



TEXAS A&M UNIVERSITY
SAN ANTONIO

Texas A&M University-San Antonio

2024 Annual Security Report & Fire Safety Report

RELLIS Academic Alliance Campus Annual Security Report

Contains policy statements for the 2023-2024 academic year.
Contains Crimes Statistics for Calendar Years 2021, 2022, and 2023.



In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20
USC § 1092(f), 34 CFR 668.4

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The Texas A&M University-San Antonio Police Department (A&M-SA PD) is committed to ensuring our students, faculty, staff, and guests enjoy a safer working and learning environment. This Annual Security Report & Fire Safety Report contains critical information you should familiarize yourself with about campus safety and security. Described in detail is our law enforcement arrest authority; our crime reporting policies, procedures & responses; our working relationships with state and local police; our encouragement of prompt reporting of crimes; and access control procedures. Additionally, there is information concerning drug and alcohol abuse prevention, weapons on campus and sexual assault, stalking, and domestic and dating violence information.

This report contains data about crime statistics for the three previous calendar years, detailing the reported crimes that occurred at A&M-San Antonio and support facilities to include property owned or controlled by the university and on public property or property immediately adjacent to and accessible from the campus. This information is required by the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Higher Education Reauthorization Act and is provided by A&M-SA PD.

The officers and staff of A&M-SA PD consider it an honor to serve our community. We strive to promote a relationship with our community through partnership opportunities to provide a safer campus experience. We invite students, faculty and staff to participate throughout the year in our community trainings and service programs.

Sincerely,

Roger Lee Stearns
Chief of Police

Texas A&M University San Antonio: 2024 Annual Security and Fire Safety Report

The Texas A&M University-San Antonio 2024 Annual Security and Fire Safety Report (AS&FSR) is designed to provide important information about safety on our campus. This report contains information on the resources and services available to faculty, staff, and students of Texas A&M University-San Antonio. It also contains statistics about certain crimes that were reported to have happened on our campus and adjacent public property and at any non-campus locations owned or controlled by the university that are used for educational purposes. These statistics were gathered for the three previous calendar years (2021, 2022, and 2023).

It is important to stress that our campus is safe. However, you are encouraged to be aware of your personal safety and security and to be responsible for your actions while on campus. Texas A&M University-San Antonio has many programs and procedures in place to contribute to a safe campus environment, and you are encouraged to become familiar with them and review them regularly.

- Daily Crime Log
- Fire Log
- Timely Warnings
- Crime Prevention Tips
- Classroom Call Boxes
- Parking Lot Blue Lights

Your safety is very important to us. If you notice any suspicious, dangerous, or illegal activities on campus, please notify the **A&M-SA PD at (210) 784-1900 (non-emergency) or in an emergency 911 on campus phones and (210) 784-1911 (on your cell)** as soon as possible for investigation and resolution.

Contact Information

For Campus Emergencies

A&M-SA PD Emergency Number (24/7)	911 (campus phones) (210) 784-1911 (Cell)
Facilities Services	(210) 784-2100
Safety and Risk Management	(210) 784-2028
Emergency Management	(210) 784-1907

Campus Numbers

A&M-SA PD Dispatch Non-Emergency Number	(210) 784-1900
Enrollment Services Center	(210) 784-1300
University Library	(210) 784-1500
ITS Helpdesk	(210) 784-4357

SafeZone App

SafeZone is a free app for all university faculty, staff, and students. The app connects you directly to A&M-SA PD when there is an emergency on campus, 24 hours a day and seven days a week. When you trigger the icon, you are connected to dispatch. At the same time, police officers are notified in the field on their phones, and the closest one will head to your location. Dispatch gathers more information and relays it to the officer. It is easy and available for iPhones and Android devices. Registration is only possible with your A&M-San Antonio email address.

Sign Up Now!

Download the app from your app store or search for [SafeZone](#).

[iOS App Store](#) (Apple)

[Google Play](#) (Android)

Preparing the Annual Security and Fire Safety Report

This Annual Security and Fire Safety Report (AS&FSR) is compiled and prepared by the A&M-SA PD in cooperation with many campus departments, including:

- Campus Security Authorities (CSAs)
- Office of Student Rights and Responsibilities
- Title IX Coordinator
- Office of Student Affairs

Crime and disciplinary referral statistics are collected from the above groups, while statistical information for activity that occurs off campus is obtained from the San Antonio Police Department and other local and out of state law enforcement agencies. For purposes of making timely warning reports and the annual statistical disclosure required under the Clery Act, the campus community should report crimes to either the A&M-SA PD or a Campus Security Authority (CSA).

Law Enforcement Authority

The A&M-SA PD is the primary respondent for campus emergencies and reports of criminal activity on campus. A&M-SA PD has primary jurisdiction for all law enforcement matters occurring on campus. The defined patrol area includes all university properties within university boundaries and public streets adjacent to the university. At this time, there are no off-campus locations for student organizations. A&M-SA PD officers derive their authority under the Texas Education Code Section 51.203: Campus Peace Officers. A&M-SA PD officers are fully certified by the State of Texas with full arrest powers.

A&M-SA PD does not employ non-commissioned security officers. Jaguar Patrol is composed of student employees of the police department. Jaguar Patrol assists with several safety programs at A&M-SA, from motorist assists to escorts. Jaguar Patrol does not have arrest authority. At times, A&M-SA PD supplements its staff to support events with officers from other agencies

who have arrest authority under mutual aid agreements. The university may occasionally provide event staff that are exclusively crowd management and do not have arrest authority. Such event staff and Jaguar Patrol are provided information and training as Campus Security Authorities.

Law Enforcement Training

Texas A&M University-San Antonio police officers attend the Sexual Assault Family Violence Investigators Course (SAFVIC). This course is specifically designed to provide law enforcement officers with the tools they need to effectively investigate and prevent sexual assault and family violence. The curriculum covers crucial aspects for law enforcement's response to these crimes, as well as the creation and use of community-based resources to assist law enforcement's efforts.

Law Enforcement Partnerships

A&M-SA PD regularly works with state and local police agencies (City of San Antonio Police Department, Bexar County Sheriff's Department), resulting in the university's awareness of criminal activity perpetrated beyond the campus. The A&M-SA PD currently has a mutual aid agreement in a Memorandum of Understanding with the San Antonio Police Department. Crimes are investigated by the A&M-SA PD but depending on the nature and severity of the crime, other agencies can be contacted to assist in the investigation. A&M-SA PD also requests that local law enforcement keep us informed of crimes which may require timely warnings and incidents which require emergency notifications.

Missing Student Notification and Emergency Contact Registration

In the event that a member of the campus community has reason to believe that a Texas A&M University-San Antonio student is missing, they must immediately notify the A&M-SA PD at (210) 784-1900. Missing student reports can be made to any CSAs (Campus Security Authorities – [see page 11](#) for more information on CSAs) and all members of A&M-SA PD. A&M-SA PD will generate a missing person report and initiate an investigation.

Students in housing are given the option to identify an emergency contact person at the time of registration who the university will notify if the student is determined to be missing. Students who live in campus student housing, regardless of age, may register one or two individuals to be a contact strictly for missing person purposes. This contact information is kept confidential and is accessible only to the A&M-SA PD and authorized campus officials, and it will not be disclosed outside of a missing person investigation. The contact information will be used to assist in locating a missing student and/or to make notifications to the designated emergency contact person within 24 hours from the time the student was determined to be missing.

If the investigation determines that the student has been missing over 24 hours, then within the next 24 hours, the university will:

- 1) Notify the listed emergency contact of the missing student;
- 2) Notify a parent or guardian if the missing student is under 18 years of age and not emancipated; and

- 3) Notify local law enforcement agencies.

Reporting Crimes

Texas A&M University-San Antonio
One University Way, San Antonio, Texas 78224

Texas A&M University-San Antonio encourages accurate and prompt reporting of all crimes to A&M-SA PD, although employees may not notify law enforcement of alleged incidents of sexual assault, domestic or dating violence, or stalking without the permission of the victim, unless the victim is unable to contact law enforcement themselves. Employees who witness or receive information about an incident of sexual harassment, sexual assault, dating violence, domestic violence, or stalking involving a current student or employee must notify the Title IX Coordinator at (210) 784-2061, titleix@tamusa.edu, CAB 439K. Reports to the Title IX Coordinator must include all relevant information about the incident.

Members of the campus community, including students, faculty, staff, and third parties, who observe criminal activities and other emergencies occurring on campus, with the exception above, should contact A&M-SA PD immediately by dialing 911 from any campus telephone or by dialing (210) 784-1911 from your cell phone. The SafeZone App is also available to contact A&M-SA PD for emergencies, as well as police officers on patrol or in our on-campus A&M-SA PD offices. While A&M-San Antonio has identified numerous Campus Security Authorities, we officially designate the following offices as places where campus community members should report crimes:

Director of Student Housing	(210) 784-1543
Office of Student Rights and Responsibilities	(210) 784-1353
Title IX Coordinator	(210) 784-2061
A&M-San Antonio PD	(210) 784-1900 (non-emergency) (210) 784-1911 (emergency)

To report a non-emergency security or public safety-related matter, call the A&M-SA PD at (210) 784-1900. Officers are available 24 hours a day to answer calls.

In response to the reporting of a crime, the A&M-SA PD will take the following actions as necessary:

- Dispatch police, fire, and/or medical assistance as needed to the scene of the incident; if it is a non-emergency, ask the victim to report the incident to the A&M-SA PD office;
- Investigate and/or assist allied agencies regarding the situation;
- Take appropriate actions to identify, apprehend, and submit for prosecution to the courts the responsible person(s).
- Notify or request assistance from other law enforcement agencies and/or other allied agencies as appropriate;

- Document occurrences and/or take appropriate action and/or notify appropriate agency/departments. All student-related A&M-SA PD incidents are forwarded to the Office of Student Affairs for review and possible disciplinary action. A&M-SA PD will investigate a report when it is deemed appropriate. Additional information obtained during the investigation will also be forwarded to the Office of Student Affairs.

Incidents that may or may not be crimes should be reported to any Campus Security Authority at Texas A&M-San Antonio. This includes the Office of Student Affairs.

Victim or Witness Voluntary/Confidential Reporting

If you are the victim of or witness to a crime and do not want to pursue action within the university disciplinary system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the chief or a designee of A&M-SA PD can file a report on the details of the incident without revealing your identity beyond its reporting to the Title IX Coordinator, if applicable. The purpose of a confidential report is to comply with your desire to remain anonymous while taking steps to ensure the future safety of yourself and others. The university will take all reasonable steps to respond and investigate consistent with the request, so long as doing so does not prevent the school from responding effectively and preventing future crimes against other students or members of the university community. The university cannot guarantee total anonymity. With such information, the university can keep an accurate record of the number of incidents involving students; determine when and where there is a pattern of crime regarding a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Victims may request that directory information on file with the university be withheld by request to the [Registrar's Office](#) at 210-784-1300 or at this link: [Request to Restrict Directory Information](#).

Regardless of whether a victim has opted-out of allowing the university to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as private and only shared with persons who have a specific need-to-know; i.e., those who are investigating/adjudicating the report or those involved in providing support services, including accommodations and protective measures, to the extent that maintaining such privacy would not impair the ability of the institution to provide the support and protective measures.

The university does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Campus Security Authority

Although the reporting of criminal activity directly to the A&M-SA PD is encouraged, crimes may also be reported to a Campus Security Authority (CSA). The definition of “Campus Security Authority,” according to federal law, is as follows:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Campus Security Authorities are responsible for forwarding non-identifying information to the A&M-SA PD for inclusion in the annual security report, regardless of whether or not the victim chooses to file a report with law enforcement or press charges. Please be aware that information forwarded by a CSA is for statistical purposes only.

When a CSA is notified of a crime or an incident that may be a crime, and there is little or no reason to doubt the validity of the information, the CSA must record the information on a Campus Security Authority Form and submit the report to the A&M-SA PD in a timely manner to determine if a timely warning should be issued or not.

Pastoral and Professional Counselors

As a result of the negotiated rulemaking process, which was followed by the passage of the law, the 1998 amendments to 20 U.S.C. Section 1092 (f) clarified the identity of those considered to be campus security authorities. Campus “Pastoral Counselors” and “Professional Counselors,” when acting as such as part of their job duties, are not considered to be CSAs and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of common practice, counselors are encouraged, if they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual crime statistics.

All reported crimes will be taken seriously, even if anonymous or reported confidentially. Crimes occurring off campus should be immediately reported to the appropriate law enforcement agency.

Security and Access to Campus Buildings and Grounds

A&M-SA Campus

During business hours, the university will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to all university facilities is by admittance via the A&M-SA PD or by identification card if individual has been given access.

The hours below are when classes are in session.

- Monday through Friday: 8 a.m. to 10 p.m.
- Saturday: 8 a.m. to 6 p.m.
- Sunday: 1 p.m. to 9 p.m. (library open)

Certain doors on the Main Campus have been identified as “late hour entry” and are equipped with a security card reader system. Swipe your ID card on the card reader and the door will open if you have proper clearance. Students have 24/7 card access to the student computer lab in the Central Academic Building.

University buildings and grounds are inspected and maintained with concern for security and safety (e.g., broken windows, functionality of building locks, lights not working properly). The A&M-SA PD also receives information from the campus community regarding damaged roadways and the overgrowth of shrubbery and other areas in need of repair. During their patrols, officers will report facility security and safety concerns/deficiencies observed, and this information is forwarded to Facilities Services in a timely manner for follow-up. Anyone aware of a hazardous situation in any building or on the campus grounds should notify Facilities Services at (210) 784-2100 or A&M-SA PD at (210) 784-1900 so repairs can be made promptly.

Estrella Hall

Estrella Hall is a secure housing facility that provides access to its professional staff members and residing students only through use of an electronic FOB access key. Students are encouraged to keep their doors locked for their own personal safety. There are two main entry ways into the residence hall, one on the front side (parallel to Lot 2B) and one on the opposite end (adjacent to Jaguar Pkwy). These main entryways are located in the middle of the building and remain locked at all times (24/7). Four additional exits are located throughout the hall at stairwells and two additional locations. The exterior stairwell doors are secured at all times. Resident Assistants and staff will be available at the main front desk from 8:00 a.m. – 10:00 p.m., Monday – Friday and from 10:00 a.m. – 2:00 p.m. on Saturdays (hours vary during recognized holidays).

When students lock themselves out of their assigned apartment, Resident Assistants (RAs) may be contacted to grant students access to their rooms. A&M-SA PD does not unlock doors in student housing. RAs perform safety rounds/walks daily in and around the hall. Residents are encouraged to report all suspicious persons to the Student Housing staff or the A&M-SA PD. For more information regarding housing, call the General Manager of Student Housing at (210) 784-1717 or Director of Student Housing at (210) 784-1405.

Student Housing staff will provide secure services to all students residing in the facility. When

staff are ready to address any maintenance or service requests, they will properly announce themselves when entering a resident unit, complete the necessary items requested, and leave a courtesy card when appropriate. Students will also be notified in advance by professional staff when monthly inspections, fire drills, routine facility maintenance tasks, and other emergency items are being scheduled.

Esperanza Hall

Esperanza Hall is a secure housing facility that provides access to its professional staff members and residing students only through use of an electronic FOB access key. Students are encouraged to keep their doors locked for their own personal safety. There are two main entry ways into the residence hall, one on the front side (adjacent to Patriots' Casa) and one on the opposite end (facing Lot 1A). These main entryways are located in the middle of the building and remain locked at all times (24/7). Five additional exits are located throughout the hall at stairwells and two additional locations. The exterior stairwell doors are secured at all times. Resident Assistants and staff will be available at the main front desk from 8:00 a.m. – 10:00 p.m., Monday – Friday and from 10:00 a.m. – 2:00 p.m. on Saturdays (hours vary during recognized holidays).

When students lock themselves out of their assigned apartment, Resident Assistants (RAs) may be contacted to grant students access to their rooms. A&M-SA PD does not unlock doors in student housing. RAs perform safety rounds/walks daily in and around the hall. Residents are encouraged to report all suspicious persons to the Student Housing staff or the A&M-SA PD. For more information regarding housing, call the General Manager of Student Housing at (210) 784-1717 or Director of Student Housing at (210) 784-1405.

Student Housing staff will provide secure services to all students residing in the facility. When staff are ready to address any maintenance or service requests, they will properly announce themselves when entering a resident unit, complete the necessary items requested, and leave a courtesy card when appropriate. Students will also be notified in advance by professional staff when monthly inspections, fire drills, routine facility maintenance tasks, and other emergency items are being scheduled.

Campus Crime Statistics

The Annual Disclosure of Crime Statistics

Each year, A&M-SA PD, in collaboration with the Office of Student Rights and Responsibilities, the Title IX Coordinator, and Campus Security Authorities, prepares an Annual Security & Fire Safety Report (AS&FSR) to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding the main campus and alternate sites. Crime statistics are included in the report. Campus crime, arrest, and disciplinary referral statistics include those reported to A&M-SA PD and/or designated campus officials.

Each year, an email is sent to all students and employees providing notification of the availability

of this report. Prospective employees can reference the AS&FSR via our Human Resources employment website. Anyone, including prospective students and employees, may obtain a copy of the report at the A&M-SA PD lobby or by visiting the [Annual Security and Fire Safety Report](#).

A link to the Annual Security and Fire Safety Report is included on the footer of the tamusa.edu website. Information regarding the availability of the report and website location is included during student orientation and other campus presentations and published in the current Student Handbook.

Reporting Requirements

An institution must report statistics of the following crimes that occurred on campus, on related non-campus property, and on adjacent public property adjacent to campus:

- Murder/Non-negligent Manslaughter
- Manslaughter by negligence
- Sexual Assault - Rape, Fondling, Incest, and Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

Additionally, statistics are provided for the following:

- Violence Against Women Act (VAWA) Offenses: domestic violence, dating violence, stalking, and sexual assault. Hate Crimes: Any of the above-mentioned offenses and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias; and
- Arrests and Referrals for Disciplinary Action for Weapons (Carrying, Possessing, etc.), Drug Abuse violations, and Liquor Law violations.

Daily Crime Log

The A&M-SA PD provides a daily crime log within their patrol jurisdiction for the previous 60 days. The log includes the nature of the crime, the date and time the crime occurred and the general location and disposition of the complaint, if known. This log is available to any member of the public upon request. Any portion of the log older than 60 days will be made available within two (2) business days of a request for public inspection.

According to federal law, an institution may withhold any of the required fields of entry in the crime log (e.g., the nature, date, time, location, and/or disposition of a case), if any of the following conditions apply:

- The disclosure is prohibited by law;
- The disclosure would jeopardize the confidentiality of the victim;
- The disclosure would jeopardize an ongoing criminal investigation or the safety of an individual;
- The disclosure would cause a suspect to flee or evade detection; and/or
- The disclosure would result in the destruction of evidence.

Hate Crimes and Hate Incidents

“Hate violence” is defined as any act of physical intimidation, physical harassment, physical force, physical violence, or the threat of physical force or violence that is directed against any person or group of persons because of the actual or perceived ethnicity, race, national origin, religion, sexual orientation, gender, gender identity, or disability of that person or group. The university and the A&M-SA PD will not tolerate hate violence and are dedicated to ensuring all persons are protected regardless of their race, national origin, religion, sexual orientation, gender identity, or disability. In furtherance of this mission, all "hate" crimes and incidents will be thoroughly documented, investigated, and assigned to the courts for possible prosecution. Students are encouraged to promptly report these types of incidents to A&M-SA PD at (210) 784-1900 and the Office of Student Affairs (210) 784-1330.



Crime Definitions (as defined by the Clery Act)

Murder/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."

- **Rape** is defined as 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** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe bodily injury, usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm, although it is not necessary that physical injury actually occur.

Burglary: The unlawful entry of a structure to commit a felony or a theft; it 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.

Arson: The willful and malicious burning of another's property.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Weapon Law Violations: Violations of laws dealing with weapons offenses, such as the unlawful manufacture, sale, possession, and carrying of deadly weapons.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, cultivation, and manufacturing of narcotic drugs and dangerous non-narcotic drugs.

Liquor Law Violations: Violations of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, and possession of intoxicating liquor. (Drunkenness and driving under the influence are not included in this definition).

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.

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 on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the people involved in the relationship. For the purposes of this definition, 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.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition:

- 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.
- A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Location of Crime:

- *On campus:* Anywhere on the university campus. It includes all properties owned by the university and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, or reasonably contiguous to the area and owned by the university but controlled by another person and is frequently used by students and supports the institutional purpose.
- *Non-campus Property:* A building or property owned or controlled by the institution in direct support of or in relation to the institution's educational purposes; it is frequently used by students and is not within the same reasonably contiguous geographic area of the university or is owned or controlled by a student organization that is officially recognized by the university.
- *Public Property:* All public property, including thoroughfares, streets, sidewalks,

and parking facilities within the campus or immediately adjacent to and accessible from campus.



Annual Crime Statistics

Main Campus, One University Way, San Antonio, Texas 78224

Offense (Reported by Hierarchy)	Year	On Campus	On Campus Student Housing	Non- Campus	Public Property	Total	Unfounded Crimes
Murder/Non-Negligent Manslaughter	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Robbery	2023	0	0	1	0	1	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Aggravated Assault	2023	0	0	1	0	1	0
	2022	0	0	0	0	0	0
	2021	1	0	0	0	1	1
Burglary	2023	0	0	0	0	0	0
	2022	4	4	1	0	5	0
	2021	1	1	0	0	1	0
Motor Vehicle Theft	2023	1	0	1	0	2	0
	2022	0	0	10	0	10	0
	2021	0	0	7	0	7	0
Sex Offenses							
Rape	2023	3	3	0	0	3	0
	2022	1	1	1	0	2	0
	2021	0	0	1	0	1	0
Fondling	2023	1	0	0	0	1	0
	2022	1	1	0	0	1	0
	2021	1	1	0	0	1	0
Incest	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Arrest and Referred for Disciplinary Action							
Liquor Law Arrests	2023	1	1	0	0	1	0
	2022	5	5	0	0	5	0
	2021	1	0	1	0	1	0
Drug Law Arrests	2023	1	0	0	0	1	0
	2022	4	4	0	5	9	0
	2021	2	1	0	1	3	0
Weapons Law Arrests	2023	0	0	0	1	1	0
	2022	1	0	0	0	1	0
	2021	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2023	2	2	0	0	2	0
	2022	8	8	0	0	8	0
	2021	9	5	4	0	9	0
Drug Law Violations Referred for Disciplinary Action	2023	1	1	0	0	1	0
	2022	2	1	0	0	2	0
	2021	7	3	0	0	7	0
Weapons Law Violations Referred for Disciplinary Action	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0

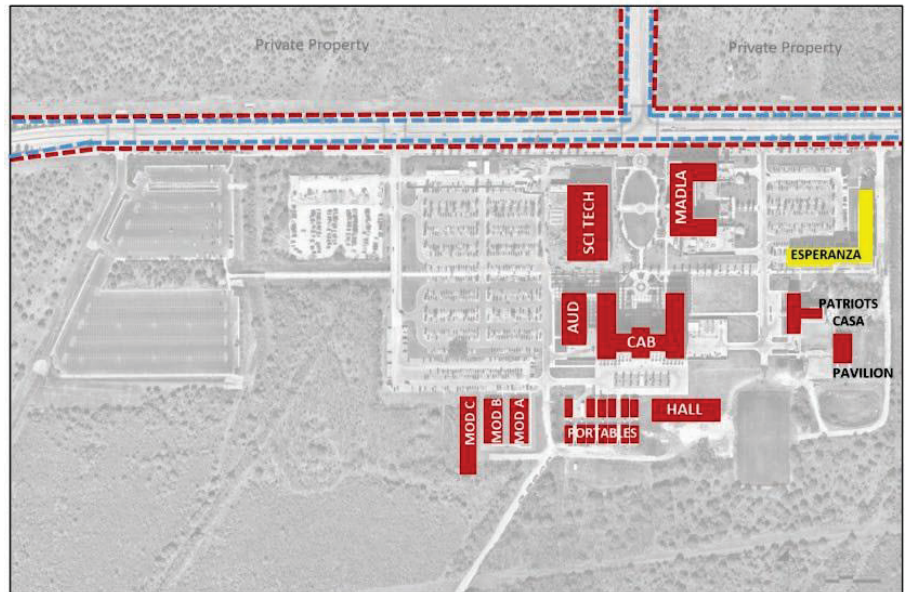
Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	On Campus Student Housing	Non-Campus	Public Property	Total	Unfounded Crimes
Arson	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Violence Against Women Act							
Domestic Violence	2023	0	0	0	0	0	0
	2022	1	1	0	0	1	0
	2021	0	0	0	0	0	0
Dating Violence	2023	3	2	0	0	3	0
	2022	1	1	0	0	1	0
	2021	1	1	0	0	1	0
Stalking	2023	2	0	0	0	2	0
	2022	3	1	0	2	5	0
	2021	5	1	1	0	6	0

Hate Crime Statistics for Main Campus		
2023	0	Reportable hate crimes (motivated by bias) are: All Clery Crimes, except Negligent Manslaughter, as well as theft, simple assault, intimidation, and destruction/damage/vandalism of property. The categories are: Race, religion, sexual orientation, gender, gender identity, disability, ethnicity, and national origin.
2022	0	
2021	0	

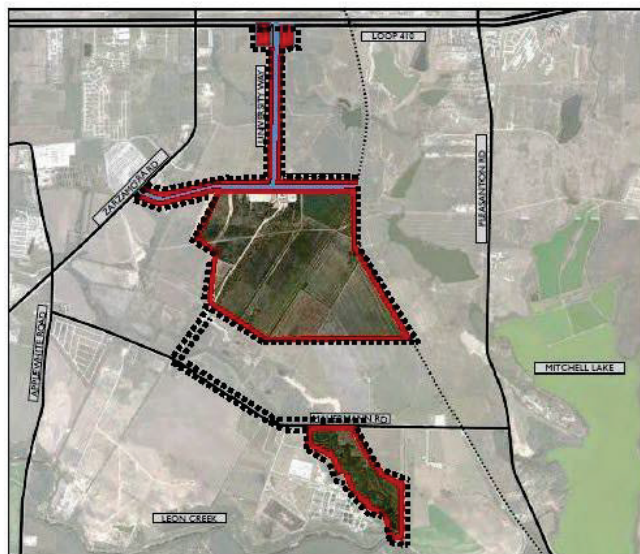


Clery Geography and Patrol Jurisdiction Map

- Public Property Boundary
- Campus Property Boundary
- Campus Buildings
- Campus Residence Hall



- Public Property Boundary
- Campus Property Boundary
- Patrol Area



Crime Prevention and Security Awareness Programs

Sex Offender Registration

The [Campus Sex Crimes Prevention Act \(CSCPA\) of 2000](#) is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. In accordance with this act, the A&M-SA PD is providing the following link to the [Texas Department of Public Safety site for registered sex offenders](#).

Security Awareness Programs

During orientation activities held for new students, they are informed of services offered by the A&M-SA PD. A crime prevention table is set up at all information fairs during orientations to distribute brochures and discuss security, safety, and recent crime on campus. Similar information is presented to new employees. The Annual Security and Fire Safety Report detailing crime statistics and recommended personal safety practices is available at this time. Each year, the Annual Security and Fire Safety Report is published, and the campus community is notified of this through email. Periodically during the academic year, the A&M-SA PD, in cooperation with other university organizations and departments, presents crime prevention awareness sessions on such topics as sexual assault (rape and acquaintance rape), drug and alcohol use, theft prevention, Safety Begins with You (topics cover stalking, sexual assault, bystander intervention, domestic violence, dating violence, protective orders, and safety on and off campus), CRASE (Civilian Response to Active Shooter Events), and personal safety.

A common awareness and crime prevention program theme is to encourage students and employees to be aware of their responsibility for their own safety and to be concerned for others' safety.

The A&M-SA PD has a crime prevention program that assists the university community to reduce their risk of becoming a crime victim. The crime prevention officer is a certified crime prevention specialist who has had specific training in crime prevention.

- **Safety Awareness Resources:** Brochures are available through the A&M-SA PD which provide additional information on theft prevention, carjacking, vehicle burglary prevention, Operation Identification, identity theft, stalking, dating violence, domestic violence, domestic violence safety plan, sexual assault, bystander intervention, the Office of Victim Services, and crime victims' information. The university's Emergency Action Plan is available to the campus community through the Office of Emergency Management regarding procedures for emergency evacuation and responding to fires, earthquakes, hurricanes, serious injury, bomb threats, hazardous material leaks, and violent crimes.

- **A&M-SA PD Escort:** A&M-SA PD provides our campus community an escort to their vehicle when personal safety is of concern by contacting police dispatch at (210) 784-1900. This is provided seven days a week, 24 hours a day.
- **Emergency Blue Light Phones:** Emergency telephones are located on Main Campus. A&M-SA PD can be quickly contacted by pushing one button. These emergency phones are located in or near campus parking lots. These emergency phones are in or near campus parking lots.
- **Motorist Assistance:** This service is available 24 hours a day to help motorists on campus with vehicle problems, such as keys locked in their vehicle and dead batteries. Please contact (210) 784-1900 for assistance.
- **Safety Begins With You:** This presentation is offered to the campus community the first part of each semester. It offers awareness and prevention information on home security, physical security, personal security, active shooter, Clery Act, Title IX, bystander intervention, sexual assault, stalking, and domestic and dating violence. This is offered at least twice a year in the Fall and Spring semester.
- **AWARE:** Assessing your surroundings While Remaining aware and being realistic about your Environment – learn personal awareness and basic self-defense skills.
- **Crime Statistics:** A&M-SA PD posts a daily log of crimes that occurred in our patrol district within the last 60 days, in addition to the annual crime statistics required by the Clery Act.
- **CRASE (Civilian Response to Active Shooter Events):** The CRASE class, built on the Avoid, Deny, Defend strategy developed by ALERRT in 2004, provides strategies, guidance, and a proven plan for surviving an active shooter event. Topics include the history and prevalence of active shooter events, the role of professional guardians, civilian response options, medical issues, and drills. This class is offered at least twice a year.
- **Operation ID:** Operation Identification (Operation ID) is a citizen's burglary prevention program for use in homes and businesses. It also provides police with a way to identify property should it be stolen and recovered. In communities where it has been properly implemented, Operation ID has shown dramatic results in burglary reduction. This service is offered throughout the year.
- **Stop the Bleed:** These classes are provided multiple times each semester to give faculty, staff, and students the knowledge they need to recognize life-threatening bleeding and act quickly and effectively to control bleeding. These classes are designed to train participants to become empowered to make a life-or-death difference when a bleeding emergency happens.
- **Crime Prevention Tables:** Throughout the year, crime prevention tables are set up on campus for new student orientations and special events. The crime prevention officer offers various brochures on safety on and off campus, how not to become a victim, and crime statistics.

