or Roving Security Watch at 409-877-2321. When the TS Golden Bear 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 or by hailing UHF channel 2. Additionally the bridge can be called at 121 on the sound powered call system while the ship is underway. 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 Golden Bear 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 Golden Bear.

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director of Campus Living &amp; Learning</td>
<td>409-740-4469</td>
<td><a href="mailto:golemon@tamug.edu">golemon@tamug.edu</a></td>
</tr>
<tr>
<td>Associate Vice President for Administration and Auxiliary Services</td>
<td>409-740-4943</td>
<td><a href="mailto:challeng@tamug.edu">challeng@tamug.edu</a></td>
</tr>
<tr>
<td>Associate Vice President of Student Affairs</td>
<td>409-740-4598</td>
<td><a href="mailto:sutherlt@tamug.edu">sutherlt@tamug.edu</a></td>
</tr>
<tr>
<td>Assistant Commandant, Corps of Cadets</td>
<td>409-740-4588</td>
<td><a href="mailto:davidsoc@tamug.edu">davidsoc@tamug.edu</a></td>
</tr>
</tbody>
</table>

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.
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 the 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 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 required to be submitted to the TAMUG PD or VSO, while at sea, to potentially be included in the TS Golden Bear crime statistics and crime log. Annual crime statistics and the crime log are confidential in that personally identifiable information is not included in the disclosures.

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 Golden Bear during the cruise period.

**Missing Students**

No Texas A&M University cadets or students reside aboard TS Golden Bear unless the TS Golden Bear is on training cruise. Following are missing student policies in place while the TS Golden Bear is functioning as a training cruise location during the Summer Sea Term.
While the TS Golden Bear is operating a training cruise, the Master ensures accountability of all persons. Any official missing student report must be referred immediately to the Master, or, in the absence of the Master, to the local law enforcement agency with that has jurisdiction in the area. 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 (or hailed at UHF channel 2) or notify the bridge by calling 121 on the sound powered phone system. The Watch Officer will immediately contact the appropriate person to initiate the investigation of a missing person under the age of 21.

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 mission person, the Master will turn the ship about and order all hands on deck to search the sea for the mission person. The Master will also immediately call the USCG and other vessels in the area for assistance.

Each year, students residing on the TS Golden Bear 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 Golden Bear is determined to have been missing for 24 hours:

1. Gather needed information from reporting person. Any official missing student report must be referred immediately to the Master with all information provided regarding the missing student so that an investigation can be initiated. In the absence of the Master any official missing student report must be referred immediately to the local law enforcement agency with jurisdiction in the area.
2. If the student designated a contact person, TAMUG 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.

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.
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. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, TAMUG will inform the local law enforcement that has jurisdiction in the area that the student is missing within 24 hours.

**Timely Warning Policy**

TS Golden Bear 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 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 Golden Bear 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 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 (or hailed on UHF channel 2) or notify the bridge by calling 121 on the sound powered phone system. 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 Golden Bear 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 Golden Bear 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 USCG, 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 Golden Bear while at sea will evaluate the information to confirm whether a significant emergency or dangerous situation exists.

Emergency procedures aboard TS Golden Bear in port or at sea are well-defined and comply with federal law and TAMUG policy. All persons on board TS Golden Bear must be familiar with emergency signals and procedures including the station bill which lists all cadets’ duties in case of fire or other emergency.

Upon confirmation while the TS Golden Bear 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 an emergency. Participants are required to learn the emergency signals at the beginning of the cruise. When the signal is sounded, all cadets/crew will carry out assigned duties as per the station bill or as directed by the Master.

All segments of the TS Golden Bear 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 a victim 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.

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

**Registering for Emergency Notifications**

Students, Faculty, and Staff Access

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

**Disseminating Information to the Larger Community**

While the TS Golden Bear is at sea, the larger TAMUG community will not generally be notified of emergencies occurring on board the TS Golden Bear.
Emergency Preparedness
The TAMMA places the highest priority on personal safety and environmental protection. When the TS Golden Bear 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 Golden Bear 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 Golden Bear when at sea, the Master conducts one emergency drill or safety demonstration each week and all hands are required to participate. 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 station bills (matrices that list everyone on board and their duties including duties for various emergencies) are publicized by posting them throughout the vessel in public areas. Safety Management Manual procedures are publicized through communication during an initial safety course administered each year just prior to the training cruise and signal testing. 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 Golden Bear are tested prior to the ship getting underway and then daily while the ship is operating on a training cruise. Tests may be announced or unannounced. TS Golden Bear 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 Golden Bear the ship’s officers are responsible for keeping the ships logs. Crew members 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 Golden Bear is docked and connected to a shore communication line, the Master can be contacted by calling 1303, to obtain the log. 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) or the TAMMA Office (409-740-4706) can also assist with accessing the TS Golden Bear crime log.

Security of and Access to Campus Facilities
General Provisions
The TS Golden Bear is a public vessel, chartered by TAMUG and owned by the federal government’s Maritime Administration. The 2019 charter period is approximately 60 days. The vessel is delivered at a safe berth location as determined by the Maritime Administration at the start and end of the charter period. 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 Golden Bear’s security office. All other approved persons boarding the vessel must present valid identification.
Standers on duty prevent unauthorized individuals from entering the vessel. Access to certain areas of the ship (Master’s cabin, radio room, bridge, chart area, engineering spaces, Chief Officer’s office, officer berthing areas) are limited to personnel with specific business and/or as permitted by the Master or designees. Also, certain spaces are reserved for officers and faculty.

The Commandant staff will make berthing assignments utilizing requests from participants and are 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.

Cadet liberty (leave from the ship) is controlled by each respective unit’s cadet officers with the advice and consent of the Commandants. No overnight liberty is permitted. When cruise participants return from liberty, 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 Golden Bear’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 Golden Bear and its systems are also inspected and certified by the USCG as required 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 Student Services Center. The Work/Life Solutions Program by GuidanceResources (1-866-301-9612) manages substance abuse programs for employees and provides licensed counseling and referral services.

The following confidential mental health counselors are available on board the TS Golden Bear during the summer sea term and serve as resources to address alcohol and other drug abuse issues. The Associate Director of Counseling (409-740-4537, mccloudl@tamug.edu) is on board from Galveston, Texas, to Honolulu, Hawaii, and the Director of Counseling (409-740-4725, baileyk@tamug.edu) is on board from Honolulu, Hawaii, to Vallejo, California.

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

A listing of locations at Texas A&M University, including the TAMUG campus, approved for possession or use of alcohol can be found at https://cms.tamuds.tamu.edu/media/1601889/approved_sites.pdf as authorized in University Standard Administrative Procedure (SAP) 34.03.99.M0.01, Alcoholic Beverages. A licensed contracted vendor must be used to serve (sell) alcohol at events held in these approved locations. TAMUG Student Rules, Appendix VIII also prohibits alcohol use, possession, manufacturing, or distribution (including sales) of alcoholic beverages on TAMUG premises (including onboard the TS Golden Bear) and university sponsored events, except as expressly authorized by university policies.

The purchase, service (including sales), possession, and consumption of alcohol beverages in facilities under the control of the Texas A&M University System shall in all respects comply with state law (System Policy 34.03, Alcoholic Beverages). Texas A&M University prohibits the use or possession of alcoholic beverages on campus by any individual under the age of 21 (University SAP 34.03.99.M0.01 Alcoholic Beverages and TAMUG Student Rules, Appendix VIII). Alcohol is not permitted in dormitories housing students, even if the occupants are 21 years of age or older.

All purchases of alcoholic beverages by any member must comply with guidelines as established in System Policy 34.03, Alcoholic Beverages regarding the purchase’s source of funds, purpose, and required documentation.