Drills, Exercises and Training

The university conducts at least one emergency response exercise on campus annually, such as a tabletop exercise, active shooter drills, or fire drills, by using the JagE Alert system. Buildings are selected at random; an emergency drill notification is initiated and includes providing information on emergency response and evacuation procedures. These tests may be announced or unannounced. The University will publicize by using the Jag-E Alert system about its emergency response and evacuation procedures in conjunction with at least one test per calendar year. Testing of the Jag-E Alert system is done at least monthly, and during a scheduled exercise. The exercise is critiqued and an After-Action Report (AAR) is generated. The AAR shall document a description of the exercise, the date/time, and whether it was announced or unannounced. The AAR will be retained for a minimum of (7) seven years.

Timely Warnings

In the event a situation arises on campus that in the judgment of the Chief of A&M-SA PD or designee constitutes a serious or continuous threat, a university-wide “timely warning” will be issued. The warning will identify the main building or area where the incident has occurred/is occurring. The alert will notify students, faculty, and staff, as reasonably and timely as possible, that an incident has occurred that may represent a serious or ongoing threat to the campus community.

The Office of the Chief of Police or designee prepares and distributes the alert. A&M-SA PD drafts an email containing the proposed timely warning and forwards it to the university’s Strategic Communications Office. This office reviews and revises the text as needed. If the Strategic Communications Office is not available, A&M-SA PD proceeds with issuing the timely warning to the university community as an email blast using the Jag-E Alert System in Outreach Mode (see more information about the Jag-E Alert under Emergency Notifications below). Updates to the A&M-SA community about any particular incident resulting in a timely warning may also be distributed electronically in the same manner. A&M-SA PD social media sites, university websites, and public university monitors may be used as well.

A timely warning may be issued for any qualifying incident as defined by the Clery Act that occurs within the university’s Clery geography and/or when a crime is reported to any campus security authority (CSA) which presents an immediate ongoing threat to the community.

The timely warning will withhold the names and other identifying information of victims as confidential. The university is not required to provide a timely warning for crimes reported to a pastoral or professional counselor.

Anyone with information warranting a timely warning should immediately report the circumstances to the A&M-SA PD by phone at (210) 784-1900 (non-emergency), (210) 784-1911 (emergency), by using the SafeZone App, or in person at the Police Building, One University Way, San Antonio, Texas, 78224.

Emergency Notifications

During an emergency situation, information will be released to the university community through the [JagE Alert System](#). This is a system that quickly notifies registered users of campus emergencies through text messages, emails, and/or voice mail alerts. Students may include several telephone numbers and email addresses, allowing notification to their parents and/or spouse as well. Because JagE Alert uses data provided by the students, it is the student's responsibility to ensure their contact information is current at all times. In emergency situations, the campus can also use an outdoor speaker system that can broadcast direct commands and sounds to alert the campus to danger and to take necessary precautions.

The university is equipped with Mass Notification Systems, and in an emergency, the university community may also be notified via external/internal audible alerts and visual alerts (flashing lights). Additionally, announcements can be made in buildings equipped with public address capability through the fire alarm system. These visual and audible alerts are located throughout the university campus and buildings. A warning will include a tone and a set of instructions indicating the type of emergency and the type of response to take depending on the situation. The Office of the Chief of Police or designee will determine when the emergency notification systems will be initiated. They 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 responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Office of the Chief of Police or designee will, consistent with the university's Emergency Operations Plan, authorize immediate notification to the university community following confirmation by the Police Department of the threat, unless that notification is delayed for as short a time as possible if there is a professional determination by law enforcement that issuing a notice would put the university community at greater risk. The content of the initial notification will be determined by the Office of the Chief of Police or designee. It will be generic in nature to maintain campus safety while responding to, containing, and/or rendering aid or assistance to victims. The Office of the Chief of Police or designee will determine the appropriate segment or segments of the campus community to receive the notification. All the JagE Alert messages are sent to everyone on the distribution list (all employees and student emails with the option of signing up for text messaging). Wording in the Emergency Notification should indicate what segment or area of the university community is affected. University Strategic Communications will notify the external community by various means to include the university's website, social media, and/or press releases.

The A&M-San Antonio PD will notify/coordinate response efforts with local law enforcement authorities and other outside emergency personnel. If there is an immediate threat to the health or safety of students or employees occurring on campus, the Chief of Police or designee is responsible for disseminating emergency information to the public. Follow-up emergency notifications may come from the Office of the Chief of Police, University Strategic Communications, and/or the Office of the President of the university. The distribution list used for the initial Emergency Warning will be used to communicate follow-up information to the community.

Emergency Response and Evacuation Procedures

When A&M-SA PD receives notification of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and/or campus visitors, first responders will confirm the emergency/threat. If the emergency/threat warrants, the A&M-SA PD supervisor will communicate immediately with the Chief of Police or designee and, depending on the magnitude of the incident, will initiate the appropriate Emergency Operations Plan protocol. The [JagE Alert System](#) may be initiated to quickly mobilize the Emergency Management Team. An Emergency Operations Center may be established using the Incident Command System (ICS), which is a management system designed to enable effective and efficient domestic incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure.

The A&M-SA PD currently has a mutual aid agreement via a Memorandum of Understanding (MOU) with the San Antonio Police Department. Crimes are investigated by the A&M-SA PD but, depending on the nature and severity of the crime, other agencies can be contacted to assist in the investigation. A&M-SA PD also requests local law enforcement keep the university informed of crimes which may trigger timely warnings and emergency notifications.

Shelter In Place

In some instances, it is safer to shelter “in place” rather than to evacuate a building; e.g., when there is smoke or fire immediately outside the room, live electrical wires that bar access to the exit, or an active shooter.

- If the hazard is fire or smoke and you are trapped in a room:
 - Place wet cloth material around or under the door to prevent smoke from entering the room.
 - Close as many doors as possible between you and the fire or smoke.
 - Be prepared to signal someone outside but **DO NOT BREAK GLASS** unless necessary (outside smoke may be drawn into the room).
- If the hazard causes elevators to become inoperative and you are unable to descend via stairs:
 - If it is safe to do so, go to the nearest stairwell and tell someone who is evacuating to notify the emergency personnel of your location and that you are unable to evacuate.
 - Call 911 on campus phones or 210-784-1911 on your cell phone and tell them your name and location and that you are unable to evacuate and follow the directions of the operator.
- If there is an active shooter and getting away is difficult or impossible, you need to DENY entry:
 - Keep distance between you and the source.
 - Create barriers to prevent or slow down the threat from getting to you.
 - Turn off the lights.
 - If you think it is safe to call A&M-SA PD, call 210-784-1911 on your cell phone

and tell dispatch your location, if you are injured and any information on the shooter you might have.

- Remain out of sight and quiet by hiding behind large objects and silencing your phone.

Campus Evacuation

The President or designee will authorize university evacuation orders. An announcement of a campus-wide evacuation will come from the Office of the President, the Office of the Chief of Police, or designee. Students and employees should follow the instructions and timeline for leaving the campus and alert others to do the same. Information about returning to campus will be provided through JagE Alert. The personnel recall process for employees and press releases will be made through the Strategic Communications, coordinating with news media outlets.

Building Evacuation

An evacuation will occur when the fire alarm sounds and/or notification is made by the A&M-SA PD, Emergency Management Coordinator, the Campus Community Emergency Response Team (acting under the instructions of these offices), or other bona fide first responders, such as the San Antonio Fire Department, San Antonio Police Department, FBI, and ATF.

All persons (students, employees, and campus visitors) are to immediately vacate the area in question, leaving by the nearest marked exit, and alert others to do the same.

- Remain Calm.
- WALK, DO NOT RUN!
- Use the stairs. DO NOT use elevators.
- If safe to do so, assist people with special needs as indicated by that person or direct them to the nearest exit stair enclosure. The exit stairs are designed as safe zones separated from the remainder of the building by two-hour fire resistive construction.
 - Notify fire department/emergency personnel of the person's location so their evacuation can be completed. This may be done by calling the A&M-SA PD at (210) 784-1900.
- Once outside, proceed to the designated Evacuation Assembly Area if it is safe to do so.
- Do not re-enter the building until given an ALL CLEAR signal by Texas A&M University-San Antonio officials, JagE Alert, or the building public address system.
- The Evacuation Assembly Areas are the east part of Lot 1, the west part of Lot 2, and the Kinesiology Pavilion.

University Policies and Procedures

Violence in the Workplace

Texas A&M University-San Antonio adheres to a “zero tolerance” of violations of the law and of violence in the workplace. A&M-San Antonio PD will investigate complaints of threats or intimidation, and the university will take disciplinary action, when employees demonstrate any behavior which, in management’s opinion, constitutes a potentially violent situation. This policy extends to persons connected to university business, including vendors or others who interact with university employees. A climate of fear or intimidation will not be tolerated at Texas A&M University-San Antonio. Threatening behaviors, acts of aggression, and violence will result in appropriate action by the university, up to and including dismissal. Student misconduct will be handled according to the student code of conduct and/or applicable state or federal laws.

VAWA-Violence Against Women Reauthorization Act of 2013

Sexual Assault, Stalking, and Domestic and Dating Violence

The Texas A&M University System, and specifically Texas A&M-San Antonio, does not discriminate on the basis of sex in its educational programs and activities. Sexual harassment and sex/gender-based violence are types of sex discrimination. Other such conduct can be forms of sex-based discrimination and are also prohibited, including dating violence, domestic violence, sexual assault, stalking, and sexual exploitation, as specified by The Texas A&M University System Policy 08.01 and A&M System Regulation 08.01.01, as well as A&M-San Antonio Rule 08.01.01.01. Additionally, A&M-San Antonio issues its own statement of policy in the form of a Notice of Non-Discrimination and Abuse to inform the community of its commitment to address sex/gender-based violence, including sexual assault, domestic violence, dating violence, stalking, and sexual exploitation, whether the incident occurs on or off campus. In this context, A&M-San Antonio reaffirms its commitment to maintaining a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of A&M-San Antonio’s statement regarding sex/gender-based violence, visit <https://www.tamusa.edu/about-us/business-affairs/documents/notice-of-nondiscrimination-abuse-fy2020-21.pdf>.

The university’s Title IX Coordinator may be contacted by calling (210) 784-2061, or in person by visiting One University Way, Central Academic Building 439K, San Antonio, Texas, 78224.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault, and stalking as follows:

- **Domestic Violence:**
 1. A felony or misdemeanor crime of violence committed—
 - a) By a current or former spouse or intimate partner of the victim;
 - b) By a person with whom the victim shares a child in common;
 - c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - d) 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
 - e) 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.
 2. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **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.
 1. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 2. For the purposes of this definition—
 - a) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - b) Dating violence does not include acts covered under the definition of domestic violence.
 3. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **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's 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."
 1. **Rape** is defined as 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.
 2. **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances

- in which the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
3. **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 4. **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.
- **Stalking:**
 1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to
 - a) fear for the person's safety or the safety of others; or
 - b) suffer substantial emotional distress.
 2. For the purposes of this definition—
 - a) Course of conduct means two or more acts, including, but not limited to, acts 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.
 - b) A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - c) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 3. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

In Texas, statutes define the crimes of domestic violence, dating violence, sexual assault, and stalking as follows:

"Family Violence" (Domestic Violence) Family Code Sec. 71.004.

- (a) 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;
- (b) 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
- (c) dating violence, as that term is defined by Section [71.0021](#).

"Dating Violence" Family Code Sec. 71.0021.

- (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:
 - (1) is committed against a victim:

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

“Sexual Assault” Penal Code Sec. 22.011.

- (a) A person commits an offense if the person:
 - (1) intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
 - (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
 - (2) intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of a child by any means;
 - (B) causes the penetration of the mouth of a child by the sexual organ of the actor;
 - (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
 - (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
 - (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
- (b) A sexual assault under Subsection (a)(1) is **“Without the Consent”** of the other person if:
 - (1) the actor compels the other person to submit or participate by the use of physical force or violence;
 - (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the

other person believes that the actor has the present ability to execute the threat;

- (3) the other person has not consented, and the actor knows the other person is unconscious or physically unable to resist;
 - (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
 - (5) the other person has not consented, and the actor knows the other person is unaware that the sexual assault is occurring;
 - (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
 - (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
 - (8) the actor is a public servant who coerces the other person to submit or participate;
 - (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
 - (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or
 - (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code;
- (c) In this section:
- (1) "Child" means a person younger than 17 years of age.
 - (2) "Spouse" means a person who is legally married to another.
 - (3) "Health care services provider" means:
 - (A) a physician licensed under Subtitle B, Title 3, Occupations Code;
 - (B) a chiropractor licensed under Chapter 201, Occupations Code;
 - (C) a physical therapist licensed under Chapter 453, Occupations Code;
 - (D) a physician assistant licensed under Chapter 204, Occupations Code; or
 - (E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.
 - (4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:
 - (A) licensed social worker as defined by Section [505.002](#), Occupations Code;

- (B) chemical dependency counselor as defined by Section [504.001](#), Occupations Code;
 - (C) licensed professional counselor as defined by Section [503.002](#), Occupations Code;
 - (D) licensed marriage and family therapist as defined by Section [502.002](#), Occupations Code;
 - (E) member of the clergy;
 - (F) psychologist offering psychological services as defined by Section [501.003](#), Occupations Code; or
 - (G) special officer for mental health assignment certified under Section [1701.404](#), Occupations Code.
- (5) "Employee of a facility" means a person who is an employee of a facility defined by Section [250.001](#), Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.
- (d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.
- (e) It is an affirmative defense to prosecution under Subsection (a)(2):
- (1) that the actor was the spouse of the child at the time of the offense; or
 - (2) that:
 - (A) the actor was not more than three years older than the victim and at the time of the offense:
 - (i) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
 - (ii) was not a person who under Chapter 62, Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and
 - (B) the victim:
 - (i) was a child of 14 years of age or older; and
 - (ii) was not a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section [25.01](#).
- (f) An offense under this section is a felony of the second degree, except that an offense under this section is a felony of the first degree if the victim was a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section [25.01](#).

"Consent" means assent in fact, whether express or apparent. [Texas Penal Code Section 1.07\(a\)11](#) The Texas A&M University System has also defined "consent" in its System [Regulation 08.01.01](#) on page 2.

Texas law defines **"Stalking"** in Penal Code Sec. [42.072](#).

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



How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”

Bystander intervention involves safe and positive options that may be carried out by an individual to prevent harm or to 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.

The university promotes a culture of community accountability in which bystanders are actively engaged in the prevention of violence without causing further harm. However, individuals may not always know what to do even if they want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found at the Student Counseling Center and the Title IX Office. If you or someone else is in immediate danger, dial 911 on campus phones or (210)784-1911 on your cell if you're on campus. This is always an option if you feel it is not safe for you to intervene.

- 1) Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.

- 2) Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- 3) Speak up when someone discusses plans to take sexual advantage of another person.
- 4) Contact the facility manager or party host if you think someone may be in trouble.
- 5) Distract the possible abuser by spilling a drink or telling them their car is being towed or that the police have been called.

Risk Reduction

With no intent to blame victims and recognizing that only abusers are responsible for their actions, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from the [Rape, Abuse, & Incest National Network](#)).

- 1) Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- 2) Try to avoid isolated areas. It is more difficult to get help if no one is around.
- 3) Walk with purpose. Act like you know where you are, even when you do not.
- 4) Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- 5) Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- 6) Make sure your cell phone is with you and charged and that you have money for transportation if needed.
- 7) Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- 8) Avoid putting music earbuds in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- 9) When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together.
- 10) Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911). When on campus dial 911 on campus phones or (210) 784-1911 on your cell phone.
- 11) Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, just get a new one.
- 12) Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from punch bowls or other large, commonly open containers.
- 13) Watch out for your friends and vice versa. If a friend seems out of it, is way too intoxicated by the amount of alcohol they've had, or is acting out of character, get them to a safe place immediately.
- 14) If you suspect you have, or a friend has, been drugged, contact law enforcement immediately (local authorities can be reached by calling 911). When on campus dial 911 on campus phones and (210) 784-1911 on your cell phone.

- 15) If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
 - a. Remember that being in this situation is not your fault. You did not do anything wrong; the other person who is making you uncomfortable is to blame.
 - b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. Have a code word with your friends or family so that if you don't feel comfortable, you can call them and communicate your discomfort without them knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. Lie. If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are taking care of a friend or family member, not feeling well, having somewhere else you need to be, etc.
- 16) Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- 17) If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking

The university engages in comprehensive and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- 1) Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- 2) Consider environmental risk and protective factors as they occur at the individual, relationship, institutional, community, and societal levels.

A&M-San Antonio is committed to increasing the awareness and prevention of sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent rape, sexual assault, domestic violence, dating violence, and stalking before it occurs through the changing of social norms and other approaches. These include a clear statement that A&M-San Antonio prohibits such acts, provides their definitions and the definition of consent, suggests options for bystander intervention, provides information about risk reduction, and sets forth policies and procedures for responding to these incidents. Ongoing prevention and awareness campaigns are offered throughout the year.

Primary Prevention and Awareness Programs

The university offered the following **primary prevention and awareness programs for all incoming students** in 2023:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered</u>
Title IX Student Video	Fall, Spring	Online Video	*DoV, DaV, SA, S
Title IX Tables, Brochures, Q&A	2/14, 3/9, 4/26, 6/14, 8/28, 9/13, 9/18, 9/27, 10/2, 10/4, 10/6, 10/11, 11/28	Main campus	*DoV, DaV, SA, S
Domestic Violence Awareness Month	Fall	Main Campus	*DoV, DaV, SA, S
Red Zone	9/13, 9/18, 9/27	Main Campus	*SA
Sexual Assault Awareness	4/11, 4/12, 4/19, 4/25, 4/26, 9/7, 9/14, 9/19, 9/28, 10/3, 10/24	Main Campus	*DoV, DaV, SA, S
Crime Prevention Tables, Brochures, & Q&A	1/11, 1/25, 2/6, 6/15, 6/20, 6/24, 7/11, 7/13, 7/24, 7/28, 8/15, 8/16, 8/28	Main Campus	*DoV, DaV, SA, S
Safety Begins with You	Fall	Main Campus	*DoV, DaV, SA, S
Stalking Presentation/Tables	1/18, 1/23, 1/26, 1/27, 2/14	Main Campus	*S
Safe Spring Break	3/9, 3/10	Main Campus	*DaV, SA, S
AWARE	Fall and Spring	Main Campus	*DoV, DaV, SA, S
Standing Banners/ psychoeducational material; Sexual Assault Awareness Month	April	All Campus Buildings	*DoV, DaV, SA, S
Title IX Training- Residence Hall Advisors	7/31, 8/24	Esperanza Hall	*DoV, DaV, SA, S
Student Athlete Title IX Training	9/29	Main campus	*DoV, DaV, SA, S
Title IX Refresher Training (various audiences)	12/20	Main Campus	*DoV, DaV, SA, S

*DoV = Domestic Violence, DaV = Dating Violence, SA = Sexual Assault, and S = Stalking

The university offered the following **primary prevention and awareness programs for all new employees** in 2023:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered</u>
Creating a Discrimination Free Workplace on-line training	Upon hire and every two years thereafter	Main campus	*DoV, DAV, SA, S
What is Title IX? Know Your Rights brochure	Handed out upon hire, provided during events, and available	Main campus	*DoV, DaV, SA, S

	in departments across campus		
Domestic Violence Awareness Month	Fall	Main Campus	*DoV, DaV, SA, S
Sexual Assault Awareness	4/11, 4/12, 4/19, 4/25, 4/26, 9/7, 9/14, 9/19, 9/28, 10/3, 10/24	Main Campus	*DoV, DaV, SA, S
Crime Prevention Tables, Brochures, & Q&A	1/11, 1/25, 2/6, 6/15, 6/20, 6/24, 7/11, 7/13, 7/24, 7/28, 8/15, 8/16, 8/28	Main Campus	*DoV, DaV, SA, S
The Clery Act	Upon appointment of a Campus Security Authority	Online training	*DoV, DaV, SA, S
Safety Begins with You	Fall	Main Campus	*DoV, DaV, SA, S
Stalking Presentation/Tables	1/18, 1/23, 1/26, 1/27, 2/14	Main Campus	*S
AWARE	Fall and Spring	Main Campus	*DoV, DaV, SA, S
Creating a Discrimination Free Workplace on-line training	Upon hire and every two years thereafter	Main campus	DoV, DAV, SA, S
What is Title IX? Know Your Rights brochure	Handed out upon hire, provided during events, and available in departments across campus	Main campus	*DoV, DaV, SA, S
Standing Banners/ psychoeducational material; Sexual Assault Awareness Month	April	All Campus Buildings	*DoV, DaV, SA, S

*DoV = Domestic Violence, DaV = Dating Violence, SA = Sexual Assault, and S = Stalking



Ongoing Prevention and Awareness Campaigns

Ongoing prevention and awareness campaigns means programming, initiatives, and strategies that are sustained over time and focus on increasing the understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with various audiences throughout the university.

The university offered the following **ongoing awareness and prevention programs** for **students** in 2023:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered</u>
Sexual Assault Awareness	4/11, 4/12, 4/19, 4/25, 4/26, 9/7, 9/14, 9/19, 9/28, 10/3, 10/24	Main Campus	*DoV, DaV, SA, S
Crime Prevention Tables, Brochures, & Q&A	1/11, 1/25, 2/6, 6/15, 6/20, 6/24, 7/11, 7/13, 7/24, 7/28, 8/15, 8/16, 8/28	Main Campus	*DoV, DaV, SA, S
Healthy Relationships Instagram Live – Student Counseling Center	2/14/23	Online	*DoV, DaV, SA, S

Denim Day Tabling Event – Student Counseling Center	4/26/23	CAB Courtyard	*SA
Green Dot Training – Student Counseling Center	7/31/23	Esperanza Hall	*DoV, DaV, SA, S
National Night Out Block Party – Student Counseling Center	10/6/23	East Lawn	*DoV, DaV, SA, S
Healthy Relationships Instagram Live – Student Counseling Center	2/14/23	Online	*DoV, DaV, SA, S

The university offered the following **ongoing awareness and prevention programs for employees** in 2023:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered</u>
Sexual Assault Awareness	4/11, 4/12, 4/19, 4/25, 4/26, 9/7, 9/14, 9/19, 9/28, 10/3, 10/24	Main Campus	*DoV, DaV, SA, S
Crime Prevention Tables, Brochures, & Q&A	1/11, 1/25, 2/6, 6/15, 6/20, 6/24, 7/11, 7/13, 7/24, 7/28, 8/15, 8/16, 8/28	Main Campus	*DoV, DaV, SA, S
The Clery Act	Upon appointment of a Campus Security Authority	Online training	*DoV, DaV, SA, S

*DoV = Domestic Violence, DaV = Dating Violence, SA = Sexual Assault, and S = Stalking



Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault, and/or Stalking Occurs

After an incident of sexual assault, dating violence, domestic violence, or stalking, the victim should consider seeking medical attention as soon as possible at the closest hospital. In case of a sexual assault, you should go to the Methodist Specialty and Transplant Hospital, 8026 Floyd Curl Drive, San Antonio, Texas, 78229, phone number (210) 575-8168. For children and adolescents under the age of 13, you should go to the Children's Hospital of San Antonio, 333 North Santa Rosa, San Antonio, Texas, 78207, phone number (210) 704-2190. This should be done so that evidence may be collected, and pregnancy/STD information and testing can be provided, even if you choose not to make a report to law enforcement, in accordance with Texas law.

A&M-SA PD can collect evidence for "safekeeping" in accordance with A&M System Regulation 61.99.01, Retention of State Records. In addition, the victim has the option to use a pseudonym as defined in Texas Code of Criminal Procedure (CCP) Art. 57.01. If the victim chooses a pseudonym, the reporting officer will provide the victim with a form entitled "Pseudonym for Sexual Assault Survivors" as required by CCP, Art. 57.02. There is also a form for family violence and stalking survivors.

The sexual assault response team at Methodist Specialty and Transplant Hospital provides a compassionate environment for sexual assault survivors ages 13 and up. Through an exclusive agreement with local law enforcement agencies, a sexual assault nurse examiner trained by the Texas Attorney General's office provides comprehensive care to sexual assault survivors and collects physical evidence that can be used to prosecute offenders. Follow-up care, counseling, and treatment of related injuries are also provided. A chaplain and/or advocate from the rape crisis center can also provide counseling and support to the survivor and family.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence can be preserved that may be helpful in obtaining a protection order and/or arrest. In circumstances of sexual assault, 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 infections. Victims of sexual assault, domestic violence, stalking, dating violence, and sexual exploitation are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, and other communications, and by keeping pictures, logs, or other copies of documents, if they have any, that would be useful to university adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, and/or obtaining protection orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with A&M-SA PD or other law enforcement to preserve evidence if they decide later to report the incident to law enforcement or the university. Other important evidence that can be retained are voicemail messages; photos of bruises or other injuries, persons, and cars; text messages; a log of date/time/location of

incidents; snapchat pictures; the names and/or statements of witnesses, Ring videos, police reports and/or case numbers, etc. Keep all this information in a safe place, possibly with a close friend or family member.

Involvement of Law Enforcement and Campus Authorities

The A&M-SA PD along with the Title IX Office, the Student Counseling Center, the Office of Student Rights and Responsibilities, and the Office of Victim Services work together to provide assistance to victims and respondents.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, stalking, or sexual exploitation, you should report the incident promptly to the Title IX Coordinator at One University Way, Central Academic Building 439K, San Antonio, Texas, 78224, (210) 784-2061, by calling, writing, or coming into the office to report in person, as well as A&M-SA PD (if you desire). It is your choice whether or not to make a report to A&M-SA PD or other law enforcement agency; the Title IX Coordinator will not do so without your permission. If you desire, the Title IX Coordinator and/or other campus officials will assist you with notifying law enforcement on campus or local police. Reports of all domestic violence, dating violence, sexual assault, and stalking made to A&M-SA PD will automatically be referred to the Title IX Coordinator for review and/or subsequent investigation regardless of whether the complainant chooses to pursue criminal charges. The Student Counseling Center at (210) 784-1331 (available 24/7/365), any Campus Security Authority, and/or the Title IX Coordinator at (210) 784-2061 can provide assistance.

Texas A&M-SA PD may be reached directly by calling (210) 784-1900, or in person at One University Way, Police Building. You also may contact the Crime Victim Advocate/Crime Prevention Officer at (210) 784-1906 or ovs@tamusa.edu. The Police Department's website is found online at <http://www.tamusa.edu/upd/index.html>.

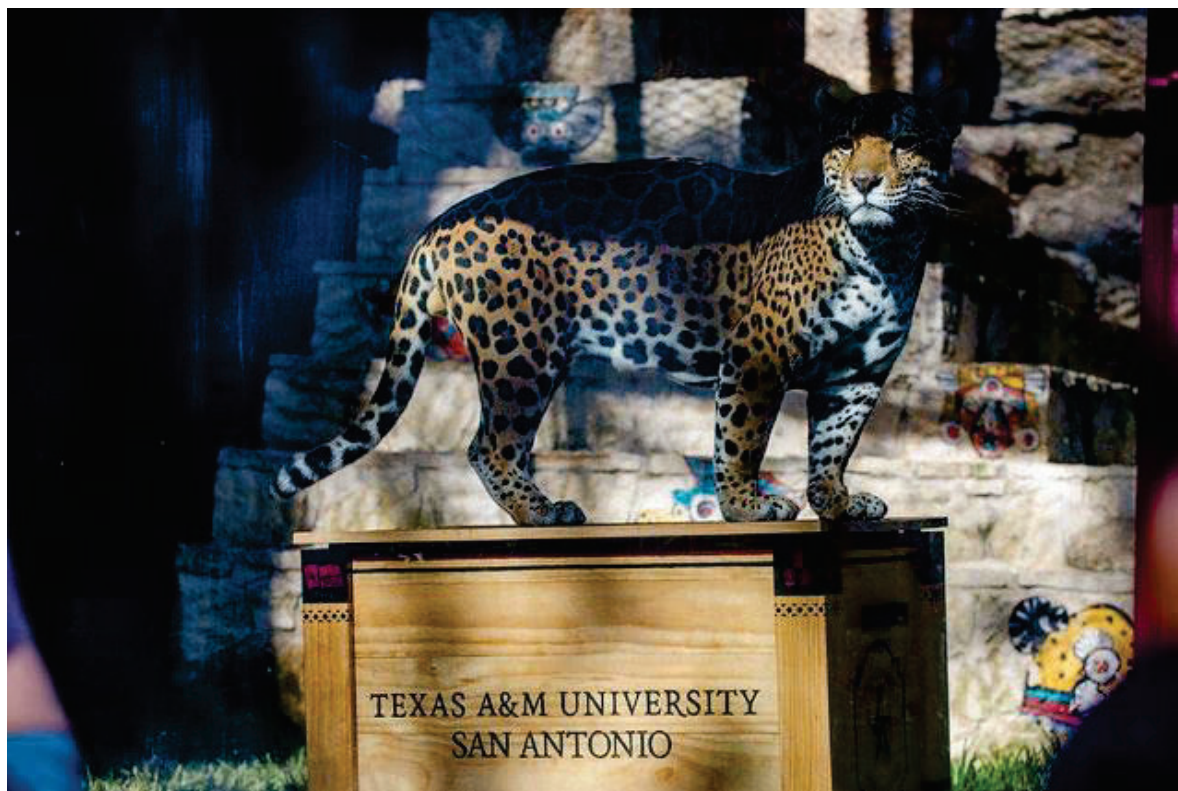
University-Initiated Supportive Measures

The well-being of students and employees during the investigation and resolution of complaints of sexual harassment, sexual assault, domestic or dating violence, and/or stalking is of utmost importance to Texas A&M University-San Antonio. The university will provide written notification to victims, respondents, and other affected individuals of support measures, if reasonably available. Examples of these measures include the availability of counseling, health services, mental health services, victim advocacy, legal assistance, visa and immigration assistance, student financial aid counseling, residential hall relocation, paid or unpaid leaves of absence, excused absences for medical appointments, adjustment of course schedules or class deadlines, withdrawal procedures, reassignment to a different supervisor or position, changing work hours, assistance in notifying appropriate local law enforcement, academic and transportation accommodations, and other services on and/or off campus. Additional measures

may be taken to prevent contact between a complainant and an accused party, such as an institutional no contact order if deemed appropriate or at the request of the victim or accused, or having the student or employee park in a different location or providing a safety escort.