The possession or consumption of alcohol onboard the TS Golden Bear is strictly prohibited. All TAMMA cadets are also required to comply with the Corps Operations Manual, Article 1202 - Alcohol Use. The Corps Operations Manual prohibits the following behaviors whether on or off campus: (1) consumption of alcohol while in uniform without designated approval; (2) consumption of alcohol while performing a duty representing the university or the Corps of Cadets during the period 12 hours prior to the duty and ending after completion of the duty; (3) public intoxication of cadets 21 years or older; (4) cadets 21 years or older allowing, providing, or not attempting to stop a cadet under the age of 21 from drinking alcohol; (5) providing
alcohol to minors; and (6) possession or consumption of alcohol by, or public intoxication of, cadets under the age of 21.

Consequences for policy violations could result in immediate dismissal from the TS Golden Bear and repatriation at the cadet’s expense; other sanctions adjudicated by the university, the Corps of Cadets, the TAMMA; and/or criminal charges/arrest for law violations. Cadets found responsible and sanctioned for violating the alcohol policy while on training-at-sea may be adjudicated upon returning from cruise, if not sooner.

In addition, while on any training cruise, all Cadets are subject to USCG alcohol testing. The Master or his designee may require alcohol testing for reasonable cause at any time. Suspension from the Corps of Cadets and the TAMMA is possible for refusal to test or if a cadet’s alcohol concentration exceeds what is stated in policy.

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, the Corps Operations Manual, and university policies regarding alcohol.

**Illegal Drugs Policy**

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

Additionally all TAMMA cadets are required to comply with the Corps Operations Manual, Article 1203 – Illegal Drug Use & Abuse of Legal Substances. During the training cruise and in accordance with USCG regulations, TAMUG shall randomly and/or periodically test documented Merchant Marine employees and Cadets for the following drugs: marijuana, cocaine, opiates, phencyclidine, and amphetamines. The Master or his designee may require drug testing for reasonable cause at any time. Positive drug tests and refusal to test may result in sanctions including removal from the training cruise and suspension from the Corps of Cadets and the TAMMA.

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, the Corps Operations Manual, and university policies regarding illegal drugs.

**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, club, or prohibited weapon on the physical premises of a school or
educational institution, to include any grounds or buildings on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle under the direct control of the school or 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 Golden Bear. The open carry of handguns is prohibited everywhere on campus including all land and buildings owned or leased by TAMUG. University SAP 34.06.02.M1.01 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 Golden Bear.

**Sexual Assault, Dating Violence, Domestic Violence, and Stalking**
The following policies apply to Texas A&M University students and employees on the TS Golden Bear campus, either while at sea or in port.

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

**Procedures for Reporting Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation**
Individuals have the option of notifying on-campus and local law enforcement authorities to report sexual assault, dating violence, domestic violence, or stalking. When the TS Golden Bear 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.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>TAMUG Police Department</td>
<td>409-740-4545</td>
</tr>
</tbody>
</table>

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

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

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

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

For individuals associated with the TS Golden Bear campus, information may be reported to any of the following campus officials who will immediately report the information to CREI:

From Galveston, Texas to Balboa, Puerto Rico
Colonel Mike Fossum (409-740-4408, fossum@tamug.edu)
Admiral Michael Rodriguez (409-740-4703, rodriguezm@tamug.edu)

From Balboa, Panama to Honolulu, Hawaii
Captain Allan Post (409-740-4477, post@tamug.edu)
Dr. Todd Sutherland (409-740-4598, sutherlt@tamug.edu)

From Seattle, Washington to Vallejo, California
Captain Allan Post (409-740-4477, post@tamug.edu)
Dr. Antonietta Quigg (409-740-4990, quigga@tamug.edu)

CREI’s Assistant Vice President and Title IX Officer is responsible for (1) overseeing the process of responding to allegations of prohibited conduct and (2) identifying and addressing any patterns or systematic problems that arise from the review of such complaints. The Assistant Vice President and Title IX Officer or designee shall decide whether this policy shall be applied to such allegations of prohibited conduct on a case-by-case basis.

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4 Exceptions include confidential employees and are described in the “Confidentiality/Privacy” section of this report.
by case basis. The decision of the Assistant Vice President and Title IX Officer is final and unappealable. Some conduct, while inappropriate, does not rise to the level of prohibited conduct. These behaviors are addressed by the appropriate disciplinary authority, e.g., Department Head, Student Conduct, Human Resources, etc., under rules or regulations other than this policy.

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

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

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

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

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

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

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

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

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5 The individual(s) subjected to the alleged discrimination.
is enrolled or employed for any violation by the person of the institution’s code of conduct reasonably related to the incident for which suspension or expulsion from the institution is not a possible punishment.

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

CREI conducts an initial review and preliminary assessment of all reports/complaints of alleged prohibited conduct to assess the safety and well-being of the complainant, respondent, and the campus community. For incidents reported as occurring on the TS Golden Bear, CREI will communicate and coordinate with the designated TS Golden Bear campus official for the applicable duration of the summer sea term to execute the initial review and preliminary assessment.

As part of the initial review, CREI will attempt to meet with the complainant to obtain more information about the allegations within 5 business days of receiving a report or complaint, or as soon as reasonably practical thereafter. Initial review steps include: (1) informing the individual reporting of the right to file a complaint with law enforcement (if applicable) in addition to filing a complaint with CREI, (2) providing assistance in notifying TAMUG PD or appropriate law enforcement authorities if the individual so chooses, (3) informing the individual of the right to decline to contact law enforcement, and (4) informing the individual of the right to file a complaint with state and federal agencies. In coordination and consultation with other university officials, CREI will offer the opportunity to request interim supports, academic adjustments, and protective measures to provide for the safety of the individual and campus community.

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

CREI provides a written notification of available resources, rights, and options to each individual reporting prohibited conduct, including sexual assault, dating violence, domestic violence, and stalking (whether the offense occurred on or off campus) regardless of whether the individual chooses to report the incident to local law enforcement or chooses to pursue institutional disciplinary measures or criminal remedies. The handout includes information regarding:

- the importance of preserving physical evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order;
- procedures about how and to whom the alleged offense should be reported;
- the option to notify proper law enforcement authorities including on-campus and local police;
- 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;

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6 An individual who is alleged to have discriminated against another.
• 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.

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 Golden Bear 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 options, give information, and provide emotional support. Personnel include: CREI (979-458-8407), Student Affairs (409-740-4598, sutherlt@tamug.edu), TAMUG Counseling Center (409-740-4736), Student Health Services (409-740-4736), Work/Life Solutions Program by GuidanceResources (1-866-301-9612), and the Galveston Resource Crisis Center (409-763-1441). While aboard the TS Golden Bear at sea or in a foreign port, the Master will provide the means for individuals to obtain reasonable and available resources. Additionally, the following confidential mental health counselors are available on board the TS Golden Bear during the summer sea term. The Associate Director of Counseling (409-740-4537, mclouddl@tamug.edu) is on board from Galveston, Texas, to Honolulu, Hawaii, and the Director of Counseling (409-740-4725, baileyk@tamug.edu) is on board the from Honolulu, Hawaii, to Vallejo, California.

Medical Treatment (as applicable to the specific incident)
It is important to seek immediate and follow-up medical attention for several reasons: first, to assess and treat any physical injuries sustained; second, to test for sexually transmitted infections or pregnancy and treat or take preventive measures; and third, to gather and preserve evidence that may assist in proving that the alleged criminal offense occurred or is occurring or may be helpful in obtaining a protective order. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected 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. Confidential employees include, but are not limited to, licensed health care providers and professional psychologists/counselors, who receive reports when acting in this capacity as part of their official employment. When an individual shares information with a confidential employee, the confidential employee will not reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. However, such information could be disclosed when: (1) the individual gives written consent for its disclosure; (2) there is a concern that the individual will likely cause serious physical harm to self or others; or (3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, the disabled, or the elderly.

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

The TAMUG Counseling Center (409-740-4736) and the Work/Life Solutions Program by GuidanceResources (1-866-301-9612) 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 Golden Bear at sea or in a foreign port, the Master will provide the means for individuals to obtain reasonable and available resources. Additionally, the following confidential mental health counselors are available on board the TS Golden Bear during the summer sea term. The Associate Director of Counseling (409-740-4537,

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7 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.
mccloudd@tamug.edu is on board from Galveston, Texas, to Honolulu, Hawaii, and the Director of Counseling (409-740-4725, baileyk@tamug.edu) is on board from Honolulu, Hawaii, to Vallejo, California.

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

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

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

**Resources, Rights, and Options**

Following an allegation of sexual assault, dating violence, domestic violence, stalking, and/or related retaliation the complainant, the respondent, and other affected individuals have certain resources, rights, and options available to them. Parties with an inquiry or complaint are informed of resources, rights, and options in writing when CREI or other designees receive notification of an incident whether it occurred on or off campus and regardless of whether the individual elects to pursue a criminal complaint or disciplinary measures. Other designees include personnel who are likely to receive reports of prohibited conduct in the Division of Student Affairs, Human Resources, and campus police. Available assistance is also covered through prevention and awareness education. Additional information about any of the resources, rights, and options discussed in this section can be requested from CREI.

While aboard the TS Golden Bear 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 Golden Bear have the same rights listed in this section of the report as others within the TAMUG campus community. The Master will implement protective

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8 Privacy means that the information related to a report of prohibited conduct will be shared in accordance with state and federal law. In addition, information may also be shared with a limited circle of university employees who need to know in order to assist in the receipt, investigation, and resolution of the report.
measures as effectively as possible. However, due to the small size and close quarters living environment of TS Golden Bear, the options available to the Master will be limited. In these cases, the Master will consult with CREI and/or TAMUG officials to implement the best possible solution.

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

### Law Enforcement

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<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>TAMUG Police Department</td>
<td>409-740-4545</td>
<td>Building 3026, Galveston Campus</td>
<td><a href="http://www.tamug.edu/police/">http://www.tamug.edu/police/</a></td>
</tr>
<tr>
<td>Galveston Police Department</td>
<td>409-765-3702</td>
<td>601 54th St., Galveston, TX 77551</td>
<td><a href="https://www.galvestontx.gov/165/Police-Department">https://www.galvestontx.gov/165/Police-Department</a></td>
</tr>
<tr>
<td>Galveston County Sheriff's Office</td>
<td>409-766-2322</td>
<td>601 54th St., Galveston, TX 77551</td>
<td><a href="http://sheriff.galvestoncountytx.gov/">http://sheriff.galvestoncountytx.gov/</a></td>
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### Counseling and Mental Health

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<th>Name</th>
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<tbody>
<tr>
<td>TAMUG Employee Assistance Program (The Work/Life Solutions Program by GuidanceResources)</td>
<td>1-866-301-9612</td>
<td>See website for location</td>
<td><a href="http://www.tamug.edu/hrd/Employees/EAP.html">http://www.tamug.edu/hrd/Employees/EAP.html</a></td>
</tr>
<tr>
<td>TAMUG Counseling Center (for students)</td>
<td>409-740-4736</td>
<td>Seibel Student Services Center #104 Galveston Campus</td>
<td><a href="http://www.tamug.edu/counsel/">http://www.tamug.edu/counsel/</a></td>
</tr>
<tr>
<td>TAMUG Director of Counseling (for students while on board the TS Golden Bear)</td>
<td>409-740-4725</td>
<td>On board the TS Golden Bear during the summer cruise from Honolulu, HI, to Vallejo, CA</td>
<td><a href="http://www.tamug.edu/counsel/">http://www.tamug.edu/counsel/</a></td>
</tr>
<tr>
<td>TAMUG Associate Director of Counseling (for students while on board the TS Golden Bear)</td>
<td>409-740-4537</td>
<td>On board the TS Golden Bear during the summer cruise from Galveston, TX, to Honolulu, HI</td>
<td><a href="http://www.tamug.edu/counsel/">http://www.tamug.edu/counsel/</a></td>
</tr>
</tbody>
</table>

### Medical and Health Services

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Health Services, UTMB Family Medicine Clinic</td>
<td>409-772-2166</td>
<td>Primary Care Pavilion, 400 Harborside Dr., Galveston, TX</td>
<td><a href="http://www.tamug.edu/counsel/Resources/HealthServices.html">http://www.tamug.edu/counsel/Resources/HealthServices.html</a></td>
</tr>
</tbody>
</table>
### Name | Phone | Address | Website
---|---|---|---
Mainland Medical Center | 409-938-5000 | 6801 Emmett F Lowry Expressway Texas City, TX | [http://www.mainlandmedical.com](http://www.mainlandmedical.com)
Clear Lake Regional Medical Center | 281-332-2511 | 500 Medical Center Blvd. Webster, TX | [http://www.clearlakermc.com](http://www.clearlakermc.com)

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>TAMUG Division of Student Affairs</td>
<td>409-740-4598</td>
<td>Seibel Student Services Center, Suite 101 Galveston Campus</td>
<td><a href="http://www.tamug.edu/student-affairs/index.html">http://www.tamug.edu/student-affairs/index.html</a></td>
</tr>
<tr>
<td>TAMUG Office of Human Resources</td>
<td>409-740-4532</td>
<td>Bldg. 3035, Room 115 Galveston Campus</td>
<td><a href="http://www.tamug.edu/hrd/">http://www.tamug.edu/hrd/</a></td>
</tr>
<tr>
<td>Bay Area Turning Point, Inc.</td>
<td>281-286-2525</td>
<td>210 South Walnut St., Webster, TX</td>
<td><a href="http://www.bayareaturningpoint.org">http://www.bayareaturningpoint.org</a></td>
</tr>
<tr>
<td>Houston Area Women’s Center</td>
<td>713-528-7273</td>
<td>1010 Waugh Drive, Houston, TX</td>
<td><a href="http://www.hawc.org/">http://www.hawc.org/</a></td>
</tr>
<tr>
<td>Advocacy Center for Children of Galveston County</td>
<td>409-741-6000</td>
<td>5710 Avenue S 1/2 Galveston, TX</td>
<td><a href="http://www.galvestoncac.org/">http://www.galvestoncac.org/</a></td>
</tr>
<tr>
<td>Texas Department of Family and Protective Services</td>
<td>1-800-252-5400</td>
<td>701 W. 51st Street Austin, TX</td>
<td><a href="https://www.dfps.state.tx.us/About_DFPS/default.asp">https://www.dfps.state.tx.us/About_DFPS/default.asp</a></td>
</tr>
<tr>
<td>U.S. Department of Education, Office for Civil Rights</td>
<td>1-800-872-5327</td>
<td>1999 Bryan St. Suite, 1510 Dallas, TX</td>
<td><a href="http://www2.ed.gov/about/offices/list/ocr/index.html">http://www2.ed.gov/about/offices/list/ocr/index.html</a></td>
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</table>

No TAMUG on-campus advocacy, and legal services are available.

### Visa and Immigration Assistance

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>International Student Services</td>
<td>979-845-1824</td>
<td>Pavilion, Room 110 Texas A&amp;M Campus</td>
<td><a href="http://iss.tamu.edu">http://iss.tamu.edu</a></td>
</tr>
</tbody>
</table>
Institutional Rights and Options (Interim Measures)
The institution is obligated to offer and provide assistance to the complainant, the respondent, and other affected individuals in obtaining a range of accommodations, support services, academic adjustments, and interim, remedial, and protective measures. The measures are intended to facilitate continued access to university employment, academic programs, and university activities; stop and prevent the reoccurrence of prohibited conduct; and support the individuals involved.