These supportive measures may be applied to one, both, or multiple parties involved in the investigation and/or proceedings. Failure to comply with the terms of supportive measures such as mutual no contact restrictions may be considered a separate violation of system policies and regulations and member rules and procedures. Supportive measures may be temporary pending the results of an investigation or may become permanent as determined by the university.

The university will make such accommodations available if reasonably available and a student or employee requests them, regardless of whether they choose to report the crime to A&M-SA PD or local law enforcement.



Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, stalking, and sexual exploitation and will provide each victim with a written explanation of their rights and options.

The Title IX Coordinator will give the victim a crime victim rights and options information pamphlet and, with the victim's consent, will contact the Crime Victim Advocate to assist with safety information, resources, and crime victims' compensation information. The Title IX Coordinator will also provide support to the victim and/or assist in making referrals to other agencies or offices. The Crime Victim Advocate will contact the victim within five days by phone, email, mail, or a meeting in person. The Crime Victim Advocate will remain in contact with the victim throughout the investigative process to provide additional support as needed.

According to Texas law, a victim of crime is defined by [Chapter 56 of the Code of Criminal Procedure](#) as (1) someone who is the victim of sexual assault, kidnapping, or aggravated robbery or who has suffered bodily injury or death because of the criminal conduct of another, (2) the close relative (spouse, parent, adult brother or sister, or child) of a deceased victim, or (3) the guardian of a victim. The law also applies to victims of juvenile crime, including victims who suffer property loss.

- 1) Depending on when reported (immediately versus delayed), the institution will help complainant obtain medical care if needed and wanted.
- 2) It will assess the immediate safety needs of the complainant and the community.
- 3) It will provide written instructions on how to apply for a Protective Order.
- 4) It will provide written information to the complainant on how to preserve evidence.
- 5) It will assist the complainant with contacting local police if complainant desires AND provide the complainant with contact information for local law enforcement authorities;
- 6) It will provide the complainant with referrals to on and off campus mental health providers;
- 7) It will assess the need for interim and/or long-term protective measures, if appropriate.
- 8) It will provide the complainant with a written explanation of their rights and options.
- 9) It will provide a copy of the applicable policy to the complainant and inform the complainant of timeframes for initial assessment, investigation, and resolution.
- 10) If an investigation is requested, it will inform both the accuser and accused in writing of (a) the initiation of an investigation, if appropriate; (b) the investigation process; (c) the outcome of the investigation, if any; and (d) sanctions against the accused, if any.
- 11) It will enforce its anti-retaliation policy and take immediate and separate action against parties who retaliate against a person for complaining of sex-based discrimination or for assisting in an investigation.

The State of Texas intends that victims of crime receive the following safeguards, assurances, and considerations:

- Receive adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;
- Have their safety considered by the magistrate when setting bail;
- Receive information, on request, of relevant court proceedings, including appellate proceedings; of cancellations and rescheduling prior to the hearing; and appellate court decisions after the decisions are entered but before they are made public;
- Be informed, when requested, by a peace officer about the defendant's right to bail and criminal investigation procedures, and from the prosecutor's office about general procedures in the criminal justice system, including plea agreements, restitution, appeals and parole;
- Provide pertinent information concerning the impact of the crime to the probation department prior to sentencing;
- Be provided with information about the Texas Crime Victims' Compensation Fund and payment for a medical examination for a victim of sexual assault, and, on request, referral to social service agencies that provide additional assistance;
- Be provided information, on request, about parole procedures, notification of parole proceedings and of the inmate's release, and the opportunity to participate in the parole process by submitting written information to the Board of Pardons and Paroles for inclusion in the defendant's file for consideration by the Board prior to parole;
- Be provided a separate or secure waiting area at all public court proceedings;
- Have any property promptly returned that is no longer needed as evidence;
- Have the prosecutor notify, upon request, an employer that the need for the victim's testimony may involve the victim's absence from work;
- On request, be provided with counseling and testing regarding AIDS and HIV infection for victims of sexual assault;
- Request victim-offender mediation coordinated by the Victim Services Division of the Texas Department of Criminal Justice;
- Be informed of the use and purpose of a victim impact statement, be given assistance in completing a victim impact statement, and have the statement considered before sentencing and acceptance of a plea bargain and before an inmate is released on parole.

A victim, guardian of a victim, or close relative of a deceased victim may be present at all public court proceedings, with the consent of the presiding judge.

A judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a service enumerated herein.

Victims should also know that they can have a Victim Advocate accompany them during the sexual assault exam if an advocate is available at the time of the examination.

Protective & No Contact Orders

Victims of sexual assault, domestic and dating violence, and stalking are eligible to apply for protective orders and/or no-contact orders or similar lawful orders issued by a criminal, civil, or tribal court and/or the Office of Student Affairs. Standard protective orders may prohibit the offender from committing further acts of violence or harassing or threatening the victim, either directly or indirectly by communicating the threat through another person. No-Contact Orders are court orders or administrative orders that prohibit someone from contacting another person in any way. Texas law provides for criminal enforcement of valid protective orders issued by a Texas court and out of state protective orders. For more information on protective orders, contact the A&M-San Antonio PD at (210) 784-1900 or the Bexar County Family Justice Center at (210) 631-0100 or www.bcfjc.org.

A&M-San Antonio complies with Texas law in recognizing orders of protection. Any person who obtains a Protective Order from Texas, any state, U.S. territory, or U.S. Military Protective Order should provide a copy to A&M-San Antonio PD and the Office of the Title IX Coordinator. A complainant may then meet with A&M-SA PD to develop a Safety Action Plan, which is a plan for A&M-SA PD and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include escorts, special parking arrangements, changing classroom location, or allowing a student to complete assignments from home. The university cannot apply for a legal order of protection, no contact order, or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services. A Magistrate's Order for Emergency Protection may be issued at the time of a defendant's appearance before a magistrate, after arrest for an offense involving domestic violence, dating violence, sexual assault, human trafficking, or stalking. Applications are available through the Bexar County Family Justice Center, 126 E. Nueva, San Antonio, Texas, 78204, phone number (210) 631-0100.

Additionally, personally identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know, such as those who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. Publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20). Further, the institution will maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The university does not publish the name of crime victims nor house identifiable information regarding victims in the A&M-San Antonio PD Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by contacting the Office of the Registrar (210-784-1300) and by completing a Request to Restrict Directory Information Form.

On and Off Campus Services

Information for various services can be obtained from the resources below:

On Campus Resources

Victim/Survivor Advocacy

Office of Victim Services

Texas A&M-SA Police Department
(210) 784-1906

Counseling & Mental Health

Student Counseling Center (SCC)

Texas A&M-San Antonio
120 Madla
(210) 784-1331 (Available 24/7/365)

Employee Assistance Program

www.guidanceresources.com

(866) 301-9623

Student Financial Aid

Office of Scholarships & Financial Aid

Texas A&M-San Antonio
Office of Financial Aid & Scholarships
(210) 784-1300

Visa & Immigration Assistance

International Affairs

Texas A&M-San Antonio International Affairs
Madla Building Room 309
(210) 784-1309

Additional Resources

Title IX Coordinator

Central Academic Building 439K
<https://www.tamusa.edu/university-policies/titleix/index.html>
Titleix@tamusa.edu (210) 784-2061

Office of Student Rights and Responsibilities

Texas A&M-San Antonio
Madla Building, Suite 342
StudentRR@tamusa.edu
(210) 784-1353

A&M-San Antonio Police Department

Police Building
(210) 784-1900

Disability Support Services

Texas A&M-San Antonio
Central Academic Building, Suite 210
(210) 784-1335

AVP for Student Affairs & Dean of Students

Madla Building, Suite 312
(210) 784-1354

Off Campus Resources

Victim/Survivor Advocacy

Rape Crisis Center

4606 Centerview Drive, Suite 200, San Antonio, TX
78228
(210) 349-7273

Bexar County Family Justice Center

126 E. Nueva, 2nd Floor San Antonio, TX 78204
210-631-0100

San Antonio PD South Substation

Victim Advocacy Services
711 W. Mayfield Blvd., San Antonio, TX 78211
(210) 207-8701

Bexar County Sheriff's Office

Victim Services
200 N Comal St., San Antonio, TX 78207
(210) 335-6010

VINE (Victim Information & Notification)

Counseling & Mental Health (24/7)

Center for Health Care Services, 24 hour helpline

210-223-7233

National Crisis Text Line

Text "Hello" to 741-741

National Suicide Prevention Hotline

800-273-8255

Legal Assistance

Texas Legal Services Center

2101 S IH 35 Frontage Road, Austin, TX 78741
(512) 477-6000

Advocates for Victims of Crime Texas Legal Services

(888) 343-4414

Refugee and Immigrant Center for Education and Legal Services

1305 N Flores St., San Antonio, TX 78212

Everyday)

200 N Comal St., San Antonio, TX 78207
(210) 226-6010

The National Sexual Assault 24/7 hotline RAINN
(800) 656-4673

Family Violence Prevention Services
7911 Broadway, San Antonio, TX 78209
(210) 930-3669

Health

**Methodist Specialty & Transplant Hospital,
Forensic Nursing Services**
8026 Floyd Curl Dr., San Antonio, TX 78229
(210) 575-8110

San Antonio Behavioral Hospital
8550 Huebner Rd., San Antonio, TX 78240
(210) 541-5300

Steven A. Cohen Military Family Clinic
6363 De Zavala Rd. #300, San Antonio, TX 78249
(210) 399-4838

CentroMed,
<https://centromedsa.com/>
3750 Commercial Ave., San Antonio, Texas 78221
(210) 922-7000

(210) 222-0964

Visa & Immigration Assistance
City of San Antonio Immigration Services
20760 North, US-281a, San Antonio, TX 78258
(800) 375-5283

Additional Resources

Catholic Charities
231 West Commerce San Antonio, TX 78205
(210) 222-1294

Pride Center – San Antonio
1303 McCullough Ave. #160, San Antonio, TX 78212
(210) 370-7743

If requested, campus authorities will assist the victim in contacting the A&M-SA PD and/or other law enforcement authorities. A&M-SA PD is available to all victims to provide information about personal safety, Texas Crime Victims' Rights, the Texas Crime Victims Compensation Fund, and other related information upon request. Reports of sexual assault, domestic and dating violence, and stalking can also be made to:

- San Antonio Police Department (210) 207-7273
- Bexar County Sheriff's Office (210) 335-6000

A&M-SA PD or Campus Security Authorities will assist the victim in contacting these agencies, if requested. Victims of sexual violence can also contact the Title IX Coordinator at (210) 784-2061.

Disciplinary Actions

The university's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted consistently with the institution's policy and transparent to the accuser and the accused. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault, and stalking complaints are trained annually on related issues, as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes

accountability. Investigations will be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused. Furthermore, each process provides that:

1. All parties will have timely notice for meetings at which either or both parties may be present.
2. All parties will be explained the grievance process.
3. All parties will have timely and equal access to evidentiary material and have the right to present evidence and witnesses.
4. All parties have the right to not be present in the same room as the other party(ies) during a conduct hearing.
5. Both the accuser and the accused have the same opportunity to be accompanied by one advisor of their choice to any related meeting or proceeding (this may be an attorney at the student's or employee's expense), so long as the availability of the advisor does not hamper the timeliness of the meeting or proceeding. The selected advisor may not be an individual who may be charged as a result of the same or similar fact pattern. The advisor is limited to advising the student or employee, although the advisor will conduct any cross-examinations during a hearing. The mere presence of a university attorney at any meeting or proceeding does not indicate representation.
6. Both the accuser and the accused have the same opportunity to have evidence of past sexual history excluded during a conduct hearing. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
7. Both the accused and the accuser have the right to request a change in classes or other steps to prevent unnecessary or unwanted contact or proximity to the other party, especially when such contact is likely to place the party in danger of bodily injury or cause the party severe emotional distress.
8. The university will provide simultaneous written notice to the accuser and accused of (1) the result of the conduct hearing arising from the alleged dating violence, domestic violence, sexual assault, or stalking; (2) the process for the accuser and the accused to appeal the result of the conduct hearing, if any; (3) any change to the result of the conduct hearing; (4) the sanctions to be applied to the accused, if any; and (5) when the result of the conduct hearing becomes final.

The victim of an alleged act of sex-based misconduct may be unwilling to serve as the complainant. In such circumstances, if the Title IX Coordinator, Compliance Officer, or Human Resources Officer, in consultation with other campus authorities, believes there is good cause for charges to be brought against an accused student or employee in the interest of the university community, the Title IX Coordinator may sign and submit a formal complaint without becoming the complainant. However, the lack of the victim's cooperation in a grievance process may limit the university's ability to establish responsibility for the conduct.

Whether criminal charges are filed, the university or a person may file a complaint under the following policies, depending on the accused's status (student or employee).

Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking

The Texas A&M University System (A&M System), including Texas A&M University-San Antonio, prohibits discrimination, sexual harassment, and related retaliation based on the protected categories of race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, or gender identity. The A&M System develops policies and regulations that are followed by system members, including Texas A&M University-San Antonio. A&M System Policy 08.01, Civil Rights Protections and Compliance (<http://policies.tamus.edu/08-01.pdf>), directs system members to comply with all applicable legal requirements prohibiting discrimination, sexual harassment, and/or related retaliation against employees, students, applicants for employment or admission, and the public. The policy outlines the civil rights protections provided by the system to employees, students, applicants for employment and admission, and the public, and sets forth procedures and responsibilities for compliance with applicable laws and regulations. This policy also requires that each member appoint a Title IX (of the Education Amendments of 1972) Coordinator.

The A&M System has also established Regulation 08.01.01, Civil Rights Compliance (<http://policies.tamus.edu/08-01-01.pdf>), which provides guidance in complying with local, state, and federal civil rights laws and regulations. The regulation applies to complaints and/or appeals of employment or disciplinary actions made by faculty, administrators, staff, students, and/or third parties which allege prohibited discrimination, sexual harassment, and/or related retaliation. The regulation defines the terms confidential, consent, dating violence, domestic or family violence, hostile environment, private, quid pro quo sexual harassment, sexual assault, sexual harassment, and stalking, among others.

Texas A&M University-San Antonio's Rule 08.01.01.01, Civil Rights Compliance (<https://www.tamusa.edu/about-us/business-affairs/documents/08-01-01-01-civil-compliance.pdf>) establishes the procedures for making, receiving, and processing complaints of discrimination, sexual harassment, and related retaliation.

All employees, including student employees of the university, are responsible for complying with state law requiring system training on equal opportunity and nondiscrimination within 30 days of hire and every two years thereafter.

1) How to File a Complaint Under System Policy and Regulation

Texas A&M University-San Antonio Rule 08.01.01.01, Civil Rights Protections and Compliance ([08.01.01.01 CIVIL RIGHTS COMPLIANCE \(tamusa.edu\)](https://www.tamusa.edu/about-us/business-affairs/documents/08-01-01-01-civil-compliance.pdf)), Subsection 1.1, states that the President designates the Title IX Office, Human Resources Office, and the Compliance Office (designees) as the entities responsible for overseeing A&M-San Antonio's civil rights protections program. The designees will:

- Ensure that all allegations of discrimination, sexual harassment, and/or related retaliation are promptly, thoroughly, and equitably investigated and resolved;
- Periodically follow up on situations in which discrimination, sexual harassment,

- and/or related retaliation is found to ensure that the situation does not recur;
- Develop, conduct, coordinate, and oversee campus civil rights compliance training; and
 - Provide periodic updates to managers and the campus community regarding the civil rights compliance program.

An employee who experiences, observes, or becomes aware of discrimination, sexual harassment, and related retaliation must promptly report the incident(s) to a supervisor or the university's Title IX Coordinator, Chief Human Resources Officer, or Compliance Officer. Only certain employees may keep reports of violations of this regulation confidential; i.e., licensed health care personnel and trained sexual assault advocates, when acting in this capacity as part of their official employment. All other employees informed of possible violations of the regulation should advise the reporter that they cannot keep the information confidential and are required to report it. The employee should inform the reporter where confidential guidance can be obtained, such as the Student Counseling Center or the employee assistance program. To the extent possible, the university will protect the privacy of all parties to the report.

Students and third parties (including, but not limited to, anyone receiving services from the university, vendors, and private business associates) should also promptly report an incident involving an employee to the university's Title IX Coordinator, Chief Human Resources Officer, or Compliance Officer.

Employees and students are prohibited from discriminating, harassing, and engaging in related retaliation against any person based on a protected status in A&M-San Antonio's educational programs, activities, admission and employment, or as a result of their participating in an investigation of such alleged violations.

An employee or student is not required to report discrimination, sexual harassment, and/or related retaliation to a direct supervisor or to the alleged offender. The alleged offense may instead be reported to another university official, administrator, supervisor, or other designee.

2) How the University Determines Whether This Policy Will be Used

If faculty, students, staff, and/or third parties file a complaint or make a report alleging discrimination, sexual harassment, and/or related retaliation, System Policy 08.01, Civil Rights Protections and Compliance (<http://policies.tamus.edu/08-01.pdf>); System Regulation 08.01.01, Civil Rights Compliance (<http://policies.tamus.edu/08-01-01.pdf>); and Texas A&M-San Antonio Rule 08.01.01.01, Civil Rights Protections and Compliance 08.01.01.01 CIVIL RIGHTS COMPLIANCE (tamusa.edu) are followed, as stated above.

System Policy 32.01, Employee Complaint and Appeal Procedures (<http://policies.tamus.edu/32-01.pdf>); System Regulation 32.01.01, Complaint and Appeal Procedures for Faculty Members (<http://policies.tamus.edu/32-01-01.pdf>); Texas A&M-San Antonio Procedure 32.01.01.00.01, Complaint and Appeal Procedure for

Faculty Members ([32.01.01.O0.01 Complaint and Appeal Procedure for Faculty Members \(tamusa.edu\)](#)); and System Regulation 32.01.02, Complaint and Appeal Process for Non-faculty Employees (<http://policies.tamus.edu/32-01-02.pdf>) are followed as applicable when faculty, students, staff, and third parties file a complaint that does NOT allege discrimination, sexual harassment, and/or related retaliation.

When it is uncertain whether the complainant is alleging discrimination, sexual harassment, and/or related retaliation, the university follows the 08.01-related policy/regulation/rule until such time as the nature of the complaint is determined not to be civil rights-related.

Anticipated Timelines. Timelines are set forth in A&M System Regulation 08.01.01 (<http://policies.tamus.edu/08-01-01.pdf>).

An unredacted version of the complaint will be given to the respondent(s) and their advisor, if applicable, with admonishments regarding privacy. If there is sufficient information, the designated office will forward the complaint to an appointed investigative authority within five (5) business days of the decision to proceed with the investigation. The designated office will provide written notification to the complainant(s) and the respondent(s) of (1) receipt of the complaint stating the allegation of a violation of this regulation; (2) the appointed investigative authority; (3) the appointed designated administrator; (4) interim supportive measures, if any; (5) admonishments regarding cooperation and prohibiting retaliation, and (6) any informal resolution process that may be available.

The university can place an employee respondent on administrative leave with pay, reassign them, and/or place them in another type of temporary status pending completion of the investigation and final resolution of the allegations. This is not a disciplinary action.

The investigative authority will review each report, complaint, and/or appeal, interview witnesses (if applicable), review relevant documentation, and provide an initial draft report of their investigation to the A&M System Office of General Counsel (OGC) for review within 30 days. OGC will coordinate with the System Ethics and Compliance Office (SECO) and provide its review to the investigative authority within ten (10) business days. The investigative authority will have five (5) business days to create a final draft report and share that document electronically with both the complainant and the respondent, who will have ten (10) business days to review the report and provide written commentary, if desired, to the investigative authority. The investigative authority will then have five (5) additional business days to prepare a final report to be reviewed by OGC and SECO, who will have five (5) business days to provide feedback. The latter review may be waived by mutual agreement between the member and OGC/SECO if no substantive changes were made following the initial review. The final report and exhibits are then sent directly to the designated administrator and the parties.

Time frames for the receipt, investigation, and adjudication of complaints may be

extended for good cause with written notice to the complainant and respondent of the delay and/or extension and the reasons, therefore. The investigative authority should send an extension request, if needed, to the office or individual who appointed them.

The parties will be provided a pre-hearing conference to review the hearing process, as well as to explore any available options for informal resolution, on request. The parties will be provided at least ten (10) business days to review the final investigative report and to respond in writing to the designated administrator (if desired) prior to any hearing.

At any time before a formal complaint's adjudication, the parties may seek informal resolution to resolve the complaint, except sexual misconduct complaints and complaints in which imminent threats of harm may exist. If a formal complaint cannot be resolved through an informal process or if either the complainant or the respondent in a sex-based complaint requests a hearing, a formal live hearing will be conducted by the designated administrator (a hearing officer or hearing panel). Unless waived by the parties following the pre-hearing conference, the parties will be given a minimum of five (5) business days' notice of any formal hearing. Hearings will be closed to the public.

3) Decision-Making Process

Students: For student respondents, the designated administrator is the Vice President of Student Affairs or another designee. They will review the investigative report and decide whether to hear the case themselves or, if required, forward it to a Student Conduct Hearing Committee. The hearing will follow the Student Conduct process and will determine if the respondent is responsible or not responsible based on the Student Code of Conduct.

Employees: The Title IX Coordinator, Human Resources Officer, or Compliance Officer will appoint a designated administrator which, in the case of sexual assault, sexual harassment, dating or domestic violence, or stalking, will be a hearing panel or officer.

A complainant and a respondent at a hearing of sex-based misconduct must have an advisor with them to conduct cross-examinations. Cross-examination of the complainant, respondent, and any witnesses may not be conducted by the opposing party but must be conducted by their advisor. In cases in which a party does not have an advisor, the university will provide a trained advisor to assist them in the hearing process. Questions are to be directed to the hearing officer or hearing panel chair, who will determine if each question will be admitted into the hearing. If a question is deemed repetitious or not relevant, the decision-maker(s) must explain the decision to exclude it. When parties are subject to cross-examination, the advisor may not answer on behalf of the party.

Attendance at a hearing may be in person or may be conducted through remote means, provided that all parties and the hearing officer or hearing panel can see and hear one another in real time during the hearing.

If a complainant, respondent, or witness is not in attendance at a live hearing, the hearing officer or hearing panel cannot rely on the previously submitted statements of the absent party in reaching a determination, but may utilize all other evidence, including witnesses who interacted with the absent party, but not hearsay testimony of what the absent party told that individual. A complainant, respondent, or witness statement can also not be utilized in a determination if that person refuses to submit to cross-examination at a live hearing.

Following the hearing, the hearing officer or hearing panel will have five business days to issue a decision letter. The decision letter must be sent simultaneously to both/all parties. The designated administrator may decide sanctions, if any, or may delegate the sanctioning decision to another authority within the member. Sanctions, if any, will be issued at the same time as the decision.

4) Possible Sanctions

Students

A&M-San Antonio follows The Texas A&M University System Model Sanctioning Matrix for Sexual Violence and Sexual Harassment Violations when a student is found in violation of misconduct related to sexual violence, sexual harassment, or sex-based misconduct (<http://assets.system.tamus.edu/files/policy/pdf/08-01-01-Appendix.pdf>).

Student conduct sanctions are categorized as primary and secondary. More than one primary sanction or any combination of primary sanctions and secondary sanctions incurred (e.g., those involving tuition, fees, housing) may be applied. The primary sanctions are listed in level of severity.

Once a student has been assessed a disciplinary sanction, however, no more severe primary sanctions may be assessed against them by any higher university authority. For Title IX cases, including offenses involving violence or non-forcible sex offenses, the results of any disciplinary hearing conducted by the university will include the findings and any sanctions, which will be sent in writing to both the accuser and the accused.

Sex-Based Violence and/or Nonconsensual Penetration (with Predation)

Range: Expulsion

Sex-Based Violence and/or Nonconsensual Penetration (without Predation)

Range: Suspension (1 year) up to Expulsion

Nonconsensual Sexual Contact

Range: Disciplinary Probation up to Expulsion

Sexual Exploitation

Range: Disciplinary Probation up to Expulsion

Stalking

Range: Warning up to Expulsion

Sexual Harassment

Range: Warning up to Expulsion

Description of Sanctions

Primary Sanctions for Students

Expulsion: Permanent separation of the student from the university whereby the student is not eligible for readmission to this university. Expulsion prohibits entry into university premises for class or affiliated events for any reason, and an individual may be issued a Criminal Trespass Warning. A notation of the conduct violation will be made on the student's academic transcript.

Dismissal: Separation of the student from the university for an indefinite time. Readmission to the university may be possible in the future, but no specific time for a decision is established. Dismissal prohibits entry into university premises for class or affiliated events for any reason, and an individual may be issued a Criminal Trespass Warning. A notation of the conduct violation will be made on the student's academic transcript.

Suspension: Temporary loss of privilege of being enrolled as a student at Texas A&M University- San Antonio for a definite period of time. Once a student is eligible to return, conditions for review of reenrollment may apply. Suspension prohibits entry into university premises for class or affiliated events for any reason, and an individual may be issued a Criminal Trespass Warning. A suspended student may not reside in on-campus housing and will be considered "not in good standing" with the university. A notation of the conduct violation will be made on the student's academic transcript.

Banishment from Campus (Criminal Trespass Order): In addition to being suspended or expelled from the university, the student is banned from entering the grounds and/or facilities owned, operated, and/or maintained by the university. Entrance onto campus or into those facilities/areas will be viewed as a violation of this sanction, and the student will be charged accordingly for trespassing and failure to comply. A notation of the conduct violation will be made on the student's academic transcript.

Housing Eviction: Permanent separation of the student from university on-campus residence facilities. A student who is removed from on campus housing as the result of this sanction may be required to pay the full room charge and any other fees that are owed as stipulated in the lease contract. Eviction prohibits entry into on-campus housing for any reason, and an individual may be issued a Criminal Trespass Warning. Individuals who violate this sanction may be arrested and/or additional charges filed against them under the Student Code of Conduct.

Interim Suspension: At any point in the process, a respondent may be subject to removal from the member's education program or activity on an emergency basis, provided that an individualized violence risk assessment (conducted by or in conjunction with a member's behavioral assessment team) has determined that an immediate threat to the physical health or safety of any student or other individual arising from the allegations justifies removal. The respondent is given notice and an opportunity to challenge the

decision immediately following the removal. Upon being removed, any student respondent must be granted the opportunity for a hearing within five (5) business days to review whether or not the removal is warranted. The outcome of this hearing is not subject to appeal and is not a disciplinary action. The university will designate the assignment of a hearing authority for this purpose.

During the interim suspension, a student is denied access to the campus (including classes) and/or all other university activities or privileges for which the student might otherwise be eligible.

Restricted Access: Restricting or banning from entering certain designated areas or the use of specific equipment as defined by the Student Conduct Officer or designee for a specified period of time. Restricting or banning may include, but is not limited to, access to a university owned or operated facility and/or services, academic related programs and/or opportunities, internships, access to on campus housing, participation in university-sponsored activities, and contact with a specified university community member(s).

Deferred Suspension: The sanction of suspension may be placed in deferred status. If the student is found in violation of any university rule during the time of deferred suspension, the suspension takes effect immediately without further review. Additional student conduct sanctions appropriate to the new violation also may be taken. A student who has been issued a deferred suspension sanction is deemed “not in good standing” with the university. A student who is not in good standing is subject to the following restrictions:

- A. Ineligible to hold an office in any student organization recognized by the university or to hold any elected or appointed position within the university.
- B. Ineligible to compete in intercollegiate athletic activity.
- C. Ineligible to represent the university in any capacity, including representing the university at any official function.
- D. Ineligible to receive a university-administered scholarship or fellowship when the sanction is in place for longer than one semester.

Conduct Probation: An official warning that the student’s conduct is in violation of Texas A&M University-San Antonio Student Rules, but is not sufficiently serious to warrant expulsion, dismissal, or suspension. A student on conduct probation is deemed “not in good standing” with the university. This sanction includes the same restrictions listed under Deferred Suspension.

Conduct Review: An official warning that the student's conduct is in violation of Texas A&M University-San Antonio Student Rules, but is not sufficiently serious to warrant expulsion, dismissal, 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 responsibility for subsequent violations of the student rules during this period of time, more severe sanctions will be administered.

Letter of Enrollment Block: A letter stating that the student may not re-enroll in Texas A&M University-San Antonio without prior approval through the Office of Student Rights and Responsibilities or Vice President for Student Affairs if enrollment has been blocked for a previous student conduct problem.

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

Warning: Serves as a formal written warning that the student has violated the Code of Conduct.

Secondary Sanctions

Community/University Service: A student may be offered an opportunity to complete a specified number of hours of community/university service in lieu of or in addition to other sanctions.

Educational Requirements: A student may be offered an opportunity to complete a specific educational requirement directly related to the violation committed. The provision will be clearly defined. Such educational requirements may include, but are not limited to, completion of an alcohol education workshop, essays, reports, etc.

Academic Sanctions: Appropriate academic sanctions are based upon specifics of the incident. The provision will be clearly defined. Such academic requirements may include, but are not limited to, plagiarism coursework, educational workshop, etc.

Restrictions: The withdrawal of specified privileges for a definitive period of time, but without the additional stipulations contained in the imposition of conduct probation. 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 any of the above sanctions.

Loss of Parking Privileges on Campus: Revocation of campus vehicle registration and forfeiture of permit and all refund rights to said permit.

Employees

System Policy 32.02, Discipline and Dismissal of Employees

(<http://policies.tamus.edu/32-02.pdf>), states that System employees may be subject to discipline and/or dismissal in accordance with System policies and regulations. All non-faculty positions at Texas A&M University-San Antonio are “at will” and may be dismissed from employment with or without cause, although any such dismissal must be in compliance with federal and state law. Dismissal of a faculty member shall be in accordance with applicable System policies.

System Regulation 32.02.02, Discipline and Dismissal of Non-faculty Employees

(<http://policies.tamus.edu/32-02-02.pdf>), and A&M-San Antonio Rule 32.02.02.00.01, Discipline and Dismissal of Non-faculty Employees (<https://www.tamusa.edu/about-us/business-affairs/compliance/documents/32-employee-relations/32-02-02-00-01-discipline-and-dismissal-of-nonfaculty-employees.pdf>) establish the basis and procedure for discipline or dismissal of a non-faculty employee of the System; however, the regulation does not modify the “at will” status of any System non-faculty employee.

Although adherence to the principle of progressive discipline found in the regulation is not required, it is encouraged as a good management practice when practical. Even if progressive discipline is chosen, not every step must be taken in each case. With progressive discipline, an employee faces increasingly stricter disciplinary measures if satisfactory improvement does not occur after the disciplinary process is initiated.