The institution is obligated to comply with the individual’s reasonable request for a living and/or academic situation change following an allegation of sexual assault, dating violence, domestic violence, or stalking. Upon the request of an individual involved with the report, CREI (979-458-8407) can assist with measures including, but not limited to, changing academic, living, transportation, and working situations and obtaining no contact directives. The various options are provided on a temporary or permanent basis (subject to periodic review), if requested, appropriate, and reasonably available, regardless of whether the individual chooses to report the incident to law enforcement or pursue disciplinary remedies. The university also provides reasonable interim, remedial, and protective measures to third parties as appropriate and available, taking into account the role of the third party and the nature of any contractual relationship with the university.

When an allegation of sexual assault, dating violence, domestic violence, or stalking is made, the institution will take prompt steps to provide interim measures before the investigation. These measures may be available regardless of whether a formal disciplinary investigation is pursued. The university will maintain the privacy of a person receiving support services, academic adjustments, or protective measures provided to the extent practical and will promptly address any violation of the protective measures. In determining which institutional measures to impose and the reasonableness of the related measures, CREI considers the request; the safety of the complainant, respondent, and the university community; the specific needs of the individuals; the severity or pervasiveness of the allegations; continuing effects; sharing of residence halls, dining halls, classes,
transportation, or job locations; other judicial measures already in place; and other factors as appropriate. CREI will also consider whether requesting an interim suspension or interim restriction (for student respondents) or an interim administrative action such as a leave of absence (for employee respondents) would enhance the safety and well-being of the complainant, respondent, and campus community.

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

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

No-contact Directive: A no contact directive is an interim measure issued by the institution that prohibits two parties from contacting one another through any means. No contact directives can be issued in addition to court ordered protection but may also serve as an alternative for those who do not want to seek a court order. A complainant or a respondent can request a no-contact directive through the CREI at 979-458-8407. CREI may issue a no-contact directive at any time prior to or during a conduct investigation based on information provided by the requestor. A no-contact directive may also be implemented as a sanction subsequent to a finding of responsibility. If good cause for a no-contact directive is determined, both parties are notified of the restrictions in writing. Records are maintained in the student conduct system for no-contact directives involving students.

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

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

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9 Interim restrictions may be imposed (1) when a student has been interim suspended; (2) when a determination is made to implement a transcript hold under Texas A&M System Regulation 11.99.02; and/or (3) in instances when the student's participation or representation would threaten or negatively impact other students who are participating and/or representing an organization or the university. When interim restrictions are imposed, a student will be notified in writing of the specifics of the restrictions and why the restrictions are being implemented. Restrictions will remain in place through a designated time period and/or, if not indicated, until the student is notified that the restriction has ended.
Interim suspensions may be imposed only to ensure the safety and well-being of members of the university community or guest, or preservation of university property; to ensure the student’s own physical or emotional safety and well-being; and/or if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the university.

If the Dean of Student Life issues an interim suspension, a show cause hearing will be scheduled as soon thereafter as practicable. The student will be notified in writing of this action and the reasons for the interim suspension. The notice will include the time, date, and place of a subsequent conference at which the student may show cause as to why his/her continued presence on the campus does not constitute a threat. The student may also contest whether the facts of the initial report are accurate.

The Dean of Student Life works in collaboration with appropriate TAMUG administrators to implement the interim suspension. During the interim suspension, a student may be denied access to campus housing and/or the campus (including classes) and/or all other university activities or privileges for which the student might otherwise be eligible.

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

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

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

**Legal Rights and Options**
The institution provides information and assistance to the complainant, the respondent, and other affected individuals in obtaining lawful orders issued by a criminal, civil, or tribal court including protective orders and criminal trespass warnings as discussed below. Failure to comply with any of the terms of lawful interim protective measures may be considered a separate violation in the institutional disciplinary proceeding.
**Protective Orders:** Individuals may apply for protective orders through the Texas criminal justice system. A protective order is an interim protective measure that requires the recipient to stay away from the protected individual’s home, workplace, and/or children’s schools (if the children are protected persons in the order) depending on the documented circumstances. It can require the recipient to stop communicating with the protected individual in a harassing or threatening manner, attend counseling, pay child support, and/or pay spousal support. An application for a protective order may be filed by an individual, a prosecuting attorney, or the Texas Department of Family and Protective Services (1-800-252-5400) on behalf of an individual. The application is obtained through the 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 respondent. 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 respondent to leave the premises and forbids him/her from entering and/or remaining on certain property which can cover either the entire campus or a specific campus location. To request a criminal trespass warning, contact TAMUG PD at 409-740-4545 and request to speak with an officer. The TAMUG PD officer issues the criminal trespass warning if the respondent is determined to pose a risk to campus safety based on information provided by the requestor as it relates to applicable state law and/or 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, respondent, or member of the university community has obtained a protective order, civil no-contact order, restraining order, or similar order from a court as described in this section, against another member of the university community, a copy of the order should be provided to the Chief Risk, Ethics, and
Compliance Officer. In conjunction with TAMUG PD and other university officials, the Chief Risk, Ethics, and Compliance Officer will take all reasonable actions authorized by law to implement the order.

Other Legal Options: The 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 Proceedings for Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation

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

- Timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings will be provided to the complainant, respondent, and appropriate officials.
- During the investigation the complainant and respondent have timely notice of meetings at which the complainant or respondent, or both, may be present.

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

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

If the alleged prohibited conduct occurs on the TS Golden Bear training cruise away from the TAMUG campus during the Summer Sea Term, the complainant and respondent 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 Golden Bear due to the its size and berthing layout.

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

10 For the purposes of this section, proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and the complainant, respondent, and other affected individuals concerning accommodations or protective measures.
• Inform the complainant formal resolution policies and solicit the complainant’s preferred method for resolving the matter. The complainant may request a formal resolution of the allegations of prohibited conduct or may request “no resolution” of the allegations or prohibited conduct.

• If applicable, inform the complainant of the right to use a pseudonym in university documents related to the complaint.

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

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

No Resolution
If the complainant requests that no resolution of the allegations occur, the university will seek to honor the request whenever possible without impeding the university’s ability to enhance the safety and security of the complainant and the university community. CREI will consider the following factors when evaluating such requests:

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

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

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

Formal Resolution
The allegations will be considered for investigation pursuant to the following procedures. CREI reserves the right to resolve the complaint through no resolution rather than a formal investigation if the allegation does not rise to the level of prohibited conduct.
Within 5 business days of the receipt of a report, or as soon as practicable thereafter, CREI may consult with the Texas A&M University System Office of General Counsel (OGC) as needed and make a preliminary determination about whether to conduct a formal investigation of the allegations. The preliminary determination may include, but is not limited to, the following:

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

If it is determined that there is insufficient information to proceed with an investigation; or that the allegations are baseless; or that the allegations, if true, would not constitute prohibited conduct; or, that an investigation will not occur due to the complainant’s request for no resolution, CREI may, after consultation with OGC, dismiss the complaint or refer the report to a different office at the university. The university office may review the conduct and take disciplinary action against the respondent for violations of other university rules, codes, regulations, policies, or SAPs, if applicable.

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

Within 2 business days of the IA’s appointment, the Assistant Vice President and Title IX Officer (or designee) shall simultaneously notify the complainant(s) and respondent(s) in writing of the commencement of the investigation. The notice of investigation will include:

- the identity (or pseudonym, if requested and applicable) of the complainant and the respondent;
- the date, time (if known), location, and nature of the alleged misconduct;
- the regulation(s), policy(s), rule(s), SAP(s), or code(s) alleged to have been violated and a copy of the Texas A&M University SAP 08.01.01.M1.01, Investigation and Resolution of Allegations of Prohibited Conduct Against Students, Employees, and Third Parties (SAP 08.01.01.M1.01);
- the identity of and contact information for the IA;
- the identity of the Designated Administrator (DA) and Appellate Authority (AA);\(^\text{12}\)
- an explanation of the prohibition against retaliation;
- an instruction to the parties to preserve any potentially relevant evidence in any format;

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

12 The DA reviews the investigation report, the documentary evidence, and any other relevant information and renders a written decision of responsibility based on the preponderance of the evidence as to 1) whether the conduct alleged occurred; and 2) whether each allegation has been substantiated, unsubstantiated, or that there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01. The DA may also render a written decision as to whether other regulations, codes, policies, rules or SAPs were violated. If violation(s) are found, the DA may issue sanctions. If the complainant or the respondent appeals the DA’s decision, the AA will review the investigation report, the DA’s decision, the documentary evidence, and any other relevant information and render a written decision on the appeal. All persons serving as DAs, AAs, and IAs will be impartial and free of conflicts of interest against the complainant or the respondent. Parties who are concerned about the impartiality of an individual serving in one of these roles should submit their concerns, in writing, to the Chief Risk, Ethics, and Compliance Officer (civilrights@tamu.edu) who may designate alternative individuals to fulfill any of these roles. If the concern is in relation to the Chief Risk, Ethics, and Compliance Officer serving in one of the capacities, the Vice President for Finance will have the option of designating a replacement.
• information about the university’s process for challenging the neutrality or bias of the IA, DA, or AA; and
• a redacted copy of the written complaint, if any, with appropriate admonishments about privacy.

If the complainant has requested that a pseudonym be used in the university’s paperwork, the respondent will be verbally notified of the complainant’s name at the respondent’s intake meeting. The notice will also include an assurance that the parties will be kept apprised of the status of the investigation and resolution process and provide a contact person for the party to contact for periodic update.

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

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

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

The IA will review the complaint, conduct a prompt, fair, thorough, and impartial investigation, and provide a draft investigation report for OGC review within approximately 30 business days from the issuance of the notice of investigation. Circumstances may warrant extensions to this timeframe. Abuse of the investigation and resolution process is subject to disciplinary action up to and including dismissal or separation from the university. Examples of abuse of process include, but are not limited to:

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

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

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

Investigations provide both the complainant and respondent the same opportunities to have others present during any institutional proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor (any individual who provides the complainant or respondent support, guidance or advice) of their choice. The advisor may be present at any time in which the party participates in the investigation and resolution process, including the filing of the complaint, the interview with the IA, and all other meetings related to the investigation and resolution of the complaint. The advisor may be any person selected by a party, including legal counsel, except that the advisor may not be another party or a witness in the case. Restrictions regarding the extent to which the advisor will participate in the proceedings may be established and applied equally to both parties. The advisor's participation will be limited to the role of an observer, although the advisor may request a break at any point to give advice to a party. An advisor can be barred from being present during the process if, in the judgment of the IA, the DA, the AA, or the Assistant Vice President and Title IX Officer, the advisor attempts to directly address the IA, DA or AA, advocate on behalf of a party, or is otherwise disruptive. All parties, including advisors, are informed of participation restrictions before a proceeding is conducted so that parties understand and respect the limitations. Any fees charged by the advisor are the responsibility of the individual who selected the advisor.

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

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

Standards for the resolution of criminal allegations are different than the standards for resolution of a violation of System Regulation 08.01.01 and/or any other university policy, rule, SAP, or code; therefore, the university will not base its decisions on any law enforcement determination and/or the outcomes of any criminal proceedings.
The IA has the sole discretion to determine the relevance of evidence and whether it should be included in or excluded from the investigation report. With respect to allegations of prohibited conduct based on sex or gender, the sexual history of the complainant or respondent is generally irrelevant and will not be used to prove character or reputation. Sexual history of the parties may be relevant in limited circumstances, such as when it aids in determining the manner and nature of prior communications of consent between the parties.

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

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

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

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

At the conclusion of the review and respond period, the IA will determine if any new or relevant information was provided by one or both of the parties. If necessary, the IA may pursue additional investigative steps and/or amend the investigation report. If the amended investigation report contains any material or substantial changes, the complainant and respondent will be given 5 business days to review the amended investigation report and submit a written response as set forth above. The opportunity to review and respond to an amended investigation report will be extended to the complainant and respondent until the IA determines that no material or substantial changes were made to the draft investigation report.

The IA may add a conclusion for each allegation to the investigation report after the final review and respond period concludes. The conclusion will be: substantiated, unsubstantiated, or insufficient information to substantiate based on the evidence and information in the report. In addition, the IA may add a conclusion as to whether System Regulation 08.01.01 was violated, and, if appropriate, the IA may make a conclusion as to whether other regulations, policies, rules, SAPs, or codes were violated. The IA will use the preponderance of the evidence standard (i.e., more likely than not) in making conclusions. The IA will not make any recommendations or conclusions with respect to sanctions. The conclusions of the IA are merely advisory and are not the final decision with respect to responsibility.
Within 5 business days after the final review and respond period concludes, CREI will forward the investigation report, as amended with conclusions (if applicable), along with the documentary evidence and any other relevant information, to the OGC. OGC will conduct a legal review in accordance with Section 4.2.5 of System Regulation 08.01.01. OGC will provide its legal review to the IA within 10 business days. After receiving the legal review, the IA will have 5 business days to finalize the investigation report. The Assistant Vice President and Title IX Officer (or designee) will submit the final report directly to the DA, appointed in accordance with the following table, for decision-making. In cases that involve a student respondent, all parties will receive an electronic copy of the final investigation report (which does not include conclusions or exhibits) at the time the report is sent to the DA. Exhibits may be reviewed upon request in CREI’s office.

### Designated Administrators

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

The respondent is presumed to not have engaged in prohibited conduct until the DA finds that there is sufficient evidence based on a preponderance of the evidence to find that the respondent has violated System Regulation 08.01.01 or Texas A&M University Rule 08.01.01.M1, **Prohibited Conduct: Discrimination, Harassment, Complicity, and Related Retaliation based on a Protected Characteristic.** If violation(s) are found, the DA may issue sanctions.

**Formal resolution procedures governing non-separable allegations against students**13 and all allegations against employees and third parties

The DA will (1) review the unredacted final investigation report, the documentary evidence, and any other relevant information; and, (2) draft a result14 (hereafter called decision) based on the preponderance of the evidence as to a) whether the alleged conduct occurred; and b) whether each allegation is substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01. The DA may also decide whether the respondent has violated any other regulations, rules, SAPs, codes, or policies. If any violations of System Regulation 08.01.01 are substantiated, the draft decision will include sanctions. The draft decision may also include sanctions for substantiated violations of regulations, rules, SAPs, codes, and policies.

In the decision, the DA will state the rationale for the decision and the sanctions, if any. The decision must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act

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

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

If the DA has substantial doubts about the thoroughness, fairness, and/or impartiality of the investigation, the DA may refer the matter back to the IA with further instructions, which could include the appointment of a different IA.

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

Once the DA receives OGC’s legal review, the DA will then have 5 business days to finalize the decision and 1) forward notice of the DA’s decision to the parties simultaneously and in writing16; and 2) in cases that involve an employee respondent, simultaneously notify the parties of their right to review a copy of the final investigation report, with conclusions and the exhibits, after receiving admonishments as to privacy and retaliation.

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

The DA will (1) review the unredacted final investigation report, the documentary evidence, and any other relevant information; and, (2) conduct a live hearing to allow the parties to present witnesses, evidence or information, and to cross-examine the other parties or witnesses by submitting written questions to the DA (questions will be asked by and at the discretion of the DA). If applicable, the DA has the sole discretion to determine the relevance of evidence and whether it should be heard at a live hearing. The Rules of Evidence do not apply in a live hearing. Thereafter, the DA will announce a decision (see Footnote 14), based on the preponderance of the evidence, as to a) whether or not the alleged conduct occurred; and b) whether each allegation is substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01. The DA may also announce a decision as to whether the respondent violated any other university regulation, code, policy, SAP, or rule.