Failure to follow procedures as outlined in the regulation will not create claims based on failure to meet standards of procedural due process. Failure by the university to follow the procedural steps outlined in the regulation will not form the basis of any employee’s appeal of termination.

Supervisors can invoke the following types of discipline: verbal or written counseling, written reprimands, suspension without pay, transfer, demotion, reduction in salary, and/or dismissal.

Employees may be suspended with pay by the Chief Executive Officer (CEO) for up to 30 work days upon a finding that the suspension is in the best interests of the member or to investigate allegations against the employee. This is not considered disciplinary action. Additional time for the suspension beyond 30 days may be granted only by the CEO.

Employees being dismissed are notified in writing. Employees being disciplined or dismissed may be required to make restitution for damages to property or equipment, for theft, for unauthorized purchases or payment of wages, for unauthorized travel expenses, or for other illegal or improper actions. If restitution is not made under the terms and conditions mandated, the employee may be subject to legal action and/or further discipline or dismissal.

When unprofessional behavior by an employee that does not rise to the level of a

violation of the regulation is discovered during the civil rights investigation and adjudication process, the information will be forwarded to the employee's supervisor.

When an employee is found to have sexually harassed or engaged in sex-based misconduct against another member of the university community, the sanction will be termination of employment. Employees being disciplined or dismissed may be required to make restitution for damages to property or equipment, for theft, for unauthorized purchases or payment of wages, for unauthorized travel expenses, or for other illegal or improper actions. If restitution is not made under the terms and conditions mandated, the employee may be subject to legal action and/or further discipline or dismissal.

Notification to Victims of Crimes of Violence

The university will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex crime the report on the results of any disciplinary proceeding conducted by such institution against a student or employee who is the alleged perpetrator of such crime or offense.

If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Standard of Evidence for Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Preponderance of the evidence is the standard used in proceedings for determining allegations of dating violence, domestic violence, sexual assault, and stalking at the university.

Preponderance of the evidence is satisfied if the action is more likely to have occurred than not.

Title IX of the Education Amendments of 1972

Title IX prohibits discrimination on the basis of sex in educational programs and activities provided by recipients of federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. Title IX requires the university to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects. A&M-San Antonio will offer appropriate supportive measures to all parties to an alleged incident of sex-based misconduct, including living and/or academic accommodations if reasonable and available. The Title IX Coordinator will oversee the administrative investigation of claims of sexual harassment and sexual violence and ensure that there are appropriate grievance procedures for the prompt and equitable resolution of student sex discrimination complaints. A law enforcement investigation does not relieve the university of its independent Title IX obligations to investigate sexual misconduct.

Individuals may report a sex offense to the university's Title IX Coordinator at (210) 784-2061 or in person at One University Way, Central Academic Building 439K.

Sexual Assault Prevention and Response

All members of the campus community should be aware that sexual assaults, including date or acquaintance rape, are prohibited by state laws and university rules, and will be viewed by Texas A&M University-San Antonio as a serious matter. Sexual assault (rape) is a nonconsensual sexual act involving force, manipulation, and/or coercion. It is an act of aggression, violence, and power and is a felony crime. The perpetrator can be a stranger, relative, acquaintance, or date. Although sexual assault is usually a crime committed against women, it can also happen to men. To enhance personal safety, especially after evening classes, community members are encouraged to walk with friends or a well-known acquaintance or request an A&M-SA PD escort.

Texas A&M University-San Antonio provides educational programs to promote the awareness of rape and other forcible and non-forcible sex offenses. These programs are sponsored by various offices on campus, including the Student Counseling Center, the Office of Student Rights and Responsibilities, A&M-SA PD, the Title IX Office, and off-campus referral centers.

Sexual Assault Prevention

Texas A&M University-San Antonio is also committed to providing comprehensive sexual education and violence prevention programs. Emphasis is placed upon personal safety and awareness of one's surroundings, risk assessments, and bystander intervention.

Safety Begins With You: This presentation is offered to the campus community the first part of each semester. It provides awareness and prevention information on home security, physical security, personal security, active shooter, Clery Act, Title IX, bystander intervention, sexual assault, stalking, and domestic and dating violence. This is offered at least twice a year in the Fall and Spring semesters.

Reporting Sexual Assault

Victims of a sexual assault should report the incident to the Title IX Coordinator and/or A&M-SA PD; however, victims are not required to report to law enforcement. They may also contact the Office of Victim Services for guidance on different options they might have and provide on and off campus resources.

If the incident takes place off-campus, victims should contact the local police if they want to file a report. Victims will be assisted in notifying law enforcement authorities if the victim so chooses. A&M-SA PD, Office of Victim Services, the Dean of Students, the Title IX Coordinator, staff of the Counseling Center, and/or other appropriate university staff are available to assist with outside agency reporting, if requested. Filing a police report with A&M-SA PD or other law enforcement will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

Filing a report will:

- 1) Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim.
- 2) Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam).
- 3) Ensure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.
- 4) Begin the legal process in case the victim decides to prosecute at a later date.

Victims are strongly encouraged to report an attempted or completed sexual assault to the Title IX Coordinator and/or the police. If criminal charges are later pursued, it is critical for the law enforcement agency to be informed as soon as possible following the incident so appropriate steps, such as gathering crucial evidence and information, can be taken. A victim always has a choice whether or not to report a sexual assault, but reporting an assault, or an attempted assault, is extremely important for the protection of both the victim and the community.

When a sexual assault victim contacts the A&M-SA PD, the Title IX Coordinator will be notified. The Crime Victim Advocate may also be contacted to guide the victim through available resources, to support the victim in their decisions, and to ensure access to available counseling services. The officer receiving a report will give the victim a crime victim assistance information pamphlet and will call the Crime Victim Advocate, if desired.

Counseling and Support

If an individual has been sexually assaulted, they may experience a wide range of emotions such as shock, denial, fear, depression, anger, guilt, and/or embarrassment. Any of these feelings can occur immediately or may not surface until months, or even years, after the assault. Recovery from sexual assault is a long-term process. Immediate support and crisis intervention are almost always needed. Many times, counseling can make a major difference in the sexual assault survivor's eventual psychological well-being. Obtaining counseling does not obligate a student to report the sexual assault to the police.

Various counseling options are available from the university through the Student Counseling Center at (210) 784-1331; available 24/7/365 (students only) and ComPsych Guidance Resources Employee Assistance Program at (886) 301-9623 (employees only). Counseling and support services may also be obtained outside the university through the Rape Crisis Center 24-hour hotline: (210) 349-7273. [The Rape Crisis Center](#) is located at 4606 Centerview Drive, Suite 200, San Antonio, Texas, 78228.

The A&M-SA PD works closely with the Office of Student Affairs in dealing with sensitive situations and referring persons to counseling services, as needed. Police officers are trained in threat assessment, and counselors have the option to encourage their clients to report crimes to

the A&M-SA PD, if they deem appropriate, to prevent the potential for future crimes and for inclusion into the annual crime statistics. Information is provided to clients on how to report crimes to A&M-SA PD and the Title IX Coordinator, along with other victim and resource information.

Counselors and the Title IX Coordinator do not disclose identifying information to the police department without the consent of the client unless there is an immediate threat to safety.

Criminal Prosecution and Student Disciplinary Hearings

The victim of a sexual assault may choose for an investigation to be pursued through the criminal justice system, the campus disciplinary system, or both. The A&M-SA PD, with the victim's consent, will immediately conduct a criminal investigation of on-campus sexual assault incidents. Completed investigations will be forwarded to the District Attorney's office for review and possible prosecution. Upon request and if reasonably available, the university will adjust a victim's academic, residential, and/or work situations after an alleged sex offense by making special accommodations such as distance learning options. University disciplinary action may be imposed on individual students, recognized student organizations, and/or university faculty and staff found in violation of the university's sexual misconduct policy. In addition to any criminal prosecution, students may be placed on probation, suspended, expelled, and/or evicted from on-campus housing for committing violent and/or criminal acts on campus or at campus-related events. University disciplinary proceedings are detailed in the Texas A&M University-San Antonio Student Handbook. If a student is found guilty of sexual offense, the university may impose any of the primary sanctions, such as expulsion, dismissal, suspension, banishment from campus (criminal trespass), and housing eviction.

In accordance with the Texas Code of Criminal Procedure Article 57, victims may use a pseudonym to protect their identity. A pseudonym is a fictitious name or set of initials chosen by the victim to be used in all public files and records concerning the sexual assault.

What Happens When the Police are called?

Police units will respond immediately. An ambulance or a police officer will transport the victim to the emergency room of the Methodist Specialty and Transplant Hospital, 8026 Floyd Curl Drive, San Antonio, Texas, 78229, (210) 575-8110, so evidence may be collected, even if the victim chooses not to make a report to law enforcement. The police will properly gather all evidence. A physical examination is necessary to take care of obvious and/or hidden physical injuries, and it will provide an opportunity for the victim to discuss potential pregnancy or communicable disease concerns with a physician. In addition, emergency room personnel can call the local rape crisis center so that a counselor can provide support and education.

Preservation of Evidence

To preserve evidence for an examination, a victim

- 1) Should not shower, bathe, or douche;

- 2) Should not comb hair or wash hands;
- 3) Should try not to urinate;
- 4) Should not smoke, eat, brush teeth, or rinse mouth if oral contact took place; and
- 5) Should not change clothes. (A victim should carry a change of clothes to the hospital, if possible, in case the clothes they are wearing need to be kept for evidence. If clothes must be changed, a victim should place them in a paper bag because plastic may destroy evidence.)

Preserving evidence may assist in proving the alleged criminal offense occurred and may be helpful in obtaining a protective order.

A specially trained criminal investigator will interview the victim. The victim has the option of requesting a concealed identity or pseudonym during the investigation. In all cases the victim will be treated with compassion, consideration, understanding, and patience during the interview. The officer will make every attempt to maintain the confidentiality of the victim.

Campus Sexual Assault, Domestic and Dating Violence, and Stalking Victims' Bill of Rights

The United States Congress enacted the "Campus Sexual Assault Victim's Bill of Rights" as a part of the Higher Education Amendments of 1992, as amended by the Campus Sexual Violence Elimination Act (Campus SaVE). This law requires that all universities provide sexual assault victims certain basic rights such as:

- 1) The accuser and accused must have the same opportunity to have others present, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.
- 2) Both parties will be simultaneously informed of the outcome of any disciplinary proceeding in writing.
- 3) Victims will be informed of their options to notify law enforcement, including on-campus and local police.
- 4) Victims will be notified of counseling services.
- 5) Victims will be notified of options for academic and living adjustments, transportation, and work modifications, if so requested by the victim and if such accommodations are reasonably available, regardless of whether or not the victim chooses to report the crime to campus police or local law enforcement.

University Discipline Process

Victims have the option to pursue university disciplinary charges if the assailant is a Texas A&M University-San Antonio student or faculty or staff member. Sexual assault is a violation of Texas A&M University-San Antonio Student Code of Conduct and sexual violence rule. Whether the student or employee wants to involve the A&M-SA PD or student or employee conduct processes, information and evidence obtained by the police can be used in university disciplinary actions if the assailant is a student or employee, regardless of whether or not criminal charges are filed.

Rights of Both Parties

Both the accused and accuser are entitled to the same opportunities to have others present during an investigation and at any disciplinary proceedings. Both the accused and the accuser must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense, except when to do so would violate state or federal law [e.g., the Family Educational Rights and Privacy Act (FERPA)].

Written Notification

The university will send simultaneous written notification to both the accuser and the accused of the results of any disciplinary proceeding conducted by the university for sex-based policy violations, as well as procedures, if any, to appeal the results of the disciplinary proceeding, any changes to the results, and when such results become final.

If the alleged victim is deceased as a result of the offense, the institution will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Sexual Harassment

Sexual harassment of students and employees at Texas A&M University-San Antonio is unacceptable and will not be tolerated. Any member of the university community violating this policy will be subject to disciplinary actions. For more information, see the Title IX website at <http://www.tamusa.edu/titleix/index.html>.

University's Alcohol and Drug Policy

Alcoholic Beverages

The possession, use, sale, or furnishing of alcoholic beverages on the Texas A&M University-San Antonio campus is governed by statements in the Student Handbook and Texas state law. Laws regarding the possession, use, sale, consumption, or furnishing of alcohol are enforced by the Texas Alcoholic Beverage Commission (TABC). The enforcement of alcohol laws on campus is the primary responsibility of the A&M-SA PD. Violators may be subject to university disciplinary action, criminal prosecution, fines, and/or imprisonment (or a combination of these).

It is unlawful to sell, furnish, or provide alcoholic beverages to a person under the age of 21. The possession of alcoholic beverages by anyone less than 21 years of age is illegal. On-campus use of alcohol is allowable in designated authorized areas as approved by the university's President. It is also a violation of the Student Code of Conduct for anyone to possess or consume alcohol in any public or private area of campus without prior university approval. Organizations or groups violating alcohol or drug policies, or laws may be subject to sanctions by the university. Clarification regarding alcohol and controlled substances can be

found in the [Student Handbook](#).

Legal Sanctions – Laws Governing Alcohol

The State of Texas sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances governing alcohol, including driving while intoxicated and public intoxication, are available from the Texas Alcoholic Beverage Commission (TABC) or Public Safety Office. Effective January 1, 2006, state laws regarding alcohol include the following:

- 1) Persons under age 21 found in possession of alcohol may be given a maximum fine of \$500.00, mandatory alcohol awareness course, mandatory 8-12 hours of community service, and 30-day driver's license suspension.
- 2) Anyone convicted of driving while intoxicated may be given a maximum fine of \$2000.00 and/or up to 180 days in jail, mandatory Alcohol awareness course, mandatory 20-40 hours of community service, a 60-day driver's license suspension, and 30-day ineligibility for occupational license.
- 3) Adults and minors who provide alcohol to minors (a Class A misdemeanor) may be given a fine of \$4,000.00, maximum confinement of one year, and license suspension of 180 days upon conviction.

Illegal Drugs

The Texas A&M University-San Antonio campus has been designated “Drug Free.” The unlawful possession, sale, manufacture, or distribution of any controlled substance or paraphernalia is illegal under both state and federal laws. These laws are strictly enforced by the A&M-SA PD. Violators may be subject to university disciplinary action, criminal prosecution, fines, and/or imprisonment (or a combination of these). The university reserves the right to employ an outside agency to assist in the detection of illegal drugs, controlled substances, and/or drug paraphernalia.

Alcohol and Substance Abuse – Prevention Programs

Student Education and Prevention Programs

Alcohol and Drug Education Programming: Jaguar's Care Committee provides educational programming to students on campus. This includes information tables on safe behavior while drinking, bystander intervention, standard drink education, consent under the influence of alcohol, dangers of alcohol poisoning, education on Texas 911 Lifeline Law, party drug information, etc. Other educational programs include 4:20 Marijuana Education, National Night Out Block Party, drunk goggle simulations, Education Bingo, and education on resources on campus. A comprehensive list can be found on the webpage for Alcohol and Drug Prevention: <https://www.tamusa.edu/university-policies/student-rights-and-responsibilities/alcohol-drug-prevention/index.html> and the DAAP is located at <https://www.tamusa.edu/university-policies/Student-Rights-and-Responsibilities/alcohol-drug-prevention/drug-free-schools.html>

- **Alcohol Education Course:** The University mandates that all in-coming students under the age of 21 complete an alcohol education course. The online education module is hosted through Vector Solutions, which also provides a Sexual Assault Prevention course and a Prescription Drug course. These courses are open for all university students to complete. An Alcohol EDU for Sanction course is also available for students found responsible for violating university policy regarding use or possession of alcohol.
- **Alcohol Screening:** The University recognizes that alcohol/drug dependency is an illness and a major health problem. Excessive use of alcohol and other drugs is a serious health problem in itself, but alcohol and drug abuse can also contribute to a host of other physical and mental health problems, such as complications in pregnancy, violent behavior, HIV infection and other sexually transmitted diseases, psychological depression, hallucinations, and even death. The Student Counseling Center offers confidential online screening and assessment.

Information, assessment and referral services for alcohol or drug-related problems are available on campus:

- 1) Services for students are available at the Office of Student Affairs, (210) 784-1330.
- 2) The Student Counseling Center (210) 784-1331 (available 24/7).
- 3) Services for employees are available through the university's Human Resources office.
- 4) Other resources: San Antonio Council on Drug & Alcohol Abuse, 7500 HWY 90 W., Building 1, Suite 100, San Antonio, Texas 78227, (210) 225-4741.

Employee Education and Prevention Programming:

The university offers an Employee Assistance Program (EAP) contracted through ComPsych Guidance Resources services. ComPsych Guidance Resources can be reached via the web, guidanceresources.com, via App: GuidanceNow, and by telephone (866) 301-9623. Substance abuse treatment may be covered by medical plans offered by Texas A&M University-San Antonio. A&M-San Antonio also offers leave for treatment which is covered under the Family and Medical Leave Act (FMLA). Employees are encouraged to meet with the Office of Human Resources regarding FMLA requests.

Firearms and Weapons Policy

Texas A&M University-San Antonio Campus Concealed Carry Rule 34.06.02.01, "Carrying Concealed Handguns on Campus," approved April 27, 2016, became effective August 1, 2016.

This rule is designed to promote knowledge about the permissible concealed carrying of handguns and to provide information relative to those areas on campus where concealed carry is excluded. <https://www.tamusa.edu/about-us/business-affairs/documents/34-06-02-01-carrying-concealed-handguns-on-campus.pdf>

Reason for Rule - This rule was established pursuant to [Texas Government Code 411.2031](#).

Procedures and Responsibilities

1. The university's President established this rule after consulting with Texas A&M University-San Antonio students, staff, and faculty about the nature of the student population, specific safety considerations, and the uniqueness of the campus environment. This rule was reviewed by the System Board of Regents as required by law.
2. A handgun license holder under Chapter 411, Texas Government Code, may carry a concealed handgun on or about the license holder's person while the license holder is on the campus of Texas A&M University-San Antonio or in a Texas A&M University-San Antonio vehicle, unless prohibited by state or federal law or this rule. The open carrying of a handgun on campus is prohibited. Licensed peace officers are authorized by law to carry firearms.
3. Texas A&M University-San Antonio enforces state laws regulating firearms on campus. This enforcement occurs in two ways. First, university police or other applicable law enforcement agencies will investigate and take appropriate action, including referral for criminal prosecution when violations occur. Second, Texas A&M University-San Antonio will consider any violation of state law regulating firearms to be a violation of Texas A&M University-San Antonio rules. Accordingly, such a violation is subject to disciplinary action under rules applicable to students, faculty, and staff.
4. Rules Applicable to Carrying a Concealed Handgun on Campus
 - State Law Prohibitions
 - A license holder is responsible for complying with the applicable state prohibitions.
 - Federal Law Prohibitions
 - A license holder is responsible for complying with the applicable federal law prohibitions.
 - Other Prohibited Campus Premises
 - A license holder is also prohibited from carrying a concealed handgun on the following campus premises:
 - Student Counseling Center
 - Fitness Center
 - Any premises where the university, as directed or approved by the president as necessary for campus safety, gives effective notice on a temporary basis pursuant to Section 30.06, Penal Code. For this rule, the term "owner of the property" in Section 30.06(b), Penal Code, means the president of the university. No university employee is "someone with apparent authority to act for the owner" for purposes of Section 30.06(b), Penal Code. All notices under Section 30.06, Penal Code, will be institutional notice, conform to Sections 46.03 and 46.035, Penal Code, and apply equally to all handgun license holders.
 - Any campus premises leased by the university to a third party, if the third party determines to prohibit the concealed carry of handguns on the premises and provides effective notice pursuant to Section 30.06, Penal Code.

- Assigned offices, as approved by the president, for which the employee has demonstrated that the carrying of a concealed handgun by a license holder in the office presents a significant risk of substantial harm due to a negligent discharge. At all premises where concealed carry is prohibited, Texas A&M University-San Antonio must give effective notice under Section 30.06, Penal Code.

Related Statutes, Policies, or Requirements

[System Regulation 34.06.02, Weapons](#)

Definitions

Assigned Office: An office assigned to an individual faculty or staff member that is not generally open to the public.

Campus: All land and buildings owned or leased by Texas A&M University-San Antonio.

Campus Housing: Dormitories or other residential facilities located on campus that are:
(1) owned and operated by Texas A&M University-San Antonio; or
(2) leased and operated by Texas A&M University-San Antonio.

Premises: A building or portion of a building. The term does not include any public or private driveway, street, sidewalk, walkway, parking lot, parking garage, or other parking area.

Significant Risk: A high probability of harm, not just a slightly increased, speculative, or remote risk.

Substantial Harm: Serious injury or death to a person or persons, or destruction of valuable property.

Appendix

[Texas Statutory Prohibitions](#)

[Download PDF copy of Carrying Concealed Handguns on Campus document](#)

Non-Smoking Campus

To ensure a safe, healthy, and pleasant work, educational, and living environment, Texas A&M University-San Antonio is a smoke, tobacco, and vape free campus. Smoking (cigars, cigarettes, electronic cigarettes, vaping, etc.) and smokeless tobacco (chewing tobacco, “dip”) are prohibited on all university-owned building or leased properties, and in all vehicles owned, leased, or rented by Texas A&M University-San Antonio.

Fire Log for On-Campus Student Housing Facility



The A&M-SA PD maintains a daily fire log that is open to public inspection, upon request, during normal business hours for the most recent 60-day period. The fire log contains all reported fires that occurred at the housing facility. Any portion of the fire log older than 60 days and archived will be made available within two business days of a request for public inspection. Archived daily fire logs will be kept for seven years.

Annual Fire Safety Report

On-Campus Student Housing Facilities – Fire Safety Systems

Esperanza Hall, 4130 Jaguar Parkway, San Antonio, Texas, 78224, has a full coverage central sprinkler system and a centrally monitored fire alarm system. The systems are integrated and provide coverage for all spaces in the buildings. All resident units are equipped with the following safety features: integrated smoke detectors and GFI electrical outlets near sinks. Fire alarm pull stations and fire extinguishers are located on each floor. Fire safety equipment in units for the hearing impaired also includes a high-pitched horn and flashing strobe.

Facility	Fire Alarm Monitoring	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plan and Placards	Number of Evacuation (Fire) Drills per Year

Esperanza Hall	✓	✓	✓	✓	✓	2
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Esperanza Hall Rules on Appliances

Some small appliances, such as radios, televisions, irons, refrigerators not exceeding four cubic feet, and microwaves not exceeding 600 watts are permitted. Electrical appliances and extension cords are to be kept in good repair. Deficiencies must be reported to the maintenance department or management immediately. Space heaters and other heating devices present a fire hazard and are prohibited.

Esperanza Hall Smoking and Open Flame Policy

Smoking and open flames including incense are prohibited in Esperanza Hall. This includes any public areas, e.g., hallways, lounges, and laundry rooms.

Esperanza Hall Rules for Barbecue Grills

Fire code prohibits storage or use of barbecue grills in or on any building, walkway, stairway, or balcony. Community grills are available for tenants only.

Esperanza Hall Fire Evacuation Procedures

In the event of a fire alarm, tenants should proceed in accordance with the instructions posted in and about Esperanza Hall. Do not wait for an order to evacuate if you feel that you or others are in danger.

Esperanza Hall Fire Drills

The fire drills in 2023 took place on January 18, 2023, and August 25, 2023.

Esperanza Hall Fire Safety Education and Training Programs

Fire safety and education training is held one to two weeks prior to each semester with all professional and student staff at Esperanza Hall. During each session, staff are trained on how to act during mandatory drills, how and when to talk to students about safety and evacuation plans, and knowledge of the designated safety evacuation areas.

For those living in the hall as tenants, all tenants are required to attend mandatory floor meetings where they are reminded of the correct evacuation routes and emergency procedures, such as not using elevators during an evacuation. The fire drills are held to ensure all students and staff are aware of and practicing proper fire safety procedures.

Plans for Future Improvements in Fire Safety

The university continues to assess and upgrade fire safety equipment as an ongoing process to ensure that all equipment meets National Fire Safety standards. Inspections of the Fire Safety System are completed annually, and deficiencies identified in equipment integrity/functionality are corrected in a timely manner.

Report Contact Information

For purposes of including fire statistics in the AS&FSR, employees and students should report all instances of a fire that occurred in on-campus student housing to the A&M-San Antonio Police Department Dispatch at (210)784-1900 UPD.Dispatch@tamusa.edu. This notification will

initiate awareness to the A&M-San Antonio Risk & Compliance Coordinator who will update the Daily Fire Log with the information. This information will be included in the annual AS&FSR.

Esperanza Hall Fire Statistics

Esperanza Hall opened on August 6, 2017.

Residential Facility	Year	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire (in US dollars)
Esperanza Hall 4130 Jaguar Parkway, San Antonio, Texas 78224	2021	0	0	NA	0	0	0
Esperanza Hall 4130 Jaguar Parkway, San Antonio, Texas 78224	2022	0	0	NA	0	0	0
Esperanza Hall 4130 Jaguar Parkway, San Antonio, Texas 78224	2023	0	0	NA	0	0	0





TEXAS A&M UNIVERSITY
SAN ANTONIO

RELLIS ACADEMIC ALLIANCE CAMPUS

2024 ANNUAL SECURITY REPORT

Contains policy statements for the 2023-2024 academic year.



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

*There is no on-campus housing option for WTAMU students on the RELLIS Academic Alliance Campus; therefore, there is no Campus Fire
Safety Report for the RELLIS campus.

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Preparation of the Annual Security Report and Disclosure of Crime Statistics

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

Texas A&M University – San Antonio (A&M-San Antonio) recognizes the RELLIS Campus as a separate campus per The Clery Act. The Texas A&M University – San Antonio Police Department (A&M-SA PD), A&M-San Antonio Clery Compliance Committee, Texas A&M University Police Department (TAMUPD) and Division of Risk, Ethics, and Compliance (DREC) are responsible for preparing and distributing the Annual Security Report to comply with The Clery Act. The Annual Security Report is published every year by October 1 and will contain three years of selected campus crime statistics and certain campus security policy statements for the 2024 – 2025 academic year in accordance with The Clery Act. A&M-San Antonio had no students on the RELLIS campus until the beginning of Fall of 2024; therefore, no crime statistics will be provided until the 2025 ASR.

The RELLIS campus is owned by the Texas A&M University System (TAMUS) and located in Bryan, Texas. Recent construction of RELLIS facilities created an expanded campus where students participate in research and testing with multiple agencies in the A&M System; federal, state, and local governments; and private industry. Additional paths toward college degrees have also been established at RELLIS. Post-secondary degree education and training are being offered with programs through Blinn College and multiple universities under the A&M System. The educational program at RELLIS is comprehensively called the RELLIS Academic Alliance and includes plans for further facility expansion.

The RELLIS campus brings students, faculty and researchers together in a unique community that encourages the pollination of ideas across people, disciplines and industries. Students begin studies at Blinn College and then continue their education seamlessly onsite with leading universities throughout the Texas A&M System. The 2024 Texas A&M University – San Antonio (A&M-San Antonio) RELLIS Campus Annual Security Report does not include any crime statistics because A&M-San Antonio was not in collaboration with the RELLIS Academic Alliance until fall of 2024.

Policy statements in this Annual Security Report are relevant to A&M-San Antonio students, faculty, and staff located at the RELLIS campus unless otherwise stated. RELLIS Academic

Alliance students and employees not enrolled or employed by A&M-San Antonio may have differing policies, practices, and services provided by other entities that are not required to be disclosed in this Annual Security Report. The administration of the student conduct process for A&M-San Antonio students enrolled in classes at the RELLIS campus is delegated to the A&M-San Antonio Associate Vice President and Dean of Students. RELLIS campus policies were provided by personnel at RELLIS, TAMUPD, and the A&M System.

Annual Security Report Notifications

Texas A&M University-San Antonio is committed to assisting all members of the Texas A&M University-San Antonio community in providing for their own safety and security. The [Annual Security and Fire Safety Report](https://www.tamusa.edu/about-us/campus-information/safety/university-police-department/documents/annual-security-report.pdf) is available at the bottom of the University page at <https://www.tamusa.edu/about-us/campus-information/safety/university-police-department/documents/annual-security-report.pdf>.

The report is sent out each year by email and contains information regarding campus security and personal safety including topics such as crime prevention, fire safety, university police law enforcement authority, crime reporting policies, disciplinary procedures, and other matters of importance related to security and safety on campus. They also contain information about crime statistics for the three previous calendar years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by Texas A&M University-San Antonio, and on public property within, or immediately adjacent to and accessible from the campus.

If you would like to receive a hard copy of the Annual Security Report which contains this information, you can stop by and request a copy:

A&M-San Antonio Police Department
One University Way, Police Department Modular
San Antonio, TX 78224

Or you can request that a copy be mailed to you by calling (210) 784-1900.

This information is required by law and is provided by A&M-SA PD.

Campus Law Enforcement Policies

Police Department Overview

An infrastructure agreement is in place between The Texas A&M University System and TAMU to provide primary police and security service at RELLIS through the TAMUPD. TAMUPD provides law enforcement and security services to all components of TAMU located in Brazos County, including RELLIS, and a variety of other satellite facilities throughout Brazos County.

TAMUPD has 83 state certified police officers, 56 security officers, 15 communications officers, 13 administrative support personnel, and 3 student assistants. Patrol is the core of TAMUPD. Patrol officers are responsible for responding to calls for service, preliminary investigation of calls for service, traffic enforcement, and accident investigation. The department also maintains a Security Section responsible for additional patrolling and security of contracted buildings on

campus; a Criminal Investigations Section including detectives, the Victim Services Unit, and a Tactical Officer Program; a Communications Section primarily responsible for dispatching patrol and security officers; a Professional Standards Section including Clery compliance and Internal Affairs; a Support Services Section including Records and Evidence Units and the Public Information Officer function; a Personnel and Recruiting Section responsible for hiring, training, and recruiting; and a Special Operations Section responsible for special events and planning for critical incidents and includes the Community Services Unit and quartermaster function. Other personnel within the department include the Joint Terrorism Task Force Investigator, the Accreditation Manager, and administrative support. Certain functions at TAMU are centralized and personnel from those functions are assigned to support TAMUPD. These functions include Human Resources, Information Technology, and Business Services.