If the DA determines that any regulations, policies, rules, SAPs, or codes have been violated, the DA will conduct a second hearing on sanctions immediately following the first hearing. The DA will receive

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

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

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

Thereafter, the DA will simultaneously notify the parties, in writing, of the decision on responsibility and sanctions (see Footnote 15). In the decision, the DA will state the rationale for the decision and the sanctions, if any. The decision must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, the result must include the rationale for the decision and the sanctions. The decision of the DA will include how the university weighted the evidence and information contained within the investigation report, how the evidence and information support the decision and sanctions, and how the standard of proof was applied. The final decision will include information about appealing the decision and/or sanctions.

The goal is to resolve complaints in a reasonably prompt timeframe not to exceed 90 business days excluding any appeal period; however, extenuating circumstances requiring additional time may necessitate an extension with good cause. Written notice of the delay and the reason for the delay is provided to the complainant and the respondent by CREI or designee.

Sanctioning for Employees
If an employee is found to have sexually harassed (see Footnote 3) another member of the university or agency community, the sanction will be termination of employment. If an employee is found to have engaged in prohibited conduct other than sexual harassment, the DA may assign appropriate sanction(s) which may have educational, restorative, punitive, and rehabilitative components. Sanctions include written warning or reprimand, required training and/or attendance at counseling, no contact directives, probation, suspension, and termination.

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

Sanctioning for Students
If a student is found responsible for sexual harassment, sexual assault, domestic abuse/violence, dating abuse/violence, stalking based on sex or gender, or sexual exploitation, the student will be sanctioned in accordance with the Texas A&M Student Sanctioning Matrix which is described in the following table. If a student is found responsible for engaging in any other form of prohibited conduct, or if the student is found responsible for violating any other university rule or System regulation, the DA will assign appropriate sanctions which may have educational, restorative, and rehabilitative components.

<table>
<thead>
<tr>
<th>Prohibited Conduct</th>
<th>Example Behaviors</th>
<th>Stage 1 Sanction</th>
<th>Stage 2 Sanction</th>
<th>Stage 3 Sanction</th>
<th>Stage 4 Sanction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Sexual innuendos, jokes, remarks, questions</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prohibited Conduct</td>
<td>Example Behaviors</td>
<td>Stage 1 Sanction</td>
<td>Stage 2 Sanction</td>
<td>Stage 3 Sanction</td>
<td>Stage 4 Sanction</td>
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<td>---------------------------------------------------------</td>
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<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Sexual gestures and/or gifts of a sexual nature</td>
<td>•</td>
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</tr>
<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Display of sexually explicit visual material</td>
<td>•</td>
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<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Pressuring another person for dates or sexual favors</td>
<td>•</td>
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<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Depriving another person educational access, benefits, opportunities</td>
<td>•</td>
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<tr>
<td>Sexual harassment that is severe, persistent, or pervasive</td>
<td>Threats in retaliation for reporting sexual misconduct, dating/domestic violence, and/or stalking (includes deprivation of and educational opportunity or benefits)</td>
<td>•</td>
<td>•</td>
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<td></td>
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<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Intimidation: Using actions, gestures, and tone of voice to indicate a threat of violence</td>
<td>•</td>
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<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Preventing complainant from calling for help</td>
<td>•</td>
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<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Destruction of property</td>
<td>•</td>
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<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Physical abuse: Pushing, shoving, hair-pulling, scratching, hitting, using force to prevent partner from leaving</td>
<td>•</td>
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<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Intimidation or Physical abuse in retaliation for reporting sexual misconduct, dating/domestic violence, and/or stalking</td>
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<tr>
<td>Domestic Abuse/Violence or Dating Abuse/Violence</td>
<td>Displaying weapons, throwing objects at a person with potential to injure</td>
<td>•</td>
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<tr>
<td>Stalking</td>
<td>Repeated, unsolicited phone calls, emails, texts, and/or gifts to another person and/or their family/household</td>
<td>•</td>
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<tr>
<td>Stalking</td>
<td>Repeatedly following another person or conducting surveillance of another person and/or their family/household</td>
<td>•</td>
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<tr>
<td>Stalking</td>
<td>Repeated, unsolicited visits to another person’s home, business, and/or class, and/or that of their family/household</td>
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<tr>
<td>Stalking</td>
<td>Repeated, unsolicited contact or attempts to contact via social media</td>
<td>•</td>
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<tr>
<td>Stalking</td>
<td>Intimidation or physical abuse in retaliation for reporting sexual misconduct, dating/domestic violence, and/or stalking</td>
<td>•</td>
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<td></td>
</tr>
<tr>
<td>Stalking</td>
<td>Assuming another’s identity in order to make contact with complainant</td>
<td>•</td>
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<tr>
<td>Non-consensual sexual contact</td>
<td>Unwelcomed kissing and/or light touching over clothing</td>
<td>•</td>
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<td></td>
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<tr>
<td>Non-consensual sexual contact</td>
<td>Non-genital fondling, groping or heavy touching</td>
<td>•</td>
<td>•</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-consensual sexual contact</td>
<td>Unwelcomed increased touching, fondling, groping, or genital touching</td>
<td>•</td>
<td>•</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-consensual sexual contact</td>
<td>Unwelcomed touching, fondling, groping or genital touching</td>
<td>•</td>
<td>•</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexual Abuse</td>
<td>Oral sex</td>
<td>•</td>
<td>•</td>
<td></td>
<td></td>
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<tr>
<td>Sexual Abuse</td>
<td>Penetration (by sex organs)</td>
<td>•</td>
<td>•</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexual Abuse</td>
<td>Penetration (by means other than sex organs)</td>
<td>•</td>
<td>•</td>
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<td></td>
</tr>
</tbody>
</table>

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

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

Texas A&M Student Sanctioning Matrix - Stage 3 Sanctions

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

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

At the end of the suspension period, the student is eligible for reenrollment. Actual admission to the university will be determined by the academic rules in place at the time of application for reenrollment. If admitted, the student is required to attend a mandatory meeting with the Division of Student Affairs (409-740-4598) prior to course registration.

Texas A&M Student Sanctioning Matrix - Stage 2 Sanctions

Conduct Probation: An official warning that the student’s conduct is in violation of Texas A&M University regulations, policies, rules, codes, or SAPs, but is not sufficiently serious to warrant expulsion or suspension. A student on conduct probation is deemed “not in good standing” with the university (see Footnote 17). If there is a finding of responsibility for subsequent violations of the university’s regulations, policies, rules, codes, or SAPs during this period of time, more severe sanctions may be administered.

Texas A&M Student Sanctioning Matrix - Stage 1 Sanctions

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

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

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

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

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

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

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

**Minimum Sanctions**

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

In addition, students found responsible for sex-based violence and/or non-consensual sexual penetration of another person will be subject to a minimum sanction of a one-year suspension, in the absence of significant mitigating factors. Students found responsible for these acts who have demonstrated predation\(^{18}\) for the purpose of carrying out these acts will be subject to permanent expulsion.

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

**Campus Housing Sanctions**

In addition to the sanctions specified in the Texas A&M Student Sanctioning Matrix, occupants of each residence hall, by majority vote, have the power to establish additional “in house” rules approved by CL&L. Generally, “in house” rule infractions are handled by CL&L staff. Campus housing sanctions are described below.

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\(^{18}\) 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-medication 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.
Loss of Campus Housing Privilege: Removal from university housing for conduct reasons.

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

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

Corps of Cadets Sanctions

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

Appeals

Appeals of the decision, the sanctions, or both may be made by the complainant and/or the respondent. All appeals will be confined to a review of the record from the investigation and any pertinent evidence, as well as the DA’s decision as related to the grounds for appeal. The appeal does not create an entitlement to a new investigation.

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

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

If a timely and valid appeal is filed by either party, the other party will be notified as soon as practical thereafter. CREI will forward the appeal and any supporting information or evidence to the appropriate AA in accordance with the following table.

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19 Results (decision and/or sanctions) can be appealed on any of all of the following bases, as applicable: (a) a procedural error or omission that significantly impacted the outcome; (b) new evidence, unknown or unavailable during the investigation that could have significantly impacted the outcome; or (c) the appropriateness or severity of the sanctions. If an employee was found to have sexually harassed another member of the university or agency community, the appropriateness or severity of the sanction cannot be appealed.
If the allegations are against a:

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

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

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

- **Affirm** the DA’s decision on responsibility and/or the sanctions. There are no relevant issues of concern related to the ground(s) of the appeal, and, therefore, the decision is affirmed and final.

- **Remand** the complaint back to the DA because new evidence, which was unknown or unavailable during the investigation, appears to be relevant and could have significantly affected the outcome of the decision on responsibility or the sanctions. The DA will instruct the IA to review the new evidence and amend the investigation report, as appropriate. The IA will submit the amended investigation report, without conclusions, to the parties for review and response and then to the DA for a new decision in accordance with the established formal investigation procedures. The new decision of the DA may be appealed by the parties in accordance with the previously described appeal procedures.

- **Remand** the complaint back to the DA with an instruction to correct the procedural error or omission. If the procedural error occurred during the investigation phase, the DA will instruct the IA to correct the procedural error or omission and amend the investigation report, as appropriate. The IA will then submit the amended investigation report, without conclusions, to the parties for review and response and then to the DA for a new decision in accordance with the established formal investigation procedures. If the procedural error occurred in the resolution phase, the DA will correct the procedural error or omission and then issue a new decision in accordance with established formal investigation procedures. The new decision of the DA may be appealed by the parties in accordance with the previously described appeal procedures.

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

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

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20 If an employee was found to have sexually harassed another member of the university or agency community, the AA may not render a decision which modifies the sanctions.
Extensions
The university will make every reasonable effort to comply with the timelines contained in this procedure. However, extensions may be obtained by the IA, DA, or AA, as appropriate under the circumstances. Circumstances that warrant an extension may include, but are not limited to:

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

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

For all investigations and disciplinary proceedings
If the respondent has multiple roles at the university, such as when the respondent is both a student and an employee, the Chief Risk, Ethics, and Compliance Officer will consult with other relevant university officials and determine which procedure(s) to follow in the investigation and resolution of the allegations of prohibited conduct as well as other policy violations. The Chief Risk, Ethics, and Compliance Officer will consider the known facts and circumstances, including which role predominates in the context of the prohibited conduct.

The university’s disclosure of information related to an investigation, the DA’s decision and/or the sanctions rendered are governed by the provisions of FERPA, the Texas Public Information Act (TPIA), the Texas Education Code Section 51.971, and other applicable confidentiality laws.

Prevention and Awareness Programs
Primary prevention programs are directed at incoming students and new employees. The primary programs are defined as programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexual interactions, 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, and 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

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21 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.
procedures victims should follow if sexual assault, dating violence, domestic violence, or stalking occurs and procedures the institution will follow when one of these behaviors is reported. This includes, but is not limited to, the importance of preserving evidence; options for notifying law enforcement and campus authorities; procedures for institutional disciplinary action and conduct proceedings; possible sanctions following a proceeding; on-campus and community resources; rights and options for obtaining lawful orders; assistance in receiving support measures and remedial action; how the institution will protect the confidentiality of victims and other necessary parties; and protection from retaliation.

The Associate 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 TS Golden Bear are required to complete sexual harassment and discrimination prevention training.

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

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.

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 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 Associate 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: Director of Counseling and Career Services, Associate Vice President for Student Affairs, University Police Department Chief of Police, Outreach at Resource and Crisis Center of Galveston County, 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 programs 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**
  Presented by: Director of Counseling and Career Services, Assistant Director of Counseling, Assistant Director Counseling and Disability Services, 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 as requested*

- **Stranger Danger: Gig ‘Em Week Event**  
  Presented by: Student Development Specialist II, 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: Student Development Specialist II; Executive Director, AIDS Coalition Coastal Texas; 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: UTMB RAD Instructor, 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: Student Development Specialist II, 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: Student Development Specialist II, Assistant Director of Diversity Services, Resource Education and Development Coordinator at Resource and Crisis Center, 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 Reduction**

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

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

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

- Be aware of your surroundings
- Practice responsible drinking; alcohol is a factor in many sexual assaults
- Never leave your drink unattended

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22 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.
• 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 disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purposes of this paragraph.

Institutions are required to provide both the complainant and the respondent with simultaneous written notification of any result of any institutional conduct proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking. In these cases, it is not necessary for the victim to make a written request.

**Sex Offender Registry**

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

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

The DPS Texas Public Sex Offender Registry is found at [https://records.txdps.state.tx.us/SexOffender/](https://records.txdps.state.tx.us/SexOffender/).

As locations vary while the TS Golden Bear 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](http://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 Golden Bear 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 (UCR) Program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent (see consent section below).

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Consent:
Texas A&M University System Regulation
**System Regulation 08.01.01, Civil Rights Compliance** provides guidance in complying with local, state and federal civil rights laws and regulations and related system policy. This regulation establishes system-wide standards for the receipt and processing of complaints, appeals, or reports of discrimination, sexual harassment and/or related retaliation based on protected class including complaints made by employees, students, and/or third parties.

According to **System Regulation 08.01.01, Civil Rights Compliance**, consent is clear, voluntary, and ongoing agreement to engage in a specific sexual act. Persons need not verbalize their consent to engage in a sexual act for there to be permission. Permission to engage in a sexual act may be indicated through physical actions rather than words. A person who was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent.

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

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

Sexual Assault is defined in the Texas Penal Code, Section 22.011 as follows.

(a) A person commits an offense if:
   (1) the person intentionally or knowingly:
      (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
      (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
      (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
   (2) regardless of whether the person knows the age of the child at the time of the offense, the person intentionally or knowingly:
      (A) causes the penetration of the anus or sexual organ of a child by any means;
      (B) causes the penetration of the mouth of a child by the sexual organ of the actor;
      (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
      (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor;
      (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 or applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
(2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

(1) the length of the relationship;

(2) the nature of the relationship; and

(3) the frequency and type of interaction between the persons involved in the relationship.

(c) A casual acquaintance 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:

2. "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

Sec. 42.07. Harassment.

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

1. initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;
2. threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
3. conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
(4) causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
(5) makes a telephone call and intentionally fails to hang up or disengage the connection;
(6) knowingly permits a telephone under the person's control to be used by another to commit an offense under this section; or
(7) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

(b) In this section:
(1) "Electronic communication" means a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. The term includes:
   (A) a communication initiated through the use of electronic mail, instant message, network call, a cellular or other type of telephone, a computer, a camera, a text message, a social media platform or application, an Internet website, any other Internet-based communication tool, or facsimile machine; and
   (B) a communication made to a pager.
(2) "Family" and "household" have the meaning assigned by Chapter 71, Family Code.
(3) "Obscene" means containing a patently offensive description of or a solicitation to commit an ultimate sex act, including sexual intercourse, masturbation, cunnilingus, fellatio, or anilingus, or a description of an excretory function.

(c) An offense under this section is a Class B misdemeanor, except that the offense is a Class A misdemeanor if the actor has previously been convicted under this section.

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used 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. Arises 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 Maritime Academy, Summer Sea Term - Reportable Crimes

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

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year 2016</th>
<th>Year 2017</th>
<th>Year 2018</th>
<th>Year 2016</th>
<th>Year 2017</th>
<th>Year 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder / Non-negligent Manslaughter</td>
<td>0</td>
<td>0</td>
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<td>Manslaughter By Negligence</td>
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<tr>
<td>Sex Offenses, Fondling</td>
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<td>0</td>
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<tr>
<td>Sex Offenses, Incest</td>
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</tr>
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<td>Robbery</td>
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</tr>
<tr>
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<td>0</td>
<td>0</td>
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</tr>
</tbody>
</table>

23 Reportable crimes in the tables on this page and the next page include statistical data reported to the institution during calendar years 2018, 2017, and 2016 for Clery Act crimes that are reported to have occurred on each ship for the time period specified in the charter, i.e., during each year’s respective TAMMA Summer Sea Term. Ships chartered during the 2018, 2017, and 2016 Summer Sea Terms include the TS Kennedy (2018 and 2017), TS Golden Bear (2017 and 2016), TS State of Michigan (2017 and 2016), and TS State of Maine (2017 and 2016).