To provide a safe campus for our students, staff, faculty and visitors, the TAMUPD has uniformed officers on patrol 24-hours a day, year round at the main campus who are available to respond to RELLIS. To provide this around-the-clock coverage, TAMUPD officers work in two shifts with an additional third overlapping shift as staffing allows. TAMUPD security officers work closely with TAMUPD armed patrol officers by constantly patrolling university properties and staffing fixed posts at some facilities. Additionally, TAMUPD patrols the RELLIS campus as part of an established patrol pattern and TAMUPD security personnel are assigned to patrol the RELLIS campus during the day and each evening, including weekends.

A mutual aid agreement is also established among Brazos County agencies which functions as the basis for providing service at the RELLIS campus. Between 7 am and 11 pm, Monday through Friday and most Saturdays, the Blinn College Police Department (BCPD) provides two police officers dedicated to facilities at RELLIS that are occupied by Blinn students and employees. The BCPD officers also respond to calls for the entire RELLIS campus, as needed, and are located at the RELLIS campus in the Walter C. Schwartz Building (Blinn Academic Building), 1366 Bryan Rd., Bryan, TX 77807.

Enforcement Authority, Arrest Authority and Jurisdiction

Jurisdiction

TAMUPD's is the primary police authority for RELLIS. TAMUPD police officers are certified Texas peace officers as defined in article 2.12 of the Texas Code of Criminal Procedure. Pursuant to Section 51.203 of the Texas Education Code, police officers commissioned by a state institution of higher education have authority and jurisdiction in all counties in which property is owned, leased, rented, or otherwise under the control of the institution of higher education. The patrol jurisdiction for security officers is limited to buildings or properties owned or controlled by Texas A&M University, including the RELLIS campus.

Arrest Authority

As peace officers, Texas A&M University Police Department's (TAMUPD's) armed police officers have the same full authority to detain and arrest as State police officers. TAMU's employs both commissioned and non-commissioned security officers. The commissioned security officers can detain and restrain according to statute but have no arrest authority. The

non-commissioned security officers do not have authority to detain or make arrests, but their presence and observations at various campus locations support and assist the work of the TAMUPD's Patrol Section. BCPD officers at RELLIS also have authority to detain and arrest. Security personnel assigned to RELLIS are non-commissioned and do not have detain or arrest authority.

Enforcement Authority

The TAMUPD's is computer linked to city, state and federal criminal justice agencies, which provide access to criminal records, wanted persons, stolen property, and vehicle information through the Texas Crime Information Center (TCIC) and National Crime Information Center (NCIC) networks. All crimes occurring at RELLIS should be reported to TAMUPD's or submitted to TAMUPD's from the Blinn College Police Department (BCPD) officers or security. TAMUPD's investigates and refers crimes for prosecution through the Offices of the Brazos County Attorney and Brazos District Attorney when appropriate. Security officers assigned to the RELLIS campus are not sworn officers and do not have enforcement authority. Criminal matters involving students, employees, or others on campus are referred to police officers. Students and employees may also be referred to university administration for disciplinary action.

Working Relationships and Agreements

TAMUPD's maintains excellent working relationships with all area law enforcement agencies including the College Station Police Department, Bryan Police Department, Brazos County Sheriff's Office, BCPD, and all four Brazos County Constable Offices. Working relationships are maintained through periodic communications among agency administrators and frequent contacts between line officers and investigators cooperating on specific cases. Through these relationships, TAMUPD's may be provided information regarding student non-campus criminal activity, including student organizations with non-campus housing.

TAMUPD's also maintains excellent working relationships with many state and federal agencies on an as needed basis. These agencies include, but are not limited to, the Federal Bureau of Investigation, The United States Secret Service, the U.S. Bureau of Alcohol, Tobacco and Firearms, and the Texas Department of Public Safety.

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

Monitoring Non-Campus Locations

When a student is involved in an offense in a non-campus location, TAMUPD may assist with the investigation in cooperation with local, state, or federal law enforcement agencies but does not actively record or monitor criminal activity. TAMUPD does not provide routine law enforcement service to non-campus facilities. Criminal activity at non-campus facilities is monitored and recorded by College Station Police Department, Bryan Police Department, or the Brazos County Sheriff's Office. TAMUPD may assist in accordance with mutual assistance agreements.

Institutional sponsored travel by a student or student organization to a location away from campus may result in the location meeting the criteria for Clery non-campus property. TAMUPD does not monitor or record criminal activity for these non-campus locations. The local law enforcement agency with jurisdiction at the location responds when police services are requested. A&M-San Antonio does not have any officially recognized student organizations that own or control housing facilities outside of the A&M-San Antonio campus.

Professional Standards

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

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

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

Campus Law Enforcement Telephone Directory

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

Emergencies-from on campus phones/Police/Fire/Medical	911	Non-Emergency/General Assistance	845-2345
TAMU Chief of Police	845-2345	Community Services Unit	458-1674
Patrol Section	845-2345	Records Unit	845-2347
Criminal Investigations Section	845-0070	Personal and Recruiting Section	862-8125
Security Section	862-3375	Public Information Officer	845-0070
Field Operations Lieutenant (Patrol Section)	458-1458 or 845-8896	Training Unit	845-8055
Special Operations Section	845-8900	Victim Services Unit	458-9767
Blinn Police at RELLIS	209-7600	TAMUPD Police at RELLIS	845-2345

Reporting Crimes

Incident Reporting and Response

Criminal actions or any on-campus emergency at RELLIS should be reported immediately to TAMUPD or BCPD by dialing 911 or 9-911 from a campus phone, 911 from a cellular phone, or in person. When using a campus phone (landline) dial either 911 or 9-911 to reach an emergency operator. For non-emergencies contact TAMUPD at 5-2345 from a campus phone or from an off campus phone, campus payphone, or cell phone call 979-845-2345. Upon receipt of the call, the TAMUPD Communications Center personnel can supply information or dispatch officers as necessary. TAMUPD officers located at RELLIS can be contacted at 979-845-2345. Electronic crime reports can be filed with TAMUPD by emailing upd@tamu.edu. The Blinn police officer located at the RELLIS Blinn Academic Building can also be contacted at 979-209-7600 or at 911 for emergencies occurring at or near the RELLIS campus.

TAMUPD calls for service are received in the TAMUPD Communications Center where the information is entered into a Computer Aided Dispatch (CAD) system. The Communications Operator will request basic information regarding the call for service and the caller's contact information as an officer may need to subsequently reach the reporting party. A Police Officer will either be dispatched to the scene or to the office to take the call by telephone, depending on the type of call. The Police Officer may then issue a case number for the call and complete an incident or offense report. Copies of all incident and offense reports are kept with the TAMUPD Records Unit for a time period mandated by institutional and state records retention policies.

TAMUPD will respond as quickly and safely as possible to requests for assistance, whether it is an emergency or not. Response time is based on current activity and severity of the call. Crimes in progress, alarms, traffic accidents with injuries, and medical assists have a higher priority than other types of calls. University Police or Security officers in vehicles, on foot, or on bicycles will assist and may be contacted directly. For non-campus offenses, we encourage prompt reporting to the proper local law enforcement agency.

We cannot overemphasize the importance of prompt and accurate reporting of crime. If a crime is not reported promptly, evidence can be destroyed or the potential to apprehend a suspect is lost. Without accurate reports, leads could be missed and the investigation headed in the wrong direction. If a crime or emergency is witnessed, promptly report it to TAMUPD and be prepared to answer questions as accurately as possible. The subsequent investigation can only be as thorough as the information received. If you are the victim of a crime, or have seen or received information of criminal activity or other emergency, please contact TAMUPD immediately.

Reporting Criminal Offenses to University Officials: Campus Security Authorities

Faculty, staff, and students are encouraged to report any criminal offenses within the campus environment directly to TAMUPD or BCPD located at RELLIS. For non-campus offenses, we encourage accurate and prompt reporting to the proper local law enforcement agency. As an option, criminal offenses of which students and employees are aware may also be reported to the following offices and personnel:

TAMU Police at RELLIS	979-845-2345
Blinn Police at RELLIS	979-209-7600
Non-Emergency/General Assistance	979-845-2345
Emergencies-from on campus phones	911
RELLIS Assistant Provost & Title IX Coordinator (for RELLIS Academic Alliance)	979-317-3404
A&M-San Antonio Director of Student Housing	210-784-1717
A&M-San Antonio Office of Student Rights and Responsibilities	210-784-1353
A&M-San Antonio Title IX Coordinator	210-784-2061

Crime reports provided to these and other campus security authorities are used by the school to fulfill its responsibility to annually disclose accurate crime statistics and to issue or facilitate the issuance of timely warnings or emergency notifications. Campus security authority crime reports should include sufficient detail such as dates and locations, and where appropriate, personally identifying information, including name and contact information, if available. For additional information on the duties and responsibilities of the individuals and offices listed above, see the [CSA Powerpoint Presentation](https://upd.tamu.edu/Pages/CSA-Reporting.aspx) link located on the following webpage: <https://upd.tamu.edu/Pages/CSA-Reporting.aspx>.

Students, faculty, staff, community members, and guests are encouraged to report all crimes and public safety related incidents to TAMUPD, BCPD at RELLIS, or the appropriate police agencies in an accurate and prompt manner when the victim of such crimes elects or is unable to make such a report. The TAMUPD Victim Services program provides information regarding victims' rights, as well as assistance in dealing with the traumatizing consequences of crimes, to those who make a report or who may be reluctant to report. TAMUPD officers provide TAMUPD Victim Services contact information to victims encountered in the field. TAMUPD, TAMUPD Victim Services, and the university offices listed above, will assist individuals reporting in notifying the proper law enforcement authorities, if the individual chooses. It is the goal of the institution to provide assistance wherever the report is made and include Clery countable crimes in the annual security report.

Although exempt from the reporting requirements of the Clery Act, pastoral and professionally licensed 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.

Confidential and Anonymous Reporting of Crimes

TAMUPD encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, TAMUPD cannot hold reports of crimes in confidence. However, victims of certain offenses are eligible for a pseudonym in which the victim's true identity will not be released. An individual who is involved in or witnesses an active or ongoing emergency should dial 911 and report the emergency immediately.

Voluntary confidential reports, for purposes of inclusion in the annual disclosure of crime statistics and crime log, can generally be made by victims, witnesses, and others to the campus security authorities listed on the previous page and all other campus security authorities. Annual crime statistics and the crime log are confidential in that personally identifiable information is not included in the disclosure. However, campus security authorities who are Texas A&M University System member employees are mandatory reporters who must report all known information about an alleged or suspected incident of discrimination, harassment, retaliation, or complicity that is experienced by, observed by or made known to the employee in the course and scope of their employment as soon as possible. These mandatory reports are required to be made to the RELLIS Title IX Coordinator's Office. Exceptions include confidential reporters described in the next paragraph. Exceptions include confidential reporters described in the next paragraph. See the Sexual Assault, Dating Violence, Domestic Violence, and Stalking section of this report for more information.

At the RELLIS campus, the following are considered confidential reporters: Mental health providers and health care for students – Texas A&M Health Family Care (979-776-8440) and the TELUS Health Student Support App (1-866-408-2828); and mental health provider for employees and the employee's benefits-eligible dependents at The Work/Life Solutions Program by GuidanceResources (979-458-6417).

Crimes can be reported anonymously by calling Crime Stoppers at 979-775-TIPS (8477). Concerning behavior, including crimes, can be reported anonymously to the TAMU Special Situations Team via the Tell Somebody online reporting form. The form and more information can be found at <https://tellsomebody.tamu.edu/>. Reports submitted anonymously or with limited information may restrict the team's ability to follow up on the incident.

Timely Warning Policy

The procedures disclosed in this section apply to incidents occurring at the RELLIS campus that warrant a Timely Warning (Crime Alert).

Time permitting, the TAMUPD notifies the Blinn Police Department (BCPD Chief of Police or designee), and RELLIS administration prior to issuing Crime Alerts on behalf of the RELLIS campus using established procedures as described below.

The circumstances in which a Crime Alert will be generated include, but are not limited to, the receipt of a report to TAMUPD 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 TAMUPD Chief of Police (or university official designated by the Chief of Police) or TAMUPD Assistant Chief(s) of Police are responsible for determining if a Crime Alert will be issued. Crimes that may warrant a Crime Alert include, but are not limited to, arson, murder/non-

negligent manslaughter, robbery, aggravated assault, sex offenses, or other crimes as determined necessary by the TAMUPD Chief of Police (or university official designated by the Chief of Police) or TAMUPD Assistant Chief(s) of Police. 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 TAMUPD or other campus security authorities are not notified of a crime in a manner that would allow the department to provide timely notice, a Crime Alert may not be issued depending on the circumstances. All situations will be evaluated on a case by case basis.

TAMUPD is responsible for writing and issuing Crime Alerts for crimes occurring at the RELLIS campus. Personnel authorized to write and/or issue (send) a Crime Alert are: TAMUPD Chief of Police (or university official designated by the Chief of Police), TAMUPD Assistant Chief(s) of Police, TAMUPD Public Information Officer, and TAMUPD Clery Act Compliance Officers. An internal or external review among two or more authorized personnel may occur if time allows. Students and employees should report criminal offenses immediately to the TAMUPD, by phone (979-845-2345) or in person at TAMUPD (1111 Research Parkway, College Station, TX 77843). BCPD 979-209-7600 and TAMUPD 979-845-2345 can also be contacted and/or dispatched to RELLIS by phone. The TAMUPD is the organization designed to receive reports of criminal offenses described in the law for the purposes of making Crime Alert reports and the annual statistics disclosed in this report.

Crime Alerts are issued through email to students, faculty, and staff in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. Recipients include, but are not limited to, A&M-San Antonio students and employees located at RELLIS and students and employees that are part of the RELLIS Academic Alliance. Information regarding the Crime Alert may be forwarded to local media outlets through a formal press release. Crime Alerts contain sufficient information about the nature of an identified threat to assist members of the campus community in taking appropriate action to protect themselves or their property. Crime Alerts generally include:

- A readily understandable description of the type of crime or occurrence.
- The general location, date and time of the offense.
- A physical description of the suspect(s), if available, when there is sufficient detail that would reasonably help identify a specific individual suspect or group of suspects.
- Possible connection to other incidents.
- Date and time the alert was issued.
- Suggested measures which members of the university community can take to help protect themselves.

It is important to note that in some cases law enforcement may need to withhold some facts if releasing the information would compromise an ongoing investigation or the identity of the victim. Victim names and other identifying information of victims are not 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

On-campus emergencies should be reported immediately by dialing 911 from a campus phone, 911 from a cellular phone, or in person. If using a campus phone (landline) dial 911 to reach an emergency operator. Any emergency service can be summoned by calling 911.

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

Emergency Notification System

The TAMUPD and RELLIS Administration coordinate with Blinn College to issue emergency notifications on behalf of the RELLIS campus using two emergency notification systems. Established procedures are described below.

The RELLIS campus emergency notification system (RELLIS Alert) is utilized to notify students and employees, known to be located at the RELLIS campus, of significant emergencies or dangerous situations occurring at the RELLIS campus. To supplement this process, the Blinn College emergency notification system called Blinn Alert, is also being utilized to notify Blinn College students and employees located at RELLIS of significant emergencies or dangerous situations occurring at the RELLIS campus. Authorization and access is coordinated for efficiency and distribution of identical communications.

The RELLIS Alert (and Blinn Alert) emergency notification system gives the campus the ability to communicate health and emergency information through one or all of the following mechanisms: SMS text message and email. RELLIS Alert also utilizes pop-up messages on equipped computers, Twitter, RSS, and a mobile app. RELLIS Alerts are issued to the RELLIS campus community rather than to specific segments of the campus population. Blinn Alerts are issued to the Blinn College, RELLIS campus community rather than to specific segments of the campus population.

It is the policy of TAMUPD and RELLIS campus personnel to immediately notify the campus community, via the RELLIS Alert (and Blinn Alert) emergency notification system, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the RELLIS campus.

The RELLIS Alert (and Blinn Alert) system is only used to provide official notification of critical emergencies (i.e., situations that pose an imminent threat to the community). It is the policy of TAMUPD and RELLIS campus personnel to immediately notify the campus community, via the RELLIS Alert (and Blinn Alert) emergency notification system, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the RELLIS campus. TAMUPD and/or RELLIS campus personnel determine whether or not a significant emergency or dangerous situation exists by evaluating information received from entities which may include, but are not limited to: law enforcement (including the Blinn Police Department), fire department, Emergency Management, National Weather Service, Environmental Health and Safety, Emergency Medical Services, Facilities Services, and other campus officials including personnel from the RELLIS Campus. The TAMUPD coordinates with RELLIS Campus Administration about emergencies or dangerous situations occurring at the

RELLIS campus and the resulting RELLIS Alert (and Blinn Alert) messages, if any, as time allows. Members of the UPD, the responsible law enforcement agency, may initiate a RELLIS Alert without consulting RELLIS Campus Administration if in their professional judgment, consulting with said person(s) will unduly delay the emergency notification process and will follow up with the RELLIS Administration leadership within a reasonable amount of time once issued.

The RELLIS Alert (and Blinn Alert) emergency notification system does not replace the Crime Alert requirement. They differ in that the Crime Alert requirement applies 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; however, the institution must provide adequate follow-up information to the community as needed.

TAMUPD and/or RELLIS Administration will, without delay, and taking into account the safety of the community, determine the content of the notification, and initiate the RELLIS Alert (and Blinn Alert) notification system; unless issuing the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Employees authorized to make a final determination of a significant emergency or dangerous situation and determine the content of a RELLIS Alert (and Blinn Alert) are: the RELLIS Campus Director or designees including the Deputy Director RELLIS Campus, Associate Director of Operations RELLIS Campus, and Assistant Director Environmental Health and Safety RELLIS Campus. The following Texas A&M University employees are also authorized including the TAMUPD Chief of Police, TAMUPD Assistant Chief(s) of Police, TAMUPD Patrol Supervisors (or TAMUPD officer designated by TAMUPD Patrol Supervisor), and TAMUPD Dispatchers. If time allows, final message content will be approved at the highest level available. Upon notification from an authorized employee listed above, a RELLIS Alert publisher will send the RELLIS Alert (and Blinn Alert)¹. RELLIS Alert publishers include

- TAMUPD Dispatchers,
- TAMUPD Chief of Police,
- TAMUPD Assistant Chief(s) of Police,
- RELLIS Associate Director of Operations, and
- RELLIS Assistant Director of Environmental Health and Safety (emergency management).

In circumstances where time is of the essence, certain RELLIS Alert publishers are authorized to make a final determination of a significant emergency or dangerous situation, compose an alert (or select and modify one of the warnings that are pre-scripted for that purpose), and send the alert. An example of such an urgent message could include an alert issued for an active shooter.

¹In the event of a system problem, certain trained individuals from the Texas A&M University Division of Information Technology, the RELLIS Chief Information Officer, or the TAMUS Assistant Director of Environment, Safety & Security can be called upon to send a RELLIS Alert. UPD Dispatchers are the designated publishers of Blinn Alerts at Texas A&M University.

Additionally, in rare cases, an emergency or dangerous situation may require issuance of a modified emergency notification, outside of the RELLIS Alert (and Blinn Alert) emergency notification system, to be distributed on behalf of the RELLIS campus. These cases include: if the emergency prevents the local campus from issuing the alert or if a centralized global message is determined to be necessary by The Texas A&M University System Offices.

Victim names and other identifying information of victims are not included in emergency notifications.

RELLIS Emergency Management oversees monthly pre-scheduled testing of the RELLIS Alert emergency notification system. These tests are launched by the Communications Section of TAMUPD. After each test, or actual alert, Texas A&M University Information Technology will analyze the functionality of each communication channel within the notification system and create a report with the results of the findings. The report is provided to the RELLIS Alert Primary Stakeholders: the RELLIS Associate Director of Operations, RELLIS Assistant Director of Environmental Health and Safety (emergency management), and the RELLIS Chief Information Officer. Any test may be cancelled by the primary stakeholders. Reasons for cancelling monthly tests include the existence of real threats that could necessitate sending an emergency message, recent emergency messages that obviate the need for that month's test, etc.

The Blinn Alert System is tested each month to verify proper operation. The test is performed by a different member of the Blinn emergency management team, consisting of members of the BCPD, to familiarize the team with the system and procedures.

Registering for Emergency Notifications Students, Faculty, and Staff Access

The RELLIS Alert emergency notification system allows anyone to register to receive text message alerts. Emergency alerts are automatically sent to school and business e-mail addresses of students and employees known to be located at RELLIS. The system also has the capacity to send the emergency notification message to multiple channels based on what channels are selected by the RELLIS Alert publisher at the time the message is issued. Options include alerts on equipped computers, RELLIS Alert mobile app, Twitter, and RSS. To register, visit: <https://codemaroon.tamu.edu/RELLISAbout.aspx>.

The Blinn Alert emergency notification system allows Blinn students, faculty, and staff to receive supplemental e-mail and text message alerts applicable to the RELLIS campus.

Public Access

Parents, family, and friends can receive emergency alerts by registering to receive text message alerts, installing the RELLIS Alert mobile app, installing the computer popup client, or subscribing to RELLIS Alert's RSS feed. The RSS feed can be accessed through e-mail clients (Microsoft Outlook or Mozilla Thunderbird), various news readers (My Yahoo, Feedly, and Flipboard), and internet browsers (Internet Explorer, Firefox, etc.).

Parents and other guests may register for text message alerts at the RELLIS Alert vendor's subscriber portal. A personal e-mail address and private password are required to create a guest account and register one phone number to receive SMS text message alerts. The registration portal can be found at: <https://codemaroon.tamu.edu/RELLISPublicAccess.aspx>.

The public can receive RELLIS Alerts through Twitter, however, delivery by Twitter cannot be guaranteed since RELLIS and TAMU personnel do not manage this notification outlet. Twitter users can follow RELLISAlert to see alerts in your Twitter feed and/or receive push alerts on a mobile device through the Twitter mobile app. Once RELLISAlert is followed, click the Bell Icon on the RELLISAlert profile page to turn on push notifications for any mobile device with the Twitter app installed.

Also, anyone with a device that uses the Android or iOS operating systems can download the free RELLIS Alert app to receive alerts and access additional safety features and campus emergency information. The app requires a data connection to receive push notifications. The application is available for download on Google Play and Apple Store at: <https://codemaroon.tamu.edu/RELLISMobileAppNotification.aspx>.

Setup instructions for the RELLIS Alert public access mechanisms described above can be found here: <https://codemaroon.tamu.edu/RELLISPublicAccess.aspx>.

The public cannot register for Blinn Alerts.

Disseminating Information to the Larger Community

In the event that a crisis occurs on RELLIS property, the TAMUS Office of Marketing and Communications will be notified as soon as possible. As chief spokesperson(s) for the campus, TAMUS Marketing and Communications staff will ultimately be responsible for providing strategic direction and implementing protocols as outlined in the emergency communications plan. TAMUS Marketing and Communications will work with the TAMUPD Public Information Officer and the RELLIS Director to prepare and disseminate internal and external messages, distribute news releases, alert local media, respond to media inquiries, update the emergency website and the main university website with pertinent information, and share timely information as appropriate via digital channels and social media. In addition, TAMUS Marketing and Communications will be responsible for planning, scheduling, and providing logistical support for news conferences as well as coordinating communication efforts with relevant entities and organizations. In case of an emergency, RELLIS campus personnel will utilize the emergency website (<https://rellis.tamus.edu/emergency/>) to provide current information pertaining to the incident. Individuals receiving the emergency notification will also be advised with updated information, as needed, using the same method(s) as the original notification.

Emergency Preparedness

The Director of the RELLIS Campus, or designee, has primary responsibility for campus operations and emergency operations planning at the RELLIS campus. Duties and responsibilities include coordinating emergency measures, declaring campus emergencies, and developing and maintaining emergency operations plans as necessary.

The RELLIS campus [Emergency Operations Plan \(EOP\)](#) is the primary plan that describes the general framework for emergency response at the campus. In accordance with the EOP, the RELLIS Executive Policy Group (EPG) coordinates and integrates all necessary resources to prevent, protect, mitigate, respond to and recover from emergencies that affect the RELLIS campus and its constituents. The EOP is designated to interface with community response organizations and anticipate potential emergencies which may affect any operation or service.

The RELLIS Campus Director in coordination with TAMUS Office of Environment, Safety & Security is responsible for maintaining and updating this plan. This plan shall be reviewed at least annually and updated based upon deficiencies identified during actual emergency situations, training and exercises, and when changes in hazards, resources, capabilities or organizational structure occur. A revised or updated plan will be provided to all departments and individuals tasked within this plan in addition to TAMUS Office of Environment, Safety & Security.

All RELLIS campus buildings are required to have a written Emergency Action Plan (EAP) that provides protective actions for life safety in the facility including specific guidance regarding immediate actions building occupants should take in the event of building evacuation, shelter in place, or lockdown. The RELLIS Academic Complex EAP is a set of more specific emergency protocols for the RELLIS Academic Complex developed to provide guidance for occupants and others in the event of foreseeable emergencies. The EAP includes a description of common threats, the Complex's fire and life safety features, incident reporting procedures, and evacuation procedures and drills. The building evacuation procedures will automatically be implemented when the fire alarm is activated or if emergency responders decide evacuation of a facility is necessary due to a particular hazard. Building occupants will be notified of the evacuation, as appropriate, dependent on the hazard. The RELLIS Academic Complex EAP may be viewed at <https://rellis.tamus.edu/academicalliance/wp-content/uploads/sites/2/2023/09/Academic-Complex-EAP-Rev-005-1.pdf>.

The Emergency Operations Plan will be tested and exercised at least annually utilizing a discussion-based level exercise or higher and tests of the emergency notification system. An operations-based exercise will be performed at least every three years. The agencies and emergency response entities that interface with RELLIS officials during an actual emergency situation will be invited to participate in the campus exercises. Actual emergency situations or false emergency alarms will not be used to meet the requirements for testing and exercising the RELLIS Emergency Operations Plan. The tests and appropriate follow-through activities are designed for assessment and evaluation of emergency plans and capabilities and are performed and documented. Tests may be announced or unannounced. Testing reports and review documentation include a description of the exercise, the date the test was held, the start and end time of the exercise, and whether the test was announced or unannounced. Texas A&M University Environmental Health and Safety, in cooperation with RELLIS Environmental Health and Safety and lead administrators for each occupied facility, oversee a building evacuation procedures for all occupied facilities on the RELLIS campus. The Texas A&M University RELLIS Campus Annual Security Report 2023 14 Environmental Health and Safety groups work with each facility representative to maintain and test building evacuation procedures annually for occupied facilities on campus through scheduled emergency evacuation drills.

Emergency response and evacuation procedures are to be publicized annually in conjunction with a test through an email to the RELLIS campus community. The email communicates information about accessing the RELLIS Emergency Operations Plan and emergency contacts. A RELLIS Alert test distribution may also be used to publicize this information to the RELLIS campus community.

Evacuation and Shelter-in-Place

In some emergency situations, such as flooding or release of hazardous materials, emergency responders may order protective actions for persons on campus. Typically, these protective actions are

to evacuate to a safer area or to shelter-in-place. It is possible that some emergency scenarios could result in one of these protective actions being ordered for one part of campus and the other protective action for a different area of campus. When such actions are warranted, you will be appropriately advised by police, fire, safety or RELLIS officials via the RELLIS Alert System, public address systems, loudspeakers, door-to-door notifications or other appropriate means.

Campus-wide Evacuation Procedures

In the event that you are asked to evacuate campus:

- Evacuation orders will be disseminated via RELLIS Alert.
- Do not activate the building fire alarm system to achieve evacuation.
- Remain calm but act quickly.
- Promptly secure equipment, research, etc. in safe shutdown condition before leaving
- Spread the word of the evacuation order to others as you exit the building.
- Remember to take personal belongings with you (backpacks, briefcases, purses, car keys, personal computing devices, etc.).
- Pedestrians should exit campus by the shortest route.
- Exit campus as directed in the RELLIS Alert message. You may use your vehicle to leave campus unless directed otherwise in the RELLIS Alert message.
- Do not call 911 unless there is an immediate, life-threatening emergency.
- Go to <https://rellis.tamus.edu/emergency/> for regular updates on the emergency.

Area Evacuation Procedures

An evacuation is an organized withdrawal from a building or area to reach safe haven. Upon notification to evacuate, quickly:

- Dress appropriately for the weather.
- Take only essentials with you (e.g., eyeglasses, medications, identification and cash/checkbook/credit cards)—do not pack belongings.
- Turn off unnecessary equipment, computers and appliances.
- Close the door as you exit your room or office.
- Follow the directions provided for safe routes of evacuation.
- Listen to radio, if available, to monitor emergency status.
- Do not use your personal vehicle for evacuation unless specifically instructed to do so. If cars are used to evacuate, protect against hazardous materials by keeping windows closed and outside air conditioning systems turned off.

If you need special assistance, contact your resident advisor, building proctor or other appropriate emergency contact. If these persons are not available, call TAMUPD at 979-845-2345 for assistance.

Shelter-in-Place Procedures

When emergency conditions do not warrant or allow evacuation, the safest method to protect individuals may be to take shelter inside a campus building and await further instructions. Seek appropriate shelter such as small interior rooms, interior hallways, or basements.

- Move indoors or remain there—avoid windows and areas with glass.
- If available, take a radio or television to the room to track emergency status.

- Keep telephone lines free for emergency responders. Do not call 911 for information.

If hazardous materials are involved:

- Turn off all ventilation systems and close all inlets from the outside.
- Select a room(s) which is easy to seal and, if possible, has a water supply and access to restrooms.
- If you smell gas or vapor, hold a wet cloth loosely over your nose and mouth and breathe through it in as normal a fashion as possible.

The Daily Crime Log

The Assistant Provost at RELLIS (or other trained personnel) publishes a Daily Crime Log for RELLIS that is available to the media, the public, and campus offices free of charge. This summary identifies the nature of the crime, location, date and time occurred, date the crime was reported to the TAMUPD, and disposition. A printed copy of this report may be viewed by the public during business hours at the Academic Complex Bldg. 1, Room 117J located at 1425 Bryan Ave., Bryan, TX 77807, or obtained by calling 979-317-3404. The RELLIS crime log is published online at:

<https://upd.tamu.edu/Crime%20Logs/2024%20Crime%20Log%20Rellis.pdf>.

Security of and Access to Campus Facilities

General Provisions

The Director of the RELLIS campus is responsible for determining access to the RELLIS campus. Access to facilities at RELLIS are the responsibility of TAMUS member agencies and department directors. For security and safety reasons, segregation or separation is required for certain activities located on the RELLIS campus. Applicable areas are secured by barriers and/or enhanced controls that may restrict public access.

It is unlawful for any person to trespass on the grounds of any state institution of higher education of this state or to damage or deface any of the buildings, statues, monuments, memorials, trees, shrubs, grasses, or flowers on the grounds of any state institutions of higher education as indicated in Texas Education Code Section 51.204. Texas Penal Code Criminal Trespass Section 30.05 and Criminal Mischief Section 28.03 are State statutes that are similar in nature and are also widely utilized to help support Texas Education Code Section 51.204.

The governing board of a state institution of higher education or its authorized representatives may refuse to allow persons having no legitimate business to enter on property under the board's control, and may remove any person from the property on his or her refusal to leave peaceably on request. Identification may be required of any person on the property. (Texas Education Code Section 51.209) The UPD's Community Services Unit, upon request, will prepare a security survey of the facility to determine security coverage and appropriate access control.

Residence Halls

RELLIS has no residence halls.

Parking Areas

RELLIS has two main parking areas and no parking garages. RELLIS campus has video surveillance of the main parking lots which may or may not be monitored. Parking areas are equipped with emergency phones and are readily visible and identifiable by the bright blue lights located on top of the phone cabinets. Instructions adjacent to the keypads direct customers to contact TAMUPD at 979-845-2345 for non-emergency assistance and to dial 911 for emergency assistance.

Academic and Administrative Buildings

The RELLIS campus includes many public areas that are readily accessible. In general, the academic and administrative buildings at these locations are open to the public, at a minimum, during normal business hours. Individual facilities may have specific hours of operation, which can vary depending upon factors such as the time of the year and operational requirements. Access to some buildings, or portions of buildings, are limited to authorized personnel. Card swipe systems, locks and other means are employed to limit access. Information about access to a specific facility can be obtained from the proctor for that facility or RELLIS Administration. University Police Officers patrol the campus and generally are not assigned to specific academic or administrative buildings at RELLIS. BCPD personnel are assigned to the Blinn Building on the RELLIS campus. TAMUPD security patrols RELLIS on a regular basis during the day and each evening including weekends.

Maintenance of Campus Facilities

Contracted facilities personnel are responsible for maintaining the buildings, grounds, and custodial services for the Texas A&M University campus and at RELLIS. The group addresses maintenance, renovation, and repair projects for facilities, custodial and landscaping. Texas A&M's Utilities & Energy Services Department provides electricity, heating and cooling, running water, and waste disposal. Faculty and staff are encouraged to report maintenance problems to their respective building proctor or to maintenance personnel by submitting through AggieWorks, an online request system (<https://aggieworks.tamu.edu/>). After-hours or emergency repairs, should be directed to maintenance personnel through the 24 hour Communications Center at 979-845-4311.

Security officers at RELLIS closely monitor any security-related maintenance problems, and report their findings to the appropriate university official. If necessary, they will stand-by until the problem is corrected. Contract security survey campus lighting nightly and monitor those areas having defective fixtures and report the deficiencies to the appropriate personnel for corrective action. Police personnel check the operations of the emergency telephones on a scheduled periodic basis.

Alcoholic Beverages, Illegal Drugs, and Weapons

Education Programs

In accordance with the Drug-Free Schools and Communities Act, A&M-San Antonio reviews its programs, services, and policies to prevent unlawful possession, use, or distribution of alcohol and illicit drugs. The results of the biennial review of A&M-San Antonio Drug and Alcohol Abuse Prevention Program (DAAPP) are published at <https://www.tamusa.edu/university-policies/Student-Rights-and-Responsibilities/alcohol-drug-prevention/drug-free-schools.html>.

Alcohol Policy

The following alcohol policy applies at the RELLIS campus.

All members of the campus community and guests are required to comply with federal and state laws regarding the possession, use, and service (including sales) of alcoholic beverages. Except as permitted or expressly authorized by state law, alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under 21 years of age.

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

The purchase, service (including sales), possession, and consumption of alcohol beverages in facilities under the control of the A&M System shall in all respects comply with state law ([System Policy 34.03, Alcoholic Beverages](#)). All purchases of alcoholic beverages by any member must comply with guidelines as established in [System Policy 34.03, Alcoholic Beverages](#) regarding the purchase's source of funds, purpose, and required documentation.

Consequences for policy violations could result in sanctions by the institution and/or criminal charges/arrest by TAMUPD or other law enforcement agencies for state law violations.

The following services are provided to A&M-San Antonio students and employees located at RELLIS. A&M-San Antonio Student Counseling Center (210) 784-1331 is committed to promoting responsible decision-making regarding alcohol and other drugs through educational programming, resources, and referrals. Counseling and assessment services are available through Student Counseling Center. If further treatment is necessary, students may be referred to outside counselors and programs. The Work/Life Solutions Program by GuidanceResources (1-866-301-9623) manages the alcohol, drug abuse, and rehabilitation program for employees and provides licensed counseling and referral services.

Illegal Drug Policy

The following illegal drug policy applies at the RELLIS campus.

Federal law prohibits the unlawful possession, use, sale, or distribution of drugs. Texas state law prohibits the possession, use, sale, manufacture, or delivery of a controlled substance without legal authorization. A controlled substance includes any drug, substance or immediate precursor covered under the Texas Controlled Substances Act, including but not limited to opiates, barbiturates, amphetamines, marijuana, and hallucinogens. The possession of drug paraphernalia is also prohibited under Texas state law. Drug paraphernalia includes all equipment, products and material of any kind that are used to facilitate, or intended or designed to facilitate, violations of the Texas Controlled Substances Act. According to [System Policy 34.02, Drugs and Alcohol Abuse](#), the Texas A&M University System strictly prohibits the unlawful manufacture, distribution (including sales),

dispensation, possession or use of illicit drugs on Texas A&M University System property while on official duty and/or as part of any Texas A&M University System activity. All students and employees are expected to abide by federal and state laws pertaining to controlled substances and illicit drugs. More specifically, student codes of conduct governing students at the RELLIS campus prohibit using, possessing, being under the influence of, manufacturing, or distributing illegal drugs or illegally obtained/possessed controlled substances. Alleged violations of federal and state laws may result in criminal charges. Consequences could include criminal charges/arrest by TAMUPD or other law enforcement agencies for law violations. Institutional conduct charges may be pursued against those alleged to have violated institutional policies and/or state/federal laws concerning controlled substances.

The following services are provided to A&M-San Antonio students and employees located at RELLIS. A&M-San Antonio Student Counseling Center (210) 784-1331 is committed to promoting responsible decision-making regarding alcohol and other drugs through educational programming, resources, and referrals. Counseling and assessment services are available through the Student Counseling Center. If further treatment is necessary, students may be referred to outside counselors and programs. The Work/Life Solutions Program by GuidanceResources (1-866-301-9623) manages the alcohol, drug abuse, and rehabilitation program for employees and provides licensed counseling and referral services.

Weapons Policy

The following weapons policy applies at the RELLIS campus. In accordance with [Texas Penal Code Ch. 46.03](#), a person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, location-restricted knife, club, or prohibited weapon ([Texas Penal Code 46.05](#)) 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 vehicles of a 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 premises of the TAMUS offices (where the TAMUS offices has operational responsibility) or in a TAMUS vehicle, unless prohibited by state law or federal law. Concealed carry is prohibited in any premises where TAMUS offices, as directed or approved by the chancellor as necessary for institutional safety, gives effective notice on a temporary basis pursuant to [Section 30.06, Texas Penal Code](#). Concealed carry is prohibited in the following locations on the RELLIS campus: third floor biology labs of Academic Alliance Building 1. The open carry of handguns on TAMUS offices' land or premises is prohibited. Licensed peace officers are authorized by law to carry firearms at all times. [TAMUS Rule 34.06.02.S1](#) contains additional weapons policy information.

Sexual Assault, Dating Violence, Domestic Violence, and Stalking

In accordance with federal law and The [Texas A&M University System Regulation 08.01.01](#), Civil Rights Compliance (System Regulation 08.01.01), Texas A&M-San Antonio prohibits discrimination and harassment including sexual assault, dating violence, domestic violence, stalking (as those terms

are defined for the purposes of the Clery Act). The policies apply regardless of where this conduct occurs²J when notice of potential misconduct is received by university. All policies described in this section apply to A&M-San Antonio students, faculty, and staff located at the RELLIS campus. Alternative procedures may exist for students and personnel located at the RELLIS campus who are not enrolled at or employed by A&M-San Antonio.

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

Individuals have the option of notifying on-campus and local law enforcement authorities to report sexual assault, dating violence, domestic violence, or stalking. Below is a list of local law enforcement agencies. Reports should be filed with the agency which has jurisdiction where the incident occurred.

Agency	Phone
Texas A&M University Police Department	979-845-2345
Bryan Police Department	979-361-3888
College Station Police Department	979-764-3600
Blinn College Police Department	979-209-7600
Brazos County Sheriff's Department	979-361-4980

On the RELLIS campus, TAMUPD 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 of a conduct proceeding and are handled in accordance with the Texas Penal Code, the Texas Code of Criminal Procedure, and information from the Brazos County Attorney and District Attorney Offices. Law enforcement will help individuals understand the process of obtaining protective orders, restraining orders, or similar lawful orders issued by the courts.

A&M-San Antonio employees are mandatory reporters who must report all known information about an alleged or suspected incident of discrimination, harassment, retaliation, or complicity that is experienced by, observed by, or made known to an employee in the course and scope of their employment as soon as possible³. Employees are not required to report conduct prohibited by this policy if the employee experiences, observes, or becomes aware of the prohibited conduct outside the context of their employment.

² Off campus conduct applies if the conduct occurs outside the context of a university employment or education program or activity but creates a hostile environment for students, employees or third parties while on university grounds or other property owned or controlled by university or in any university employment or education program or activity.

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

An employee is also not required to report an incident in which: (1) the employee was a victim of sexual harassment, sexual assault, dating violence, domestic violence, or stalking; (2) the employee received information due to a disclosure made at a sexual harassment, sexual assault, dating violence, domestic violence, or stalking public awareness event sponsored by the university or by a student organization affiliated with the university; or (3) the person has either learned of the incident during the course of their employer's review or process, or has confirmed with the designated office overseeing the review or process that the incident has been previously reported.

An employee's failure to report alleged or suspected discrimination, harassment, retaliation, or complicity may result in disciplinary action, including termination of employment. An employee must be dismissed if, in accordance with disciplinary processes, the employee is determined to have knowingly failed to make a required report, or that employee, with the intent to harm or deceive, knowingly made a report that is false. Notwithstanding the above mandatory reporting requirement for employees, anyone may report matters which they believe are criminal to the appropriate local law enforcement agency with the exception of sexual assault which generally requires the consent of the victim to report to law enforcement except in emergency situations.

Students and third parties are strongly encouraged, but are not required, to report conduct prohibited by this policy.

At the RELLIS campus, reports that a student, an employee, or a third party has engaged in conduct prohibited by this policy should be made to:

RELLIS Assistant Provost and Title IX Coordinator
(979) 317-3404

civilrights@rellis.tamus.edu

Website Reporting Form: <https://go.pardot.com/1/548402/2020-06-03/9w8zy6>

The RELLIS Assistant Provost & Title IX Coordinator's responsibilities include the receipt and initial review of complaints of discrimination, harassment, retaliation, and complicity as well as informing the respondent's member university Title IX Office of applicable complaints. Texas A&M-San Antonio's Title IX Coordinator's responsibilities include, but are not limited to, (1) overseeing A&M-San Antonio RELLIS campus's civil rights protections program; (2) ensuring all complaints of discrimination, harassment, retaliation, and complicity are promptly, thoroughly, and equitably reviewed, investigated, and resolved in accordance with System Regulation 08.01.01, System Rule 08.01.01.S1 (for RELLIS Academic Alliance staff and students), RELLIS Academic Alliance Student Code of Conduct, A&M-San Antonio Rule 08.01.01.O1; Civil Rights Compliance; and A&M-San Antonio Code of Conduct; and (3) identifying and addressing any patterns or systematic problems that arise from the review of such complaints. The RELLIS Assistant Provost and Title IX Coordinator, in collaboration with the A&M-San Antonio Title IX Coordinator, or designee shall decide which policy will be applied to such conduct on a case-by-case basis.

Some conduct, while inappropriate and unprofessional, does not rise to the level of discrimination, harassment, retaliation, or complicity. Reports of this conduct will be forwarded by the RELLIS Assistant Provost and Title IX Coordinator to the appropriate disciplinary authority of the affiliated System member (e.g., Human Resources, Student Conduct, and Provost) under rules or regulations other than this policy.

The A&M-San Antonio Title IX Coordinator's office is the department designated by A&M-San Antonio to receive and resolve all reports alleging discrimination, harassment, retaliation, and/or complicity. However, reports that the following individuals have engaged in conduct prohibited by this policy: The Texas A&M University System Chancellor; the Texas A&M University President; a Chief Operating Officer; an employee who reports directly to the Chancellor, President, or Chief Operating Officer; or the Title IX Coordinator should be made to:

The Texas A&M System Ethics and Compliance Office (SECO)
301 Tarrow, 6th floor
College Station, Texas 77843
979-458-6120
civilrightsreporting@tamus.edu

Additional options for reporting to the university include:

- Submitting an anonymous report through [Ethics Point](#). Anonymous reporting may limit the university's ability to respond to the allegation.
(<https://secure.ethicspoint.com/domain/media/en/gui/19681/index.html>)
- Submitting an electronic report through
https://cm.maxient.com/reportingform.php?TAMUSanAntonio&layout_id=40
<mailto:civilrights@rellis.tamus.edu> <https://go.pardot.com/1/548402/2020-06-03/9w8zy6ht>
Submit a report to titleix@tamusa.edu.

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

A&M-San Antonio has procedures in place to inform individuals of their rights to file criminal charges as well as the availability of services and resources on and off campus. A complainant⁴ may request assistance from and/or will be assisted by the A&M-San Antonio Title IX Coordinator in notifying law enforcement authorities if the complainant so chooses. A report to law enforcement, including TAMUPD, is separate from a report to the university. An individual wishing to simultaneously pursue a law enforcement investigation and a university resolution of conduct prohibited by this policy should make a report to both entities. Individuals are notified of their right to report the incident to campus police and local police immediately, but always have the right to decline to notify such authorities if capable of making that decision. Reporting to law enforcement does not preclude an individual from pursuing disciplinary remedies with the university.

Although a report of conduct prohibited by this policy 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

⁴ The individual(s) who is alleged to have been subjected to discrimination.

or student who is not performing at acceptable levels or standards or who has violated System policies or regulations or university rules or standard administrative procedures.

The university's response to allegations of conduct prohibited by this policy will be prompt and equitable. The response is intended to stop/prevent recurrence of any discrimination or harassment and to 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.

The RELLIS Assistant Provost and Title IX Coordinator conducts an initial review and preliminary assessment of all reports/complaints that they receive to address the safety and well-being of the complainant and respondent⁵. As part of the initial review, the RELLIS Assistant Provost and Title IX Coordinator will take the following steps: (1) inform the individual reporting of the right to file a complaint with law enforcement (if applicable) in addition to filing a complaint with the RELLIS Assistant Provost and Title IX Coordinator; (2) provide assistance in notifying campus police or appropriate law enforcement authorities if the individual so chooses; (3) inform the individual of the right to decline to contact law enforcement; and (4) inform the individual of the right to file a complaint with state and federal agencies. The RELLIS Assistant Provost and Title IX Coordinator will offer the opportunity to request supportive measures to provide for the safety of the individual and campus community.

The RELLIS Assistant Provost and Title IX Coordinator will also take steps to advise about (1) the importance of preserving evidence, if applicable, that could assist in proving that an offense occurred or may be helpful in obtaining a protective order or assist in an investigation; (2) the university's procedures for investigation and options for formal and informal resolutions; and (3) the university's prohibition against retaliation. At this time, the RELLIS Assistant Provost and Title IX Coordinator will determine whether the complainant is a minor, elderly, or disabled and, if required, contact the appropriate agency in accordance with applicable Texas law.

The RELLIS Assistant Provost and Title IX Coordinator provides a written notification of available resources, rights, and options to each individual reporting discrimination, harassment, or retaliation (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 informal or formal remedies through the university or criminal remedies through law enforcement. The written notification 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 concerning how and to whom the alleged offense can or should be reported;
- the option to notify 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;

⁵ An individual who has been alleged to have engaged in discriminatory conduct as defined in this policy.

- the rights of individuals and the institution's responsibilities for orders of protection, no contact orders (mutual no contact restrictions), restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or the institution;
- information about how the institution will protect confidentiality;
- existing on-campus and community resources/contacts (counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to students, faculty, and staff);
- the options for, available assistance in making, and how to request, changes to academic, housing, transportation, and work situations and other supportive/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) if you feel comfortable doing so.
- Get medical attention as soon as possible to make sure you are physically well and to collect important evidence in the event you may later wish to take legal action. Baylor Scott & White Medical Center in College Station (979-207-0100, <https://www.bswhealth.com/specialties/forensic-medicine/>) is the community's designated forensic nursing facility offering 24/7 services by trained Sexual Assault Nurse Examiners (SANE) and a forensic unit that provides detailed physical examinations, evidence collection, and expert testimony. St. Joseph Health Regional Hospital in Bryan (979-776-3777) also conducts forensic exams. Victims should go to the hospital's emergency room and request to be seen by a SANE.
- Try to preserve all physical evidence. Do not wash, use the toilet, swim, brush teeth, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
- Also 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. Such personnel include the RELLIS Assistant Provost and Title IX Coordinator 979-317-3404, Student Counseling and Student Health Services at Texas A&M Health Family Care 979-776-8440, TELUS Health Student Support App 1-866-408-2828, TAMUPD Victim Services 979-458-6875, Work/Life Solutions Program by GuidanceResources (for employees) 1-866-301-9623, and the Brazos Valley Sexual Assault Resource Center 979-731-1000.

Medical Treatment (as applicable to the specific incident)

It is important to seek immediate and follow-up medical attention for several reasons: first, to assess and treat any physical injuries sustained; second, to test for sexually transmitted infections or

pregnancy and treat or take preventive measures; and third, to gather and preserve evidence that may assist in proving that the alleged offense occurred or is occurring and/or may be helpful in obtaining a protective order. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of the evidence may be diminished. If victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infection.

Confidentiality/Privacy

Students and employees have the option to disclose incidents to confidential reporters who are employees designated or permitted by the university to receive complaints of discrimination, harassment, retaliation, and complicity and maintain confidentiality. Confidential reporters include, but are not limited to, licensed health care personnel and certain mental health providers (professional psychologists/counselors) who receive reports when acting the course and scope of their job as part of their official employment. When an individual shares information with a confidential reporter, the confidential reporter cannot legally disclose the communication to another person or the institution except under very limited circumstances. Such information could be disclosed when: (1) the individual gives written consent for its disclosure; (2) there is a concern that the party poses an imminent danger to themselves or others; (3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, the disabled, or the elderly; or (4) required by law.

Confidential reporters are required to provide general non-identifying information in order to comply with the Clery Act or other applicable laws/regulations, and must report de-identified statistics to the Title IX Coordinator for any type of sex-based incident made known to them. However, they may not include any information that would violate that person's expectation of privacy. Publicly available recordkeeping, including Clery Act reporting and disclosures, must not include personally identifying information⁶. Incidents are shared in a way that does not identify the individuals. For example, licensed healthcare providers share de-identified information regarding conduct that may be a statistic in the Clery Annual Security Report and/or disclosed in the daily crime log without identifying the individuals concerned. Researchers are deemed confidential only when the research project is federally funded and the identity of research subjects on the specific project is deemed confidential by law.

At the RELLIS campus, the following are considered confidential reporters: mental health providers for students and health care personnel for students – Texas A&M Health Family Care (979-776-8440) and mental health provider for employees and the employees' benefits-eligible dependents -Work/Life Solutions Program by GuidanceResources (1-866-301-9623). Confidential reports are available to support both complainants and respondents. At Texas A&M-San Antonio, the following are considered confidential reporters: licensed counselors at the Student Counseling Center (210-784-1331), mental health providers for employees and the employees' benefits-eligible dependents – CompPsych GuidanceResources <https://www.guidanceresources.com> , Organization Web ID:

⁶ 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.

TAMUS, Phone: (866) 301-9623, TTY: (800) 697-0353 mail: memberservices@compsych.com, and the University's Victim Advocate (210-784-1906).

Additionally, The Texas A&M University System offers its students the TELUS Health Student Support App (1-866-408-2828) for immediate, 24/7 professional counseling via phone call, chat, or an option to schedule multiple sessions with a specific counselor for short-term treatment. Instructions to access the TELUS Health Student Support App are found here <https://rellis.tamus.edu/academicalliance/counseling-services/>.

All other employees informed of possible discrimination, harassment, retaliation, and/or complicity should advise the reporting party that they cannot keep the information confidential and are required to report it to the university. Employees should inform the reporting party where confidential guidance can be obtained, such as the student counseling center or employee assistance program. To the extent possible, the university will protect the privacy of all parties to the report (see definition of private⁷).

Employees receiving a complaint under this policy may not disclose the identity of the complainant to any law enforcement authority unless:

- expressly authorized by the complainant;
- an imminent threat to health or safety exists; or
- as required by law.

Requests from complainants to withhold any name, or a request not to investigate or seek action against the respondent, will be considered by the university in the context of the university's duty to provide a safe and nondiscriminatory work, educational, and campus living environment. This may require that the university take actions when the complainant requests no action, such as when violence is involved, when the threat of violence exists, or when required by law, as in the case of elderly, disabled, or child abuse. A request to withhold information or not to investigate the alleged misconduct may limit the university's ability to respond.

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. Individuals with an inquiry or complaint are informed about their resources, rights, and options in writing when the RELLIS Assistant Provost and Title IX

⁷ Private - that which affects, characterizes, or belongs to an individual person, as opposed to the general public. With respect to this regulation, private means restricting information to those with a reasonable need to know.

Coordinator receives 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 personnel likely to receive reports of conduct prohibited by this policy in Student Affairs, Human Resources, and Texas A&M Police Department, may also provide resources, rights, and options in writing. Available assistance information is also shared through prevention and awareness education and can be found on the A&M-San Antonio Title IX and A&M-SA PD webpages at <https://www.tamusa.edu/university-policies/titleix/index.html> and <https://www.tamusa.edu/about-us/campus-information/safety/university-police-department/documents/victims-rights-and-options-pamphlet-full-version-2024.pdf>. Additional information about RELLIS specific resources, rights, and options can be requested from the RELLIS Assistant Provost and Title IX Coordinator.

The following are RELLIS and A&M-San Antonio on-campus and community resources available to complainants, respondents, and others.

Law Enforcement

Name	Phone	Address	Website
Texas A&M University Police	979-845-2345	1111 Research Parkway College Station, TX	https://upd.tamu.edu
Bryan Police Department	979-361-3888	303 East 29 th Street Bryan, TX	www.bryantx.gov/police
College Station Police Department	979-764-3600	800 Krenek Tap Road College Station, TX	
Brazos County Sheriff's Department	979-361-4980	1700 Highway 21 West Bryan, TX	http://brazoscountysheriff.org
Blinn College Police Department	979-209-7600 (same for Blinn officer located at RELLIS)	2423 Blinn Blvd., Building S, Room 106, Bryan, TX	https://www.blinn.edu/police-emergency-management/index.html
Texas A&M-San Antonio Police Department	210-784-1900	One University Way, Police Modular Bldg., San Antonio, TX	https://www.tamusa.edu/about-us/campus-information/safety/university-police-department/index.html

Counseling and Mental Health

Name	Phone	Address	Website
Texas A&M Health Family Care (upper-level RELLIS students)	979-776-8440	2900 E. 29 th St. Bryan, TX 77802	https://health.tamu.edu/care/specialties/family-care/locations/family-care-bryan.html
TELUS Health Student Support App - App that offers students 24/7 access to professional counseling	1-866-408-2828	N/A	https://rellis.tamus.edu/academicalliance/counseling-services/
Mental Health Counseling (Blinn students)	979-845-4427	Schwartz Building, Suite 230, RELLIS Campus	www.blinn.edu/counseling-services/index.html
Work/Life Solutions by GuidanceResources (A&M System Employees)	1-866-301-9623	N/A	https://www.tamus.edu/benefits/work-life-solutions-by-guidanceresources/
Student Counseling Center (A&M-San Antonio)	210-784-1331	One University Way, Madla Building 120, San Antonio, TX	https://www.tamusa.edu/student-resources/support/student-counseling-center/index.html

Medical and Health Services

Name	Phone	Address	Website
Texas A&M Health Family Care (upper-level A&M System students)	979-776-8440	2900 E. 29 th Street Bryan, TX 77802	https://health.tamu.edu/care/family-care-bryan/index.html
Baylor Scott & White (Blinn students)	979-691-2409	Walter C. Schwartz Building, Room 230G RELLIS Campus	https://rellis.tamus.edu/academicalliance/health-services/
Baylor Scott & White Medical Center	979-207-0100	700 Scott & White Drive College Station, TX	https://www.bswhealth.com/locations/college-station/
St. Joseph Health College Station Hospital	979-764-5100	1604 Rock Prairie Road College Station, TX	https://stjoseph-locations.stlukeshealth.org/location/chi-st-joseph-health-college-station-hospital
St. Joseph Health Regional Hospital – Bryan, Texas	979-776-3777	2801 Franciscan Drive Bryan, TX	https://stjoseph.stlukeshealth.org/locations/chi-st-joseph-health-regional-hospital

Support, Advocacy, Legal Assistance, and Other Resources

Name	Phone	Address	Website
A&M-San Antonio Title IX Office	210-784-2061	Suite 439 Central Academic Building, One University Way, San Antonio, Texas	https://www.tamusa.edu/university-policies/titleix/index.html
Student Conduct Office (RELLIS)	979-317-3404	1425 Bryan Rd. Bryan, TX 77807 ACB1, Suite 117	https://rellis.tamus.edu/academicalliance/campus-life/safety-and-rights/
Student Services (RELLIS)	979-317-3404	1425 Bryan Rd. Bryan, TX 77807 ACB1, Suite 117	https://rellis.tamus.edu/academicalliance/student-life/services/
A&M-San Antonio Dean of Students	210-784-1354	Madla Building 311 & 312, One University Way, San Antonio, Texas	https://www.tamusa.edu/dean-of-students/about-contact.html
A&M-San Antonio Human Resources Employee Relations	210-784-2058	Suite 439 Central Academic Building, One University Way, San Antonio	https://www.tamusa.edu/human-resources/about-us/index.html
National Sexual Assault Hotline	800-656-4619		online.rainn.org
Sexual Assault Resource Center (Brazos County)	979-731-1000		sarcbv.org
National Domestic Violence Hotline	800-799-7233		thehotline.org
Texas A&M University Police Department Victim Services	979-458-6875	1111 Research Parkway College Station, TX	https://upd.tamu.edu/pages/victim-sadvocate.aspx
Bryan Police Department Victim's Assistance	979-209-5312	302 South Texas Avenue Bryan, TX	https://www.bryantx.gov/police/investigative-services-bureau/
College Station Police Department Victim Services	979-764-2642	2611 Texas Avenue South College Station, TX	
Brazos Valley Family Violence Unit	979-775-7400	300 E. 26 th Street, Suite 105 Bryan, TX	https://brazoscountytexas.gov/112/Family-Violence
Twin City Mission Domestic Violence Services	979-775-5355	2505 South College Avenue, Bryan, TX	https://www.twincitymission.org/domestic-violence-services
Twin City Mission Bridge (Homeless Support)	979-822-1492	410 S. Randolph Ave. Bryan, TX	www.twincitymission.org/
Family Promise (Homeless Support)	979-268-4309		www.familypromisebcs.org/about-us/

Visa and Immigration Assistance

Name	Phone	Address	Website
A&M-San Antonio Office of International Affairs	210-784-1309	Room 125, Madla Building, One University Way, San Antonio, Texas	https://www.tamusa.edu/International-Affairs/index.html
U.S. Citizenship and Immigration Services, Texas – San Antonio Field Office	800-375-5283	20760 North US Highway 281, Suite A San Antonio, TX	https://www.uscis.gov/about-us/find-a-uscis-office/field-offices

Student Financial Aid

Name	Phone	Address	Website
Office of Scholarships & Financial Aid, A&M-San Antonio	210-784-1300	Room 106, Madla Building, One University Way, San Antonio, TX	https://www.tamusa.edu/payin-g-for-college/index.html
Texas A&M-San Antonio Office of Military Affairs	210-784-1397	Suite 202, Patriots Casa, One University Way, San Antonio, TX	https://www.tamusa.edu/student-resources/military-affairs/index.html
Federal Student Aid Information Center	800-433-3243	N/A	https://studentaid.gov/help-center/contact

Institutional Rights and Options (Supportive Measures)

The institution is obligated to offer and provide assistance to students, employees, and third parties in obtaining a range of supportive measures. Supportive measures are intended to restore or preserve equal access to the workplace and educational programs or activities without unreasonably burdening the other party; stop and prevent the reoccurrence of discrimination, harassment, and/or retaliation; and support the complainant and respondent during the investigation and resolution process.

Supportive measures are non-disciplinary, non-punitive individualized services. Supportive measures are offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent.

In all complaints of discrimination, harassment, and/or retaliation, the RELLIS Assistant Provost and Title IX Coordinator promptly contacts the parties to discuss the availability of supportive measures, considers the parties' wishes with respect to supportive measures, informs the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explains to the complainant the process for filing a formal complaint. The university will maintain the privacy of

any supportive measures provided to the complainant or respondent to the extent that maintaining such privacy would not impair the ability of the university to provide the supportive measures.

The RELLIS Assistant Provost and Title IX Coordinator and the A&M-San Antonio Title IX Coordinator are responsible for coordinating the effective implementation of supportive measures. In addition to facilitating supportive measures, the RELLIS Assistant Provost and Title IX Coordinator and A&M-San Antonio Title IX Coordinator can provide parties with access to university officials who have information about counseling, health, mental health, victim advocacy, visa and immigration information, impact of a leave of absence on student financial aid, and other services available to complainants and respondents (on campus and in the community). The RELLIS Assistant Provost and Title IX Coordinator and/or A&M-San Antonio Title IX Coordinator will also notify the parties that options such as protective orders and criminal trespass warnings may be available through law enforcement agencies and the judicial system. A party may request a supportive measure through the RELLIS Assistant Provost and Title IX Coordinator (979-317-3404) at any time, regardless of whether a formal complaint has been filed and regardless of whether the individual chooses to report the incident to law enforcement or pursue disciplinary remedies.