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

25 September 2019 Changes to Prior Year Statistics in the 2019 Annual Security Report
The following change is included in the statistical table above based on a review of the nature and location of a single alleged incident reported to the university in calendar year 2017. One fondling count is included based on information from the complainant and all other available information.

Calendar year 2017 Sex Offenses, Fondling in the On Campus Property category increased from 0 to 1.
<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>On Campus Property</th>
<th>Residential Facilities (subset of on campus property)</th>
<th>Public Property</th>
<th>Unfounded Crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hate Crimes</td>
<td>2016</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(In 2016, 2017, and 2018 there were no reported criminal incidents involving hate/bias.)</td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Violence Against Women Act of 2013 (VAWA) Offenses</td>
<td></td>
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<tr>
<td>Domestic Violence</td>
<td>2016</td>
<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>2017</td>
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<td>0</td>
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<td>0</td>
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<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dating Violence</td>
<td>2016</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Stalking</td>
<td>2016</td>
<td>0</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
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</table>

Arrests and Disciplinary Referrals

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>On Campus Property</th>
<th>Residential Facilities (subset of on campus property)</th>
<th>Public Property</th>
<th>Unfounded Crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrests: Weapons Carrying, Possessing, Etc.</td>
<td>2016</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2017</td>
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<td>2018</td>
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<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Disciplinary Referrals: Weapons Carrying, Possessing, Etc.</td>
<td>2016</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td></td>
<td>2017</td>
<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arrests: Drug Abuse Violations</td>
<td>2016</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>2018</td>
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<td>0</td>
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<tr>
<td></td>
<td>2017</td>
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<tr>
<td></td>
<td>2018</td>
<td>0</td>
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<tr>
<td>Arrests: Liquor Law Violations</td>
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<tr>
<td></td>
<td>2017</td>
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<td>2018</td>
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<td>Disciplinary Referrals: Liquor Law Violations</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>2017</td>
<td>0</td>
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<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
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</tr>
</tbody>
</table>

Reportable crimes in the tables on this page and the previous page include statistical data reported to the institution during calendar years 2018, 2017, and 2016 for Clery Act crimes that are reported to have occurred on each ship for the time period specified in the charter, i.e., during each year’s respective TAMMA Summer Sea Term. Ships chartered during the 2018, 2017, and 2016 Summer Sea Terms include the TS Kennedy (2018 and 2017), TS Golden Bear (2017 and 2016), TS State of Michigan (2017 and 2016), and TS State of Maine (2017 and 2016).
Crime Prevention and Security Awareness

It is important for all of us to understand our role in the reduction of crime. A conceptual aid often employed by crime prevention practitioners is referred to as the Crime Triangle. For any crime to occur three elements must be present: desire, ability and opportunity.

Members of the university community easily recognize there is little that can be done to control the criminal's ability and desire. The university community's greatest strength in the prevention of crime is our initiative to reduce or eliminate the opportunity for a crime to occur.

A primary goal of the TAMUG PD and the TS Golden Bear Master and ship's officers is the prevention of crime before it occurs. Because campus police and security 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. Reporting any crime or suspected crime immediately is helpful and may prevent someone else from becoming a victim of a more serious crime.

TAMUG departments continually present 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 Office of Emergency Management, 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 designated 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.

Other programs provided by TAMUG PD and designed to prevent crimes on campus include:

- Escort service, 24 hours a day, seven days a week for students on the TAMUG Campus.
• 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.

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 Victims Assistance Program Coordinator at the Galveston County District Attorney's Office. 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.

On board the TS Golden Bear, it is also the responsibility of all persons to become familiar with the ship’s Safety Management Manual. The Safety Management Manual provides students and employees with instructions and procedures to provide a safe workplace and for protection of the environment in accordance with industry standards. The Safety Management Manual includes a USCG approved Vessel Security Plan enforced by internal and external audits and inspections. The Vessel Security Plan is developed by taking into account the security level of the ship and ports and describes protective measures to be implemented such as access control onboard, monitoring restricted areas, cargo handling, receiving of stores/baggage, etc. Every person aboard the TS Golden Bear is expected to contribute to the overall security awareness of the vessel and actively participate in detecting potential security breaches. Every person aboard will receive a ship-specific security orientation and is assigned an associated security bill assignment of duties in accordance with the Vessel Security Plan. All persons are required to familiarize themselves with their security duty assignments through the authority of the ship’s Chief Mate, as the VSO. The Chief Mate has the authority to promulgate security instructions to any or all crew. Immediate compliance to the instructions is required.

The security bill is designed encourage students and employees to be responsible for their own security and the security of others. All persons are instructed to fully cooperate and execute the security regulations such as ID card checks, baggage searches, personal scanning or any other authorized action necessary to comply
with the Vessel Security Plan. Individuals are instructed to immediately report loss of their port pass or any suspicious activity on or near the vessel to a TS Golden Bear security officer via the gangway watch.

**Important Telephone Numbers**

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

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
<th>Notes</th>
</tr>
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<tbody>
<tr>
<td>Emergencies-from off campus phone / Cell phones Police/Fire/Medical</td>
<td>911 for off campus; 911 or 9-911 for on campus</td>
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<tr>
<td>Galveston Police (non-emergency)</td>
<td>765-3702</td>
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<tr>
<td>Galveston County Sheriff’s Office</td>
<td>766-2322</td>
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<tr>
<td>TS Golden Bear Master</td>
<td>1303 (see Footnote 1)</td>
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<tr>
<td>Facilities Services</td>
<td>740-4547</td>
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<td>Crime Stoppers 763-TIPS</td>
<td>763-8477</td>
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<td>Department of Public Safety</td>
<td>766-2285</td>
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<tr>
<td>FBI</td>
<td>935-7327</td>
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<tr>
<td>Environmental Health &amp; Safety</td>
<td>741-4055</td>
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<tr>
<td>TAMMA Operations Officer</td>
<td>740-4795</td>
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<tr>
<td>TAMMA Office (non-emergency)</td>
<td>740-4706</td>
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<tr>
<td>TAMMA Superintendent</td>
<td>740-4703</td>
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<tr>
<td>TAMMA Office (emergency)</td>
<td>740-4477</td>
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<tr>
<td>Student Affairs</td>
<td>740-4598</td>
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<td>Galveston Public Transportation System</td>
<td>797-3900</td>
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<td>Counseling and Career Services</td>
<td>740-4736</td>
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<tr>
<td>Roving Security Watch</td>
<td>409-877-2321 (see Footnote 1)</td>
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<tr>
<td>Student Health Services</td>
<td>772-2166</td>
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<tr>
<td>Campus Escorts</td>
<td>740-4545</td>
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<td>FBI</td>
<td>935-7327</td>
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<td></td>
</tr>
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</table>

**Other Annual Security Reports and Annual Fire Safety Reports**

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


Other Texas A&M University Annual Security Reports

Texas A&M University College Station

Texas A&M University O.D. Butler, Jr. Animal Science Complex and University Farm

Texas A&M University RELLIS Campus

Texas A&M University at Galveston

Texas A&M University at Qatar
Texas A&M University Mays Business School at CityCentre
Texas A&M University School of Law
Texas A&M University Health Science Center Bryan
Texas A&M University Health Science Center Dallas
Texas A&M University Health Science Center Houston
Texas A&M University Health Science Center Kingsville
Texas A&M University Health Science Center McAllen
Texas A&M University Health Science Center Round Rock
Texas A&M University Health Science Center Temple
Texas A&M University Higher Education Center at McAllen
Texas A&M University at Galveston, TS General Rudder

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