The RELLIS Assistant Provost and Title IX Coordinator can assist A&M-San Antonio with supportive measures that may include, but are not limited to, changes in academic-related areas, housing, transportation, and work situations and other measures as listed below. In determining which supportive measures to provide and the reasonableness of these measures, the RELLIS Assistant Provost and Title IX Coordinator and A&M-San Antonio Title IX Coordinator consider 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 classes, transportation, or job locations; other judicial measures already in place; and other factors as appropriate. The university also provides reasonable supportive 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. Parties seeking a supportive measure should discuss their options with the RELLIS Assistant Provost and Title IX Coordinator and/or A&M-San Antonio Title IX Coordinator.

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

- Assistance in obtaining access to medical, mental health, and legal services (protective orders and criminal trespass warnings available through law enforcement and the judicial system); and academic counseling, victim advocacy, visa and immigration information, and financial aid guidance and services.
- Extension of deadlines or other course-related adjustments; e.g., cases in which a student complainant and student respondent are enrolled in the same course. In this situation, either student may elect to drop the course without any academic penalty.
- Modifications of work or class schedules.
- Campus escort services.
- Mutual no contact restrictions between the parties as described below.
- Changes in work or housing locations, if reasonable and available.
- Leaves of absence.
- Increased security and monitoring of certain areas of campus or workplace.

- Other similar measures.

Mutual No Contact Restriction: A mutual no contact restriction is a supportive measure issued by the institution that prohibits two parties from contacting one another through any means. Mutual no contact restrictions can be issued in addition to court ordered protection but may also serve as an alternative for those who do not want to seek a court order. A complainant or a respondent can request a mutual no contact restriction through the RELLIS Assistant Provost and Title IX Coordinator at (979-317-3404). The RELLIS Assistant Provost and Title IX Coordinator may issue a mutual no contact restriction at any time prior to or during a conduct investigation based on information provided by the requestor. If good cause for a mutual no contact restriction is determined, both parties are notified of the restrictions in writing. Mutual no contact restriction records are maintained in the RELLIS Assistant Provost and Title IX Coordinator's tracking system.

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 mutual no contact restriction. Violations should be reported to the Assistant Provost and Title IX Coordinator and may result in disciplinary action. Failure to comply with the terms of supportive measures such as mutual no contact restrictions may be considered a separate violation of system policies and regulations and university rules and procedures.

The RELLIS Assistant Provost and Title IX Coordinator will also consider an interim removal/restriction of the respondent from the RELLIS campus if the respondent is an immediate threat to the health or safety of the community or another individual. Both an interim removal/restriction for student respondents and an interim administrative action for employee respondents, such as a leave of absence, are described below.

Texas A&M-San Antonio will also consider an interim removal/restriction of the respondent from its academic program or employment if the respondent is an immediate threat to the health or safety of the community or another individual.

Interim Removal/Restriction of Students: A student may not be expelled or suspended prior to a decision of responsibility for a violation(s) of a university rule, policy, regulation, code, or standard administrative procedure except as provided below.

Texas A&M-San Antonio may remove or restrict a student from an education program or activity on an emergency basis only after an individualized safety and risk analysis has determined that the student is an immediate threat to the physical health or safety of any other student or individual arising from the allegations. A&M-San Antonio must provide the removed/restricted student with notice and opportunity to challenge the decision immediately following the removal/restriction. Upon being removed/restricted, the removed/restricted student must be granted the opportunity for a hearing within 5 business days to review whether or not the removal is warranted. The outcome of this hearing is not subject to appeal and is not a disciplinary action. The RELLIS Assistant Provost and Title IX Coordinator works in collaboration with appropriate member university administrators to implement the interim removal/restriction.

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

Interim Administrative Actions for Employees: In accordance with university rules and standard administrative procedures, Texas A&M-San Antonio may place an employee in leave status, suspend them with pay, reassign them, and/or place them in another type of temporary status pending completion of the investigation and resolution process. A&M-San Antonio may also issue interim restrictions to an employee such as contact restrictions (no-contact directives), non-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 Supportive Measures: The university will maintain as private any accommodations or supportive measures provided to the extent that maintaining such privacy would not impair the ability of the institution to provide the accommodations or supportive measures. The RELLIS Assistant Provost and Title IX Coordinator and the A&M-San Antonio Title IX Coordinator are responsible for determining what information and to whom information will be disclosed based on the circumstances of the allegation, the individuals involved, and related safety needs. The RELLIS Assistant Provost and Title IX Coordinator and the A&M-San Antonio Title IX Coordinator use discretion and only disclose information to key officials at the institution who perform the tasks necessary for obtaining or providing the accommodation or supportive measure. The identity of an alleged victim of sexual harassment, sex-based misconduct, 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 with the consent of the complainant; (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: Transportation Services, Scholarships and Financial Aid, 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, the Assistant Provost and Title IX Coordinator and the A&M-San Antonio Title IX Coordinator receive consent to disclose the identity of the alleged victim and 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 supportive measures may be considered a separate violation in the institutional disciplinary proceedings.

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, to attend counseling, to pay child support, and/or to pay spousal support. An application for a protective order may be filed by an individual, a prosecuting attorney, or the Texas Department of Family and Protective Services (1-800-252-5400) on behalf of an individual. The application is obtained through the county attorney (Brazos County Attorney's Office – Family Violence Unit, Family Violence and Mental Health Coordinator, 979-361-4657), the district attorney (Brazos County District Attorney's Office – Victim Assistance Division, 979-361-4320), or a private attorney. TAMUPD (979-845-2345) will also provide assistance in applying for protective orders. Forms associated with applying for a protective order are found on the following webpages: <http://brazoscountytx.gov/index.aspx?NID=112> and <https://guides.sll.texas.gov/legal-forms/protective-orders>.

The application for a protective order must be filed in either the county where the applicant lives or the county where the recipient lives. The applicant's address can be kept confidential. If the legal criteria for a protective order are 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.

TAMUPD is notified of protective orders that exist on 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, TAMUPD should be contacted immediately at 979-845-2345. Responding agencies can also be contacted for protective order violations including Bryan Police (979-361-3888), College Station Police (979-764-3600), or the Brazos County Sheriff's Department (979-361-4980). Violating protective orders generally carry authority for the violator's immediate arrest by TAMUPD the Texas A&M Police Department or other law enforcement agencies.

Criminal Trespass Warning: A criminal trespass warning is a supportive measure issued by TAMUPD 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 them 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 TAMUPD at 979-845-2345 and request to speak with an officer. The TAMUPD police 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 TAMUPD policy. When the warning is issued, the officer is responsible for providing notice to the requestor and the person receiving the warning.

TAMUPD officers are notified of criminal trespass warnings that exist in their area. If a criminal trespass warning is violated, TAMUPD should be contacted immediately at 979-845-2345. A violation of the criminal trespass warning occurs when the individual is issued a warning but refuses to leave campus or is subsequently found in a prohibited area based on the trespass warning. The requestor and other institutional personnel should take appropriate action by contacting TAMUPD for a responding officer when they become aware of a potential violation of a criminal trespass warning. TAMUPD 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 TAMUPD 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 TAMUPD's Community Services Unit (979-458-1674) is available to provide information or direct victims to the proper agency about personal safety, Texas Crime Victim's Rights, Texas Crime Victims Compensation Fund, and other information upon request. Individuals can also visit the Office of the Texas Attorney General's website at <https://www.texasattorneygeneral.gov/cvs/crime-victims-compensation>.

Investigations and Disciplinary Proceedings⁸ for Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation

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

- Both the complainant(s) and the respondent(s) must receive equitable treatment in all facets of the investigation and resolution process including, but not limited to, the right to an advisor (if any), the right to present evidence and witnesses, and the right to be informed of the outcome of the investigation.
- Timely and equal access to any information (inculpatory and exculpatory) discovered during the investigation as well as 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.
- Determinations use the preponderance of the evidence standard; i.e., what is more likely than not to be true, based on the totality of the available evidence.

⁸ 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 supportive measures.

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

Individuals conducting investigations and other decision makers, at a minimum, receive annual training on the issues related to sexual assault, dating violence, domestic violence, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. All of those involved in the administration of civil rights complaints at the university (including but not limited to: reporting, administering, investigating, adjudicating, advising, and informal resolution) complete annual training specific to their roles in accordance with requirements established in [System Regulation 08.01.01, Appendix B, Minimum Training Requirements for Civil Rights Investigations, Advisement, Adjudication, Appeals, and Informal Resolution in The Texas A&M University System](#). Minimum training requirements include university rules and procedure, applicable federal and state laws, how to conduct comprehensive civil rights investigations and prepare reports, trauma-informed investigation techniques and considerations, due process protections, how to value and weigh evidence and assess credibility, sanctioning, appellate processes, etc.

If an employee reasonably believes that an incident constitutes sexual harassment, sexual assault, dating violence, domestic violence, or stalking and that the incident is alleged to have been committed by or against a person who was a student enrolled at or an employee of the institution at the time of the incident, the employee must promptly report the incident to the RELLIS Assistant Provost and Title IX Coordinator. Students and third parties (including, but not limited to, anyone receiving services from the university, vendors, and private business associates) are strongly encouraged to report the incident(s) promptly to the RELLIS Assistant Provost and Title IX Coordinator. An employee is not required to report an incident in which that employee was a victim of the sexual harassment, sexual assault, dating violence, domestic violence, or stalking. Once an individual discloses information to the RELLIS Assistant Provost and Title IX Coordinator, a complaint will be considered to be made with the university, and the institution’s process is initiated regardless of whether the complainant chooses to pursue criminal charges.

Complaints are initially reviewed by the RELLIS Assistant Provost and Title IX Coordinator, not only to assess and address safety, but also to determine whether a violation of System Regulation 08.01.01 and/or any other university rule, standard administrative procedure, code, or policy could have occurred. The RELLIS Assistant Provost and Title IX Coordinator will inform the respondent’s member university Title IX Office of applicable complaints. During its review, the A&M-San Antonio’s Title IX Office will:

- Inform the complainant about options for formal and informal resolutions and solicit the complainant’s preferred method for resolving the matter. Complainants may request a formal resolution, an informal resolution, or “no resolution” of the allegations of discrimination, harassment, retaliation, and/or complicity.
- Offer assistance to the complainant in submitting a written formal complaint that details the nature and circumstances of the allegations, including the names of the complainants and respondents.

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. The university may initiate an investigation based on the seriousness of the allegation, whether or not there are multiple allegations, and/or whether or not a respondent poses a risk of harm to others. The A&M-San Antonio Title IX Coordinator 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 involved 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., 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, standard administrative procedures, 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 the A&M-San Antonio Title IX Coordinator will take appropriate actions, including but not limited to, (1) offering support services or academic adjustments, and (2) initiating a formal investigation or informal resolution.

Informal Resolution

Informal resolutions do not utilize a formal hearing and may or may not involve the establishment of findings of fact and the application of sanctions.

At any time prior to the determination of a final decision, the parties may seek informal resolution to resolve the complaint. The following conditions apply to informal resolution:

- Informal resolution is a voluntary process. No party may be compelled to participate in informal resolution. The university, in consultation with the System Ethics and Compliance Office, must agree to allow an informal resolution to move forward and must obtain the parties' voluntary, written consent to the informal resolution process.
- Prior to an informal resolution, the parties will be provided with: (a) written notice of the allegations; (b) the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising

from the same allegations; and (c) the consequences of withdrawing from the informal process and resuming the formal process, and including the records that will be maintained or could be shared.

- Once a party agrees to participate in informal resolution, they may withdraw from the process at any time prior to a final agreement and resume the formal grievance process. Information shared in the informal resolution process may not be introduced into the formal process without independent evidence.
- Once a final agreement is established through informal resolution, the complaint may not return to the formal complaint process unless one or both parties fail to abide by any conditions established in the agreement.
- Informal resolution options include mediation, restorative conferences, shuttle facilitation, and other forms of facilitated dialogue.
- Mediation may not be used to resolve complaints of rape, statutory rape, dating violence, domestic violence, or any case in which imminent threats of harm may exist.
- The university may not offer an informal resolution process in sex-based complaints unless a formal complaint is filed and may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Formal Resolution

The allegations will be considered for investigation pursuant to the following procedures. A&M-San Antonio reserve the right to resolve the complaint informally or through no resolution if the allegation does not rise to the level of conduct prohibited by System Regulation 08.01.01.

Upon receipt of a report, the A&M-San Antonio Title IX Coordinator 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 a violation of System Regulation 08.01.01; 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 conduct prohibited by System Regulation 08.01.01 (Academic Alliance staff), System Rule 08.01.01.S1, or Texas A&M-San Antonio Rule 08.01.01.O1, and/or that an investigation will not occur due to the complainant's request for no resolution, the RELLIS Assistant Provost and Title IX Coordinator (for staff and students) and Texas A&M-San Antonio (for faculty) may:

- dismiss the complaint;
- close it for insufficient evidence to investigate or lack of jurisdiction;
- refer the report to a different office at the university (the university office may review the conduct and take appropriate action, including but not limited to, disciplinary action against the respondent for violations of other university rules, codes, regulations, policies, or standard administrative procedures, if applicable); or

- with the consent of the parties, as well as the approval of the System Ethics and Compliance Office, refer the complaint to informal resolution (cases involving allegations based on sex require the submission of a formal complaint before they may be referred to informal resolution).

The A&M-San Antonio Title IX Coordinator will notify the complainant of such action in writing. Complaints that have been dismissed or referred may be appealed in accordance with the appeal procedures section of this policy.

Once it has been determined that the university will proceed with a formal investigation, the A&M-San Antonio Title IX Coordinator will appoint the Investigative Authority (IA) within 5 business days to initiate the process of determining whether a violation of System Regulation 08.01.01 or other university rule, standard administrative procedure, code, or policy occurred.

The A&M-San Antonio Title IX Coordinator (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:

- receipt of the complaint stating the allegation of a violation of this policy;
- interim supportive measures, if any;
- admonishments regarding cooperation and prohibiting retaliation;
- any informal resolution process that may be available; and
- an unredacted version of the complaint to an employee respondent(s) and their advisor, if applicable, with admonishments regarding privacy; and
- the appointed IA, the appointed Designated Administrator (DA), and the Appellate Authority (AA).⁹

If in the course of an investigation the university decides to investigate allegations about the complainant or respondent that were not included in the original notice, the university must provide notice of the additional allegations to the parties.

If the respondent is an employee, the A&M-San Antonio Title IX Coordinator (or designee) shall notify, in writing, the respondent's supervisor that the RELLIS Assistant Provost and Title IX Coordinator has reported an allegation that the respondent has engaged in conduct that may be a violation of System Regulation 08.01.01, System Rule 08.01.01.S1 (for Academic Alliance staff and students) and A&M-San Antonio Rule 08.01.01.O1 (for Academic Alliance faculty), or other university rules, standard administrative procedures, codes, or policies.

⁹ The DA is the decision-making entity specified in university rules. This may be an administrator or a hearing officer/panel but may not include a person with a clear conflict of interest (e.g., supervisor, subordinate, and/or family member of either party) or personal bias. The role of the DA is to determine whether or not allegations of misconduct rise to the level of a violation of System Regulation 08.01.01 based on the evidence provided and utilizing the preponderance of the evidence standard. The DA cannot have served as an investigator nor may they later serve as an appellate authority in the same case. Title IX Coordinators may not serve as a DA in any case involving an allegation of discrimination or harassment based on sex. The AA is any individual or panel responsible for rendering appeal decisions as specified in university rules. The role of the AA is to review the process by which an original decision was reached and render an appellate decision, consistent with the grounds for appeal. Title IX Coordinators may not serve as an AA in any case involving an allegation of discrimination or harassment based on sex. All persons serving as DAs, AAs, and IAs will be impartial and free of conflicts of interest or bias for or against the complainant or the respondent.

The A&M-San Antonio Title IX Coordinator 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 employee's or student time away from work or class to participate in the investigative process, making reports to university administrators, coordinating supportive measures, and undertaking any other tasks necessary to properly conduct the investigation.

The IA will review the complaint and conduct a prompt, fair, thorough, and impartial investigation. Abuse of the investigation and resolution process is prohibited and 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 the A&M-San Antonio Title IX Coordinator;
- 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, DA, or Appeal Authority 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 (1) have observed the acts in question, (2) have information related to or relevant to the incident, or (3) have information about impact, mitigation, aggravation, and/or character in order to participate in the investigation process.

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 advisor¹⁰ of their choice if applicable. 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 or proceedings related to the investigation and resolution of the complaint. A party may select any person to be an advisor, including legal counsel.

If the allegations are related to sexual harassment or sex-based misconduct, a party must have an advisor for the hearing to provide guidance and to conduct cross-examination. If a party does not have an advisor for a hearing involving sexual harassment or sex-based misconduct allegations, the university will appoint an advisor for the party. To the extent reasonably possible, the university will provide a party without an advisor with a list of trained advisors and allow the party to select an advisor to be appointed from the list.

Restrictions regarding the extent to which the advisor will participate in the proceedings may be established and applied equally to both parties. In all instances, the advisor's participation will be limited to the role of an observer, except that the advisor will (1) conduct the cross examination during a hearing on allegations of sexual harassment and sex-based misconduct, and (2) provide support and guidance to their party. An advisor can be barred from being present during the investigation and resolution process if, in the judgment of the IA, the DA, the Appeal Authority, or the A&M-San Antonio Title IX Coordinator, the advisor attempts to advocate on behalf of a party (other than cross-examination) 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.

When the university is made aware that there is a concurrent criminal investigation, the A&M-San Antonio Title IX Coordinator 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 to the extent allowed by law, the university's obligations and supportive measures, 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, standard administrative procedure, or code; therefore, the university will not base its decisions on any law enforcement determination and/or the outcomes of any criminal proceedings.

Within 30 business days, the IA will prepare an initial draft investigation report at the conclusion of the investigation and provide it to OGC for review. The initial draft investigation report includes the

¹⁰ An advisor is an individual selected by each complainant and respondent to provide guidance, support, or advice during the investigation and resolution process and to conduct cross-examination when a complaint is referred to a formal hearing. An advisor may be an attorney. The university may appoint an advisor of the university's choice for a complainant or respondent for a hearing if either party does not have an advisor present. Advisors may not otherwise represent or speak for the party they are advising. Each party is allowed one advisor, although the university may establish circumstances under which a second advisor would be permitted (e.g., accommodating a party with a disability).

following, but does not contain speculation, opinions, findings, decisions, or recommendations for sanctions¹¹:

- statement of the allegation(s);
- listing of individuals interviewed including dates of the interviews;
- all inculpatory evidence (evidence that would tend to support a finding that a respondent is responsible for the alleged misconduct) that is directly related to the allegations;
- all exculpatory evidence (evidence that would tend to support a finding that a respondent did not commit the alleged misconduct) that is directly related to the allegations;
- credibility assessments which may not be based on an individual's status as a complainant, respondent, or witness;
- listing of relevant documents attached to the report as exhibits.

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. OGC will coordinate with SECO and provide its review of the initial draft investigation report to the IA within 10 business days.

The IA will have 5 business days to create a final draft investigation report and share that document electronically with both the complainant, respondent, and their advisors, if any. The university provides parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the university does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence related to the allegations whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. This includes sending to each party and the party's advisor, if any, the final draft investigation report (with exhibits) subject to inspection and review. Both the report and the collected evidence will be unredacted to the extent allowed by law.

The complainant and the respondent will be given 10 business days to review the final draft investigation report and evidence and submit a written response to the IA for the IA to consider prior to completion of the final investigative report. A party's response may include: (1) written comment or feedback; (2) additional evidence or information; (3) the names of additional witnesses or a request for the collection of other information by the IA; and/or (4) questions to be asked (at the discretion of the IA) of the other parties or witnesses. If a party's response to the final draft investigation report includes new evidence/information/witness names that were not provided to the IA during the original investigation, the party must submit a written explanation as part of the response as to why the evidence/information/witness names were not originally provided to the IA. The IA has the discretion to disregard or accept new information/evidence/witness names. A party may not withhold information/evidence/witness names, refuse to answer question(s), or participate in the original investigation and then provide the information for the first time at party review. The IA must explain to the party proposing the questions any decision to exclude a question as repetitious or not relevant. A

¹¹ The investigation report for a non-sex based civil rights complaint must also include the IA's conclusion, based on the preponderance of the evidence, whether or not the alleged behavior/conduct occurred, did not occur, or there was insufficient evidence to establish that the behavior occurred or not, but will not determine whether or not the behavior establishes a violation of system or university regulations or rules.

party's written response, if any, will be shared with all other parties and incorporated in the investigation report as an exhibit.

While it is the IA's responsibility to undertake a thorough search for relevant facts and evidence and to gather evidence sufficient to reach a determination regarding responsibility, the IA must conclude the investigation within a reasonably prompt time frames and without the power of subpoena.

At the conclusion of the review and response period, the IA will determine if the final draft investigation report should be amended with any new information or evidence. If necessary, the IA may pursue additional investigative steps. The IA will have 10 business days to complete this process.

The IA will then have 5 additional business days to prepare a final report (as amended, if applicable), and forward it along with exhibits, responses from the parties, and other information directly related and relevant to the allegations, to OGC and SECO for legal review. OGC and SECO will then have 5 business days to provide feedback to the IA. The latter review provided by OGC and SECO may be waived by mutual agreement between the university and OGC/SECO if no substantive changes were made following the initial review. After receiving the legal review, the IA will have 5 business days to finalize the investigation report and submit it to the parties and to the DA for decision-making and sanctions.

Circumstances may warrant extensions to the timeframes in this section. The IA should send an extension request, if needed, to the A&M-San Antonio Title IX Coordinator. Both the complainant(s) and the respondent(s) are notified of any extensions in writing.

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, System Rule 08.01.01.S1 (for Academic Affiliate staff and students) or A&M-San Antonio Rule 08.01.01.O1 (for Academic Affiliate faculty). If violation(s) are found, the DA may issue sanctions.

Procedures governing the resolution of all sexual harassment and sex-based misconduct allegations

The A&M-San Antonio Title IX Coordinator will appoint a university official and/or a hearing officer to be the DA. The university official and/or hearing officer will render decisions in cases with allegations against employees, third parties, and students¹².

The DA will review the unredacted final investigation report, the documentary evidence, the record of the hearing (if applicable), and any other relevant information. The parties will also be provided a pre-hearing conference to review the hearing process as well as to explore any available options for informal resolution. The parties have at least 10 business days to review the final investigative report and to respond in writing to the DA (if desired) prior to the hearing. The DA has the sole discretion to determine the relevance of evidence and whether it should be heard at a hearing. Neither the Texas

¹² Exceptions: The chancellor or designee will serve as the DA in complaints against the Texas A&M President or an employee who reports directly to the Texas A&M President; a Chief Operating Officer or an employee who reports directly to the Chief Operating Officer. The chair of the Board of Regents or designee will serve as the DA in complaints against the chancellor or an employee who reports directly to the chancellor.

Rules of Evidence nor the federal Rules of Evidence apply in university hearings. At any time prior to the adjudication of a formal complaint, the parties may seek informal resolution to resolve the complaint.

Unless waived by the parties, following the pre-hearing conference, the parties will be given a minimum of 5 business day's notice of any formal hearing. The notice must include the date, time, and location of the hearing, as well as instructions for those participating in hearings through online means.

If applicable, The DA will conduct a live hearing¹³ to allow the parties (or in sex-based cases, the parties' advisor) to question witnesses, submit evidence or information, and to allow the DA and the parties' advisor to cross-examine other parties or witnesses. The complainant and the respondent at a sex-based case hearing must have an advisor with them. In sex-based case hearings in which a party does not have an advisor, the university will provide a trained advisor to assist them in the hearing process.

In sex-based cases, cross-examination of the complainant, respondent, and any witnesses may not be conducted by the opposing party but must be conducted by their advisor. Questions are to be directed to the DA, who will determine whether or not each question will be admitted into the hearing. If a question is deemed repetitious or not relevant, the decision-maker must explain the decision to exclude it. When parties are being subject to cross-examination, the advisor may not answer on behalf of the party.

The DA will preside over the hearing and make final determinations on the relevance of questions and evidence asked during the cross-examination. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the alleged conduct, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The DA cannot draw an inference regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Following the hearing, the DA will develop a draft result¹⁴ (hereafter called decision), 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 System Regulation 08.01.01, System Rule 08.01.01.S1 (for Academic Affiliate staff and students), and/or A&M-San Antonio Rule 08.01.01.O1 (for Academic Affiliate faculty). If applicable, the DA will also include a decision as to whether the respondent violated any other university regulation, code, policy, standard administrative procedure, or rule. If the DA determines that any regulations, policies, rules, standard administrative procedures, or codes have been violated,

¹³ Hearings will be closed to the public. The university will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review. Physical access to the recording or transcript must be provided upon request for the purpose of preparing an appeal following the hearing. Attendance at a hearing may be in person or may be conducted through remote means, provided that all parties and the DA can see and hear one another in real time during the course of the hearing.

¹⁴ Result is defined as any initial, interim and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanction imposed by the institution.

the DA will consider any information about impact, mitigation, aggravation, and the respondent's character in their decision about sanctions. The DA will submit the draft to SECO within 2 business days. SECO will have a maximum of 3 business days to provide feedback to the DA.

Thereafter, the DA will have a maximum of 3 additional business days to issue a decision letter. The decision letter must be sent simultaneously to notify the parties, in writing, of the decision on responsibility and sanctions except when to do so would violate state or federal law [e.g., Family Education Rights and Privacy Act (FERPA)]. The decision must include any sanctions imposed by the institution, if any. Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, the decision letter must include the rationale for the decision and the sanctions¹⁵. The decision will include information about appealing the decision and/or sanctions.

Decision letters must include (1) identification of the allegations; (2) a description of the procedural steps taken from the receipt of a formal complaint through determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held, if any; (3) a finding for each allegation as to whether the conduct occurred and findings of fact supporting the determination; (4) conclusion regarding the application of the university's conduct standards to the facts; (5) a statement of, and rationale for, the result as to each allegation including a determination regarding responsibility (substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01, System Rule 08.01.01.S1 (for Academic Affiliate staff and students) and A&M-San Antonio Rule 08.01.01.O1 (for Academic Affiliate faculty), any disciplinary sanctions the university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the university's education program or activity will be provided by the university to the complainant, and; (6) the university's procedures and permissible bases for the complainant and respondent to appeal the decision and/or sanctions. If it was alleged that any other system regulations or university rules, standard administrative procedures, codes, or policies were violated, there will be a statement of responsibility as to these allegations as well. The decision on responsibility made by the DA does not constitute an employment action with respect to faculty and non-faculty employees. Any sanction against an employee, imposed as a result of a substantiated finding, will constitute an employment action.

If for any reason there is reasonable cause for the university to delay the issuance of the decision letter, this will be communicated to the parties by the DA or designee. If a student respondent withdraws or graduates from the university pending the resolution of a complaint, the process will continue and the university will not issue a transcript on behalf of the student until the conclusion of the process.

Upon request by another postsecondary educational institution, the university must provide to the requesting institution any determination that a student violated the university's code of conduct by committing sexual harassment, sexual assault, sex-based misconduct, dating violence, domestic violence, and/or stalking based on sex.

¹⁵ The decision of the DA will include how the university weighted the evidence and information presented during the hearing, how the evidence and information support the decision and sanctions, and how the standard of evidence was applied.

The goal is to resolve complaints in a reasonably prompt timeframe; however, extenuating circumstances requiring additional time may necessitate an extension for good cause. Written notice of the delay and the reason for the delay are provided to the complainant and the respondent by the A&M-San Antonio Title IX Coordinator or designee.

Procedures governing the resolution of all other civil rights complaints (sex-related pay disparities and/or program inequities, excluding hostile environment, and allegations other than sexual harassment and sex-based misconduct)

Following are the resolution procedures for sex-based pay disparities and/or program inequities, excluding hostile environment, and non-sex-based complaints based on race, color, religion, national origin, age, disability, genetic information, pregnancy or parenting status, and/or veteran status. When a complaint involves allegations of misconduct that involve both sex-based allegations and allegations of other civil rights violations, the process shall be conducted under the requirements established for sex-based offenses.

The DA will review the unredacted final investigation report, the documentary evidence, and any other relevant information. 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. At any time prior to the adjudication of a formal complaint, the parties may seek informal resolution to resolve the complaint.

The DA will develop a draft decision, based on the preponderance of the evidence, as to a) a finding for each allegation as to whether conduct occurred; and b) a finding of responsibility for each allegation: substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01 <https://www.tamusa.edu/paying-for-college/index.html>, System Rule 08.01.01.S1 (for Academic Affiliated staff and students), and A&M-San Antonio Rule 08.01.01.O1 ((for Academic Affiliated faculty). If it was alleged that any other system regulations or university rules, standard administrative procedures, codes, or policies were violated, there will be a statement of responsibility as to these allegations as well.

The DA will submit the draft decision to OGC within 5 business days after receiving the final investigation report and consult, as needed, with respect to sanctioning. OGC will coordinate with SECO and provide its review of the draft decision within 5 business days. For a complaint against a student, it may be impractical for OGC to review the intended decision prior to issuance by the DA. Universities are therefore exempt from obtaining OGC review of the decision for student complainants prior to issuance but may request assistance from OGC and SECO when needed.

The DA will have 5 business days to finalize the decision and simultaneously notify the parties, the IA, and any other university official with a need to know, in writing, of the decision and sanctions. In cases in which the allegations are substantiated, the final decision will also be provided to an employee respondent's supervisor. 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, in the decision, the DA will state the rationale for the decision and the sanctions, if any. The final decision will include instructions for appealing the decision and/or sanctions.

Circumstances may warrant extensions to the time frames in this section. The DA should send an extension request, if needed, to the office or individuals who appointed them. Both the complainant(s) and the respondent(s) should be notified of any extensions in writing.

Sanctioning Considerations

In determining appropriate sanctions, many factors may be considered. Factors include, but are not limited to:

- the expressed wishes of the complainant(s);
- the nature of the 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 discrimination, harassment, and/or retaliation and prevent its recurrence, as well as the need to remedy its effects on the complainant(s) or other university community members; and/or
- any other mitigating, aggravating, or compelling circumstances.

Sanctioning for Employees

If an employee is found to have engaged in sexual harassment or sex-based misconduct, the sanction will be termination of employment. If an employee is found to have engaged in conduct prohibited by System Regulation 08.01.01, System Rule 08.01.01.S1 (for Academic Affiliate staff and students), and/or A&M-San Antonio Rule 08.01.01.O1 (for Academic Affiliate faculty) (other than sexual harassment and/or sex-based misconduct), the DA may assign appropriate sanction(s) which may have educational, restorative, punitive, and/or rehabilitative components. Sanctions include, but are not limited to, 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, standard administrative procedure, code, or regulation, the DA may assign appropriate sanction(s) or may refer the sanctioning to any other appropriate university administrator.

Sanctioning for Students

In all cases, investigations that result in a finding of responsibility by using the preponderance of the evidence standard, will lead to the initiation of disciplinary procedures against the accused individual. The sanctions applied will be in accordance with the Model Sanctioning Matrix For Sexual Violence And Sexual Harassment Violations By Students In The Texas A&M University System. University sanctions, including one or more of the following, may be imposed by the university upon individuals, groups, or organizations. Sanctions for violations may be administered regardless of whether actions of the student are also civil or criminal violations. Whenever disciplinary action leads to the student leaving the university, grades will be assigned in accordance with the university grade policy and the academic calendar.

Sanctions for students may include, but are not limited to:

- Reprimand
- Loss of privileges
- Imposition of certain tasks
- Probation
- Suspension
- Expulsion
- Revocation of Degrees
- Organizational sanctions

For additional information concerning the Model Sanctioning Matrix For Sexual Violence And Sexual Harassment Violations By Students In The Texas A&M University System, please visit:

<http://assets.system.tamus.edu/files/policy/pdf/08-01-01-Appendix.pdf>

Minimum Sanctions: In addition, students found responsible for committing dating or domestic violence and/or non-consensual sexual penetration of another person will be subject to a minimum sanction of a one-year suspension, in the absence of significant mitigating factors. Students found responsible for these acts who have demonstrated predation for the purpose of carrying out these acts will be subject to permanent expulsion.

Students found responsible for committing acts of sexual harassment, sexual assault, dating violence, domestic violence, stalking based on sex, and/or any other sex-based misconduct 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.

Appeals procedures governing the resolution of all sexual harassment and sex-based misconduct allegations

An appeal of a complaint dismissal, hearing decision, and/or sanctions related to an allegation of sexual harassment or sex-based misconduct may be made by the complainant and/or the respondent. The Appeal Authority, the individual or panel responsible for rendering appeal decisions, is assigned based on the status of the respondent in accordance with the following table. Appeal Authorities shall not have had any previous involvement and/or participation in the investigation and/or decision pertaining to an appeal under review.

If the allegations are against a:	Student	Non-Faculty Employee and Third Party	Faculty Employee
Then the Appeal Authority is:	Vice President for Student Affairs or President of A&M-San Antonio	A&M-San Antonio President	Provost and Vice President for Academic Affairs or President of A&M-San Antonio

All appeals will be confined to a review of the record from the investigation and any relevant 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. The appeals process carries a presumption that the original decision was correct unless a preponderance of the evidence demonstrates that one or more of the conditions of the appeal are met, and that either or both parties were deprived of a fair process.

Appeals must be submitted in writing and must include a statement outlining the basis for the appeal¹⁶ and any evidence which supports the appeal. Appeals must be filed at the location and within the timeframe dated in the DA's written notice of the decision (within 5 business days of notification of the decision). Decisions made by the DA shall not be final until an appeal deadline is passed, or when the appeal process is exhausted, or when all parties choose not to appeal.

To be a valid appeal, the appeal must: (1) be filed at the location and within the time frame stated in the DA's written notice; (2) identify a <https://www.tamusa.edu/paying-for-college/index.html> at least one of the bases for appeal, and (3) provide credible information or evidence substantiating the identified basis (es) for appeal.

If the Appeal Authority determines that an appeal is not valid, they will provide simultaneous written notice to the parties and the RELLIS Assistant Provost and Title IX Coordinator and the A&M-San Antonio Title IX Coordinator that no valid appeal was filed and that the decision of the DA is 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 by the Appeal Authority. The parties will be given 3 business days to review the appeal and submit a written response a) that provides support for or challenges the decision by the DA, and b) that responds to the appeal bases submitted by the appealing party. Any written response must be submitted to the Appeal Authority.

The Appeal Authority will review the A&M-San Antonio Title IX Coordinator's or the RELLIS Assistant Provost and Title IX Coordinator's letter of dismissal (if applicable), the investigation report (if applicable), the DA's decision (if applicable), the documentary evidence (if applicable), the record from the hearing (if applicable), and/or any other relevant information, and will render a written decision on the appeal. If both parties file a valid appeal, the Appeal Authority will review both appeals and will render decisions accordingly.

The Appeal Authority will render one or more of the following written decisions:

- Affirm the DA's decision on responsibility and, if applicable, 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.

¹⁶ Results (decision and/or sanctions) or dismissal of a complaint can be appealed on any of all of the following bases, as applicable: (a) A procedural irregularity that affected the outcome; (b) New evidence, not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter. The new evidence must be provided at the time of the appeal through the designated mechanism for filing an appeal; (c) The Title IX Coordinator, investigator(s) or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or (d) 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.

- Remand the complaint back to the DA because new evidence, not reasonably available at the time of the determination regarding responsibility or dismissal was made, appears to be relevant and could have significantly affected the outcome of the decision on responsibility, dismissal of the complaint, or the sanctions. The DA will reconvene the hearing (if applicable) for the limited purpose of considering the new evidence. The DA will issue a new decision which 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 in the investigation phase, the DA will instruct the IA to correct the procedural error or omission and amend the Investigative Report, as appropriate. The IA will then submit the amended investigative report to the parties for review and response and then to the DA for a new decision in accordance with formal resolution procedures. If the procedural error or omission occurred in the resolution phase, the DA will correct the procedural error or omission and then issue a new decision in accordance with the formal resolution procedures. The new decision of the DA may be appealed by the parties in accordance with the previously described appeal procedures.
- Remand the complaint to 1) the A&M-San Antonio Title IX Coordinator, or 2) SECO with the instruction to remedy a bias by the IA, DA, the RELLIS Assistant Provost and Title IX Coordinator, and/or the A&M-San Antonio Title IX Coordinator. If bias was present in the IA, the A&M-San Antonio Title IX Coordinator will appoint a new IA to review the investigation, collect additional evidence or information as appropriate, and follow the investigation requirements as outlined in the formal resolution procedures. A new report will be written and provided to the DA for a new hearing. If bias was present in the DA, the A&M-San Antonio Title IX Coordinator will appoint a new DA to re-hear the case with the existing investigation. If bias was present in the RELLIS Assistant Provost and Title IX Coordinator and/or A&M- San Antonio Title IX Coordinator, SECO will appoint a different staff member to address the influence of the RELLIS Assistant Provost and Title IX Coordinator and/or A&M-San Antonio Title IX Coordinator on the case.
- Modify the decision on sanctions because the sanctions given were inappropriate or disproportionate to the severity of the conduct after considering all the circumstances¹⁷. The Appeal Authority will impose new sanctions, which are final.

Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, the Appeal Authority will render a written decision simultaneously to the parties that includes a rationale for the decision as to each of the grounds appealed, changes occurring based on the appeal, and when such results become final.

To the extent reasonably possible:

- For student respondents: The Appeal Authority will provide the written decision simultaneously to the parties and the RELLIS Assistant Provost and Title IX Coordinator and A&M-San Antonio Title IX Coordinator within 10 business days following the 3 business day review deadline. Appeal Authorities are exempt from obtaining OGC review of

¹⁷ 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.

decisions for student respondents prior to issuance but may request assistance from OGC and SECO as needed.

For employee or third-party respondents: The Appeal Authority will provide a draft decision to OGC for review within 5 business days following the 3 business day review deadline. System Office officials will provide its review of the draft decision to the Appeal Authority within 5 business days. To the extent possible, the Appeal Authority will provide a final written decision simultaneously to the parties and the RELLIS Assistant Provost and Title IX Coordinator and A&M-San Antonio Title IX Coordinator within 5 business days of receipt of the review from the System Office. If the complaint on appeal is substantiated, the respondent's supervisor will also be informed.

The decision of the Appeal Authority is considered to be final and binding on all involved parties.

Circumstances may warrant extensions to the timeframes outlined in this section. The Appeal Authority may send an extension request to the office or individual who appointed them with a rationale for an extension. If the extension is granted, the Appeal Authority will notify the parties and the RELLIS Assistant Provost and Title IX Coordinator and/or A&M-San Antonio Title IX Coordinator in writing.

Appeal procedures governing the resolution of other complaints (allegations other than sexual harassment and sex-based misconduct)

Any employee disciplined pursuant to this regulation may appeal that action in accordance with [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#); [System Policy 32.01, Employee Complaint and Appeal Procedures](#); [System Regulation 32.01.01, Complaint and Appeal Procedures for Faculty Members](#); [System Regulation 32.01.02, Complaint and Appeal Process for Nonfaculty Employees](#); and/or other system policies or regulations as appropriate.

Any student receiving a sanction of separation (expulsion or suspension) pursuant to this regulation may appeal the sanction in accordance with the A&M-San Antonio code of conduct for student grievances.

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 Appeal Authority, as appropriate under the circumstances. Time frames for the receipt, investigation, and adjudication of complaints may be extended for good cause. Good cause is to be determined by the university in consultation with OGC and SECO, and reasonable extensions may be granted at the discretion of the university. 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 Appeal Authority 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 Appeal Authority to the A&M-San Antonio Title IX Coordinator for review and decision by the A&M-San Antonio Title IX Coordinator or designee. The A&M-San Antonio Title IX Coordinator will simultaneously notify the complainant and respondent in writing of any extensions and the reason for the extensions.

Dismissals under Title IX

Cases involving allegations of sexual harassment, sexual assault, and dating violence, domestic violence, and/or stalking based on sex are subject to mandatory or discretionary dismissal from the Title IX process¹⁸ under federal law. However, at the discretion of the A&M-San Antonio Title IX Coordinator, in consultation with OGC and SECO, cases dismissed from the Title IX process may be subject to investigation and adjudication as sex-based misconduct which provides for the same investigation and resolution process as cases meeting sexual harassment under Title IX.

Mandatory Dismissals

If the conduct alleged in the formal complaint would not constitute sexual harassment as defined even if proved, did not occur in the university's education program or activity, or did not occur against a person in the United States, then the university must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX only. Such dismissal does not preclude action under

- Sex-based Misconduct procedures or
- Another provision of the university's conduct standards.

Discretionary Dismissals

The university may dismiss a formal complaint of sexual harassment under Title IX if the complainant notifies the RELLIS Assistant Provost Title IX Coordinator and/or the A&M-San Antonio Title IX Coordinator in writing that the complainant wishes to withdraw it, if the respondent is no longer enrolled or employed by the university, or if specific circumstances prevent the university from collecting evidence sufficient to reach a determination (e.g., when the complainant has ceased participating in the process, in certain fact specific cases when the passage of time precludes the collection of sufficient evidence, when complainant's or respondent's identity is not known, and when the exact same allegations have already been investigated and adjudicated). Such dismissal does not preclude action under

- Sex-based Misconduct procedures or

¹⁸ Complaints will be processed under Title IX if all of the following apply: (1) The university has actual knowledge of a notice of sexual harassment or a complaint involving allegations of sexual harassment, sexual assault, and/or dating violence, domestic violence, and stalking based on sex to the Title IX Coordinator or any university official who has authority to institute corrective measures and redress harassment on behalf of the university. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge; (2) A formal complaint is filed by the complainant or signed by the Title IX Coordinator; (3) The alleged behavior/conduct must have occurred against a person while in the United States; (4) At the time the formal complaint was filed, the complainant was participating or attempting to participate in the university's education program or activity. This includes an enrolled student, an employee, and applicants for admission or employment at the university, and; (5) The alleged conduct meets the definition of sexual harassment as set forth in this policy.

- Another provision of the university's conduct standards.

Upon a dismissal required or permitted pursuant to the above, the university must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties. The parties must be given the opportunity to appeal a dismissal to the designated Appeal Authority in accordance with the appeal procedures referenced above.

Primary Prevention and Awareness Programs¹⁹

The university engages in primary prevention programs that are directed at incoming students and new employees. These 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 mutually respectful relationships and sexual interactions, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Texas A&M-San Antonio provides culturally relevant, inclusive primary prevention and awareness education to incoming students and new employees to clearly define sexual assault, dating violence, domestic violence, stalking, and consent in reference to sexual activity. The programs identify sexual assault, dating violence, domestic violence, and stalking as conduct prohibited by the university, and they provide information regarding bystander intervention, risk reduction in recognizing warning signs of abusive behavior, ways to avoid potential attacks, and individuals' rights and options. The training includes procedures individuals should follow if sexual assault, dating violence, domestic violence, or stalking occurs and procedures the institution will follow when this conduct 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 (existing counseling, health, mental health, advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services); rights and options for obtaining lawful orders; options for, available assistance in, and information on how to request changes to academic, housing, transportation, and work situations or other supportive measures; how the institution will protect the confidentiality of victims and other parties; and protection from retaliation.

Texas A&M-San Antonio's primary prevention programs include the following:

- First semester undergraduate and graduate students, and all transfer students, are required to watch the A&M System training video on sexual harassment and other forms of sex-based misconduct before they can register for classes.

¹⁹ 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.

New employees are required to complete a comprehensive, on-line training course (*Creating a Discrimination Free Workplace*) within 30 days of hire and every two years thereafter.

Ongoing Prevention and Awareness Campaigns

The university engages in ongoing prevention and awareness campaigns that are directed at all 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 support ongoing campaigns for students and employees as described below.

Title IX Office –The Title IX Office provides on-going training on sexual assault and domestic and dating violence and stalking related to sex through stand-up presentations to faculty, staff, and student groups; tabling events; distribution of flyers and brochures; standing banners; and one-on-one counseling.

A&M-SA PD provides ongoing education available to students and employees to promote prevention and personal safety including sexual assault, dating violence, domestic violence and stalking prevention and awareness, drug and alcohol awareness, and rape prevention through self-defense tactics. Related materials are typically distributed at tabling's and awareness events across campus and in the community during times such as the, Jaguar's Night Out, and Sexual Assault Awareness Month.

The Student Counseling Center provides on-going training and programming related to healthy relationships, dating violence, domestic violence, and sexual assault through bystander intervention training, tabling events, resource fairs, standing banners, social media posts, and website information. Individual and group therapy focused on relationship dynamics are also available.

Bystander Intervention and Risk Reduction²⁰

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 when someone could use some help. Bystander intervention means just that; people taking care of others. If you see someone 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 the person from the situation.

²⁰ 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.

- Point out the unwanted behavior in a safe and respectful manner.
- Call for help, if needed.

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

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

Be aware of the signs of abusive relationships:

- Is one of the partners verbally and/or 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

Prohibition of Retaliation

A&M-San Antonio, RELLIS, and The Texas A&M University System prohibit retaliation. No officer, employee, student, or agent of the A&M System may retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of the Clery Act, the Violence Against Women Act, or A&M System policies and regulations and A&M-San Antonio rules and standard administrative procedures.

Sex Offender Registration

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

The Texas Department of Public Safety (DPS) is the official Texas internet source for Sex Offender Registration information. The Sex Offender Registration open record information is extracted from the DPS Sex Offender Registration Database. The DPS maintains files based on registration information submitted by criminal justice agencies and represents a statewide source of information on sex offenders required by law to register. The DPS Texas Public Sex Offender Registry website is found at: <https://publicsite.dps.texas.gov/SexOffenderRegistry>.

TAMUPD receives notification of registered sex offenders that are currently employed, work, teach, volunteer, or attend classes on the RELLIS campus of The Texas A&M University System-. Notification comes from the Brazos County Sheriff's Sex Offender Registration Office.

Additional resources for gathering sex offender and sex crime data in the area:

Brazos County Sheriff's Office – 979-361-4980

Bryan Police Department – 979-209-5300

College Station Police Department – 979-764-3600

Blinn College Police Department – 979-361-3888

Victim Notification

In accordance with the Higher Education Opportunity Act, upon written request, the institution 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 institution 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.

Definitions of Clery Act Offenses

Sexual Assault: An offense that meets the definition of rape, fondling, incest or statutory rape. 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: The Texas A&M University System Regulation A&M System Regulation 08.01.01, Civil Rights Compliance, provides guidance in complying with local, state and federal civil rights laws and regulations (laws) and related system policy. This regulation establishes system wide standards for the receipt and processing of reports, complaints, formal complaints, investigations, adjudication, appeals, and use of informal resolution in cases involving allegations of discrimination, harassment

and/or related retaliation based on protected class (discrimination), including complaints made by employees, students, and/or third parties. According to A&M [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 is asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made by threat, coercion, or force, cannot give consent. Consent may be revoked by any party at any time.

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; or
 - (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
- (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:
- (1) the actor compels the other person to submit or participate by the use of physical force, violence, or coercion;
 - (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person or to cause harm to the other person, and the other person believes that the actor has the present ability to execute the threat;

- (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
- (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
- (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
- (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
- (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
- (8) the actor is a public servant who coerces the other person to submit or participate;
- (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
- (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser;
- (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; or
- (12) the actor is a health care services provider who, in the course of performing an assisted reproduction procedure on the other person, uses human reproductive material from a donor knowing that the other person has not expressly consented to the use of material from that donor;
- (13) the actor is a coach or tutor who causes the other person to submit or participate by using the actor's power or influence to exploit the other person's dependency on the actor; or
- (14) the actor is a caregiver hired to assist the other person with activities of daily life and causes the other person to submit or participate by exploiting the other person's dependency on the actor.

(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.
- (6) "Assisted reproduction" and "donor" have the meanings assigned by Section 160.102, Family Code.
- (7) "Human reproductive material" means:
- (A) a human spermatozoon or ovum; or
 - (B) a human organism at any stage of development from fertilized ovum to embryo.
- (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) 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; or
 - (b) a person with whom the actor was prohibited from engaging in sexual intercourse or deviate sexual intercourse under Section 25.02.
- (f) An offense under this section is a felony of the second degree, except that an offense under this section is:
- (1) a felony of the first degree if the victim was:

- (A) 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](#); or
 - (B) a person with whom the actor was prohibited from engaging in sexual intercourse or deviate sexual intercourse under Section 25.02; or
- (2) a state jail felony if the offense is committed under Subsection (a)(1) and the actor has not received express consent as described by Subsection (b)(12).

Indecent Assault is defined in the [Texas Penal Code, Section 22.012](#) as follows.

- (a) A person commits an offense if, without the other person's consent and with the intent to arouse or gratify the sexual desire of any person, the person:
- (1) touches the anus, breast, or any part of the genitals of another person;
 - (2) touches another person with the anus, breast, or any part of the genitals of any person;
 - (3) exposes or attempts to expose another person's genitals, pubic area, anus, buttocks, or female areola; or
 - (4) causes another person to contact the blood, seminal fluid, vaginal fluid, saliva, urine, or feces of any person.
- (b) An offense under this section is a Class A misdemeanor, except that the offense is
- (1) a state jail felony if it is shown on the trial of the offense that:
 - (A) the defendant has been previously convicted of an offense under this section, other than an offense punishable under Paragraph (B); or
 - (B) the defendant is a health care services provider, or a mental health services provider and the act is:
 - (i) committed during the course of providing a treatment or service to the victim; and
 - (ii) beyond the scope of generally accepted practices for the treatment or service; or
 - (2) a felony of the third degree if it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this section that is punishable under Subdivision (1)(B).
- (c) If conduct that constitutes an offense under this section also constitutes an offense under another law, the actor may be prosecuted under this section, the other law, or both.
- (d) In this section, "health care services provider" and "mental health services provider" have the meanings assigned by Section 22.011.

Aggravated Sexual Assault is defined in the [Texas Penal Code, Section 22.021](#) as follows.

- (a) A person commits an offense:
- (1) if the person:
 - (A) intentionally or knowingly:
 - (i) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - (ii) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or

- (iii) 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
 - (B) regardless of whether the person knows the age of the child at the time of the offense, intentionally or knowingly:
 - (i) causes the penetration of the anus or sexual organ of a child by any means;
 - (ii) causes the penetration of the mouth of a child by the sexual organ of the actor;
 - (iii) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
 - (iv) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
 - (v) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor; and
 - (2) if:
 - (A) the person:
 - (i) causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode;
 - (ii) by acts or words places the victim in fear that any person will become the victim of an offense under Section [20A.02\(a\)\(3\)](#), (4), (7), or (8) or that death, serious bodily injury, or kidnapping will be imminently inflicted on any person;
 - (iii) by acts or words occurring in the presence of the victim threatens to cause any person to become the victim of an offense under Section [20A.02\(a\)\(3\)](#), (4), (7), or (8) or to cause the death, serious bodily injury, or kidnapping of any person;
 - (iv) uses or exhibits a deadly weapon in the course of the same criminal episode;
 - (v) acts in concert with another who engages in conduct described by Subdivision (1) directed toward the same victim and occurring during the course of the same criminal episode; or
 - (vi) with the intent of facilitating the commission of the offense, administers or provides to the victim of the offense any substance capable of impairing the victim's ability to appraise the nature of the act or to resist the act;
 - (B) the victim is younger than 14 years of age, regardless of whether the person knows the age of the victim at the time of the offense; or
 - (C) the victim is an elderly individual or a disabled individual.
- (b) In this section:
- (1) "Child" has the meaning assigned by Section 22.011(c).
 - (2) "Elderly individual" has the meaning assigned by Section 22.04(c).
 - (3) "Disabled individual" means a person older than 13 years of age who by reason of age or physical or mental disease, defect, or injury is substantially unable to protect the person's self from harm or to provide food, shelter, or medical care for the person's self.
- (c) An aggravated sexual assault under this section is without the consent of the other person if the aggravated sexual assault occurs under the same circumstances listed in Section 22.011(b).
- (d) The defense provided by Section 22.011(d) applies to this section.

- (e) An offense under this section is a felony of the first degree.
- (f) The minimum term of imprisonment for an offense under this section is increased to 25 years if:
 - (1) the victim of the offense is younger than six years of age at the time the offense is committed; or
 - (2) the victim of the offense is younger than 14 years of age at the time the offense is committed and the actor commits the offense in a manner described by Subsection (a)(2)(A).

Prohibited Sexual Conduct is defined in the [Texas Penal Code, Section 25.02](#) as follows.

- (a) A person commits an offense if the person engages in sexual intercourse or deviate sexual intercourse with another person the actor knows to be, without regard to legitimacy:
 - (1) the actor's ancestor or descendant by blood or adoption;
 - (2) the actor's current or former stepchild or stepparent;
 - (3) the actor's parent's brother or sister of the whole or half blood;
 - (4) the actor's brother or sister of the whole or half blood or by adoption;
 - (5) the children of the actor's brother or sister of the whole or half blood or by adoption; or
 - (6) the son or daughter of the actor's aunt or uncle of the whole or half blood or by adoption.
- (b) For purposes of this section:
 - (1) "Deviate sexual intercourse" means any contact between the genitals of one person and the mouth or anus of another person with intent to arouse or gratify the sexual desire of any person.
 - (2) "Sexual intercourse" means any penetration of the female sex organ by the male sex organ.
- (c) An offense under this section is a felony of the third degree, unless the offense is committed under Subsection (a)(1), in which event the offense is a felony of the second degree.

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 or applicant for a protective order:
 - (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 or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- (b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:
 - (1) the length of the relationship;

- (2) the nature of the relationship; and
 - (3) the frequency and type of interaction between the persons involved in the relationship.
- (c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

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

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

- (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;
- (2) abuse, as that term is defined by [Sections 261.001\(1\)\(C\), \(E\), \(G\), \(H\), \(I\), \(J\), \(K\), and \(M\)](#), 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 at a specific other 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; or
 - (B) that an offense will be committed against:
 - (i) a member of the other person's family or household;
 - (ii) an individual with whom the other person has a dating relationship; or
 - (iii) 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:
 - (A) to be placed in fear of bodily injury or death or in fear that an offense will be committed against 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, or the other person's property; or
 - (B) to feel harassed, terrified, intimidated, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
- (3) would cause a reasonable person under circumstances similar to the circumstances of the other person to:
 - (A) fear bodily injury or death for the person;
 - (B) fear that an offense will be committed against 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, terrified, intimidated, annoyed, alarmed, abused, tormented, embarrassed, or offended.
- (b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:
 - (1) the laws of another state;
 - (2) the laws of a federally recognized Indian tribe;
 - (3) the laws of a territory of the United States; or
 - (4) federal law.
- (c) For purposes of this section, a trier of fact may find that different types of conduct described by Subsection (a), if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.
- (d) In this section:
 - (1) "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.
 - (2) "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

Sec. 42.07. Harassment.

- (a) A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:
 - (1) initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;
 - (2) threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - (3) conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;

- (4) causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - (5) makes a telephone call and intentionally fails to hang up or disengage the connection;
 - (6) knowingly permits a telephone under the person's control to be used by another to commit an offense under this section;
 - (7) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; or
 - (8) publishes on an Internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern;
- or

Text of subdivision as added by Acts 2023, 88th Leg., R.S., Ch. 839 (H.B. 2715), Sec. 7

- (9) tracks or monitors the personal property or motor vehicle of another person, without the other person's effective consent, including by:
 - (A) using a tracking application on the person's personal electronic device or using a tracking device; or
 - (B) physically following the other person or causing any person to physically follow the other person

Text of subdivision as added by Acts 2023, 88th Leg., R.S., Ch. 1118 (H.B. 1427), Sec. 1

- (9) makes obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an Internet application or other technological means.

(b) In this section:

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

(c) An offense under this section is a Class B misdemeanor, except that the offense is a Class A misdemeanor if:

- (1) the actor has previously been convicted under this section; or
- (2) the offense was committed under Subsection (a)(7) or (8) and:
 - (A) the offense was committed against a child under 18 years of age with the intent that the child:
 - (i) commit suicide; or

- (ii) engage in conduct causing serious bodily injury to the child; or
- (B) the actor has previously violated a temporary restraining order or injunction issued under Chapter 129A, Civil Practice and Remedies Code.

(d) In this section, "matter of public concern" has the meaning assigned by [Section 27.001](#), Civil Practice and Remedies Code.

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed).

Burglary: The unlawful entry of a structure to commit a felony or theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

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, and 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 or masculine or feminine.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being; e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Gender Identity: A preformed negative opinion or attitude toward a person (or group of persons) based on their actual or perceived gender identity; e.g., bias against transgender or gender nonconforming individuals (a person who does not conform to the gender-based expectations of society).

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced aged or illness.

Additional Hate Crime Definitions:

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property (Except "Arson"): To willfully or maliciously damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Arrests and Referrals for Disciplinary Action: Arrest is defined as persons processed by arrest, citation, or summons. Referred for disciplinary action is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction. Clery Act

statistics are disclosed for arrests and referrals regarding state or local violations of liquor, drug abuse, and weapons laws. Only violations of the law resulting in arrest or referral are disclosed. Violations of institutional policy alone are not included in Clery Act statistics.

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

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

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

Definitions of Clery Act Locations

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

On-campus Student Housing Facilities (Residential Facilities): 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. No non-campus facilities are owned or controlled by RELLIS Campus, therefore, statistics for non-campus facilities are not required to be disclosed.

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

Texas A&M University-San Antonio RELLIS Campus – Reportable Crimes

A&M-San Antonio did not have students on the RELLIS campus until the fall of 2024. Thus, there are no reportable crimes for the 2024 Annual Security Report, which covers calendar year 2023.

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 TAMUPD is the prevention of crime before it occurs. Because TAMUPD 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 to TAMUPD and may prevent someone else from becoming a victim of a more serious crime.

The TAMUPD's Community Services Unit, within the Special Operations Section, is staffed by officers who are state Certified Crime Prevention Specialists that continually present programs covering crime prevention and security information to students, staff, faculty, and the community at large. These Crime Prevention Specialists are dedicated full time to crime prevention efforts and programs. They participate in and provide information during new and transfer student orientation, international student orientation, in addition to a number of other programs scheduled annually with student, staff and faculty organizations. In these sessions, information is provided regarding campus security procedures and practices. The Campus Safety Awareness Series is another opportunity for the campus community to get to know TAMUPD officers, ask questions about security procedures and practices, and/or voice concerns. For additional information or to schedule a program you are encouraged to call the Community Services Unit at (979) 458-1674.

TAMUPD typically offers a variety of crime prevention programs, safety programs, and services to RELLIS students, employees, and community members. The programs are designed to encourage students and employees to be responsible for their own security and the security of others.

- Personal Safety Awareness – scheduled upon request
- Theft/burglary Prevention – scheduled upon request
- TAMUPD Self-Defense Program – scheduled upon request
- Alive@25 Defensive Driving – offered periodically throughout the year
- Operation ID (free engraving of property in the residence hall, home, and office) – offered throughout the year or by bringing the item to the TAMUPD
- Residential and Office Security Surveys – scheduled upon request
- Drug and Alcohol Awareness – scheduled upon request
- Sexual Assault Prevention – scheduled upon request
- Active Shooter Preparedness – scheduled upon request
- Apartment and Home or Residence Hall Security – scheduled upon request
- Robbery Prevention – scheduled upon request
- Workplace Crime Prevention – scheduled upon request
- Bicycle Registration – see description below

Bicycles are a popular mode of transportation in the campus environment and can be a prime target of theft. Texas A&M Transportation Services requires all students, faculty, and staff to register any bicycle they plan to ride on campus and show proof of registration by displaying a permit/registration sticker to avoid enforcement action. Registration is critical for planning and communication and helps identify bicycles that are lost or stolen. Information on mandatory bike registration can be obtained by calling the Alternative Transportation Office at (979) 847-2453 or visiting <https://transport.tamu.edu/alternative/bicycles/register.aspx>.

RELLIS Important Telephone Numbers

Name	Phone
Emergencies – Police/Fire/Medical	911 for off campus; 911 or 9-911 for on campus
Texas A&M University Police Department	(979) 845-2345
Blinn College Police Department	(979) 209-7600
Bryan Police Department (non-emergency)	(979) 361-3888
Brazos County Sheriff's Office (non-emergency)	(979) 361-4980
College Station Police Department (non-emergency)	(979) 764-3600
Brazos County Crime Stoppers	(979) 775-TIPS (8477)
Bryan Fire Department	(979) 209-5960
College Station Fire Department	(979) 764-3700
Texas A&M Health Family Care (upper-level RELLIS students)	(979) 776-8440
TAMU Psychology Clinic (upper-level RELLIS students)	(979) 845-8017
Student Resources	(979) 317-3400
Student Safety & Rights	(979) 317-3404
Assistant Provost & Title IX Coordinator	(979) 317-3404

Texas A&M University-San Antonio

Name	Phone
Texas A&M University-San Antonio Police Department	(210) 784-1900
Student Counseling Center	(210) 784-1331
Title IX Coordinator	(210) 784-2061
Office of Victim Services	(210) 784-1906
Office of the Dean of Students	(210) 784-1408
Office of Compliance	(210) 784-2003
Human Resources	(210) 784-2058
Risk & Compliance Coordinator	(210) 784-2028